STATUTORY INSTRUMENTS

1967 No. 185

POLICE

ENGLAND AND WALES

The Police (Discipline) (Amendment) Regulations 1967

Made - - -	11*th February* 1967
Laid before Parliament	21*st February* 1967
Coming into Operation	1*st March* 1967

In exercise of the powers conferred on me by section 33 of the Police Act 1964(a), and after consulting the Police Council for Great Britain and the Police Advisory Board for England and Wales in accordance with sections 45(4) and 46(3) of that Act, I hereby make the following Regulations:—

1. In Regulation 14(1) of the Police (Discipline) Regulations 1965(b) (which provides that a monetary punishment shall not be imposed for the offence set out in paragraph 17 of the discipline code) for the reference to the said paragraph 17 there shall be substituted a reference to paragraph 15.

2. In Regulation 17(2) of the said Regulations of 1965 (which relates to the emoluments payable in respect of a period of suspension) for the words "London allowance" there shall be substituted the words "special area undermanning allowance".

3. For Schedule 1 to the said Regulations of 1965 (which sets out offences against discipline) there shall be substituted the Schedule contained in the Appendix to these Regulations.

4. In relation to a charge preferred under Regulation 4(1) of the said Regulations of 1965 before the coming into operation of these Regulations, the said Regulations of 1965 shall have effect as if Regulations 1 and 3 of these Regulations had not been made.

5. These Regulations may be cited as the Police (Discipline) (Amendment) Regulations 1967 and shall come into operation on 1st March 1967.

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
11th February 1967.

(a) 1964 c. 48. (b) S.I. 1965/543 (1965 I, p. 1678).

APPENDIX

"Regulation 1

SCHEDULE 1

Discipline Code

1. *Discreditable conduct*, which offence is committed where a member of a police force acts in a disorderly manner or any manner prejudicial to discipline or reasonably likely to bring discredit on the reputation of the force or of the police service.

2. *Misconduct towards a member of a police force*, which offence is committed where—

(*a*) a member of a police force's conduct towards another such member is oppressive or abusive, or

(*b*) a member of a police force assaults another such member.

3. *Disobedience to orders*, which offence is committed where a member of a police force, without good and sufficient cause, disobeys or omits or neglects to carry out any lawful order, written or otherwise, or contravenes any provision of the Police Regulations containing restrictions on the private lives of members of police forces, or requiring him to notify the chief officer of police that he, or a relation included in his family, has a business interest, within the meaning of those Regulations.

4. *Neglect of duty*, which offence is committed where a member of a police force, without good and sufficient cause—

(*a*) neglects or omits promptly and diligently to attend to or carry out anything which it is his duty as a member of a police force to attend to or carry out, or

(*b*) fails to work his beat in accordance with orders, or leaves the place of duty to which he has been ordered, or having left his place of duty for an authorised purpose fails to return thereto without undue delay, or

(*c*) is absent without leave from, or is late for, any duty.

5. *Falsehood or prevarication*, which offence is committed where a member of a police force—

(*a*) knowingly or through negligence makes any false, misleading or inaccurate oral or written statement or entry in any official document or record, or

(*b*) without good and sufficient cause, destroys or mutilates any official document or record, or alters or erases or adds to any entry therein, or

(*c*) has wilfully made any false statement in connection with his appointment to the police force.

6. *Improper disclosure of information*, which offence is committed where a member of a police force—

(*a*) without proper authority communicates to any person, any information which he has in his possession as a member of a police force, or

(*b*) makes any anonymous communication to any police authority, or any member of a police force, or

(*c*) canvasses any member of the police authority or of the council of any county or county borough comprised in the police area with regard to any matter concerning the force.

For the purpose of this paragraph the cities of Cambridge and Peterborough shall be treated as if they were county boroughs and the Isles of Scilly as if they were a county.

7. *Corrupt or improper practice*, which offence is committed where a member of a police force—

(*a*) fails properly to account for, or to make a prompt and true return of, any money or property received by him in the course of his duty, or

(*b*) in his capacity as a member of the force and without the consent of the chief officer of police or the police authority, directly or indirectly solicits or receives any gratuity, present, subscription or testimonial, or

(*c*) places himself under a pecuniary obligation to any person in such a manner as might affect his properly carrying out his duties as a member of the force, or

(*d*) improperly uses, or attempts so to use, his position as a member of the force for his private advantage, or

(*e*) in his capacity as a member of the force and without the consent of the chief officer of police, writes, signs or gives any testimonial of character or other recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind.

8. *Abuse of authority*, which offence is committed where a member of a police force—

(*a*) without good and sufficient cause makes an arrest, or

(*b*) uses any unnecessary violence towards any prisoner or other person with whom he may be brought into contact in the execution of his duty, or

(*c*) is uncivil to any member of the public.

9. *Neglect of health*, which offence is committed where a member of a police force neglects, without good and sufficient cause, to carry out any instructions of a medical officer appointed by the police authority or, while absent from duty on account of sickness, commits any act or adopts any conduct calculated to retard his return to duty.

10. *Improper dress or untidiness*, which offence is committed where a member of a police force while on duty, or while off duty but wearing uniform in a public place, is improperly dressed or is untidy in his appearance.

11. *Damage to police property*, which offence is committed where a member of a police force—

(*a*) wilfully or by carelessness causes any waste, loss or damage to any police property, or

(*b*) fails to report any loss of or damage to any such property issued to, or used by, him or entrusted to his care.

12. *Drunkenness*, which offence is committed where a member of a police force renders himself unfit through drink for duties which he is or will be required to perform or which he may reasonably foresee having to perform.

13. *Drinking on duty or soliciting drink*, which offence is committed where a member of a police force, while on duty—

(*a*) without proper authority, drinks, or receives from any other person, any intoxicating liquor, or

(*b*) demands, or endeavours to persuade any other person to give him, or to purchase or obtain for him, any intoxicating liquor.

14. *Entering licensed premises*, which offence is committed where a member of a police force—

(*a*) while on duty, or

(*b*) while off duty but wearing uniform,

without good and sufficient cause, enters any premises in respect of which a licence or permit has been granted in pursuance of the law relating to liquor licensing or betting and gaming or regulating places of entertainment.

15. *Criminal conduct*, which offence is committed where a member of a police force has been found guilty by a court of law of a criminal offence.

16. *Being an accessory to a disciplinary offence*, which offence is committed where a member of a police force connives at or is knowingly an accessory to any offence against discipline.".

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police (Discipline) Regulations 1965.

Regulation 17(2) of the 1965 Regulations lists the allowances which continue to be payable to a policeman notwithstanding that he has been suspended. Regulation 2 of the present Regulations amends this list by deleting the reference to the London allowance (which has been abolished) and by adding a reference to the special area undermanning allowance now payable to certain members of the City of London or the metropolitan police force.

Schedule 1 to the 1965 Regulations contains the code of disciplinary offences. Regulation 3 of the present Regulations substitutes a code, with minor amendments, in revised terms. Regulations 1 and 4, respectively, make a consequential amendment to Regulation 14(1) of the 1965 Regulations and transitional provision.