Mr Evan Morris (Chair)  
Cheshire Police and Crime Panel  
Cheshire East Council  
Westfields, Middlewich Road  
Sandbach, Cheshire  
CW11 1HZ

31 July 2019

Dear Mr Morris,

I write in reply to your predecessor’s letter of 26 June regarding the Cheshire Police and Crime Panel’s report of May 2019, which reviewed the suspension of the former Chief Constable of Cheshire Constabulary.

The conclusions highlighted in the report relate to the powers of Police and Crime Commissioners (PCCs) to suspend and remove chief constables; and the corresponding ability of Police and Crime Panels to hold PCCs to account for such decisions. The report calls specifically for PCPs to be given greater powers, including access to the expertise of HMICFRS and the ability to require their involvement in the suspension or removal process.

The authority of a PCC to appoint, suspend and remove the chief constable for their force area is set out in section 38(3) of the Police Reform and Social Responsibility Act 2011. Schedule 8 of the same Act describes the role of the Panel in scrutinising the PCC’s decision to take such a step. It makes clear that the Panel may consult Her Majesty’s Chief Inspector of Constabulary when determining its recommendation.

While the Panel performs a vital scrutiny role in such cases, the ultimate decision around appointing, suspending or removing a chief constable is rightly a matter for the elected PCC, in order to ensure direct accountability to the communities they serve. The Home Office believes that, to date, the section 38 process has worked broadly as it should. Her Majesty’s Chief Inspector of Constabulary, Sir Thomas Winsor, has confirmed that he shares this view.

Yours sincerely

Police Strategy and Reform Unit

Email: Public.Enquiries@homeoffice.gov.uk