
STATUTORY INSTRUMENTS

2020 No. 2

The Police (Complaints and Misconduct) Regulations 2020

PART 5

General

Application of Part 2 of the 2002 Act etc. to old cases

52.—(1) Part 2 of the 2002 Act and any provision made under it (including these Regulations) apply to a matter in relation to which the Director General has made a section 28A direction with the following modifications—

- (a) the section 28A direction is to be treated as if it were a decision of the Director General to treat the matter as having been referred to the Director General under paragraph 4A(1), 13A(1) or 14CA(1) of Schedule 3 (power of the Director General to treat complaint, conduct matter and DSI matter as having been referred)(1) and the appropriate authority must record the matter under paragraph 4A(4), 13A(4) or 14CA(4) of Schedule 3, and
- (b) any requirement for the Director General or appropriate authority to determine whether disciplinary proceedings or performance proceedings should be brought against a relevant person is to be treated as if it were omitted.

(2) In this regulation—

“relevant person” means a person—

- (i) in respect of whose conduct the Director General has made a section 28A direction, and
- (ii) who has previously been the subject of relevant proceedings in connection with that conduct;

“relevant proceedings” means any proceedings or management process during which—

- (i) the conduct of a person is considered in order to determine whether a sanction or punitive measure is to be imposed against that person in relation to that conduct;
- (ii) the performance of a person is considered in order to determine whether it is unsatisfactory and whether, as a result, any action is to be taken in relation to it.

Commencement Information

II Reg. 52 in force at 1.2.2020, see [reg. 1\(1\)](#)

(1) Paragraph 14CA(1) was inserted by section 17(1) and (9) of the Policing and Crime Act 2017 and amended by paragraphs 15 and 56 of Schedule 9 to that Act.

Status:

Point in time view as at 01/02/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020, Section 52.