



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 1

#### POLICE REFORM

#### CHAPTER 1

##### POLICE AREAS OUTSIDE LONDON

### **1 Police and crime commissioners**

- (1) There is to be a police and crime commissioner for each police area listed in Schedule 1 to the Police Act 1996 (police areas outside London).
- (2) A police and crime commissioner is a corporation sole.
- (3) [<sup>F1</sup>Unless subsection (3B) applies, the] name of the police and crime commissioner for a police area is “the Police and Crime Commissioner for” with the addition of the name of the police area.
- [<sup>F2</sup>(3A) Subsection (3B) applies if the person who is the police and crime commissioner for a police area is also the fire and rescue authority for the area which corresponds to, or an area which falls within, the police area.
- (3B) In that case the name of the police and crime commissioner is “the Police, Fire and Crime Commissioner for” with the addition of the name of the police area.]
- (4) The police and crime commissioner for a police area is to be elected, and hold office, in accordance with Chapter 6.
- (5) A police and crime commissioner has—
  - (a) the functions conferred by this section,

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*Changes to legislation:* There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 1. (See end of Document for details)

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- (b) the functions relating to community safety and crime prevention conferred by Chapter 3, and
  - (c) the other functions conferred by this Act and other enactments.
- (6) The police and crime commissioner for a police area must—
- (a) secure the maintenance of the police force for that area, and
  - (b) secure that the police force is efficient and effective.
- (7) The police and crime commissioner for a police area must hold the relevant chief constable to account for the exercise of—
- (a) the functions of the chief constable, and
  - (b) the functions of persons under the direction and control of the chief constable.
- (8) The police and crime commissioner must, in particular, hold the chief constable to account for—
- (a) the exercise of the duty under section 8(2) (duty to have regard to police and crime plan);
  - (b) the exercise of the duty under section 37A(2) of the Police Act 1996 (duty to have regard to strategic policing requirement);
  - (c) the exercise of the duty under section 39A(7) of the Police Act 1996 (duty to have regard to codes of practice issued by Secretary of State);
  - [<sup>F3</sup>(ca) the exercise of the chief constable's functions under Part 2 of the Police Reform Act 2002 in relation to the handling of complaints;]
  - (d) the effectiveness and efficiency of the chief constable's arrangements for co-operating with other persons in the exercise of the chief constable's functions (whether under section 22A of the Police Act 1996 or otherwise);
  - (e) the effectiveness and efficiency of the chief constable's arrangements under section 34 (engagement with local people);
  - (f) the extent to which the chief constable has complied with section 35 (value for money);
  - (g) the exercise of duties relating to equality and diversity that are imposed on the chief constable by any enactment;
  - (h) the exercise of duties in relation to the safeguarding of children and the promotion of child welfare that are imposed on the chief constable by sections 10 and 11 of the Children Act 2004.
- (9) The police authorities established for police areas under section 3 of the Police Act 1996 are abolished.
- [<sup>F4</sup>(9A) Subsection (1) does not apply to an area in relation to which an order under section 107F(1) of the Local Democracy, Economic Development and Construction Act 2009 has effect (order providing for mayor for an area of a combined authority to exercise functions of a police and crime commissioner for the area).]
- (10) Schedule 1 (police and crime commissioners) has effect.

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#### Textual Amendments

- F1** Words in s. 1(3) substituted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 87\(2\)](#); S.I. 2017/399, reg. 2, [Sch. para. 38](#)

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- F2** S. 1(3A)(3B) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 1 para. 87(3)**; S.I. 2017/399, reg. 2, Sch. para. 38
- F3** S. 1(8)(ca) inserted (31.1.2017 for specified purposes, 1.2.2020 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), **ss. 22(1)**, 183(1)(5)(e); S.I. 2020/5, reg. 2(i) (with art. 3(1)(2)(4))
- F4** S. 1(9A) inserted (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), arts. 1(2), **10(2)**

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**Modifications etc. (not altering text)**

- C1** S. 1(1)-(4) excluded (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), **Sch. 2 para. 21(a)**

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**Commencement Information**

- I1** S. 1 in force at 22.11.2012 by S.I. 2012/2892, **art. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 1.