



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART X

#### POLICE—GENERAL

#### **106 Arrangements for obtaining the views of the community on policing.**

- (1) Arrangements shall be made in each police area for obtaining the views of people in that area about matters concerning the policing of the area and for obtaining their co-operation with the police in preventing crime in the area.
- (2) Except as provided by subsections (3) to (7) below, arrangements for each police area shall be made by the police authority after consulting the chief constable as to the arrangements that would be appropriate.
- (3) The Secretary of State shall issue guidance to the Commissioner of Police of the Metropolis concerning arrangements for the Metropolitan Police District; and the Commissioner shall make such arrangements after taking account of that guidance.
- (4) The Commissioner shall make separate arrangements—
  - (a) for each London borough;
  - (b) for each district which falls wholly within the Metropolitan Police District; and
  - (c) for each part of a district which falls partly within that District.
- (5) The Commissioner shall consult the council of each London borough as to the arrangements that would be appropriate for the borough.
- (6) The Commissioner shall consult the council of each such district as is mentioned in subsection (4)(b) above as to the arrangements that would be appropriate for the district.
- (7) The Commissioner shall consult the council of each such district as is mentioned in subsection (4)(c) above as to the arrangements that would be appropriate for the part of the district for which it falls to him to make arrangements.

*Status: Point in time view as at 10/08/1991.*

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- (8) The Common Council of the City of London shall issue guidance to the Commissioner of Police for the City of London concerning arrangements for the City; and the Commissioner shall make such arrangements after taking account of that guidance.
- (9) A body or person whose duty it is to make arrangements under this section shall review the arrangements so made from time to time.
- (10) If it appears to the Secretary of State that arrangements in a police area are not adequate for the purposes set out in subsection (1) above, he may require the body or person whose duty it is to make arrangements in that area to submit a report to him concerning the arrangements.
- (11) After considering the report the Secretary of State may require the body or person who submitted it to review the arrangements and submit a further report to him concerning them.
- (12) A body or person whose duty it is to make arrangements shall be under the same duties to consult when reviewing arrangements as when making them.

#### **107 Police officers performing duties of higher rank.**

- (1) For the purpose of any provision of this Act or any other Act under which a power in respect of the investigation of offences or the treatment of persons in police custody is exercisable only by or with the authority of a police officer of at least the rank of superintendent, an officer of the rank of chief inspector shall be treated as holding the rank of superintendent if he has been authorised by an officer of at least the rank of chief superintendent to exercise the power or, as the case may be, to give his authority for its exercise.
- (2) For the purpose of any provision of this Act or any other Act under which such a power is exercisable only by or with the authority of an officer of at least the rank of inspector, an officer of the rank of sergeant shall be treated as holding the rank of inspector if he has been authorised by an officer of at least the rank of chief superintendent to exercise the power or, as the case may be, to give his authority for its exercise.

#### **Modifications etc. (not altering text)**

- C1** S. 107 applied with modifications by S.I. 1985/1800, arts. 3–11, Schs. 1, 2 (as amended by S.I. 1987/439, art. 3)

#### **108 Deputy chief constables.**

- (1) The office of deputy chief constable is hereby abolished.
- (2) In section 6 of the <sup>M1</sup>Police Act 1964—
  - (a) in subsection (1), after the word “a” there shall be inserted the words “person holding the rank of”; and
  - (b) in subsection (4), for the words from the beginning to “of”, in the second place where it occurs, there shall be substituted the words “Appointments or promotions to the rank of deputy chief constable or”.
- (3) The following section shall be inserted after that section—

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**“6A Deputy chief constables—supplementary.**

- (1) Any police force maintained under section 1 of this Act may include more than one person holding the rank of deputy chief constable, but only if the additional person or persons holding that rank—
  - (a) was a deputy chief constable before a period—
    - (i) of central service; or
    - (ii) of overseas service, as defined in section 3 of the Police (Overseas Service) Act 1945; or
    - (iii) of service in pursuance of an appointment under section 10 of the Overseas Development and Co-operation Act 1980 as an officer to whom that section applied; or
  - (b) became a deputy chief constable by virtue of section 58(2) of this Act.
- (2) If there is more than one person who holds the rank of deputy chief constable in a police force maintained under section 1 of this Act, one of the persons who hold it shall be designated as the officer having the powers and duties conferred on a deputy chief constable by section 6(1) of this Act.
- (3) A person shall be designated under subsection (2) of this section by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.”.
- (4) In section 5 of the <sup>M2</sup>Police (Scotland) Act 1967—
  - (a) in subsection (1), after the word “a” there shall be inserted the words “person holding the rank of”;
  - (b) subsection (3) shall be omitted; and
  - (c) in subsection (5), for the words from the beginning to “of”, in the second place where it occurs, there shall be substituted the words “Appointments or promotions to the rank of deputy chief constable or”.
- (5) The following section shall be inserted after that section—

**“5A Deputy chief constables—supplementary.**

- (1) Any police force may include more than one person holding the rank of deputy chief constable, but only if the additional person or persons holding that rank—
  - (a) was a deputy chief constable before a period—
    - (i) of central service; or
    - (ii) of overseas service, as defined in section 3 of the Police (Overseas Service) Act 1945; or
    - (iii) of service in pursuance of an appointment under section 10 of the Overseas Development and Co-operation Act 1980 as an officer to whom that section applied; or
  - (b) became a deputy chief constable by virtue of section 23(2) of this Act.
- (2) If there is more than one person in a police force who holds the rank of deputy chief constable, one of the persons who hold it shall be designated as the officer having the powers and duties conferred on a deputy chief constable by section 5(1) of this Act.

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- (3) A person shall be designated under subsection (2) of this section by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.”
- (6) In section 58(2) of the <sup>M3</sup>Police Act 1964 and section 23(2) of the <sup>M4</sup>Police (Scotland) Act 1967 (under both of which a chief constable affected by an amalgamation holds the rank of assistant chief constable) for the word “assistant” there shall be substituted the word “deputy”.

#### Marginal Citations

- M1** 1964 c. 48.  
**M2** 1967 c. 77.  
**M3** 1964 c. 48.  
**M4** 1967 c. 77.

### 109 Amendments relating to Police Federations.

In section 44 of the Police Act 1964

- (a) in subsection (1), for the word “and”, in the last place where it occurs, there shall be substituted the words “affecting individuals, except as provided by subsection (1A) below, and questions of”;
- (b) the following subsections shall be inserted after that subsection—
- “(1A) A Police Federation may represent a member of a police force at any disciplinary proceedings or on an appeal from any such proceedings.
- (1B) Except on an appeal to the Secretary of State or as provided by section 102 of the Police and Criminal Evidence Act 1984, a member of a police force may only be represented under subsection (1A) above by another member of a police force.”; and
- (c) in subsection (3), after the word “Federations”, in the first place where it occurs, there shall be inserted the words “or authorise the Federations to make rules concerning such matters relating to their constitution and proceedings as may be specified in the regulations.”.

### 110 Functions of special constables in Scotland.

Subsection (6) of section 17 of the Police (Scotland) Act 1967 (restriction on functions of special constables) is hereby repealed.

### 111 Regulations for Police Forces and Police Cadets—Scotland.

- (1) In section 26 to the <sup>M5</sup>Police (Scotland) Act 1967 (regulations as to government and administration of police forces)—
- (a) after subsection (1) there shall be inserted the following subsection—
- “(1A) Regulations under this section may authorise the Secretary of State, the police authority or the chief constable to make provision for any purpose specified in the regulations.”; and
- (b) at the end there shall be inserted the following subsection—

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“(10) Any statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

(2) In section 27 of the said Act of 1967 (regulations for police cadets) in subsection (3) for the word “(9)” there shall be substituted the words “(1A), (9) and (10)”.

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**Marginal Citations**

**M5** 1967 c. 77.

## **112 Metropolitan police officers.**

- (1) An officer belonging to the metropolitan police force who is assigned to the protection of any person or property in Scotland shall in the discharge of that duty have the powers and privileges of a constable of a police force maintained under the Police (Scotland) Act 1967.
- (2) An officer belonging to the metropolitan police force who is assigned to the protection of any person or property in Northern Ireland shall in the discharge of that duty have the powers and privileges of a constable of the Royal Ulster Constabulary.

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