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STATUTORY INSTRUMENTS

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**2020 No. 3**

**The Police (Performance) Regulations 2020**

**PART 5**

**Third stage**

**Participation of Director General and investigator at third stage meeting**

**40.**—(1) This regulation applies in a case falling within regulation 32 where—

- (a) paragraph 18 or 19 of Schedule 3 to the 2002 Act applied (investigations directed by or by the Director General), or
- (b) paragraph 16 of that Schedule (investigations by the appropriate authority on its own behalf) applied and—
  - (i) the Director General—
    - (aa) made a recommendation under paragraph 25(4C)(c) of that Schedule (reviews with respect to an investigation) which the appropriate authority accepted;
    - (bb) made a recommendation under paragraph 27(3A) of that Schedule (recommendation of Director General to appropriate authority) which the appropriate authority accepted, or
    - (cc) gave a direction under paragraph 27(4)(a) of that Schedule (direction by Director General where appropriate authority does not take steps to secure that full effect is given to Director General’s recommendation), or
  - (ii) a local policing body made a recommendation under paragraph 25(4E)(c) of that Schedule (reviews with respect to an investigation) which the appropriate authority accepted.

(2) The Director General may attend the third stage meeting to make representations, and where the Director General does so—

- (a) the Director General may instruct a relevant lawyer to represent the Director General;
- (b) the Director General must notify the complainant or any interested person before the meeting, and
- (c) the panel chair must notify the officer concerned before the meeting.

(3) The investigator or a nominated person must attend the third stage meeting on the request of the panel chair to answer questions.

(4) For the purpose of this regulation, a “nominated person” is a person who, in the opinion of—

- (a) the appropriate authority, or
- (b) in a case to which paragraph 18 or 19 of Schedule 3 to the 2002 Act (investigations directed by or by the Director General) applied, the Director General,

has sufficient knowledge of the investigation of the case to be able to assist the panel.

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**Changes to legislation:** There are currently no known outstanding effects for the The Police (Performance) Regulations 2020, Section 40. (See end of Document for details)

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**Commencement Information**

**II** Reg. 40 in force at 1.2.2020, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Police (Performance) Regulations 2020, Section 40.