
DRAFT STATUTORY INSTRUMENTS

2023 No.

The Service Police (Complaints etc.) Regulations 2023

PART 3

Complaints etc.

CHAPTER 5

Investigations and Subsequent Proceedings etc.

Timeliness of investigations

37.—(1) Where an investigation under regulation 33 is not completed within a relevant period, the appropriate authority must, as soon as practicable after the end of that period, provide in writing the information mentioned in paragraph (4)—

- (a) where the appropriate authority is a Provost Marshal, to the appropriate authority for that Provost Marshal, except where it appears to that Provost Marshal that to do so might prejudice the investigation or any other investigation; and
- (b) to the Commissioner.

(2) Where an investigation under regulation 34 or 36 is not completed within a relevant period, the Commissioner must, as soon as practicable after the end of that period, provide in writing the information mentioned in paragraph (4)—

- (a) where the appropriate authority is a Provost Marshal, to that Provost Marshal and the appropriate authority for that Provost Marshal; and
- (b) in any other case, to the appropriate authority,

except in a case where it appears to the Commissioner that to do so might prejudice the investigation or any other investigation.

(3) For the purposes of this regulation, each of the following is a “relevant period”—

- (a) the period of 12 months starting with the date on which—
 - (i) the complaint to which the investigation relates was made; or
 - (ii) the conduct matter or DSI matter to which the investigation relates came to the attention of the appropriate authority;
- (b) each subsequent period of six months starting with the day after the end of the previous relevant period.

(4) The information is —

- (a) the date on which—
 - (i) the complaint to which the investigation relates was made; or
 - (ii) the conduct matter or DSI matter to which the investigation relates came to the attention of the appropriate authority;
- (b) the date on which any notice was given under regulation 48(1);

- (c) the progress of the investigation;
 - (d) an estimate of when the report on the investigation will be submitted or completed under regulation 56 or 60;
 - (e) the reason for the length of time being taken to complete the investigation; and
 - (f) a summary of planned steps to progress the investigation and bring it to a conclusion.
- (5) The appropriate authority or the Commissioner (as the case may be) must send a copy of the information provided in writing under paragraph (1) or (2) to—
- (a) except where paragraph (6) applies, the complainant (if any) and any interested person; and
 - (b) except in a case where it appears to the appropriate authority or the Commissioner (as the case may be) that to do so might prejudice the investigation or any other investigation, the person to whose conduct the investigation relates.
- (6) This paragraph applies where the Commissioner or appropriate authority (as the case may be) is of the opinion that the non-disclosure of the information is necessary for a purpose mentioned in regulation 80(2).
- (7) Paragraphs (4) and (5) of regulation 80 apply in relation to paragraph (6) of this regulation as they apply in relation to paragraph (2) of that regulation.