
STATUTORY INSTRUMENTS

2020 No. 4

The Police (Conduct) Regulations 2020

PART 2

General

Legal and other representation

8.—(1) Subject to paragraph (2), the officer concerned has the right to be legally represented, by a relevant lawyer of the officer's choice (“preferred lawyer”), at a misconduct hearing or an accelerated misconduct hearing.

(2) The unavailability of one or more preferred lawyers is not a valid ground for delaying a misconduct hearing or an accelerated misconduct hearing where an alternative relevant lawyer can be found.

(3) If the officer concerned chooses not to be legally represented at such a hearing the officer may be dismissed or receive any other outcome under regulation 42 or 62 without being so represented.

(4) Except in a case where the officer concerned has the right to be legally represented and chooses to be so represented, the officer may be represented at misconduct proceedings or an accelerated misconduct hearing or an appeal meeting only by a police friend.

(5) The appropriate authority or, where functions have been delegated under regulation 26(1), the originating authority, may be represented at misconduct proceedings or an accelerated misconduct hearing or an appeal meeting by—

- (a) a police officer or police staff member of the police force concerned, or
- (b) at a misconduct hearing or an accelerated misconduct hearing only, a relevant lawyer (whether or not the officer concerned chooses to be legally represented).

(6) Subject to paragraph (7), the appropriate authority may appoint a person to advise the person conducting or chairing [^{F1}a misconduct meeting or an] appeal meeting.

(7) ^{F2}... The person appointed under paragraph (6) must not be a relevant lawyer.

(8) The circumstances in which the Independent Office for Police Conduct is a relevant authority for the purpose of section 84(5) of the 1996 Act (power to prescribe in regulations, in relation to representation at proceedings, circumstances in which the relevant authority includes the Independent Office for Police Conduct) are prescribed as being where the Director General has made a decision under regulation 24(1) to present the case.

(9) Where the circumstances prescribed in paragraph (8) apply, the Director General may be represented by a relevant lawyer.

Textual Amendments

F1 Words in reg. 8(6) substituted (7.5.2024) by [The Police \(Conduct\) \(Amendment\) Regulations 2024](#) (S.I. 2024/521), regs. 1(2), **3(2)(a)** (with reg. 7)

Changes to legislation: There are currently no known outstanding effects for the The Police (Conduct) Regulations 2020, Section 8. (See end of Document for details)

F2 Words in [reg. 8\(7\)](#) omitted (7.5.2024) by virtue of [The Police \(Conduct\) \(Amendment\) Regulations 2024 \(S.I. 2024/521\)](#), [regs. 1\(2\)](#), [3\(2\)\(b\)](#) (with [reg. 7](#))

Commencement Information

I1 Reg. 8 in force at 1.2.2020, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Police (Conduct) Regulations 2020, Section 8.