

*Status: Point in time view as at 01/04/2005.*

*Changes to legislation: Police Act 1996, SCHEDULE 3A is up to date with all changes known to be in force on or before 10 August 2024. 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

### [<sup>F1</sup>SCHEDULE 3A U.K.]

#### POLICE AUTHORITIES: SELECTION OF LAY JUSTICE MEMBERS

##### Textual Amendments

- F1** Sch. 3A inserted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 376](#); S.I. 2005/910, art. 3(y)

##### *Lay justice selection panels*

- 1 (1) There shall be a selection panel—
- (a) for each police area for the time being listed in Schedule 1, and
  - (b) for the police area constituted by the metropolitan police district,
- for the purposes of paragraph 8 of Schedule 2 and paragraph 5 of Schedule 2A.
- (2) Each selection panel shall consist of three members, one of whom shall be appointed by each of the following—
- (a) the designated members of the police authority for the area;
  - (b) the Secretary of State;
  - (c) the two members of the panel appointed by virtue of paragraphs (a) and (b).
- (3) A designated member may be appointed as a member of a selection panel by virtue of paragraph (a) (but not paragraph (b) or (c)) of sub-paragraph (2).
- (4) In this Schedule, “designated member” means a member appointed under paragraph 2 or 5 of Schedule 2 or paragraph 2 or 3 of Schedule 2A.
- (5) Subject to paragraph 3, in this Schedule “selection panel” means a selection panel established under this Schedule.

##### *Lay justice selection panels*

- 2 A person shall be disqualified for being appointed as or being a member of a selection panel if, by virtue of paragraph 11 of Schedule 2 or paragraph 7 of Schedule 2A he is disqualified—
- (a) for being appointed under paragraph 8 of Schedule 2 or paragraph 5 of Schedule 2A as a member of the police authority for the panel’s area, or
  - (b) for being a member so appointed.

##### *Lay justice selection panels*

- 3 Paragraphs 3 to 7 of Schedule 3 apply in relation to selection panels established under this Schedule as they apply in relation to selection panels established under that Schedule.

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*Functions of lay justice selection panels*

- 4 (1) Where appointments of lay justices to a police authority are to be made under paragraph 8 of Schedule 2 or paragraph 5 of Schedule 2A, the selection panel for the authority's area shall prepare a short-list of candidates and send it to the police authority concerned.
- (2) Unless the selection panel are able to identify only a smaller number of suitable candidates, the number of candidates on the short-list shall be twice the number of appointments to be made.
- (3) A lay justice shall not be included on a short-list in relation to an authority if he is disqualified for being appointed as a member of that authority by virtue of paragraph 11 of Schedule 2 or paragraph 7 of Schedule 2A.

*Functions of lay justice selection panels*

- 5 (1) The Secretary of State may make regulations as to—
- (a) the procedures to be followed in relation to the selection of lay justices for inclusion on a short-list under paragraph 2, and
  - (b) the conduct of the proceedings of selection panels under this Schedule.
- (2) Regulations under this paragraph may in particular—
- (a) make provision (including provision imposing time limits) as to the procedures to be adopted when inviting applications for inclusion on a short-list under paragraph 4 and for dealing with applications received, and
  - (b) provide for decisions of a selection panel under this Schedule to be taken by a majority of the members.
- (3) Regulations under this paragraph may make different provision for different cases and circumstances.
- (4) A statutory instrument containing regulations under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

*Procedure if too few candidates short-listed*

- 6 (1) This paragraph applies where the number of persons on the lay justice selection panel's short-list is less than twice the number of appointments to be made.
- (2) The designated members may add to the short-list such number of candidates as, when added to the number short-listed by the selection panel, equals twice the number of appointments to be made.]

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