

# Response to *Policing in the 21st Century:* *Reconnecting police and the people*

Association of Police Authorities



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# Chairman's foreword

**The Association of Police Authorities (APA) represents all Police Authorities in England, Wales and Northern Ireland as well as non-geographic police authorities. The APA is the national platform from which we provide them with the leadership, support and guidance that enables them to add real value to their communities. Since 1995, police authorities have worked hard on behalf of the communities we serve to hold the police service to account and to ensure that the forces we govern continue to become more efficient and effective. This has delivered results – crime has fallen significantly and public confidence in the police is rising.**

The Home Office has recently published the document *Policing in the 21st Century*, which contains proposals they say are the most radical changes to policing for 50 years and some might say since 1829. We recognise in the document the general direction of the government's vision for improvements to policing and policing governance – putting local people at the heart of accountability, rationalising the national landscape, and reducing bureaucracy – but my colleagues and I have significant concerns that in their haste to drive these changes through, too little time has been allowed for a thorough consultation process. Our independent research has shown the public to be unaware of the magnitude of the proposed changes and to have concerns with regard to the potential politicisation of the police and notably, at this time of fiscal deficit, to the significant costs involved.

At the heart of the Government's proposals is the intention to 'transfer power back to the people and replace police authorities with police and crime commissioners'. We recognise from our research the public's desire for a recognisable individual who can act as a regulator for the police but the APA opposes, as do the public, the model proposed by the government as it lacks the safeguards needed

for adherence to Sir Robert Peel's fifth principle of policing – 'The police should seek to preserve public favour, not by pandering to public opinion, but by constantly demonstrating absolutely impartial service to law, in complete independence of policy'. With this in mind, we believe the proposals in our submission reflect most closely the regulatory structures preferred by the public and recommended by police authorities. These do not represent the status quo, they recognise the need for a leader who can establish a relationship of trust and confidence with the community but also the need for effective checks and balances to be put in place in this most sensitive of public services.

**The APA contests the logic for which arguments for the abolition of police authorities are based. Any coherent argument for change would have examined the strengths and weakness of the current system and proposed a range of models for consultation, but this rational decision-making process has not been followed. However, despite the demanding timescales, we have carried out extensive consultation with the public and police authorities and this submission reflects their views. In these challenging times it is critical that our communities retain confidence in policing. With that in mind, we reiterate our commitment to engage constructively with the Home Office over the coming months.**



**Rob Garnham**  
APA Chairman

# Executive summary

The Association of Police Authorities' (APA's) response to the Government's consultation paper, *Policing in the 21st Century* is informed by extensive consultation with our members and the findings of independent work on public perceptions of changes to police governance and the costs of introducing directly elected Police and Crime Commissioners (PCCs).

The APA believes there has been insufficient time for consultation on a series of police reform proposals of such magnitude, that there are low levels of public awareness of the proposed changes to policing and its governance, and little appetite or desire for it. In recent work with members of the public on police governance, Ipsos MORI reported that a minority of people wanted an individual solely responsible and the consensus view on the preferred structure was akin to current police authorities with the inclusion of a figurehead visible to the public.

The apparent 'rush to legislation' is characterised by the absence of a business plan, no evidence base for change, no costings, and little coherent argument to suggest how the reform will bring about the improvements expected to meet the challenges of 21st century policing.

On the issue of the costs of reforming police governance, the proposals do not recognise the substantial costs of transition and PCC elections. We believe that the minimum cost of direct elections in 2012 would be £64m, more than the entire cost of running police authorities for a year. Our independent research shows that the cost of the proposed new governance model over the five years from 2011/12 to 2015/16 will be a minimum of £453m. That is £101m more than the cost of running police authorities during that period. This is equivalent to the removal of over 600 police officers from the front line. In the context of the current dire financial climate and the impending cuts to policing we do not believe that additional expenditure on a directly elected PCC model is justified.

While recognising the political wish of the Government to implement reform we oppose the model of policing governance being proposed. There are risks inherent in the proposed model, including the extent to which a single individual can effectively represent all communities within a force wide area. We strongly challenge the assertion that there is a democratic deficit in police accountability given that the majority of police authority members are locally elected councillors. We believe the inability of a single individual to effectively represent such large geographical areas covering huge populations and diverse communities will result in a democratic deficit. Police authorities currently are more akin to the cabinet system of government that we have in this country but proposals to directly elect PCCs introduce an almost presidential system into policing.

The APA recognises the opportunity to review policing and its governance to ensure the correct balance within the tripartite relationship and to enhance the ability of local people to influence how their communities are policed. Police authorities have recognised the areas in which they need to improve their performance and have taken positive steps to achieve this. In a local policing survey undertaken this year in one police authority area, 88 per cent of residents surveyed were aware of the work of the authority. Recently updated statistics on police authority membership nationally show that just under a third of all members are female and nearly ten per cent are from black and minority ethnic (BME) communities. We believe that this diversity of representation will be lost under government proposals.

Our analysis suggests that, particularly in the context of the current climate, significant cuts to the police service, and the need to minimise the impact on the number of frontline police officers in communities, what is required is an evolutionary approach to governance change and improvement, rather than a revolutionary one.

The APA has put forward a range of considerations in this response to mitigate what we see as the risks

in the event of the introduction of PCCs. These include ensuring that the PCC has sufficient powers and resources to exercise their responsibilities and duties in holding the chief constable and the force to account. One of our concerns is about the injection of overt party politics into policing and we suggest ensuring a sufficiently empowered Police and Crime Panel (PCP) with political proportionality to alleviate this risk.

The consultation paper makes a range of other important proposals, apart from police governance, that police authorities, as the voice of local communities, have asked the APA to respond to. We urge the Government to ensure that there is continuity in the ability of future police governance bodies to represent their communities nationally and to provide the critical accountability role of new national policing bodies such as the National Crime Agency (NCA). We firmly believe in the need for a national representative body that ensures the voice of local communities can meaningfully influence at the national level.

The bureaucracy reduction and efficiency savings outlined in chapters three and four of the government's document are welcomed by the APA and we fully support an emphasis on collaboration as a means of driving efficiencies, enhancing operational effectiveness and providing value for money. We support the proposals to rationalise the local partnership landscape and make more effective links across criminal justice sector partners. We believe that there should be a national volunteering strategy to coordinate existing opportunities that exist for people to volunteer to enhance community safety in their communities.

The APA looks forward to further dialogue with the government on the range of reforms to policing and its governance and has committed to offering the experience and expertise of its members and staff in assisting the government in the development of its policing reforms.

# 1 Introduction

**1.1** The Association of Police Authorities (APA) is submitting this response to the Government's consultation paper *Policing in the 21st Century* as a statutory consultee representing the voice of police authorities nationally in their tripartite responsibilities. This document needs to be read in the context of **Appendix A** which sets out in table form our detailed position on the full range of proposals contained within the Home Office consultation.

**1.2** The APA recognises the general direction of the Government's vision for improvements to policing and policing governance – putting local people at the heart of accountability, rationalising the national landscape, and reducing bureaucracy.

**1.3** We believe that this process of reform should be informed by a number of key principles;

- We must continue to invest in the **tripartite relationship** but it must be more clearly defined. It must balance the policing requirements of local democratic accountability, delivered by effective professionals, supported and enabled by the Home Secretary. To be effective the tripartite must operate within a national framework that links the local to the national. In Wales it needs to be recognised that there is another partner in the policing arrangement, the Wales Assembly Government (WAG).
- Any proposed reforms and new model of policing governance should be tested against and comply with the **six principles of good governance** produced by the Independent Commission on Good Governance in Public Services.<sup>1</sup>
- **Efficiency and value for money** must be a core principle – all proposed changes should be supported by a comprehensively costed plan, which takes into account both short and long term investments required, the need to include transitional arrangements, and potential savings to be accrued. The particular aim should be to see significant and clearly defined savings over a five year period. No national reform should take place at the expense of local service delivery. It is

especially important at this time of fiscal crisis that this principle is adhered to. The estimated minimum cost for the proposed model of police governance is an additional £100m over five years which is the equivalent of the removal of 600 police officers from the front line.<sup>2</sup>

- Reforms should aim to enhance service delivery by **reducing unnecessary bureaucracy** in order to free up the police to focus on effective operational delivery. We should also use these reforms to enhance the professional management of resources. Freeing up the service to continue to deliver within a difficult financial climate will be essential to delivering efficiency and effectiveness.
- The principles of **public accountability and social inclusion** should be demonstrated at all levels of reform. Ensuring the views of the public are represented from the very local to the most strategic levels and across diverse communities will be crucial if democratic accountability is to be genuinely achieved. Equally, understanding and managing public expectations through the reform programme will be essential to ensure the service continues to raise confidence and increase satisfaction.
- The principle of **flexibility** needs to be adopted in the process of reform and the drafting of legislation, to reflect localism in its widest sense. One size does not fit all in relation to policing and policing governance, and the requirements in relation to a governance model will differ from area to area. We believe that there should be functional consistency but room for geographical flexibility in form.

**1.4** Our members have expressed significant concerns over the timescales given for the consultation. The Government process does not comply with its own *Code of Practice on Consultation* which states that consultations should normally last for at least twelve weeks with consideration given to longer timescales where feasible and sensible. The consultation period given for the paper is in fact only eight weeks.

<sup>1</sup> The six principles of the Independent Commission on Good Governance in Public Services can be found at [www.cipfa.org.uk/pt/download/governance\\_standard.pdf](http://www.cipfa.org.uk/pt/download/governance_standard.pdf)

<sup>2</sup> *Police Governance Change Programme – Costs, Benefits, Risks, Uncertainties*, Boxwood Group, September 2010

**1.5** This is not raised purely as an academic point but has serious implications if *Policing in the 21st Century* is being regarded as a consultation paper which will lead to a Government Bill being published. The paper generally is very light on detail and appears to be seeking ideas rather than putting forward proposals for consideration. We would urge that the emerging detailed proposals should be fully costed and evaluated before being issued for further consultation rather than going immediately to the next stage of a Government Bill. We believe that this unnecessary haste will lead to a subsequent plethora of secondary legislation following the main Bill.

**1.6** Related to this point is our firm belief in the importance of engaging the public in proposals for police reform. Police authorities represent all local communities and we have genuine concerns that there is a very low level of awareness of proposals to fundamentally alter the structure of a public service that impacts on all local people. Democracy is not just about voting and the ballot box but also about providing visible, accessible, and inclusive services. The extent of public desire for an additional electoral process is questionable. Furthermore no evidence is provided in the consultation paper to suggest that communities are requesting this significant overhaul of policing accountability and governance.

**1.7** An evidence base is also lacking in other aspects of the consultation paper. Firstly, no evidence is presented to suggest a failure of the present structure of police authorities, and there is little provided to demonstrate the perceived democratic deficit. Although police authorities do have reference to their visibility to the public, it is important to note that the core function of police authorities has been to secure an efficient and effective policing service. To invest in marketing these functions would have required diverting resources away from the frontline, which police authorities have historically made a conscious decision not to do. There is no evidence base or business case associated with the reform proposals

that set out how the new arrangements will improve on those that already exist, or how they will represent value for money. Although the government paper states that the proposals signal the most radical change to policing in 50 years there appears to be an almost indecent haste to implement. In short, key constitutional changes are proposed in the government paper that have not been subject to assessment or consideration in the same manner as the constitutional changes made by the 1964 Police Act that was informed by a Royal Commission.

**1.8** Before proceeding we would like to establish from the outset the fundamental principles underlying this response. The APA believes that the Government's proposed reforms to address what it sees as the shortcomings in police accountability will not rectify perceived existing deficiencies, will present additional challenges to policing at a critical time and will be a distraction to the key issue of sustaining efficient and effective policing in this period of financial crisis.

**1.9** It is a matter of record that the APA opposes moving police governance to a single directly elected individual at force level. However, the APA recognises the Government's right to govern and its commitment to implement reforms. In this respect our response, made on behalf of the local people that we represent, directly addresses the proposals and suggests mitigating measures to offset the risks inherent in the government's suggested model.

**1.10** This is reflected in the formal APA statement on proposals for directly elected police and crime commissioners (PCCs) adopted by our Council:

**We recognise the political wish of the government to implement reform. In principle the APA continues to oppose the model of policing governance being pursued by the coalition government, and it is not one that the APA would choose. However, on the condition that the government wishes to engage constructively with the APA we will respond positively to influence the detail and to shape**

the outcome of changes to police governance and accountability, and other strategic issues.

**1.11** We believe that the government is correct in its belief that the tripartite is imbalanced. However, we have concerns that the solutions that the government proposes and expects to introduce are flawed.

**1.12** There is an imbalance between the centre and the local as a consequence of the accretion of power by successive Home Secretaries. We welcome the intention to reduce Whitehall interference in determining local policing needs. However, under the present proposals there is a risk that this would simply amount to the devolution of power from Whitehall to chief constables, and not to local people as the Government wants. The proposals as they stand run the risk of placing the balance of power in the hands of the professionals responsible for running the service at the expense of local people who will lose their ability to influence.

**1.13** Due to the accumulation of power by chief constables over time the ability of existing police authorities to produce outcomes on behalf of the people they represent is limited, and if PCCs have no greater ability to direct chief police officers than currently, they will be no more successful in delivering the outcomes that local people want.

**1.14** Regardless of the governance model, what actually matters in ensuring that the police are directly accountable to local people are the responsibilities the governance body has, and the powers and resources it has at its disposal. The PCCs must be able to exercise their mandate.

**1.15** In this we are in accord with Government thinking in respect of empowering and freeing up the professionals to concentrate on policing while ensuring that the governance body can manage the strategic direction of the force.

## How we have developed this response

**1.16** As a national representative body we have a clear responsibility to ensure that the views of our members in response to the consultation paper are presented to the Government. To enable this we have facilitated a number of formal opportunities for our members to meet and undertake detailed work and discussion on the proposals within the government paper in order to develop the APA position and response. Two seminars attracting in excess of one hundred members have been held, and these have been followed by two extraordinary APA Council meetings to formally adopt and ratify the APA response.<sup>3</sup> This process has been supported by engagement with individual police authorities and regions, and joint work with the Association of Police Authority Chief Executives (APACE) and the Police Authority Treasurers' Society (PATS).<sup>4</sup>

**1.17** In order to address some of the concerns expressed about the lack of public awareness and engagement in this process and the cost of the proposed change, the APA commissioned IPSOS MORI to run four 'action groups' in different areas of the country to assess people's awareness and understanding of the proposed reforms to police accountability. The final report is attached as an appendix.

**3** The APA held two consultation seminars on 4 and 26 August 2010, and extraordinary Council meetings on 29 June, 1 September and 14 September 2010

**4** These submissions are available on our website at [www.apa.police.uk](http://www.apa.police.uk)

## 2 Response to Chapter 1: The challenge

**2.1** This section briefly outlines some of the performance challenges that police authorities face as identified by Her Majesty's Inspectorate of Constabulary (HMIC) and the Audit Commission. It also draws attention to some of the many positive areas of police authority performance which are often not recognised, including, ultimately, overseeing the outcome of significantly reduced crime.

**2.2** Since the 1996 Police Act, the range of statutory duties and responsibilities that police authorities have has increased significantly. In addition to the primary duty of ensuring an efficient and effective police service, there are a range of additional responsibilities that have been added. The APA welcomes the opportunity to review the way in which the governance of policing is organised in order to rationalise these responsibilities and fully enable a focus on the primary duty noted above by focusing on setting clear strategic direction for policing that reflects the views of the public and securing the best possible value for money with the available resources.

**2.3** Police authorities generally were found to be performing successfully in a number of areas:

- in setting clear standards and expectations of chief constables and senior officers in recruitment, performance reviews and annual policing priorities;
- showing highly committed and visible leadership by chairs and other committed members that holds chief constables and forces to account;
- there are excellent examples of police authorities engaging well in their communities and acting on locally identified priorities; and
- police authorities are effective in influencing annual budgets, funding, and resource allocation and have a track record of effective annual financial planning, budget monitoring and asset management.

**2.4** The overview of the first ten inspections of police authorities by HMIC and the Audit Commission made the following summary about the findings of the inspections;

- police authorities are not taking a sufficiently strategic lead in deciding the longer-term shape of policing for their area;
- most police authorities are effective in scrutinising everyday performance and holding their forces to account in delivering policing priorities;
- police authorities can do more to secure improved outcomes for the public through effective partnerships and community engagement; and
- police authorities are not doing enough to ensure a clear and sustained focus on value for money and collaboration

**2.5** The APA and police authorities have responded positively to the challenges posed by inspection findings through developing a detailed improvement programme with national partners. In addition throughout our response are proposals which seek to develop improvement solutions to the identified challenges and difficulties of police governance. Briefly, these include;

- bringing functions such as complaints and professional standards, performance management, and planning under the direction and control of the governance body
- seeking long-term alignment of the local accountability of safety and justice; and
- rationalising the plethora of police authority roles and responsibilities to ensure focus on key functions, and ensuring the requisite power to perform them.

**2.6** In setting out the challenge for policing in the 21st century the government consultation paper states that the tripartite has been distorted and that there has been too much central government interference. We fully agree with this and believe that local people have not been permitted sufficient influence.

**2.7** Disappointingly, the consultation paper does little to recognise and seek to address the known weaknesses of police authorities, identified through

independent inspection. Instead the paper outlines a number of other concerns that the government has about police authorities:

- that the public are unaware of police authorities, stating that only seven per cent of the public would know to go to the authority if they had a problem with policing in their area
- that the public do not know how to influence local policing, let alone get actively involved; and
- that there is no direct way for the public to change or challenge those who govern policing on their behalf.

**2.8** This issue of a perceived lack of visibility and accessibility appears to be a key principle behind the Government's reform proposals. The APA would certainly question the Government's perception of the level of public awareness. For example, in a local policing survey in one police authority area in 2010, 88 per cent of residents surveyed were aware of the authority. Police authorities across the country have made significant strides in developing community engagement approaches and providing direct opportunities to local people to influence policing.

**2.9** The reality of the current situation is that we do have effectively functioning police authorities, albeit with a need for improvement in certain performance areas. What this analysis would suggest is that, particularly in the context of the current financial climate and significant service cuts, what is required is an evolutionary approach to change and improvement, rather than a revolutionary one.

# 3 Response to Chapter 2: Increasing democratic accountability

**3.1** This chapter contains the main Government proposals on increasing democratic accountability in policing through the abolition of police authorities and the establishment of directly elected PCCs. The PCC, elected at force level, will hold the chief constable to account for the full range of their current responsibilities, while allowing chief constables greater professional freedom to take operational decisions to meet the priorities set by the PCC. A police and crime panel (PCP) will be established to provide checks and balances to the power of the PCC.

## Our analysis

**3.2** Our consultation shows that the proposed model raises a number of risks that are of significant concern to our members and the public.

**1** The feasibility of a single individual being able to represent the views of, or engage effectively with, all communities within a whole police force area.

**2** The injection of overt party politics into policing – the election process of a single individual will mean a single party representative or individual interest taking decisions on policing. This will inevitably give rise to a short-term focus, local political conflict, and tensions with partners.

**3** Disproportionate turnout across force areas is likely to skew results, and low voter turnout could give rise to the prospect of single issue or extremist PCCs.

**4** Equalities Act implications – minority groups are likely to be disproportionately affected by proposals and less likely to be successful in direct elections. Non-political party affiliated candidates will be significantly disadvantaged as candidates. This has implications for the representation of diverse communities.

**Recently updated statistics on police authority membership nationally show that just under a third of all members are female and nearly ten per cent are from black and minority ethnic (BME) communities.**

**5** It is difficult to see the additional powers a PCC would have, with the exception of the removal of the role of the Home Office in appointing chief constables. Some powers, such as the role in appointing the chief constable's management team, are being removed – there is no evidence that the weaknesses in governance identified by inspections could be addressed on this basis.

**6** The proposed model does not possess the resilience of the current system. One individual is likely to be overwhelmed by the sheer volume of work currently tackled by a (primarily) 17 member police authority, and the issue of delegation requires consideration.

**7** There are a number of key current duties and responsibilities that police authorities hold that the paper is silent upon, for example, the financial framework and audit process, complaints and appeals, and independent custody visiting.

**8** We welcome the government's recognition of the need for checks and balances. The suggested PCP has to be constructed in such a way that it does not purely create an additional layer of bureaucracy in the governance structure. For instance, this could create a requirement for a separate support team from the PCC. It also creates a situation whereby the experience and expertise of elected councillors and independent members becomes removed from any governance responsibility in relation to the force. As currently outlined, the PCP has no direct stake in the success of policing and this could establish an adversarial model with the risk of perpetual institutional conflict.

**9** The paper appears to suggest that the only sanctions available to the PCP are to go public with concerns, to trigger a referendum on the precept, or to ask the Independent Police Complaints Commission (IPCC) to investigate the PCC. In general the relationship between the PCC and local authorities and the relationship centrally between the Home Office and the Department of Communities and Local Government (DCLG) over precepting requires clarification. The options

available to the PCP do not represent a reasonable range of sanctions and would effectively mean that it would be unable to exercise any real influence over the PCC. While we would accept that the PCC must not be overly constrained by the PCP, in the public's view there ought to be an appropriate level of influence from the PCP to challenge the decisions of the PCC.

**10** There is a lack of clarity about the ultimate costs of the proposed changes with the paper stating that further information will be published on some aspects in due course. The APA has commissioned some initial work on various associated costs as a response to concerns expressed by our members. In addition a number of individual police authorities have undertaken work with electoral officers in local councils to estimate the costs of elections for PCCs locally. It should be noted that evidence so far suggests that the cost of running elections in each police force area is likely to cost as much (if not more) than the full annual running costs of a police authority. As an example, to run the elections in Devon and Cornwall in 2012 the estimated cost is £1,936,000. The current annual running cost for the police authority is £1.58m. The work commissioned by the APA shows the estimated minimum cost for the election of PCCs nationally in 2012 is £64m. Police authorities have concerns about where the budget for elections will come from and if it will actually result in less police officers. Staggering the elections to coincide with planned local elections would at least reduce the immediate cost burden and allow a measure of evolutionary introduction.

**Work undertaken by the Boxwood Group indicates that the cost over the five years from 2011/12 to 2015/16 of the current police authority structure is £352m. Based on current assumptions the proposed new structure will have a minimum cost of £453m. The total cost differential is £101m – equivalent to the removal of over 600 police officers from the front line.<sup>5</sup>**

**11** The paper is relatively silent on the issue of transition and we firmly believe that early consideration should be given to the potential impacts on, for example, efficiencies and value for money, and critical national issues such as the 2012 Olympics. It is not feasible to move from one system to another overnight and significant investment in the change process and effective shadow arrangements will be required to reduce the potentially negative impact upon communities.

**12** There are a number of risks that are evidenced from work commissioned by the APA and undertaken by MORI with local people. They reported a sense that if police authorities were more visible to the public, then this would be sufficient, and that to help achieve this visibility a recognisable single individual would be of benefit. However, there was significant concern about the risks associated with this single individual being an elected politician. Although they recognised the benefits of a person they could identify with, there was also concern about one person having too much power, and felt that the 'panel' should have more powers to mitigate this risk.

**Ipsos MORI have recently undertaken work on public attitudes and perceptions towards police accountability and governance structures. Headline findings include:**

- a general desire for greater visibility in police accountability;
- a strong preference for a named and visible figurehead;
- the need for independence was a particular concern;
- concerns were expressed about divisive or corrupt candidates;
- concerns about the cost burden of a formal election process; and
- only a minority of people wanted an individual solely responsible and the

**5** *Police Governance Change Programme – Costs, Benefits, Risks, Uncertainties*, Boxwood Group, September 2010

**6** *Police accountability and governance structures – public attitudes and perceptions*, Ipsos MORI, September 2010

**consensus view on the preferred structure was akin to current police authorities with the inclusion of a figurehead who is visible to the public.<sup>6</sup>**

### **Our proposals**

**3.3** Although the APA opposes the model proposed by the Government due to the significant risks, costs and lack of benefits outlined above, the APA recognises the political wish to introduce this reform, and has therefore given consideration to the ways in which risks could be mitigated through checks and balances.

**3.4** In any model of governance the balance of duties and powers is key to successful outcomes for the benefit of the public. This paper has already highlighted the risks in a model which potentially is one in which conflict outweighs consensus. It is therefore essential that the model must equip the PCC with, in effect, a governance 'toolkit' to enable them to fulfill not only their statutory roles but also to deliver on their electoral mandate. This needs to include duties, powers and resource levers. This argument also applies to the PCP. The introduction of the Police Reform and Social Responsibility Bill is an opportunity to ensure that the overall governance framework is fit for purpose through the careful crafting of powers and duties. The establishment of a sound underpinning legislative framework reduces the risk that there will be ineffective governance. The proposals which follow should be considered in this context.

**3.5** We have developed a range of proposals relating to the 'form and functions' of the Government's proposed model.

**1** Critical to the issue of tripartite rebalancing is that budgets, audit, estates and other assets must remain within the purview of the governance body and this will also avoid the need for unnecessary expenditure relating to the transfer of contracts. Reducing local accountability by allowing budgets to be held by the chief constable instead of those who represent the public is not only an abrogation

of responsibility but also introduces a complexity into the relationship that will only lead to confusion.

**2** In addition, there are certain functions currently under the direction and control of chief constables, which may be more effective and independent if managed by the governance body, for example, professional standards, performance analysis, and information provision. This would appear logical in enabling the PCC to fulfill their five key functions effectively, and would not represent additional cost.

**3** Where duties are placed on PCCs there is a need for reciprocal duties to ensure the cooperation of the chief constable.

**4** We recommend that a detailed appeals process is developed to ensure transparency to the public in the case of chief constable dismissals.

**5** Ensuring the correct balance and relationship between the PCC and the PCP is fundamental in ensuring that the balance between the PCC and the chief constable is such that the PCC has sufficient power to undertake their five primary functions. On the basis that consistency of function nationally delivered through locally determined arrangements is paramount, we offer two options below. These options are predicated on the fact that good governance starts with a body corporate and that appointments to governance bodies should be made on Nolan Principles.<sup>7</sup>

### **Option one**

The directly elected PCC should serve as head of the PCP with a requirement to carry the vote of the panel on key issues rather than merely seeking its advice. We would advise that these key issues are budget, policing plan and appointment of chief constable. This would mitigate the risk of vesting substantial public functions in a single individual.

Local authorities (joint committees where appropriate) and the PCC working together would agree membership of the PCP which the PCC would

**7** The six principles of the Independent Commission on Good Governance in Public Services can be found at [www.cipfa.org.uk/pt/download/governance\\_standard.pdf](http://www.cipfa.org.uk/pt/download/governance_standard.pdf)

chair. The panel would be comprised of both local councillors (in accordance with political proportionality) and independent members, but the specific details of the structure would be decided locally.

### **Option two**

Enabling the PCC to appoint a deputy and assistant commissioners within their office to create resilience, ensure appropriate local representation and create a forum for the exchange of ideas and advice. A separate PCP would be selected (in accordance with political proportionality) through local authorities. The PCP would provide the scrutiny function of the Commissioner and act as a consultee in relation to the five key functions of the PCC. If the PCP is to truly act as an independent check on the PCC then the recruitment and selection of individuals comprising the body should be independent of the PCC.

**3.5** In relation to elements of the procedural issues surrounding elections and transition we would recommend the following;

**1** It is proposed that the new arrangements are fully costed and then assessed against the perceived benefits of the proposals.

**2** In order to reduce the costs of election of PCCs they should be staggered so that they take place when the majority of local elections take place in each force area.

**3** The Government should consider the funding mechanism required to ensure equality of opportunity amongst all candidates

**4** As per serving members of the force becoming independent members of police authorities, the same four year moratorium on retiring police officers standing for election as PCC should be introduced. Mechanisms are required to allow consideration of the suitability of candidates for a post of this nature.

**5** We would urge consideration of delaying implementation until 2014 which would at least

allow for the anticipated reductions in service to be implemented without the unnecessary disruption of structural change during this period.

**6** Effective arrangements for transition from existing police authorities to PCCs is critical. If elections are held in May 2012 we would propose that the new PCCs do not fully take the helm until the following budget and planning period.

**7** The role of existing police authority staff will be key in effectively ensuring transition. We are concerned that police authorities risk losing experienced staff at a local and national level leading up to proposed changes in 2012 and recommend that the Home Office make a statement of intent in relation to protection of existing staff in the transition process.

**8** Strategic continuity is inherent in the current system through the gradual rollover of membership of police authorities. The potential stop/start transfer from one PCC to another would undermine the investment needed around long-term planning identified by HMIC and we recommend that continuity is ensured within the proposed model

**9** The initially-established PCP should be comprised primarily of existing police authority members to enable effective transition.

**10** The APA will establish a Stakeholder Transition Board to ensure necessary arrangements are in place.

# 4 Response to Chapter 3: Removing bureaucratic accountability

**4.1** This chapter contains a broad range of measures designed to achieve headline reductions in bureaucracy across the service including the burden from both Whitehall and that placed upon the service by itself and national policing organisations.

Key proposals include:

- releasing forces from centralised control by removing government targets and centralised performance management but ensuring that data is available to local people
- reducing the form-filling burden on officers through removal of the 'Stop' form and a review of The Regulation of Investigatory Powers Act 2000 (RIPA) and The Police and Criminal Evidence Act 1984 (PACE);
- a role for PCCs in ensuring the public receives the information on policing and crime that it wants, assisted by HMIC, and in a format that allows comparison with other forces; and
- a review of health and safety practices to enable a common sense approach to policing supported by strong leadership within the service.

## Our analysis

**4.2** We are in full agreement with the sentiment that police officers should be crime fighters and not form writers. The police should focus on policing allowing the governance body to manage the business and administrative functions. It is one of the reasons behind our earlier proposal of transferring these functions to the office of the PCC.

**4.3** The chapter is not particularly new or suggesting innovation in this area, and is really a harder push on a range of issues already in place, with a greater emphasis towards freeing up officer time. This is not a particular issue for the APA and police authorities, and in fact they are already looking at ways to push the reduction in bureaucracy, balanced off with the need to have the right information to provide effective

governance. The drive behind this is generally supported, although some of the issues will need a better understanding of detail behind the thinking. However, we do have concerns about the lack of clarity in the HMIC role, its relationship to new governance structures, and the possible conflict between a role as an independent public advocate and its role in advising the Home Office on policing matters.

**4.4** The nuances of the provision of information to the public are not considered sufficiently in the paper. Reporting on crime and anti-social behaviour is often a matter of interpretation rather than an objective science.

## 4.5 Our proposals

**1 Information management** We propose that the new governance body takes responsibility for strategic information management, including reporting on crime, back from the force and under its direct remit. There would be no additional cost and it provides greater independence in the provision of information to the public. We would recommend that the duty for Local Policing Summaries is replaced with a broader duty on the provision of information.

**2 Removing barriers in terms of health and safety** An overly risk averse service is not in the interests of the communities that the police serve. The removal of barriers should be founded in commonsense and good professional practice that still provide the right level of protection to the public and police officers, and allow them to exercise their professional judgement.

**3 Removal of 'Stop' form** Although the need to remove the form will produce the time benefits/reduction in bureaucracy, it could also have a disproportionate impact on people from BME communities. There remains a need for monitoring and scrutiny of stop data as statistics in this area still show a marked disproportionality and remains a matter of concern that is regularly raised by police authorities with their forces.

**4 HMIC role** The role envisaged for HMIC is not entirely clear. If it is to become a stronger advocate in the public interest and available to be called upon by PCCs, it needs to become entirely independent of government and police. To attain credibility in this independent role requires a more civilianised workforce. If HMIC were truly independent we would support their use by PCCs not only on value for money but on a broader range of issues. The mandate for scrutiny of the force would lie with the PCC, augmented by the work of HMIC where called upon. This relationship requires clear definition. We require clarity around issues such as whether there is a HMIC role in setting national standards, benchmarking, ensuring integrity of data, and comparison across forces.

# 5 Response to Chapter 4: A national framework for efficient local policing

**5.1** This chapter outlines how a number of key national processes and organisations associated with the delivery of them will be reconfigured to ensure efficiency savings and value for money. These include:

- PCCs will have a duty in respect of value for money and collaboration, and there will be specified procurement arrangements;
- the police service will need to improve workforce management and organization to ensure the most effective and efficient use of sworn officers;
- HMIC will undertake value for money inspections and produce value for money profiles;
- there will be a full review of remuneration and conditions of service for police officers and staff;
- a National Crime Agency will be established, one arm of which will be a Border Police Command;
- the National Policing Improvement Agency (NPIA) will be phased out by spring 2012 with some functions possibly transferring to the Home Office and the NCA;
- the Association of Chief Police Officers (ACPO) to play a lead role in a number of areas, including setting standards and leadership development; and
- ACPO will need to restructure and increase its accountability in its role of advising government, PCCs, and the police service.

The chapter also makes reference to the need for national support to PCCs to enable them to deliver the best possible outcomes and ensure communities are protected from cross-border crime.

## Our analysis

**5.2** We broadly welcome a number of proposed developments within this chapter and would urge that the government has the resolve to effectively carry through the pay and conditions review. However, the APA has a general concern about the direction of a number of proposals in this chapter. If

care is not taken, it would appear that significant amounts of power might be handed to chief officers, reducing the influence of the tripartite on critical policing issues. In addition there are a number of proposals where significant added detail is needed in order for a proper assessment to be made, not least the gap in delivering certain critical services that would appear to be created by the phasing out of NPIA in 2012 and the inception of the NCA in 2013.

**5.3** Responsibility for the strategic oversight of police leadership must be shared equally between the tripartite. The proposals for ACPO to 'set standards' and take responsibility for police leadership will, at the very least, create an imbalance in the tripartite and lead to inevitable questions around conflict of interest and self regulation.

**5.4** More importantly, these proposals will stifle the voice of communities around how police leaders are developed, and will negatively impact upon the desired situation whereby policing leaders reflect the communities they serve. PCCs will have key responsibilities to represent communities, hire and fire senior officers, drive government agendas around efficiency and ultimately be accountable to the public if the police service is not delivering. These proposals will effectively relegate the status and influence of the 'customers' of police leadership to that of marginalised and tokenistic observers.

**5.5** ACPO has a significant input to play in this area. However, the existing tensions created by shared and equal ownership of leadership ensures there is robust scrutiny and challenge taking into account all parties' interests and needs. PCCs need to be active in this arena.

**5.6** The history of national police and law enforcement agencies, from the National Crime Squad (NCS) through to the Serious Organised Crime Agency (SOCA) and including agencies such as HM Revenue & Customs (HMRC) and the Borders Agency, is that one of the most difficult problems they have is their regular interaction and link to

local policing. There is a real concern that if regional assets are taken away from the current force structures, a huge gap will develop which will significantly impact on a chief constable's ability to carry out their fundamental duty to protect the public. Cognisance must be made of the costs and investment that have been made by police authorities to establish regional resources and that renegeing on any current contracts would not represent value for money.

### 5.7 Our proposals

**1 National structure** What is missing in the proposals is the continuing role of a national representative body for those who represent local communities. PCCs will be required to deliver tripartite representation at a national level and to provide governance on national issues. Without this national platform in place they will be unable to fulfill these requirements. The paper clearly states that 'We need to ensure that local policing and Commissioners are supported by effective national arrangements' but there is no additional outline of this. We would suggest there is a continuing need for such a body to provide national governance capability, external challenge, support to PCCs and national representation.

Throughout the transitional period there will be a constant requirement for the governance body to operate at a national level to help lead the change process and provide professional support, advice and guidance to the newly elected post holders. Therefore the issue of a national body to facilitate this cannot be left until post-election of PCCs but must be addressed as legislation is being drafted.

**2 'Golden thread of policing'** Related to the above point is the need to ensure that the voice of local communities can meaningfully influence at the national level. Decision makers must take cognisance of the experiences of local people and therefore local governance bodies must continue to be effectively represented at the national level through a body which retains statutory consultee status.

**3 National accountability** One of the key principles underpinning the creation of NCA is a need for enhanced accountability of national policing issues including serious and organized crime and counter-terrorism. This should include bringing appropriate scrutiny and tripartite accountability to the activities and budget of ACPO Terrorism and Allied Matters (TAM). We do not agree that the Child Exploitation and Online Protection Centre (CEOP) should be subsumed into the proposed NCA. CEOP is a child-focused organisation which raises substantial sponsorship from the private sector which is key to supporting the work of this body. It works as much with children's services as it does the police service. Three independent reports have supported CEOP becoming a non-departmental public body (NDPB) and the APA supports this approach. If CEOP were to become part of the NCA it would lose its focus on children and private sector sponsorship is thought likely to be at risk.

**4 ACPO** The public are confused about the purpose, role, and functions of ACPO. ACPO has had a multitude of responsibilities handed to it over the years by successive Home Office ministers and it has developed into a functional hybrid. It seems wholly inappropriate to extend the power, role and influence of what is currently a private company over all aspects of policing. As an operational entity, a private company and a staff association, which represents in the region of only 300 out of a total of over 100,000 police officers we have concerns about ACPO's stated purpose that it 'leads and coordinates the direction and development of the police service in England, Wales and Northern Ireland'. This police reform process provides an ideal opportunity to undertake a fundamental review of its role, functions, governance and future contribution to the policing landscape. Police authorities, who contribute significantly to ACPO's present funding arrangements expect to be closely involved in developments.

**5 Collaboration** There is a real danger, we believe, that PCCs may become inwardly focused on

local county-wide issues, and possibly local politics, and that the potential of collaboration will fall away and drop off the strategic radar. It will also undermine the opportunities for efficiencies and economies of scale which are key to maintaining local policing in the forthcoming economic environment. Collaboration is clearly the way ahead but it does need to be driven and we believe that PCCs must be central to these efforts.

# 6 Response to Chapter 5: Tackling crime together

6.1 The chapter outlines an intention to reform the broader criminal justice and community safety environment to complement police reform.

Proposals include:

- linking in criminal justice system reform to improvements in policing and policing accountability
- facilitating greater opportunities for community activism and involvement in keeping neighbourhoods safe
- increasing involvement of the community and voluntary sectors; and
- removing unnecessary central prescription around local partnerships, including removing some of the regulations for community safety partnerships (CSPs).

## Our analysis

6.2 We acknowledge that much of the content is aspirational in nature and we look forward to the opportunity to comment further. We would, for example, require clarity on the discretionary funding that may be at risk which much partnership work is based upon as well as the future of Total Place. Although it is difficult to take a decisive view on the proposals about the relationship between a PCC and the criminal justice and CSP landscape without knowing further detail, care will be needed to ensure that there is full clarity around governance and responsibility. There is a potential risk of creating two electoral mandates on community safety issues, one for local councillors and one for the PCC, with a consequent risk of destabilising successful working relationships between councils and police. This is particularly significant in Wales where the Welsh Local Government Association (WLGA) and the Welsh Assembly Government (WAG) have roles to play. Essentially there may be an issue of who has primacy in terms of the community safety mandate, and we do not believe that the PCCs mandate can include internal local authority working.

We welcome the commitment to work separately with the WAG in respect of devolved issues in order to facilitate local determination.

6.3 We do not believe that currently the proposals around volunteering are sufficiently thought through and our members have concerns in respect of vigilantism if volunteering activity does not take place within a managed structure and process. There is already a range of volunteering that takes place across the police service, most notably the special constabulary, but also within the management of police authorities. We note the omission from the paper of mention of the important role that independent custody visitors (ICVs) and independent advisory groups (IAGs) play which should not be dismissed as police authority bureaucracy. Finally, volunteering should not be considered as a cheap option to replace professional positions.

## 6.4 Our proposals

**1 Governance** Taking into account the comments above the discretion to create force-wide CSPs is welcomed and we would see the automatic choice for chair as being the PCC, whilst recognising governance structures at local authority level. There will be a requirement to apply local flexibility to take account of geographical differences. It would also seem appropriate to involve the PCC in the local criminal justice board (LCJB) decision-making process.

### 2 Removal of bureaucracy around CSPs

We broadly welcome the reduction in the regulation of CSPs and would propose that this covers membership, required strategies, and targets and performance reporting. In addition we would recommend that CSP funding be rationalised, removing the proliferation of grant and separate funding streams and their associated audit and reporting requirements.

**3 National volunteering strategy** We believe that there should be a national volunteering strategy to coordinate existing opportunities that exist for people to volunteer.

## 7 Conclusion

We look forward to the Government's response to the concerns we have expressed within this submission. We have a duty to communities to ensure the effective and efficient policing of their communities. We are committed to assisting Home Office colleagues in the process of developing its police reform programme to ensure that we can work together to mitigate the risks that we have outlined in this submission.

# Annex 1 Detailed response table

## Policing in the 21st century: reconnecting police and the people

### Chapter 2: Increasing democratic accountability

#### Key proposals in Chapter 2

- 1** Police authorities will be abolished and replaced by directly elected PCCs.
- 2** A single PCC will be directly elected at the level of each force.
- 3** The PCC will hold the chief constable to account for the full range of their current responsibilities (including national issues), and chief constables will have greater professional freedom to take operational decisions to meet the priorities set for them by the PCC.
- 4** Appropriate checks and balances to the power of PCCs will be provided by a PCP in each force area drawn from elected councilors and independent and lay members.

#### General APA views

- The APA does not believe that the proposed model for police governance will bring about the improvements to policing that the government expects. The model remains untested, uncoded, and without a clearly evidenced business case. The *Policing in the 21st Century* paper does not provide sufficient detail on many elements of the model and actually raises more questions than it provides answers.

#### Opportunities

- If directly elected PCCs are to be introduced then the key opportunity that must not be missed is to genuinely transfer the balance of power to local communities. To achieve this the government must not fudge the issue of the direction and control of policing by inadvertently increasing the power of chief constables and making them less accountable to local communities. This means that key responsibilities such as ownership of policing budgets, assets, and the employment of staff must remain with the governance body. In addition, to achieve genuine accountability, the role and powers of the PCP as envisaged in the paper must be reconstituted.

#### Areas of concern

- There are a broad range of concerns relating to a directly elected PCC, not least the potential for the politicisation of policing, the ability of a single individual to effectively represent huge constituencies, and ultimately the potential negative impact upon the policing service that the public receives at a time when financial constraints will require significant policing cuts.
- If the intention of the government is to ensure that the public receives the policing service that it wants through the governance of a democratically elected PCC then the fundamental issue is the rebalancing of the tripartite at a local level to ensure that PCCs have a greater ability to direct chief police officers to deliver the outcomes that local people want
- The PCP appears to create another 'layer' in local policing governance, with all executive functions in the hands of the PCC and the role of the PCP being to hold the PCC to account. The powers of the PCP to do this need to be carefully constructed and under the current proposals in the paper they do not appear to have the necessary powers to be effective in their role.

**Para Proposal**

**2.2 Police authorities will be abolished and replaced by directly elected PCCs.**

**APA view**

**Further issues**

**Disagree**

- No clear measureable outcome of this reform is provided.
- Too much cost and risk.
- The proposed new model does not meet the six principles of good governance.
- Unstable consequences for policing.

**2.7 The Government will introduce legislation in the autumn and the first elections for PCCS will be in May 2012.**

**APA view**

**Further issues**

**Disagree**

- Concern about the timescales and lack of opportunity for proper public debate.
- The detail of proposals does not appear to have been thought through.
- Risks of instability in policing prior to Olympics if elections held in May 2012.
- Significant risk to policing stability in lack of shadow period and impractical timescales.

**2.8 A single PCC will be directly elected at the level of each force in England and Wales with the exception of the Metropolitan Police and the City of London Police.**

**APA view**

**Further issues**

**Disagree**

- We have concerns about the vesting of substantial functions of a public nature in a single individual which is unprecedented in British constitutional arrangements.
- Other risks/issues include: cost of elections; lack of clarity about method of election; and low turn-outs increasing likelihood of extremist/single issue candidates.

**2.9 The PCC will hold the chief constable to account for the full range of their current responsibilities, with five key roles:**

- representing and engaging with all those who live and work in the communities in their force area and identifying their policing needs;
- setting priorities that meet those needs by agreeing a local strategic plan for the force;
- holding the chief constable to account for achieving these priorities as efficiently and effectively as possible, and playing a role in wider questions of community safety
- setting the force budget and setting the precept (precept raising subject to referendum); and
- appointing and removing the chief constable.

**APA view**

**Further issues**

**Disagree**

- This does not represent any change in the nature of the governance functions.
- The principles of good governance need to be considered in the power of one individual.

- We have concerns about the capacity of one individual to represent and engage with all communities as well as perform the multiplicity of other duties currently provided by a collective of 17 individuals.
- We have concerns that an individual could not do all that is needed in holding the force to account and the Chief Constable will be less accountable than before.
- How would a PCC independent of local councils set the precept through them?
- The specific nature of the relationship with CSPs is unclear.
- Additional costs for precept referendums.
- Will Home Office still approve chief officer appointments/dismissals?

**2.10 PCCs will need to appoint and lead a team to support them in their important responsibilities. The Government does not intend to prescribe these arrangements in detail. The Government will require the appointment of an individual with appropriate financial skills and establish process safeguards to ensure appointments are made with propriety. PCCs will need to demonstrate value for money to the electorate on any money spent on overheads rather than frontline policing.**

**APA view**

**Further issues**

**Agree with caveats**

- The recognition of the need for professional support to the PCC is welcomed but we have concerns that this critical support is described as an ‘overhead’ and that the expectation is for small teams focused on financial skills. We would argue strongly that the police authority officer role is a critical one in ensuring effective governance and the role of the PCC in holding the police to account on behalf of the public could not be effectively discharged without it.
- Officer support should be considered a core function with local flexibility for PCCs to define the nature and extent of support they require. We would oppose strongly any notion of support being provided from staff within the force.
- In addition we have concerns that appointments made may be ‘political’ rather than rigorously appointed professional officers.

**2.12 The Government wants candidates for PCCs to come from a wide range of backgrounds, including representatives of political parties and independents. PCCs will have a set four year term of office and term limits of two terms. Existing eligibility criteria for standing for public office will apply and a preferential voting system will be used. Work will be done to ensure elections are coordinated effectively and represent good value for money.**

**APA view**

**Further issues**

**Agree with caveats**

- We support the principle of encouraging a wide variety of candidates.
- However, we have concerns about the means of non-political party affiliated candidates to stand for PCC – no information is given on how independents might be supported in this.
- We have very serious concerns that the representation of diverse communities is likely to be adversely affected through a directly elected model. To give just one example, there will be significant difficulties for potential BME candidates, particularly women, to get votes from their communities.

- We have concerns about the cost of elections even if coordinated with local government.
- What type of preferential vote is proposed? This will still not guard against extremist candidates if turnout is low.

**2.13 Chief constables will have greater professional freedom to take operational decisions to meet the priorities set for them by their local community – via their PCC. This will include being able to appoint their top management team.**

**APA view**

**Further issues**

**Disagree**

- A role in appointing the chief constable’s management team is being removed. Governors have a legitimate role in ensuring the skills and resilience of the top team, as well as succession planning, and this is not acceptable.
- The greater freedom to take operational decisions must not be at the expense of full and proper accountability.
- The issue of operational independence requires a fuller public debate.

**2.15 Commissioners will have a clear responsibility for holding the chief constable to account to make sure that policing is available and responsive to communities.**

**APA view**

**Further issues**

**Agree with caveats**

- We have a number of concerns that this will not be feasible both in relation to the ‘professional freedom’ of the chief constable and whether or not the powers of the PCC are actually commensurate with their duties and functions.
- The elected person needs a range of powers to hold the force to account other than the power of ‘firing’ the chief constable.
- The tripartite system needs rebalancing between the centre and the locality, but also between the governors and the police. The ability of current police authorities to produce outcomes on behalf of the people that they represent is limited by the accretion of power in favour of the police that has taken place over the last 50 years. If PCCs have no greater ability to direct chief police officers than existing police authorities, they will be no more (or less) successful in delivering outcomes that local people want.

**2.17 Commissioners will be responsible for the full range of policing activity in which their Chief Constable and force engage and will need to look beyond their force borders. Commissioners will be under a strong duty to collaborate, in the interests of value for money and to tackle cross border, national and international crime.**

**APA view**

**Further issues**

**Agree**

- Agree that there needs to be a clear role for the PCCs in contributing to the regional and national agendas.
- However, we have concerns that a duty for PCCs to collaborate needs to be replicated with a similar duty for chief officers as the failure to collaborate has sometimes previously been the responsibility of forces.

- Needs to be accompanied by greater clarity about who is responsible for what type of collaboration or greater powers for the PCC to insist the chief officer collaborates. This links to issues around operational independence, as there is no point in placing a duty on a PCC to collaborate if he/she has no powers to ensure this happens.
- Specifically what vehicle/mechanisms will the PCCs have to enable their contribution to cross-border, national, and international issues?

**2.19 PCCs will be enabled to play a considerable role in wider questions of community safety. We are considering creating enabling powers to bring together CSPs at the force level to deal with force wide community safety issues and giving PCCs a role in commissioning community safety work.**

APA view	Further issues
<b>Agree</b>	<ul style="list-style-type: none"> <li>• We would support the need to coordinate and rationalise the delivery and governance of policing, safety and justice.</li> <li>• Concern over how this might work in relation to other statutory partners and their own governance arrangements.</li> <li>• Local councils may be resistant in terms of governance around community safety from a PCC when they have their own democratically elected governance model.</li> </ul>

**2.20 The Government sees a potential future role for PCCs in respect of the wider CJS as further reforms develop, but immediately we will look to place a reciprocal duty on PCCs and other criminal justice services to cooperate with each other.**

APA view	Further issues
<b>Agree with caveats</b>	<ul style="list-style-type: none"> <li>• Not clear how this reciprocal duty will be enforced. Unless one party is given some power over the other, this will either be ineffective or tend to accrue power to the centre again, which is in direct opposition to the aim of these reforms.</li> </ul>

**2.21 PCCs will hold their force to account for the money it spends. A key responsibility will be:**

- report to the public how funding is being used
- hold forces to account for their local use of resources, including use of any national arrangements for procurement; and
- hold forces to account for collaboratively provided services within the region.

APA view	Further issues
<b>Agree</b>	<ul style="list-style-type: none"> <li>• This does not represent a change to existing police authority responsibilities – the critical issue here is that the relationship between the chief constable and the PCC is configured so that the PCC has sufficient powers to discharge these responsibilities.</li> </ul>

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**2.22 PCCs will be responsible for holding the chief constable to account for ensuring that their police reflects the diversity of the population it serves**

**APA view Further issues**

**Agree**

- Police authorities are currently required to do this through employment targets – we support the need for this role.

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**2.23 The Government will work closely with partners in Wales to ensure there are checks and balances which make effective links to different local government landscape in Wales.**

**APA view Further issues**

**Agree**

- Specific consideration is needed of the implications for Wales, and we welcome this recognition.
- Agree in principle, but much greater clarity and detail needed about what is proposed here, and also needs the recognition that different local government landscapes across England will also require tailored solutions.

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**2.24 In London, Metropolitan Police Authority (MPA) abolished and the Greater London Authority (GLA) will fulfil the scrutiny role.**

**APA view Further issues**

**Disagree**

- We do not support abolishing the MPA. There would appear to be no role for independent members in the revised scrutiny arrangement.

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**2.26 Appropriate checks and balances to power of PCCs by new PCP in each force area drawn from locally elected councillors from constituent wards and independent and lay members. The PCP relates to the PCC and not the force itself.**

**APA view Further issues**

**Disagree**

- While we welcome the recognition of the role of independent members and continued links to local councils, the specific nature of the model is not clear in terms of the size and appointment/selection process for the panels.
- It is unclear if PCPs are intended to be independent bodies or 'council owned' bodies. If the latter how will boundary and political balance issues be addressed?
- The PCP as proposed appears to introduce another 'layer' into police governance, and we would recommend that the PCC and the PCP together make up the body corporate.

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**2.27 PCP will:**

- advise PCC on their proposed policing plans and budget and consider progress at end of each year;
- can make any concerns public or in cases of misconduct, ask IPCC to investigate the commissioner;
- will be able to summon commissioner to public hearings;
- they will hold confirmation hearings for the post of chief constable and be able to hold confirmation hearings for other appointments made by the PCC to his staff, but without having the power of veto; and
- will have power to trigger a referendum on the policing precept recommended by the PCC.

**APA view**

**Further issues**

**Disagree**

- Apart from the power to call referendums which is likely to be little used, the PCPs have few powers – it would appear to be a scrutiny body without ‘teeth’.
- We disagree with the role of the IPCC in terms of the investigation of the governance function. We would query the expertise of IPCC to undertake this type of investigation and there may also be types of complaint against a PCC which are not linked to behaviour and would seem to be immune to investigation on current proposals.
- For the relationship not to be too close, the PCC should not be involved in the appointment of the PCP.
- A confirmation hearing on appointments is potentially bureaucratic and pointless without the power of veto.
- Referendums are potentially costly and bureaucratic.
- In order for the PCP role to be effective it is assumed that a support function will be required. This would need to be different from the PCC support team to ensure there is not a conflict of interest.

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**2.28 The Government will require police forces to hold regular ‘beat meetings’ so that residents can hold them to account.**

**APA view**

**Further issues**

**Agree**

- This does not represent a change to existing requirements on police authorities and forces – see 2.29 below.

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**2.29 PCCs will be responsible for requiring that their forces’ neighbourhood policing teams are having regular beat meetings at times and in places that are widely advertised, but also that they are taking an innovative approach to making the most of these meetings and other ways of engaging the full range of members of the public in diverse communities.**

**APA view**

**Further issues**

**Agree**

- This reflects the current duty to consult and engage with communities
- However, the beat meeting method of engagement is too prescriptive and not a popular method for communities, so we would welcome greater flexibility to use more innovative forms of engagement.

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**2.32** The Government will ensure that communities are able to engage properly with their PCC during their terms of office, so local policing plans will have a consultation phase with responses published.

APA view	Further issues
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**Agree**

- This reflects existing duties but a clearer process for consultation on plans and the publication of responses is welcomed.

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**2.34** From January 2011 will ensure that crime data is published at a level which allows the public to see what is happening on their streets and neighbourhoods.

APA view	Further issues
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**Agree**

- This reflects current responsibilities to publish information.

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**2.35** We will make sure police forces are providing information about how much of the taxpayers' money they receive and what they are doing with it.

APA view	Further issues
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**Agree**

- This reflects existing duties to publish accounting information.

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**2.36** PCCs and Agree teams will be subject to Freedom of Information (FOI) requests, publish details of all meetings and payments over £500, as well as organograms and salaries of appointees of their small teams. Policing plans will need to be compliant with the Human Rights Act.

APA view	Further issues
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**Agree**

- This is similar to current requirements with some additions such as publishing the details of all staff salaries.
- The requirement to publish details of payments over £500 seems over-bureaucratic and should be available through accounting information anyway.
- If the code of conduct issues includes PCCs setting their own standards, this is not acceptable.

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**2.37** The Government will publish estimates of the cost of elections and other aspects of the PCC policy in due course.

APA view	Further issues
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**Agree**

- We believe this should be a full costing of all aspects of the policy change, including the costs of transition, winding up old bodies and setting up new.

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**2.38** The Government will make proposals for the pay of PCCs later in the year. They will reflect focus on value for money (VfM) and transparency, and take account of variation in force size and responsibilities.

APA view	Further issues
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<b>Agree</b>	<ul style="list-style-type: none"><li>• See 2.37.</li></ul>
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**2.39** HMIC will become a stronger advocate in the public interest, independent from government and the police service. The Government will ensure HMIC has the powers to be able to undertake this role by providing them with objective and robust information on forces.

APA view	Further issues
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<b>Agree with caveats</b>	<ul style="list-style-type: none"><li>• We support the role in gathering performance information nationally if this is what is intended.</li><li>• If HMIC is to be truly independent of government and police it will need to demonstrate this with a more civilianised workforce</li><li>• The specific nature of the HMIC role in inspecting PCCs is not clear , but at least until it becomes more independent and civilianised as above, it is not acceptable for HMIC alone to have this role on grounds of probity of governance and potential conflict of interest</li><li>• Clarity is required on whether HMIC’s primary role is to advise government on policing matters or to be an advocate for the public – we believe that it cannot do both.</li></ul>
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**2.40** HMIC role will be to work for the public to shine a light on policing outcomes and value for money locally and help them make informed judgements on how well PCCs and their forces are performing in relation to local priorities and national obligations. It will do this through a light touch inspection regime and publication of value for money profiles providing comparative information on cost and outcomes.

APA view	Further issues
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<b>Significant concerns</b>	<ul style="list-style-type: none"><li>• In the absence of support from Audit Commission, we are not convinced that HMIC has the necessary financial skills to make judgements about cost outcomes and value for money.</li></ul>
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**2.41 On issues of sufficient risk or national importance to warrant national oversight and requirement, the Home Secretary intends to retain powers to ensure that these are dealt with effectively, e.g. Olympics.**

APA view	Further issues
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**Agree with caveats**

- It is not clear what the criteria is for national oversight and what this will mean in practice – further detail is required.
- While we would support the requirement to focus effort on critical issues of national importance, a clear relationship to the governance function is needed. There is a potential that if the Home Secretary imposes requirements upon forces without the support of the PCC it will undermine their role.

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**2.42 PCPs and the IPCC will have a critical role in dealing with formal complaints against Commissioners. In the event of allegations of misconduct, we envisage that the PCPs will receive complaints and will be able to refer them to the IPCC to investigate.**

APA view	Further issues
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**Significant concerns**

- The exact role and powers of PCPs is unclear, and we are not convinced IPCC has the expertise for this type of investigation.
- Nothing is said about who will investigate complaints that are not a formal allegation of misconduct.
- Careful consideration needs to be given to what types of issues the IPCC will investigate, whether the PCCs will be subject to the standards of professional behaviour.

**2.43 We will introduce power of recall in relation to PCCs. PCPs and public may have a role in triggering the recall but recall will only be used where IPCC has ruled that serious misconduct has taken place.**

APA view	Further issues
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**Agree with caveats**

- This is a nuclear option and PCPs should have other less extreme powers to influence PCCs.
- However, we support the need for checks and balances to ensure that Commissioners can be removed in extremis.
- As above, we do not believe that the IPCC should have a role in investigating PCCs.
- We also suspect it is possible that something other than serious misconduct might result in a sufficiently extreme situation to warrant recall.

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**2.44 If a PCC should resign or be unable to do their job, the PCP will be able to appoint an interim PCC until a by-election can be arranged or PCC returns to post.**

APA view	Further issues
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**Agree with caveats**

- Need to specify from where an interim PCC will be appointed

## Policing in the 21st century: reconnecting police and the people

### Chapter 3: Removing bureaucratic accountability

#### Key proposals in Chapter 3

- 1** Release forces from centralised control, by removing government targets, reviewing the data burden on forces and excessive performance management – removal of the ‘Stop’ form/scrapping of the policing pledge – review of RIPA/PACE.
- 2** Emphasis on what the public should see in terms of police performance that tells them what is happening.
- 3** HMIC having a role in ‘shining a light on police performance’ – and a possible role in improving processing of cases through the CJS.
- 4** Reform of Health and Safety practices within forces to enable less risk aversion.
- 5** Focus on also ensuring local bureaucracy is reduced-linked to greater freedom for professional judgement.

#### General APA views

- This chapter is not particularly new or suggesting innovation in this area, and is really a harder push on a range of issues already in place, with a greater emphasis towards freeing up officer time. Police authorities are already looking at ways to push the reduction in bureaucracy, balanced off with the need to have the right information to provide effective governance
- The drive behind this is generally supported, although some of the issues will need a better understanding of the detail behind the thinking. However, we do have concerns about the lack of clarity in the HMIC role, its relationship to new governance structures, and the possible conflict between a role as an independent public advocate and its role in advising the Home Office on policing matters (also raised in previous chapter).

#### Opportunities

- **Possible greater joined-up working with the CJS** This is a common theme which is covered in the overall document, and the aspiration will need to be worked out to fit any governance model.
- **Less risk aversion** This principle is primarily addressed within the framework of health and safety, but reducing bureaucracy generally in the wider round leads to better and increased use of professional judgement.
- **Saving resources** Reducing bureaucracy can lead to greater efficiencies and allow better deployment of ever-tightening resources.

#### Areas of concern

- **Removing barriers in terms of Health and Safety** Some caution needed in that while it could be argued it is overly prescriptive, it is not ignored and that removal of such barriers are founded in commonsense and good professional practice that still provide the right level of protection to the public and police officers.
- **Removal of ‘Stop’ form** Although the need to remove the form will produce the time benefits/reduction in bureaucracy, there are some concerns in that how stops are managed, and that without information, any governance body could find itself difficult to judge if stops were applied disproportionately to any particular group.

- **HMIC role** As noted above, it is unclear where the real balance lies between how the HMIC role in ensuring a professional level of policing is being maintained, alongside the ‘shining a light on police performance’ role. If the new governance model puts a greater emphasis on local freedom to improve and target performance, then surely HMIC should be more supportive of new structures – may be a question of more thinking here.

## Para Proposal

- 3.6 Commissioners to lead the way in ensuring provision of accurate and timely locally focused information to the public. HMIC will consider how to adapt their approach to shine a light on police performance on behalf of the public.**

### APA view Further issues

- Agree**
- Need to clarify the ‘shining light on performance’ role of HMIC – in support any new governance model.

- 3.7 Central prescription for how partnerships operate will be removed so that public outcomes can be better achieved.**

### APA view Further issues

- Agree**
- Some information on what this might cover to allow any new governance model to consider partnership working and joined-up targeting.

- 3.8 The Government will review the use of data for performance management, police assessment and public information so as to reduce bureaucracy and remove targets in disguise. Objective information about forces on a standardised basis will be necessary as the public value comparable information.**

### APA view Further issues

- Agree**
- Is this a locally led activity or a nationally co-ordinated one and how does this fit with new role of HMIC – more detail needed.

- 3.9 The Government will explore how justice information can be made more transparent so the public can hold wider justice agencies to account.**

### APA view Further issues

- Agree**
- Support better joining-up in principle – but need to be clear how this affects police accountability. Too much blurring of lines between police and CJS may raise unrealistic public expectations.

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**3.10** The Government will look at the National Crime Recording Standard (NCRS) and how crime is recorded with a view to reduce excessive recording and reporting arrangements that keep officers away from the front line.

**APA view**      **Further issues**

**Agree**

- Need to ensure that it does not conflict with the aspiration in 3.9, in getting comparative information – in balance with overly-excessive procedures.

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**3.12** The Government will look to identify specific measures to improve the efficiency of the processes necessary to get cases into and through the CJS and to deliver better outcomes for the public.

**APA view**      **Further issues**

**Agree**

- See 3.9 above.

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**3.13** The Government will scrap the national requirement for the 'Stop' form and reduce the burden of the stop and search procedures. They will maximise the use of available technology to further reduce the paperwork in policing.

**APA view**      **Further issues**

**Agree in principle with caveats on how to address issues on the 'Stop' form**

- See area of concerns as above. Need to address the concern over how a governance body can ensure that they have the information to address any disproportionate stops on specific groups.

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**3.14** The Government will review processes under RIPA and PACE to minimise paperwork.

**APA view**      **Further issues**

**Agree with caveats**

- Support aims to reduce bureaucracy and/or abuses of process, but as in 3.13 need to have adequate information/safeguards to ensure fair policing.

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**3.15** The Government will return decision-making to police officers, starting with returning charging decisions to officers for a broader range of summary offences from November 2010.

**APA view**      **Further issues**

**Agree**

- But again need to ensure this is consistent with fair policing.

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**3.16** The Government will remove barriers to a ‘common sense approach to policing’, including reforming those health and safety practices that underpin a risk aversion culture and prevent officers from protecting the public. As a first step we will Agree the Health and Safety Executive to embed the approach taken by their guidance, *Striking the Balance*.

APA view	Further issues
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<b>Agree with caveats</b>	<ul style="list-style-type: none"><li>• See areas of concern as above – of reducing this in balance with an appropriate level in protecting the public and police officers.</li></ul>
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**3.18** The Government will look to ACPO to show strong leadership in promoting and supporting the greater use of professional judgment by police officers and staff.

APA view	Further issues
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<b>Agree</b>	<ul style="list-style-type: none"><li>• Working with ACPO, there ought to be a role for any future national body representing PCCs in agreeing this.</li></ul>
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**3.19** PCCs will have a role in getting the balance right between preserving information and processes needed to focus on the public’s priorities and removing anything which is inefficient or unnecessary.

APA view	Further issues
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<b>Agree with caveats</b>	<ul style="list-style-type: none"><li>• The wording is vague and it is not clear if the ultimate decision about what information is preserved is the chief officers or the PCCs – this links to current issues around inadequate provision of information to police authorities on ‘operational’ grounds.</li><li>• Also, is this likely to intensify conflict between populist policies and effective ‘big ticket’ policing?</li></ul>
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**3.20** Work will continue with ACPO and IPCC to ensure that revised misconduct and unsatisfactory performance procedures are used effectively.

APA view	Further issues
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<b>Agree with caveats</b>	<ul style="list-style-type: none"><li>• There must be a clear role for the PCC supporting this, alongside ACPO. Governance bodies should be responsible for setting ethical standards for forces (see Good Governance Principles) and there is a clear need to ensure governance bodies are involved in how these are applied to ensure standards are being followed. We see a number of opportunities to further simplify the complaints process:</li><li>• Widen the definition of complaint to include maladministration and service failures (in addition to the existing Conduct), moving away from the silo approach to complaints management.</li><li>• Introduce greater flexibility for the force/PCC to respond to low level complaints using a range of techniques such as mediation, written apologies etc. and</li></ul>
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remove the requirement to seek permission from the complainant not investigate under the PRA.

- Introduce a non-bureaucratic appeal process against the outcome of the force's handling of a low level complaint, with appeals being made to the PCC or force, not the IPCC.
  - Remove the requirement for forces/PCCs to seek permission from the IPCC to dispense with a complaint or discontinuance of an investigation where the statutory requirements are met. The requirement to seek permission would still apply for serious cases.
  - Embed the functions of Professional Standards Department (PSD) within the office of the PCC with the right of appeal being made to the PCC (which can be delegated to the head of the newly created complaints department). A variation of this model would be for PSD departments to remain within the force, however the right of appeal to sit with the chief constable (or delegate). This would provide more an incentive for forces to deal with complaints locally, with the PCC being able to hold the chief officer to account for the way the forces handles complaints.
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## Policing in the 21st century: reconnecting police and the people

### Chapter 4: A national framework for efficient local policing

#### Key proposals in Chapter 4

- 1 HMIC will play a key role in highlighting value for money issues.
- 2 There will be a full review of remuneration and conditions of service for police officers and staff.
- 3 There will be a duty upon PCCs for collaboration.
- 4 A new National Crime Agency will be formed with a border policing capability.
- 5 Increased accountability for ACPO.

#### General APA views

- We broadly welcome a number of proposed developments within this chapter and would urge that the government has the resolve to effectively carry through the pay and conditions review.
- There are a number of proposals where significant added detail is needed in order for a proper assessment.

#### Opportunities

- There is a significant opportunity to develop a successful national model to tackle serious and organised crime, and to ensure efficiencies through links to the existing counter-terrorism network.

#### Areas of concern

- What is missing is the role of a national representative body for PCCs which is required for tripartite representation at a national level and to provide governance on national issues, for example, counter-terrorism and the NCA.
- Related to the point above is a concern the APA has that the general direction of the proposals in this chapter seems to suggest that significant amounts of power and responsibility might be handed over to national policing organisations. The need for effective governance at this level, and therefore a national body to provide this function, becomes paramount.
- Where duties are placed on PCCs there is a need for reciprocal duties to ensure the cooperation of the chief constable.

#### Para Proposal

- 4.15** HMIC will play a key role in highlighting for the public and PCCs how local forces are making best use of their resources to meet local policing needs. It will produce publicly accessible information reflecting community priorities and VfM profiles providing comparative force data. PCC can call upon HMIC to inspect their force or aspects of its work if they believe that the chief constable is unable to make sufficient progress on VfM.

#### APA view

##### Agree

#### Further issues

- While we would welcome PCCs being able to use HMIC to inspect forces we do need more detail on how it is proposed to strengthen the role of HMIC.

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**4.17 We will undertake a full review of remuneration and conditions of service for police officers and staff. The terms of reference and membership of the review will be published shortly.**

APA view	Further issues
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**Agree**

- We fully support the review on the basis that the ability of police authorities to ensure VfM and make savings are severely restricted by the fact that approximately 80 per cent of costs are in staff which it is not possible for authorities to impact upon.

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**4.22 PCCs will cut through bureaucracy and drive forward the collaborative effort in support of their chief officers. We will support them by introducing a strong duty to collaborate that will ensure that forces do this across the widest possible range of policing functions. This will both reduce costs and improve public protection.**

APA view	Further issues
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**Agree with caveats**

- It is our understanding that the Home Secretary can already do this under existing powers.
- The block to collaboration has often been the force and not the police authority and so this needs to be reflected in any duty.

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**4.23 In driving collaboration activity the Government will expect PCCs to hold chief constables to account for:**

- meeting the professional standards for providing protective services set by ACPO – ensuring minimum level of service across the country;
- determining the right group of forces to collaborate with - providing greater consistency of approach and greater scale of opportunity; and
- identifying the elements of operational and business services to collaborate on – expect ACPO to provide professional view on this.

APA view	Further issues
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**Agree**

- A reciprocal collaboration duty on the chief constable would assist this process.

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**4.24 HMIC will advise Government on the instances where forces and PCCs have chosen not to collaborate where there are clear benefits for the wider police service. The duty to collaborate will be strengthened in order that the Home Secretary can, when advised and it is in the national interest, direct forces to collaborate.**

APA view	Further issues
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**Agree with caveats**

- As stated in 4.22 above it is our understanding that the Home Secretary can already do this under existing powers, but we generally support measures to enhance collaboration.

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**4.25 The Government is encouraging work with other partners to provide services, including consideration of use of private sector in the provision of back office services, and private sector provision of custody facilities on behalf of groups of forces.**

**APA view Further issues**

**Significant concerns**

- This would appear to raise the spectre of a commissioning model whereby the PCC is able to commission the force, and other bodies, to deliver policing and community safety services. While this may drive down costs to some extent this must not be at the expense of professional service delivery and public confidence. We would, for example, have grave concerns if there was a growth in unaccountable private security firms providing neighbourhood patrol services at the expense of warranted officers.

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**4.26 The Government will work with the police service to remove unnecessary regulations if necessary to reduce the bureaucracy relating to collaboration.**

**APA view Further issues**

**Agree**

- We support measures to enhance collaboration.

**4.31 The Government will publish a new strategy for tackling organised crime, and the intention is to link the responsibilities of local chief constables and their PCCs with regional policing capabilities under stronger national coordination and strategic direction.**

**APA view Further issues**

**Agree**

- We would support the development of a network along the lines of that established for counter-terrorism with effective governance arrangements.

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**4.32 A new National Crime Agency will be created which will build on SOCA, CEOP and better connect to those within police service, HMRC, UK Border Agency (UKBA) and other criminal justice partners**

**APA view Further issues**

**Agree with the exception of CEOP**

- We support the benefits of rationalising and coordinating the national policing delivery landscape
- CEOP has been able to develop such strong networks and relationships on the basis of its child protection focus and distinct identity. This could be diluted if the organisation was integrated within the NCA and might be detrimental in its attempts to sustain such partnerships or foster new ones. For these reasons we would propose that it does not formally become a part of the NCA. Previous proposals to make CEOP a NDPB should be proceeded with.
- Will the rapid introduction by 2013 compromise the focus of those preparing for security at a series of major national events throughout 2012?

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**4.33** NCA to be led by a senior chief constable and responsible for:

- improving knowledge on threat from organised crime
- national tasking and coordination of police assets, including regional and local policing capabilities
- more law enforcement against more organised criminals at reduced cost; and
- strengthening our border policing arrangements

APA view	Further issues
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<b>Agree</b>	<ul style="list-style-type: none"><li>• See 4.31.</li></ul>
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**4.35** The Government sees a need for clear, revised robust governance and accountability arrangements – must be more public facing than existing arrangements and must link to the important role which PCCs will play in relation to individual forces and collaborative ventures. We envisage PCCs being under a duty to collaborate not just with each other but also with other bodies such as the NCA.

APA view	Further issues
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<b>Agree</b>	<ul style="list-style-type: none"><li>• We strongly support the need for a clear role for PCCs in national governance</li><li>• A national coordinating function that supports and enables the role of local PCCs at a national level will be required.</li></ul>
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**4.37** The focus of the NCA should be on improving the operational response to organised crime and improving border security.

APA view	Further issues
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<b>Agree</b>	See 4.31.
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**4.38** NCA may have a role in other cross-boundary crime challenges, e.g. tackling serious economic crime and the Government will consider the implications for counter-terrorism policing.

APA view	Further issues
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<b>Agree</b>	<ul style="list-style-type: none"><li>• We would welcome further work on interoperability between serious and organised and counter-terrorism policing.</li></ul>
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**4.39** The 'national' policing units picture is confusing and cluttered with poor public accountability, some under ACPO remit. As ACPO repositions itself in a re-balanced tripartite , it may be that responsibility for some of the functions presently being carried out by these national units could be brought under the ambit of the NCA.

APA view	Further issues
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<b>Agree with caveats</b>	<ul style="list-style-type: none"><li>• We would support in as much as the NCA would enshrine the principles of appropriate public accountability and transparency and the golden thread between local and national policing.</li></ul>
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**4.40** As the Government reviews NPIA functions some of these could come under ambit of NCA, but ensuring this did not detract from the new agency's operational focus.

**APA view**

**Further issues**

**Agree with caveats**

- More detail would be required on which functions in order for us to comment further.

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**4.43** Within the NCA there will be a Border Police Command. The new Command will have responsibility for coordinating and tasking those border enforcement operational staff who together will form the new Border Police capability.

**APA view**

**Further issues**

**Significant concerns**

- The APA previously supported the development of a single Borders Force on the basis of unnecessary cost and interoperability with local forces.
- There is a need to explore the serious implications for a number of authorities with substantial assets presently deployed in 'border functions'.
- There will be a need to ensure that a new force does not create an artificial barrier between the 'border gate' and territorial responsibilities of 'local policing'.

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**4.44** NPIA will be phased out by Spring 2012 and a review conducted of what aspects of their  
**4.45** functions are still needed and how best delivered in a new landscape, e.g. critical national  
**4.46** infrastructure, like central databases, and value for money functions. There may be an enhanced role for the Home Office in terms of VfM.

**APA view**

**Further issues**

**Agree**

- The APA broadly supports the coordinating of national service delivery functions into a single agency.
- A business case is required to demonstrate where savings will be made as a result of rearranging functions into other agencies
- There is a need to ensure that some of the valuable services provided by NPIA currently are not compromised.

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**4.49** The Government will specify the contractual arrangements to be used by the police service  
**4.51** to procure equipment and other goods and services to support PCCs and chief constables to get the best value for money. There will be legislation to allow the Home Secretary to specify procurement arrangements. There is a detailed consultation on the regulations for the mandation of goods and services.

**APA view**

**Further issues**

**Agree**

- The APA supports moves to secure greater efficiency and effectiveness.
- Legislation should be a last resort, and not restrict local innovation.

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**4.52 The Government will consider the case for further nationally-organised services where sensible, e.g. National Police Air Service.**

**APA view**

**Further issues**

**Agree**

- On the basis of appropriate accountability and transparency. The APA have long been consistent advocates of national procurement in the interest of VfM.

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**4.53 ACPO needs to take the lead role on setting standards and sharing best practice across the range of police activities. They should also play a leading role in leadership development, including some training programmes, while ensuring effective Agree and challenge from other providers. ACPO will continue to play a key role in advising Government, PCCs and the police service on strategy, best practice and operational matters. Strategic policy will be set locally by PCCs and nationally by the Government.**

**APA view**

**Further issues**

**Disagree**

- The APA's view is that the responsibility for police leadership should be shared equally within the tripartite. Handing full responsibility for this crucial area to one member of the tripartite will create an imbalance, and potentially minimise the role and voice of those with governance responsibilities over the future shape of policing leadership. These will be the people representing communities, hiring and firing senior officers and having key responsibilities to drive government agendas around VfM and service modernisation. The tripartite has delivered significant improvements around the development of policing leaders in recent years we are keen not to see this good work unravel by rushing through proposals before the views of all parties can be considered.

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**4.54 We expect ACPO to play a leading role in ensuring that chief constables drive value for money. We will revoke the planned creation of a Police Senior Appointments Panel (SAP).**

**APA view**

**Further issues**

**Agree with caveats**

- There needs to be clarity in terms of who has lead responsibility in ensuring chief constables drive value for money – the PCC or ACPO.
- The APA has several reservations about SAP in terms of its current role and structure and in the absence of clarity in respect of these elements we would question the continuing relevance and value.

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**4.55** ACPO recognises the need to increase its accountability for what it does and the public funding it receives. It will need to have a governance structure which makes it accountable to those who fund it and have an elected mandate. In short the rebalanced tripartite which will, in future, include a key role for PCCs. We are working with ACPO to agree the most appropriate structure for achieving this, with accountability and transparency the key conditions.

**APA view**

**Further issues**

**Agree**

- This is long overdue but should be defined across the whole tripartite, and not just as a result of discussion between the Home Office and ACPO as envisaged in the document.

## Policing in the 21st century: reconnecting police and the people

### Chapter 5: Tackling crime together

#### Key proposals in Chapter 5

- 1 Enabling communities to become more active around local policing/CJS and giving them the tools to do this.
- 2 Closer and more streamlined working between the CJS and policing.
- 3 Cut central government targets and prescription and transfer power to local government / communities.
- 4 Encourage mutuals, cooperatives, charities and social enterprises to drive local crime reduction initiatives.
- 5 Introduce a new approach to rehabilitation, focused on punishment, education and change.
- 6 CSPs – remove unnecessary prescription and bureaucracy (repealing regulations) whilst retaining core statutory duties and leave as much local freedom as possible.
- 7 Introduction of a single national police non-emergency number '101'.
- 8 Working with the WAG to ensure the plans align with their devolved responsibilities.

#### General APA views

- The chapter is characterised by a number of aspirational statements, but is thin on detail and specifics. We welcome the opportunity to comment on the detailed proposals.

#### Opportunities

- **More joined-up approach between policing and the Crown Prosecution Service (CPS)** To encourage greater efficiency through a more joined up approach to planning and targeting services, we suggest the PCC should be a consultee for LCJB plans and strategies. Similarly, LCJBs and CSPs should have regard to the Policing Plan when preparing their plans and strategies.
- **National Volunteering Strategy** Encourage greater national coordination of volunteers through the creation of a National Volunteer Strategy for policing/community safety bringing together the special constabulary, IAGs and Neighbourhood Watch etc.
- **SN 101** Welcome the creation of a single national non-emergency number subject to it being implemented in a cost effective approach and not being mandated to forces.

#### Areas of concern

- **Governance** What will be the relationship interplay between the PCC and crime reduction initiatives/ partnerships at the local level? We need to ensure strategic coordination and the marrying up of initiatives, and clarification around responsibility for funding. Difficult to take a decisive view on the proposals without knowing the details of the governance framework.
- **Removal of bureaucracy around CSPs** Caution the removal of full prescription around the role and function of CSPs. We need to ensure we are still learning good practice and what works well at the local level around crime reduction. We also need to ensure that local agendas do not undermine other national agendas around collaboration and wider national working i.e. VfM.

- **Engagement of diverse communities** Greater recognition of how diverse communities and their input into planning police resources can help police bolster / foster confidence in the service.
- **Innovation in times of austerity** How will the innovations alluded to be progressed at times of severe budget cuts and restricted public spending?

#### Para Proposal

- 5.1 Greater need for the criminal justice system needs to work together to reduce crime and promote active citizens.**
- 5.2 Restore public confidence in policing by getting people involved**
- 5.3 Forge more effective partnerships between the people and the police.**
- 5.4 CJs work better together focusing on the needs of communities and outcomes, rather than central government targets.**
- 5.5 Work closely with WAG to see reforms introduced.**

#### APA view

#### Further issues

#### Agree

- How does the government intend to foster innovation at times of such severe budget cuts?
- Where will money come from? Costs in terms of marketing, supervision, training and initiatives and monitoring, etc.

- 5.6 Greater community activism and involvement through:**
- giving communities more power;
  - encouraging people to take an active role in their communities;
  - transferring power from central government to local government; and
  - publishing government data.

#### APA view

#### Further issues

#### Agree

- Especially more power to communities - particularly to decide on the style of policing governance they want in their area.
- Use of volunteers should be within a managed structure and process.
- We note that the important volunteering role of ICVs and IAGs is not referred to.

- 5.8 Neighbourhood Policing Teams (including police community support officers [PCSOs]) to play a crucial role in mobilising community involvement.**

#### APA view

#### Further issues

#### Agree

- How does the government intend forces to support the roles of PCSOs with the potential loss of ring-fenced funding? Refer to section 4.11.

- 5.9 Establish a single national police non-emergency number '101'.**

#### APA view

#### Further issues

#### Agree

- We would oppose any move to have the scheme mandated without ongoing central funding.

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**5.10 Encourage greater participation of citizens:**

- 5.17**
- joint patrols, greater sense of community and looking out for neighbours, passing safety tips to Neighbourhood Watch and Community Crime Fighters;
  - youth independent advisory groups (YIAGs);
  - neighbourhood agreements including participatory budgeting and community restorative justice;
  - greater volunteering; and
  - partners across the criminal justice and community safety working together to focus on local communities and communities also playing a key role.

**APA view**

**Further issues**

**Agree**

- In addition to YIAGs, we would also suggest that engagement with other community groups such as BME, lesbian and gay, transgender, disability groups, etc. are also pivotal in driving public confidence in policing.
- What role will the PCC have in ensuring that a diverse range of community representatives are given the opportunity to input into local policing priorities?

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**5.11 Encourage more people to join the special constabulary**

**5.12 Introduce police 'reservists'**

**APA view**

**Further issues**

**Agree**

- Greater national coordination around encouraging volunteers in the policing service i.e. IAGs, Neighbourhood Watch, special constabulary, etc. will help increase volunteer numbers.

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**5.13 Work with the Office for Civil Society (OCS) to encourage greater use of mutuals, cooperatives, charities and social enterprises.**

**Encourage forces to sign up to local compacts between themselves and voluntary sector.**

**APA view**

**Further issues**

**Agree**

- How will the oversight and governance of this proposal work?
- How will these proposals work within the framework of the PCC who will have financial responsibility for the proposals?

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- 5.15** Devolve responsibility across the CJS as a whole, including:
- more active citizenship and voluntary sector involvement;
  - new approach to cutting youth crime – addressing link between drugs, alcohol and youth crime;
  - sentencing reform, deterring crime, punishing offenders and cut re-offending;
  - introducing a new approach to rehabilitation focused on punishment, education and change; and
  - developing a new and sustainable and cost effective prison capacity strategy.

**APA view**

**Further issues**

**Agree**

- We need to ensure there is a more joined up approach to planning between the CJS and policing. This can be achieved by making the PCC a formal consultee for LCJB plans and strategies.

- 
- 5.18** Partnerships are more effective where they can develop their own structures, meaning they can respond to different local circumstances, expectations and priorities.
- 5.19** Existing partnerships operate at different geographical levels causing confusion in about respective roles and bureaucracy that restricts their ability to work together.
- 5.20** CSPs – remove unnecessary prescription and bureaucracy (repealing Regulations) whilst retaining core statutory duties and leave as much local freedom as possible.
- 5.21** Work with the WAG to ensure the partnership arrangements suit a ‘devolved’ model.

**APA view**

**Further issues**

**Agree but urge caution**

- Exercise caution in removing full prescription around CSPs – we need to ensure we are still learning good practice and what works well at the local level.
- Exercise caution around devolvement of responsibilities that may undermine other agendas around collaboration and wider national working.

**Cover photograph**

Cheshire Police Authority  
member surveying local  
people, courtesy of  
Cheshire Police Authority

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