



*Altogether better policing*

## Appealing against the police Investigation into your complaint

Internal Use Only

We must receive your appeal within 29 days of the date of the letter telling you about the outcome of the complaint. This includes the time your appeal spends in the post. .

Please tick the appropriate box: Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other (please specify) .....

First name: (Please write clearly)

Surname: (Please write clearly)

.....  
Your address:

.....

.....Postcode: .....  
Daytime telephone number: Evening telephone number:

.....  
Email address:

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Date you made your complaint:

Reference number ( if known ):

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**PROTECT**

Please give the date of the letter you received about the outcome of the investigation.

Please tell us why you are appealing against the investigation into your complaint by selecting one or more reason(s) below. Please tick the relevant boxes:

☐ Do you feel you were not given enough information about what the investigation into your complaint found or the action the appropriate authority plan to take following their investigation?

☐ Do you disagree with the findings of the appropriate authority investigation into your complaint?

☐ Do you disagree with the proposed action resulting from the appropriate authority investigation into your complaint?

☐ Do you disagree with the decision that the appropriate authority has made about whether an officer you complained about has a case to answer or if there has been unsatisfactory performance?

☐ Do you disagree with the decision that the appropriate authority has made not to refer the investigation of your complaint to the Crown Prosecution Service?

Please explain why you want to appeal based on the reason(s) selected above, continuing on a separate sheet if necessary.

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If you have any documents that support your appeal please list below or attach to them to this form when submitting your appeal.

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Signature of the person making this appeal:

Date:

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DD / MM / YYYY

All public bodies, are obliged to record the ethnicity of people using its service. Being able to identify the ethnicity of complainants helps us to check we are reaching all sections of society. Please describe your ethnicity using the boxes below.

**WHITE**

- ☐ White British
- ☐ White Irish
- ☐ Any other White background

**MIXED**

- ☐ White and Black Caribbean
- ☐ White and Black African
- ☐ White and Asian
- ☐ Any other mixed background

**ASIAN OR ASIAN BRITISH**

- ☐ Indian
- ☐ Pakistani
- ☐ Bangladeshi
- ☐ Any other Asian background

**BLACK OR BLACK BRITISH**

- ☐ Caribbean
- ☐ African
- ☐ Any other Black background

**OTHER ETHNIC GROUP**

- ☐
- ☐

**OTHER**

- ☐

**Where to send this form**

**Professional Standards & Legal Services Department  
Peterlee Police Office  
St Aidans Way  
Peterlee  
Co Durham  
SR8 1QR**

## Guidance

You can appeal if:

**You have not received enough information about the findings of the investigation or what action the police force plan to take.**

At the end of its investigation into your complaint, the police force should give you a good-quality explanation of what the investigation has found, if it intends to take any action as a result of its findings and, if so, what action it proposes to take. It should also tell you about your right of appeal and who this is to.

The police force may give you a copy of its investigator's report in order to provide you with this information. Alternatively, it may communicate it to you by letter or email.

You can appeal if you think that the police force have not provided enough information to enable you to understand what their investigation into your complaint found or what action it intends to take because of it.

**You disagree with the findings of the investigation.**

The police investigation into your complaint will gather evidence in order to establish the facts of what you have complained about.

These facts are its findings. You need to keep in mind that the police investigation will be proportionate to the seriousness of your complaint and the likely outcomes.

You can appeal if you think that the findings of the investigation need to be reconsidered. For example if:

- some witnesses you consider important were not traced and/or interviewed
- you do not think that the police properly understood what your complaint was about
- you do not think that parts of your complaint were investigated
- you do not think that the evidence the police have gathered supports the conclusions it has reached
- you do not think the police have come to the right decision about whether or not your complaint should be upheld

**You disagree with the action the police force plan to take as a result of the investigation.**

## PROTECT

When the police force tells you what their investigation has found they should also tell you what they plan to do as a result. This may mean changes to the way the police work; an apology and commitment to stopping the same thing happening to someone else; or advice being given to the officer you complained about by their manager.

In some serious cases, it may mean an officer being asked to explain what they did in formal misconduct proceedings. Alternatively, there may be reasons why the police will take no action at all.

**You can appeal if you disagree with the action that the police plan to take. For example, if you think that:**

- the police have not done enough to prevent the same thing happening again
- the action the police have said they will take against the person you complained about is not right

**You do not think the police have made the right decision about whether an officer you complained about has a case to answer for misconduct, gross misconduct, or whether their performance was unsatisfactory.**

At the end of the investigation into your complaint the police will decide whether or not the officer you complained about has a case to answer for misconduct or gross misconduct, or whether their performance was unsatisfactory.

Misconduct means the officer has done something that fails to meet the Standards of Professional Behaviour expected of a police officer. Gross misconduct means the failure to meet those standards is so serious that the officer could lose their job.

Unsatisfactory performance means that the officer has failed to do their job, or does not have the ability to do their job, to a satisfactory level. However, this behaviour does not breach the Standards of Professional Behaviour expected of an officer.

You can appeal because the police have said that an officer does not have a case to answer and you think they do. You can also appeal if the police have said that an officer has a case to answer for misconduct, but you think it should be for gross misconduct.

**You disagree with a decision the police force have made not to refer the investigation of a complaint to the Crown Prosecution Service (CPS).**

When the police force has finished their investigation into your complaint they will decide whether to send your complaint to the CPS for consideration. The police must send your complaint to the CPS if they think a crime may have been committed. There may be some circumstances when it is not appropriate to do this, and the police will decide whether this is the case.

## PROTECT

The CPS makes decisions about whether someone accused of a crime will be prosecuted in a criminal court. You can appeal if the police have decided not to send your complaint to the CPS and you think they should have done.

When the police do send your complaint to the CPS, this does not necessarily mean that the CPS will decide to prosecute an officer you have complained about. You cannot appeal if the CPS decides not to prosecute the officer. The IPCC has no powers to change decisions made by the CPS.

Please note: you cannot appeal if the investigation into your complaint was managed or independently conducted by the IPCC.

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