



Police Appeals Tribunal

INFORMATION FOR APPLICANTS

Introduction

The Police Appeals Tribunal is a new body, established by the Police and Fire Reform (Scotland) Act 2012. It will commence operation on 1 April 2013.

Background

Section 30 of the Police (Scotland) Act 1967 provided that a constable who was dismissed, required to resign or reduced in rank had a right of appeal to the Police Appeals Tribunal. The chairman was chosen from a list of persons nominated by the Lord President. The other members of the panel comprised a member of a police authority (other than the appellant's own) and, for senior officers, a current or former inspector of constabulary, or for others, a current or retired Chief Constable, again from another force, and a retired constable of appropriate rank.

The Police and Fire Reform (Scotland) Act 2012 creates a single Police Service of Scotland, maintained by a single Scottish Police Authority, with the aim of reducing duplication and creating a new streamlined structure in place of the current eight police forces and two national police bodies. The structure of the new single service rendered the previous Police Appeals Tribunal unworkable.

Police Appeals Tribunal

By virtue of Section 56 of the 2012 Act, a constable has a right of appeal to the new Police Appeals Tribunal ('the Tribunal') against dismissal or demotion in rank following the conclusion of proceedings relating to misconduct or unsatisfactory performance.

Schedule 3 of the Act of 2012 provides that the Tribunal is to consist of three members, one of whom is to be the chairing member. The Lord President of the Court of Session is to establish and maintain a panel of persons who may be appointed to the Tribunal and is responsible for appointing the members and chairing member from that panel.

Person Criteria

The legislation provides that panel members are to be advocates or solicitors who have been practising as such for at least 5 years immediately prior to appointment to the Tribunal. The Lord President has set out further criteria which will be assessed as relevant to candidates' applications. Copies of the criteria for appointment to the panel and application forms are available at www.scotland-judiciary.org.uk.

Appointment procedure

The Lord President intends to make these appointments on the basis of the written applications.

Remuneration and sitting

The Scottish Police Authority, established by Section 1 of the Act of 2012, will be responsible for members' remuneration, at such a level as the Scottish Ministers may determine.

General

Appointees are expected not to undertake any outside activities or continue existing ones if that would conflict with any Tribunal responsibilities. Appointees will be expected to give up any kind of political or any other activity which could be the subject of public controversy.