

Status: Point in time view as at 31/01/2017.

Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Cross Heading: Procedure where conduct matter is revealed during investigation. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 3A

WHISTLE-BLOWING INVESTIGATIONS: PROCEDURE

Textual Amendments

- F1** Sch. 3A inserted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017 \(c. 3\), s. 183\(1\)\(5\)\(e\)](#), [Sch. 6](#)

Procedure where conduct matter is revealed during investigation

- 4 (1) If, during the course of an investigation under section 29D(1), [^{F2}the Director General determines] that there is an indication that a person serving with the police (“the person whose conduct is in question”) may have—
- committed a criminal offence, or
 - behaved in a manner which would justify the bringing of disciplinary proceedings,
- [^{F3}the Director General must proceed under sub-paragraph (2)].
- [^{F4}(2) The Director General must—
- prepare a record of the determination,
 - notify the appropriate authority in relation to the person whose conduct is in question of the determination, and
 - send to it a copy of the record of the determination prepared under paragraph (a).]

(3) Where the appropriate authority in relation to the person whose conduct is in question is notified under sub-paragraph (2), it must record the matter under paragraph 11 of Schedule 3 to this Act as a conduct matter.

(4) Where a matter is, in accordance with sub-paragraph (3), recorded under paragraph 11 of Schedule 3 as a conduct matter—

 - the person in charge of the investigation under section 29D(1) must (subject to any determination made by the [^{F5}Director General] under paragraph 15(5B) of Schedule 3) continue the investigation as if appointed or designated to investigate the conduct matter, and
 - the other provisions of Schedule 3 apply in relation to that matter accordingly (subject to regulations under sub-paragraph (5)).

(5) The Secretary of State may by regulations make provision modifying Schedule 3 in relation to an investigation of a matter that, in accordance with sub-paragraph (3), is recorded under paragraph 11 of that Schedule as a conduct matter but only for the purpose of making provision for the protection of the anonymity of whistle-blowers.]

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Textual Amendments

- F2** Words in Sch. 3A para. 4(1) substituted (31.1.2017 for specified purposes) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 58(4)(a)**
- F3** Words in Sch. 3A para. 4(1) substituted (31.1.2017 for specified purposes) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 58(4)(b)**
- F4** Sch. 3A para. 4(2) substituted (31.1.2017 for specified purposes) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 58(5)**
- F5** Words in Sch. 3A substituted (31.1.2017 for specified purposes) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 58(2)**

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