

Item 5

Directly elected Police and Crime Commissioners

Purpose of report

For discussion and direction.

Summary

This paper provides an update on the Government's plans to introduce police and crime commissioners and the lobbying the LG Group has undertaken around the proposals. It also outlines the support the LG Group is providing to councils to prepare for the introduction of police and crime commissioners in November 2012. The paper also raises the issue of a national membership body for commissioners.

Recommendations

Members are invited to:

1. Consider the programme of support for councils in preparing for the introduction of police and crime commissioners;
2. Agree that officers should continue to investigate the potential for the Group to host the national membership body for police and crime commissioners.

Action

LG Group officers to action.

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Directly elected Police and Crime Commissioners

Background

1. The Coalition Agreement set out the Government's intention of making the police more accountable through oversight by a directly-elected individual.
2. The legislative changes needed to introduce police and crime commissioners (PCCs) were incorporated in the Police Reform and Social Responsibility Bill introduced into Parliament in December 2010. Having been considered in detail by both the Commons and the Lords, the Bill was given royal assent on 15 September 2011. PCCs will therefore replace police authorities in 2012. Due to a late Government amendment the elections originally proposed for May, will now take place on 15 November 2012.

Local Government Group lobbying

3. The LG Group favoured a different model for improving police accountability. However, given the strong Government intention in this area, work has concentrated on improving the Government's proposals, particularly around the checks and balances in place to hold commissioners to account.
4. As the Police Reform and Social Responsibility Bill passed through Parliament the Group (through the Safer and Stronger Communities Programme Board) lobbied Government and opposition MPs and peers extensively.
5. While the Government voted down amendments in the Commons, discussions and votes in the Lords led the Government to make a number of important concessions to ensure their own peers supported the Bill. These Government amendments saw the Bill changed in line with the LG Group's aims. Specifically, the Government reduced the threshold for police and crime panels to veto the PCC's precept and nominee for chief constable from three-quarters to two-thirds. Other changes included membership of the panels and the ability to request that Chief Constables attend panel meetings.
6. One final amendment by the Government also proposed moving the date of the election from May to November 2012. The Lords tabled an amendment that would have delayed the elections until May 2013 to avoid the additional costs associated with holding the elections on their own, which the Government estimate as being an additional £25 million. There was a tied vote in the Lords on this amendment – the first in over a century – but due to parliamentary procedure the amendment then failed. As a result elections for PCCs will take place on 15 November 2012.

Local Government Group support to councils

7. There is now an imperative for the Group to work with councils to help them prepare for PCCs in 2012. We already have an intensive programme of raising awareness of some of the key changes associated with the introduction of police and crime commissioners. Visits have been made to councils or groups of councils in 19 police force areas (just under half of the forces in England and Wales) to outline the responsibilities PCCs will have, the responsibility of councils to establish police and crime panels and how PCCs will work with community safety partnerships. Meetings with councils in the remaining force areas are in hand.
8. In addition to the programme of visits the Group published a short guide (http://www.local.gov.uk/web/10161/publications/-/journal_content/56/10161/2841715/PUBLICATION-TEMPLATE) which has been well received by councils and other organisations such as police authorities. This will be followed by two further publications focusing on establishing police and crime panels and preparing community safety partnerships for PCCs. The Group is also holding a one day conference on PCCs on 19 October. The Group's work will be complemented by Home Office roadshows in January building on information acquired from in-depth discussions with four police force areas (Leicestershire, South Wales, West Midlands, and West Yorkshire).
9. As we approach November 2012, it is likely that authorities will be looking for more specific assistance around particular issues. Early indications suggest that resolving issues over who hosts police and crime panels, and how many members each council has on a panel could be areas where the Group can offer support. The Group may also wish to offer training and development for potential members of police and crime panels for example around police budgets. Members' views are sought on what other support the Group could provide to member authorities ahead of the election of PCCs.

National membership body for police and crime commissioners

10. There is broad support in police and Government circles for a national representative body for police and crime commissioners as a useful mechanism for engagement. Home Office Ministers and the Association of Chief Police Officers are agnostic about where this should sit. Given the role's shared emphasis on policing and crime prevention, there are clear benefits for both local government and the PCCs in aligning their representative bodies. For this reason the LG Group is exploring the scope to host the new PCC membership body, either through a corporate or an associate membership scheme.

Financial Implications

11. The Group's support to councils to prepare for the introduction of PCCs is a key business plan priority for the LG Group and will be resourced from within existing budgets. Support for an interim national body to represent PCCs would carry costs for the Group.