Draft Rules laid before Parliament under section 85 of the Police Act 1996, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No.

POLICE, ENGLAND AND WALES

The Police Appeals Tribunals Rules 2008

Made - - - -	*2008*
Coming into force - -	*1st December 2008*

The Secretary of State makes the following Rules in exercise of the powers conferred by section 85 of the Police Act 1996(**a**).

In accordance with section 63(3) of that Act(**b**), the Secretary of State has supplied the Police Advisory Board for England and Wales with a draft of these Rules and has taken into consideration the representations of that Board.

In accordance with paragraph 24 of Schedule 7 to the Tribunals. Courts and Enforcement Act 2007(**c**), the Secretary of State has consulted the Administrative Justice and Tribunals Council.

In accordance with section 85(5A) of the Police Act 1996, a draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Rules may be cited as the Police Appeals Tribunals Rules 2008 and shall come into force on 1st December 2008.

(2) These Rules extend to England and Wales.

Revocation and transitional provisions

2.—(1) Subject to paragraph (2), the following are revoked—

(a) the Police Appeals Tribunals Rules 1999(**d**), and

(b) paragraph 19 of the Schedule to the Serious Organised Crime and Police Act 2005 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2006(**e**).

(**a**) 1996 c.16. Section 85 is amended by paragraph 8 of Schedule 22 to the Criminal Justice and Immigration Act 2008 (c.4).
(**b**) Section 63 was amended by Schedule 8 to the Police Reform Act 2002 (c.30), paragraph 78(3) of Schedule 4 to the Serious Organised Crime and Police Act 2005 (c.15), paragraph 68(3) of Schedule 1 to the Police and Justice Act 2006 (c.48) and paragraph 6 of Schedule 22 to the Criminal Justice and Immigration Act 2008.
(**c**) 2007 (c. 15). Police Appeals Tribunals are a "listed tribunal" for the purposes of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007, under S.I. 2007/2951.
(**d**) S.I. 1999/818.
(**e**) S.I. 2006/594.

(2) In relation to an appeal under section 85 of the 1996 Act against a decision made in accordance with the Police (Efficiency) Regulations 1999(**a**) or the Police (Conduct) Regulations 2004(**b**), nothing in these Rules shall have effect and the provisions mentioned in paragraph (1) shall continue to have effect.

Interpretation

3.—(1) In these Rules—

"appellant" means a police officer who has given a notice of appeal in accordance with rule 6 or 7;

"chair" for the purposes of rules 6 to 11 means a chairman appointed under Schedule 6 to the 1996 Act(**c**); and for the purposes of rules 12 to 22 means the chairman of the tribunal;

"Conduct Regulations" means the Police (Conduct) Regulations 2008(**d**);

"IPCC" means the Independent Police Complaints Commission;

"original hearing" means—

(a) the misconduct meeting, misconduct hearing or special case hearing under the Conduct Regulations; or

(b) the third stage meeting under the Performance Regulations,

at or following which the relevant decision was made;

"panel" includes a person who conducted a special case hearing under the Conduct Regulations;

"Performance Regulations" means the Police (Performance) Regulations 2008(**e**);

"relevant decision" means the finding, disciplinary action or outcome which may be appealed or is being appealed to a tribunal in accordance with rule 4 or 5, and related expressions shall be construed accordingly;

"relevant police authority" means the police authority which maintains—

(a) the police force of which a police officer who wishes to appeal to a tribunal, or the appellant, is a member, or

(b) the police force for the police area for which a police officer who wishes to appeal to a tribunal, or the appellant, is appointed as a special constable,

as the case may be;

"relevant police force" means—

(a) where the appellant is a member of a police force, the police force of which he is a member; and

(b) where the appellant is a special constable, the police force maintained for the police area for which he is appointed;

"respondent" has the meaning given by rule 8;

"specified appeal" means an appeal where the relevant decision arose from a complaint or conduct matter to which paragraph 17, 18 or 19 of Schedule 3 to the 2002 Act (investigations)(**f**) applied; and

---

(**a**) S.I. 1999/732 as amended by S.I. 2003/528 and S.I. 2003/2600.
(**b**) S.I. 2004/645 as amended by S.I. 2006/549.
(**c**) Schedule 6 was amended by paragraph 107 of Schedule 27 to the Greater London Authority Act 1999 (c.29), by section 125 of the Criminal Justice and Police Act 2001 (c.16) and by paragraph 19 of Schedule 2 to the Police and Justice Act 2006. It is also amended by paragraph 27 of Schedule 10 to the Tribunals, Courts and Enforcement Act 2007, and by paragraph 11 of Schedule 22 to the Criminal Justice and Immigration Act 2008.
(**d**) S.I. 2008/XXXX.
(**e**) S.I. 2008/XXXX.
(**f**) Paragraph 17 was amended by paragraph 11(3) of Schedule 2 to and paragraph 15 of Schedule 12 to the Serious Organised Crime and Police Act 2005, paragraph 89 of Schedule 1 to the Police and Justice Act 2006. Paragraph 18 was amended by paragraph 16 of Schedule 12 to the Serious Organised Crime and Police Act 2005. Paragraph 19 was amended by paragraph 17 of Schedule 12 to the Serious Organised Crime and Police Act 2005.

"tribunal" for the purposes of rules 3 to 11, means a police appeals tribunal appointed under Schedule 6 to the 1996 Act; and for the purposes of rules 12 to 22, means, in relation to an appeal, the police appeals tribunal appointed under Schedule 6 to the 1996 Act to determine that appeal.

(2) In these Rules, any expression which is also used in the Conduct Regulations or the Performance Regulations shall, unless that expression is given a different meaning in paragraph (1), have the same meaning as in those Regulations.

(3) Where any written notice or document is to be given or supplied to the appellant under these Rules, it shall be—

(a) given to him in person; or

(b) left with some person at, or sent by recorded delivery to, his last known address.

Circumstances in which a police officer may appeal to a tribunal

4.—(1) Subject to paragraph (3), a police officer to whom paragraph (2) applies may appeal to a tribunal in reliance on one or more of the grounds of appeal referred to in paragraph (4) against—

(a) the finding referred to in paragraph (2)(a), (b) or (c) made under the Conduct Regulations; or

(b) the disciplinary action, if any, imposed under the Conduct Regulations in consequence of that finding,

or both.

(2) This paragraph applies to—

(a) an officer other than a senior officer against whom a finding of misconduct or gross misconduct has been made at a misconduct hearing; or

(b) a senior officer against whom a finding of misconduct or gross misconduct has been made at a misconduct meeting or a misconduct hearing; or

(c) an officer against whom a finding of gross misconduct has been made at a special case hearing.

(3) A police officer may not appeal to a tribunal against the finding referred to in paragraph (2)(a), (b) or (c) where that finding was made following acceptance by the officer that his conduct amounted to misconduct or gross misconduct (as the case may be).

(4) The grounds of appeal under this rule are—

(a) that the finding or disciplinary action imposed was unreasonable; or

(b) that there is evidence that could not reasonably have been considered at the original hearing which could have materially affected the finding or decision on disciplinary action; or

(c) that there was a breach of the procedures set out in the Conduct Regulations, the Police (Complaints and Misconduct) Regulations 2004(**a**), Schedule 3 to the Police Reform Act 2002(**b**) or other unfairness which could have materially affected the finding or decision on disciplinary action.

5.—(1) Subject to paragraph (3), a police officer to whom paragraph (2) applies may appeal to a tribunal in reliance on one or more of the grounds of appeal referred to in paragraph (6) against—

(a) a finding referred to in paragraph (2) made under the Performance Regulations; or

(b) an outcome which is imposed under the Performance Regulations as a consequence of such a finding and is mentioned in paragraph (4) or (5),

---

(**a**) S.I. 2004/643, as amended by S.I. 2205/3389, 2006/594, 2006/1406, and 2008/XXXX.

(**b**) Schedule 3 was amended by paragraph 11 of Schedule 2, Schedule 11 and paragraphs 11 to 24 of Schedule 12 to the Serious Organised Crime and Police Act 2005 and by paragraph 89 of Schedule 1 to the Police and Justice Act 2006. It is also amended by paragraphs 3 to 19 of Schedule 23 and part 8 of Schedule 28 to the Criminal Justice and Immigration Act 2008.

or both.

(2) This paragraph applies to a police officer against whom a finding of unsatisfactory performance or attendance or gross incompetence has been made at a third stage meeting.

(3) A police officer may not appeal to a tribunal against a finding referred to in paragraph (2) where that finding was made following acceptance by the officer that his performance or attendance has been unsatisfactory or that he has been grossly incompetent (as the case may be).

(4) Where there has been a finding of unsatisfactory performance or attendance following a third stage meeting which the police officer was required to attend under regulation 26 of the Performance Regulations, he may appeal against the following outcomes—

(a) dismissal with notice,

(b) reduction in rank.

(5) Where there has been a finding of gross incompetence or unsatisfactory performance following a third stage meeting which the police officer was required to attend under regulation 28 of the Performance Regulations, he may appeal against the following outcomes—

(a) dismissal without notice,

(b) reduction in rank,

(c) redeployment to alternative duties,

(d) the issue of a final written improvement notice,

(e) the issue of a written improvement notice.

(6) The grounds of appeal under this rule are—

(a) that the finding or outcome imposed was unreasonable; or

(b) that there is evidence that could not reasonably have been considered at the original hearing which could have materially affected the finding or decision on the outcome; or

(c) that there was a breach of the procedures set out in the Performance Regulations or other unfairness which could have materially affected the finding or decision on the outcome; or

(d) that, where the police officer was required to attend the third stage meeting under regulation 26 of the Performance Regulations, he should not have been required to attend that meeting as it did not, in accordance with regulation 26(6) or 40(9) of those Regulations, concern unsatisfactory performance or attendance similar to or connected with the unsatisfactory performance or attendance referred to in the final written improvement notice.

Notice of appeal

6.—(1) Subject to rule 7, a police officer who wishes to appeal to a tribunal shall give notice of the appeal before the end of 10 working days beginning with the first working day after the day on which he is supplied with a written copy of the relevant decision.

(2) The notice of appeal shall be given in writing to the relevant police authority.

(3) The officer may request a transcript of the proceedings (or part of the proceedings) at the original hearing in his notice of appeal.

7.—(1) This rule applies where a police officer who wishes to appeal to a tribunal wishes to give notice of the appeal after the end of the period mentioned in rule 6(1).

(2) A police officer may give notice of the appeal within a reasonable time after the end of such period and the notice shall be accompanied by the reasons why it was not served within such period and the reasons for the officer's view that it has been served within a reasonable time after such period.

(3) Upon receipt, the relevant police authority shall supply a copy of the notice and the reasons to the chair who shall determine—

(a) whether it was reasonably practicable for the notice to be given within the period mentioned in rule 6(1); and

(b) whether the notice has been given within a reasonable time after the end of such period.

(4) If the chair determines either that it was reasonably practicable for the notice to be given within such period or that the notice has not been given within a reasonable time after the end of such period, the appeal shall be dismissed.

(5) Where the appeal is not dismissed under paragraph (4), the appeal shall proceed and the chair shall give directions for the application of rule 9 to the appeal.

The respondent

8.—(1) Where the appellant is a senior officer, the respondent shall be a person designated by the relevant police authority.

(2) Where the appellant is any other police officer, the respondent shall be the chief officer of police of the relevant police force.

Procedure on notice of appeal

9.—(1) As soon as reasonably practicable, the relevant police authority 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 police authority—

(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 37(3) of the Performance Regulations;

(b) any documents which were made available to the panel 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 police authority 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 police authority.

(7) The relevant police authority 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 police authority—

(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 police authority shall give to the chair a copy of the documents supplied under paragraphs (4) and (8).

Extensions of time limits

10.—(1) The appellant or the respondent may apply to the relevant police authority for an extension of a relevant period.

(2) Any such application shall set out the period of the required extension and the reasons for the application.

(3) As soon as practicable after receipt of an application under paragraph (1), the relevant police authority shall—

(a) give a copy of the application to the other party (being the appellant or the respondent as the case may be); and

(b) ask that other party whether he consents to the application.

(4) If the other party consents to the application, the relevant period shall be extended in accordance with the application and rule 9 shall have effect as if for that period there were substituted the extended period.

(5) If the other party does not consent to the application, the application shall be referred to the chair who shall determine whether the relevant period should be extended and if so by how long; and where he extends the relevant period, rule 9 shall have effect as if for that period there were substituted the extended period.

(6) In this rule, "relevant period" means, in relation to an application by the appellant, the period referred to in rule 9(6)(a) or (b) and, in relation to an application by the respondent, the period referred to in rule 9(2) or (8).

Review of appeal

11.—(1) Upon receipt of the documents mentioned in rule 9(4) and (8), the chair shall determine whether the appeal should be dismissed under paragraph (2).

(2) An appeal shall be dismissed under this paragraph if the chair considers that—

(a) the appeal has no real prospect of success; and

(b) there is no other compelling reason why the appeal should proceed.

(3) If the chair considers that the appeal should be dismissed under paragraph (2), before making his determination, he shall give the appellant and the respondent notice in writing of his view together with the reasons for that view.

(4) The appellant and the respondent may make written representations in response to the chair before the end of 10 working days beginning with the first working day after the day of receipt of such notification; and the chair shall consider any such representations before making his determination.

(5) The chair shall give the appellant, the respondent and the relevant police authority notice in writing of his determination.

(6) Where the chair determines that the appeal should be dismissed under paragraph (2)—

(a) the notification under paragraph (5) shall include the reasons for the determination; and

(b) the appeal shall be dismissed.

Determination of an appeal

12.—(1) Where an appeal has not been dismissed under rule 11, the chair shall determine whether the appeal should be dealt with at a hearing.

(2) The chair may determine that the appeal shall be dealt with without a hearing, but only if the appellant has so consented.

(3) Where the appeal is to be dealt with at a hearing, rules 13 to 21 shall apply and the chair shall give the appellant and the respondent his name and contact address.

Power to request disclosure of documents

13.—(1) At any time following the provision of the documents mentioned in rule 9(4) and (8), the appellant or the respondent (the "requesting party") may apply to the chair for disclosure of any document by the other party which is relevant to the appeal.

(2) The chair may request the disclosure of any such document by the other party and where it is disclosed, a copy shall be given to the chair and to the requesting party.

(3) Where a party does not comply with a request to disclose under paragraph (2), he shall give the chair and the requesting party his reasons for non-disclosure in writing.

Notice of the hearing

14.—(1) The chair shall cause the appellant and the respondent to be given written notice of the date, time and place of the hearing at least 20 working days, or such shorter period as may with the agreement of both parties be determined, before the date of the hearing.

(2) Where—

(a) the appellant is relying on the ground of appeal set out in rule 4(4)(b) or 5(6)(b); and

(b) either the appellant or the respondent (or both) have proposed witnesses under rule 9,

the chair shall determine which, if any, witnesses shall give evidence at the hearing.

(3) No witness shall give evidence at the hearing unless the chair reasonably believes that it is necessary for the witness to do so, in which case the chair shall—

(a) where the witness is a police officer, cause that person to be ordered to attend the hearing; and

(b) in any other case, cause the witness to be given notice that his attendance is necessary and of the date, time and place of the hearing.

Legal and other representation

15.—(1) The appellant has the right to be represented at a hearing by a relevant lawyer or a police friend.

(2) Where the appellant is represented at the hearing by a relevant lawyer, he may also be accompanied at the hearing by a police friend.

(3) If an appellant chooses not to be represented, the hearing may take place and the appeal may be determined without him being represented.

(4) The respondent has the right to be represented at a hearing by a relevant lawyer or by an officer of the police force or by the chief executive or other officer or employee of the relevant police authority.

(5) Where a police friend is a police officer or a police staff member, the chief officer of police of the force of which the police friend is a member shall permit him to use a reasonable amount of duty time for the purposes referred to in this rule.

(6) The reference in paragraph (5) to the force of which the police friend is a member shall include a reference to the force maintained for the police area for which a special constable is appointed and the force in which a police staff member is serving.

Procedure and oral evidence at hearing

16.—(1) Subject to these Rules, the procedure at a hearing shall be determined by the tribunal.

(2) The tribunal may proceed with the hearing in the absence of either party, whether represented or not, if it appears to be just and proper to do so, and may adjourn it from time to time if it appears necessary to do so.

(3) Unless the tribunal determines otherwise, the evidence adduced by the appellant shall be given first.

(4) Witnesses giving evidence at the hearing may be subject to questioning and cross-questioning.

(5) Any question as to whether any evidence is admissible, or whether any question should or should not be put to a witness, shall be determined by the tribunal.

(6) A verbatim record of the evidence given at the hearing shall be taken; and the relevant police authority shall keep such record for a period of not less than two years from the date of the end of the hearing.

Statements in lieu of oral evidence

17.—(1) Subject to the provisions of this rule, the tribunal may admit as evidence a witness statement of a proposed witness supplied under rule 9(4) or (8), notwithstanding that he is not to be called as a witness at the hearing.

(2) Evidence shall not be admissible under this rule if it would not have been admissible had it been given orally.

(3) For the purposes of this rule, a written statement purporting to be made and signed by a person and witnessed by another person shall be presumed to have been made by that person unless the contrary be shown.

(4) Nothing in this rule shall prejudice the admission of written evidence which would be admissible apart from the provisions of this rule.

Hearing to be in private

18.—(1) Subject to paragraph (2) and rules 19 and 20, the hearing shall be held in private.

(2) The tribunal may allow a person to attend all or part of the hearing as an observer for the purposes of training.

Attendance of complainant at hearing

19.—(1) This rule shall apply in relation to a hearing where the relevant decision arose from a complaint which was certified as subject to special requirements under paragraph 19A(1) of Schedule 3 to the 2002 Act (assessment of seriousness of conduct)(**a**).

(2) The chair shall cause notice of the date, time and place of the hearing to be given to the complainant or any interested person at the same time as such notice is given to the appellant and the respondent under rule 14(1).

(3) Subject to the provisions of this rule and rule 21, the complainant or any interested person (or both) may attend the hearing as an observer.

(4) Subject to the provisions of this rule and rule 21, a complainant or interested person may be accompanied by one other person, and if the complainant or interested person has a special need, by one further person to accommodate that need.

(5) Where—

(a) a complainant,

(b) an interested person, or

(c) any person accompanying a complainant or an interested person

is a proposed witness (of either party) and is to give evidence at the hearing, none of the persons mentioned in subparagraphs (a) to (c) shall be allowed to attend the hearing before that evidence is given.

(6) The chair may, at his discretion, put any questions to the appellant that the complainant or interested person request be put to him.

Attendance of IPCC at hearing

20.—(1) This rule shall apply to a specified appeal.

(2) The chair shall cause notice of the date, time and place of the hearing to be given to the IPCC at the same time as such notice is given to the appellant and the respondent under rule 14(1).

(3) The IPCC may attend the hearing as an observer.

Exclusion from hearing

21.—(1) On the application of the appellant or the respondent or otherwise, the chair may require any observer to withdraw from all or any part of the hearing.

(2) The chair may impose such conditions as he sees fit relating to the attendance of an observer (or any person accompanying a complainant or interested person) at the hearing in order to facilitate the proper conduct of the hearing.

(**a**) 2002 c.30. Paragraph 19A was inserted into the 2002 Act by paragraph 5 of Schedule 23 to the Criminal Justice and Immigration Act 2008 (c.4).

Statement of tribunal's determination

22.—(1) The tribunal shall determine whether the ground or grounds of appeal on which the appellant relies have been made out.

(2) The determination of the tribunal shall be based on a simple majority but shall not indicate whether it was taken unanimously or by a majority.

(3) The chair shall prepare a written statement of the tribunal's determination of the appeal and of the reasons for the decision.

(4) As soon as reasonably practicable after the determination of the appeal the chair shall cause the appellant, the respondent and the police authority to be given a copy of such statement; but, in any event, the appellant shall be given written notice of the decision of the tribunal before the end of 3 working days beginning with the first working day after the day on which the appeal is determined.

(5) Where the relevant decision arose from a complaint which was certified as subject to special requirements under paragraph 19A(1) of Schedule 3 to the 2002 Act (assessment of seriousness of conduct) the relevant police authority shall notify the complainant and any interested party of the decision of the tribunal.

(6) Where the appeal is a specified appeal, the relevant police authority shall notify the Independent Police Complaints Commission of the decision of the tribunal.

Home Office

Minister of State

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules set out the circumstances in which a member of a police force or a special constable may appeal to a police appeals tribunal. They also set out the procedures governing such an appeal.

Rule 2 deals with revocations and transitional provisions. Rule 3 deals with interpretation and provides that any expression which is also used in the Police (Conduct) Regulations 2008 or the Police (Performance) Regulations 2008 shall have the same meaning as in those Regulations, unless it is given a different meaning in rule 3(1).

A police officer may appeal to a police appeals tribunal following proceedings under the Police (Conduct) Regulations 2008 or the Police (Performance) Regulations 2008 in the circumstances set out in rules 4 and 5. Those rules set out the matters that may be appealed and the grounds of appeal.

Rules 6 and 7 make provision for the giving of a notice of appeal. Rule 9 sets out the procedure on receipt of this notice, including the provision of documents. Under rule 10, time periods under rule 9 may be extended on application.

Under rule 11, the chair must review each appeal that is brought and consider whether it should be dismissed in accordance with rule 11(2). If he is of the view that it should be dismissed, he must give the parties an opportunity to make written representations, before making his final decision.

Under rule 12, an appeal may be determined with or without a hearing. However, it can only be determined without a hearing if the appellant has consented to this.

Rules 13 to 21 apply where an appeal is to be dealt with at a hearing and set out a power for the chair to request the disclosure of documents, the procedure and entitlement to legal representation, provide for evidence and for the hearing to be in private, subject to rules 18 to 21.

Rule 22 deals with the determination of the appeal by the tribunal and the provision of a written statement of the determination.

These Rules were laid before Parliament in draft as they are the first Rules made under section 85 of the Police Act 1996 after the commencement of paragraph 8 of Schedule 22 to the Criminal Justice and Immigration Act 2008 (see section 85(5A) of the Police Act 1996).

Draft Rules laid before Parliament under section 85 of the Police Act 1996, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No.

POLICE, ENGLAND AND WALES

The Police Appeals Tribunals Rules 2008

ISBN 978-0-11-083515-0

£3.00

© Crown copyright 2008

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.
E2826 7/2008 182826T 19585