
DRAFT STATUTORY INSTRUMENTS

2023 No.

The Service Police (Complaints etc.) Regulations 2023

PART 3

Complaints etc.

CHAPTER 5

Investigations and Subsequent Proceedings etc.

Re-investigations following a review

66.—(1) Where the Commissioner directs under regulation 64 that a complaint be re-investigated, the Commissioner must make a determination of the form that the re-investigation should take.

(2) Paragraphs (4) to (12) of regulation 32 apply in relation to a determination under paragraph (1) as they apply in the case of a determination under that regulation.

(3) Where, following a recommendation under regulation 64(12)(a) in relation to a complaint, the appropriate authority determines that it is appropriate for it to re-investigate the complaint on its own behalf, paragraphs (4) to (6) of regulation 33 apply in relation to the re-investigation as they apply in relation to an investigation to which regulation 33 applies.

(4) The other provisions of this Part (including this regulation) apply, in relation to any re-investigation in pursuance of a direction under regulation 64(9)(b) and any re-investigation of the type described in paragraph (3) of this regulation as they apply in relation to any investigation in pursuance of a determination under regulation 32.

(5) Where the Commissioner determines under paragraph (1) that the re-investigation should take the form of an investigation by the appropriate authority on its own behalf, the Commissioner may also give the appropriate authority such directions as to the handling of the matter in future as the Commissioner thinks fit.

(6) The Commissioner must notify the appropriate authority of any determination that the Commissioner makes under this regulation and of the Commissioner's reasons for making the determination.

(7) The Commissioner must also notify the following of any determination that the Commissioner makes under this regulation and of the Commissioner's reasons for making the determination—

- (a) the complainant;
- (b) every person entitled to be kept properly informed in relation to the complaint under regulation 78;
- (c) the person complained against (if any).

(8) The duty imposed by paragraph (7) on the Commissioner has effect subject to regulation 67.