
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 28 of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) provides for each police area in England and Wales outside London to have a police and crime panel with the function of scrutinising the decisions and actions of the police and crime commissioner established under section 1.

Schedule 6 to the 2011 Act makes provision in relation to the formation and maintenance of these police and crime panels. Part 2 applies to a police and crime panel for a police area in England (referred to in these Regulations as a “Part 2 panel”). Part 3 applies to a police and crime panel for a police area in Wales, and also a panel formed by order of the Secretary of State for a police area in England where the local authorities in the police area have failed to comply with certain provisions of Part 2 (referred to in these Regulations as a “Welsh Part 3 panel” and an “English Part 3 panel”, respectively).

A Part 2 panel is a committee of the local authority, or a joint committee of the local authorities, in the police area (see paragraph 4(5) of Schedule 6 to the 2011 Act). Accordingly, large parts of the legislation applicable to local authority committees in England automatically applies to Part 2 panels. However, there are instances where, due to the precise wording of the legislation, it does not apply to Part 2 panels, or does not apply in all circumstances, or does not apply in relation to all members of the panels.

A Part 3 panel is not a local authority committee (see paragraph 13(5) of Schedule 6 to the 2011 Act). It is a body established and maintained by the Secretary of State (see paragraph 12(2) of that Schedule). Legislation applying to local authority committees will not automatically apply to Part 3 panels.

These Regulations apply legislation applicable to local authority committees to Part 2 panels (to the extent that it does not already apply) and to Part 3 panels. The provisions are modified, in their application to police and crime panels, to address differences between the provisions and those of the 2011 Act, and to reflect the fact that, in each police area, one local authority will provide support to the police and crime panel using funds provided by the Secretary of State (referred to in these Regulations as the “host authority”).