



Policing and Crime Act 2017

2017 CHAPTER 3

PART 2

POLICE COMPLAINTS, DISCIPLINE AND INSPECTION

CHAPTER 2

POLICE SUPER-COMPLAINTS

25 Power to make super-complaints

After Part 2 of the Police Reform Act 2002 (complaints and misconduct) insert—

“PART 2A

SUPER-COMPLAINTS

29A Power to make super-complaints

- (1) A designated body may make a complaint to Her Majesty’s Chief Inspector of Constabulary that a feature, or combination of features, of policing in England and Wales by one or more than one police force is, or appears to be, significantly harming the interests of the public.
- (2) See section 29B for the meaning of “designated body”.
- (3) In this section-
 - “England and Wales” includes the adjacent United Kingdom waters within the meaning of section 30 of the Police Act 1996,
 - “police force” means any of the following—
 - (a) the metropolitan police force,

Status: This is the original version (as it was originally enacted).

- (b) a police force maintained under section 2 of the Police Act 1996 (police forces in England and Wales outside London),
- (c) the National Crime Agency,
- (d) the City of London police force,
- (e) the Ministry of Defence Police,
- (f) the Civil Nuclear Constabulary,
- (g) the British Transport Police.”

26 Bodies who may make super-complaints

In Part 2A of the Police Reform Act 2002, after section 29A (for which see section 25 above), insert—

“29B Bodies who may make super-complaints

- (1) In this Part “designated body” means a body designated in regulations made by the Secretary of State.
- (2) The Secretary of State—
 - (a) may make or revoke such a designation if the Secretary of State considers it appropriate to do so, and
 - (b) must make or revoke such a designation if asked to do so by an authorised person.
- (3) The Secretary of State must, in deciding whether to act under subsection (2) (a), apply criteria specified or described in regulations made by the Secretary of State.
- (4) The authorised person must, in deciding whether to ask the Secretary of State to act under subsection (2)(b), apply criteria specified or described in regulations made by the Secretary of State.
- (5) The Secretary of State must, before making regulations under subsection (3) or (4), consult such persons as the Secretary of State considers appropriate.
- (6) In this section “authorised person” means any person specified or described in regulations made by the Secretary of State.”

27 Regulations about super-complaints

- (1) In Part 2A of the Police Reform Act 2002, after section 29B (for which see section 26 above), insert—

“29C Regulations about super-complaints

- (1) The Secretary of State may by regulations make provision about complaints under section 29A.
- (2) Such provision may, in particular, include provision about—
 - (a) the procedure for dealing with a matter before a complaint is made under section 29A (including who is to deal with the matter),

Status: This is the original version (as it was originally enacted).

- (b) the procedure for dealing with a complaint under section 29A (including who is to deal with the matter),
 - (c) whether, or the extent to which, a matter is to be dealt with under this Part or Part 2.
- (3) Regulations under this section may—
 - (a) confer (or enable the conferring of) functions on Her Majesty’s Chief Inspector of Constabulary, the Independent Police Complaints Commission, the College of Policing or any other person,
 - (b) apply (with or without modifications), in relation to any matter to be dealt with by the Independent Police Complaints Commission under this Part, any provision made by or under Part 2.”
- (2) After section 10(3) of that Act (general functions of the Commission) insert—
 - “(3A) The Commission also has any functions conferred on it by regulations under section 29C of this Act (regulations about super-complaints).”