



# Criminal Appeal Act 1995

## 1995 CHAPTER 35

### PART II

#### THE CRIMINAL CASES REVIEW COMMISSION

##### *Supplementary powers*

#### **22 Meaning of “public body” etc.**

(1) In sections 17, 19 and 20 and this section “public body” means—

- (a) any police force,
- (b) any government department, local authority or other body constituted for purposes of the public service, local government or the administration of justice, or
- (c) any other body whose members are appointed by Her Majesty, any Minister or any government department or whose revenues consist wholly or mainly of money provided by Parliament or appropriated by Measure of the Northern Ireland Assembly.

(2) In sections 19 and 20 and this section—

- (a) “police force” includes the Royal Ulster Constabulary and the Royal Ulster Constabulary Reserve <sup>F1</sup>... and any body of constables maintained otherwise than by a [<sup>F2</sup>local policing body],
- [<sup>F3</sup>(b) references to the chief officer of police—
  - (i) in relation to the [<sup>F4</sup>Police Service of Northern Ireland] and the [<sup>F4</sup>Police Service of Northern Ireland Reserve], are to the Chief Constable of the Constabulary, [<sup>F5</sup>and]
  - <sup>F6</sup>(ii) .....
  - (iii) in relation to any other police force maintained otherwise than by a [<sup>F7</sup>local policing body], are to the chief constable, [<sup>F8</sup>and]]

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- (c) references to an England and Wales police force are to a police force maintained under [F9section 2 of the Police Act 1996], the metropolitan police force [F10or the City of London police force].

<sup>F11</sup>(d) .....

<sup>F12</sup>(e) .....

(3) In section 18 and this section—

- (a) references to a government department include a Northern Ireland department and the [F13Public Prosecution Service for Northern Ireland], and
- (b) “Minister” means a Minister of the Crown as defined by section 8 of the Ministers of the <sup>M1</sup>Crown Act 1975 but also includes the head of a Northern Ireland department.

(4) In sections 17, 19 and 20 “the appropriate person” means[F14, subject to subsection (4B)]—

- (a) in relation to a police force, the chief officer of police,
- [F15(aa) in relation to the [F16National Crime Agency], the Director General of that Agency,]
- (b) in relation to the Crown Prosecution Service, the Director of Public Prosecutions,
- (c) in relation to the [F17Public Prosecution Service for Northern Ireland, the Director of Public Prosecutions for Northern Ireland],
- (d) in relation to the Serious Fraud Office, the Director of the Serious Fraud Office,
- [F18(e) in relation to Her Majesty’s Revenue and Customs, the Commissioners for Her Majesty’s Revenue and Customs,]
- [F18(f) in relation to the Revenue and Customs Prosecutions Office, the Director of Revenue and Customs Prosecutions,]
- (g) in relation to any government department not within any of the preceding paragraphs, the Minister in charge of the department, and
- (h) in relation to any public body not within any of the preceding paragraphs, the public body itself (if it is a body corporate) or the person in charge of the public body (if it is not).

[F19(4A) Subsection (4B) applies in relation to—

- (a) the Royal Navy, the Royal Marines, the Royal Fleet Reserve, the Royal Naval Reserve and the Royal Marines Reserve,
- (b) the regular army (within the meaning of the Armed Forces Act 2006), the Army Reserve and the Territorial Army, and
- (c) the Royal Air Force, the Royal Air Force Reserve and the Royal Auxiliary Air Force.

(4B) In relation to a public body mentioned in subsection (4A), “the appropriate person” means—

- (a) in section 17, the Secretary of State;
- (b) in sections 19 and 20—
  - (i) in the case of a body mentioned in subsection (4A)(a), the Provost Marshal for the Royal Navy Police,
  - (ii) in the case of a body mentioned in subsection (4A)(b), the Provost Marshal for the Royal Military Police,

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(iii) in the case of a body mentioned in subsection (4A)(c), the Provost Marshal for the Royal Air Force Police.

(4C) In section 19 “service police force” has the same meaning as in the Armed Forces Act 2006.]

F20(5) . . . . .

### Textual Amendments

- F1 Words in s. 22(2)(a) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(2)(a), Sch. 17 Pt. 2; S.I. 2006/378, art. 4(1), Sch. paras. 1013(w)
- F2 Words in s. 22(2)(a) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 218; S.I. 2011/3019, art. 3, Sch. 1
- F3 S. 22(2)(b) substituted (1.4.1998) by 1997 c. 50, s. 134(1), Sch. 9 para. 71(2)(b); S.I. 1998/354, art. 2(1)(2)(ay)
- F4 Words in s. 22(2)(b)(i) substituted (4.11.2001) by 1997 c. 50, s. 134(1), Sch. 9 para. 71(2)(b) (as amended by 2000 c. 32, ss. 79(1), 78, Sch. 6 para. 20(2)(a)(b); S.R. 2001/396, art. 2, Sch.)
- F5 Word in s. 22(b)(i) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(2)(b)(i); S.I. 2006/378, art. 4(1), Sch. para. 10
- F6 S. 22(2)(b)(ii) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(2)(b)(ii), Sch. 17 Pt. 2; S.I. 2006/378, art. 4(1), Sch. paras. 1013(w)
- F7 Words in s. 22(2)(b)(iii) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 218; S.I. 2011/3019, art. 3, Sch. 1
- F8 Word in s. 22(2)(b)(iii) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(2)(b)(iii); S.I. 2006/378, art. 4(1), Sch. para. 10
- F9 Words in s. 22(2)(c) substituted (22.8.1996) by 1996 c. 16, ss. 103, 104(1), Sch. 7 Pt. II, para. 47
- F10 Words in s. 22(2)(c) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(2)(c); S.I. 2006/378, art. 4(1), Sch. para. 10
- F11 S. 22(2)(d) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(2)(d), Sch. 17 Pt. 2; S.I. 2006/378, art. 4(1), Sch. paras. 1013(w)
- F12 S. 22(2)(e) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(2)(d), Sch. 17 Pt. 2; S.I. 2006/378, art. 4(1), Sch. paras. 1013(w)
- F13 Words in s. 22(3)(a) substituted (13.6.2005) by Justice (Northern Ireland) Act 2002 (c. 26), s. 87(1), Sch. 12 para. 49(2); S.R. 2005/281, art. 2(1), Sch. 1 para. 13(d)
- F14 Words in s. 22(4) inserted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), Sch. 11 para. 9(2); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F15 S. 22(4)(aa) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 63(3); S.I. 2006/378, art. 4(1), Sch. para. 10
- F16 Words in s. 22(4)(aa) substituted (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), Sch. 8 para. 186; S.I. 2013/1682, art. 3(v)
- F17 Words in s. 22(4)(c) substituted (13.6.2005) by Justice (Northern Ireland) Act 2002 (c. 26), s. 87(1), Sch. 12 para. 49(3); S.R. 2005/281, art. 2(1), Sch. 1 para. 13(d)
- F18 S. 22(4)(e)(f) substituted (18.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), s. 53(1), Sch. 4 para. 62; S.I. 2005/1126, art. 2(2)(h)
- F19 S. 22(4A)-(4C) inserted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), Sch. 11 para. 9(3); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F20 S. 22(5) repealed (1.4.2005) by Courts Act 2003 (c. 39), s. 110(1), Sch. 8 para. 367, Sch. 10; S.I. 2005/910, art. 3(y)

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**Marginal Citations**

**M1** 1975 c. 26.

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