

Draft legal definition of restricted duty – **FOR COMMENT PLEASE**

Draft (1): 22 February 2012

A Chief Constable should have the right to place an officer on restricted duty if he is satisfied, having taken into consideration appropriate advice, that the officer in question is constrained to an appreciable extent by a relevant factor so as (a) to render him unable to discharge the full range of duties and responsibilities of a police officer, (b) to render it inappropriate or inadvisable for him to be required to do so, or (c) to make an attempt by the officer in question to do so such that the officer or any other person would be exposed to undue risk.

The advice in question should be provided in writing by the force's occupational health department or a registered medical practitioner approved by the police authority, or, if the constraint is not of a medical nature, another appropriate part of the police force, such as its human resources department or its professional standards division.

The relevant factors are physical or mental infirmity which is likely to be permanent, or circumstances or a state of affairs in which evidence which may be given by the officer in question in court could be validly rejected on the grounds of the officer's character or record.

(Note that in the construction section of the document, the male gender is deemed to include the female)