
STATUTORY INSTRUMENTS

2010 No. 1813

**The Revenue and Customs (Complaints
and Misconduct) Regulations 2010**

PART 7

PROVISION OF INFORMATION

Duty to provide information for other persons

55.—(1) A person has an interest in being kept properly informed about the handling of a complaint or recordable conduct matter or DSI matter which is the subject of an investigation in accordance with the provisions of these Regulations if—

- (a) it appears to the IPCC or to an appropriate authority that that person is a person falling within paragraph (2) or (3); and
- (b) that person has indicated consent to the provision of information in accordance with this regulation and that consent has not been withdrawn.

(2) A person falls within this paragraph if, in the case of a complaint or recordable conduct matter, that person—

- (a) is a relative of a person whose death is the alleged result from the conduct complained of or to which the recordable conduct matter relates;
- (b) is a relative of a person whose serious injury is the alleged result from that conduct and that person is incapable of making a complaint;
- (c) has suffered serious injury as the alleged result of that conduct.

(3) A person falls within this paragraph if, in the case of a DSI matter, that person—

- (a) is a relative of the person who has died;
- (b) is a relative of the person who has suffered serious injury and that person is incapable of making a complaint;
- (c) is the person who has suffered serious injury.

(4) A person who does not fall within paragraph (2) or (3) has an interest in being kept properly informed about the handling of a complaint, recordable conduct matter or DSI matter if—

- (a) the IPCC or an appropriate authority considers that that person has an interest in the handling of the complaint, conduct matter or DSI matter which is sufficient to make it appropriate for information to be provided to that person in accordance with this regulation; and
- (b) that person has indicated consent to the provision of information in accordance with this regulation.

(5) In relation to a complaint, this section confers no rights on the complainant.

(6) A person who has an interest in being kept properly informed about the handling of a complaint, conduct matter or DSI matter is referred to in this regulation as an “interested person”.

(7) In any case in which there is an investigation of the complaint, recordable conduct matter or DSI matter in accordance with the provisions of these Regulations—

- (a) by the IPCC, or
- (b) under its management,

it shall be the duty of the IPCC to provide the interested person with all such information as will keep the interested person properly informed of all the matters specified in paragraph (10) while the investigation is being carried out and subsequently.

(8) In any case in which there is an investigation of the complaint, recordable conduct matter or DSI matter in accordance with the provisions of these Regulations—

- (a) by the appropriate authority on its own behalf, or
- (b) under the supervision of the IPCC,

it shall be the duty of the appropriate authority to provide the interested person with all such information as will keep the interested person properly informed of all the matters specified in paragraph (10) while the investigation is being carried out and subsequently.

(9) Where paragraph (8) applies, it shall be the duty of the IPCC to give the appropriate authority all such directions as it considers appropriate for securing that that authority complies with its duty under that paragraph; and it shall be the duty of the appropriate authority to comply with any direction given to it under this paragraph.

(10) The matters of which the interested person must be kept properly informed are—

- (a) the progress of the investigation;
- (b) any provisional findings of the person carrying out the investigation;
- (c) whether the IPCC or the appropriate authority has made a determination under regulation 36 (procedure where conduct matter is revealed during investigation of a DSI matter);
- (d) whether any report has been submitted under regulation 66 or 69;
- (e) the action (if any) that is taken in respect of the matters dealt with in any such report; and
- (f) the outcome of any such action.

(11) The duties imposed by this regulation on the IPCC and the appropriate authority in relation to any complaint, recordable conduct matter or DSI matter shall be performed in such manner, and shall have effect subject to such exceptions, as may be provided for by regulation 60.

(12) Paragraph (5) of regulation 54 (duty to keep the complainant informed) applies for the purposes of this regulation as it applies for the purposes of that regulation.

(13) In this regulation “relative” means any spouse, partner, parent or adult child.