Police Reform

Decisions

1. *to discuss and agree principles to be contained within the LGA's response to the White Paper "Building Communities, Beating Crime;*
2. *to agree that we submit our response to the White Paper in February; and*
3. *to agree member clearance arrangements for the response.*

Actions Required

4. *Officers to action decisions made by Board.*

Action by: *John Ransford*

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Police Reform

Summary

1. At its last meeting (22nd November), the Safer Communities Board agreed to respond to the police reform White Paper, Building Communities, Beating Crime, published on the 9th November 2004

2. This report outlines some key issues for consideration by members.

3. Members are asked to discuss and comment upon the principles suggested here, drafted on the basis of consultation with a subgroup of the Safer Communities Board (members who sit on police authorities and/or Crime and Disorder Reduction Partnerships (CDRPs))

4. On the basis of this report and the Board's comments, a full draft of our response will be developed, which should be submitted to the Home Office in early February.

5. The Association of Police Authorities (APA) will also be responding to the White Paper. A paper is **attached** (appendix 1) which outlines the main areas where there is potential for a joint position. The Board is asked to indicate whether a joint position paper with APA should be developed, and which areas are agreed as having potential for a joint response.

Background

6. Issues raised throughout the Police Reform project have been of fundamental concern to local government and the Local Government Association (LGA). In 2003, the LGA responded to the Green paper "Policing: building safer communities together" and raised a number of fundamental concerns.

7. In general, the LGA's response to the White Paper so far has been positive. Many of the concerns raised with regard to the green paper have been addressed satisfactorily.

8. At its last meeting, the Board received a presentation on the review of the Crime and Disorder Act 1998, a key immediate outcome of the White Paper. This review is now in its final stages. We have been represented on the Advisory and sub groups leading this review, and our written submission to the review is **attached** (appendix 2).

9. Cllr Dame Sally Powell (Chair of this Board) met with Malcolm King (APA) and LGA and APA officers in December to discuss our initial responses to the White Paper. The APA Plenary will be meeting on 26th January to agree their response and will consider which issues can be included in a joint APA/LGA submission.

Areas for discussion

10. Our response to the White Paper will be underpinned by the LGA manifesto and vision of self-governing communities – communities that take responsibility for themselves, addressing their own challenges with minimum recourse to external help, and govern themselves with and through locally elected representatives, free from unnecessary outside interference.

11.   *A primary objective is to emphasise the role of local government in positive crime prevention, working alongside the police. Local authorities can have a positive impact on the safety and security of communities through many of the services they provide, such as:*

   - *planning*
   - *enforcement (including licensing, trading standards, parking etc.)*
   - *environmental services*
   - *housing*
   - *social care*
   - *education*

12.   *Fire authorities can also make a major contribution, particularly through their work with disaffected and marginalised young people.*

13.   *Partnership working is crucial to the success of efforts to reduce crime and disorder and promote safer communities at a local level. The recognition of this can be seen as a strength in the White Paper (Building Communities, Beating Crime, p. 31).*

14.   **Members may wish to emphasise what they see as the unique contribution of local authorities as community leaders and fire authorities to community safety and the prevention and reduction of crime and disorder, in partnership with the police and other public services.**

Community engagement

15.   *Effective community engagement is a priority for local government. We would wish to argue that councils, as the local democratically elected bodies, should lead engagement activities relating to crime and community safety. We will also want to highlight the role of area forums in many local authority areas.*

16.   *Local authorities are particularly committed to ensuring that they reach all sections of the community, including hard-to-reach groups. We should emphasise the need for the police to fully respect the extent of diversity within and between communities.*

17.   **The Board may wish to discuss these issues further.**

18.   *Within the White Paper, councillors are recognised as key figures in the community who are often approached for advice and guidance. This is a crucial aspect of community leadership. We welcome the pledge that the Home Office will work jointly with ODPM in developing ways in which local government can contribute to community engagement activity, including a potential role for councillors as community advocates (Building Communities, Beating Crime, p. 70).*

19.   **The Board may wish to discuss whether they support a specific role for councillors as community advocates with regard to policing**

20.   *The White Paper proposes the introduction of a trigger mechanism whereby councillors may prompt action by the police against acute and persistent problems of crime or anti-social behaviour to which local communities have been unable to get an effective response (Building Communities, Beating Crime, p. 71).*

21. *It is suggested that we should approach the trigger mechanism with caution. Whilst this is potentially a mechanism whereby communities, through their local councillor, could influence local policing activity, we may want to argue that this should be achieved through effective partnership working, probably within the framework of the CDRP. The emphasis should be on ensuring that policing policy reflects local needs, with the trigger mechanism being used only as a last resort.*

22. *Also with regard to the trigger mechanism, we may wish to argue that if it were introduced, it would need to be clear who exactly had the authority to enact the trigger (particularly in two-tier areas) and seek clarification on the role of community groups in influencing this judgement.*

23. **Members should determine their response to the proposed trigger mechanism further.**

Meeting local needs

24. *Our response to the White Paper will be based on the argument that we support models of policing that take local needs as their priority, and prevent national priorities from detracting resources from this.*

25. *We should adopt the view that national targets should be phased out and replaced with a framework of advice and guidance. Performance could instead be assessed according to success in meeting locally determined targets.*

26. *We may wish to reiterate our support for operational delegation to Basic Command Unit (BCUs). In line with this, we should highlight our request that the BCU fund be included with the new Safer and Stronger communities fund (the basis of mini-local area agreements).*

27. *We should support the idea that local authority scrutiny functions can make a valuable contribution to the oversight of local policing and community safety activity. We could argue that this should not only be the case with regard to the potential trigger mechanism as the White Paper proposed (p. 71), but also with regard to the CDRP. This is the line taken within our response to the Crime and Disorder Review 1998.*

28. *We should argue that Crime and Disorder Reduction partnerships (CDRPs) should not take on scrutiny functions in their own right. Their primary function is to ensure that partner organisations work in a coordinated way to bring down levels of crime and disorder, and anti-social behaviour. They should be the subject of external scrutiny by the local authority.*

29. **Members should determine their view on the role of local authority scrutiny with regard to local community safety activity.**

Police authorities

30. *The White Paper proposes strengthening the governance function of police authorities, thus enhancing the accountability of the police service to local communities. We may wish to support this move. Within this system, however, Chief Constables retain exclusive control over operational policing.*

31. *The role of local councillors on police authorities is seen as fundamental in to ensuring local democratic accountability. The White Paper proposes two models for revised local*

authority membership. These attempt to take into account two-tier issues (Building Communities, Beating Crime, p. 125).

32. *This aspect of the White Paper, naturally, is of key interest to the APA.*

33. *It is suggested that our response should support strengthened local authority representation on police authorities but does not make detailed recommendations at this stage. We would propose working with the Home Office and our partners to develop models for appointment through further explanation and discussion in the future.*

34. *There are a number of broad principles which should be upheld in the appointment of local authority councillors to police authorities. These should include:*

- *political balance*
- *appropriate weighting between county, unitary and district councils and geographic spread*
- *involvement and/or knowledge of community safety issues*
- *gender*
- *ethnicity*

35. *We may wish to agree that it is logical to ensure a firm link between local authority representatives on the police authorities, the local authority's contribution to their CDRP and the local authority executive member with portfolio for community safety. However, we would also want to argue for freedom for local authorities in determining how they will be represented, as long as the criteria outlined above are met.*

36. ***Comments from members on these issues are crucial to determining a response at this stage***

37. *We should emphasise in our response the need for training and other support for councillors to ensure their effective contribution to police authorities, and associated resource implications for local government. Valuable work is already taking place within local government in this area, but will need to be developed appropriately.*

38. *We would also want to recommend that funding arrangements for police authorities are reconsidered.*

General comments

39. *The White Paper proposes the formation of a National Police Improvement Agency. We recommend that local government should be represented on the board of such an organisation, and that there is useful learning to be gained from the experience of setting up the Improvement and Development Agency for local government.*

40. *We may wish to comment on the terminology used within the White Paper. It is suggested that the term 'police force' should be replaced consistently by 'police service.'*

41. ***Members' views on these principles are requested.***

Next steps

42. *A final draft response to the White Paper will be developed and shared with members by correspondence.*

43.   *A paper setting out the view shared by the LGA and the APA will also be developed.*

44.   **It is suggested that Groups spokespeople sign off the final submission to the Home Office.**

45.   *Members may also like to consider how they would like the LGA's work on police reform to develop after we have submitted our response to the White Paper. Potential areas for future work include:*

- *the development of appropriate training resources for members, in conjunction with the IDeA*
- *raising awareness of local governments' capacity to take the lead in working for a reduction in crime and anti-social behaviour.*

Implications for Wales

46.   *The White Paper's proposals apply to Wales, and WLGA colleagues are being involved.*

Financial/Resource Implications

47.   *The necessary resources will be provided through the Business Planning Process*

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