



Police Reform Act 2002

2002 CHAPTER 30

PART 6 U.K.

MISCELLANEOUS

Liability for unlawful acts of constables etc.

102 Liability for wrongful acts of constables etc. U.K.

- (1) Each of the enactments specified in subsection (2) shall be amended as follows—
- (a) for the words “torts committed by”, in each place where they occur, there shall be substituted “ any unlawful conduct of ”; and
 - (b) for “in respect of any such tort” there shall be substituted “ , in the case of a tort, ”.
- (2) The enactments are—
- (a) section 88(1) of the 1996 Act (liability of chief officers);
 - (b) section 97(9) of that Act (liability of the Secretary of State);
 - (c) ^{F1}
 - (d) ^{F1}
 - (e) section 27(8) of the Police (Northern Ireland) Act 1998 (c. 32) (liability of the Secretary of State);
 - (f) section 29(1) of that Act (liability of the chief constable of the Police Service of Northern Ireland);
 - (g) paragraph 7(3) of Schedule 3 to that Act (liability of the Police Ombudsman); and
 - (h) ^{F2}
- (3) ^{F2}
- (4) In each of the enactments specified in subsection (5), for “a tort committed by” there shall be substituted “ any unlawful conduct of ”.

Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Cross Heading: Liability for unlawful acts of constables etc.. (See end of Document for details)

- (5) The enactments are—
- (a) section 88(4)(a) of the 1996 Act (payments in respect of tort proceedings against constables and special constables);
 - (b) ^{F3}
 - (c) ^{F3}
 - (d) section 29(3)(a) of the Police (Northern Ireland) Act 1998 (payments in respect of tort proceedings against police officers in Northern Ireland); and
 - (e) paragraph 7(4)(a) of Schedule 3 to that Act (payment in respect of tort proceedings against police officers serving with, or assisting, the Police Ombudsman).
- (6) In section 42(6) of the 1997 Act (application to Scotland), paragraph (a) shall be omitted.
- (7) In section 39 (1) of the Police (Scotland) Act 1967 (c. 77) (liability for wrongful acts of constables)—
- (a) for “in reparation in respect of any wrongful act or omission” there shall be substituted “ for any unlawful conduct ”; and
 - (b) for “in respect of a wrongful act or omission” there shall be substituted “ for any unlawful conduct ”.
- (8) In section 39(4) of that Act, for “wrongful act or omission” there shall be substituted “ unlawful conduct ”.

Textual Amendments

- F1** S. 102(2)(c)(d) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174, 178, Sch. 4 para. 188(2), **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. paras. 10, 12, 13(oo) (subject to art. 4(2)-(7))
- F2** S. 102(2)(h)(3) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53, **Sch. 15 Pt. 1(A)**; S.I. 2007/709, **art. 3(q)** (subject to arts. 6, 7)
- F3** S. 102(5)(b)(c) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174, 178, Sch. 4 para. 188(3), **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. paras. 10, 12, 13(oo) (subject to art. 4(2)-(7))

Commencement Information

- I1** S. 102 wholly in force; s. 102 not in force at Royal Assent, see s. 108(2)(5); s. 102(1) - (6) in force at 1.10.2002 by S.I. 2002/2306, **art. 2(f)(xi)**; s. 102(7)(8) in force at 1.10.2002 by S.S.I. 2002/420, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Police Reform Act 2002, Cross
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