
STATUTORY INSTRUMENTS

2023 No. 624

The Service Police (Complaints etc.) Regulations 2023

PART 3

Complaints etc.

CHAPTER 5

Investigations and Subsequent Proceedings etc.

Special procedure: notification of severity assessment etc.

48.—(1) Except where paragraph (4) applies, on the completion of a severity assessment, the person investigating must give the person concerned a notification stating—

- (a) the conduct that is the subject matter of the allegation and how that conduct is alleged to fall below the professional standards;
 - (b) that there is to be an investigation into the matter and the identity of the person investigating;
 - (c) the result of the severity assessment;
 - (d) the effect of regulation 50; and
 - (e) that whilst the person concerned does not have to say anything it may harm the person's case if the person does not mention when interviewed or when providing any information under regulation 50 something later relied on in any administrative action procedures.
- (2) Where a notification is given under paragraph (1), the person investigating must—
- (a) except where paragraph (4) applies, provide a copy of the terms of reference of the investigation to the person concerned; or
 - (b) where paragraph (4) applies, give the person concerned a notice stating that the terms of reference of the investigation are not being provided and explaining why,

where practicable, at the same time as the notification is given under paragraph (1), or otherwise within a period of five working days starting with the first working day after the day on which such notice is given.

(3) Except where paragraph (4) applies, where a copy of the terms of reference of the investigation has been provided under paragraph (2) and those terms are revised, the person investigating must provide a copy of the revised terms to the person concerned as soon as practicable.

(4) This paragraph applies for so long as—

- (a) in the case of an investigation under regulation 34 or 36, the Commissioner; or
- (b) in the case of an investigation under regulation 33, the person investigating the complaint or matter,

considers that giving the notification or providing a copy of the terms, or revised terms, of reference of the investigation might prejudice the investigation or any other investigation.

(5) A copy of the terms, or revised terms, of reference of the investigation provided under paragraph (2) or (3) may be in a form which keeps anonymous the identity of the complainant (if any) or any other person.

(6) On the completion of a severity assessment, the person investigating must notify the appropriate authority of the result of the assessment.

(7) A notification under paragraph (1) and a copy of the terms, or revised terms, of reference of the investigation under paragraph (2) or (3) must be—

- (a) given to the person concerned in person;
- (b) left with a person at, or sent by recorded delivery to, the last known address of the person concerned; or
- (c) given to the person concerned in any other manner agreed between the person investigating and the person concerned.

Commencement Information

II Reg. 48 in force at 19.6.2023, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Service Police (Complaints etc.) Regulations 2023, Section 48.