
STATUTORY INSTRUMENTS

2020 No. 2

The Police (Complaints and Misconduct) Regulations 2020

PART 1

Preliminary

Revocation and transitional and saving provisions

2.—(1) Subject to the following provisions of this regulation, the following are revoked—

- (a) the Police (Complaints and Misconduct) Regulations 2012⁽¹⁾;
- (b) the Police (Complaints and Misconduct) (Old Cases) Regulations 2013⁽²⁾;
- (c) the Police (Complaints and Misconduct) (Amendment) Regulations 2014⁽³⁾;
- (d) the Police (Complaints and Misconduct) (Amendment) Regulations 2017⁽⁴⁾, and
- (e) the following provisions of the Police (Conduct, Complaints and Misconduct and Appeal Tribunal) (Amendment) Regulations 2017⁽⁵⁾—
 - (i) regulation 1 in so far as it applies to the Police (Complaints and Misconduct) Regulations 2012 (citation, commencement and interpretation);
 - (ii) regulation 2(2) (transitional provision);
 - (iii) Part 4 (amendment of the Police (Complaints and Misconduct) Regulations 2012);
 - (iv) Schedule 2 (modifications to the Police (Complaints and Misconduct) Regulations 2012).

(2) The Regulations and provisions mentioned in paragraph (1) continue to have effect and these Regulations do not apply where—

- (a) a complaint was made, or a conduct matter or DSI matter came to the attention of an appropriate authority, before 1st February 2020 (“a pre-commencement complaint”, “a pre-commencement conduct matter” or “a pre-commencement DSI matter”);
- (b) a complaint is made, or a conduct matter or DSI matter comes to the attention of an appropriate authority, on or after 1st February 2020 which—
 - (i) relates to—
 - (aa) a matter in respect of which a pre-commencement complaint was made;
 - (bb) a pre-commencement conduct matter, or
 - (cc) a pre-commencement DSI matter, and
 - (ii) at the time the complaint is made, or the conduct matter or DSI matter comes to the attention of an appropriate authority, that pre-commencement complaint, pre-

(1) [S.I. 2012/1204](#), amended by [S.I. 2014/2406](#), [2015/431](#), [2017/575](#), [2017/1134](#) and [2017/1250](#).
(2) [S.I. 2013/1778](#), amended by [S.I. 2017/1250](#).
(3) [S.I. 2014/2406](#).
(4) [S.I. 2017/575](#).
(5) [S.I. 2017/1134](#).

commencement conduct matter or pre-commencement DSI matter is being handled in accordance with Schedule 3.

- (3) But these Regulations, except paragraph (2), apply where the Director General—
- (a) determines under section 13B of the 2002 Act (power of the Director General to require a re-investigation) that a complaint, recordable conduct matter or DSI matter is to be re-investigated, or
 - (b) makes a section 28A direction in relation to a matter on or after 1st February 2020, regardless of when the complaint was made or the matter came to the attention of the appropriate authority.
- (4) The Regulations mentioned in paragraph (1) continue to have effect for the purposes of—
- (a) the National Crime Agency (Complaints and Misconduct) Regulations 2013⁽⁶⁾, and
 - (b) the Independent Police Complaints Commission (Complaints and Misconduct) (Contractors) Regulations 2015⁽⁷⁾.

Commencement Information

II Reg. 2 in force at 1.2.2020, see [reg. 1\(1\)](#)

⁽⁶⁾ S.I. 2013/2325, amended by S.I. 2017/1250.

⁽⁷⁾ S.I. 2015/431, amended by S.I. 2017/1250 and 2018/682.

Changes to legislation:

There are currently no known outstanding effects for the The Police (Complaints and Misconduct) Regulations 2020, Section 2.