



Home Office

Rt Hon Kit Malthouse MP  
Minister of State for Crime,  
Policing and Probation

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Councillor Carl Les  
Leader of the Council  
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09/12/21

*Mr Les,*

Thank you for your letter of 9 November to the Home Secretary about the power of recall for Police and Crime Commissioners (PCCs). I am replying as the Minister of State for Crime, Policing and Probation.

As you will know, Police and Crime Panels (PCPs) perform an important scrutiny function, providing both support and challenge to PCCs on the exercise of their functions, acting as a critical friend. This Government believes that PCPs have the appropriate powers, agreed by Parliament, to effectively scrutinise the actions and decisions of PCCs and to enable the public to hold them to account.

Whilst PCPs have specific powers of veto over Chief Constable appointments and precept setting, alongside critical oversight of the Commissioner's key documents, decisions and reports, they do not have a mandate to make executive decisions. In their position as directly elected representatives, PCCs have a democratic mandate to discharge their functions, and they remain accountable to their electorate for delivery against their published Police and Crime Plan. Ultimately, therefore, it is the public that holds their PCC to account at the ballot box.

This Government committed in its manifesto to strengthen the accountability of PCCs and expand their role, and you will be aware that we are undertaking a two-part Review of the PCC model. In March this year the recommendations from Part One were announced to Parliament. Following that, the Home Secretary announced Part Two when we published the Beating Crime Plan, in July this year. In the Terms of Reference, the Home Secretary outlined that this would include consideration of the merits and demerits of introducing recall for PCCs for very serious breaches of behaviour, including what might be a suitable trigger mechanism.

Further to this, Part Two of the Review is also considering the existing mechanisms for handling complaints against PCCs, including the role of the independent Office for Police Conduct (IOPC) in assessing alleged criminal wrongdoing, and issues relating to vexatious and unfounded complaints. As part of this work, we are looking at whether it would be appropriate, in the future, to provide for the formal investigation of non-criminal allegations

against PCCs, in certain circumstances, in addition to the option of informal resolution as permitted under the existing PCC complaints framework.

I would like to thank you again for bringing your concerns to our attention. Your letter has been passed to my officials to consider within the scope of the work described above.

On a final note, I was pleased to see Zoë Estelle Appleton-Metcalf newly elected as PFCC for North Yorkshire last week and welcome her commitment to rebuilding trust, openness and transparency in the role going forward.

A handwritten signature in blue ink, appearing to read 'Kit Malthouse', written in a cursive style.

**Rt Hon Kit Malthouse MP**