

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—

Status: This is the original version (as it was originally enacted).

- (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) 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.”