
STATUTORY INSTRUMENTS

2020 No. 3

The Police (Performance) Regulations 2020

PART 5

Third stage

Attendance of complainant or interested person at third stage meeting

41.—(1) This regulation applies in a case falling within regulation 32 where the third stage meeting arises from—

- (a) a conduct matter or DSI matter under Schedule 3 to the 2002 Act (handling of complaints and conduct matters etc.), or
- (b) the investigation of a complaint to which paragraph 19A of that Schedule (special procedure where investigation relates to police officer or special constable)(**1**) applied.

(2) The appropriate authority must give the complainant or any interested person a written notice of the date, time and place of the third stage meeting.

(3) Subject to this regulation and any conditions imposed under regulation 42(13)—

- (a) the complainant may attend as an observer any part of the third stage meeting relating to the subject matter of the complaint, and
- (b) an interested person may attend as an observer any part of the third stage meeting relating to the subject matter of the complaint or conduct matter in respect of which the person is an interested person.

(4) Subject to paragraph (5) and any conditions imposed under regulation 42(13), a complainant or interested person may be accompanied by one other person, and if the complainant or interested person has a special need, by one further person to accommodate that need.

(5) Where a complainant or interested person, or any accompanying person, is to give evidence as a witness at the third stage meeting, the complainant or interested person and any accompanying person may not be allowed to attend the meeting before giving evidence.

(6) Where the officer concerned objects to the complainant or interested person, or any accompanying person, being present while a submission is made in mitigation on the officer's behalf, the panel chair may require the complainant or interested person, or any accompanying person, to withdraw while the submission is made.

(7) The panel chair may, at the panel chair's discretion, put any questions to the officer concerned that the complainant or interested person may request be put to the officer.

(1) Paragraph 19A was substituted for paragraphs 19A to 19E by paragraphs 9 and 21 of Schedule 5 to the 2017 Act.