



Policing and Crime Act 2017

2017 CHAPTER 3

PART 2

POLICE COMPLAINTS, DISCIPLINE AND INSPECTION

CHAPTER 1

POLICE COMPLAINTS

14 Definition of police complaint

(1) Section 12 of the Police Reform Act 2002 (complaints, matters and persons to which Part 2 of the Act applies) is amended as follows.

(2) For subsection (1) substitute—

“(1) In this Part references to a complaint are references (subject to the following provisions of this section) to any expression of dissatisfaction with a police force which is expressed (whether in writing or otherwise) by or on behalf of a member of the public.

(1A) But an expression of dissatisfaction is a complaint for the purposes of this Part—

- (a) where it relates to conduct of a person serving with the police, only if the person in question is a person falling within subsection (1B);
- (b) in any other case, only if the person in question has been adversely affected by the matter about which dissatisfaction is expressed.

(1B) In relation to an expression of dissatisfaction that relates to conduct of a person serving with the police, a person falls within this subsection if the person is—

- (a) a person who claims to be the person in relation to whom the conduct took place;
- (b) a person not falling within paragraph (a) who claims to have been adversely affected by the conduct; or

Status: This is the original version (as it was originally enacted).

- (c) a person who claims to have witnessed the conduct.”
- (3) In subsection (3)—
- (a) for “subsection (1)(b)” substitute “subsection (1B)(b)”;
 - (b) for “made by or on behalf of a person who” substitute “where the person in question”.
- (4) After subsection (4) insert—
- “(4A) In this section, “the person in question” means the person expressing dissatisfaction or the person on whose behalf dissatisfaction is being expressed.”
- (5) In subsection (6), for the words before paragraph (a) substitute “For the purposes of this Part a person is not to be taken to have authorised another person to make a complaint on his behalf unless—”.
- (6) Schedule 4 makes amendments of the Police Reform Act 2002 in consequence of the amendments of section 12 of that Act made by this section.