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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 51**

**The Police Service of Scotland (Senior  
Officers) (Performance) Regulations 2016**

**PART 4**

**Performance hearings**

**Witnesses**

**31.**—(1) The reporting officer and the senior officer must, no later than 10 working days from the date of the notification under regulation 30(5), supply to each other—

- (a) the names and addresses of any witnesses on whom they propose to rely at the performance hearing and a summary of the evidence each witness will give; or
- (b) notice that they do not intend to rely on any witnesses.

(2) The reporting officer and the senior officer must then seek to agree a joint list of witnesses and provide that list to the chairing member of the panel.

(3) If it is not possible for the reporting officer and the senior officer to agree a joint list of witnesses, they must each supply to the chairing member of the panel a list of proposed witnesses.

(4) As soon as reasonably practicable after receiving a list or lists of witnesses under paragraph (2) or (3) (as the case may be), the chairing member of the panel must—

- (a) decide which, if any, of the listed witnesses are to attend the performance hearing; and
- (b) notify the reporting officer and the senior officer of that decision.

(5) The chairing member of the panel may determine that witnesses not included in any list under this regulation (whether joint or otherwise) are to attend the performance hearing.

(6) The chairing member of the panel must not decide, in pursuance of paragraph (4) or (5), that any witness is to give evidence at the performance hearing unless the chairing member of the panel reasonably considers that it is necessary for the witness to do so.

(7) The chairing member of the panel must notify in writing any witness who is to attend the performance hearing.