
STATUTORY INSTRUMENTS

2020 No. 2

The Police (Complaints and Misconduct) Regulations 2020

PART 3

Investigations and subsequent proceedings

Timeliness of investigations

13.—(1) Where an investigation under paragraph 16 of Schedule 3 (investigations by the appropriate authority on its own behalf) 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) to—

- (a) where the appropriate authority is a chief officer, the local policing body for the relevant force, except in a case where it appears to the chief officer that to do so might prejudice the investigation or any other investigation (including a criminal investigation), and
- (b) the Director General.

(2) Where an investigation under paragraph 18 or 19 of Schedule 3 (investigations directed by the Director General and investigations by the Director General)⁽¹⁾ is not completed within a relevant period, the Director General must, as soon as practicable after the end of that period, provide in writing the information mentioned in paragraph (4) to—

- (a) the local policing body for the relevant force, and
- (b) unless the chief officer of that force is the person to whose conduct the investigation relates, the chief officer of that force,

except in a case where it appears to the Director General that to do so might prejudice the investigation or any other investigation (including a criminal 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

⁽¹⁾ Paragraph 19 was amended by paragraphs 1, 11 and 17 of Schedule 12 to the Serious Organised Crime and Police Act 2005 and paragraphs 15 and 56 of Schedule 9 to the Policing and Crime Act 2017; there are further amendments to paragraph 19 but none is relevant.

- (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 17(1) (special procedure: notification of severity assessment etc.);
 - (c) the progress of the investigation;
 - (d) an estimate of when the report on the investigation will be submitted or completed under paragraph 22 or 24A of Schedule 3 (final reports on investigations)(2);
 - (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 Director General (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 Director General (as the case may be) that to do so might prejudice the investigation or any other investigation (including a criminal investigation), the person to whose conduct the investigation relates.
- (6) This paragraph applies where the Director General 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 35(3) (exceptions to duties to keep the complainant and interested person informed).
- (7) Paragraphs (4) and (5) of regulation 35 apply in relation to paragraph (6) of this regulation as they apply in relation to paragraph (2) of regulation 34.

(2) Paragraph 22 was substituted by paragraphs 1, 11 and 21 of Schedule 12 to the Serious Organised Crime and Police Act 2005 and amended by paragraphs 1, 3 and 12 of Schedule 23, and Part 8 of Schedule 28, to the Criminal Justice and Immigration Act 2008 and paragraph 47 of Schedule 5, and paragraphs 15 and 56 of Schedule 9, to the Policing and Crime Act 2017; there are further amendments to paragraph 22 but none is relevant. Paragraph 24A was inserted by paragraphs 1, 11 and 24 of Schedule 12 to the Serious Organised Crime and Police Act 2005 and amended by paragraphs 1, 3 and 15 of Schedule 23 to the Criminal Justice and Immigration Act 2008 and paragraph 47 of Schedule 5, and paragraphs 15 and 56 of Schedule 9, to the Policing and Crime Act 2017; there are further amendments to paragraph 24A but none is relevant.