



EASTERN REGION POLICE AND CRIME COMMISSIONERS

LEGALLY QUALIFIED CHAIRS OF POLICE MISCONDUCT PANELS

JOB DESCRIPTION

INTRODUCTION

Police Misconduct Panels (PMP) convened in any one of the six police areas that are together the Eastern Region have, from January 2016, included a chair selected from a list of persons appointed by the Police and Crime Commissioners (PCCs) for the six police areas in the Eastern Region. The PMPs conduct misconduct hearings for officers, other than senior police officers, including special constables and are governed by police conduct regulations. PCCs maintain and administer the list of the chairs and appoint chairs to panels

NATURE OF CASES

A PMP hears cases governed by police conduct regulations. The cases comprise allegations of misconduct by police officers. The severest outcome at a hearing would be dismissal from the police service without notice. Cases could include, for example, allegations of 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.

COMPOSITION OF PMPs

A PMP consists of three persons:

- a chair selected on a fair and transparent basis from the list of legally qualified persons maintained by the Police and Crime Commissioners;
- a police officer of superintendent rank or above;
- an independent person selected on a fair and transparent basis from a list of candidates maintained by the Police and Crime Commissioners.

ROLE OF CHAIR

A Legally Qualified Chair must, in conducting hearings in accordance with police conduct regulations, take appropriate action to ensure the efficient and effective bringing of the misconduct proceedings and that they are conducted in a timely, fair and transparent manner. In order to facilitate this duty, the chair must decide whether to conduct a misconduct pre-hearing in order to give directions and fix a date for the hearing.

Where a chair decides not to conduct a misconduct pre-hearing, they must determine the date, time and duration of the misconduct hearing following consultation with the parties.

The chair must ensure that misconduct hearings take place within a time limit specified in police conduct regulations.

Chairs will play the leading role in regulating misconduct proceedings and will be required to provide written reasons for a PMP's decision.

PMP chairs are required to be able to travel within the Eastern Region as this is where cases will usually be held.

MAIN ACTIVITIES

The main activities of the chair of a PMP include:

- Reviewing papers
 - Reading and assimilating misconduct papers.
- Preparing for a hearing
 - Reading and assimilating misconduct papers before any hearing commences, including on occasions studying complex documentary evidence.
 - Ensuring that hearings are conducted in accordance with police conduct regulations.
- Conduct of hearings
 - To ensure the efficient and effective bringing of proceedings and that they are conducted in a timely, fair and transparent manner.
 - To decide whether to conduct a misconduct pre-hearing, in order to agree directions for the hearing and to fix the date for the hearing.
 - Where a chair decides not to conduct a misconduct pre-hearing, to determine the date, time and duration of the misconduct hearing, following consultation with the parties.

- To ensure the statutory time limits for the conduct of misconduct hearings are observed and complied with.
- To ensure that parties who are not always represented are able to present their case and have it considered fully and fairly.
- To make decisions upon reporting restrictions, participation and exclusions from misconduct hearings in accordance with police conduct regulations.
- Determination of misconduct hearing
 - In conjunction with the other PMP members, deciding whether the conduct of the officer concerned amounts to gross misconduct, misconduct or neither, and imposing any disciplinary sanction as appropriate.
- Report writing
 - To supply reports as provided for in police conduct regulations before the end of the 5 working days beginning with the first working day after the conclusion of the misconduct proceedings, to the appropriate authority and officer subject to the proceedings.
 - Following a hearing, the chair will need to ensure that the other PMP members agree that the report accurately records the findings and decisions made by the PMP.
- Time Commitment
 - The length and complexity of cases is variable as is their frequency. No guarantee of case load can be given.