



Police Reform Act 2002

2002 CHAPTER 30

PART 2

COMPLAINTS AND MISCONDUCT

[^{F1}The Independent Office for Police Conduct]

11 Reports to the Secretary of State

(1) As soon as practicable after the end of each of [^{F1}the Office's] financial years, the [^{F2}Director General and the Office must jointly] make a report to the Secretary of State on the carrying out of [^{F3}their] functions during that year.

[^{F4}(2) The Secretary of State may also require reports to be made (at any time)—

- (a) by the Director General about the carrying out of the Director General's functions,
- (b) by the Office about the carrying out of the Office's functions, or
- (c) jointly by the Director General and the Office about the carrying out of their functions.]

[^{F5}(2A) The Director General may, from time to time, make such other reports to the Secretary of State as the Director General considers appropriate for drawing the Secretary of State's attention to matters which—

- (a) have come to the Director General's notice, and
- (b) are matters which the Director General considers should be drawn to the attention of the Secretary of State by reason of their gravity or of other exceptional circumstances.]

(3) The [^{F6}Office] may, from time to time, make such other reports to the Secretary of State as it considers appropriate for drawing his attention to matters which—

- (a) have come to the [^{F7}Office's] notice; and
- (b) are matters that it considers should be drawn to his attention by reason of their gravity or of other exceptional circumstances.

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[^{F8}(3A) The Director General and the Office may jointly make reports under subsections (2A) and (3).]

(4) The [^{F9}Director General] shall prepare such reports containing advice and recommendations as [^{F10}the Director General] thinks appropriate for the purpose of carrying out—

- (a) [^{F11}the Director General's] function under subsection (1)(e) of section 10; or
- (b) any corresponding function conferred on [^{F10}the Director General] by virtue of subsection (1)(f) of that section.

(5) Where the Secretary of State receives any report under this section, he shall—

- (a) in the case of every annual report under subsection (1), and
- (b) in the case of any other report, if and to the extent that he considers it appropriate to do so,

lay a copy of the report before Parliament and cause the report to be published.

(6) The [^{F12}Office] shall send a copy of every annual report under subsection (1)—

- (a) to every [^{F13}local policing body];
- ^{F14}(b)
- ^{F15}(c)
- (d) to every authority that is maintaining a body of constables in relation to which any procedures are for the time being in force by virtue of any agreement or order under section 26 or by virtue of subsection (9) of that section[^{F16}; and
- ^{F17}(e)]
- [^{F18}(f) to the National Crime Agency.]

[^{F19}(6A) The Director General must send a copy of every report under subsection (2A) —

- (a) to any local policing body that appears to the Director General to be concerned, and
- (b) to the chief officer of police of any police force that appears to the Director General to be concerned.]

(7) The [^{F20}Office] shall send a copy of every report under subsection (3)—

- (a) to any [^{F21}local policing body] that appears to the [^{F20}Office] to be concerned; and
- (b) to the chief officer of police of any police force that appears to it to be concerned.

[^{F22}(8) Where a report under subsection [^{F23}(2A) or] (3) relates to the [^{F24}National Crime Agency], the [^{F25}Director General or the Office (as the case may be)] shall send a copy of that report to the Agency.]

(9) Where a report under subsection [^{F26}(2A) or] (3) relates to a body of constables maintained by an authority other than a [^{F27}local policing body], the [^{F28}Director General or the Office (as the case may be)] shall send a copy of that report—

- (a) to that authority; and
- (b) to the person having the direction and control of that body of constables.

^{F29}(9A)

(10) The [^{F30}Director General] shall send a copy of every report under subsection (4)to—

- (a) the Secretary of State;

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- (b) every [^{F31}local policing body];
 - (c) every chief officer;
 - ^{F32}(d)
 - ^{F33}(e)
 - (f) every authority that is maintaining a body of constables in relation to which any procedures are for the time being in force by virtue of any agreement or order under section 26 or by virtue of subsection (9) of that section; ^{F34} . . .
 - (g) every person who has the direction and control of such a body of constables [^{F35}, ^{F36} ...
 - ^{F37}(h)] [^{F38}; and
 - (i) the National Crime Agency.]
- (11) The [^{F39}Director General] shall send a copy of every report made or prepared by [^{F40}the Director General] under subsection [^{F41}(2A)] or (4) to such of the persons (in addition to those specified in the preceding subsections) who—
- (a) are referred to in the report, or
 - (b) appear to the [^{F39}Director General] otherwise to have a particular interest in its contents,
- as the [^{F39}Director General] thinks fit.
- ^{F42}(12) The Office must send a copy of every report made or prepared by it under subsection (3) to such of the persons (in addition to those specified in the preceding subsections) who—
- (a) are referred to in the report, or
 - (b) appear to the Office otherwise to have a particular interest in its contents,
- as the Office thinks fit.
- (13) Where a report under subsection (2A) or (3) is prepared jointly by virtue of subsection (3A), a duty under this section to send a copy of the report to any person is met if either the Director General or the Office sends a copy to that person.]

Textual Amendments

- F1** Words in s. 11(1) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 18\(2\)\(a\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)
- F2** Words in s. 11(1) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 18\(2\)\(b\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)
- F3** Word in s. 11(1) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 18\(2\)\(c\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)
- F4** S. 11(2) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), 183(1)(5)(e), [Sch. 9 para. 18\(3\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)
- F5** S. 11(2A) inserted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 18\(4\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)
- F6** Word in s. 11(3) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 18\(5\)\(a\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)

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- F7** Word in s. 11(3) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(5)(b)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F8** S. 11(3A) inserted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(6)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F9** Words in s. 11(4) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(7)(a)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F10** Words in s. 11(4) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(7)(b)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F11** Words in s. 11(4) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(7)(c)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F12** Word in s. 11(6) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(8)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F13** Words in s. 11(6)(a) substituted (16.1.2012) by *Police Reform and Social Responsibility Act 2011 (c. 13)*, s. 157(1), **Sch. 16 para. 279**; S.I. 2011/3019, art. 3, Sch. 1
- F14** S. 11(6)(b) omitted (7.10.2013) by virtue of *Crime and Courts Act 2013 (c. 22)*, s. 61(2), **Sch. 6 para. 10(2)(a)**; S.I. 2013/1682, art. 3(q)
- F15** S. 11(6)(c) omitted (1.4.2006) by virtue of *Serious Organised Crime and Police Act 2005 (c. 15)*, ss. 55, 178, **Sch. 2 para. 4(2)**; S.I. 2006/378, art. 4(1), **Sch. para. 8** (subject to art. 4(2)-(7))
- F16** S. 11(6)(e) and preceding word inserted (1.4.2007) by *Police and Justice Act 2006 (c. 48)*, ss. 1, 53, **Sch. 1 para. 83(2)**; S.I. 2007/709, **art. 3(a)** (subject to arts. 6, 7)
- F17** S. 11(6)(e) omitted (7.10.2013) by virtue of *Crime and Courts Act 2013 (c. 22)*, s. 61(2), **Sch. 6 para. 10(2)(a)**; S.I. 2013/1682, art. 3(q)
- F18** S. 11(6)(f) inserted (7.10.2013) by *Crime and Courts Act 2013 (c. 22)*, s. 61(2), **Sch. 6 para. 10(2)(b)**; S.I. 2013/1682, art. 3(q)
- F19** S. 11(6A) inserted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(9)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F20** Word in s. 11(7) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(10)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F21** Words in s. 11(7)(a) substituted (16.1.2012) by *Police Reform and Social Responsibility Act 2011 (c. 13)*, s. 157(1), **Sch. 16 para. 279**; S.I. 2011/3019, art. 3, Sch. 1
- F22** S. 11(8) substituted (1.4.2006) by *Serious Organised Crime and Police Act 2005 (c. 15)*, ss. 55, 178, **Sch. 2 para. 4(3)**; S.I. 2006/378, **art. 4(1)**, Sch. para. 8 (subject to art. 4(2)-(7))
- F23** Words in s. 11(8) inserted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(11)(a)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F24** Words in s. 11(8) substituted (7.10.2013) by *Crime and Courts Act 2013 (c. 22)*, s. 61(2), **Sch. 6 para. 10(3)**; S.I. 2013/1682, art. 3(q)
- F25** Words in s. 11(8) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(11)(b)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F26** Words in s. 11(9) inserted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by *Policing and Crime Act 2017 (c. 3)*, s. 183(1)(5)(e), **Sch. 9 para. 18(12)(a)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F27** Words in s. 11(9) substituted (16.1.2012) by *Police Reform and Social Responsibility Act 2011 (c. 13)*, s. 157(1), **Sch. 16 para. 279**; S.I. 2011/3019, art. 3, Sch. 1

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- F28** Words in s. 11(9) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 18(12)(b)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F29** S. 11(9A) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 6 para. 10(4)**; S.I. 2013/1682, art. 3(q)
- F30** Words in s. 11(10) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 18(13)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F31** Words in s. 11(10)(b) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 279**; S.I. 2011/3019, art. 3, Sch. 1
- F32** S. 11(10)(d) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 6 para. 10(5)(a)**; S.I. 2013/1682, art. 3(q)
- F33** S. 11(10)(e) omitted (1.4.2006) by virtue of Serious Organised Crime and Police Act 2005 (c. 15), ss. 55, 178, **Sch. 2 para. 4(4)**; S.I. 2006/378, art. 4(1), **Sch. para. 8** (subject to art. 4(2)-(7))
- F34** Words in s. 11(6)(10) 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)
- F35** S. 11(10)(h) and preceding word inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 1, 53, **Sch. 1 para. 83(4)**; S.I. 2007/709, **art. 3(a)** (subject to arts. 6, 7)
- F36** Word in s. 11(10)(g) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 6 para. 10(5)(b)**; S.I. 2013/1682, art. 3(q)
- F37** S. 11(10)(h) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 6 para. 10(5)(a)**; S.I. 2013/1682, art. 3(q)
- F38** S. 11(10)(i) and preceding word inserted (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 6 para. 10(5)(c)**; S.I. 2013/1682, art. 3(q)
- F39** Words in s. 11(11) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 18(14)(a)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F40** Words in s. 11(11) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 18(14)(b)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F41** Word in s. 11(11) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 18(14)(c)**; S.I. 2017/1249, reg. 2 (with reg. 3)
- F42** S. 11(12)(13) inserted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 18(15)**; S.I. 2017/1249, reg. 2 (with reg. 3)

Modifications etc. (not altering text)

- C1** Pt. 2: power to amend conferred (E.W.) (31.1.2017 for specified purposes, 17.7.2017 in so far as not already in force) by 2009 c. 20, **s. 107EE(4)** (as inserted by Policing and Crime Act 2017 (c. 3), **ss. 8(2)**, 183(1)(5)(e); S.I. 2017/726, reg. 2(a))
- C2** Pt. 2: power to amend conferred (E.W.) (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by 2004 c. 21, **s. 4K(2)(4)** (as inserted by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 1 para. 5**; S.I. 2017/399, reg. 2, **Sch. para. 38**)
- C3** S. 11 applied (with modifications) (E.W.) (28.12.2005) by The Revenue and Customs (Complaints and Misconduct) Regulations 2005 (S.I. 2005/3311), **reg. 3(2)(6)**, Sch. 1

Changes to legislation:

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