

**1990 No. 1301**

**POLICE**

**The Police (Dispensation from Requirement to Investigate Complaints) Regulations 1990**

*Made - - - -*

*26th June 1990*

*Coming into force*

*1st July 1990*

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred on me by section 99(2)(e) of the Police and Criminal Evidence Act 1984(a), and after furnishing the Police Advisory Board for England and Wales with a draft of the Regulations and taking into consideration the representations of the said Board thereon in accordance with section 100(2) of the said Act of 1984, I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the Police (Dispensation from Requirement to Investigate Complaints) Regulations 1990 and shall come into force on 1st July 1990.

(2) These Regulations apply to a complaint received by the Chief Officer concerned on or after 1st July 1990.

2. In these Regulations, “the principal Regulations” means the Police (Anonymous, Repetitious Etc. Complaints) Regulations 1985(b).

3. The principal Regulations, as amended by these Regulations, may henceforward be cited as the Police (Dispensation from Requirement to Investigate Complaints) Regulations 1985.

4. The principal Regulations shall be amended as follows:

(a) there shall be inserted in regulation 3(1)(a), after the word “Regulations,” the words “or that a complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints,”;

(b) there shall be substituted for the word “and” at the end of regulation 3(1) (a) the following provision –

“or

(aa) that more than 12 months have elapsed between the incident, or the latest incident, giving rise to the complaint and the making of the complaint and either that no good reason for the delay has been shown or that injustice would be likely to be caused by the delay, and”;

- (c) there shall be inserted at the beginning of regulation 3(1)(b) the words "in either case,";
- (d) the word "and" at the end of regulation 3(2)(b) shall be omitted;
- (e) there shall be inserted after regulation 3(2)(c) the following provision –  
“; and
- (d) where the appropriate authority is of the opinion that the complaint is a repetitious complaint and the previous complaint has been informally resolved in accordance with the provisions of section 85 of the Act of 1984, a copy of the record of the outcome of the informal resolution procedure made under regulation 5 of the Police (Complaints) (Informal Resolution) Regulations 1985(a).”; and
- (f) there shall be inserted in the Schedule, after paragraph 3(2)(a) the following provision –  
“(aa) the complaint was informally resolved in accordance with the provisions of section 85 of the Act of 1984;”.

Home Office  
26th June 1990

*David Waddington*  
One of Her Majesty's Principal Secretaries of State

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Police (Anonymous, Repetitious Etc. Complaints) Regulations 1985 with effect from 1st July 1990 to enable the Police Complaints Authority to dispense with the requirements of Part IX of the Police and Criminal Evidence Act 1984 (which relates to the investigation of complaints about the conduct of police officers) in a wider range of circumstances. The additional circumstances are where a complaint is repetitious following the informal resolution of a previous similar complaint; where a complaint is vexatious; or where there has been unreasonable delay in making a complaint.

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(a) S.I. 1985/671.

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