
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the circumstances in which a member of the Police Service of Northern Ireland (PSNI) may appeal to a police appeals tribunal. They also set out the procedures governing such an appeal.

Regulation 2 deals with revocations and transitional provisions. Regulation 3 deals with interpretation and provides that any expression which is also used in the Police (Conduct) Regulations (Northern Ireland) 2016 or the Police (Performance and Attendance) Regulations (Northern Ireland) 2016 shall have the same meaning as in those Regulations, unless it is given a different meaning in regulation 3(1).

A member may appeal to a police appeals tribunal following proceedings under the Police (Conduct) Regulations (Northern Ireland) 2016 or the Police (Performance and Attendance) Regulations (Northern Ireland) 2016 in the circumstances set out in regulations 4 and 5. Those Regulations set out the matters that may be appealed and the grounds of appeal.

Regulations 6 and 7 make provision for the giving of a notice of appeal. Regulation 9 sets out the procedure on receipt of this notice, including the provision of documents. Under regulation 10, time periods under regulation 9 may be extended on application.

Under regulation 12, the chair must review each appeal that is brought and consider whether it should be dismissed in accordance with regulation 12(2). If he is of the view that it should be dismissed, he must give the parties an opportunity to make written representations, before making his final decision.

Under regulation 13, an appeal may be determined with or without a hearing. However, it can only be determined without a hearing if the appellant has consented to this.

Regulations 14 to 22 apply where an appeal is to be dealt with at a hearing and sets out a power for the chair to request the disclosure of documents, the procedure and entitlement to legal representation, provide for evidence and for the hearing to be in private, subject to regulations 19 to 22.

Regulation 23 deals with the determination of the appeal by the tribunal and the provision of a written statement of the determination. Regulation 24 makes provision for the tribunal to review its decision and sets out the grounds under which a decision may be reviewed.

Regulation 25 deals with the costs and expenses of an appeal.