

# COMMUNITY AND SAFER CITY SCRUTINY COMMITTEE

14 SEPTEMBER 2010

## CONSULTATION: POLICING IN THE 21<sup>ST</sup> CENTURY: RECONNECTING POLICE AND THE PEOPLE

### REPORT OF THE CHIEF EXECUTIVE

### STRATEGIC PRIORITIES: SP3 SAFE CITY

### CORPORATE PRIORITIES: CIO1: Delivering Customer Focused Services, CIO4: Improving Partnership Working to Deliver 'One City'.

#### 1. Purpose of Report

- 1.1 To provide the Committee with information about the Home Office Consultation: Policing in the 21<sup>st</sup> Century: Reconnecting police and the people.

#### 2. Background

- 2.1 The Home Office has published a consultation paper called "Policing in the 21<sup>st</sup> Century: Reconnecting police and the people". A briefing note was circulated to Members of the Committee providing further information about the consultation. Information included in the briefing note forms the basis of this report.
- 2.2 The consultation period is 8 weeks from 26th July until 20th September 2010.
- 2.3 It sets out the Government's new programme of reform to change policing and re-establish the link between the police and the public. It proposes changes in how organised crime is tackled and how our borders are protected by the police service becoming more focused at a national level, as well as providing better value for money.
- 2.4 The consultation contains specific commitments already made in the Coalition Agreement, where the government is **not** consulting on whether they should happen (e.g. directly elected Police and Crime Commissioners), but how best they can be implemented. There are also broader areas where the government is asking for views on whether and how to achieve its aims
- 2.5 Many of the proposals will feature within the forthcoming Police Reform and Social Responsibility Bill. Ahead of the launch of the Bill in autumn 2010, the Government is seeking views on specific aspects of the reform programme.

#### 3.0 Key Proposals

- 3.1 The key proposals are set out in 4 main sections, each with a series of consultation questions (see Appendix A). Commentary and the implications for the Safer Sunderland Partnership are noted, where relevant.

## 3.2 *Increasing Democratic Accountability*

3.2.1 The proposals to increase democratic accountability are as follows:

- By May 2012, the public will have elected Police and Crime Commissioners and Police and Crime Panels
- The abolition of Police Authorities
- Providing more frequent and more local level information to the public – such as information about crime, ASB and value for money
- A more independent HMIC

3.2.2 Police and Crime Commissioners will be representatives of the public and will hold the police to account. There will be one Commissioner for the Northumbria Force area. The Government wants candidates from a wide range of backgrounds, from political parties and independents.

3.2.3 Their mandate will be to represent and engage with the public, set local policing priorities, agree a local strategic plan, hold the Chief Constable to account, set the force budget and precept, appoint the Chief Constable and where necessary dismiss the Chief Constable. They will ensure that police forces work more efficiently by collaborating with each other across a wider range of policing functions, to strengthen public protection, but also ensure better value for money.

3.2.4 The Government will abolish Police Authorities and will replace them with Police and Crime Panels to provide an overview role at force level for Police and Crime Commissioners on behalf of the public. They will be made up of locally elected councillors from constituent wards and independent and lay members. They will hold confirmation hearings for the post of Chief Constable and be able to hold confirmation hearings for other appointments made by the Commissioner to his staff, but without having the power of veto (but they will have a power to trigger a referendum on the policing precept recommended by the Commissioner).

3.2.5 *Commentary and Implications for the Safer Sunderland Partnership*

- a) A real challenge is how the work of the Commissioners and the Panels will dovetail with our own. It is likely that the latter will be a similar relationship to the one that the Safer Sunderland Partnership has with the police authority at the moment. The Safer Sunderland Partnership will, in some way, also become accountable to the Police and Crime Commissioner for Northumbria. However, Councils already have democratically elected councillors overseeing community safety (through portfolio leads and also scrutiny functions), each of whom are scrutinised and held to account by that authority. As these proposals progress there will need to be real clarity on these roles and responsibilities.
- b) Northumbria Police Authority is currently one of six responsible authorities on Community Safety Partnerships (CSPs). From the information available to date there appears on paper to be little difference in the proposed role of the new Police and Crime Panels and the current Police Authorities. However, the current Police Authority arrangements give local

councils a strong voice in establishing a precept for policing. The new arrangement, whereby a veto on the Commissioner's proposed precept, gives a different relationship of influence. The triggering of a referendum on precept levels would be an expensive exercise in the current financial climate and be potentially damaging to public confidence.

- c) The paper suggests that although police authorities have worked hard to engage with their communities, they remain too invisible to the public, yet the paper provides little evidence to support this statement. The paper does not indicate how the new arrangements will relate to the public at the local level. Northumbria Police Authority has a very strong track record in community engagement (e.g. Police and Community Forums) and in participatory budgeting and has been a valuable local partner for many years. The local safer communities survey indicates that 89% of residents are aware of Northumbria Police Authority and 74% are confident that it spends its money wisely. The latter is a very strong driver of public confidence that the police and local council is dealing with the ASB and crime concerns that matter locally.
- d) The view of the LGA is that in difficult financial circumstances, they have questioned if this is the right time to change structures through additional elections, which could cost the same as 700 police officers. The LGA has developed its own detailed proposals for the reintegration of police oversight into council structures which it sees as the most cost effective solution, with measures that would require minimal legislative changes and would drive out duplicate spending and deliver efficiency savings.

### 3.3 ***Removing bureaucratic accountability***

3.3.1 The Government will continue to set strategic direction for the police but will take no role in telling the police how to do their job. The Government will also work with the police and the Health and Safety Executive to strengthen guidance on applying a "common sense" approach to health and safety, including scrutinising procedures that act as a barrier to intervening and recognising those officers who put themselves in harms way.

3.3.2 Based on the premise that only 11% of the police are visibly available to the public at any one time, there is an intention to reduce bureaucracy by:

- a) Removing Government targets, centralised performance management and reducing the data burden placed on forces.
- b) Reducing bureaucracy and supporting professional responsibility and cutting red-tape. This includes a number of measures being considered:
  - Cutting down on form filling and paperwork for police officers
  - Reducing the guidance sent from the centre
  - Scrapping the "Stop" Form
  - Reviewing the Regulation of Investigatory Powers (RIPA) and Police Criminal Evidence Act (PACE)
  - Reforming health and safety practices
- c) Ensuring that the leaders of the service take responsibility for keeping bureaucracy to a minimum at force level.

### 3.3.3 *Commentary and Implications for the Safer Sunderland Partnership*

The removal of the centralised performance management framework will have both positive and negative implications. The previous performance regime has in some ways given CSPs the strength to set and deliver their strategy. The reductions in priority crime have risen from this culture. The Safer Sunderland Partnership is intelligence led with a robust strategic intelligence assessment and performance management framework that includes both national and local measures and targets. This places the partnership in a position where it should be able to adapt relatively easily to setting its own targets, driven by local priorities. The area of concern will be around the impact on being able to benchmark against similar areas.

## 3.4 ***A National Framework for Efficient Local Policing***

3.4.1 The Government wants forces to find new ways of working together to get the best value from their resources. The paper repeatedly uses the term “golden thread” to describe the link between local and neighbourhood, to protective services, to international policing. The paper proposes that the national framework should be achieved by:

- a) Better value for money for local policing, by ensuring sufficient officers are available at the times when needed most.
- b) Better collaboration between forces. This will include looking at sharing back-office and support functions
- c) The National Policing Improvement Agency (NPIA) will be phased out and clearer roles established for the Association of Chief Police Officers (ACPO) and Her Majesty's Inspectorate of Constabulary (HMIC). ACPO will lose key functions including its role in monitoring domestic extremism and will be established on a more accountable basis involving the new Commissioners.
- d) A new National Crime Agency (NCA) will be created. It is proposed that the NCA will lead the fight against organised crime and the protection of our borders. It will be subject to robust governance arrangements, which will link to the role played by Police and Crime Commissioners. It will use the capabilities of the existing Serious Organised Crime Agency (SOCA) and connect these capabilities to those within the police service, HM Revenue and Customs, the UK Border Agency and a range of other criminal justice partners. The Agency will be led by a senior Chief Constable and encompass a number of ‘commands’, including: organised crime; border policing (working to a national strategy) and; the NCA may also take responsibility for other national policing functions, including some of those presently carried out by the NPIA.

### 3.4.2 *Commentary and Implications for the Safer Sunderland Partnership*

The implications around these proposals will mainly be felt by the Police. However, there will still be a role for CSPs in helping tackle cross border issues such as organised crime and counter terrorism. In the last section of the paper there is mention of the potential creation of force-level CSPs to assist the directly elected Policing and Crime Commissioners in delivering community safety outcomes. It is possible that these types of issues could be

dealt with more efficiently at a force level but if so then the SSP will need to continue to develop its role around these agendas and ensure it is able to feed into tackling these.

### 3.5 ***Tackling Crime Together***

3.5.1 The last section of the paper is on partnership working, with a key focus on the role of the public as active citizens as part of the Big Society. There are three main strands around this:

3.5.2 Enabling and encouraging people to get involved and mobilising neighbourhood activists: There are proposals for a range of ways that citizens can get involved and making it easier to access the police and report crime and ASB. A cost effective way of establishing the number '101' as a single national police non-emergency number to report crime and ASB will be looked into. The Government wants to see more special constables and explore new ideas to help unlock the potential of police volunteers in the workforce, for example as police 'reservists' and more volunteers within the wider criminal justice system. The paper proposes people will need to be supported and encouraged to take greater individual responsibility for keeping their neighbourhoods safe such as: attending regular beat meetings; being members of groups such as Neighbourhood Watch or becoming Community Crime Fighters; signing neighbourhood agreements; and holding agencies to account by making crime data and information on how money is spent, more transparent and locally available. Later this year, a new crime strategy will be published, which will set out in greater detail how the approach to preventing and reducing crime will be reshaped in the Big Society.

3.5.3 There is to be a radical reform of the CJS which they perceive as being too remote, lacking in transparency, and not accountable to the public and needs of victims. Proposals include:

- a) A new approach to youth crime, tackling ASB and more active citizenship and voluntary sector involvement
- b) Police reform (as set out earlier)
- c) Sentencing reform
- d) A new approach to the rehabilitation of offenders (e.g. payment by results and opening up the market to private and not-for-profit sectors)
- e) Reviewing the prison estate's contribution to rehabilitation and reducing re-offending

3.5.4 A de-cluttering the partnership landscape by repealing some of the unnecessary bureaucracy and regulations in partnership working but leaving the helpful core duties to give CSPs the flexibility to decide how best to deliver for their communities. There is a clear role for neighbourhood partnerships and they are considering creating enabling powers to bring together CSPs at the force level to deal with force wide community safety issues and giving Commissioners a role in commissioning community safety work.

#### 3.5.5 *Implications for the Safer Sunderland Partnership*

- a) The Government believes that CSPs and other partnerships have played a strong role in preventing crime and want them to continue to do so but

the shifts are not radical in the way that the rest of the paper is around better connecting the police with local people. The Safer Sunderland Partnership is currently 'de-cluttering' by reviewing its partnership functions and structures to ensure it is as efficient and effective as possible.

- b) There is strong focus on neighbourhood partnerships (again, the Big Society in practice) whereby neighbourhood policing teams work with partners, elected members and the local community. Visible and accessible neighbourhood policing teams have been in place in Sunderland to deal specifically with these issues and do this in partnership e.g. via the LMAPS groups and embedded Area Committee arrangements. The Government proposals are to strengthen the 'community' element by helping create an army of community activists giving local people more of a say over what services are provided, stressing local solutions to local problems. The Safer Sunderland Partnership is already identifying existing good practice around the Big Society and opportunities for wider community engagement and involvement. Through its Crime and Justice Programme it already has a number of Community Crime Fighters who are actively engaged with their neighbourhood policing teams. There is however evidence from the 1980s/90s for the need to invest in approaches such as Neighbourhood Watch to make them effective, particularly in more disadvantaged, high crime neighbourhoods.
- c) The proposals around more monthly beat meetings would not pose any significant challenge locally as the police already hold 5 weekly PACT meetings in Sunderland. There is already a desire and a move towards encouraging other ways to encourage people to get involved e.g. "virtual PACT meetings"; and use of Facebook and Twitter etc.
- d) There is a suggestion in the paper that Police and Crime Commissioners will be able to develop force-level CSPs to oversee partnership working throughout the sub-region. Whilst this proposal could help strengthen the links with the Local Criminal Justice Board, there would need to be strong leadership and a real clarity of roles for each CSP at each level. Current legislation places planning and delivery clearly at city level with accountability to scrutiny and the Safer Sunderland Partnership has been successfully delivering at this level for many years.
- e) If a national single non emergency number for the police was to be established then there would be implications for the Council's Neighbourhood Helpline. The latter was established after a pilot of a single non emergency 101 number. This ceased due to a removal of the national funding.

## **4. Summary**

- 4.1 Although the proposals seek to radically shift the worlds of policing, of local democracy and citizen involvement, there is very little altered in the set up of CSPs. We can infer from this that CSPs are operating on the right lines and the basis for their existence is not currently being challenged in any meaningful way, with the only real difference in their operation being the removal of

certain, as yet unspecified, legal expectations. It is likely that these repeals will happen via the introduction of statutory instruments.

- 4.2 The consultation document not only reinforces the notion of "neighbourhood partnerships" as a means of delivery at neighbourhood level, involving elected members and communities, but also suggests at some point in the future the creation of force-level CSPs to assist the directly elected Policing and Crime Commissioners in delivering community safety outcomes.

## **5. Recommendation**

- 5.1 The committee is requested to note the report.  
Where appropriate additional comments raised by members of this committee can be fed into the consultation process.

## **6. Background Papers**

Policing in the 21<sup>st</sup> Century: Reconnecting police and the people

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***Increasing democratic accountability***

1. Will the proposed checks and balances set out in this Chapter provide effective but un-bureaucratic safeguards for the work of Commissioners, and are there further safeguards that should be considered?
2. What could be done to ensure that candidates for Commissioner come from a wide range of backgrounds, including from party political and independent standpoints?
3. How should Commissioners best work with the wider criminal justice and community safety partners who deliver the broad range of services that keep communities safe?
4. How might Commissioners best engage with their communities – individuals, businesses and voluntary organisations - at the neighbourhood level?
5. How can the Commissioner and the greater transparency of local information drive improvements in the most deprived and least safe neighbourhoods in their areas?
6. What information would help the public make judgements about their force and Commissioner, including the level of detail and comparability with other areas?

***Removing bureaucratic accountability***

7. Locally, what are examples of unnecessary bureaucracy within police forces and how can the service get rid of this?
8. How should forces ensure that information that local people feel is important is made available without creating a burdensome data recording process?
9. What information should HMIC use to support a more proportionate approach to their 'public facing performance role', while reducing burdens and avoiding de-facto targets?
10. How can ACPO change the culture of the police service to move away from compliance with detailed guidance to the use of professional judgement within a clear framework based around outcomes?
11. How can we share knowledge about policing techniques that cut crime without creating endless guidance?

***A national framework for efficient local policing***

12. What policing functions should be delivered between forces acting collaboratively?
13. What are the principal obstacles to collaboration between forces or with other partners and how they can they be addressed?
14. Are there functions which need greater national co-ordination or which would make sense to organise and run nationally (while still being delivered locally)?



15. How can the police service take advantage of private sector expertise to improve value for money, for example in operational support, or back office functions shared between several forces, or with other public sector providers?
16. Alongside its focus on organised crime and border security, what functions might a new National Crime Agency deliver on behalf of police forces, and how should it be held to account?
17. What arrangements should be in place in future to ensure that there is a sufficient pool of chief officers available, in particular for the most challenging leadership roles in the police service? Is there a role for other providers to provide training?
18. How can we rapidly increase the capability within the police service to become more business-like, with police leaders taking on a more prominent role to help drive necessary cultural change in delivering sustainable business process improvement?

### ***Tackling crime together***

19. What more can the Government do to support the public to take a more active role in keeping neighbourhoods safe?
20. How can the Government encourage more people to volunteer (including as special constables) and provide necessary incentives to encourage them to stay?
21. What more can central Government do to make the criminal justice system more efficient?
22. What prescriptions from Government get in the way of effective local partnership working?
23. What else needs to be done to simplify and improve community safety and criminal justice work locally?