
STATUTORY INSTRUMENTS

2004 No. 653

The Ministry of Defence Police (Conduct) Regulations 2004

Attendance of others at hearing

24.—(1) Subject to regulation 23 and paragraphs (2) to (4), the hearing must be in private, but the presiding officer may allow any solicitor or any such other persons as he considers desirable to attend the whole or such part of the hearing as he thinks fit if all parties to the hearing consent.

(2) In England and Wales, a member of the Commission is entitled to attend the hearing if—

- (a) regulation 23 applies to the case,
- (b) the case arises from a matter where the Commission have supervised or managed the investigation, or
- (c) the alleged conduct would, if it occurred, constitute—
 - (i) an assault occasioning actual bodily harm,
 - (ii) an offence under section 1 of the Prevention of Corruption Act 1906⁽¹⁾, or
 - (iii) a serious arrestable offence, as defined in the Police and Criminal Evidence Act 1984⁽²⁾.

(3) The member concerned may be accompanied at the hearing by a member of the force.

(4) The presiding officer may allow witnesses to be accompanied at the hearing by a friend or relative.

(5) Regulation 23(6) and (7) apply to persons allowed to attend the hearing under paragraph (1), (3) or (4) in the same way as it applies to any friend or relative of the complainant who is allowed to attend the hearing under regulation 23.

(1) 1906 c. 34.

(2) 1984 c. 60.