

CRIMINAL JUSTICE AND POLICE ACT 2001

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 3: The Central Police Training and Development Authority

Part 5: Police Organisation

Pensions for ACPO staff

Section 105: Political balance on police authorities

327. *Subsection (1)* amends Schedule 2 of the Police Act 1996, which requires the balance of the parties on the relevant council or councils to be reflected, so far as practicable, in appointments to the police authority. A High Court judgement has determined that ‘parties’ must be taken to refer to political parties, thereby excluding councillors who are not members of a political party from being taken into account in allocating places on the authority. This section will ensure that appointments reflect the composition of the entire membership of the council or councils concerned. It requires the council (or joint committee) to ensure (so far as practicable) that the proportion of members from any political party appointed to the police authority is the same as the proportion of those members on the council (or relevant councils taken as a whole). Any other places on the police authority must then be allocated to councillors who are not members of political parties. For example, if party A and party B each hold a third of the seats on the relevant council or councils taken as a whole, and the remaining third are held by councillors who are not members of a political party, party A and party B would each be allocated a third of the relevant places on the police authority. The remaining places must be allocated among the other councillors. Neither party A nor party B could be given extra places, as this would exceed their proportion.
328. *Subsection (2)* amends Schedule 2A of the 1996 Act, to apply the same provision to members of the London Assembly appointed to the Metropolitan Police Authority by the Mayor.