
STATUTORY INSTRUMENTS

2012 No. 2630

The Police Appeals Tribunals Rules 2012

Procedure on notice of appeal

9.—(1) As soon as reasonably practicable, the relevant local policing body shall supply a copy of the notice of appeal—

- (a) to the respondent; and
- (b) where the appeal is a specified appeal, to the IPCC.

(2) As soon as reasonably practicable after receipt of a copy of the notice of appeal, and in any event before the end of 15 working days beginning with the first working day after the day of such receipt, the respondent shall supply to the relevant local policing body—

- (a) a copy of the relevant decision made at or following the original hearing provided under regulation 36 or 56 of the Conduct Regulations or regulation 43(3) of the Performance Regulations;
- (b) any documents which were made available to the person or persons conducting the original hearing; and
- (c) a copy of any transcript requested under rule 6(3).

(3) A copy of any such transcript shall at the same time be given to the appellant.

(4) The appellant shall supply the following documents to the relevant local policing body in accordance with paragraph (6)—

- (a) a statement of the relevant decision and his grounds of appeal;
- (b) any supporting documents;
- (c) where the appellant is permitted to adduce witness evidence—
 - (i) a list of any proposed witnesses;
 - (ii) a witness statement from each proposed witness; and
- (d) if he consents to the appeal being determined without a hearing, notice in writing that he so consents.

(5) For the purposes of paragraph (4)(c)—

- (a) an appellant is only permitted to adduce witness evidence where he is relying on the ground of appeal set out in rule 4(4)(b) or 5(6)(b);
- (b) a “proposed witness” is a person—
 - (i) whom the appellant wishes to call to give evidence at the hearing;
 - (ii) whose evidence was not and could not reasonably have been considered at the original hearing; and
 - (iii) whose evidence could have materially affected the relevant decision.

(6) The appellant shall supply the documents mentioned in paragraph (4) before the end of—

- (a) 20 working days beginning with the first working day after the day on which he is supplied with a copy of the transcript under paragraph (3); or

- (b) where no transcript has been requested under rule 6(3), 35 working days beginning with the first working day after the day on which he gave notice of the appeal to the relevant local policing body.
- (7) The relevant local policing body shall give a copy of the documents supplied under paragraph (4) to the respondent as soon as practicable following receipt.
- (8) The respondent shall, before the end of 20 working days beginning with the first working day after the day on which he receives the documents given to him under paragraph (7), supply to the relevant local policing body—
 - (a) a statement of his response to the appeal;
 - (b) any supporting documents;
 - (c) where the respondent is permitted to adduce witness evidence—
 - (i) a list of any proposed witnesses;
 - (ii) a witness statement from each proposed witness; and
 - (d) if he consents to the appeal being determined without a hearing, notice that he so consents.
- (9) For the purposes of paragraph (8)(c)—
 - (a) a respondent is only permitted to adduce witness evidence where the appellant is relying on the ground of appeal set out in rule 4(4)(b) or 5(6)(b);
 - (b) a “proposed witness” is a person—
 - (i) whom the respondent wishes to call to give evidence at the hearing; and
 - (ii) whose evidence is relevant to all or part of the evidence on which the appellant is relying for the purposes of rule 4(4)(b) or 5(6)(b).
- (10) The respondent shall at the same time as supplying the documents referred to in paragraph (8), give the appellant a copy of the documents referred to in paragraph (8)(a), (c) and (d), together with a list of the documents (if any) supplied under paragraph (8)(b).
- (11) On receipt of the documents supplied under paragraph (8), the relevant local policing body shall give to the chair a copy of the documents supplied under paragraphs (4) and (8).