



Police Act 1964

1964 CHAPTER 48

PART II

CENTRAL SUPERVISION, DIRECTION AND FACILITIES

Functions of Secretary of State

Status: Point in time view as at 22/08/1996.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part II. (See end of Document for details)

[^{F21}37 Disciplinary appeals to Secretary of State.

- (1) A member of a police force who is dealt with for an offence against discipline may appeal to the Secretary of State—
 - (a) against the decision on the disciplinary charge which was preferred against him;
 - (b) against any punishment awarded, except where he has a right of appeal to some other person; and in that case he may appeal to the Secretary of State from any decision of that other person.
- (2) On an appeal the Secretary of State may make an order allowing or dismissing the appeal.
- (3) Subject to subsection (4) below, in any case where it appears to him that it is appropriate to do so, he may substitute some other punishment.
- (4) The Secretary of State may not substitute another punishment unless it appears to him—
 - (a) that the person or tribunal who heard the disciplinary charge could have awarded it; and
 - (b) that it is less severe than the punishment awarded by that person or tribunal.
- (5) The Secretary of State may direct an appellant to pay the whole or any part of his own costs; but, subject to any such direction, all the costs and expenses of an appeal under this section, including the costs of the parties, shall be defrayed out of the police fund.
- (6) Schedule 5 to this Act shall have effect in relation to any appeal under this section.]

Textual Amendments

F21 S. 37 substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 103(1)

Status:

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