
STATUTORY INSTRUMENTS

1999 No. 818

The Police Appeals Tribunals Rules 1999

Attendance of complainant at hearing

12.—(1) This rule shall apply in relation to a hearing where the decision appealed against arose from a complaint and the appeal is not against sanction only.

(2) The chairman of the tribunal shall cause notice of the date of the hearing to be sent to the complainant, at the same time as such notice is sent to the appellant and the respondent in pursuance of rule 8(1).

(3) Notwithstanding anything in rule 9(1) but subject to paragraph (5), the tribunal shall allow the complainant to attend the hearing while witnesses are being examined, or cross-examined, on the facts alleged and, if the tribunal considers it appropriate so to do on account of the age of the complainant, or otherwise, shall allow him to be accompanied by a personal friend or relative who is not to be called as a witness at the inquiry:

Provided that—

- (a) where the complainant is to be called as a witness at the hearing he and any person allowed to accompany him shall not be allowed to attend before he gives his evidence; and
- (b) where it appears to the tribunal that a witness may in giving evidence disclose information which, in the public interest, ought not to be disclosed to a member of the public, it shall require the complainant and any person allowed to accompany him to withdraw while that evidence is given.

(4) Where the appellant gives evidence, then, after the person representing the respondent has had an opportunity of cross-examining him, the chairman of the tribunal shall put to him any questions which the complainant requests should be so put and might have been properly so put by way of cross-examination and, at his discretion, may allow the complainant himself to put such questions to the appellant.

(5) Subject as aforesaid, the complainant and any person allowed to accompany him shall neither intervene in, nor interrupt the hearing; and if he or such a person should behave in a disorderly or abusive manner, or otherwise misconduct himself, the chairman of the tribunal may exclude him from the remainder of the hearing.