
STATUTORY INSTRUMENTS

2020 No. 2

The Police (Complaints and Misconduct) Regulations 2020

PART 3

Investigations and subsequent proceedings

Reviews

29.—(1) This regulation applies to reviews under—

- (a) paragraph 6A of Schedule 3 (reviews relating to complaints dealt with other than by investigation)(1);
- (b) paragraph 25 of Schedule 3 (reviews with respect to an investigation).

(2) Subject to paragraphs (3) and (4), an application for a review must be made within a period of 28 days starting with the day after the day on which the information mentioned in regulation 33(2)

(a) (matters of which the complainant must be kept properly informed: reviews) was provided to the complainant.

(3) For the purposes of the period mentioned in paragraph (2), the following is to be left out of account—

- (a) any time elapsing between the application for a review being received by the Director General under paragraph 31(1)(a) of Schedule 3 (reviews: applications erroneously made to the Director General)(2) and being forwarded to the local policing body under paragraph 31(2)(a) of that Schedule;
- (b) any time elapsing between the application for a review being received by the local policing body under paragraph 32(1)(a) of Schedule 3 (reviews: applications erroneously made to a local policing body)(3) and being forwarded to the Director General under paragraph 32(2)(a) of that Schedule.

(4) The relevant review body(4) may extend the period mentioned in paragraph (2) in any case where it is satisfied that, because of the special circumstances of the case, it is just to do so.

(5) Subject to paragraph (6), an application for a review must be made in writing and must state—

- (a) details of the complaint;
- (b) the date on which the complaint was made;
- (c) the name of the police force or local policing body whose decision is the subject of the application, and

(1) Paragraph 6A was inserted by paragraphs 29 and 31 of Schedule 5 to the Policing and Crime Act 2017 and amended by paragraphs 15 and 56 of Schedule 9 to that Act.

(2) Paragraph 31 was substituted by paragraphs 29 and 40 of Schedule 5 to the Policing and Crime Act 2017 and amended by paragraphs 15 and 56 of Schedule 9 to that Act.

(3) Paragraph 32 was substituted by paragraphs 29 and 41 of Schedule 5 to the Policing and Crime Act 2017 and amended by paragraphs 15 and 56 of Schedule 9 to that Act.

(4) See paragraph 30 of Schedule 3 (which was inserted by paragraphs 1, 15 and 22 of Schedule 14 to the Police Reform and Social Responsibility Act 2011 and amended by paragraphs 29 and 39 of Schedule 5, and paragraphs 15 and 56 of Schedule 9, to the Policing and Crime Act 2017) and regulation 32 of these Regulations.

(d) the date on which the information mentioned in regulation 33(2)(a) was provided to the complainant.

(6) Where the relevant review body receives an application for a review which fails to comply with one or more of the requirements mentioned in paragraph (5), it may decide to proceed as if those requirements had been complied with.

(7) Where the relevant review body receives an application for a review, subject to paragraph (8), it must request any information from any person which it considers necessary to dispose of the review.

(8) Sub-paragraphs (2) to (3A) of paragraph 19ZA of Schedule 3 (limitations on information notices)(5) apply to a request for information under paragraph (7) as they apply to an information notice served under paragraph 19ZA of Schedule 3.

(9) The relevant review body must comply with its duty under paragraph 6A(4) or 25(4A) of Schedule 3 (duty to determine whether outcome of complaint is reasonable and proportionate)(6) as soon as practicable.

Commencement Information

II Reg. 29 in force at 1.2.2020, see [reg. 1\(1\)](#)

(5) Paragraph 19ZA was inserted by section 137 of the Anti-social Behaviour, Crime and Policing Act 2014 and amended by paragraphs 13 and 61 of Schedule 10 to the Investigatory Powers Act 2016 (c. 25) and paragraphs 15 and 56 of the Policing and Crime Act 2017.

(6) Sub-paragraph (4A) of paragraph 25 was inserted by paragraphs 29 and 34 of Schedule 5 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 29.