



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 4

ACCOUNTABILITY OF ELECTED LOCAL POLICING BODIES

Scrutiny of police and crime commissioners

28 Police and crime panels outside London

- (1) Each police area, other than the metropolitan police district, is to have a police and crime panel established and maintained in accordance with Schedule 6 (police and crime panels).
- (2) The functions of the police and crime panel for a police area must be exercised with a view to supporting the effective exercise of the functions of the police and crime commissioner for that police area.
- (3) A police and crime panel must—
 - (a) review the draft police and crime plan, or draft variation, given to the panel by the relevant police and crime commissioner in accordance with section 5(6)(c), and
 - (b) make a report or recommendations on the draft plan or variation to the commissioner.
- (4) A police and crime panel must—
 - (a) arrange for a public meeting of the panel to be held as soon as practicable after the panel is sent an annual report under section 12,

Status: This is the original version (as it was originally enacted).

- (b) ask the police and crime commissioner, at that meeting, such questions about the annual report as the members of the panel think appropriate,
 - (c) review the annual report, and
 - (d) make a report or recommendations on the annual report to the commissioner.
- (5) A police and crime panel has the functions conferred by Schedules 1 (procedure for appointments of senior staff), 5 (issuing precepts) and 8 (procedure for appointments by police and crime commissioners).
- (6) A police and crime panel must—
- (a) review or scrutinise decisions made, or other action taken, by the relevant police and crime commissioner in connection with the discharge of the commissioner’s functions; and
 - (b) make reports or recommendations to the relevant police and crime commissioner with respect to the discharge of the commissioner’s functions, insofar as the panel is not otherwise required to do so by subsection (3) or (4) or by Schedule 1, 5 or 8.
- (7) A police and crime panel must publish any reports or recommendations made to the relevant police and crime commissioner.
- (8) The police and crime panel for a police area in England must send copies of any such reports or recommendations to each local authority whose area falls wholly or partly within the police area.
- (9) It is for the police and crime panel to determine the manner in which reports or recommendations are to be published in accordance with subsection (7).
- (10) Schedule 6 (police and crime panels) has effect.
- (11) In this section “local authority” means a county council or a district council.

29 Power to require attendance and information

- (1) A police and crime panel may require the relevant police and crime commissioner, and members of that commissioner’s staff, to attend before the panel (at reasonable notice) to answer any question which appears to the panel to be necessary in order for it to carry out its functions.
- (2) Nothing in subsection (1) requires a member of the police and crime commissioner’s staff to give any evidence, or produce any document, which discloses advice given to the commissioner by that person.
- (3) A police and crime panel may require the relevant police and crime commissioner to respond in writing (within a reasonable period determined by the panel) to any report or recommendation made by the panel to the commissioner.
- (4) The police and crime commissioner must comply with any requirement imposed by the panel under subsection (1) or (3).
- (5) Members of the staff of the police and crime commissioner must comply with any requirement imposed on them under subsection (1).
- (6) If a police and crime panel requires the relevant police and crime commissioner to attend before the panel, the panel may (at reasonable notice) request the relevant chief

constable to attend before the panel on the same occasion to answer any question which appears to the panel to be necessary in order for it to carry out its functions.

30 Suspension of police and crime commissioner

- (1) A police and crime panel may suspend the relevant police and crime commissioner if it appears to the panel that—
 - (a) the commissioner has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence, and
 - (b) the offence is one which carries a maximum term of imprisonment exceeding two years.
- (2) The suspension of the police and crime commissioner ceases to have effect upon the occurrence of the earliest of these events—
 - (a) the charge being dropped;
 - (b) the police and crime commissioner being acquitted of the offence;
 - (c) the police and crime commissioner being convicted of the offence but not being disqualified under section 66 by virtue of the conviction;
 - (d) the termination of the suspension by the police and crime panel.
- (3) For the purposes of salary, pensions and allowances in respect of times during a period of suspension, the police and crime commissioner is to be treated as not holding that office during that suspension.
- (4) In this section references to an offence which carries a maximum term of imprisonment exceeding two years are references—
 - (a) to an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
 - (b) to an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.