SCOTTISH STATUTORY INSTRUMENTS

2013 No. 62

The Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013

PART 3

Misconduct hearings

Appointment of panel

18.—(1) The Authority must appoint a panel of 3 individuals to conduct the misconduct hearing.

(2) A panel appointed under paragraph (1) must comprise—

(a) a chairing member who is—

(i) a member of the Authority; or

(ii) a member of the Authority's staff;

(b) one member who is—

(i) a member of the Authority;

(ii) a member of the Authority's staff;

(iii) a member of any committee of the Authority established under paragraph 9(1) of schedule 1 to the Act; or

(iv) any other individual the Authority considers appropriate, based on that individual's skills, knowledge and expertise; and

(c) one member who is—

(i) an individual considered appropriate by the Authority, based on that individual's skills, knowledge and expertise;

(ii) not a member of the Authority;

(iii) not a member of the Authority's staff; and

(iv) not a member of any committee of the Authority established under paragraph 9(1) of schedule 1 to the Act.

(3) The Authority may not appoint to a panel—

(a) a senior officer;

(b) a constable working directly under the management of the senior officer; or

(c) any other individual whose appointment could give rise to a reasonable concern as to whether that individual could act impartially in relation to the misconduct hearing.

(4) The chairing member of the panel may appoint to assist the panel—

(a) up to two individuals to act as assessors; and

(b) in a case where the senior officer has notified an intention to be legally represented, an advocate or a solicitor to act as a legal assessor.