
STATUTORY INSTRUMENTS

2020 No. 2

The Police (Complaints and Misconduct) Regulations 2020

PART 5

General

Complaints and conduct matters concerning a person whose identity is unascertained

- 43.**—(1) Where a complaint or conduct matter relates to the conduct of a person whose identity—
- (a) is unascertained at the time at which the complaint is made or conduct matter is recorded, or
 - (b) is not ascertained during, or subsequent to, the investigation of the complaint or conduct matter,

Part 2 of the 2002 Act and these Regulations apply in relation to such a person as if they did not include the requirements mentioned in paragraph (2).

- (2) The requirements are—
- (a) any requirement for the person complained against or to whose conduct the conduct matter relates to be given a notification or an opportunity to make representations;
 - (b) any requirement for the Director General or appropriate authority to determine whether a criminal offence may have been committed by a person whose conduct has been the subject-matter of an investigation, or to take any action in relation to such a determination;
 - (c) any requirement for the Director General or appropriate authority to determine whether disciplinary proceedings or performance proceedings should be brought against a person whose conduct is the subject-matter of a report.

(3) Where the identity of a person mentioned in paragraph (1) is subsequently ascertained, the Director General and appropriate authority must, so far as possible, proceed in accordance with Part 2 of the 2002 Act and these Regulations, regardless of any previous action taken under that Part and these Regulations as modified by paragraph (1).

Commencement Information

11 Reg. 43 in force at 1.2.2020, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020, Section 43.