
Changes to legislation: *Criminal Justice and Immigration Act 2008, Cross Heading: Police Appeals Tribunals is up to date with all changes known to be in force on or before 29 March 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULES

SCHEDULE 22

POLICE MISCONDUCT AND PERFORMANCE PROCEDURES

PART 1

AMENDMENTS OF POLICE ACT 1996

Police Appeals Tribunals

- 11 (1) Schedule 6 (appeals to police appeals tribunals) is amended as follows.
- (2) In paragraph 1(1) (appeals by senior officers) for paragraphs (b) and (c) substitute—
- “(b) one shall be Her Majesty's Chief Inspector of Constabulary appointed under section 54(1) or one of Her Majesty's Inspectors of Constabulary nominated by the Chief Inspector, and
 - (c) one shall be the permanent secretary to the Home Office or a Home Office director nominated by the permanent secretary.”
- (3) In paragraph 2 (appeals by other members of police forces) for sub-paragraph (1) substitute—
- “(1) In the case of an appeal by a member of a police force (other than a senior officer) or a special constable, the police appeals tribunal shall consist of four members appointed by the relevant police authority, of whom—
 - (a) one shall be a person chosen from the list referred to in paragraph 1(1)(a),
 - (b) one shall be a senior officer,
 - (c) one shall be a member of the relevant police authority, and
 - (d) one shall be a retired member of a police force who, at the time of his retirement, was a member of an appropriate staff association.”
- (4) Omit paragraph 6 (hearings).
- (5) In paragraph 7 (effect of orders) for sub-paragraph (1) substitute—
- “(1) Where on the determination of an appeal the tribunal makes such an order as is mentioned in section 85(2), the order shall take effect—
 - (a) by way of substitution for the decision appealed against, and
 - (b) as from the date of that decision.”
- (6) In paragraph 10 (interpretation)—
- (a) for sub-paragraph (b) substitute—
 - “(b) “the relevant police authority” means the police authority which maintains—

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- (i) the police force of which the appellant is a member,
or
- (ii) the police force for the area for which the appellant
is appointed as a special constable,
as the case may be.”
- (b) [^{F1}for sub-paragraph (c) substitute—
“(c) “appropriate staff association” means—
 - (i) where the appellant was, immediately before the
proceedings from which the appeal is brought, of
the rank of chief superintendent or superintendent,
the Police Superintendents' Association of England
and Wales; and
 - (ii) in any other case, the Police Federation of England
and Wales.”]

Annotations:

Amendments (Textual)

- F1** Sch. 22 para. 11(6)(b) omitted (31.1.2017 for specified purposes) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 31\(6\)\(a\)](#), [183\(1\)\(5\)\(e\)](#)

Commencement Information

- I1** Sch. 22 para. 11 in force at 1.12.2008 by [S.I. 2008/2993](#), [art. 2\(1\)\(h\)\(ii\)](#) (with [art. 3](#))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)