

CAMBRIDGESHIRE POLICE AND CRIME PANEL	Agenda Item No. 3
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PROPOSED APPOINTMENT OF AN ACTING POLICE AND CRIME COMMISSIONER

1. PURPOSE

- 1.1 This report is submitted to the Panel following the resignation of the Cambridgeshire Police and Crime Commissioner, Jason Ablewhite, on Monday 11 November 2019.
- 1.2 The purpose of this report is to provide information to Panel Members to assist in the appointment of an Acting Police and Crime Commissioner (“Acting Commissioner”) under Section 62(1)(a) of the Police Reform and Social Responsibility Act 2011.

2. RECOMMENDATIONS

- 2.1 That the Panel reviews and considers the information provided within the report and appendix and following any relevant questioning, appoints to the post of Acting Commissioner in accordance with its legal duties under the Police Reform and Social Responsibility Act 2011.

3. TERMS OF REFERENCE

- 3.1 This report is for the Panel to consider under its Terms of Reference No 10 – To appoint an Acting Police and Crime Commissioner if necessary

4. BACKGROUND

- 4.1 The Police and Crime Commissioner for Cambridgeshire, Jason Ablewhite, announced his resignation from office on Monday 11th November 2019, rendering the office of Police and Crime Commissioner vacant.
- 4.2 Section 62(1)(a) of the Police Reform and Social Responsibility Act 2011 requires a Police and Crime Panel for a police area to appoint an “acting commissioner” in these circumstances.
- 4.3 The 2011 Act stipulates that the person appointed to be Acting Commissioner **must** be a person who is “a member of the police and crime commissioner’s staff at the time of the appointment” (Section 62(2) of the 2011 Act). It should be noted that the 2011 Act specifies that the Deputy Police and Crime Commissioner is classed as a member of staff (s18 [10]).
- 4.4 The appointment of the acting commissioner ceases to have effect upon the election of a person as police and crime commissioner or on termination of the appointment by either the panel or the acting commissioner. The next scheduled police and Crime Commissioner elections will take place on 7th May 2020.

- 4.5 Home office guidance issued in July 2016 on the Policing and Crime Bill, which introduced amendments to the legislation affecting Police and Crime Commissioners, states:
“In the event of a PCC vacancy arising, either temporarily (eg through illness) or permanently, the Police and Crime Panel appoints someone as Acting Commissioner. Where in place, the Deputy PCC is the obvious person to appoint in such cases.”
- 4.6 The current Deputy Police and Crime Commissioner, Ray Bisby, has indicated that he is willing to be considered for the role as Acting Commissioner for the interim period until the elections in May 2020. No other member of the OPCC staff has indicated that they wish to be considered for this role. Consequently, the Panel has one member of the OPCC staff to consider for this role. Ray Bisby’s personal statement is attached as an appendix to this report.

5. **ACTING COMMISSIONER’S RESPONSIBILITIES**

- 5.1 S62(4) of the Act states that an acting commissioner may exercise all the functions of a police and crime commissioner, apart from “issuing or varying a police and crime plan” and that any property or other rights vested in the police and crime commissioner also transfer.

6. **BACKGROUND DOCUMENTS**

Police Reform and Social Responsibility Act 2011
<http://www.legislation.gov.uk/ukpga/2011/13/contents>

The Policing Protocol Order 2011
<http://www.legislation.gov.uk/uksi/2011/2744/made>

Policing and Crime Act 2017
<http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted>

Policing and Crime Bill factsheet, Home Office, July 2016
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/537272/Factsheet_15_-_PCCs.pdf