

POLICING AND CRIME ACT 2009

EXPLANATORY NOTES

TERRITORIAL EXTENT AND APPLICATION

Part 1 – Police Reform

Public accountability

Section 1 Duty of police authorities in relation to public accountability

26. [Section 1\(1\)](#) inserts into the Police Act 1996 a requirement for police authorities, when discharging any of their functions, to have regard to the views of the public in their area concerning policing. This duty complements the duty of police authorities, under section 96 of the Police Act 1996, to obtain the views of the public concerning policing.
27. The functions of a police authority, under section 6 of the Police Act 1996 and the [Police Authorities \(Particular Functions and Transitional Provisions\) Order 2008 \(S.I. 2008/82\)](#) are as follows: securing the maintenance of an efficient and effective police force; holding to account chief officers for the exercise of their functions; monitoring the performance of their force in complying with the Human Rights Act 1998 and in carrying out the local policing plan; securing that arrangements are made for their force to co-operate with other forces in the interests of efficiency or effectiveness; and promoting equality and diversity in their force. This section requires police authorities to have regard to the views of the public in the execution of all these functions.
28. [Section 1\(2\)](#) has the effect that Her Majesty's Inspectorate of Constabulary has a power to carry out an inspection of, and report to the Secretary of State on, the new requirement imposed on police authorities by section 1(1). This power sits alongside their power to inspect and report on a police authority's performance of its functions.