
STATUTORY INSTRUMENTS

2004 No. 643

The Police (Complaints and Misconduct) Regulations 2004

Appeals to the Commission: local resolution

9.—(1) Any appeal under paragraph 9 of Schedule 3 to the 2002 Act (appeal by a complainant whose complaint has been subjected to local resolution against the conduct of the local resolution) shall be made within 28 days of the date on which the alleged contravention of the procedural requirements occurred.

(2) Any such appeal shall be made in writing and shall state—

- (a) details of the complaint;
- (b) the date on which the complaint was made;
- (c) the grounds for the appeal; and
- (d) the date on which the complainant was notified of the outcome of that local resolution.

(3) Where the Commission receives such an appeal it shall request any information from any person which it considers necessary to dispose of the appeal.

(4) Where the Commission receives an appeal which fails to comply with one or more of the requirements mentioned in paragraph (2), it may decide to proceed as if those requirements had been complied with.

(5) The appropriate authority shall supply to the Commission any further information requested of it under paragraph (3).

(6) The Commission shall determine the outcome of the appeal as soon as practicable.

(7) The Commission shall notify the complainant, the appropriate authority and the person complained against of the reasons for its determination.

(8) The Commission shall notify the complainant and the person complained against of any direction it gives to the appropriate authority as to the future handling of the complaint.

(9) The Commission may extend the time period mentioned in paragraph (1) in any case where it is satisfied that by reason of the special circumstances of the case it is just to do so.