

POLICE REFORM ACT 2002

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Schedule 3 Part 3: Investigations and subsequent proceedings

Section 20: Duty to keep the complainant informed

155. One of the key features of the new system is greater openness with the complainant and there will be much wider powers and duties to achieve maximum openness both during and after an investigation.
156. *Subsection (1)* places a duty on the Commission, with respect to an investigation it has undertaken or has managed, and *subsection (2)* places a duty on an appropriate authority, with regard to a police investigation or a supervised investigation, to keep the complainant informed in as full a manner as possible of the matters listed in *subsection (4)*. In addition to this duty on the Commission, *subsection (3)* places a further duty on the Commission to give the appropriate authority directions to enable it to comply with its duty to keep the complainant informed.
157. *Subsection (5)* enables the Secretary of State to provide by regulation how the complainant should be kept informed and the exceptions to this duty, but the exceptions will apply only to information that could bring harm as described in *subsections (6)* and *(7)* to, for example, national security, individuals, or future police operations.
158. *Subsection (9)* requires the person appointed to carry out an investigation to keep the Commission or appropriate authority, as appropriate, informed on such matters to enable it to perform its duties under this section.