

---

STATUTORY INSTRUMENTS

---

**2020 No. 2**

**POLICE**

**The Police (Complaints and Misconduct) Regulations 2020**

*Made* - - - - *6th January 2020*

*Laid before Parliament* *10th January 2020*

*Coming into force* *1st February 2020*

**THE POLICE (COMPLAINTS AND MISCONDUCT) REGULATIONS 2020**

PART 1

Preliminary

1. Citation, commencement, interpretation and application
2. Revocation and transitional and saving provisions

PART 2

Handling of complaints, conduct matters and DSI matters

3. Recording of complaints: copies of complaints etc.
4. Reference of complaints to the Director General
5. Complaints relating to the conduct of chief officers etc.
6. Handling of complaints by the appropriate authority: exception to the duty to investigate
7. Recording and reference of conduct matters
8. Recordable conduct matters relating to the conduct of chief officers etc.
9. Reference of DSI Matters
10. DSI matters relating to the conduct of chief officers etc.

PART 3

Investigations and subsequent proceedings

11. Notification of determination of form of investigation etc: exceptions
12. Appointment of persons to carry out investigations
13. Timeliness of investigations
14. Combining and splitting investigations
15. Change of form of investigation: provision of documentation and evidence

**Changes to legislation:** There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020. (See end of Document for details)

16. Special procedure: severity assessment
17. Special procedure: notification of severity assessment etc.
18. Special procedure: police friend
19. Special procedure: revision of severity assessment
20. Special procedure: representations to the person investigating
21. Special procedure: interview of the person concerned
22. Special procedure: duty to provide information to appropriate authority
23. Police friend: police staff members and designated police volunteers
24. Accelerated procedure: statement and report
25. Accelerated procedure: investigations by the appropriate authority on its own behalf
26. Accelerated procedure: other investigations
27. Report on investigation
28. Provision of copy of report on investigation etc. to person to whose conduct the investigation related
29. Reviews
30. Recommendations by the Director General or a local policing body
31. Recommendations by the Director General under paragraph 28A of Schedule 3
32. Relevant review body

#### PART 4

##### Keeping the complainant and interested person informed

33. Matters of which the complainant and interested person must be kept properly informed
34. Manner in which duties to keep the complainant and interested person informed are to be performed
35. Exceptions to duties to keep the complainant and interested person informed
36. Meaning of “relative”
37. Appropriate authority to notify the Director General of outcome of disciplinary proceedings etc.

#### PART 5

##### General

38. Withdrawn complaints
39. Withdrawn complaints: no written signed notification
40. Suspension of investigation or other procedure
41. Resumption of investigation of complaint after criminal proceedings
42. Complaints and conduct matters relating to the conduct of a person who has ceased to be a person serving with the police
43. Complaints and conduct matters concerning a person whose identity is unascertained
44. Records to be kept by local policing bodies and chief officers
45. Register to be kept by the Director General
46. Delegation of exercise or performance of powers and duties by chief officers
47. Definition of “disciplinary proceedings” for the purposes of Part 2 of the 2002 Act in relation to police staff members and designated police volunteers

48. Local policing body functions in relation to complaints: giving of section 13A notices
  49. Local policing body functions in relation to complaints: withdrawal of section 13A notices
  50. Delegation of exercise or performance of powers and duties by local policing bodies
  51. Manner and time limit of notifications under these Regulations
  52. Application of Part 2 of the 2002 Act etc. to old cases
  53. Amendment of policing protocol
  54. Amendment of the Police (Complaints and Conduct) Regulations 2013
  55. Amendment of the Public Interest Disclosure (Prescribed Persons) Order 2014
- Signature

---

SCHEDULE 1 — Provisions of the 2002 Act conferring powers under which these Regulations are made

SCHEDULE 2 — Modifications to Part 2 of the 2002 Act and to these Regulations

PART 1 — Modifications to Part 2 of the 2002 Act

1. Modification to section 29 (interpretation of Part 2)
2. Modifications to Part 3 of Schedule 3 (investigations and subsequent proceedings)
  - PART 2 — Modifications to these Regulations
3. Modification to regulation 1 (citation, commencement, interpretation and application)
4. Modification to regulation 16 (special procedure: severity assessment)
5. Modification to regulation 17 (special procedure: notification of severity assessment etc.)
6. Modification to regulation 18 (special procedure: police friend)
7. Modification to regulation 21 (special procedure: interview of the person concerned)
8. Modification: insertion of regulation 21A
9. Modification: omission of regulation 22 (special procedure: duty to provide information to appropriate authority)
10. Modification to regulation 27 (report on investigation)
11. Modification to regulation 28 (provision of copy of report on investigation etc. to person to whose conduct the investigation related)
12. Modification to regulation 30 (recommendation by the Director General or a local policing body)

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020.