

13 January 2014

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Independent Police Commission

Purpose

For discussion and direction.

Summary

The Independent Police Commission, chaired by Lord Stevens, published its report at the end of November. The report contained proposals on neighbourhood policing, community safety partnerships and police governance and accountability. This report outlines the report's recommendations and explores those of most significance to local authorities.

Recommendation

Members are asked to:

1. Note the proposals in the Commission's report; and
2. Comment on the draft LGA position statement set out at **paragraph 15**.

Action

Officers to progress as directed.

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Independent Police Commission

Background

1. Lord Stevens, former Commissioner of the Metropolitan Police, was invited by the Shadow Home Secretary, the Rt. Hon. Yvette Cooper MP in 2011 to chair an independent commission in to the future of policing. There were nearly 20 other members of the commission including academics, lawyers, judges, former senior police officers and former police authority members.
2. The commission was asked to look at six areas: the role of the police in the 21st century; creating a service that cuts crime and increases public confidence; the relationship between the police and the criminal justice system; police governance and accountability; striking the right balance between local and national priorities; and how to maximise police spending.
3. After two years the commission published its report at the end of November having surveyed members of the police and police and crime commissioners, surveyed 2,000 members of the public, held radio phone-ins and regional meetings and considered a number of papers from academic institutions. The commission made a total of 37 recommendations covering police standards and professionalism through to police relations with the media and force structures. These are set out in **Appendix A**.

The report's key recommendations

4. The overall tone of the commission's report is supportive of the role of local government in the policing and community safety arena, and in fact suggests an expanded role for councils in police accountability. Those recommendations which would have a direct impact on local authorities if implemented are explored further below.
5. A key finding from the commission's review of the current state of policing was that **neighbourhood policing** has been undermined by the reductions in police budgets. The Commission argued that neighbourhood policing remained an important building block in creating fair and effective policing. The commission therefore recommended that a national set of minimum standards of police service which everyone should receive are set out in a Local Policing Commitment. This would include a guaranteed minimum level of neighbourhood policing, what emergency response there would be; response times to requests for assistance or when a crime is reported; a guarantee that reported crime would be investigated, or if not why not; regular updates for victims on the progress of investigations; and that those coming into contact with the police are treated with fairness and dignity.
6. In addition the commission put forward the argument that policing involves a number of organisations and bodies and is not just therefore a matter for the police. In fact the commission considered the public to be the most important partners for the police. The report takes the view that more needs to be done to increase the public's participation in tackling crime, with the police and councils doing more to involve the public in dealing with crime and anti-social behaviour. It then goes on to set out the importance of **local partnerships** especially community safety partnerships (CSPs). The commission notes

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however that budget cuts and the election of police and crime commissioners (PCCs) are undermining CSPs and that action needs to be taken to address this, with proposals set out under the chapter on governance and accountability.

7. At the heart of the proposals around **governance and accountability** is the concept of strengthening police accountability at the local level. This is of course what PCCs were created to do. The commission therefore spends some time considering PCCs and their impact. The fact that some have fragmented local partnerships, there was a low turnout in the PCC elections, the lack of diversity amongst PCCs, the lack of public recognition of the post, the controversies over the appointment of staff and dismissal of chief constables and the size of the constituency leads the commission to conclude that PCCs as a concept are systemically flawed, and should be scrapped when the 41 PCCs' term of office ends.
8. In place of PCCs the commission proposes strengthening CSPs and neighbourhood policing by devolving powers and governance to lower tier local authorities. In order to achieve this the commission recommends:
 - 8.1 bringing in a legal requirement for internal police boundaries to be coterminous with the lowest relevant tier of local government;
 - 8.2 giving councils a say in the appointment of local police commanders;
 - 8.3 a portion of the police precept to be retained by lower tier local authorities in a ring-fenced fund to commission local policing services; and
 - 8.4 giving the same councils the power to set the priorities for neighbourhood policing and the local policing of volume crime and ASB by formulating and agreeing policing plans with the local police commander(s).
9. The commission recommends that force level accountability is provided by a **Policing Board** made up of the leaders of each local authority within the force area. This would set the force budget, appoint and dismiss the chief constable and agree the strategic priorities for the force. As the commission also recommends a reduction in the number of forces (citing the possibility of 10 regional forces) this two-tier level of greater accountability becomes more important as the policing board could be operating at a level above that of the current 43 forces. The commission also considered two other options: effectively turning the PCC and police and crime panel into a Policing Board made up of a directly-elected chair and a number of councillors; or having directly-elected Policing Boards (much as was proposed in 2008 by the then government). It however pointed out a number of problems with these two alternatives that led them to favour a Board made up of council leaders.
10. Depending on the future structure of local government the commission also saw the possibility of giving city mayors greater responsibility for police governance mirroring what has happened in London, or instead giving strategic policing responsibilities to combined authorities where they exist. With the governance changes the commission also recommends there is greater engagement with the public, but notes that the range of means of doing this does not prescribe how this should be done other than using participatory budget processes to give local people a greater say in the way resources are allocated.

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11. An area the commission looks at but does not make firm recommendations on is the future structure of policing in England and Wales. The commission notes the creation of both the Police Service Northern Ireland and Police Scotland where there is an emphasis on local partnerships and neighbourhood policing. In the case of Police Scotland the service is divided into 32 local units matching local authorities and 353 local neighbourhoods. Similar structures are being adopted in Scandinavia as well it is pointed out. The commission agrees with the view 43 forces in England and Wales are not sustainable, but notes that there is no consensus on what should replace this structure. The commission suggests three possible ways of addressing this issue: by supporting voluntary mergers; a process of regionalisation to produce around 10 regional forces; or a national force covering England and Wales or two separate national forces – Police England and Police Wales.

LGA response to the proposals

12. Other than the commission's recommendation to abolish PCCs, the key proposals around neighbourhood policing, CSPs and police governance share strong similarities with previous LGA positions on these issues. For example the LGA's 2008 paper 'Answering to You' proposed ring-fenced budgets for councils to spend on policing, CSPs using policing budgets to commission local policing services, internal police boundaries coterminous with council boundaries and councils given a role in appointing local commanders. The LGA's alternative police governance structures produced in 2010, would have seen portfolio holders from each council in a force area coming together to form a board to hold the chief constable to account, set police budgets and agree strategic priorities. The changes to police accountability at a lower tier local authority level could therefore be supported as they would be possible to implement within a structure that retains PCCs. At the current point in time securing cross-party agreement within the LGA for the abolition of PCCs will not be possible, even where it is suggested they are replaced with a new structure that has local authorities at the core.
13. Members may however wish to consider whether local policing governance structures should be tied so closely to CSPs. The changes in funding for CSPs since 2010 has meant that there is a restructuring of community safety services. There is an emerging shift from CSPs towards health and wellbeing boards as the centre of partnership activity in the main because of the funding held by directors of public health. As health has long been a partner most noticeable by their absence this is a welcome change, especially when mental health and substance misuse issues have such an impact on crime and ASB. The LGA's own work around Rewiring Public Services has stressed the need to look at delivering public services in a different way by bringing them together around place and a more flexible arrangement may be preferable.
14. The Safer and Stronger Communities Board's main focus in Rewiring has been around reforming licensing. The future role of councils in delivering safer communities and how local partnerships could be maintained and strengthened could be part of the Board's work, with the development of a model of public service delivery on crime and community safety based on maintaining multi-agency approaches and organised around pooled budgets and joint commissioning. As the commission itself points out one way of achieving this could be through integrating the police in the combined authority arrangements already under development in Greater Manchester, the North East and

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West Yorkshire. Other arrangements may have to be adopted in two-tier or non-metropolitan areas.

15. A possible response to the commission from the Board is set out below, and members' views and comments are sought on it:

The LGA's Safer and Stronger Communities Board welcomes the recommendations in the Independent Police Commission's report about the need to protect neighbourhood policing and local multi-agency partnership working. Neighbourhood policing teams are a core component of local partnership structures which have proved so important and successful since the mid-1990s in driving down crime. At a time of reducing budgets bringing local partners together to work in a multi-agency approach organised around place based on pooling budgets and joint commissioning is vital. Devolving greater powers and budgets to community safety partnerships is one way of achieving this, though as the commission suggests there are other means local partnerships could be strengthened including through combined authority arrangements where these exist. With a number of bodies examining police governance arrangements and how they work over the next year, the Board believes the LGA's political groups should be using the results of these to influence the development of the political parties' manifestos ahead of the 2015 general election, with a view to ensuring that whatever commitments are made around police governance and accountability, there is a prominent role for councillors and local authorities.

Next steps

16. Members' are asked to:

- 16.1. Note the proposals in the Independent Police Commission; and
- 16.2. Comment on the draft LGA position statement set out above at **paragraph 15**.

Financial Implications

17. There are no financial implications arising from this report.