



Making an appeal to the Independent Police Complaints Commission

Appealing against the **outcome**
of a UK Border Agency (UKBA)
investigation into your complaint



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What can I do if I am unhappy about the way my complaint was handled?

If you have made a serious complaint against a UKBA immigration officer or official exercising police-like powers and you are unhappy with the way it has been handled, you may be able to appeal to the IPCC.

The IPCC, which stands for Independent Police Complaints Commission, is an independent organisation. It is responsible for the way serious complaints about UKBA staff exercising police-like powers are handled. This could include complaints about serious assault or corruption. We are also responsible for considering appeals made by members of the public about these serious complaints and can, where appropriate, direct UKBA to change its decision or to take further action.

The IPCC cannot review less serious complaints about staff or complaints about overall UKBA policies, for example about immigration decisions. These complaints should be made directly to UKBA to be dealt with under its complaints procedures.

What does this leaflet tell me?

This leaflet describes what you can do if you are not satisfied with the outcome of an investigation into your complaint. It sets out:

- The grounds on which you can make an appeal to the IPCC
- What you need to do to make an appeal
- How the IPCC will deal with your appeal
- How to get in touch with the IPCC

What should happen during and after an investigation by UKBA into a complaint?

If you have made a serious complaint about the conduct of a member of UKBA staff exercising police-like powers and it has been investigated by UKBA, UKBA should write to you to tell you about progress during the investigation. At the end of the investigation UKBA should provide you with a letter or report which:

- Gives details about the findings of the investigation
- Says whether or not UKBA propose to take any action as a result of the investigation
- Says what that action will be
- Tells you about your right of appeal to the IPCC

Can I appeal against the outcome of a UKBA complaints investigation?

You can appeal to the IPCC if:

- A serious allegation is made about a UKBA officer or official exercising police-like powers
- UKBA have referred a matter to the IPCC or the IPCC has called in a matter, and
- The IPCC has decided that a local or supervised investigation should take place.

The IPCC may only consider matters that took place after 1st April 2007.

The IPCC cannot review less serious complaints about staff exercising police-like powers, complaints about staff not exercising police-like powers or complaints about overall UKBA policies, for example about immigration decisions. These complaints should be made directly to UKBA to be dealt with under its complaints procedures.

How do I make an appeal?

Complete the form at the end of this leaflet, giving as much information as possible and follow the instructions on the back of the leaflet.

Please note: You must make your appeal to us within 28 days of the date of the letter you have received from UKBA notifying you of the outcome of the investigation. The IPCC may only consider an appeal that is received outside the 28 day period if exceptional circumstances exist to do so.

How will the IPCC deal with my appeal?

Once your appeal form has been received, the IPCC will send you a letter introducing the casework manager who will be dealing with your appeal and explaining how you can contact them.

We will consider the information you have given on the appeal form and contact UKBA to get any relevant information or paperwork. We will then make a decision as to whether the appeal can be upheld.

If your appeal is upheld, the IPCC will give instructions to UKBA about what they should do about your complaint. UKBA must follow these instructions. We will inform you in writing of the instructions we have given UKBA and explain what will happen next.

If your appeal is not upheld, we will write to you explaining how and why the IPCC has reached its decision.

What if I need more advice?

If, after reading this leaflet, you are still not sure what to do next or you need some more information, you can contact an organisation such as your local Citizens Advice Bureau for advice. You can also talk to a legal advisor.

If you prefer, you can contact the IPCC for advice about the appeals process. You can also contact the IPCC if you have any difficulties filling in this form.

Tel: 0845 877 0083

Email: enquiries@ipcc.gsi.gov.uk

Web: www.ipcc.gov.uk

Appealing against the outcome of a UKBA investigation into your complaint

The IPCC must receive your appeal within 28 days of the date of the letter you have received from UKBA notifying you of the outcome of the investigation.

If there is anything which makes it difficult for you to use our service, for example if English is not your first language or you have a disability, please contact us on 0845 877 0083 or use the space below to tell us how we might help to make things easier for you.

Please indicate the office or location of UKBA your complaint is about.

Please give the date of the letter you received from UKBA notifying you of the outcome of the investigation.

Please tick the appropriate box Mr Mrs Miss Ms Other (please state)

First Name Surname
(BLOCK CAPITALS) (BLOCK CAPITALS)

Your address

 Postcode

Daytime tel no Evening tel no

Email address

Date you made your complaint IPCC/UKBA reference number

Please give your reasons for appealing against the results of the UKBA investigation into your complaint, providing us with as much information as possible, using a separate sheet if necessary. Please indicate to us whether you have further information in support of your complaint that you cannot provide at the time of your appeal, and the reason why you cannot provide that information.

Why I disagree with the findings of the UKBA investigation.

Why I disagree with the proposed action against the person(s) complained of.

I have not been kept adequately informed by UKBA about the findings or the proposed action resulting from the investigation.

If you have a letter from UKBA notifying you of the outcome of the investigation or any documents to support your complaint, please send these to the IPCC together with this form.

Please note that information you supply in relation to an appeal will be supplied to UKBA.

Please tick the box if you would like them returned to you. We would advise you to make copies for your own reference.

Signature of the person making the appeal

Date

The IPCC, like all public bodies, is obliged to record the ethnicity of people using their 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	<input type="checkbox"/>	White Irish	<input type="checkbox"/>	Any other White background	<input type="checkbox"/>		
Mixed:	White and Black Caribbean	<input type="checkbox"/>	White and Black African	<input type="checkbox"/>	White and Asian	<input type="checkbox"/>	Any other mixed background	<input type="checkbox"/>
Asian or Asian British:	Indian	<input type="checkbox"/>	Pakistani	<input type="checkbox"/>	Bangladeshi	<input type="checkbox"/>	Any other Asian background	<input type="checkbox"/>
Black or Black British:	Caribbean	<input type="checkbox"/>	African	<input type="checkbox"/>	Any other Black background	<input type="checkbox"/>		
Other ethnic groups:	Chinese	<input type="checkbox"/>	Any other ethnic group	<input type="checkbox"/>				
Other:	Prefer not to say	<input type="checkbox"/>						

When you have completed this form please send it to the Independent Police Complaints Commission at the relevant address on the back of this leaflet.

Please send your completed forms to the Independent Police Complaints Commission at the address below.

Independent Police Complaints Commission
Evergreen House, Unit C
Cedar Court Office
Denby Dale Road
Calder Grove
Wakefield WF4 3DB

Please note that information you supply in relation to an appeal will be supplied to UKBA.

The IPCC will use the information you have provided only for the purposes of processing your complaint and in performance of its legal functions under the Police and Justice Act 2006 and the Independent Police Complaints Commission (Immigration and Asylum Enforcement Functions) Regulations 2008. The IPCC will not pass on information to third parties except where it is necessary in the proper performance of its functions.

If you would like more advice about the appeals process, please contact us using the details below.

You can also use the details below if you would like to obtain this leaflet in another format.

Independent Police Complaints Commission
90 High Holborn
London
WC1V 6BH

Tel: 0845 877 0083
Email: enquiries@ipcc.gsi.gov.uk
Web: www.ipcc.gov.uk

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