1952 No. 1356 (S. 66)

The Police (Discipline) (Scotland) Regulations, 1952

Made - - - - 16*th July*, 1952

Coming into Operation 1*st August*, 1952

In exercise of the powers conferred on me by section 4 of the Police Act, 1919(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations :—

PART I

Proceedings in relation to members of police forces other than chief constables, deputy chief constables or assistant chief constables

1.—(1) A member of a police force commits an offence against discipline (hereafter in these Regulations referred to as " an offence ") if he commits one or more of the offences set out in the Discipline Code in the First Schedule hereto (hereafter in these Regulations referred to as the " Discipline Code ") with any additions thereto made by the police authority for any police force and approved by the Secretary of State:

Provided that such approval shall be provisional until the addition has been laid before the Police Council.

(2) In every police force the list of offences for that force shall be published to the force.

2. Where a report or an allegation is made from which it may reasonably be inferred that a member of a police force has committed an offence, a member of a police force (hereafter in these Regulations referred to as " the investigating officer ") shall as soon as possible inform him on a form called an investigation form of the report or allegation and give him an opportunity of making any oral or written statement that he may wish to make concerning the report or allegation pointing out, however, that he is not obliged to give any explanation at this stage:

Provided that where the offence is the offence set out in paragraph 17 of the Discipline Code this Regulation shall not apply.

3.—(1) The investigating officer after taking into consideration any statement that the member of the police force may have made to him shall decide whether to charge the member with an offence.

(2) If he considers that the member should be charged with an offence he shall, as soon as possible, enter on a form (hereinafter in these Regulations referred to as a " discipline form ") the offence with which the member is charged and such particulars as will leave the member in no doubt as to the precise nature of the alleged offence and shall sign the discipline form.

(3) The discipline form shall be submitted through the usual channels to the deputy chief constable for his approval, and if he approves, he shall countersign the discipline form.

(a) 9 & 10 Geo. 5. c. 46.

4. Where a member of the police force is charged with an offence, the investigating officer shall as soon as possible:—

(*a*) hand back to the accused or destroy in his presence any written statement that the accused may have made to him under Regulation 2 of these Regulations and any written copy or account of any statement made by the accused under that Regulation;

(*b*) supply the accused with—

(i) a copy of the discipline form;

(ii) a copy of the report or allegation on which the charge is founded and any reports thereon notwithstanding that they may be confidential;

(iii) the name and address of each witness to be called in support of the charge and a copy of any statement that he may have made.

5.—(1) The accused shall be asked to state in writing on the discipline form whether he admits or denies the charge.

(2) The accused shall be asked to state in writing on the discipline form the names and addresses of any witnesses whom he may desire to give evidence at the hearing.

(3) All possible steps shall be taken to secure the attendance of witnesses at the hearing including the ordering of witnesses who are members of a police force to attend the hearing.

6.—(1) The accused shall be ordered to appear at the hearing and at any adjournment thereof.

(2) The chief constable shall hear the case.

(3) At the beginning of the hearing the chief constable shall hear and determine any objections to the competency or relevancy of the charge.

(4) If the accused admits the charge, the chief constable may dispose of the case forthwith.

(5) If the accused denies the charge, or any part thereof, the case against him shall be presented by a serving member of a police force of rank equal to or above that of the accused other than the chief constable, deputy chief constable, or the investigating officer.

(6) The accused shall be entitled to cross-examine the witnesses called in support of the case against him and to give evidence and to make representations in his defence.

(7) The accused shall be entitled at the hearing to have a serving member of a police force selected by himself to assist him in presenting his case. Such member shall be entitled to have a private interview with the accused before the opening of the hearing, and to be present throughout the hearing, for the purpose of assisting the accused to present his case. He shall also be given an opportunity to cross-examine the witnesses called in support of the case against the accused.

(8) A shorthand note of the proceedings at the hearing shall be taken. If the accused so requests in order to consider the submission of an appeal, the shorthand note shall be transcribed and the transcription shall be certified to be a true and correct record of the proceedings and shall be furnished to the accused as soon as possible. On completion of any appeal or on a decision not to appeal, the accused shall return the transcription to the chief constable who shall retain it for three years. Where no transcription is made the shorthand note shall be retained by the chief constable for three years.

7. The decision of the chief constable shall as soon as possible after the hearing be recorded on the discipline form and shall be communicated to the accused.

8. An offence against discipline may be punished by:—

(*a*) dismissal;

(*b*) a requirement to resign either forthwith or at such date as may be provided in the decision as an alternative to dismissal;

(*c*) reduction in rank;

(*d*) reduction in rate of pay for a definite period not exceeding twelve months as may be specified in the chief constable's decision;

(*e*) fine;

(*f*) reprimand;

(*g*) caution:

Provided that the punishment of a reduction in rate of pay or of a fine shall not be imposed for the offence set out in paragraph 17 of the Discipline Code.

9.—(1) A fine or a reduction in pay without reduction in rank shall not cause any increment in pay to be retarded or withheld.

(2) The amount of a fine in respect of any one case, no matter how many are the charges, shall not in the aggregate exceed one week's pay and shall be recovered by stoppage of pay in amounts not exceeding one day's pay in any week except in the event of a member leaving the force when the whole amount of any fine then unpaid may be deducted from any pay then due.

(3) A reduction in pay without reduction in rank shall not reduce the accused's rate of pay below the minimum of the scale of pay for his rank in the force.

10. In considering which punishment, if any, is to be imposed the chief constable shall have regard to the accused's record as shown on his personal record.

11.—(1) If the accused refuses or fails to attend at the time and place appointed for hearing the case, or if he is serving a sentence of imprisonment, the case may be proceeded with and concluded in his absence:

Provided that where the accused expresses a desire to appear before the chief constable, the chief constable shall hear him before reaching a decision.

(2) Where owing to the absence of the accused it is impossible for the procedure described in Regulations 2, 3, 4 and 5 of these Regulations to be followed the case may be proceeded with and concluded in the absence of the accused as though the procedure set out in those Regulations had been complied with.

(3) If the accused does not admit the charge, the hearing shall proceed as though he denied the charge.

12. No statement made by a member of a police force under Regulation 2 of these Regulations and no oral or written account or copy of it shall be admissible in any hearing.

13. The chief constable may adjourn the hearing to a later date if it appears to him that for any reason the ends of justice may be prejudiced unless the hearing is delayed.

14.—(1) Until the conclusion of the proceedings referred to in this Part of these Regulations, a member of a police force against whom a report or allegation has been made from which it may reasonably be inferred that an offence has been committed by him may be suspended from duty by any senior officer in the force.

(2) Except as otherwise provided by these Regulations, the Police (Scotland) Regulations, 1952(**a**), and these Regulations shall apply to a member suspended from duty.

(3) A member of a police force suspended from duty shall in respect of the period of suspension be paid a suspension allowance at such rate not less than one-half and not exceeding two-thirds of his pay as the chief constable may determine:

Provided that in the case of a member who has been found guilty by a Court of Law of a crime or offence no suspension allowance shall be payable in respect of any period of imprisonment.

(4) A member of a police force suspended from duty shall not in respect of the period of suspension be entitled to pay or to any allowance under the Police (Scotland) Regulations, 1952, except a rent allowance, supplementary allowance or compensatory grant.

(5) A member of a police force who, having been suspended from duty, returns to duty shall receive, if all the charges against him have been dismissed, and may receive, if he has been punished by a punishment other than dismissal or a requirement to resign or reduction in rank or reduction in rate of pay for a period of twelve months, and if the chief constable so determines, as from the date of his suspension from duty, the pay and allowances to which he would have been entitled under the Police (Scotland) Regulations, 1952, but for his suspension from duty less any amount paid to him by way of suspension allowance.

15. There shall be kept in the office of the chief constable a discipline book in which shall be entered every charge made against a member of the police force together with the decision of the chief constable thereon and a record of the decision in any further disciplinary proceedings in connection therewith.

16. There shall be kept in the headquarters office of the force or, where the force is divided into divisions, in the headquarters office of each division, a headquarters discipline book or a divisional discipline book, as the case may be, in which shall be entered every report or allegation (other than an allegation unsupported by evidence) suggesting the commission of an offence by any member of the force or of the division together with an account of the action taken in connection therewith.

17. Regulations 2 to 16 of these Regulations shall not apply to offences committed by a chief constable, deputy chief constable or assistant chief constable.

18. In this part of these Regulations, unless the context otherwise requires,

(*a*) any reference to the chief constable shall include a reference to the deputy chief constable when acting as chief constable and any reference to the deputy chief constable shall include a reference to a member of a police force acting in the place of the deputy chief constable;

(*b*) the expression "investigating officer" means in relation to the investigation of a report or allegation against a member of a police force, such member of a police force of or above the rank of inspector (other

(a) S.I. 1952/1355, p. 2546 above.

than a chief constable or deputy chief constable) and equal in rank to or above the rank of the member against whom the report or allegation is made, as the chief constable may appoint to conduct that investigation:

Provided that where the accused is a woman member of a police force that expression means, if in that force there is a woman member of or above the rank of inspector, and if the chief constable so appoints, that woman member acting in consultation with the deputy chief constable.

PART II

Proceedings in relation to chief constables

19. Where a report or allegation is made against a chief constable from which it may reasonably be inferred that an offence has been committed by him, he shall be informed in writing by the police authority of the report or allegation, shall be asked by them whether or not he admits that he has committed an offence and shall be given an opportunity of making to them any oral or written statement that he may wish to make concerning the report or allegation:

Provided that an opportunity of making any such statement need not be given if the offence is the offence set out in paragraph 17 of the Discipline Code.

20.—(1) If the chief constable admits that he has committed an offence, the police authority may impose a punishment in accordance with Regulation 32 of these Regulations without the case being heard in accordance with the following provisions of this Part of these Regulations.

(2) If the chief constable does not admit that he has committed an offence, or if the police authority think fit after taking into consideration any statement the chief constable may have made to them under the last foregoing Regulation, the police authority shall instruct counsel or a solicitor not being a member or officer of the police authority or of any local authority which appoints or elects any member of the police authority to enter on a form (hereinafter in these Regulations referred to as a "discipline form") the offence with which the chief constable is charged and such particulars as will leave the chief constable in no doubt as to the precise nature of the alleged offence.

(3) Before counsel or the solicitor is instructed in accordance with paragraph (2) of this Regulation any written statement that the chief constable may have made to the police authority under the last foregoing Regulation and any written copy or account of any statement made by him under that Regulation shall be handed back to him or destroyed in his presence.

21. Where a chief constable is charged with an offence he shall be supplied with—

(*a*) a copy of the discipline form;

(*b*) a copy of the report or allegation on which the charge is founded and any reports thereon notwithstanding that they may be confidential;

(*c*) the name and address of each witness to be called in support of the charge and a copy of any statement that he may have made.

22.—(1) The chief constable shall be asked to state in writing on the discipline form whether he admits or denies the charge.

(2) The chief constable shall be asked to state in writing on the discipline form the names and addresses of any witnesses whom he may desire to give evidence at the hearing.

(3) All possible steps shall be taken to secure the attendance of witnesses at the hearing including the ordering of witnesses who are members of a police force to attend the hearing.

23.—(1) The case shall be heard by a tribunal which shall consist of such person as the police authority shall select from a list of persons nominated by the Lord President of the Court of Session.

(2) To assist the tribunal on matters pertaining to the police there shall also be appointed by the police authority an assessor who shall be such person as the police authority with the approval of the tribunal shall select being a person who is or has been a chief constable other than a person who is one of Her Majesty's Inspectors of Constabulary.

24.—(1) The case against the chief constable shall be presented by counsel or a solicitor not being a member or officer of the police authority or of any local authority which appoints or elects any member of the police authority.

(2) The chief constable shall be entitled to cross-examine the witnesses called in support of the case against him and to give evidence and to make representations in his defence.

(3) The chief constable shall be entitled at the hearing to have counsel or a solicitor or a serving member of a police force selected by himself to assist him in presenting his case:

Provided that if the chief constable is represented by a serving member as aforesaid, the chief constable as well as his representative may cross-examine witnesses called in support of the case against him.

25. Unless the tribunal otherwise directs the hearing shall be held in private.

26. A shorthand note of the proceedings at the hearing shall be taken. If the chief constable so requests in order to consider the submission of an appeal, the shorthand note shall be transcribed and the transcription shall be certified to be a true and correct record of the proceedings and shall be furnished to the chief constable as soon as possible. On completion of any appeal or on a decision not to appeal, the chief constable shall return the transcription to the police authority who shall retain it for three years. Where no transcription is made, the shorthand note shall be retained by the police authority for three years.

27. No statement made by the chief constable under Regulation 19 of these Regulations and no oral or written account or copy of it shall be admissible in the hearing.

28. The tribunal may adjourn the hearing to a later date if it appears to the tribunal that for any reason the ends of justice may be prejudiced unless the hearing is delayed.

29.—(1) If the chief constable refuses or fails to attend at the time and place appointed for the hearing or if he is serving a sentence of imprisonment the case may be proceeded with and concluded in his absence.

(2) If the chief constable does not admit the charge the hearing shall proceed as though he denied the charge.

30. The tribunal shall as soon as possible after the hearing submit a report to the police authority setting out—

(*a*) a statement of the facts admitted or found to be proved so far as they are material to the case;

(*b*) a statement as to the charge or charges found to be proved;

(*c*) if any charges are found to be proved a recommendation as to the proper punishment which in the opinion of the tribunal should be imposed;

(*d*) a recommendation as to whether the chief constable should be required to pay any and if so what part or the whole of his own expenses of the hearing;

(*e*) any other matter arising out of the hearing which it desires to bring to the notice of the police authority.

31. As soon as possible after receipt of the report of the tribunal the decision of the police authority shall be recorded on the discipline form and shall be communicated to the chief constable.

32.—(1) Any offence against discipline may be punished by:—

(*a*) dismissal;

(*b*) a requirement to resign either forthwith or at such date as may be specified in the decision as an alternative to dismissal; or

(*c*) reprimand.

(2) In considering which punishment, if any, is to be imposed the police authority shall have regard to the chief constable's record of service.

33. A copy of the report of the tribunal together with the decision of the police authority shall be transmitted by the police authority to the Secretary of State.

34.—(1) Until the conclusion of the proceedings referred to in this Part of these Regulations the chief constable against whom a report or allegation has been made from which it may reasonably be inferred that an offence has been committed by him may be suspended from duty by the police authority.

(2) Except as otherwise provided by this Regulation the Police (Scotland) Regulations, 1952, and these Regulations shall apply to a chief constable suspended from duty.

(3) A chief constable suspended from duty shall in respect of the period of suspension be paid a suspension allowance at such rate not less than one-half and not exceeding two-thirds of his pay as the police authority may determine:

Provided that in the case of a chief constable who has been found guilty by a Court of Law of a crime or offence no suspension allowance shall be payable in respect of any period of imprisonment.

(4) A chief constable suspended from duty shall not in respect of the period of suspension be entitled to pay or to any allowance under the Police (Scotland) Regulations, 1952, except a rent allowance, supplementary allowance or compensatory grant.

(5) A chief constable who, having been suspended from duty, returns to duty shall receive, if all the charges against him have been dismissed, and may receive, if he has been punished by a reprimand and if the police authority so determine, as from the date of his suspension from duty, the pay and allowances to which he would have been entitled under the Police (Scotland) Regulations, 1952, but for his suspension from duty less any amount paid to him by way of suspension allowance.

35. In this Part of these Regulations the expression "officer" includes "servant".

PART III

Proceedings in relation to deputy chief constables or assistant chief constables

36. Where a report or allegation is made against a deputy chief constable or assistant chief constable from which it may reasonably be inferred that he has committed an offence Regulations 19 to 35 of these Regulations shall apply with the following modifications, adaptations and exceptions:—

(*a*) for any reference to the police authority except a reference to a member or officer of the police authority there shall be substituted a reference to the chief constable;

(*b*) for any reference to the chief constable there shall except in paragraph (2) of Regulation 23 of these Regulations be substituted a reference to the deputy chief constable or assistant chief constable, as the case may be;

(*c*) notwithstanding Regulation 32 of these Regulations the punishment imposed may be one of the punishments which may be imposed in accordance with Regulation 8 and Regulation 9 of these Regulations;

(*d*) in paragraph (5) of Regulation 34 of these Regulations for the words "a reprimand" there shall be substituted the words "a punishment other than dismissal or a requirement to resign, reduction in rank or reduction in rate of pay".

PART IV

Miscellaneous Provisions

37. A discipline form shall be in the form set out in the Second Schedule hereto or in a form to the like effect.

38.—(1) In these Regulations the following expressions, unless the context otherwise requires, have the meanings hereby respectively assigned to them, that is to say:—

"beat" means the area to which a member of a police force is assigned for duty either generally or for a particular period of hours;

"police authority" has the like meaning as in the Police (Scotland) Act, 1946(**a**).

(2) References to a police force and to a police authority shall include references respectively to a combined force established by an amalgamation scheme and to a joint police committee constituted by an amalgamation scheme under the Police (Scotland) Act, 1946.

(3) Any reference to the Police (Scotland) Regulations, 1952, shall be construed as a reference to those Regulations as amended by any other Regulations.

39. The Interpretation Act, 1889(**b**), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

40.—(1) Notwithstanding the revocation by Regulation 61 of the Police (Scotland) Regulations, 1952, of the Police (Scotland) Regulations(**c**) and the Police (Women) (Scotland) Regulations(**d**), Regulations 12 to 25 of and the

(**a**) 9 & 10 Geo. 6. c. 71. (**b**) 52 & 53 Vict. c. 63.

(**c**) S.R. & O. 1920/2113; Rev. XVIII, p. 193; 1920 II, p. 548 as amended: amendments subsequent to Rev. XVIII are contained in S.I. 1949/1242; 1950/951, 2118; 1951/1492, 1507, 2313: 1949 I, p. 3384; 1950 II, pp. 356, 358; 1951 II, pp. 243–245.

(**d**) S.R. & O. 1934/659; Rev. XVIII, p. 223; 1934 II, p. 51 as amended: amendments subsequent to Rev. XVIII are contained in S.I. 1949/1243, 1458; 1950/950, 2119; 1951/1493, 1506, 2314: 1949 I, pp. 3393, 3400; 1950 II, pp. 359, 361; 1951 II, pp. 246–249.

First Appendix to the Police (Scotland) Regulations and Regulations 7 to 26 of the Police (Women) (Scotland) Regulations shall continue to apply to a member of a police force who before the date on which these Regulations come into force has been charged with an offence against discipline under the provisions of the Police (Scotland) Regulations or the Police (Women) (Scotland) Regulations.

(2) These Regulations shall not apply to a member of a police force who before the date on which these Regulations come into force has been charged with an offence against discipline under the provisions of the Police (Scotland) Regulations or the Police (Women) (Scotland) Regulations.

(3) Subject to paragraph (2) of this Regulation any proceedings initiated, suspension from duty ordered or punishment imposed in respect of any offence or alleged offence against a code of offences against discipline for any police force under the Police (Scotland) Regulations, or under the Police (Women) (Scotland) Regulations, shall be deemed to have been initiated, ordered or imposed under these Regulations.

41.—(1) These Regulations may be cited as the Police (Discipline) (Scotland) Regulations, 1952, and shall come into force on the first day of August, 1952.

(2) These Regulations shall extend to Scotland only.

Dated this sixteenth day of July, 1952.

James Stuart,

One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

Regulation 1

FIRST SCHEDULE

Discipline Code

Any member of a police force commits an offence against discipline if he is guilty of:—

1. *Discreditable conduct*, that is to say, if he acts in a disorderly manner or any manner prejudicial to discipline or likely to bring discredit on the reputation of the force or of the police service.

2. *Insubordinate or oppressive conduct*, that is to say, if he—

(*a*) is insubordinate by word, act or demeanour, or

(*b*) is guilty of oppressive or tyrannical conduct towards an inferior in rank, or

(*c*) uses obscene, abusive or insulting language to any other member of the force, or

(*d*) wilfully or negligently makes any false complaint or statement against any member of the force, or

(*e*) assaults any other member of the force, or

(*f*) overholds any complaint or report against any member of the force.

3. *Disobedience to orders*, that is to say, if he disobeys or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise, or contravenes any requirement of the Fourth Schedule to the Police (Scotland) Regulations, 1952.

4. *Neglect of duty*, that is to say, if he—

(*a*) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which is his duty as a constable, or

(*b*) idles or gossips while on duty, or

(*c*) fails to work his beat in accordance with orders, or leaves his beat, point, or other place of duty to which he has been ordered, without due permission or sufficient cause, or

(*d*) by carelessness or neglect permits a prisoner to escape, or

(*e*) fails, when knowing where any offender is to be found, to report the same, or to make due exertions for making him amenable to justice, or

(*f*) fails to report any matter which it is his duty to report, or

(*g*) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge, or

(*h*) omits to make any necessary entry in any official document or book.

5. *Falsehood or prevarication*, that is to say, if he—

(*a*) knowingly makes or signs any false statement in any official document or book, or

(*b*) wilfully or negligently makes any false, misleading or inaccurate statement, or

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

6. *Breach of confidence*, that is to say, if he—

(*a*) divulges any matter which it is his duty to keep secret, or

(*b*) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons, or

(*c*) without proper authority communicates to the public press, or to any unauthorised person, any matter connected with the force, or

(*d*) without proper authority shows to any person outside the force any book or written or printed document the property of the police authority, or

(*e*) makes any anonymous communication to the police authority or the chief constable or any superior officer, or

(*f*) canvasses any member of the police authority with regard to any matter concerning the force, or

(*g*) signs or circulates any petition or statement with regard to any matter concerning the force except through the proper channel of correspondence to the chief constable or the police authority, or in accordance with the constitution of the Police Federation, or

(*h*) calls or attends any unauthorised meeting to discuss any matter concerning the force.

7. *Corrupt practice*, that is to say, if he—

(*a*) receives any bribe, or

(*b*) fails to account for or to make a prompt and true return of any money or property received by him in his official capacity, or

(*c*) directly or indirectly solicits or receives any gratuity, present, subscription or testimonial, without the consent of the chief constable or the police authority, or

(*d*) places himself under pecuniary obligation to any publican, beer-retailer, spirit-grocer, or any person who holds a licence concerning the granting or renewal of which the police may have to report or give evidence, or

(*e*) improperly uses his character and position as a member of the force for his private advantage, or

(*f*) in his capacity as a member of the force, writes, signs or gives, without the sanction of the chief constable, any testimonial of character or other recommendation with the object of supporting an application for the grant of a licence of any kind, or

(*g*) without the sanction of the chief constable supports an application for the grant of a licence of any kind.

8. *Unlawful or unnecessary exercise of authority*, that is to say, if he—

(*a*) without good and sufficient cause makes any unlawful or unnecessary arrest, or

(*b*) uses any unnecessary violence to 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. *Malingering*, that is to say, if he feigns or exaggerates any sickness or injury with a view to evading duty or while absent from duty on account of sickness or injury, is guilty of any act or conduct calculated to retard his return to duty.

10. *Absence without leave or being late for duty*, that is to say, if he without reasonable excuse is absent without leave from, or is late for, parade, court, or any other duty.

11. *Uncleanliness*, that is to say, if he while on duty or while off duty in uniform in a public place is improperly dressed or is dirty or untidy in his person, clothing, or accoutrements.

12. *Damage to clothing or other articles supplied*, that is to say, if he—

(*a*) wilfully or by carelessness causes any waste, loss or damage to any article of clothing or accoutrement, or to any book, document or other property of the police authority, served out to him or used by him or entrusted to his care, or

(*b*) fails to report any loss or damage as above, however caused.

13. *Drunkenness*, that is to say, if he, while on or off duty, is unfit for duty through drink.

14. *Drinking on duty or soliciting drink*, that is to say, if he—

(*a*) without the consent of his superior officer, drinks, or receives from any other person, any intoxicating liquor while he is on duty, or

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

15. *Entering licensed premises*, that is to say, if without the consent of his superior officer he enters—

(*a*) while on duty any premises licensed under the liquor licensing laws or any other premises where excisable liquors are stored or distributed when his presence there is not required in the execution of his duty, or

(*b*) any such premises in uniform while off duty.

16. *Lending, borrowing or accepting presents*, that is to say, if he lends money to any superior in rank or borrows money or accepts any present from any inferior in rank.

17. *Being found guilty of a crime or offence*, that is to say, if he is found guilty by a Court of Law of a crime or offence.

18. *Being an accessory to a disciplinary offence*, that is to say, if he connives at or is knowingly an accessory to any offence against discipline.

Regulation 37

SECOND SCHEDULE

DISCIPLINE FORM

CHARGE AGAINST Name.....

No. ..... Rank ..... Rate of pay.....

Investigating Officer: Name .....

Rank..... Station..... Division..... Date.....

Countersignature of Deputy Chief Constable.....

Specify offence against discipline of which member is accused (1)	Particulars of alleged offence, including time, date and place (2)	Names of witnesses in support of charge and whose statements are attached (3)
		1 2 3 4 5 6

Questions to be answered by the accused

1. Do you admit or deny the charge?.....
2. Do you wish to offer any explanation? (If so, the explanation should be written on a separate sheet and attached hereto) .....
3. If you deny the charge (or any part thereof), do you wish—
   (*a*) To select a serving member of a police force to assist you in presenting your case? If so, give his name, rank and police force*. If not, write " No ".....
   (*b*) The chief constable to take steps with a view to securing the attendance of any witnesses for you at the hearing of the case? If so, give their names and addresses. If not, write " None ".

   .....

   .....

   .....

   .....

Date..... Signature of accused.....

Hearing

Date..... Time..... Place.....

Date(s) of any continuation..... Time(s)..... Place(s).....

Notified to accused at.....(Time).

Date..... .....Initials

By whom..... .....Date

* If the accused so desires he may furnish this information at a later date.

Chief Constable's decision

I find the accused guilty/not guilty of the disciplinary offence with which he has been charged. I have referred to and taken note of the personal record of the accused.

Punishment imposed.....

Date..... Signature.....

For office use only

1. Copy of discipline form communicated to accused... Initials.....
   Date .....
2. Decision of chief constable communicated to accused Initials.....
   Date .....
3. Case entered in divisional discipline book ... ... Initials.....
   Date .....
4. Case entered in chief constable's discipline book ... Initials.....
   Date .....
5. Particulars of any appeal to the Secretary of State

.....

.....

.....

.....

Report or allegation on which the charge is based

(If contained on separate papers, each should be numbered consecutively, and a summary entered here).

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations consolidate, with amendments, the provisions dealing with discipline in the Police (Scotland) Regulations and the Police (Women) (Scotland) Regulations, which are revoked by the Police (Scotland) Regulations, 1952.

They prescribe a code of offences against discipline, the procedure to be followed in investigating a report or allegation from which it may reasonably be inferred that such an offence has been committed and in formulating and dealing with a charge of such an offence, and the punishments which may be imposed. They also make provision for cases of suspension from duty and for the keeping of records relating to disciplinary matters.

1952 No. 2177 (S. 112)

The Police Pensions (Scotland) Regulations, 1952

Made - - - - 12*th December,* 1952
Coming into Operation 15*th December,* 1952

In exercise of the powers conferred on me by sections 1 and 3 of the Police Pensions Act, 1948(a), and section 2 of the Pensions (Increase) Act,

(a) 11 & 12 Geo. 6. c. 24.