
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 43

**The Police Appeals Tribunals
Regulations (Northern Ireland) 2016**

PART 1

Preliminary

Statement of tribunal's determination

23.—(1) The tribunal shall determine whether the ground or grounds of appeal on which the appellant relies have been made out.

(2) The tribunal may impose any sanction available to the original hearing.

(3) Where the tribunal determines that a ground of appeal under regulation 4(4)(b) or (c) or regulation 5(6)(b) or (c) has been made out, the tribunal may set aside the relevant decision and remit the matter to be decided again in accordance with the relevant provisions of the Conduct Regulations or the Performance Regulations (as the case may be).

(4) Where the tribunal remits the matter under paragraph (3) and the relevant decision was the decision of a panel (“the original panel”), the matter shall be decided by a fresh panel which is constituted in accordance with the relevant provisions of the Conduct Regulations or the Performance Regulations (as the case may be) but does not contain any of the members of the original panel.

(5) The determination of the tribunal shall be based on a simple majority but shall not indicate whether it was taken unanimously or by a majority.

(6) The chair shall prepare a written statement of the tribunal's determination of the appeal and of the reasons for the decision.

(7) As soon as reasonably practicable after the determination of the appeal the chair shall cause the appellant, the respondent and the Board to be given a copy of such statement; but, in any event, the appellant shall be given written notice of the decision of the tribunal before the end of 3 working days beginning with the first working day after the day on which the appeal is determined.

(8) Where the appeal is a specified appeal, the Board shall notify the Ombudsman of the decision of the tribunal.