



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 1

#### POLICE REFORM

#### CHAPTER 4

##### ACCOUNTABILITY OF ELECTED LOCAL POLICING BODIES

##### *Scrutiny of Mayor's Office for Policing and Crime*

### **32 London Assembly police and crime panel**

- (1) The London Assembly must arrange for the functions referred to in subsection (2) to be discharged on its behalf by a particular committee of the Assembly (the “police and crime panel”).
- (2) Those functions (“the police and crime panel functions”) are—
  - (a) the functions conferred on the Assembly by section 33;
  - (b) the functions conferred on the Assembly by section 60A of, and Schedule 4A to, the 1999 Act in relation to the appointment of the Deputy Mayor for Policing and Crime by the Mayor's Office for Policing and Crime.
- (3) The London Assembly may not arrange for the police and crime panel functions to be discharged on its behalf otherwise than in accordance with subsection (1).
- (4) The London Assembly may not arrange for any of its other functions to be discharged by the police and crime panel.

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- (5) The special scrutiny functions may only be exercised at a meeting of the whole panel; but that is without prejudice to rules of procedure about the quorum of a meeting of the whole panel.
- (6) The enactments applying to committees of the London Assembly, apart from the excluded provisions, apply to the police and crime panel as if the police and crime panel functions were to be discharged by the panel by virtue of arrangements under section 54(1)(a) of the 1999 Act.
- (7) In subsection (6), “excluded provisions” means the following provisions of the 1999 Act—
- (a) section 54(5), so far as it provides for the London Assembly to retain power to exercise functions delegated to a committee;
  - (b) section 55 (Assembly committees and sub-committees).
- (8) The enactments conferring, or relating to, the police and crime panel functions are to be read with the appropriate modifications; in particular—
- (a) references to the London Assembly are to be read as references to the police and crime panel; and
  - (b) references to proceedings of the London Assembly are to be read as references to proceedings of the police and crime panel.
- (9) For the purposes of subsection (8), references to the police and crime panel include references to a sub-committee or member (if any) by whom functions are to be discharged in accordance with section 54(3) of the 1999 Act.
- (10) The following provisions apply to the police and crime panel—
- (a) the number of members of the panel, and their term of office, are to be fixed by the London Assembly;
  - (b) persons who are not members of the London Assembly may be members of the panel.
- (11) The following provisions apply to any sub-committee by which police and crime panel functions are to be discharged—
- (a) the number of members of the sub-committee, and their term of office, are to be fixed by the police and crime panel;
  - (b) persons who are not members of the London Assembly may be members of the sub-committee.
- (12) The police and crime panel functions must be exercised with a view to supporting the effective exercise of the functions of the Mayor’s Office for Policing and Crime.
- (13) In this section—
- “1999 Act” means the Greater London Authority Act 1999;
- “special scrutiny functions” means the functions conferred—
- (a) by section 33(1), or
  - (b) by section 60A of, and Schedule 4A to, the 1999 Act in relation to the appointment of the Deputy Mayor for Policing and Crime by the Mayor’s Office for Policing and Crime.

### **33 Functions to be discharged by police and crime panel**

- (1) The London Assembly must—

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- (a) review the draft police and crime plan, or draft variation, given to the Assembly by the Mayor’s Office for Policing and Crime in accordance with section 6(6)(c), and
  - (b) make a report or recommendations on the draft plan or variation to the Mayor’s Office for Policing and Crime.
- (2) The London Assembly must keep under review the exercise of the functions of the Mayor’s Office for Policing and Crime, insofar as the Assembly is not otherwise required to do so by the other provisions of this section or by Schedule 4A to the 1999 Act.
- (3) For the purposes of subsection (2), the powers of the London Assembly include, in particular, power to investigate, and prepare reports about—
  - (a) any actions and decisions of the Mayor’s Office for Policing and Crime;
  - (b) any actions and decisions of the Deputy Mayor for Policing and Crime;
  - (c) any actions and decisions of a member of staff of the Mayor’s Office for Policing and Crime;
  - (d) matters relating to the functions of the Mayor’s Office for Policing and Crime;
  - (e) matters in relation to which the functions of the Mayor’s Office for Policing and Crime are exercisable; or
  - (f) any other matters which the Assembly considers to be of importance to policing and crime reduction in the metropolitan police district.
- (4) The London Assembly may submit proposals to the Mayor’s Office for Policing and Crime.
- (5) The London Assembly may require a person referred to in subsection (6)—
  - (a) to attend proceedings of the Assembly for the purpose of giving evidence, or
  - (b) to produce to the Assembly documents in the person’s possession or under the person’s control.
- (6) Those persons are—
  - (a) the Deputy Mayor for Policing and Crime;
  - (b) any member of the staff of the Mayor’s Office for Policing and Crime;
  - (c) the person who is the occupant of the Mayor’s Office for Policing and Crime;
  - (d) any person who has within the 8 years prior to the date of the requirement to be imposed under subsection (5) been the Deputy Mayor for Policing and Crime or the occupant of the Mayor’s Office for Policing and Crime.
- (7) Nothing in subsection (5) requires a member of the staff of the Mayor’s Office for Policing and Crime to give any evidence, or produce any document, which discloses advice given to the Mayor’s Office for Policing and Crime by that person.
- (8) If the London Assembly requires the Deputy Mayor for Policing and Crime, or the person who is the occupant of the Mayor’s Office for Policing and Crime, to attend proceedings, the Assembly may (at reasonable notice) request the Commissioner of Police of the Metropolis to attend proceedings on the same occasion for the purpose of giving evidence.
- (9) The following provisions of the 1999 Act apply (with appropriate modifications) to a requirement under subsection (5) as they apply to a requirement under section 61(1) of the 1999 Act—
  - (a) section 61(14) (meaning of document etc);

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- (b) section 62(3) to (6) (procedure for requiring attendance);
- (c) section 63 (restriction of information);
- (d) section 64 (failure to attend proceedings);
- (e) section 65 (openness).

(10) In this section “1999 Act” means the Greater London Authority Act 1999.