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STATUTORY INSTRUMENTS

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**2020 No. 2**

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

**PART 2**

Handling of complaints, conduct matters and DSI matters

**Reference of complaints to the Director General**

4.—(1) The descriptions of complaint specified for the purposes of paragraph 4(1)(b) of Schedule 3 (complaints which must be referred to the Director General)<sup>(1)</sup> are—

- (a) any complaint not falling within paragraph 4(1)(a) of Schedule 3 but alleging conduct which constitutes—
  - (i) a serious assault, as determined in guidance issued by the Director General;
  - (ii) a serious sexual offence, as determined in guidance issued by the Director General;
  - (iii) serious corruption, including abuse of position for a sexual purpose or the purpose of pursuing an improper emotional relationship, as determined in guidance issued by the Director General;
  - (iv) a criminal offence or behaviour which is liable to lead to disciplinary proceedings and which, in either case, was aggravated by discriminatory behaviour on the grounds of a person's race, sex, religion or other status as determined in guidance issued by the Director General;
  - (v) a relevant offence;
- (b) any complaint arising from the same incident as one in which any conduct falling within sub-paragraph (a) or paragraph 4(1)(a) of Schedule 3 is alleged;
- (c) any complaint not falling within sub-paragraph (a) or (b) or paragraph 4(1)(a) of Schedule 3—
  - (i) that relates to the conduct of a chief officer or the Deputy Commissioner of Police of the Metropolis, and
  - (ii) in relation to which the appropriate authority is unable to satisfy itself, from the complaint alone, that the conduct complained of (if it were proved) would not justify the bringing of criminal or disciplinary proceedings.

(2) Where a complaint is required to be referred to the Director General under paragraph 4(1) (a) or (b) of Schedule 3, it must be referred—

- (a) without delay and in any event not later than the end of the day following the day on which it becomes clear to the appropriate authority that the complaint is one to which paragraph 4(1)(a) or (b) of Schedule 3 applies, and
- (b) in such manner as the Director General determines.

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(1) Paragraph 4(1) was amended by paragraphs 1 and 7 of Schedule 4, and paragraphs 15 and 56 of Schedule 9, to the Policing and Crime Act 2017.

- (3) Where a complaint is required to be referred to the Director General under paragraph 4(1) (c) of Schedule 3, it must be referred—
- (a) without delay and in any event not later than the end of the day following the day on which the Director General notifies the appropriate authority that the complaint is to be referred, and
  - (b) in such manner as the Director General determines.