

## Police and Crime Commissioner Review Part Two

### Terms of Reference

#### Purpose

The purpose of this two-part Review is to consider how the role of Police and Crime Commissioners (PCCs), can be sharpened and expanded. The review applies to all PCCs, including Police and Fire Commissioners (PFCCs) and Mayors exercising PCC functions. The review does not extend to wider mayoral functions.

#### Objectives

Part One of the Review delivered recommendations to sharpen the accountability, visibility and transparency of PCCs, as well as considering the role of PCCs in strengthening fire governance and progression of the Government's longer-term ambitions on Mayoral devolution. The full set of recommendations were announced by the Home Secretary in a Written Ministerial Statement on 16 March 2021.

Part Two will now focus on ensuring PCCs have the tools and levers they need to better equip them to fight crime and on scrutiny of the PCC model. It will be an internal review considering the following:

On the tools and levers to fight crime we will look at:

- **The role of PCCs in offender management** aligned to existing operating models, working alongside the Ministry of Justice and the Probation Service.
- **The role of PCCs in the partnership landscape** and assess whether their current set of tools and levers are sufficient to drive and co-ordinate local activity to reduce crime, combat drugs misuse and tackle anti-social behaviour. The Review will focus on Local Criminal Justice Boards, Community Safety Partnerships and Violence Reduction Units.
- **The role of PCCs in securing and maintaining public confidence in policing and tackling crime and anti-social behaviour.** The Review will focus on activities and reporting that can address the public's priorities, help build mutual respect and greater understanding of the work that is conducted in the force area. On tackling anti-social behaviour, this will include the PCC role in implementing an effective Community Trigger process.

On scrutiny we will look at:

- **The Police and Crime Panel model**, specifically the benefits of independent members, identifying and securing the right skill sets and options to strengthen panel support.
- **Reviewing the existing mechanisms for investigating complaints and allegations against PCCs** including examining the role of the IOPC in assessing criminal wrongdoings by PCCs and issues relating to vexatious and unfounded complaints.

- **Considering the merits and demerits of introducing recall** for PCCs for very serious breaches of behaviour, including what might be a suitable trigger mechanism.
- **Through Part Two of this Review and the upcoming Spending Review**, the Home Office will examine how PCCs use data in holding Chief Constables to account for the efficient and effective delivery of policing services in their respective areas, including how data is fed into centrally-held databases and is utilised by the Home Office and relevant policing partners to reduce crime.

As committed to in Part One of the Review, we will also be bringing forward a consultation on affording PCCs greater power of competence and will examine the arguments as to whether it should be a general power or a functional power.

### **Timing and Outputs**

The review team will report to the Home Secretary on Part Two by November 2021, which will allow the Government to plan for any legislative changes which will need to be made to embed recommendations from Part One and Two of the Review.

Recommendations will be evidence based and proportionate, with regard given to the impact on other operational bodies across Government and the PCC model itself.

### **Scope**

As with Part One, no wholly new model for PCCs, or fundamental changes to territorial policing structures will be considered. It will consider interdependencies of the model with wider public services as set out in the Review objectives, to support our ambition to better equip PCCs to fight and get upstream of crime, including by tackling the underlying drivers of reoffending. Our assessment of PCCs and their role in offender management will align with the existing target operating model of the Probation Service.

As part of its work on the upcoming Victims' Bill, the MoJ is considering the role of PCCs in enforcing victims' right and commissioning support services. This PCC Review therefore will not examine these issues, but the Review team will work together closely with the Ministry of Justice to share any relevant information and ensure that the work is complementary and aligned

### **Governance**

The Review team will report to the SRO (Policing Director) who will provide strategic oversight to the work programme. There will be strong working level links with fire colleagues, the Ministry of Justice, MHCLG and the Cabinet Office and the Review team will jointly report to the Home Secretary and Lord Chancellor on any recommendations that relate to offender management and victims policy, or the operation of Local Criminal Justice Boards. The Review programme will be ultimately accountable to the Home Secretary.

## **Methodology and stakeholder engagement**

This will be a time-limited internal review with rapid evidence gathering with key stakeholders across the policing and justice sectors, including voluntary and charitable organisations. As with Part One, the Review Team will be guided by an Advisory Group comprising of senior stakeholders with in-depth knowledge of the policing and justice sector.

The Review team will be supported by policy officials in the Home Office and Ministry of Justice who have policy responsibility for the partnerships set out in the Review Terms of Reference. They will also work collaboratively with Ministry of Justice officials to scope and shape any recommendations in relation to reoffending policy and the operation of the Probation Service.