



APPEALING ABOUT THE DECISION TO DISCONTINUE AN INVESTIGATION

Can I appeal about the decision to discontinue the investigation into my complaint?

Discontinue means to end an ongoing investigation into a complaint. An appeal can be made about a decision to discontinue an investigation into a complaint.

You can appeal if:

- your complaint was about the conduct of a police officer or member of police staff
- the IPCC did not give permission to the police to discontinue the investigation
- you do not think the police should have discontinued the investigation

However, you cannot appeal when the complaint relates to a direction and control issue. Direction and control means the overall policies of a police force, for example police resources and policing standards.

How do I make an appeal?

You will have been told how to appeal and who to appeal to by the police when they told you they were going to discontinue the investigation. If this has not happened, please contact the police force that dealt with your complaint.

How do I appeal?

- use the Humberside Police appeal form:
 - save a 'Word' version [[Link](#)] of the appeal form to your computer, complete it and email it to the HPAB (ProfessionalStandards@humberside.pnn.police.uk).
 - print off, complete and post the PDF version of the appeal form [[Link](#)] to the HPAB at Professional Standards Branch, Police Headquarters, Priory Road, Hull, HU5 5SF.
- Use the contact details below to make a request for an appeal form to be sent to you.

Web: www.humberside.police.uk

Email: PSBAdmin@humberside.pnn.police.uk

Tel: 01482 578335

Doing the right thing



The HPAB must receive your appeal within 29 days of the date you were informed of the outcome, be that by letter or in any other format, e.g. telephone call, email etc. This includes the time your appeal spends in the post.

The HPAB may be able to extend this time period if you have very special circumstances and you can fully explain your reasons for asking for an extension.

If we do not receive your appeal within 29 days, we do not have to consider your appeal. It may be possible to extend this time period if you have very special circumstances and you can fully explain why you are asking for an extension.

How will my appeal be dealt with?

You will receive a letter to tell you your appeal form has been received. Your appeal will then be assessed and a decision will be made.

We will send a copy of your appeal to the Appropriate Authority (Chief Constable) and ask for any information they have about your original complaint.

Please note that during the appeals process, your original complaint will not be investigated. The appeal will consider whether the decision to discontinue was the correct decision.

If your appeal is upheld

If your appeal is upheld, you will receive a letter telling you what will happen next.

If your appeal is not upheld

If your appeal is not upheld, you will receive a letter explaining this decision.



What should I do if I need more advice?

If you are still not sure what to do next or you need more information, contact the police force that handled your complaint or the IPCC. You can also talk to a legal advisor.

Get in touch with the police force or the IPCC if you have difficulty filling in the online or paper form, or if you need to obtain the form in another language or format.

A decision may be made to discontinue the investigation into your complaint because:

- you refuse to co-operate and it is not reasonably practicable to continue the investigation
- the appropriate authority decides that the complaint is suitable for local resolution
- the appropriate authority considers that the complaint is vexatious and/or oppressive (this could mean the complaint is without foundation and could cause harsh and/or unfair treatment of the person complained about)
- the appropriate authority considers that the complaint is an abuse of the complaints process (this means when the complaints process has been misused or unfairly influenced)
- the complaint is repetitious
- the appropriate authority considers it not reasonably practicable to proceed. For example, the investigation can no longer continue because:
 - a crucial piece of evidence has been irretrievably lost or damaged
 - the cost of obtaining a crucial piece of evidence is not proportionate, or
 - crucial witnesses are not willing to co-operate.