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STATUTORY INSTRUMENTS

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**2020 No. 2**

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

**PART 3**

**Investigations and subsequent proceedings**

**Appointment of persons to carry out investigations**

**12.** A person may not be appointed to carry out an investigation under paragraph 16 or 18 of Schedule 3 (investigations by the appropriate authority on its own behalf and investigations directed by the Director General)(1)—

- (a) unless the person has an appropriate level of knowledge, skills and experience to plan and manage the investigation;
- (b) if the person works, directly or indirectly, under the management of a person whose conduct is being investigated;
- (c) in a case where the conduct of a senior officer is being investigated, if the person is—
  - (i) the chief officer of the police force concerned;
  - (ii) a member of that force;
  - (iii) a special constable appointed for the area of that force;
  - (iv) a police staff member serving in that force, or
  - (v) a designated police volunteer serving in that force;
- (d) if the person's involvement could reasonably give rise to a concern as to whether the person could act impartially.

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**Commencement Information**

**II** Reg. 12 in force at 1.2.2020, see **reg. 1(1)**

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(1) Paragraph 16 was amended by paragraphs 1, 11 and 14 of Schedule 12 to the Serious Organised Crime and Police Act 2005, paragraphs 1, 11 and 12 of Schedule 14 to the Police Reform and Social Responsibility Act 2011, paragraph 8 and 17 of Schedule 6 to the Crime and Courts Act 2013 (c. 22) and paragraphs 9 and 16 of Schedule 5, and paragraphs 15 and 56 of Schedule 9, to the Policing and Crime Act 2017; paragraph 18 was amended by paragraphs 1, 11 and 16 and of Schedule 12 to the Serious Organised Crime and Police Act 2005 and paragraphs 9 and 19 of Schedule 5, and paragraphs 15 and 56 of Schedule 9, to the Policing and Crime Act 2017.

**Changes to legislation:**

There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020, Section 12.