



Policing and Crime Act 2017

2017 CHAPTER 3

PART 2

POLICE COMPLAINTS, DISCIPLINE AND INSPECTION

CHAPTER 4

POLICE DISCIPLINE

31 Appeals to Police Appeals Tribunals

- (1) Schedule 6 to the Police Act 1996 (appeals to Police Appeals Tribunals) is amended as follows.
- (2) In paragraph 1 (appeal by a senior officer), in sub-paragraph (1), in the words before paragraph (a), for “Secretary of State” substitute “relevant person”.
- (3) In paragraph 2 (appeal by a member of a police force other than a senior officer or by a special constable), in sub-paragraph (1)—
 - (a) in the words before paragraph (a), for “relevant local policing body” substitute “relevant person”;
 - (b) omit paragraph (d);
 - (c) at the end insert—

“(e) one shall be a lay person.”
- (4) After paragraph 2 insert—

“2A (1) For the purposes of paragraphs 1 and 2, “the relevant person” means the person determined in accordance with rules made by the Secretary of State.

(2) Rules under sub-paragraph (1) may make—
 - (a) different provision for different cases and circumstances;

Status: This is the original version (as it was originally enacted).

- (b) provision for the relevant person to be able to delegate the power to appoint the members of a tribunal.
- (3) A statutory instrument containing rules under sub-paragraph (1) is subject to annulment in pursuance of a resolution of either House of Parliament.”
- (5) In paragraph 10 (interpretation)—
 - (a) after paragraph (a) insert—
 - “(aa) lay person” means a person who is not, and has never been—
 - (i) a member of a police force or a special constable,
 - (ii) a member of the civilian staff of a police force, including the metropolitan police force, within the meaning of Part 1 of the Police Reform and Social Responsibility Act 2011 (see section 102(4) and (6) of that Act),
 - (iii) a person employed by the Common Council of the City of London in its capacity as police authority who is under the direction and control of the Commissioner of Police for the City of London,
 - (iv) a police and crime commissioner,
 - (v) a member of staff of a police and crime commissioner, or of the Mayor’s Office for Policing and Crime, within the meaning of Part 1 of the Police Reform and Social Responsibility Act 2011 (see section 102(3) and (5) of that Act),
 - (vi) a constable within the meaning of Part 1 of the Police and Fire Reform (Scotland) Act 2012 ([2012 asp 8](#)) (see section 99 of that Act),
 - (vii) a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve,
 - (viii) a member of the British Transport Police Force or a special constable appointed under section 25 of the Railways and Transport Safety Act 2003,
 - (ix) an employee of the British Transport Police Authority appointed under section 27 of the Railways and Transport Safety Act 2003,
 - (x) a member of the Ministry of Defence Police,
 - (xi) a person (other than a member of the Ministry of Defence Police) who is under the direction and control of the chief constable for the Ministry of Defence Police,
 - (xii) a member of the Civil Nuclear Constabulary, or
 - (xiii) an employee of the Civil Nuclear Police Authority appointed under paragraph 6 of Schedule 10 to the Energy Act 2004,”;
 - (b) omit sub-paragraph (c).
- (6) In consequence of the other provision made by this section—
 - (a) in the Criminal Justice and Immigration Act 2008, in Part 1 of Schedule 22, omit paragraph 11(6)(b);

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

- (b) in the Police Reform and Social Responsibility Act 2011, in Part 1 of Schedule 16, omit paragraph 47(2)(b).