

## Training on Police Appeals Tribunals 15 October – Lancashire & 22 October - London

### Introduction

Last year, the APA ran training for Police Authority Members on the Police Appeals Tribunals. Colleagues will be aware that Police authorities have a central role in the running of police appeal tribunals on the new police appeal tribunal rules, which arose from the Taylor reforms on police performance and conduct introduced in December 2008.

The APA is now arranging for a repeat of the training. It will be conducted by experienced barristers from 5 Essex Court chambers. These chambers specialise in police law and have been given approved training provider status by the APLA for the purposes of the new package of performance and conduct regulations.

### When

The proposed dates are:

- **Wednesday 15th October** – Lancashire (Venue TBC)
- **Thursday 22nd October** – London (APA Offices)

Please note that numbers are limited.

Colleagues are advised not to book train tickets etc until they have received final confirmation that the event will be going ahead.

### Cost

The will cost **£ 160** per person (including refreshments and lunch and VAT).

### Time

9.30 tea and coffee for the 10am start. The session will finish at approximately 4.30pm.

### Other

The course is accredited for CPD points.

### Booking & Deadline

Please complete the attached booking form **by August 24** and e-mail it to Ash Westgate ([ashley.westgate@lga.gov.uk](mailto:ashley.westgate@lga.gov.uk)) – 0207 664 3096

If you have any questions about the training please contact Oliver Shaw at ([oliver.shaw@lga.gov.uk](mailto:oliver.shaw@lga.gov.uk)) 0207 664 3183

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### Proposed Schedule

The proposed schedule for the day is:

#### 1. Background

The history – Taylor Report

Change of ethos / culture – emphasis on people management and moving away from protracted / costly investigations

The new standards of professional behaviour

## **2. Brief overview of the provisions**

- Police (Performance) Regulations 2008
- Police (Conduct) Regulations 2008
- Police Appeals Tribunals Rules 2008

This summary will highlight the main changes brought in by the new discipline regime – e.g. the distinction between misconduct and gross misconduct; the abolition of Chief Constable's reviews; the gatekeeper role of the Appeal tribunal.

## **3. The discipline process prior to an appeal**

*Highlighting (1) the key disciplinary stages and (2) the main areas of difference between the 2004 and 2008 Conduct Regulations.*

- Process on receipt of a complaint
- Forms of investigation
- Notice to the officer
- Suspension of the officer
- Linked criminal proceedings
- The misconduct hearing
- Range of sanctions
- The role of the IPCC

## **4. Conduct of an appeal hearing**

- The role of police authorities as 'owners' of the process
- The "gatekeeper" role
- Composition of the appeal tribunal
- The notice of appeal and response
- Procedure at the hearing
- Evidence
- The extent of an Appeal tribunal's powers / burden and standard of proof before matters are found proven
- Common legal issues – e.g. admissibility of a new point or piece of evidence that was not taken / presented at the discipline tribunal
- Determination of the appeal

## **5. Practical exercise**

Participants will be divided up into "tribunals" and then presented with a case summary, where an officer has been dismissed from the police, together with the grounds of appeal. They will then be given time to retire and consider whether they will allow or dismiss the appeal (and, if they allow the appeal, consider what sanction they impose).