Subject: Establishment of a Police and Crime Committee

Report to: Business Management and Administration Committee

Report of: Executive Director of Secretariat Date: 3 November 2011

This report will be considered in public

1. Summary

- 1.1 The Police Reform and Social Responsibility Act 2011 provides for the abolition of the Metropolitan Police Authority (MPA) and establishment of a new functional body, the Mayor's Office for Policing and Crime (MOPC). The Act requires the Assembly to establish a Police and Crime Committee.¹ This paper proposes and seeks the Committee's comments on how the Committee should be structured and how it would operate.
- 1.2 The changes to policing arrangements outside London will come into effect in November 2012. The implementation of the new arrangements in London is subject to an Order by the Secretary of State. It is anticipated that the new arrangements will come into force in London in January 2012 at the earliest.

2. Recommendation

2.1 That the Committee consider and comment on the proposals contained in this report.

3. Issues for consideration

The role and functions of the MOPC and the Police and Crime Committee

3.1 The purpose of the Committee is to hold the Mayor's Office for Policing and Crime to account and investigate issues of importance relating to policing and crime reduction in

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¹ The Act requires the establishment of an ordinary committee of the Assembly to be the statutory Police and Crime Panel. This is referred to as a committee for the purposes of consistency with the Assembly's existing structure and working arrangements.

London. The roles of the MOPC and the Police and Crime Committee are summarised in **Appendix 1** to this paper.

- 3.2 Before commencement of the new arrangements, a number of Regulations are necessary. These are expected to be laid in Parliament during November and December 2011. They include:
 - Complaints regulations;
 - Police Protocol:
 - Financial Code of Practice;
 - Appointment and dismissal of police officers;
 - Strategic Policing Requirement;
 - Commencement Orders; and
 - Publication of information by the MOPC.

Committee terms of reference, size and composition

- Proposals for the establishment, composition and terms of reference of the Committee will be presented to the full Assembly at its meeting on 7 December 2011.
- 3.4 Proposed terms of reference for the Committee are attached at **Appendix 2**. These are based on the Committee's statutory functions as provided by the Police Reform and Social Responsibility Act 2011.
- 3.5 The working group proposes that the Committee should comprise 12 Assembly Members, and that no co-opted members should be appointed. **Appendix 3** sets out the proportionality of the Committee and arrangements for appointing a Chair and Deputy Chair and the appointment of substitutes.

Meetings of the full Committee

The working group proposes that the full Committee would meet twice each month (apart from April and August). Potential dates for meetings from January to March 2012 are included at **Appendix 4**.

Monthly Q&A with the MOPC / Deputy Mayor and Commissioner of Police of the Metropolis²

- 3.7 It is proposed that one of the Committee's meetings each month would be used to question the MOPC / Deputy Mayor for Policing and Crime (will be required to attend) and the Commissioner (will be invited to attend).
- 3.8 The Committee will request a monthly report from the MOPC setting out its activities, decisions and actions over the previous month and including information about the performance of the MOPC in fulfilling its functions. Members will then ask questions about the contents of the report and other topical issues. Notice will be provided by the scrutiny team to the MOPC of anticipated areas of questioning, following

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² Hereafter referred to as the Commissioner

consultation with Members and their staff, as is practice for other subject-related committees. Questions and answers would be published in transcripts of the meetings, and would be made available in a searchable database on the GLA website.

- 3.9 The Committee will dedicate a portion of each Q&A meeting to consideration of a specific issue in greater detail. This would include topical issues, and issues of importance that require regular monitoring. Potential topics for early meetings may include the following:
 - Front counters:
 - Territorial Policing reforms;
 - Neighborhood policing;
 - PCSOs;
 - Stop & Search; and
 - Independent Custody Visitors' scheme.

Topic-related Committee meetings

- 3.10 The Committee would also hold topic-related meetings (one each month) to consider a specific topic or aspect of policing and crime in London in greater detail. Potential topics for early meetings may include:
 - Support for and giving a voice to victims of crime; and
 - Community Safety Fund and crime and disorder grant allocations.
- 3.11 These meetings would also be used to exercise the Committee's functions in relation to the draft police and crime plan, confirmation hearings for the post of Deputy Mayor for Policing and Crime, and consideration of the MOPC's annual report.

Investigative groups

3.12 In order to carry out more detailed reviews and investigations, the Committee would appoint 'task and finish' investigative groups, along similar lines to the panels that have been established by the Assembly in the past (for example elections reviews, the review of the response to the 7 July 2005 attacks, and the Time for Action Panel). The Committee would need to decide the extent to which to enable the panels to operate independently of the main Committee.

Site visits and informal meetings

3.13 The working group proposes that the Committee would undertake a programme of site visits and informal meetings to inform its work.

Complaints

3.14 Draft Regulations currently out for consultation would require the Committee to fulfill a role in informal resolution of complaints, and referring complaints involving potential criminal aspects to the Independent Police Complaints Commission (IPCC). Members have been consulted about a potential draft response to the consultation, which the Chair of the Assembly, under delegated authority from the Business Management and

Administration Committee, has responded jointly with the Mayor and the Chair of the Metropolitan Police Authority.

The ongoing role of the Budget and Performance Committee

- 3.15 The Budget and Performance Committee's role in responding to the Mayor's draft budget proposals on behalf of the Assembly, and looking at financial and performance issues across the Group, would continue, as it does in relation to the GLA's other functional bodies. No formal changes are proposed to the terms of reference of the Budget and Performance Committee or the Budget Monitoring sub-Committee as a result of the establishment of the Police and Crime Committee.
- 3.16 Coordination will take place at officer level to ensure that the committees are able to draw on each others' work and to help ensure that their work programmes are complementary and not duplicatory and make sure that all the relevant issues are covered. Each committee will be kept informed of the other's work, and Members of both committees will be consulted as appropriate as work programmes are developed. There is potential for the Assembly to revisit this issue at its annual meeting in May 2012 in the light of early experience of the new arrangements.

Plenary meetings

- 3.17 The working group envisages that the Assembly would continue to wish to hold Plenary meetings with the MOPC and Commissioner on an annual basis, as is currently the case in relation to the MPA. This would enable the wider group of Assembly Members to raise questions about policing and crime matters.
- 3.18 The role of the full Assembly in considering and potentially amending the Mayor's budget proposals for the MPA would continue in relation to the MOPC. It has also been suggested that the full Assembly should be consulted by the Committee about its responses to the MOPC on the Police and Crime Plan.

Resources

- 3.19 The Assembly will be required to establish the Committee, however it will operate within the framework agreed by the full Assembly. The annual programme of meetings of the Committee will be agreed by the Assembly, and changes to the programme, for example adding meetings to the programme, would be subject to the same rules as those that apply to other committees.
- 3.20 The Business Management and Administration Committee will receive quarterly updates about the Committee's work programme as part of the Secretariat monitoring report, and proposals for expenditure on external services from the scrutiny programme budget would be subject to the Business Management and Administration Committee's approval within the decision-making framework.
- 3.21 It is proposed that three new posts be established in the Secretariat to support the new Committee: two scrutiny managers and one project officer. The full proposal is set out

in a separate paper on this agenda and will be part of a Head of Paid Service consultation at BMAC on 3 November 2011.

Standing Orders

3.22 Standing Orders will need to be revised to reflect the powers and duties of the new Committee. Draft Standing Orders are included at **Appendix 5**.

Other implications for the Authority of the establishment of the Mayor's Office for Policing and Crime, a Deputy Mayor for Policing and Crime and a London Assembly Police and Crime Panel

- 3.23 In light of the forthcoming changes to the standards regime, the Monitoring Officer is reviewing the Authority's Code of Conduct. This will include consideration of any implications arising from the Police Reform and Social Responsibility Act 2011 for the Code of Conduct. This will include ensuring that the Code deals appropriately with the situation where the statutory Deputy Mayor for Policing and Crime is an Assembly Member.
- 3.24 The Monitoring Officer is also undertaking a review of the framework agreement on corporate governance for the GLA Group, commissioned by the Standards Committee. This will similarly deal with any issues arising from the establishment of the MOPC.

4. Legal Implications

4.1 The Committee has the power to do what is recommended in this report.

5. Financial Implications

- 5.1 There are no direct financial implications arising from this report.
- 5.2 A report elsewhere on the agenda Head of Paid Service Consultation sets out the financial implications arising from the establishment of the three proposed new posts (two scrutiny managers and one project officer) set out in paragraph 3.17 of the report.

List of appendices to this report:

Appendix 1 – Summary of the roles of the MOPC and the Police and Crime Committee

Appendix 2 – Proposed terms of reference for the Police and Crime Committee

Appendix 3 – The proportionality of the Police and Crime Committee and arrangements for appointing a Chair and Deputy Chair and the appointment of substitutes

Appendix 4 – Dates for meetings of the Police and Crime Committee from January to March 2012

Appendix 5 – Draft Standing Orders

Local Government (Access to Information) Act 1985

List of Background Papers:

None

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Briefing on the abolition of the MPA and establishment of a Mayor's Office for Policing and Crime and a London Assembly Police and Crime Panel

The Police Reform and Social Responsibility Act 2011 is expected to come into force in London in January 2012. The Act will mean the abolition of the Metropolitan Police Authority (MPA) and the establishment of the Mayor's Office for Policing and Crime (MOPC) and a new Police and Crime Committee of the London Assembly.

This briefing note summarises the roles, powers and duties of the Mayor's Office for Policing and Crime and the London Assembly Police and Crime Panel. This note is intended to provide an overview; it does not cover every detail of the Act – for further details please refer to the Act and explanatory notes.³

The Mayor's Office for Policing and Crime

The Mayor's Office for Policing and Crime (MOPC) will be a functional body of the Greater London Authority. The Mayor will automatically become the occupant of the MOPC, and will remain accountable for the effective exercise of its functions.

The role of the MOPC

The Mayor's Office for Policing and Crime must:

- (a) secure the maintenance of the metropolitan police force, and
- (b) secure that the metropolitan police force is efficient and effective (s. 3 (6))

The MOPC must hold the Commissioner of Police of the Metropolis to account for the exercise of —

- (a) the functions of the Commissioner, and
- (b) the functions of persons under the direction and control of the Commissioner. (s 3(7))

Deputy Mayor for Policing and Crime

The Mayor may appoint a Deputy Mayor for Policing and Crime, who may exercise any function of the MOPC apart from those relating to issuing a police and crime plan and functions relating to the appointment and dismissal of the Commissioner and other senior officers (s. 19). The Deputy Mayor may delegate some functions to other people (excluding specified individuals and organisations, such as the Mayor, the Common Council of the City of London, and police constables) (s. 19).

The appointment of a Deputy Mayor for Policing and Crime is subject to non-binding confirmation hearings by the London Assembly's Police and Crime Committee. If the proposed

³ http://www.legislation.gov.uk/ukpga/2011/13/contents/enacted/data.htm

Deputy Mayor for Policing and Crime is not an Assembly Member, the Police and Crime Committee will have the power to veto the appointment by a two-thirds majority vote (s. 20).

Appointment, suspension and dismissal of senior officers

The Commissioner of Police of the Metropolis is appointed by the Queen. The Home Secretary may make a recommendation for the appointment, having regard to any recommendations made by the MOPC (s. 42).

The Deputy Commissioner is appointed by the Queen. The Home Secretary may make a recommendation for the appointment, having regard to any recommendations made by the MOPC or Commissioner (s. 43).

Assistant Commissioners, Deputy Assistant Commissioners and Commanders are appointed by the Commissioner, following consultation with the MOPC (s. 45).

The MOPC may suspend the Commissioner or Deputy Commissioner, or call upon them to resign or retire, in which case they must do so (s.48). The Secretary of State may direct the MOPC to exercise these powers (s. 82).

The Commissioner appoints and may suspend or dismiss a senior officer (s. 49).

Police and Crime Plan

The MOPC must issue a police and crime plan to cover their period of office, in consultation with the Commissioner of Police of the Metropolis. The MOPC must consult the London Assembly Police and Crime Committee on the plan and any variations to it, and have regard to its recommendations about the plan and any variations (s 6). The plan will be a statutory strategy under the GLA Act, however the Assembly's power to reject Mayoral strategies will not apply to the Police and Crime Plan.

The Commissioner of Police of the Metropolis must have regard to the Police and Crime Plan (s. 8(4))

- s. 7 of the Act sets out the following requirements for police and crime plans.
- (1)'A police and crime plan is a plan which sets out, in relation to the planning period, the following matters—
 - (a) the elected local policing body's police and crime objectives;
 - (b) the policing of the police area which the chief officer of police is to provide;
 - (c) the financial and other resources which the elected local policing body is to provide to the chief officer of police for the chief officer to exercise the functions of chief officer;
 - (d) the means by which the chief officer of police will report to the elected local policing body on the chief officer's provision of policing;
 - (e) the means by which the chief officer of police's performance in providing policing will be measured;
 - (f) the crime and disorder reduction grants which the elected local

policing body is to make, and the conditions (if any) to which such grants are to be made.

- (2) The elected local policing body's police and crime objectives are the body's objectives for—
 - (a) the policing of the body's area,
 - (b) crime and disorder reduction in that area, and
 - (c) the discharge by the relevant police force of its national or international functions.'

Crime and disorder

The MOPC may give crime and disorder reduction grants 'to any person' (s.9).

The MOPC and other criminal justice bodies must co-operate with each other in relation to crime and disorder 'so as to provide an efficient and effective criminal justice system for the police area'.

Publication of information

The MOPC must publish information to enable the public to assess —

- '(a) the performance of the body in exercising the body's functions, and
- (b) the performance of the relevant chief officer of police in exercising the chief officer's functions.' (s. 11)

Regulations will specify requirements about the information to be published and the manner of publication.

The MOPC and Deputy Mayor for Policing and Crime must provide information and documents to the London Assembly Police and Crime Panel and attend meetings upon request (ss. 13 and 33). These provisions exclude documents that contain advice to the MOPC.

The MOPC may require the Commissioner of Police to provide information ,and may publish that information (s. 36). The Secretary of State has similar powers (s. 92).

Obtaining the views of the community on policing

The MOPC is required to obtain the views of the community and of victims of crime on policing (s. 14) and to have regard to the views of people in the area about policing (s. 17).

Police Protocol

The Secretary of State must issue a police protocol, and all parties must have regard to it (s. 79).

Her Majesty's Inspectorate of Constabulary (HMIC)

The MOPC may request the HMIC to carry out an inspection of the MPS or parts of it (s. 83).

MOPC budget

The MOPC must hold a police fund.

The MOPC budget is part of the GLA Group budget and is subject to the Assembly's power to amend the Mayor's budget proposals by a two-thirds majority vote.

The MOPC must have regard to the Strategic Policing Requirement issued by the Secretary of State under s. 77.

The Act provides for the Secretary of State to issue a financial code of practice. It is expected that this will be issued before the end of 2011.

MOPC staff and appointments

The MOPC may appoint staff. It must notify the Police and Crime Committee of every appointment (Schedule 3, paragraph 5).

Complaints

The Secretary of State has the power to issue Regulations about the handling of complaints about the MOPC and Deputy Mayor for Policing and Crime. Schedule 7 of the Act ets out the parameters of the Regulations.

Schedule 14 sets out the amendments to legislation relating to complaints against police officers, which will be handled by the MPS / IPCC.

London Assembly Police and Crime Committee

The Police and Crime Committee's role is to hold the MOPC to account and investigate issues of importance to crime and policing in London. Its main powers are:

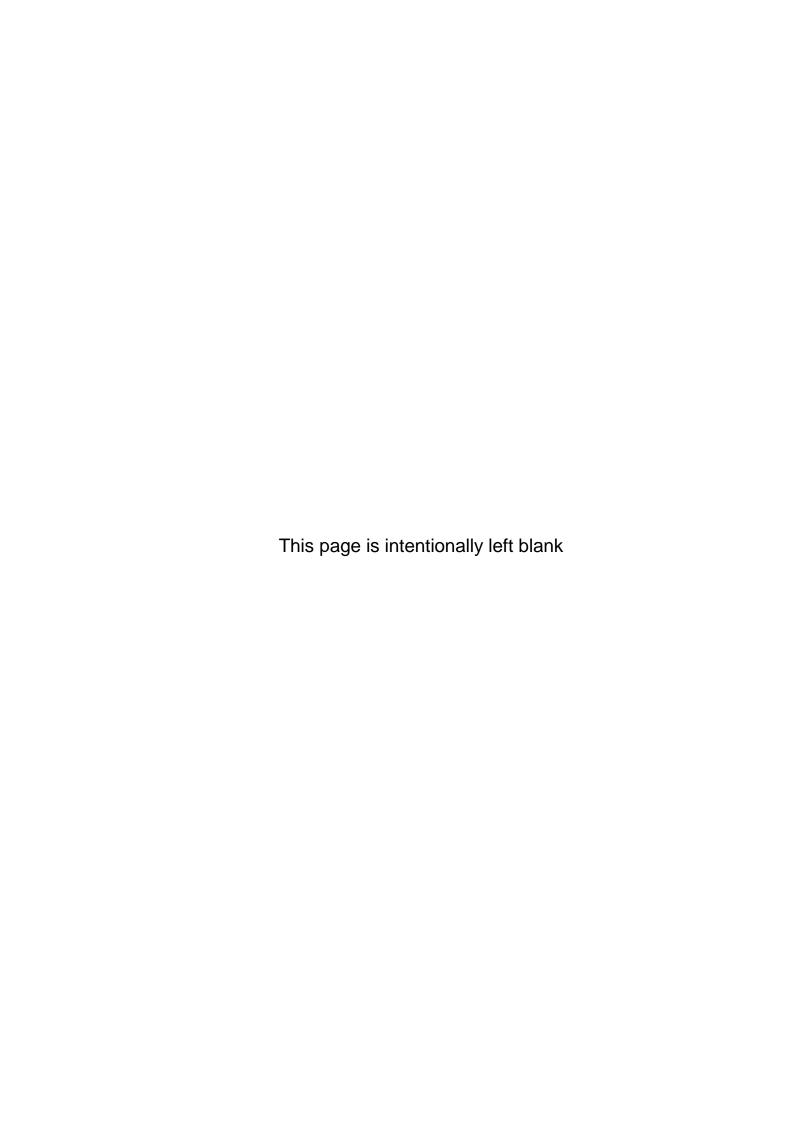
- The power to hold confirmation hearings in respect of the MOPC's proposed candidate for Deputy Mayor for Policing and Crime and the power to veto, by a two-thirds majority, the candidate where they are not an Assembly Member;
- The power to review the draft Policing Plan and make recommendations to the MOPC who must have regard to them;
- The power to review the MOPC's Annual Report and make reports and recommendations;
- The power to require relevant documents and information in the MOPC's possession (with certain exceptions);
- The power to require the MOPC/Deputy Mayor for Policing and Crime and any staff of the organisation to attend the Panel to answer questions;
- A role (to be defined in Regulations) in complaints about the MOPC, although criminal matters must be referred to the IPCC.

Police and Crime Committee

Proposed Terms of Reference

- (i) To review and make a report or recommendation on the draft police and crime plan, or draft variation, given to the Assembly by the Mayor's Office for Policing and Crime;
- (ii) To review, put questions to the Mayor's Office for Policing and Crime at a public meeting, and make a report or recommendation (as necessary) on the Mayor's Office for Policing and Crime's Annual Report;
- (iii) To keep under review the exercise of the functions of the Mayor's Office for Policing and Crime;
- (iv) To investigate, and prepare reports, as necessary, about:
 - any actions and decisions of the Mayor's Office for Policing and Crime;
 - any actions and decisions of the Deputy Mayor for Policing and Crime;
 - any actions and decisions of a member of staff of the Mayor's Office for Policing and Crime;
 - matters relating to the functions of the Mayor's Office for Policing and Crime;
 - matters in relation to which the functions of the Mayor's Office for Policing and Crime are exercisable; or
 - any other matters which the Assembly considers to be of importance to policing and crime reduction in the metropolitan police district.
- (v) To submit proposals, as necessary, to the Mayor's Office for Policing and Crime;
- (vi) In accordance with section 60A of, and Schedule 4A to, the GLA Act 1999 (as amended) to hold a confirmation hearing in respect of the proposed candidate for Deputy Mayor for Policing and Crime and to make recommendations to the Mayor on the proposed appointment;
- (vii) To fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities accorded to the Committee by section 31 and schedule 7 of the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011;

[Note: The Committee functions must be exercised with a view to supporting the effective exercise of the functions of the Mayor's Office for Policing and Crime.]



Committee Size and Proportionality

- 1. The Assembly (only) must determine the overall number of seats on the Committee and appoint its membership (including taking any decisions as necessary in respect of independent, co-opted members of the Committee).
- 2. The Assembly's Police and Crime Working Group recommends that the Committee should consist of 12 Assembly Members and should not, at this stage, include any independent co-opted members.
- 3. As with other committees, the Assembly is required to allocate seats in accordance with the political balance rules set out in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.
- 4. The current total number of Assembly committee seats to which the political balance requirements apply is 76 (including the Time for Action Panel) and details of the current entitlement and allocation are as follows:

Group	Entitlement	Allocation
Conservative	44% - 33.44 seats	34 seats overall
Labour	32% - 24.32 seats	24 seats
Lib Dem	12% - 9.12 seats	9 seats
Green	8% - 6.08 seats	6 seats
Unallocated	Up to 4% - 3.04 seats	3 seats unallocated
Total seats: 76		

5. If another 12 seat committee were added, the proportionality calculations for 88 seats would be as follows:

Conservative	44%	38.72 seats (+5 if rounded up by .28)
Labour	32%	28.16 seats (+4)
Lib Dem	12%	10.56 seats (+2 if rounded up by .44)
Green	8%	7.04 seats (+1)
Unallocated	Up to 4%	3.52 seats (0)
Total		88 Seats

6. Therefore, in practice, if established under the current committee structure, the Police and Crime Committee would need to comprise 5 Conservative Members, 4 Labour Members, 2 Liberal Democrat Members and 1 Green Member.

All Assembly Members would be appointed as substitute Members of the Committee.

Appointment of Chair and Deputy Chair

7. The Assembly may appoint the Chair and Deputy Chair of the Committee, as it does for its other ordinary committees, or it may choose to delegate responsibility for this function to the Police and Crime Committee itself.

Meeting dates January to March 2012

- Thursday 26 January 2012 at 10am *
- Thursday 2 February at 2.00pm
- Thursday 23 February at 10am*
- Thursday 8 March at 2.00pm

[Note: Asterisked dates are those dates which were previously identified for meetings of the Metropolitan Police Authority.]



Standing Orders

STANDING ORDER X

THE POLICE AND CRIME COMMITTEE

X.1 THE ESTABLISHMENT OF THE POLICE AND CRIME COMMITTEE

Application: Subject to paragraph B below, this Standing Order X applies to the Assembly, its committees and sub-committees and the Police and Crime Committee and its sub-committees.

- A. The Assembly must establish and thereafter maintain a committee of the Assembly to be known as the Police and Crime Committee.
- B. The Assembly must arrange for the functions granted to the Assembly by the Police Reform and Social Responsibility Act 2011 ("the Police and Crime Committee Functions and the complaint functions⁴) to be discharged on its behalf by the Committee.
- C. The Assembly must determine, ordinarily at its annual meeting, the number of seats of the Police and Crime Committee, appoint the membership of the Committee (noting that persons who are not Members of the Assembly may be members of the Police and Crime Committee) and determine the term of office of the members of the Committee.
- D. The Executive Director of Secretariat, further to a decision of the Assembly, and in consultation with the Chair and Deputy Chair of the Assembly and party Group leaders will draw up procedures for the appointment of members of the Police and Crime Committee who are not Assembly Members.

⁴ The Police and Crime Committee Functions are those conferred by section 33 of the Police Reform and Social Responsibility Act 2011 and section 60A and Schedule 4A of the Greater London Authority Act 1999 as amended. The complaint functions are those conferred by section 31 of the Police Act and under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations made under the Police Act.

- E. The Assembly may, from within the appointed membership of the Committee and at each annual meeting of the Assembly or otherwise when a vacancy arises in the office, determine the identity of the Chair (and Deputy Chair (if any), or determine that the Police and Crime Committee is to appoint the Chair (and Deputy Chair (if any)).
- F. The Assembly must determine the terms of reference of the Police and Crime Committee; which must include the statutory functions of the Assembly's Police and Crime Committee and the relevant statutory complaint-handling functions.
- G. The special scrutiny functions granted by section 33(1) of the Police Reform and Social Responsibility Act 2011 and by section 60A of and schedule 4A of the Greater London Authority Act 1999 as amended⁵ may only be exercised at a meeting of the whole Police and Crime Committee, which must be quorate in accordance with Standing Order 2.4.
- H. The Police and Crime Committee may appoint a sub-committee to discharge any of its formal functions of the Committee except the special scrutiny functions referred to in Standing Order X.1.G above; it may appoint informal groups of its members in order to undertake work on its behalf from within its remit and to make recommendations back to the Committee or one of its sub-committees for decision(s).
- I. The number of members of any sub-committee of the Police and Crime Committee and their terms of office are to be fixed by the Committee. Persons who are not members of the Assembly may be members of a sub-committee.
- J. Standing Order 8.1 Committees and Sub-committees applies except as to paragraphs E, F, G and J which are dealt with by this Standing Order. Otherwise, the 'application' section of each chapter of the Authority's Standing Orders details the applicability of the remainder of the Standing Orders to this Committee.

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⁵ These are functions are to: (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; and to hold a confirmation hearing in respect of the appointment of the Deputy Mayor for Policing and Crime and exercise the Committee's power of veto if the candidate is not an Assembly Member.

X.2 CONFIRMATION HEARINGS

Application: Applies to the Police and Crime Committee and any sub-committee of the Committee.

- A. Where the Mayor's Office for Policing and Crime proposes to make an appointment to the office of Deputy Mayor for Policing and Crime as specified in section 60A(3) of the GLA Act, the Mayor's Office for Policing and Crime must notify the Chair of the London Assembly's Police and Crime Committee in writing (copied to the Executive Director of Secretariat) of the person whom he intends to appoint ("the candidate").
- B. In accordance with the provisions of Schedule 4A to the GLA Act 1999 (as amended), the Chair of the Committee has delegated authority: (i) to decide whether to hold a confirmation hearing for the Mayor's Office for Policing and Crime candidate for appointment to the office of Deputy Mayor for Policing and Crime listed in Section 60A(3) of the Act; and (ii) to request that the Mayor's Office for Policing and Crime candidate for appointment produce, under paragraph 6(4) of Schedule 4A of the GLA Act, documents that relate to his or her proposed appointment.
- C. A notice requesting a candidate for appointment to attend a confirmation hearing will be sent by the Authority's Head of Paid Service in accordance with paragraph 7 of Schedule 4A of the GLA Act and the notice may specify any documents that the Chair of the Police and Crime Committee has requested the candidate to produce under Standing Order X.2.B above.
- D. Confirmation Hearings will be held in accordance with Section 60A and Schedule 4A of the GLA Act.
- E. The Police and Crime Committee will normally meet in public, but will consider any reasonable request from the candidate to meet in private under the provisions of Schedule 12A of the Local Government Act 1972.
- F. The scope of questions to be asked by the Police and Crime Committee can include anything reasonable and relevant to the candidate's fitness for office and ability to do the job.
- G. Following any confirmation hearing, the Chair of the Police and Crime Committee will write to the Mayor within three weeks of the date of notification of the

appointment in Standing order X.2.B above, to communicate the Committee's recommendation as to whether or not the candidate should be appointed to office, and of any motion passed to veto the appointment under Standing Order X.2.H and I below, and will also ensure that the Assembly is notified of every such decision.

- H The Committee may veto the appointment of the candidate as Deputy Mayor for Policing and Crime where the candidate is not a member of the London Assembly.
- I. If the Committee votes by at least two-thirds of the members present and voting, for the following motion, where that the candidate is not a member of the London Assembly:

The Police and Crime Committee hereby resolves to veto the proposed appointment of as Deputy Mayor for Policing and Crime.

Then, if the Chair of the Police and Crime Committee notifies the Mayor's Office for Policing and Crime of the motion to veto within three weeks of the notification of the proposed appointment by the Mayor's Office for Policing and Crime under Standing Order X.2.C, the Mayor's Office must not appoint the candidate as Deputy Mayor for Policing and Crime⁶.

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⁶ Paragraph 10 of schedule 4A The Greater London Authority Act 1999 as amended.

X.3 THE POLICE AND CRIME COMMITTEE AND THE LONDON ASSEMBLY

Application: Applies to the London Assembly, its committees and subcommittees including the Police and Crime Committee and its sub-committees.

- A. The Assembly may not arrange for any of its other functions to be discharged by the Police and Crime Committee.
- B. The Assembly cannot exercise any of the special scrutiny functions delegated to the Police and Crime Committee by the Police Reform and Social Responsibility Act 2011 and section 54(5) of the GLA Act does not apply to the Committee in this respect.
- C. For the avoidance of doubt: the Mayor is still required to meet his/her statutory responsibilities in respect of Mayor's Question Time meetings and related procedures and all other responsibilities in respect of scrutiny by the London Assembly as set out in the various relevant Acts of Parliament, regulations and these Standing Orders; the Assembly and its Committees and Sub-committees may continue to invite the Commissioner of Police for the Metropolis and/or his/her representatives for questioning on relevant matters in London as is deemed necessary; and the Assembly could summons the person holding the office of Deputy Mayor for Policing to answer relevant questions, as permitted by the GLA Act and these Standing Orders.

X.4 QUESTIONS TO THE MAYOR'S OFFICE FOR POLICING AND CRIME

Application: Applies to the Police and Crime Committee.

- A. This Standing Order governs the questioning of the Mayor's Office for Policing and Crime, the Deputy Mayor for Policing and Crime (or any person who has held either of those posts within eight years of the request), any member of staff of the Mayor's Office for Policing and Crime and other persons or representatives of bodies requested (but not required⁷) to attend Police and Crime Committee meetings or their subcommittees (except in relation to the exercise of special scrutiny functions which can not be delegated to a sub-committee of the Committee), which persons for the avoidance of doubt include the Commissioner of Police for the Metropolis requested to attend under section 33 (8) of the Police Reform and Social Responsibility Act.
- B. The Chair of the Police and Crime Committee may from time to time approve detailed rules and procedures for the conduct of questioning the parties required to attend in accordance with Standing Order X.4.A above, following consultation with the MOPC, Deputy Mayor for Policing and Crime and the Leaders of the Political Groups.
- C. The procedures may include reference (but are not limited to) to the number and scope of questions Members may deposit under this Standing Order, the consolidation of similar questions, the rejection of duplicate questions and, at the meeting, the ordering, themes and number of questions and supplementary questions (including their scope), the time to be allotted to different questions, and how time should be extended beyond any time limit to be imposed to allow for a question (including supplementaries) to which the parties required to attend in accordance with Standing Order X.4.A above, are then responding, to be completed.
- D. For the avoidance of doubt, this Standing Order X.4 shall not govern or restrict the formal exercise of the powers to require MOPC staff to attend the Police and Crime Committee under section 32 of the Police Reform and Social Responsibility Act or to require the attendance of witnesses and production of documents under sections 61 to 65 or 110 of the GLA Act.
- E. The Committee may exercise such of the powers under section 33 (5) to (9) of the Police Reform and Social Responsibility Act as they consider appropriate in the circumstances to require any person to whom section 33 (6)(2) applies, to:

⁷ Required" in this Standing Order X.4 refers to being required to attend the meeting under section 33 of the Police Act.

- (1) Attend the proceedings of the Committee for the purpose of giving evidence; and/or
- (2) Produce to the Committee documents in his/her possession or under his/her control.
- F. The exercise of the Committee's powers under section 33(5) to require attendance may not be delegated by the Committee to a sub-committee or to an individual Assembly Member or to any member of staff of the Authority.⁸

⁸ By s62(1) of the GLA Act, neither ordinary subcommittees nor advisory committees or advisory subcommittees can exercise these powers.

X.5 THE POLICE AND CRIME COMMITTEE AND THE ANNUAL REPORT AND POLICE AND CRIME PLAN

Application: Applies to the Police and Crime Committee and its subcommittees.

- A. The Police and Crime Committee or a sub-committee may on receipt of the annual report produced by the Mayor's Office for Policing and Crime, in accordance with section 12 of the Police Reform and Social Responsibility Act 2011, hold a meeting to ask the MOPC such questions about the report as it sees fit, review the report and submit proposals to the MOPC on the report.
- B. In accordance with section 6(6)(c) of the Police Reform and Social Responsibility Act, the Mayor's Office for Policing and Crime is required to send a draft Police and Crime Plan or a variation of an existing plan to the Committee.
- C. In accordance with section 33(1) of the Police Reform and Social Responsibility Act, the Committee must review the draft plan or variation and make a report or recommendation to the Mayor's Office for Policing and Crime. The MOPC is required to:
 - (i) have regard to any report or recommendations made by the Committee to the draft strategies or variations; and
 - (ii) give the Committee a response to any such report or recommendations and publish that response.

X.6 THE POLICE AND CRIME COMMITTEE AND CONDUCT MATTERS

Application: Applies to the Police and Crime Committee and its subcommittees.

A. The Police and Crime Committee will approve formal procedures by which it will deal with complaints about conduct matters in accordance with section 31 and schedule 7 of the Police Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011.