

## SCHEDULES

### SCHEDULE 14

#### POLICE: COMPLAINTS

##### *Rights of appeal*

- 20 (1) In the italic heading that precedes paragraph 25 (appeals to the Commission with respect to an investigation), omit “*to the Commission*”.
- (2) Paragraph 25 is amended in accordance with the following provisions of this paragraph.
- (3) In sub-paragraph (2)—
- (a) in the words before sub-paragraph (a), for “to the Commission” substitute “to the relevant appeal body”;
  - (b) in the words after sub-paragraph (d)—
    - (i) for “Commission” substitute “relevant appeal body”;
    - (ii) after “this paragraph” insert “(except that the duty to notify the appropriate authority does not apply where that authority is the relevant appeal body)”.
- (4) After sub-paragraph (2) insert—
- “(2ZA) But the complainant has no right of appeal if the complaint relates to a direction and control matter.”.
- (5) In sub-paragraph (5), for “Commission” (in each place) substitute “relevant appeal body”.
- (6) In sub-paragraph (6)—
- (a) for “Commission” (in the first place) substitute “relevant appeal body”;
  - (b) after “any matter” insert “—
    - (a) in a case where the Commission is the relevant appeal body,”;
  - (c) at the end insert “; and
    - (b) in a case where the appropriate authority is the relevant appeal body, that authority shall take such steps as it considers appropriate for securing that the complainant is properly informed.”.
- (7) In sub-paragraph (7), for “sub-paragraph (6)” substitute “sub-paragraph (6)(a)”.
- (8) In sub-paragraph (8)—
- (a) after “reconsidered,” insert “in a case where the Commission is the relevant appeal body”;
  - (b) at the end of paragraph (b) insert “; and

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*Status: This is the original version (as it was originally enacted).*

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in a case where the appropriate authority is the relevant appeal body, that authority shall re-investigate the complaint.”.

(9) In sub-paragraph (9)—

- (a) for “Commission” (in the first three places) substitute “relevant appeal body”;
- (b) for “considers appropriate, the Commission shall” substitute “considers appropriate—
  - (a) sub-paragraph (9ZA) applies if the Commission is the relevant appeal body; or
  - (b) sub-paragraph (9ZB) applies if the chief officer of police is the relevant appeal body.

(9ZA) The Commission shall—”.

(10) Before sub-paragraph (9A) insert—

“(9ZB) The chief officer of police shall take such action as the chief officer thinks appropriate in relation to the bringing of disciplinary proceedings in respect of the matters dealt with in the report.

(9ZC) If disciplinary proceedings are brought by virtue of sub-paragraph (9ZB), it shall be the duty of the appropriate authority to ensure that they are proceeded with to a proper conclusion.”.

(11) In sub-paragraph (9A)—

- (a) for “Commission” substitute “relevant appeal body”;
- (b) for “it shall direct the appropriate authority” substitute “in a case where the Commission is the relevant appeal body it shall direct the appropriate authority to, or in a case where the appropriate authority is the relevant appeal body it shall”;
- (c) in sub-paragraph (a)—
  - (i) omit “to”;
  - (ii) omit “Commission’s”;
- (d) in sub-paragraph (b), omit “to”.

(12) In sub-paragraph (10)—

- (a) in the words before paragraph (a), for “Commission” substitute “relevant appeal body”;
- (b) in sub-paragraph (a), after “authority” insert “(unless it is the relevant appeal body)”;
- (c) in sub-paragraph (d), for “Commission” substitute “relevant appeal body”.

(13) In sub-paragraph (11), for “The Commission” substitute “In a case where the Commission is the relevant appeal body, it”.

(14) In sub-paragraph (13), for “Commission” substitute “relevant appeal body”.