

Stand Up Sit Down

Fact Sheet

POLICE & STEWARDS SECTION

1. POLICE

The role of the police at football matches

Their role is to prevent and detect crime among supporters during their travelling to and from the ground, as well as inside the stadium itself.

A duty exists upon them to ensure that only a minimum of disruption is made to the local community including railway stations, city centres and the approaches to football grounds.

Police Powers

i) Stop and Search

What is stop and search?

Stop and search powers allow officers to stop anyone in the street and search them, their clothing and anything they are carrying. Police can also search a persons' vehicle if they are stopped in it or near it. If anything suspicious is found, the officers may caution and/or arrest the person.

The rules governing these powers are very clear and strict and the officers must have reasonable grounds for suspecting you may be involved in criminal behaviour. Officers do not need reasonable grounds you are stopped in relation to an offence of terrorism, or where they are attempting to prevent serious violent incidents (where they can stop and search for weapons).

Know Your Rights

If you are stopped and searched the officers must:

- Act responsibly in preserving your dignity and minimising embarrassment.
- You should expect to be treated fairly and courteously at all times.
- The officers should not be discriminative in exercising their powers.

If you are stopped in a public place:

- You do not have to remove more than your coat (and gloves if you are wearing any).
- But if you are stopped for suspected weapons offences, the officers may also ask you to remove head wear.
- If the officers ask you to remove any further clothing, or any garment worn for religious reasons, they must take you somewhere appropriate to do so.
- This may mean that you are taken to a Police station, but only if that station is near to the point of stoppage.

If English is not your first language and/or you do not understand why you are being stopped, the officers must take reasonable steps to make you aware of your rights.

The police have no general power to require you to give them your name. The police must have justification. If the police suspect that you have committed an offence, they have the choice of arresting you and taking you to a police station, or to let you carry on your way, and posting any summons to you. In making this decision, the police will ask for your details, and if you don't cooperate then it is almost certain that you will be arrested and taken to a police station. If you are asked for your name and address, then you may ask the officer why they are asking, and you would only have to comply if the officer states that he has cause to arrest you. Without that cause, you do not have to answer.

They have no legal power to force you to have your photograph taken. Do not allow them to do this. This too will be kept on file for SEVEN years. Keep your head turned away, or put your hand in front of your face.

They have no legal power to ask you to remove any item of clothing in public view, OTHER THAN that which is concealing your identity. Any facial masking can be confiscated.

If you are asked to remove coats/jumpers etc, REFUSE OUTRIGHT. They have no legal power to search wallets, purses, inside small pockets etc. This is an S60 search, for weapons only. If they ask to search wallets, purses, inside small pockets etc, REFUSE OUTRIGHT.

What must the officers do before commencing the search?

- Explain that you are being stopped for the purposes of a search – you are not under arrest.
- Inform you of the power under which they are stopping and searching you

- Reasonable suspicion - S. 1 PACE
 - Suspicion of weapons offences – S. 60 CJ&POA
 - Suspicion of involvement with terrorism – S. 43 Terrorism Act
-
- Explain why you have been stopped.

 - Tell you their names, the station at which they are based and either show you their warrant cards (if in plain clothes) or tell you their warrant numbers.

 - Seek your co-operation to carry out the search, although, reasonable force may be used to affect the search if you refuse to co-operate.

Once the search has been carried out, the officers must inform you that you are entitled to a copy of the search record. It is recommended that you do obtain a copy of the record if you wish to complain about the search or the way in which it was carried out.

ii) Arrest

The police can arrest a person if they have a valid warrant.

The police can only arrest a person without warrant in a number of circumstances:

- a) you are in the act of committing or attempting to commit an offence
- b) they have reasonable grounds for suspecting you are committing an offence
- c) they have reasonable grounds for suspecting you have committed or attempted to commit an offence
- d) you are about to commit an offence
- e) They have reasonable grounds for suspecting you are about to commit an offence.

However, the police can only exercise the power of arrest where they believe an arrest is necessary.

An arrest will be deemed necessary:

- a) to enable the police to ascertain your name (where your name is not known and cannot be readily ascertained, or where the police have reasonable grounds to believe you have given a false name).
- b) where you have not given a satisfactory address. This means an address where the police can serve a summons.
- c) to prevent you causing physical injury to yourself or others, suffering physical injury, causing loss or damage to property, committing an offence against public decency, or causing an unlawful obstruction of the highway
- d) to protect a child or other vulnerable person from you.

e) to allow the prompt and effective investigation of the offence or your conduct.

The police also has the power of arrest where:

- (a) a breach of the peace is committed in his presence
- (b) the person effecting the arrest reasonably believes that such a breach will be committed in the immediate future by the person arrested, or
- (c) a breach of the peace has been committed or the person effecting the arrest reasonably believes that a breach of the peace has occurred and that a further breach is threatened.

A breach of the peace occurs whenever harm is actually done or is likely to be done to a person or, in their presence, to their property, or where a person is in fear of being harmed through an assault, affray, riot, unlawful assembly or other disturbance.

Know Your Rights

Upon arrest or as soon as practical the person arrested must be told, in simple, non-technical language that he could understand, the essential legal and factual grounds for his arrest.

In addition to the above requirement, the person arrested must also be cautioned at the time of arrest or as soon as is practicable afterwards unless it is impracticable to do so because of his condition or behaviour at the time or he has already been cautioned immediately before arrest.

The correct caution that should be given:

"You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence."

Designated Matches

The Police have powers of arrest in regards to any offences or display of certain behaviour at a designated match. The time for this begins 2 hours before a match or 2 hours before the advertised start time (if earlier) and runs until 1 hour after the game. If the game is cancelled or postponed it ends 1 hour after the advertised start time.

A designated match is an association football match in which one or both of the participating teams represents a club which is for the time being a member (whether a full or associate member) of the Football League, the Football Association Premier League, the Football Conference or the League of Wales, or represents a country or territory.

AT THE POLICE STATION

Police Power to Search at the Police Station

The custody officer at a police station is obliged to ascertain everything which a person has with him when he is brought to the station after having been arrested. In order to do so, the person may be searched if the custody officer considers it necessary in order to ascertain what property the person has, but only to the extent that he considers it necessary for that purpose.

The custody officer may seize and retain anything in the possession of the detainee, save for clothes and personal effects. These may be seized only if the custody officer believes that the person from whom they are seized may use them to cause physical injury to him-self or another, or to damage property, or to interfere with evidence, or to escape, or if the custody officer has reasonable grounds for believing that they may be evidence relating to an offence.

A person from whom an article is seized is to be told the reason for the seizure unless he is either violent or likely to become so, is incapable of understanding what is said to him, or is in urgent need of medical attention

Strip Searches

It may be conducted only for the purposes of search for the same reasons mentioned above, or where the custody officer thinks it necessary in order to remove an article which the detained person would not be allowed to keep and the officer reasonably considers that the detainee may have concealed such an article.

The conduct of strip searches may be carried out only by a constable of the same sex as the person being searched.

Intimate Searches

An intimate search can be conducted only if an officer of the rank of inspector or above authorises it. Such officer must have reasonable grounds for believing that the detained person has concealed on him an article which he could use to cause physical injury to himself or others, and which he might so use while he is in police detention or in the custody of a court.

The officer must have reasonable grounds for believing that the article in question cannot be found unless the detainee is intimately searched. The reasons why an intimate search is considered necessary must be explained to the person before the search takes place.

The general rule is that an intimate search should be carried out by a suitably qualified person.

Intimate searches may be carried out only at a police station, a hospital, surgery or other medical premises.

Rights while being held in Police Custody

Notification of Arrest

A person who has been arrested (whether or not for an offence) and who is being held in custody at a police station or other premises has a right, at his request, to have one friend, or relative or other person who is known to him or who is likely to take an interest in his welfare, told of his arrest and the place where he is being detained.

The custody officer must inform the suspect of this right and ask him whether he wishes to exercise it.

If that person cannot be contacted, the detainee may choose up to two alternatives. If they too cannot be contacted, the custody officer or the person in charge of the investigation has discretion to allow further attempts until the information has been conveyed.

Right of Access to Legal Advice

A person who is arrested (whether or not for an offence) and held in custody at a police station or other premises has a right, at his request, to consult a solicitor privately at any time.

Situation when the person should be informed of this right to free independent legal advice:

- a) A person must be told of his right to free legal advice when he is brought to a police station under arrest, or when he is arrested having initially attended voluntarily.
- b) Immediately before the beginning or recommencement of any interview at a police station or other authorized place of detention
- c) After charge or being informed that he may be prosecuted,
- d) Where a police officer wishes to bring to his attention any statement or the content of any interview, or where he is re-interviewed
- e) Before he is (exceptionally) interviewed after charge
- f) Before an identification parade or group or video identification is conducted

Additional Rights (person under the age of 17/ person under disability)

Generally, a juvenile or mentally disordered or vulnerable person must not be interviewed by the police or asked to provide a written statement in the absence of an appropriate adult, unless delay would be likely to lead to interference with or harm to evidence connected with an offence, interference with or physical harm to other people or serious loss of or damage to property, to alerting other suspects not yet

arrested, or to hindering the recovery of property obtained in consequence of commission of the offence. If an interview at a police station is necessary for one or more of these reasons, it must be authorized by an officer of the rank of superintendent or above.

Custody Time-Limits

The normal maximum period of detention without charge is 24 hours from the time a arrested person was first brought to a police station or 24 hours after being arrested, whichever is the earlier. Subject to the powers to extend detention without charge, if at the expiry of that time the person has not been charged, he must be released, either on bail or without bail.

The period of detention without charge may be extended in respect of a person under arrest for an indictable offence, for up to a total of 36 hours from the relevant time by an officer of the rank of superintendent or above, and for up to a total of 96 hours from the relevant time by a magistrates' court

Circumstances where a Banning Order can be Imposed

A person can be banned when he or she:

- (a) Breaches a requirement imposed by an earlier banning order.
- (b) Commits an offence for bringing prohibited articles (alcohol, containers and fireworks, firearms) into football stadium or while entering or trying to enter the ground.
- (c) Is found to be under the influence of alcohol in the football stadium or while entering or trying to enter the ground.
- (d) Commits any offence under the Football (Offences) Act 1991 (throwing missiles, chanting racist or indecent or racist nature and entering the playing area)
- (e) Commits offences of violence (particularly offences under the Public Order Act 1986) to another person or property when the violence is relevant to a football match.

An offence will be considered as relevant to a football match:

(a) in the case of a match which takes place on the day on which it is advertised to take place, the period— beginning 24 hours before whichever is the earlier of the start of the match and the time at which it was advertised to start; and ending 24 hours after it ends;

(b) in the case of a match which does not take place on the day on which it was advertised to take place, the period— beginning 24 hours before the time at which it was advertised to start on that day; and ending 24 hours after that time.

- A judge will only impose a banning order if the court is satisfied that there are reasonable grounds to believe that making a banning order would help to prevent

violence or disorder at or in connection with any regulated football matches, it must make such an order in respect of the offender.

- Maximum length of the order is 10 years and minimum is 6 years when the order is made in addition to a sentence of imprisonment taking immediate effect. In other circumstances the maximum length is 5 years and the minimum is 3 years.

If a banning order has had effect for a least 2/3 of the prescribed period, the person subject to it may apply to the court by which it was made to terminate it.

2. STEWARDS

Why are Stewards Needed?

Stewards are there to ensure that paying supporters of any football club are given the best match-day experience possible. This includes ensuring the safety of spectators and also ensuring that the view of supporters is not obstructed. The use of stewards also offers piece of mind and a trouble free crowd.

Football Stewards are trained to a nationally accredited standard and this training covers conflict management. The FA, Premier League and Football League in conjunction with the Football Safety Officers Association and Football Licensing Authority have produced a 'Training Package for Stewarding at Football Grounds' and this is used to prepare stewards for their roles at football grounds.

Stewards Duties, Rights and Responsibilities:

- To ensure that the requirements of the safety certificate and ground regulations are met at all times.
- To be responsible for the safety and comfort of spectators within a designated area at all times, and this is a primary duty.
- Assist in identifying those individuals who are banned from the stadium or those who do not have a ticket or possess a forged ticket.
- Assist in dealing with breaches of ground regulations, such as supporters standing continuously.
- Carry out ejections for breaches of ground regulations, such as for those carrying weapons.
- Prevent entry to the stadium of those supporters who have been banned, those in breach of ground regulations or those in breach of specific legislation.
- Selectively search spectators in accordance with club policies who are suspected of possessing or trying to bring in to the stadium any prohibited items.
- Ensure gangways and exit/evacuation routes are kept clear.
- Assist in any evacuation of the stadium and are fully aware of the procedure to carry this action out.

- Ensure they have knowledge of first aid rooms, safety equipment such as fire extinguishers.
- Be fully conversant with any methods or signals used to alert staff that an emergency has arisen.
- Be able to identify safety hazards and suspect packages.
- Identify and investigate any incidents, reporting the findings to the supervisor.

Stewards Power of Arrest

Any person has a recognised power of arrest where:

(a) a breach of the peace is committed in his presence, (b) the person effecting the arrest reasonably believes that such a breach will be committed in the immediate future by the person arrested, or (c) a breach of the peace has been committed or the person effecting the arrest reasonably believes that a breach of the peace has occurred and that a further breach is threatened.

A breach of the peace occurs whenever harm is actually done or is likely to be done to a person or, in their presence, to their property, or where a person is in fear of being harmed through an assault, affray, riot, unlawful assembly or other disturbance.

KNOW YOUR RIGHTS: RELEVANT LAW EXPLAINED

Sporting Events (Control of Alcohol) Act, 1985

Prohibits alcohol on certain vehicles and gives police powers to deal with persons who are drunk or in possession of alcohol, flares, smoke bombs and articles which can be used as missiles at matches.

Police have the power to stop supporters in coaches or minibuses, where they have reasonable grounds to suspect that alcohol is being carried or that the persons on the vehicle are drunk.

Police also have the power to stop and search a person under the Act if they have reasonable suspicion that they are committing or have committed an offence under the Act.

The general powers given to the Police under this Act state that they may enter any part of the sports ground for the purpose of enforcing the Act. They are not limited to Public parts, and may search any person whom they have reasonable suspicion is or has committed an offence under the Act.

However, if the Proprietor of the stadium has a condition of search on entry then this should be carried out by the stewards of the ground and not the Police.

Public Order Act 1986

Provides specific offences to deal with disorderly conduct and unlawful violence.

Football (Offences) Act, 1991

Created three new offences which relate specifically to football grounds. Namely, throwing a missile, racist or indecent chanting and running onto the pitch.

Football Spectators Act 1989 and Football (Disorder) Act 2000.

Allows the police to arrest and prevent persons identified as potential troublemakers from travelling abroad to attend regulated football matches.

The police may apply for football banning orders to prevent attendance at regulated football matches, whether played at home or abroad.

Football banning orders may be made on conviction for a relevant offence or as a result of a civil application based on past conduct, which has not necessarily resulted in a criminal conviction.

A person made the subject of a football banning order has to comply with directions given by the Football Banning Orders Authority - most notably, to attend a police station and/or surrender a passport at specified times.

Criminal Justice and Public Order Act 1994

If it is reasonably believed that a person is carrying dangerous instruments or offensive weapons without good reason, any constable in uniform power can stop any pedestrian and search him or anything carried by him for offensive weapons or dangerous instruments; stop any vehicle and search the vehicle, its driver and any passenger for offensive weapons or dangerous instruments.

If in the course of a search the constable discovers a dangerous instrument or an article which he has reasonable grounds for suspecting to be an offensive weapon, he may seize it.

Misuse of Drugs Act 1971

If the Police have reasonable grounds to suspect that a person is in possession of a controlled drug they may search that person, and detain him for the purpose of searching him; search any vehicle or vessel in which the constable suspects that the drug may be found, and for that purpose require the person in control of the vehicle or vessel to stop it; and seize and detain, anything found in the course of the search which appears to the constable to be evidence of an offence.

Anti-Social Behaviour Act 2003

The Police also have the power to disperse groups where persistent anti-social behaviour is being displayed under the, in the anticipation of violence, or other offences being committed.

Police Reform Act 2002

If an Officer believes that a person is acting in an anti-social manner he may require that person to give his name and address to him. If that person fails to give his name and address when required to do so or gives a false or inaccurate name or address in response he is guilty of an offence which is punishable by a fine not exceeding £1,000.

COMPLAINTS SECTION

The most accurate information on how to complain can be found on the website for the football team at whose ground the matter giving rise to the claim arose.

How to complain about Stewards and Police behaviour:

Complaints against Stewards in general or in particular can be effectively made in numerous ways. The most important of these include:

- a) Making a formal complaint to the Club's Safety Officer, who is responsible for all stewards.
- b) Complaints can also be made on the FA's website (www.thefa.com), under the complaints section.
- c) Alternatively complaints can be made to the Football Safety Officers Association (www.fsoa.org.uk). This is the organisation comprising of all football safety officers.

Police:

If you feel you have been targeted unfairly or you believe that the officers did not follow the correct procedure when searching you, you can complain to the Independent Police Complaints Commission – contact information available on request

Alternatively, you can;

- Go into any Police station and request that a complaint be recorded against the officers/Police station involved

- Contact any Police station by post, email or telephone and request that a complaint be recorded
- Contact your local Citizens Advice Bureau or the Racial Equality Council, Neighbourhood Warden Youth Offending Team or Probation Service
- Contact a solicitor or MP
- Write to the Chief Constable or Commissioner of the police service concerned

What follows below is the general steps that should be followed:

Write to the manager of the service you wish to complain about. In most cases this will be the Match Day Stewarding Manager or the Stadium Maintenance and Security Manager. The letter should give details about what happened and what exactly you

are complaining about. You should also give any relevant dates. Contact details for these people should be posted on the team's website.

If you are not satisfied with the reply you receive then you can write to the Chief Executive of the Club. Again, his contact details should be available on the relevant website.

Not satisfied with Club then go to League and if not satisfied with League then go to IFC.

UP TO DATE INFO ON ALL COMPLAINTS GO TO
<http://www.thefa.com/TheFA/ContactUs/Postings/2007/07/ComplaintsProcedure.htm>

THE FA

www.thefa.com

The FA is the governing body for the game in England and is primarily responsible for all regulatory aspects of the game, running the England teams and organising The FA Cup and other domestic competitions.

The customer Charter for each season is on the website. It has the most up to date information and addresses for how to complain and to whom.

If you would like to submit a complaint to The FA, you can either complete the feedback form (on website) or put your complaint in writing addressed to:

Customer Relations
The Football Association
25 Soho Square
London
W1D 4FA
Tel: 020 7745 4545 (Mon-Fri, 9.15am - 5.00pm)

Not satisfied with FA then go to Independent Football Commission (IFC).

NOTE ABOUT IFC:

An Independent Football Ombudsman (IFO) is to be created in time for next season, replacing the existing Independent Football Commission (IFC).

The IFO will have a clear remit to receive and adjudicate on complaints from football supporters and participants, which have not been resolved by the football authorities, and to raise any policy issues, which have been highlighted by those complaints, directly with The FA, Premier League and The Football League.

This change, made in agreement with DCMS, recognises the considerable work done by all the football authorities in recent years since the IFC was formed in 2001.

In that time, often prompted by the good work of the IFC, the football authorities and clubs have become much more effective in the way they deal with their supporters, have adopted customer charters and improved their formal complaints procedures.

Current IFC Chair Professor Derek Fraser and IFC Commissioner Alan Watson will take on the role of IFO and Deputy IFO respectively, to provide continuity.

The creation of an Ombudsman would maintain a position as the independent and final arbiter of football complaints. The football authorities continue to be committed to the highest standards of self-regulation that have seen only 26 complaints referred to the IFC since 2001.

A LEAGUE

All League-related complaints should initially be directed to the League in question.

Premier League:

The Premier League
30 Gloucester Place
London
W1U 8PL
Tel: 0044 20 7864 9000
Fax: 0044 20 7864 9001
E-mail: info@premierleague.com
Website: www.premierleague.co.uk

The Championship

The Football League
Edward VII Quay
Navigation Way
Preston
PR2 2YF
Tel: 0844 463 1888
Fax: 0844 826 5188

Email: fl@football-league.co.uk
Web www.football-league.co.uk

Contact the relevant team. Details can be found at :
http://www.thefa.com/TheFA/ContactUs/Postings/2004/06/the_championship_contacts.htm

League One and Two

The Football League
Edward VII Quay
Navigation Way
Preston
PR2 2YF

Tel: 0844 463 1888

Fax: 0844 826 5188

Email: fl@football-league.co.uk

Web www.football-league.co.uk

The Football Conference

The Football Conference

Third Floor

Wellington House

31-34 Waterloo Street

Birmingham

B2 5TJ

Tel 0041 121 214 1950

Fax 121 212 9022

Mail info@footballconference.co.uk

Web www.footballconference.co.uk

If you would like to direct a complaint to either UEFA or FIFA, you can do so via either of the following contact details:

FIFA

FIFA-Strasse 20,

PO Box 8044

Zurich

Switzerland

Telephone: 0041 43 222 7777

Fax 0041 43 222 7878

Mail contact@fifa.org

Web www.fifa.com

UEFA

Route de Genève 46

Case postale

CH-1260 Nyon 2

Switzerland

Tel: 0041 848 00 2727

Fax: 0041 848 01 2727

Media Desk: 0041 848 04 2727

Mail info@uefa.com

Web www.uefa.com

[Complaints against a football steward](#)

This information was obtained by me phoning the football association customer relations line on 0207 745 4545

1. Should contact the club directly first as they employ the stewards. This should be done in writing.
2. If the club does not deal with the complaint adequately then the complaining party may contact the football association directly. They must in writing state the nature of their complaint, how the matter has or has not been dealt with and address it to:
 - Head of stadium and security
Chris Whalley
Football Association
25 Soho Square
London
W1D 4FA

Complaint against the police

The Independent Police Complaints Commission (IPCC) is responsible for the way certain complaints about the police, Serious Organised Crime Agency (SOCA), HM Revenue and Customs (HMRC) and Border & Immigration Agency (BIA) staff are handled in England and Wales.

There are many ways you can make your complaint, you can make a complaint directly to the police force concerned, through the IPCC or another advice organisation. Whatever the route, all complaints, by law, must be forwarded to the 'appropriate authority' for consideration.

You can make your complaint:

- Via the IPCC by phone, email (enquiries@ipcc.gsi.gov.uk), post (see address below)
- You can download a complaint form or we can send a form to you. You can also complete an online complaint form (From the independent Police Complaints Commission website)
- To any police force by phone, email, post, fax or in person
- By contacting any local Citizens Advice Bureau, Youth Offending Team, Racial Equality Council,
- Probation Service or Neighbourhood Warden. They can give information about what to do next. A solicitor or MP can make a complaint on your behalf.

If you would like someone to act on your behalf (perhaps a relative or friend) please provide their details and your written permission separate to your complaint.

What you should include in your complaint;

As well as your full contact details, please try to provide the following information;

WHO? Which police force is your complaint about?
WHERE? Where did the incident/s happen that led to your complaint?
WHEN? When did the incident/s happen that led to your complaint?
WHAT? Please describe the circumstances that have led to you feeling the police have treated you badly.

Please include details of:

- Who was involved
- What was said and done
- Any other people who witnessed the incident
- If there was any damage or injury
- Details of any witnesses

We also need your consent for us to pass the details of your complaint to the police force concerned for consideration.

Recording your complaint

If you make your complaint against the police to the IPCC, the law requires that it must be forwarded to the appropriate authority for consideration.

In the majority of cases this is the Professional Standards Department* of the police force concerned who will decide whether to record your complaint under The Police Reform Act of 2002.

If the Professional Standards Department decide not to record your complaint, you may be able to appeal (see below) against this decision to the IPCC.

*Each police force has a Professional Standards Department who are responsible for complaints and conduct matters made against police officers and police staff within their force.

How to Appeal to the IPCC

If you have made a complaint against the police and you are not happy with the way it has been handled, you may be able to appeal to the IPCC. The Police Reform Act of 2002 includes measures to ensure that complaints against the police are properly handled and that complainants have a right of appeal under certain circumstances.

The IPCC is responsible for the way complaints about the police are handled. We are also responsible for considering appeals made by members of the public about their

complaints and can, where appropriate, direct the police to change their decision or to take further action.

There are **three types** of appeal. Each type applies at different stages of the complaints process, on different grounds, and with different consequences.

The classes of appeal are:-

- Appeals against a complaint not being recorded

You can appeal against the non recording of your complaint in the following circumstances:

The police did not make a decision about your complaint

- The police must make a decision about whether or not they are going to record your complaint or whether or not they are the correct police force or police authority to handle your complaint. The IPCC expects forces to decide whether a complaint should be recorded within 10 working days. You can make an appeal to us if you do not hear from the police within this time.

The police did not record your complaint

- The police have a duty to record complaints about the conduct of a person serving with the police. However, the police do not have to record a complaint if:
 - It is part of another complaint which they have already recorded
 - The complaint has been withdrawn by the person who made it
 - It is about 'direction and control' (see above)
 - It has been made by someone serving with the police
 - It is not covered by the Police Reform Act 2002
 -

The police force or police authority that you made a complaint to was not the same as the one you were complaining about and they failed to tell the correct police authority or police force

- If you made your complaint to the wrong police force or police authority, they must pass your complaint to the correct police force or police authority and tell you this in writing.

Please note the IPCC MUST receive your appeal within 28 days of the date of the letter you have received from the police telling you that your complaint has not been recorded. This includes the time your appeal spends in the post.

If you are appealing because the police have not notified you about their decision and the 10 day recommended period has expired, you have 28 days to make your appeal.

If you do not send your appeal to the IPCC within 28 days, the IPCC does not have to consider your appeal. The IPCC 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, or if the police failed to tell you what they are going to do about your complaint.

How will the IPCC deal with my appeal?

Once your appeal form has been received, the IPCC will send you a letter to tell you we have received it.

We will also contact the police to tell them about the appeal, give them a copy of your appeal and ask them for any information they have about your complaint.

Once we have received all the information from the police we can then assess your appeal and make a decision about it.

If your appeal is upheld, the IPCC will give instructions to the chief police officer or police authority about what they should do about your complaint. The police must follow these instructions. We will tell you in writing about the instructions we give to the police and explain what happens next.

If your appeal is not upheld, we will write to you explaining how and why the IPCC made its decision. The IPCC is an independent organisation and our final decisions cannot be overruled except by a court of law.

What if I need more advice?

If you are still not sure what to do next, or you need some more information you can contact an organisation which offers people help, such as your local Citizens Advice Bureau, Racial Equality Council, Neighbourhood Warden, Youth Offender Team, CEMVO Office or Probation Service, all of whom can provide information, or you can talk to a legal advisor.

You can also contact the IPCC for advice about the appeals process:

Switchboard: 08453 002 002 (9am - 5pm)

Complaint Call Centre: 08453 002 002 (press 2 at prompt) (9.00am - 5.00pm)

Minicom: 020 7404 0431 **Fax:** 020 7404 0430 **email:** enquiries@ipcc.gsi.gov.uk

Independent **Police Complaints Commission**

5th Floor

90 High Holborn

London

WC1V 6BH