

Police Appeals Tribunals – Conditions of Entry

Introduction

The Police Appeals Tribunals (Amendment) Rules 2015 (“the 2015 Rules”) make provision for appeals in relation to disciplinary matters to be held in public subject to the discretion of the chair to exclude persons from all or part of the hearing.

Any member of the public or press wishing to attend a Police Appeals Tribunal may do so however due to limitations on space and capacity, attendance at the hearing will be administered and booked by application through the Essex Police and Crime Commissioners Office, details can be found at <http://www.essex.pcc.police.uk/scrutiny/police-appeal-tribunals>

The 2015 Rules provide for appeals to a police appeals tribunal against the findings and specific outcomes from the following regulations:

The Police (Conduct) Regulations 2012

The Police (Performance) Regulations 2012

The Procedures and Purpose of the Public Hearing

Police Appeals Tribunals (PATs) hear appeals against the findings of gross (serious) misconduct brought by police officers or special constables. The purpose of a public hearing is to show that the police disciplinary system is open and honest, fair and effective.

The PAT is likely to be convened to hear appeals against the findings and/or outcome of the most serious cases of misconduct by police officers. Such cases would almost always have resulted in the most serious outcome namely dismissal from Essex Police. Cases would include for example, police officers dismissed for criminal acts, serious road traffic matters such as drink/driving or serious breaches of the standards expected of police officers such as neglect of duty. The PAT could also be convened to consider appeals from those in the final stages of action under performance regulations, where police officers can be dismissed for unsatisfactory performance or attendance.

Where the appeal is by a non-senior officer or a special constable, the PAT consists of three persons appointed by the Office of the Police and Crime Commissioner: the Chair, a senior police officer and a retired police staff association representative.

All Police Appeals Tribunals will be in public, subject to any representations made by the officer and or witness, and considerations made by the Chair. Notice of a public hearing will be made not less than 5 working days prior to the hearing. The hearing will be observed from screens within the public viewing rooms in the PAT venue.

Should the hearing, or part of the hearing be in private, reasons will be given and published. Upon the conclusion of the hearing, the Chair will decide whether to publish a notice which may contain:

- i. Name of the officer concerned
- ii. Alleged conduct of the officer
- iii. Finding of the misconduct panel
- iv. Outcome of the misconduct panel
- v. Decision of the Police Appeals Tribunal

Please note:

- . If you are a witness to a listed hearing, you will not be eligible for a public seat.
- . There may be occasions when a hearing is cancelled at short notice.

The Venue

The regulations state that the Chair may also impose further conditions of entry in addition to those set out in this document. If this arises the further conditions will be published on the website prior to the hearing.

Members of the public and press together with any bags will also be subject to a security search as a condition of entry. Sharp objects or blades will not be permitted. Security staff will retain the authority to seize any article found during a search which may cause harm to any person.

Mobile phones and other devices can be retained but must be switched off during the hearing.

Upon completion of this process, you will be provided with a Visitor Pass which must be worn until you leave the hearing and pass back through security.

Should anyone breach these conditions of entry, they will be asked to leave and will be escorted from the premises.

You will again be subject to a security search.

Cameras

The taking of pictures is forbidden within the public hearing rooms. It is requested that photographs are not taken of any person entering or leaving the PAT. Failure to comply with this requirement will result in you being directed to leave the hearing.

Smoking

Smoking is not permitted in the venue or in the immediate surroundings.

Disabled access

The PAT venue is wheelchair accessible and accessible toilets are available.

We will do our utmost to facilitate access and support for people with specific accessibility requirements. If you have any specific requirements, please advise the MOPAC Professional Standards Team at the earliest opportunity to discuss any necessary arrangements.

Parking

There are no onsite parking spaces at the PAT venue, so if you choose to drive, the nearest available car park can be located via the internet site Parkopedia, with parking prices.

Start Times

Members of the public and press are advised to check the OPCC website <http://www.essex.pcc.police.uk/scrutiny/police-appeal-tribunals> the evening before to confirm the start time for the PAT

Having passed through the security entrance, members of the public and press will be met by OPCC staff and escorted to hearing room. Public and press are requested to arrive at the venue at least 15 minutes prior to the commencement of proceedings. This will allow time for individuals to go through the airport style security, escorted and seated in the public hearing room.

Entry will not be permitted once the hearing is in session and late attendees will be required to wait for the next break in proceedings.

Adjournments

During the course of the proceedings it may be necessary for the hearing to be adjourned.

The Chair will announce the adjournment, the reason for it and if possible, the time at which the hearing will re-commence. During adjournments, other than for lunch, members of the public and press should remain in the public hearing room.

The hearing will stop for lunch at a convenient point in proceedings for approximately one hour. A return time to re-commence proceedings will be announced by the Panel Chair.

The PAT will normally conclude at around 5pm or at a convenient point in proceedings.

Once the hearing has concluded for the day you will need to return your Visitors Pass to the reception desk or to the security staff.

Refreshments

Members of the public and press will be required to make their own arrangements for lunch and to return to the building in time to repeat the procedure of being signed in and searched. A period of 15 minutes is required to avoid being late in returning and disturbing other members of the public and press.

There are a number of cafes and food outlets in the local vicinity.

Toilets

There are toilet facilities. Disabled toilets are also provided.

Conduct within the tribunal hearing viewing room

Members of the public and press are requested to remain silent at all times whilst the hearing is in session.

All mobile phones, pagers, recording machines or other electronic items must be switched off in the public hearing rooms (**exception for Media – see below**).

Only accredited members of the press will be allowed to use text based communications for the purposes of simultaneous reporting of proceedings, if the person chairing or conducting the proceedings is satisfied that it does not interfere with the orderly conduct of proceedings.

The use of recording or photographic equipment is strictly forbidden in the public hearing rooms. Any person found to be using such equipment will be asked to leave.

No person is permitted to make, or attempt to make a sketch of the hearing room of any person, being a panel member, or witness or other interested party to the proceeding.

Laptops & tablets may only be used by accredited members of the press association for the purpose of writing and will be allowed subject to the discretion of the chair.

Tweeting is only allowed by accredited members of the press using laptops or tablets and will be allowed subject to the discretion of the chair.

Tweeting is not permitted from mobile phones or Blackberrys.

No-one attending the public hearing rooms shall either intervene in or interrupt the running of the hearing. If anyone behaves in a disorderly or abusive manner or otherwise acts inappropriately in the view of the Chair, a member of staff may exclude them from the remainder of the hearing. Should anyone breach these conditions of entry and refuse to leave, you will be ejected.

Members of the public and press will not be allowed to enter or leave the public hearing rooms whilst it is in session.

If exceptional circumstances make it necessary to leave the public hearing room, it is requested that individuals do so as quietly as possible and during a natural lull in proceedings, such as a change-over in witnesses. Re-entry to the public hearing room will be facilitated at the next adjournment.

During the course of the proceedings, the Panel Chair may provide brief explanations about the procedure to be followed.

Should any conditions of entry be breached, you will be required to leave the proceedings, and will be escorted from the premises.

If the Panel Chair decides that the evidence to be given by a witness or any other person should not be disclosed in public, an explanation will be given and the press and public will be excused whilst they give evidence or if the hearing is being livestreamed the screen will be blanked .