
STATUTORY INSTRUMENTS

2018 No. 748

**The Police Super-complaints (Designation
and Procedure) Regulations 2018**

Further provision about complaints

Powers in relation to investigations

9.—(1) The decision-making authorities may request any person to provide advice on or assistance with the investigation of a complaint or the preparation of a report under regulation 8 (duty to report on outcome of investigation).

(2) Paragraph (3) applies where the decision-making authorities request an inspector to assist with the investigation of a complaint.

(3) Paragraphs 6A and 6B of Schedule 4A to the 1996 Act (further provision about Her Majesty’s inspectors of constabulary: powers of inspectors to obtain information and access to premises)(1) apply in relation to the investigation of the complaint in accordance with the decision-making authorities’ request as they apply in relation to an inspection under section 54 of that Act (appointment and functions of inspectors of constabulary).

(4) Where a notice is, by virtue of paragraph (3), served under paragraph 6A of Schedule 4A to the 1996 Act, paragraphs 6C and 6D of that Schedule (further provision about Her Majesty’s inspectors of constabulary: failure to comply with notices and appeals)(2) apply in relation to the notice.

(5) Where a notice is, by virtue of paragraph (3), served under paragraph 6B of Schedule 4A to the 1996 Act, paragraph 6C of that Schedule applies in relation to the notice.

(6) In this regulation, “inspector” means—

- (a) an inspector of constabulary;
- (b) a person appointed under section 56 of the 1996 Act (assistant inspectors and staff officers) as an assistant inspector of constabulary or a staff officer to the inspectors of constabulary.

Information sharing etc

10.—(1) For the purpose of investigating a complaint, each of the decision-making authorities may use any information held by it and share that information with any of the other decision-making authorities.

(2) The use or sharing of information by a decision-making authority under paragraph (1) does not breach any obligation of confidence owed by the decision-making authority.

(1) 1996 c. 16. Schedule 4A was inserted by section 29(2) of the Police and Justice Act 2006 (c. 48). Paragraphs 6A and 6B were substituted, along with paragraphs 6C to 6F, for paragraphs 6A and 6B by section 36(1) of the Policing and Crime Act 2017.
(2) Paragraph 6D was amended by section 43(2) of the Policing and Crime Act 2017.

Procedure where decision-making authorities unable to agree

11.—(1) Where the decision-making authorities are unable to agree on whether a complaint is eligible for consideration (as described in regulation 6(2) to (4)), the decision whether the complaint is eligible for consideration is to be made by the Chief Inspector.

(2) Where the decision-making authorities are unable to agree on the contents of a report under regulation 8 (duty to report on outcome of an investigation), each decision-making authority must include in the report its opinion on the matters on which there is disagreement