



Humberside Police Appeal Body HPAB

APPEALING AGAINST THE DECISION TO DISAPPLY

Can I appeal about the decision to disapply in relation to my complaint?

An appeal can be made against a decision to disapply. Disapply means stopping the complaints process before an investigation begins.

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 disapply
- you do not think the police should have decided to disapply

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 wrote to you about the decision to disapply your complaint. 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



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

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 disapply 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. This must tell you about any planned action/s.

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 disapply because:

- the complaint is out of time - more than 12 months have passed between the incident and the complaint, and either there is no good reason for the delay, or because of the delay it would not be fair to look into the matter (for example, because all of the evidence has been destroyed)
- the matter has already been raised as a complaint by the same person, or someone acting on behalf of them
- the complaint is anonymous
- the appropriate authority considers the complaint to be:
 - 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)
 - an abuse of the complaints process (this means when the complaints process has been misused or used to unfairly influence any other process)
 - repetitious
 - or it is not reasonably practicable to proceed, for example if the complainant refuses to make a statement or assist with the investigation.