

2010 No. 418

POLICE, ENGLAND AND WALES

The Police Authorities (Particular Functions and Transitional Provisions) (Amendment) Order 2010

<i>Made</i> - - - -	<i>22nd February 2010</i>
<i>Laid before Parliament</i>	<i>24th February 2010</i>
<i>Coming into force</i> - -	<i>17th March 2010</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 6ZA of the Police Act 1996(a).

In accordance with section 6ZA(3) of that Act he has consulted with the Association of Police Authorities, the Association of Chief Police Officers and such other persons as he thought fit.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Police Authorities (Particular Functions and Transitional Provisions) (Amendment) Order 2010 and shall come into force on 17 March 2010.

(2) In this Order “the 2008 Order” means the Police Authorities (Particular Functions and Transitional Provisions) Order 2010(b).

Amendment of the 2008 Order

2. The 2008 Order is amended in accordance with the following provisions of this Order.

3. In article 2 of the 2008 Order for “5” substitute “5A”.

4. After article 5 of the 2008 Order insert—

“5A.—(1) This article applies to complaints made by members of the public to police forces, not being complaints to which Part 2 of the Police Reform Act 2002(c) applies.

(2) A police authority shall monitor complaints made to the police force maintained for its area to which this article applies, and shall intervene where it appears to the authority that the response of the force to such complaints is unsatisfactory.

(3) Without prejudice to the generality of paragraph (2), the authority shall in particular—

- (a) ensure that it is kept informed by the force about complaints;
- (b) monitor the way that the force responds to complaints;

(a) 1996 c.16. Section 6ZA was inserted by section 2 of, and paragraph 8 of Schedule 2 to, the Police and Justice Act 2006 (c. 48).

(b) S.I. 2008/82.

(c) 2002 c. 30.

- (c) challenge the force to correct or improve its processes for responding to complaints where it appears to the authority that the processes are unsatisfactory;
- (d) intervene in the way the force is responding to a particular complaint if it appears to the authority that such an intervention is necessary to ensure that the member of the public in question obtains a satisfactory response.”.

Home Office
22nd February 2010

David Hanson
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Police Authorities (Particular Functions and Transitional Provisions) Order 2008, which confers particular functions on police authorities under section 6ZA of the Police Act 1996. In particular it adds a new function to that Order, requiring police authorities to monitor complaints by members of the public to the police force in question, and to intervene where the response of the force to such a complaint appears to be unsatisfactory.

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