

**EXPLANATORY MEMORANDUM TO
THE POLICE APPEALS TRIBUNALS REGULATIONS
(NORTHERN IRELAND) 2016**

2016 No. 43

1. Introduction

This Explanatory Memorandum has been prepared by the Department of Justice to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

The Statutory Rule is made under powers conferred by sections 25 and 26 of the Police (Northern Ireland) Act 1998, and is subject to the negative resolution procedure.

2. Purpose

This Statutory Rule makes provision for the maintenance of Police Appeals Tribunals for members of the Police Service of Northern Ireland ("PSNI"). It establishes procedures for cases where a member of the PSNI may appeal to police appeals tribunal.

Regulation 2 revokes the Royal Ulster Constabulary (Appeals) Regulations 2000 (S.R. 2000 No. 317).

The Regulations come into operation on 1st June 2016.

3. Background

Following agreement to reform the police discipline and unsatisfactory performance procedures in Northern Ireland, three sets of Regulations governing police conduct; performance and attendance; and appeals procedures will replace existing legislation.

The reforms are intended to support key cultural changes to promote an ethos of learning and development to contribute to improved service delivery.

These regulations will come into operation at the same time as the regulations governing police conduct and performance and attendance and will provide an appeals procedure for members of the PSNI.

4. Consultation

In accordance with sections 25(8) and 26(6) of the enabling legislation, the Department has consulted with policing stakeholders.

5. Equality Impact

Internal discipline and unsatisfactory performance and attendance and appeals procedures for PSNI officers apply equally to all officers, regardless of grouping. There is no significant adverse impact on those listed under section 75 of the Northern Ireland Act 1998.

6. Regulatory Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

7. Financial Implications

There continues to be costs for the Northern Ireland Policing Board associated with the reimbursement of fees and expenses to police appeals tribunal members. Such fees are already met by the Policing Board in accordance with existing statutory provision.

8. Section 24 of the Northern Ireland Act 1998

The proposed instrument is considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

Not applicable.

10. Parity or Replicatory Measure

This instrument introduces legislation governing appeals procedures for police officers in Northern Ireland.

11. Additional Information

Not applicable.