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Policing in the 21st Century: Reconnecting police and the people

Summary of consultation responses and next steps

December 2010

Contents

Policing in the 21st Century: Reconnecting police and the people

Summary of consultation responses and next steps

Home Secretary foreword	2
Chapter 1: About this consultation.....	6
Chapter 2: Increasing democratic accountability	8
Chapter 3: Removing bureaucratic accountability	19
Chapter 4: A national framework for efficient local policing	25
Chapter 5: Tackling crime together	32
List of respondents	38

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Home Secretary foreword



In my statement to the House of Commons on 26 July, I announced the publication of a consultation – *Policing in the 21st Century: Reconnecting police and the people* – in which the Government set out the most radical reforms to policing in at least 50 years, building on commitments made in the Coalition Agreement.

Directly-elected Police and Crime Commissioners (PCCs) are central to our proposals to replace bureaucratic accountability from central Government with democratic accountability from the public. PCCs will make forces truly accountable to the communities they serve, ensuring that resources are properly targeted to where they are needed and giving the public a greater say in measures to reduce crime and improve community safety.

I am grateful to all those who responded to the consultation. This document summarises those responses and sets out next steps in implementing the reforms.

The key features of our reforms include:

- Replacing existing police authorities with directly elected PCCs, who will hold forces to account, strengthen the bond between the police and the public and work with partners to reduce crime and improve community safety;
- New Police and Crime Panels to provide important scrutiny of PCC functions, with membership including both top-tier and district councils – giving district councils formal involvement in policing for the first time;
- A framework of checks and balances to scrutinise PCCs and a more independent Her Majesty's Inspectorate of Constabulary;
- Strengthening professional discretion, cutting bureaucracy and freeing up police officers' time;

- Greater collaboration between police forces to increase public protection and save money;
- Phasing out the National Policing Improvement Agency and creating a powerful new National Crime Agency (NCA) to lead the fight against organised crime and strengthen our border security. This will be supported by a clearer framework for local PCCs and their forces, set out in a new Strategic Policing Requirement (in response to some of the feedback we received during the consultation); and
- Providing a clear role for everyone, including members of the public, in cutting crime through beat meetings, neighbourhood watch schemes and voluntary groups.

Directly-elected Police and Crime Commissioners are at the heart of our proposals to replace bureaucratic accountability from central Government with democratic accountability from the public. I am confident that they will bring new drive and a stronger public voice to policing; bringing police forces closer to the communities they serve.

We have listened closely to what people have had to say and our final proposals take this in to account. The Police Reform and Social Responsibility Bill we are publishing today provides more detail on the powers and duties PCCs and the new Police and Crime Panels will have and how PCCs will work with their force and other local providers.

The Government is clear that the public want to see their local forces taking the full range of policing responsibilities, from the very local to the most serious. PCCs must therefore play their full part in national and cross-border issues as well as local concerns. So I want to give PCCs the right responsibilities and support to ensure that national issues such as serious organised crime, counter terrorism and collaboration between forces are given due priority by their chief constables.

The NCA will work with PCCs and forces to strengthen their work to tackle organised crime – and the accountability arrangements we will put in place for

the NCA will link to the important role that Police and Crime Commissioners will play in promoting collaboration between forces.

We are implementing PCCs and these reforms in the context of a spending review settlement which reflects the Government's determination to tackle the unprecedented budget deficit. The Chancellor has now set out the Home Office's settlement, covering the period 2011/12 to 2014/15. Government core funding for policing will reduce by 20% in real terms over the next four years. If police authorities (and thereafter Police and Crime Commissioners) choose to increase precept at the level forecast by the Office for Budget Responsibility, the settlement means that on average police budgets would reduce by 14% in real terms.

The police play a vital role in society, but we are clear that there is continuing scope for substantial savings while preserving and improving the visibility and availability of policing to the public. We will set out to Parliament very shortly exactly what this settlement will mean for each police force.

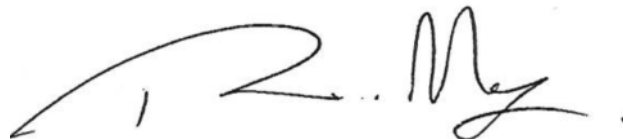
Forces must therefore be ruthless in tackling wasteful spending and bureaucracy. We have assisted this process by removing all top-down targets and unnecessary interference by central Government in the business of policing and reducing unnecessary paperwork to ensure officers can focus on crime fighting, not form filling. Efficiency can also be increased by removing the wasteful duplication of effort between forces on procurement, IT, and business and operational support. PCCs will ultimately hold their chief constables to account for the value for money they provide in these challenging economic times.

Next steps

The consultation exercise has enabled us to develop our thinking on our proposed reforms. This document outlines our plans in each area.

The immediate next step is the passage through Parliament of the Police Reform and Social Responsibility Bill, which will introduce PCCs. Subject to Parliamentary approval of the Bill, the first elections for PCCs will take place in May 2012. In this and other areas not requiring legislation we will continue to work with partners to ensure that our proposals are effectively implemented and meet the needs both of the public and the police service.

In doing so the Government is determined to seize this opportunity to transform policing in our country, by strengthening democratic accountability, securing necessary savings and reconnecting the police and the people. In doing so we will achieve the lower crime and safer and more self-reliant communities we all want to see.

A handwritten signature in black ink, appearing to read 'T. May', with a large, sweeping flourish at the beginning.

**RT HON THERESA MAY MP
HOME SECRETARY**

Chapter 1: About this consultation

Overview of the consultation process

- 1.1 The consultation document was published on 26 July 2010. It set out the Government's plans for police reform, including elements that will be part of the Police Reform and Social Responsibility Bill. It presented 23 questions across four different policy areas and invited comments from national, local and regional organisations, police forces and authorities, front line practitioners, associations and other groups or interested individuals.
- 1.2 The consultation took place over an eight week period and also included several public events and discussions with key policing partners.

Method for the consultation

- 1.3 The consultation was made available on the Home Office website, www.homeoffice.gov.uk/policingconsultation as a PDF document. It was provided in English and Welsh. Large print and audio was made available to download from the website. Responses to the consultation could be completed anonymously online, submitted via email or posted to the Home Office in written form.
- 1.4 To support the consultation process a set of regional events for various policy areas were held to canvass opinions from the public, those currently involved in police governance and front line practitioners. Key themes from the workshops and details of the discussions were noted and have been reflected in the summary of responses below. A list of the events is set out in the table below.
- 1.5 We received a total of 895 responses to the consultation (451 posted or emailed in and 444 online comments) and have grouped these by **national organisations, local and regional organisations, and police forces and authorities.**
- 1.6 We would like to thank all those who have given their time to respond and contribute to this consultation process. We have not listed all the individuals who responded to the consultation but a list of organisations who responded is included at the end of this document.

Table: Consultation events

The key themes and opinions from participants were noted and reflected in this summary document.

Date	Location	Detail	Participants
Tuesday 17 August	London	Citizens involved in community policing and Neighbourhood Watch residents	8
Friday 20 August	Oldham	Citizens involved in community policing and Neighbourhood Watch residents	9
Monday 23 August	Flint	Citizens involved in community policing and Neighbourhood Watch residents	8
Friday 27 August (morning)	Home Office, London	Operational policing representatives	12
Friday 27 August (afternoon)	Home Office, London	Policing governance representatives	10
Friday 6 September	Leicester	Citizens involved in community policing and Neighbourhood Watch residents	4
Wednesday 8 September	Cardiff	Community safety practitioners and policing governance representatives	13
Friday 17 September (morning)	Leeds	Community safety practitioners	21
Friday 17 September (afternoon)	Leeds	Public group	7
TOTAL			92

Chapter 2: Increasing democratic accountability

OUR VISION

The public will be empowered to have a direct say in how their neighbourhoods are policed. This will be achieved through the introduction of Police and Crime Commissioners who will be tasked with representing the public and leading the fight against crime and anti-social behaviour. They will hold the chief constable to account; making sure that policing is responsive to communities' needs.

CONSULTATION FEEDBACK

Role of Police and Crime Commissioners

- The Government is pleased with the high level of interest shown by the public and policing partners in the proposals to introduce Police and Crime Commissioners (PCCs) set out in Chapter 2 of the consultation document. The consultation sought feedback on the practicalities of implementing PCC policy across forces in England and Wales.
- A range of views were put forward on the role of PCCs. Concerns have been expressed that a PCC, as a single individual, may not be effective across a whole force area and find it difficult to engage with communities sufficiently. To address this some respondents suggested the appointment of a deputy commissioner to assist the PCC in carrying out their role. Others thought that the PCC should be supported by a board of executives to help them make decisions and carry out their full range of duties.
- A range of views were also received about the checks and balances proposed in the consultation, with some respondents agreeing that the checks and balances seemed about right. Some were concerned that the arrangements might prove overly bureaucratic or create confusing lines of accountability for chief constables and the public. Others felt that they were too weak, or sought more detail on how the Police and Crime Panels (PCPs) would provide real challenge and scrutiny.
- Respondents generally recognised the importance of having sufficiently robust governance structures in place to ensure that appropriate oversight and scrutiny of local policing is maintained.
- Some respondents agreed that current accountability for policing is insufficiently powerful and local. They agreed that a locally elected PCC would be better placed to drive local policing priorities and represent the public by leading engagement with local policing partners.
- However, many expressed concern about the political nature of the role of the PCC and in particular the involvement of candidates supported by the main political parties. They believe this would risk cutting across the operational decisions made by chief constables and other police officers.

- There was some concern expressed about the circumstances under which a PCC could dismiss or suspend a chief constable and the suggestion that there needed to be proper safeguards in place.
- In the main respondents welcomed the intention that PCCs should have a wider role in the Criminal Justice System (CJS), and in community safety issues, bringing together the various partners around local issues. However, some respondents felt there needed to be further clarity about the role of other local partners in the new landscape. Concerns were raised that PCCs could establish new layers of bureaucracy and create uncertainty between partners who were beginning to work collaboratively on areas such as community safety and integrated offender management. Various methods of engagement were suggested including local meetings, working groups and the PCC sitting on all relevant local boards.
- A number of respondents proposed that the PCC should take oversight of local CJS partners, whilst others saw a risk that this broader remit might spread them too thinly and sought clarity on the relationship between the PCC, local councils, Community Safety Partnerships (CSPs) and CJS partners.

Affordability

- Several respondents requested clarity about the costs associated with introducing PCCs, with some noting that many police authorities already feel under resourced. As a result some respondents suggested that the cost of providing the PCC with an appropriately staffed support team, to assist them in performing their duties and reaching out to communities across force areas, would be significantly higher than the costs currently incurred by police authorities.
- In addition, many questioned the decision to incur the new costs of holding PCC elections at a time when public spending is being significantly reduced.

Vetting

- A few respondents identified a need to apply to PCCs at least the same level of vetting checks applied to police officers. Some believe vetting should be carried out on all potential candidates whilst others believe that appropriate checks should be conducted on the successful candidate once elected.

Elections

- A fairly mixed response was received to the proposal to hold PCC elections every four years, and the inclusion of both independent candidates and political parties. Many said that direct elections, and allowing candidates to stand from political parties, increased the risk of politicising policing.

- There was some concern about candidates making commitments when campaigning that the force cannot meet, either because it does not have the resources or because it is not within the police's remit to do so. This could cause tension between the chief constable and the newly elected PCC and damage public confidence.
- A number of respondents also felt that lines of accountability would be confused, with the PCC holding the chief constable to account and the PCP scrutinising the PCC. This in turn could result in the public having difficulty in differentiating the impact between the actions and decisions of the chief constable and those of the PCC, causing public confusion at the ballot box. Some respondents highlighted concerns about the extent to which the public would vote in PCC elections.
- There was strong support for independent candidates to be allowed to stand for election with some practical recommendations about how the diversity of candidates could be broadened to reflect the needs of local people. These included requiring candidates to live within the force areas thus representing local communities, and holding local pre-election meetings to identify potential independent candidates.
- Respondents expressed a range of concerns including: the ability of independent candidates to stand for election given their lack of resource and practical support; the possibility of special interest and minority party candidates being successful; and the potential damage this could cause to community relations. To truly understand the needs of local communities and to get a better mix of diverse candidates, respondents commented on the need for an injection of new blood to ensure that PCCs, their support teams, and PCPs have the breadth and depth of knowledge to champion the needs of all communities.

Police and Crime Panels

- Many respondents asked for further information about how the PCPs would operate, for example, detail on their composition, how appointments would be made, and any support arrangements for the PCP. Concerns were also raised that tension might develop between a PCP and a PCC, particularly where there were opposing political view points. This could be mitigated by giving the PCP a statutory role in setting strategic policing priorities. A few responses questioned the need for a PCP at all stating that this would be a dilution of the clear mechanism for direct local accountability offered by the role of the PCC.
- Some respondents suggested that the new PCP simply appeared to be the current police authority structures under another name. They expressed concern that membership of PCPs would be drawn largely from the same pool of locally elected councillors and were keen to have an independent presence too.

Information and data

- A large number of respondents agreed that the public should have access to data that is relevant, simple and consistent, so that they can judge how effectively their PCC and the force are performing. However, some noted that it would be difficult to allow comparisons locally between forces and historically over time without providing a national standardised approach to collection and publication of consistent data.

Community engagement

- There was strong support for PCCs engaging with communities with many recognising the good relations already established by forces and police authorities. Respondents recognise this as a vital part of the PCC role but some were concerned about the extent to which this could be achieved at force level, particularly given the geographical landscape of many force areas. Suggestions about how to improve community engagement included holding local surgeries, attending well publicised community forums or a visible PCC presence at key community events.

Assets and staff

- Respondents also asked for clarity on whether PCCs or chief constables had ultimate control of physical assets and staff. Some took the view that democratic accountability required the PCC to have ultimate control of force resources. Others saw these as part of chief constables management responsibilities for which the PCC should hold them accountable.
- Several respondents questioned the proposal to allow chief constables to appoint their top team. Many felt that, given the current level of diversity amongst chief officers, this might simply perpetuate the current trend.

THE GOVERNMENT'S RESPONSE

Role of Police and Crime Commissioners

- 2.1 For the first time ever the public will be able to vote directly for an individual to represent them on crime and policing, thereby giving them a greater say in measures to reduce crime and improve community safety in their area. PCCs will be advocates for the public – striving to deliver the best service for communities in the most cost effective way.
- 2.2 The majority of the public do not know how the police are currently held to account. We want to change that. PCCs will be the public's representative, elected by them to hold the chief constable and the force to account for policing in their area. Ultimately the public will elect the candidate they believe can represent them effectively, and who can voice the concerns of the community. Through the ballot box the public will determine who is best placed to take on this vital role. This is crucial if we

are to truly give the power to local people to influence policing in their communities.

- 2.3 The Government has been clear that the operational independence of chief constables will not be compromised. The long held principle of operational independence, where those operating in the office of the constable are able to make independent decisions on how to use their legitimate coercive powers on behalf of the state will continue to remain the cornerstone of the British policing model. We agree with ACPO that it would be wrong to define operational independence in the Police Reform and Social Responsibility Bill but that it would be sensible to set out in a protocol what the principles are that should help guide the relationship between the PCC and the chief constable.
- 2.4 The Government will require, in each force area, for the PCC and chief constable to develop and agree a Police and Crime Plan that will set out how the priorities for the force will be delivered. The Home Secretary will be able to set out guidance to support the development of this plan.
- 2.5 We are clear that PCCs are there to provide strategic governance and challenge for the force, not for micromanaging it. It is for them to decide on the support they will need to perform their role. We will make sure that legislation sets out that while PCCs will not be able to delegate responsibility for functions, they will be able to delegate activity that helps deliver them.
- 2.6 The PCC's ability to bring together representatives from one or more CSPs at a force level, as well as a power to require a report from a CSP where concerns arise, will help address force wide community safety issues that have been raised by the public repeatedly but have continued to blight communities. To support the PCC and local partners in tackling such issues, the PCC will be able to commission services from CSPs and other local providers.
- 2.7 The PCC is not an alternative to the current statutory arrangements for CSPs. Under these statutory arrangements individual CSPs will need to continue to carry out a strategic assessment and produce a partnership plan, and local authority crime and disorder overview and scrutiny committees will need to continue to scrutinise the functioning of their local CSP. We will not, however, seek to duplicate existing arrangements or add complexity or bureaucracy to the current system. For example, we would expect the councillors sitting on their local overview and scrutiny committees to raise issues with the councillors sitting on the PCP where appropriate.
- 2.8 The link between the PCC, community safety and criminal justice agencies will be significant in achieving local accountability and responding to people's views and priorities. A reciprocal duty to cooperate between the PCC and community safety and criminal justice partners will help to enable a comprehensive dialogue between the PCC and criminal justice agencies, so that the decisions each partner takes on priorities and

investment will take full account of the potential wider implications. Our vision is of a criminal justice system with common cause and shared values. The duty to cooperate will allow agencies to establish meaningful local agreement on how they will work together for the benefit of local communities.

- 2.9 In limiting central interference and bureaucracy we also recognise the need for central Government to retain a small number of powers for issues of national importance. We will therefore provide a clear framework for local PCCs and their forces, set out in a new Strategic Policing Requirement, which PCCs will be required to have regard to. The Home Secretary will retain the ability to intervene where force budgets are set too low and threaten the security of the public; to require any PCC to enter into performance agreements over national and international policing responsibilities; and to specify some functions that all forces must perform through collaboration with other forces or other bodies.

Affordability

- 2.10 Aside from the cost of holding elections for PCCs, the Government has been clear that their introduction should cost no more than the current governance arrangements in place under police authorities. We are publishing more details on costs to accompany the introduction of the Bill into Parliament. The Comprehensive Spending Review has provided additional funding explicitly to pay for the PCC elections in May 2012 and we will keep the costs to a minimum by linking them to local elections wherever possible. The benefits of a direct democratic mandate, including the strong incentive to drive value for money, by far outweigh the additional costs of holding elections. We also expect PCCs to deliver efficiencies because they will be held to account by the public for the money they spend and the precept they raise.
- 2.11 Throughout our proposals we have been very clear about our intention to reduce bureaucracy and increase local accountability so that PCCs and chief constables are sufficiently empowered to run policing efficiently and effectively at force level. To that end we do not intend to prescribe what support PCCs should have, other than the appointment of a head of paid staff and chief finance officer. PCCs will need to be transparent about the level of support they put in place, including publishing the salary costs of their staff, and demonstrate to the public how they are making best use of public money. If PCCs wish to set up additional arrangements, or a substantial support function, it will be for them to determine how to do this and subsequently justify their decisions and the cost to the electorate.
- 2.12 Whilst the PCC will be able to appoint staff to advise and assist them, all staff must be appointed on merit and will be politically restricted posts. Party political office holders and active party members will not be able to be appointed to the PCC's staff.
- 2.13 We agree with respondents that PCC pay should be proportionate to their roles and responsibilities and that we should take steps to avoid excessive

pay packages. PCC pay will therefore be set initially by Government following recommendations from the Senior Salaries Review Body (SSRB).

Vetting

2.14 PCCs will be democratically elected. We do not believe that a vetting process is appropriate in these circumstances as it would cut across the citizen's right to stand for election. The people must make these judgements. We are clear that PCCs and forces will need to agree on the handling of sensitive information to support the ability of the elected PCC to hold their chief constable to account and explain and defend the force's actions to local communities.

2.15 However, we will put in place measures to ensure that PCCs are fully aware of their obligations to protect any intelligence and security information or material that they may come into contact with. We will do this by asking PCCs to sign a document on appointment setting out their obligations under the Official Secrets Act.

Elections

2.16 We are keen to encourage independent candidates to stand for election alongside those candidates supported by the main political parties. In partnership with the Electoral Commission we will embark on a programme of activity which seeks to raise public awareness of PCCs to secure a healthy voter turn out and to encourage independent candidates to represent their communities.

2.17 The public will decide who they want as their PCC and it is inevitable that through the democratic process political parties will put forward those candidates they believe can best represent those communities. We support this. However, we welcome the prospect of a diverse range of candidates standing for PCC elections, whether they stand as independent candidates or as candidate representing one of the main political parties. As a voice for the people on local policing issues, PCCs will need to secure the backing of their local communities to help them cut crime and keep their streets safe. They can only do this by working with and listening to diverse communities across their force area. If PCCs do not represent the views of their communities effectively they will, ultimately, have the power to elect a different PCC through the democratic process.

Police and Crime Panels

2.18 The Government is clear that PCCs should be scrutinised publicly by a Police and Crime Panel (PCP) within each force area. The PCP will scrutinise the PCC; the PCC will in turn scrutinise the force.

2.19 PCPs will comprise a minimum of 10 councillor and 2 independent members, drawn from locally elected councillors and community

representatives from a range of geographically diverse areas. Each local authority within a force area will be required to send an elected member to the PCP. This will include both top-tier and district councils; this will be the first time that district councils have formal involvement in policing governance. In those areas that have less than 10 local authorities each authority will be required to send one member with the remaining seats to be negotiated and filled by the member authorities. The 2 independent members must be based in the force area but not in elected office and they may be experts in their field or bring relevant knowledge and expertise.

- 2.20 We are clear that the PCP must not become an alternative police authority which cuts across the democratic accountability and mandate of the PCC or create bureaucracy for the force. However, we think it is right that the PCP should be able to scrutinise key decisions effectively and we will specify that the PCP will have a power to veto the PCC's decision on precept and chief constable appointments. We are clear that the PCC has the ultimate responsibility for these decisions and we have therefore set a required majority of 3/4 of the PCP members in order for a veto to be successful. We think the power of veto would be used rarely if at all but the force must have clarity on its budget and who will lead it and so the Home Secretary will have the power to specify, by Order, the details of how the veto will work on the rare occasion where the PCC and the PCP are unable to agree.
- 2.21 PCPs will not have powers to veto the proposed budget or the Police and Crime Plan, though they will provide robust scrutiny in these areas. We will ensure that the PCP has the support it needs to undertake its scrutiny role and to that end we will be making provision for PCPs to receive funding to equip the membership to scrutinise and challenge the PCC.
- 2.22 The PCP will be able to require the PCC to issue and publish an annual report on the success of the Police and Crime Plan and to present it to a public meeting of the PCP, and answer any questions they may have. The PCP will in reply provide a formal response to the PCC to which he/she must have regard when considering the content of the plan for the following year. The PCP also has the option of referral to the Independent Police Complaints Commission (IPCC) if they conclude that there is a case to answer with regard to misconduct. However, the Government recognises that the complaints system must be sufficiently flexible for complaints to be handled in a more informal and less bureaucratic manner, for example through mediation or arbitration, and tailored to what the public want and need. We will therefore be looking at refocusing the role of the IPCC to free up resource and allow greater flexibility in dealing with complaints in the future. We will consider options for the recall of PCCs in the light of proposals to recall MPs, once they are drawn up next year.

Appointment and dismissal of chief constables

- 2.23 We intend to give PCCs the power to appoint chief constables. There will be a key role for the PCP who will hold confirmation hearings in public and must let the PCC know their views within 3 weeks of being notified. As set out above the PCP will have the power to veto the decision but otherwise we expect the appointment to be confirmed within 3 weeks of notifying the PCP.
- 2.24 We also intend to give PCCs the power to remove chief constables. To do so they will be required to notify the PCP and provide explanation to the chief constable and allow them make relevant representations. The PCP will be able to scrutinise the decision, including seeking the views of Her Majesty's Chief Inspector of Constabulary, but the PCC has the responsibility for then confirming the decision (or not).

Information and data

- 2.25 We welcome the importance respondents attached to the availability of data to help the public understand the performance of their force and PCC. We have listened to the views of respondents and will be legislating to ensure that communities have access to key information on policing, crime and disorder. We intend HMIC to play a key role in ensuring that we can be confident in the data, including comparative information, being used by the public to make judgements on their force and PCC.
- 2.26 We want to give the public access to key crime and policing information in the way that they want and in a way that they will use, whether to hold their PCC to account, raise an issue at a local beat meeting, or take an active role in tackling crime and anti-social behaviour themselves. From January 2011, we will give the public access to a minimum platform of information including street level crime data and maps and information on their neighbourhood policing team and their next beat meeting.
- 2.27 We are clear that this is just the beginning of work to make action on crime and day-to-day policing more transparent. We will build on this over time, working with communities, local services, entrepreneurs and innovators to provide the public with meaningful and comparable information on crime and policing in their area and empower them to better understand and contribute to the work of criminal justice agencies and other local services

Community engagement

- 2.28 We expect PCCs will want to use the existing networks and channels already in place at force level to engage with the public. They will also want to consider new and innovative ways of reaching out to communities - particularly looking at how new technology can help them to stay in touch with the people they represent. This will be a crucial role for PCCs, who will need to be visible and pro-active if they are to listen to and act upon the needs of their communities effectively.

Assets and staff

2.29 PCCs and chief constables will have a clear division of responsibility that collectively supports both the strategic and operational needs of the force. The PCC will continue to own the assets of their police force, while delegating day to day management to the chief constable. In turn the chief constable will have greater professional freedom than in the past, employing the force's staff directly.

London

2.30 In London, the public already directly elect an individual to have oversight of London-wide issues; the Mayor of London. The Mayor, with the oversight and scrutiny of the London Assembly, will continue to be responsible for the policing budget, setting the policing plan and holding the Commissioner of the Metropolitan Police Service (MPS) (the senior police officer) to account for delivering policing to the people of London.

2.31 We intend to create a functional body of the GLA called the Mayor's Office for Police and Crime, which will own the MPS assets and hold the policing budget. The Mayor will hold this office as part of his or her Mayoral duties. The Mayor will be able to appoint and delegate to a Deputy Mayor for Police and Crime, who will be able to undertake the Mayor's functions in office but the Mayor will retain ultimate responsibility. The Mayor will be supported by an Executive Director and Finance Director appointed as executive officers of the GLA.

2.32 The London Assembly will form a committee that will act as the PCP for the Mayor. The composition of this will be at the discretion of the London Assembly, which will continue to have the power to reject, by two-thirds majority, proposals for the total amount of funding to be allocated for policing.

2.33 Due to the national and international nature of the work of the MPS, the Commissioner and Deputy Commissioner of the MPS will continue to be appointed by the Queen on the advice of the Home Secretary and the recommendation of the Mayor. In line with proposals for other forces the Metropolitan Police Commissioner will in future appoint Assistant Commissioners, Deputy Assistant Commissioners and Commanders. In all other respects the Mayor will have all the powers of a PCC and the London Assembly will have all the powers of a PCP, with the exceptions that they will not have a role in senior or chief officer appointments and their current role in budgetary scrutiny will remain unchanged.

Wales

2.34 We will ensure that PCCs are equipped to perform their role in Wales as in England. Whilst policing remains reserved to the Home Secretary, the functions and powers of PCCs have implications both for devolved and non-devolved responsibilities. We will therefore work within the terms of the Devolution Settlement to ensure that the framework within which the

directly elected PCCs for the four forces in Wales operate takes into account devolved responsibilities.

- 2.35 We have agreed that each PCP within Wales will have appointed to it, by Welsh ministers, a member of the National Assembly as a representative of the Welsh Assembly Government. Westminster will play no part in determining the mechanism of the appointment other than to stipulate that the chosen individual must have an elected mandate held within either a local, regional or national elected representative and that their ward, constituency or regional electorate is drawn entirely or in part from within the force area of the PCP to which they shall be appointed. The Bill will not seek to vary ability of a PCC to raise or lower the precept within Wales, but that it will also not vary the WAG's current ability to cap the precept within a force area. The Home Secretary will retain a power to set a minimum force budget if a PCC intends to set a precept to low that places public safety at risk.

Transition arrangements

- 2.36 We will work closely with key policing partners to ensure that the transition phase from police authorities to PCCs is as seamless as possible for all concerned. We will develop a comprehensive transition programme with partners in the coming weeks. We will transfer current employment undertakings with chief executives, finance officers and those individuals working for police authorities who will, under the management of the PCC, help to help provide important continuity in their early days. It will then be for the PCC to restructure and reform their team as they see fit.
- 2.37 We will continue to discuss with our partners how representative bodies might be sustained and developed after 2012 to help ensure a consistent and effective voice for PCCs on national and cross-border issues.

Chapter 3: Removing bureaucratic accountability

OUR VISION

Replacing bureaucratic accountability with democratic accountability. We want police officers to focus on police work not paperwork. This will be achieved by ending Whitehall interference in policing, reducing bureaucracy and promoting judgement, and ensuring that the leaders of the service take responsibility for keeping bureaucracy to a minimum.

CONSULTATION FEEDBACK

Causes of bureaucracy and suggested solutions

- Several respondents commented that crime recording had become overcomplicated and had led to 'perverse' counting rules. For example, it was suggested that some police officers are reluctant to classify crimes as violent crimes because of the impact this could have on crime statistics and performance. There was therefore strong support for a review of crime recording with a view to declassifying several categories of low level crime, providing officers with the discretion to use professional judgement, and a common sense approach to recording incidents.
- There was support to remove the stop form but some highlighted the need for safeguards through the awareness of potential disproportionate impact on people from minority ethnic communities.
- Some respondents said that a full review of the Regulation of Investigatory Powers Act (RIPA) is required because the workload in this area is not proportionate to the type of decision made, particularly with regard to the application paperwork. Some said that there was a need to reset existing rigid authority levels to take account of specific seriousness and risk.
- On the Criminal Justice System, it was mentioned that court files are still too bureaucratic, even for simple offences. There were several suggestions to increase out of court disposals, such as restorative justice schemes, and returning charging decisions to the police.
- There was support for a review of health and safety practices to enable a common sense approach to policing, rather than bureaucratic risk assessments, supported by strong leadership within the service.
- There were several views seeking more efficient IT systems, which are more flexible than the suppliers' specifications, prevent duplication of paperwork through integrated technology, and possibly co-dependent across forces.
- Although there was strong support for the Government's reduction of centrally imposed targets and performance management, many respondents claimed that there was still a high level of locally imposed

performance indicators and performance management burdens. It is a burden to record, analyse and communicate various types of performance information, and the focus should rather be on reducing harm and risk.

- Others called for a reduction of human resource bureaucracy, including a more concise Core Competency Framework and reducing the length of the annual appraisal Performance Development Review system to focus on core performance issues.
- Some respondents said that police resources were being stretched by sitting on many partnership boards and in some areas the degree of police effort is disproportionately greater than other agencies.
- Some policing organisations suggested that there was a disproportionate approach to missing persons, where every report is treated as a potential homicide. It was proposed that investigations should involve proportionate risk-based decisions, emphasising the police role of preventing harm, rather than a one-size-fits-all approach.
- Some respondents said that inspection based on performance against targets has produced an industry of bureaucracy within police forces to prove performance to inspectorates.
- A culture of risk aversion has developed due to bureaucratic risk assessments for many areas of police work and excessive documentation. This has led to risk averse policing affecting the quality of service provided to the public.

Local information

- Several views expressed that the public do not necessarily trust or use publicly available crime statistics and that other existing forms of local information should also be used, such as street briefings and community meetings. It is important to establish from the public exactly what information they want. Where data is used it should be consistent to allow comparisons across reporting periods. There was some concern about how to prevent PCCs placing requirements for additional data burdens on police forces.

HMIC and ACPO

- There was support for reforming HMIC's role, and a desire for further independence of HMIC from the government and police. Many respondents said that a new inspection model should be based on an assessment of risk and harm, focusing on data quality and value for money, and realise that many policing functions are qualitative rather than quantitative, so looking at problem-solving activity within forces would be beneficial.
- There was a suggestion that at a local level some forces are over-managing performance and only recognising activity around 'counting' but

not for 'resolving' incidents, therefore ACPO needed to support a shift in this culture.

- Some said that the target-driven and guidance-saturated police culture has meant that some officers have become further removed from the public. Some ACPO guidance is necessary but should be limited and focused on core doctrine, and should be used to support other methods of changing culture.

Sharing knowledge

- Responses from some policing organisations suggested that there are already some existing knowledge-sharing systems, such as the National Policing Improvement Agency's POLKA (Police On-Line Knowledge Area), which provides information including specialist and high risk subjects. However, the awareness and use of these systems across forces could be improved.
- Good practice in training police will be important in the future where there are potentially significant changes to policing culture, such as returning some charging decisions to the police. However, there needed to be a way to provide targeted training, for the right people, by the right people, on the right issues, at the right costs, to save spending too much time and resources on lengthy training.

THE GOVERNMENT'S RESPONSE

Reducing bureaucracy

- 3.1 The Home Office is taking positive measures to reduce the police inspection and targets regime. We are working to reduce centralised performance management and the data requests placed on forces in order to free up the police to focus on local priorities. We made a strong commitment to remove central targets, which is evidenced by the ending of both the Policing Pledge and the central public confidence target.
- 3.2 Alongside this, the Assessment of Policing and Community Safety (APACS) is to be abolished. This will enable us to signal a fresh start with the police service with regards to policing performance and allows new arrangements to be developed that best meet the aims of strengthening local accountability, removing undue direction from the centre and supporting professional discretion. We have also reviewed data requests made of the police by the 'centre' and will continue to do this annually to ensure they keep meeting our needs as the new inspection and accountability arrangements develop.
- 3.3 As part of their work on reducing bureaucracy, we have asked HMIC to review the impact of the Home Office counting rules on crime recording. Working with ACPO, we want to better understand where the real bureaucracy sits within the process in order to minimise the burdens on

forces whilst ensuring that comparable data is available to the public so that they have a real understanding to the level of crime in their local area.

- 3.4 We are also looking to reduce police bureaucracy across the criminal justice system. The police are working in collaboration with other agencies, including the Crown Prosecution Service (CPS) and Her Majesty's Court Service (HMCS), to identify the most efficient ways to process cases, reduce the size of case files, and save time, through streamlined processes. We are also testing the concept of integrated prosecution teams where the police and CPS work in joint teams to eliminate duplication of effort with a single case file.
- 3.5 We want to put decision making back in the hands of those that know best, the police officers on the ground. We will therefore support officers in using their professional judgement with regards to how best to deal with crimes and incidents.
- 3.6 Police officers must be able to make key decisions. For example, several respondents to the consultation noted that far too much police time is wasted preparing case files for relatively straightforward cases and waiting for the CPS to make a decision. One common complaint raised by police officers is the number of days they spend in court, and yet are never called to provide evidence. This is time that they should be out on the streets.
- 3.7 It is because of this that we piloted the return of charging decisions to the police for more routine cases. These pilots were run by ACPO and the CPS in Essex, London, Staffordshire, Thames Valley and West Yorkshire. The results were encouraging with approximately 90% of decisions taken by the police shown to be the right ones. On the strength of this success we are now extending this approach nationally and we are also going to launch a second pilot phase to examine the potential for extending further the types of offences where the police can make these decisions, such as in cases of shoplifting.
- 3.8 We will also take action to reduce the burden of paperwork. We are looking at both RIPA and the Police and Criminal Evidence Act to minimise unnecessary bureaucracy for police forces. As an important first step we have laid an order before Parliament that will provide for the removal of the Stop and Account form in its entirety and will reduce the Stop and Search recording process. These changes will come in to force next year and in combination will save up to 800,000 hours of police time a year, which can then be refocused on addressing local priorities.
- 3.9 We recognise that there is scope to reduce paperwork associated with HR processes. To this end a new competency framework is being introduced in 2011 that will streamline the Performance Development Review process for police officers.
- 3.10 It is also important that police officers are able to act in good faith, without being hindered or prevented from protecting the public by inappropriate interpretations of health and safety rules. Lord Young of Graffam

published his report, *Common Sense, Common Safety*, on 15 October 2010. We agree in principle with his recommendation that police officers should not be at risk of investigation or prosecution under health and safety legislation when engaged in the course of their duties if they put themselves at risk as a result of committing a heroic act. We have also agreed to work with the Health and Safety Executive, ACPO, and the CPS to consider further guidance to put this in to effect. This guidance will be completed by 2011.

The new inspection model

- 3.11 HMIC has been tasked with developing their new light-touch monitoring arrangements and risk-based inspection programme. This will enable the Inspectorate to fulfil their important role in shining a light on performance for the public whilst also reducing inspection burden on forces. HMIC will bring forward proposals in due course for how they will monitor force performance in the future.
- 3.12 Furthermore, police authority inspections and value for money inspections on forces will be combined in order to remove duplication of activity across inspection programmes and maximise cost-benefits. The number of organisations and regulatory bodies that place requirements on the police has increased and diverted police resources away from serving the public, so we are proposing to make HMIC the gateway for all police inspections to help coordinate and manage the impact on forces.
- 3.13 We have worked closely with HMIC on their future arrangements for performance and inspection and ensuring that whilst we pare back their regulatory footprint on policing they do have the powers to act as an effective regulator when PCCs are introduced in May 2012. To that end we intend to legislate to give HMIC powers to have access to premises and to have access to information to enable them to do their job appropriately.
- 3.14 We were pleased to see that respondents supported our move to ensure that HMIC were a more independent regulator and believed this would become more important as we introduced PCCs. We intend to legislate so that HMIC's primary duty is not to act as the chief advisor to the Home Secretary. Instead HMIC should primarily inspect and report on behalf of the public and all reports and advice should be made public subject to national security and similar exceptions. In addition, the inspectorate must be under a duty to produce an annual report on the state of policing nationally once a year to the public and/or Parliament.
- 3.15 Whilst all HMIC work will be made public (subject to national security considerations) the PCC, the local PCP and the Home Secretary will all be the key recipients of HMIC's core inspection work. The Home Secretary may direct the Inspectorate where it is an issue of national interest and we intend to retain a backstop power for the Home Secretary to be able to require the PCC to produce an action plan and take action in response to an HMIC report or advice that highlights failings that continue not to be

addressed. In addition to planned HMIC inspections the PCC will also have the power to request that HMIC inspect their force and the PCC will be expected to pay for such an inspection.

Leadership by the service

- 3.16 The Government is grateful to Jan Berry, who has now completed her post as the Independent Reducing Bureaucracy Advocate and her final report was published on 18 October 2010. Amongst other things the report highlights the continued importance of leadership in this area. She concluded that ACPO, supported by the Government and other partners, must take responsibility for delivering the necessary change and provide the climate and culture where unnecessary bureaucracy can be reduced.
- 3.17 We are working closely with ACPO to develop their role as the professional leadership of the police service and demonstrating strong leadership in promoting the greater use of professional judgement. We will also be working with them to look at how the police forces can work most effectively with other local partners. This will look at rationalising bureaucracy generated by partnership co-operation, for example, through less but more focused partnership meetings, ensuring that they add value to police work and public safety.
- 3.18 In order to ensure that the Government is responding to recent reports on bureaucracy and co-ordinating a strategic approach to the various work-streams on reducing bureaucracy, we have set up a service-led Reducing Bureaucracy Programme Board. This Board will be chaired by ACPO and have a membership of key policing partners, including HMIC, NPIA, and the Association of Police Authorities. This group has responsibility to ensure that key priorities on reducing bureaucracy are being taken forward effectively and will do this by listening to front-line police officers, challenge policy-makers and practitioners, and report to Ministers on the progress and programme.

Chapter 4: A national framework for efficient local policing

OUR VISION

A police service that works together to improve value for money for the taxpayer. We will have efficient and effective local policing that is more visible and available to the public with greater collaboration and national co-ordination for non-local policing functions where it is in the best interests of the service and the public to do so.

An improved law enforcement response to organised crime through a more rational, better coordinated approach through the creation of a powerful new body of operational crime-fighters in the shape of a National Crime Agency. The NPIA will be phased out, with its functions reviewed to determine whether they are still needed and, if so, where and how they might best be delivered.

Effective leadership is essential for the delivery of a professional service to the public, providing direction, setting standards to forces and informing the development of leadership capabilities.

CONSULTATION FEEDBACK

- There was strong support for the principle outlined in the consultation paper of preserving the golden thread of policing, and for maintaining the 'vertical integration' of police forces.
- The vast majority of respondents supported moves to strengthen and expand collaboration between police forces across 'non-local' policing services, particularly where services are either specialised, high-cost and/or low-demand, or are in response to threats and criminality that cross geographic boundaries. This was seen to be both in the interests of more efficient service delivery (on 'back office' business support functions and operational support services) and to deliver protective services (such as counter-terrorism, organised crime policing, major crime, public order and firearms), as well as other specialised services such as fraud, financial crime and e-crime more effectively.
- However, some respondents felt that collaboration would ultimately be 'sub-optimal' and argued in favour of the creation of strategic police forces through amalgamations, or for lead-force policing arrangements. Some respondents identified that the existing set of collaboration arrangements has developed from the 'bottom-up' into a 'patchwork quilt', and called for stronger Government direction and mandate, including top-slicing of funding, to ensure a more consistent and effective approach.
- Examples that were given in business support where economies of scale have clear potential included financial services, human resources, IT and legal services. There was especially strong support for greater collaboration on the procurement of goods and services, particularly uniforms, vehicles and IT (for which there was support for greater

consistency between forces in IT systems). Air support, training, e-crime/cyber-crime and roads policing were also areas which received widespread support for collaborative approaches.

- There was clear consensus that the functions for which a national approach was most appropriate were procurement/purchasing (vehicles, uniforms and IT), counter-terrorism and organised crime policing. Training, e-crime and cyber-crime, border policing and the protection of children and vulnerable adults were also widely suggested. In addition there were a number of calls for a stronger national approach to the management of intelligence and IT systems.
- Obstacles to collaboration were identified as falling into four broad categories:
 - i) *Reluctance* – parochialism and self-interest within individual forces and police authorities, and a reluctance to cede or share control. Also, the perception that one's own force would be a 'net donor' and the often protracted debates between forces and authorities about relative levels of investment and return.
 - ii) *Practical challenges* – aligning different systems, procedures and practices, as well as terms and conditions particularly for police staff in joint units. Also, up-front investment costs, incompatibilities in information and communication infrastructures.
 - iii) *Governance and accountability* – lack of governance above force level, and accountability arrangements failing in part because of police authorities being statutorily unable to delegate accountability functions to each other and limitations on the use of joint committees.
 - iv) *Bureaucracy* – such as the requirement for police forces and authorities to enter into separate legal agreements for the same collaboration.
- There were concerns among respondents over the potential tension between national and local priorities, and widespread support for the proposed strong duty on PCCs to collaborate. A number of respondents recommended that chief officers should also have a reciprocal duty to collaborate.
- A number of responses raised concerns that the focus on PCCs on delivering their electoral mandate, and providing local and visible policing services could be to the detriment of wider public protection, particularly the protective services. There was a range of views expressed, with many noting the need for robust arrangements for PCCs to hold chief officers to account for the delivery of all their policing services. One specific recommendation made was for a National Policing Plan that would set out Government expectations for meeting such requirements, with chief officers and PCCs accountable to the Home Secretary for their contribution to it.

- The intention to improve the co-ordination of national capability to tackle organised crime through a new National Crime Agency was widely welcomed by respondents, with broad support for moves to introduce a national approach to the tasking and co-ordination of policing assets, although it was noted that the exact arrangements for how that would work between chief officers would need careful consideration. Some respondents sought clarity over whether existing policing assets would be taken out of police forces and subsumed into the NCA.
- Respondents were divided over the functions (in addition to organised crime and the border arrangements) that should be taken on by the NCA, with some suggesting that the agency should take on responsibilities in operational areas such as major crime, counter-terrorism, and e-crime whilst others advocated the agency being solely focused on organised crime. Some respondents also made reference to the potential interoperability of assets between organised crime and counter-terrorism policing.
- In respect of the phasing out of the NPIA, views were divided equally between those who felt that the NCA should take on some of the police infrastructure services currently housed within the NPIA and those who felt that such functions would provide a distraction to the overall focus of the new agency, or be unsuitable for it.
- With respect to the accountability and governance arrangements for the new NCA, a number of respondents emphasised the importance of having clear and transparent arrangements and that there needed to be a role for PCCs in any such arrangements.
- The role for ACPO as providing professional leadership was, in general, supported. It was felt this would provide consistency of approach and a source of advice for the police service, PCCs and the Government.
- Some respondents highlighted the importance of accountability and transparency in undertaking this role and the need to ensure an inclusive and responsive approach. The need to continue to invest in talented officers and staff and to identify the most able for challenging leadership posts was recognised.
- More broadly, the challenges ahead for forces in continuing to provide a professional service whilst providing value for money was highlighted and some respondents felt a focus on business capabilities should not be at the expense of operational skills. Suggestions for the development of business capabilities included access to training from outside of the policing sector, and secondments and partnerships with wider public and private organisations.
- A substantial majority of respondents who commented on this aspect of the consultation identified potential for the police service to take advantage of private sector expertise to improve value for money, for example in the

provision of human resources services, IT, procurement and finance. There were also suggestions for the use of private sector expertise for management of custody facilities, training, estates management, control rooms, vehicle maintenance, administrative support and forensic science. A smaller number of respondents either considered private sector involvement inappropriate, or expressed reservations about the value that private sector involvement in policing could bring.

THE GOVERNMENT'S RESPONSE

- 4.1 The Government remains convinced that a widescale programme of force amalgamations would not be appropriate – we will not impose compulsory mergers on police forces. Big is not necessarily beautiful or better value for money. Policing in England and Wales is at its best when it is strongly grounded in local communities and so we will not impose mergers on forces that will weaken the capacity of the public to influence and hold to account those who keep them safe. Such an approach would provide a huge distraction for police leaders from their central mission of cutting crime, protecting the public and maximising value for money. Applications from forces and authorities for a merger would only be considered if it was fully voluntary with all parties in agreement, if there was a strong and robust business case and had the consent of their local communities.
- 4.2 Policing in England and Wales is at its best when it is strongly grounded in local communities and the Government does not support imposing mergers on forces that will weaken the capacity of the public to influence and hold to account those who keep them safe. Such an approach would provide a huge distraction for police leaders from their central mission of cutting crime, protecting the public and maximising value for money.
- 4.3 However, this does not mean that there should be a retrenchment into isolationist delivery of policing services by 43 police forces. The consultation responses support the position that a new approach to collaboration is required that is more extensive, more consistent and more effective. It should be one that considers all models of collaborative delivery, including the 'lead force model', and all potential collaboration partners.
- 4.4 Primary responsibility for driving collaboration must come from the police service itself. PCCs and chief officers should take the widest possible view of their policing functions when considering where greater use of collaboration may contribute to improved efficiency and effectiveness. While there needs to be a strong and robust business case for individual collaboration initiatives this should not be used as an excuse to ignore the wider opportunities for benefits across collaboration partnerships.
- 4.5 We will therefore establish a duty on PCCs to collaborate where to do so would be in the interest of the collaborating partners as a whole; and, in accordance with the consultation responses, will also now introduce a reciprocal duty for chief officers to do so. PCCs will hold them to account for those decisions and their implementation.

- 4.6 We will retain the existing ‘back-stop’ powers which the Home Secretary has to issue targeted collaboration directions in the event of a failure to collaborate. In order to establish a clearer framework on which PCCs will be able to draw for the delivery of local policing functions, we will legislate to introduce new powers for the Home Secretary to set out in regulations those areas of policing which should be delivered through collaboration as a matter of course.
- 4.7 We will also remove unnecessary bureaucratic constraints to collaboration. We intend to legislate to enable PCCs and chief officers to be party to a single collaboration agreement that could also include other partner organisations.
- 4.8 We will look for advice, from the tripartite National Police Protective Services Board and High Level Working Group on Value for Money, as to how this stronger and deeper approach to collaboration can be pursued between now and 2012 in order to ensure that PCCs inherit a legacy of widespread and effective collaboration between forces, authorities and other partners. On the specific issue of air support, work has been in hand since June 2009 to develop a National Police Air Service following an ACPO-led review of the national strategy for police air operations.
- 4.9 In line with the strong support for a more co-ordinated national approach to procurement, we further intend to ensure that the Home Secretary retains powers to prescribe that certain services and equipment are procured under specific arrangements, that these powers apply explicitly to the procurement of equipment and to enable the Home Secretary to require advice, within a specified time limit, on the appropriate specifications for equipment and services to be procured through prescribed arrangements.
- 4.10 In order to ensure that savings are made as soon as possible, the Government has consulted separately on proposals for regulations under the existing sections 53 and 57 of the Police Act 1996 to specify some contractual arrangements to be used by the police service for the procurement of certain equipment and services. That consultation, *Obtaining Better Value for Money from Police Procurement*, also closed on 20 September and the Government is considering the responses that were submitted.
- 4.11 The Government welcomes the suggestions that have been made about how the police service could take advantage of private sector expertise to improve value for money and will put in place a programme through which to develop further engagement between the private sector and the police service.
- 4.12 The responses also demonstrate the extent of the debate about the role of the PCC with respect to national policing requirements (such as those for protective services). Having considered advice from the tripartite National Police Protective Services Board, we intend to embed firmly the need to

ensure that their force can provide effective policing services at all levels (be that independently or through collaboration) within the role of PCCs.

- 4.13 In response to recommendations made by ACPO, we will introduce a Strategic Policing Requirement. This will be a statement of the collective capabilities that police forces across England and Wales should have in place in order to protect the public from serious harm, and maintain national security, focusing exclusively on only those policing functions that aggregate to the national level - such as protecting the public from terrorism, organised crime, public disorder and civil unrest and the management of civil contingencies and critical incidents. On the most critical elements of those capabilities, it will also establish the basic requirement of standards to which they should operate in order to ensure that local force resources can work effectively and without significant obstacle with those of other forces.
- 4.14 PCCs will drive the delivery of the National Capability Requirement at the local level. They will have regard to it when determining local resourcing decisions. They will also hold chief constables to account for having regard to any standards contained therein when discharging their functions.
- 4.15 The effect of these legislative provisions will be to provide support to PCCs and chief constables in balancing local priorities and pressures with the cross boundary action, at national and collaborative level, in order to cut crime and protect the public. In the extreme circumstance of forces failing to provide effective levels of capabilities, including to deliver a sufficient level of resilience nationally (for example for the policing of major public events), then the Home Secretary would have powers to enter into specific performance agreements with forces. Such a power would mirror the existing provisions that already relate to the Metropolitan Police Service.
- 4.16 The Government welcomes support shown for the intention to establish a National Crime Agency (NCA) and acknowledges the extent of the debate around its exact functions. We consider that there are a number of policing functions, including tackling organised criminality and border protection, which it would be logical to deliver nationally through the new agency. It is not currently envisaged that existing policing assets will be taken out of police forces and subsumed into the NCA.
- 4.17 We will continue to work with partners within law enforcement to identify the precise range of functions which should sit within the NCA, and the optimum operating model, in keeping with our drive to rationalise existing national crime and policing structures.
- 4.18 The consultation document explained that the NCA would harness and build on the intelligence, analytical and enforcement capabilities of the Serious Organised Crime Agency (SOCA) and the Child Exploitation and Online Protection centre (CEOP). We are encouraged by the level of praise for the work of CEOP, and appreciate the concerns of some

respondents. No final decision has yet been taken though we will ensure that the current success of CEOP is maintained and where possible enhanced.

- 4.19 We note the suggestions made regarding the accountability of the new agency and are working with partners to ensure that the new agency will be openly and visibly accountable, and we recognise the importance of establishing clearly the relationship that the agency will have with PCCs. We will, in due course, publish a business case that will expand further on these issues. We will not be legislating for the introduction of the National Crime Agency in the Police Reform and Social Responsibility Bill, but will seek to do so at the earliest suitable opportunity.
- 4.20 The service needs to have the opportunity to access the very best in training and development from within and outside of the service. Planned and effective talent management will need to be developed to ensure the best possible people are able to take on the key leadership posts in the service. All involved in policing will need to play their part in this and PCCs will have a key role to play in developing this and ensuring that the right capabilities and standards are in place to deliver local as well as national priorities. These standards should reflect both operational and business management capabilities. Since the publication of *Policing in the 21st Century*, the Home Secretary has asked Chief Constable Peter Neyroud to review the delivery of leadership and training functions for policing. The review is due to report in December 2010.

Chapter 5: Tackling crime together

OUR VISION

It is not just the police who cut crime. The whole Criminal Justice System needs to work together effectively to reduce crime – bringing offenders to justice, ensuring fair and proportionate justice, supporting victims and witnesses and preventing re-offending. The public have a clear role in cutting crime – by being active to prevent crime and keep their neighbourhoods safe, and working with the police to bring offenders to justice. Like the police, the justice system and community safety partners have been too focused on the needs of Whitehall rather than communities, and have been pulled apart by conflicting national targets and initiatives rather than offering a seamless service to victims and communities. For too long Government has tried to impose services on communities, stifling local action and activism rather than enabling them to take an active role themselves.

CONSULTATION FEEDBACK

- In order for the public to get involved in keeping their own neighbourhood safe, respondents thought that people needed to have confidence in the police and CJS to be on their side, and that agencies are effectively preventing and dealing with crime and anti-social behaviour.
- The majority of responses described the need to remove the perceived or otherwise risk of being prosecuted for intervening or defending your own property. Others related to the need for greater confidence in the police to take their concerns seriously, respond swiftly and take adequate action when an issue is reported.
- There was also strong support for keeping visible and uniformed Police Community Support Officers (PCSOs) and officers in neighbourhood policing teams out on the streets, reassuring people and deterring crime.
- There was general support for a greater emphasis on the role the community could play in cutting crime – but a realistic recognition that people’s desire and ability to get involved would vary.
- Respondents described a range of different activities from reporting crime and anti-social behaviour, setting policing priorities or sitting on independent advisory groups, being a Community Crime Fighter or more formally volunteering (e.g. as a Special Constable or an Independent Custody Visitor), and suggested different options for increasing it. In particular, there was strong support for Neighbourhood Watch.
- A minority of respondents were more sceptical of involvement or volunteering on the grounds that it is “policing on the cheap” or that it hinders the development of a fully professional service.

- Many thought that there needed to be more information and encouraging messages about the various ways to contact the police, get involved or take action themselves and a campaign to publicise this. Others highlighted the need for it to be easier to report crime and anti-social behaviour and there was support for the Single Non-Emergency Number (101). Some were concerned about the risk of vigilantism and street patrols were welcomed where they were supported by the police.
- Community engagement by the police was strongly supported (including using innovative ways of reaching out to wider sections of the community such as virtual ward meetings) as were ways in which the police could give greater responsibility to communities (for example through neighbourhood agreements, participatory budgeting or restorative justice).
- Several respondents said that there should be greater support and investment for grassroots organisations, and there was appetite for a formal role for agencies (for example neighbourhood policing teams or CSPs) in galvanising community development or volunteering work.
- Many suggested different incentives to encourage individuals to volunteer including (council) tax breaks, discounts from local businesses or insurance companies, recognition (e.g. through volunteer awards or the honours system), recognised qualifications or accreditation training that could support education or employment applications and employers allowing time off work and giving employers credit for doing so.
- These different types of incentives also featured in respondents' answers to the specific question about special constables. Respondents also thought that volunteering is better encouraged by an organisation valuing volunteer contributions and providing a well-defined role and one suggestion was the development of skills in managing volunteers. Lack of time was seen by a number of respondents as a disincentive. People who lead busy lives and would otherwise be willing to volunteer are unable to make a significant commitment because they do not have the time.
- During consultations with activists, many said that they got involved in response to a particular problem and that it was difficult to engage people where crime and anti-social behaviour was low. However, they did feel that activism went far wider than crime/ anti-social behaviour issues and should be around developing community spirit (or social capital). There were calls for joint engagement between the police and other local partners, and ward councillors in particular were highlighted as an important existing way of connecting with communities.
- In order to get involved, many respondents felt that they needed greater confidence and trust in the CJS which upholds the rights of victims and witnesses and protects them from fear of reprisals, some impressing the need for more visible justice and feedback on progress made and others citing the need for a more efficient and effective system.

- This was mirrored in responses to the question around Government action to make the CJS more efficient. Respondents who highlighted a need for a greater focus on victims at all stages felt that the courts should better support and understand victims and witnesses, and that collaboration between agencies was key to providing this support and raising confidence in the system. Victims' right of appeal on sentences, the use of proceeds of crime, incentives and compensation were also raised.
- Many respondents commented that legal procedures and processes were slow and inflexible and that these could be streamlined. Proposals included minimising adjournments and court cancellations, and using technology, buildings and personnel more flexibly.
- There was a call for prosecution reform and for the transfer of more charging decisions to the police, as well as a desire to create greater incentives for early guilty pleas, or penalties for late ones.
- Respondents were mixed in their diagnosis of the balance of punishment and rehabilitation required to reduce reoffending but were clear that this was of pivotal importance to reforming the system. Among the suggestions put forward were multi-agency approaches to tackle problem families, addressing sentence lengths and increasing the use of restorative justice, payback and payment by results approaches.
- Respondents noted that close working between criminal justice agencies has improved significantly with the implementation of a range of ways of working such as integrated offender management. The range of strategic and tactical partnerships now in place were felt to have been successful in bringing CJS partners together (this included the recent addition of the Probation Service as a statutory CSP partner), although some commented that there was a need to widen ownership of CJS issues locally, particularly with local authorities.
- Some respondents proposed that the PCC should take oversight of the whole CJS, locally, but concerns were raised by others that they could divide partners who were beginning to collaborate on areas such as integrated offender management.
- However, respondents called on central government to better join up working at the national level to assist in strengthening successful community safety and CJS partnership working at a local level.
- Many respondents said that the public would be encouraged to get involved in crime prevention. Some respondents felt that there needed to be a greater emphasis on preventative measures, with a clear message that this needs to be a holistic approach involving other partners.
- Respondents reported that central targets were often a barrier to effective partnership working – partners should be free to develop their own local targets taking into account the needs of their communities. Core requirements for CSPs around strategic planning processes were deemed

useful but many respondents felt the imposed time periods for these should be left to local determination. Many felt a range of frontline agencies were working on similar agendas and that greater alignment of planning processes was needed between agencies.

- Many respondents commented that we should rely on existing structures and mechanisms, removing duplication and waste where this existed in current partnership arrangements, which some considered complex, blurred and fragmented.
- Good information and intelligence sharing were seen as vital components to power effective problem-solving and multi-agency working. Poor information sharing due to unclear and restrictive data sharing legislation was commonly identified by respondents as a barrier to effective collaborative working.
- Many respondents indicated that short-term and the lack of sustainable funding from Government was a significant barrier to effective partnership working as this made longer term planning very difficult.

THE GOVERNMENT'S RESPONSE

- 5.1 We believe that effective partnerships are key for cutting crime. Where partnerships work well they can prevent duplication, offer value for money and tackle crime and disorder more effectively than agencies working alone. Partnerships need to be action oriented and not meeting oriented so that they can deliver improved services for their local communities.
- 5.2 We agree that people will want to get involved in tackling crime to different degrees – ranging from challenging anti-social behaviour to volunteering as a special constable. We will shortly be publishing a crime strategy document which, as part of our overall approach to tackling crime, will set out how we intend to get more people involved in tackling crime in a range of different ways.
- 5.3 This crime strategy will include arrangements we have already announced, such as PCCs – which the public can elect; detailed crime data and beat meetings – which the public can use to hold the police to account; and our ongoing work with the police to seek to establish 101 as a Single Non-Emergency Number. It will also include the new steps we will take to empower the public and businesses and the voluntary sector to generate their own solutions.
- 5.4 The task of building the capacity of individuals, communities and organisations so that neighbourhoods can be in charge of their own destiny stretches across Government and is central to the Big Society. The Office of Civil Society has recently published *Supporting a stronger Civil Society* which consults on proposals to:
 - a) Make it easier to set up and run a charity, social enterprise or voluntary organisation;

- b) Get more resources into the sector, strengthening its independence and resilience; and
 - c) Make it easier for the sector to work with the state.
- 5.5 We also think it is important that the public who are active are recognised and supported. So we have recently announced that Baroness Newlove will act as the Government's Champion for Safer, Active Communities.
- 5.6 We intend to remove some of the prescriptive regulation, top down targets and initiatives, thus allowing the responsible authorities of CSPs and their partners a greater level of local flexibility and professional autonomy. We have consulted with partners in England about CSP regulations (and will do so in Wales shortly) and will communicate with partners in due course about which regulations we intend to remove.
- 5.7 We recognise the need to de-clutter the local delivery landscape and we will be working initially with other government departments to consider how we might best encourage local collaboration which is aligned with Big Society and has the greatest benefits for local communities.
- 5.8 We are exploring options for the PCC to hold a budget to commission community safety work from the full range of local partners, statutory and non-statutory. This will allow the PCC to tackle force-wide priorities and to work closely with other local partners to achieve the best outcome for local communities. We are looking to reduce the number of ring-fences on funding that have been in place previously, to enable greater local flexibility to deal with local problems.
- 5.9 We recognise that effective information sharing enables partners to carry out evidence-based, targeted community safety interventions and to evaluate their impact. We are looking at this issue more widely and working with other government departments, to identify how we can help partners to overcome difficulties and promote effective practice in information sharing.
- 5.10 We agree with the respondents who suggested that the CJS needs to have a greater focus on victims and that there is a need to reform the approach to punishment and rehabilitation. The Ministry of Justice's Green Paper on rehabilitation and sentencing will set out how we propose to address this through an ambitious programme of reform based around the principles of freedom, fairness and responsibility.
- 5.11 Through removing bureaucratic constraints we will create the freedom to unlock innovation from the voluntary sector and from the private sector. We will move away from a top-down approach based on inputs and targets towards one which rewards those responsible for reducing re-offending and crime based on the results they achieve. While we have a duty to protect the public, we also have a responsibility to protect the freedoms and civil liberties that underpin a free society. That is why we are introducing a Freedom Bill to reduce the legislative burden imposed on citizens in recent years.

- 5.12 The poorest in society suffer by far the worst from crime. Our reforms will deliver greater fairness by tackling the offenders who cause so much damage to these communities. Offenders will be properly punished for their actions, and we will tackle the drug and alcohol addiction, mental illness and poor education contributes to their offending behaviour. Offenders must also face up to the consequences of their actions and change their behaviour. We want to make much clearer to offenders that there are serious and significant consequences for breaking the law; that they owe a debt to victims for the harm they have caused and have a responsibility to contribute constructively to society.
- 5.13 We will continue to seek out ways of streamlining the criminal case management process in order to deliver further improvements and efficiencies in the CJS and we are consulting on the future shape of the courts estate, in order to create a modern, fit-for-purpose justice system. As already mentioned in Chapter 3 of this document we are, as part of restoring professional responsibility, returning charging decisions to the police for a wider range of crimes.
- 5.14 There will a reciprocal duty to cooperate between the PCC and community safety and criminal justice partners. However, as stated in *Policing in the 21st Century*, the Government continues to see a potential future role for PCCs in respect to the wider CJS in order to deliver an efficient, effective service for victims, witnesses and the wider community. We will explore this as further reforms develop.
- 5.15 Our vision is of a criminal justice system where local leaders are united with common cause and shared values and we will support the development of robust, meaningful local partnerships across community safety and criminal justice services to make this a reality.

List of respondents

NATIONAL ORGANISATIONS

- Adfam
- Aero Space Defence Security
- Airwave Solutions
- Alliance against Intellectual Property Theft
- Association for Financial Markets in Europe
- Association of Chief Police Officers (ACPO)
- Association of Chief Police Officers (ACPO) – Missing Persons
- Association of Chief Police Officers (ACPO) – Women’s Forum
- Association of Chief Police Officers in Scotland (ACPOS)
- Association of Convenience Stores (ACS)
- Association of Directors of Children’s Services Ltd (ADCS)
- Association of Electoral Administrators (AEA)
- Association of Police Authorities (APA)
- Association of Police Authority Chief Executives (APACE)
- Association of Police Lawyers
- Audit Commission
- Barnardos
- Beatbullying
- British Bankers’ Association (BBA)
- British Humanist Association (BHA)
- British Ports Association (BPA)
- British Psychological Society (BPS)
- British Retail Consortium (BRC)
- British Security Industry Association (BSIA)
- British Telecom PLC
- British Transport Police Authority (BTPA)
- British Vehicle Rental and Leasing Association (BVRLA)
- Building Societies Association (BSA)
- Centre for Public Scrutiny (CfPS)
- Chamber of Shipping - Passenger Issues Committee
- Chief Police Officers’ Staff Association (CPOSA)
- Child Exploitation and Online Protection Centre (CEOP)
- Children’s Commissioners for England, Northern Ireland, Scotland and Wales
- CIFAS
- CNET
- Confederation of British Industry (CBI)
- Consumer Focus
- Detica
- ECPAT UK
- Electoral Commission
- Equality and Human Rights Commission (EHRC)
- European Secure Vehicle Alliance (ESVA)
- Federation of Small Businesses (FSB)
- Finance and Leasing Association (FLA)
- Forensic Science Regulator
- Forensic Telecommunications Services Ltd (FTS)
- Fraud Advisory Panel (FAP)
- Her Majesty’s Inspectorate of Constabulary (HMIC)
- Home Affairs, Justice and Equalities backbench Committee
- Independent Academic Research Studies (IARS)
- Intellect Information Technology
- Telecommunications and Electronics Association
- Internet Watch Foundation (IWF)
- Keep Britain Tidy
- Key Forensic Services Ltd
- Liberty
- Local Government Association (LGA)

- Lockheed Martin UK
- Master Locksmiths Association (MLA)
- MENCAP
- Microsoft
- MIND
- Missing People
- National Centre for Missing and Exploited People
- National Crime Authority (Australia)
- Neighbourhood and Home Watch Network
- New Local Government Network (NLGN)
- National Society for the Prevention of Cruelty to Children (NSPCC)
- Parents and Abducted Children Together (PACT)
- Pharmaceutical Industry Security Forum
- Police Advisory Board for England and Wales (PABEW)
- Police Authority Treasurers' Society (PATS)
- Police Federation of England and Wales
- Police Promotion Examinations Board (PPEB)
- Police Superintendents' Association of England and Wales
- Policy Exchange
- Probation Exchange
- QinetiQ
- Royal Bank of Scotland Insurance
- Reading Matters
- Reliance Secure Task Management Ltd
- Restorative Solutions
- Revolving Doors Agency
- Road Haulage Association (RHA)
- Royal Society for the Protection of Birds (RSPB)
- Skills for Justice
- Social Landlords Crime and Nuisance Group (SLCNG)
- Standards for England
- The Association for UK Interactive Entertainment (UKIE)
- The Children's Charities Coalition on Internet Safety (CHIS)
- The Independent Police Complaints Commission (IPCC)
- The Information Commissioner's Office (ICO)
- The Law Society
- The Magistrates' Association
- The Police Foundation
- The Prince's Trust
- The Runnymede Trust
- TRACKER Network UK
- Trading Standards Institute (TSI)
- Transition to Adulthood Alliance (T2A)
- UK Security and Resilience Industry Suppliers Community
- UNISON
- University of Cambridge – Institute of Criminology
- University of Oxford – Department of Criminology
- Victim Support
- Victims Commissioner for England and Wales
- Vodafone UK
- Volunteering England
- Welsh Assembly Government (WAG)
- Welsh Association of Police Authorities (WAPA)
- Welsh Local Government Association (WLGA)
- Women in Prison
- Young National Children's Bureau
- Youth Justice Board for England and Wales (YJB)

LOCAL AND REGIONAL ORGANISATIONS

- Avon and Somerset Criminal Justice Board
- Aylesbury Vale Community Safety Partnership

- Barnsley Metropolitan Borough Council
- Bedfordshire Criminal Justice Board
- Bolsover Community Safety Partnership
- Braintree District Council
- Bridgend County Borough Council
- Bromley Community Engagement Forum
- BSafe Blackpool Community Safety and Drugs Team
- Calderdale Council
- Calderdale Metropolitan Borough Council Cabinet and Scrutiny Panel
- Cambridgeshire County Council
- Cardiff Council
- Carlisle and Eden Community Safety Partnership
- Carmarthenshire Community Safety Partnership
- Castle Vale Community Housing Association, Birmingham
- Central Bedfordshire Community Safety Partnership
- Ceredigion County Council
- Charnwood Community Safety Partnership and Charnwood Borough Council
- Chiltern District Council
- Chorley and South Ribble Community Safety Partnership
- Christchurch Borough Council
- Citizens involved in supporting community policing
- City of Bradford Metropolitan District Council
- City of London Corporation
- City of York Council Labour Group
- Collinson Grant
- Conwy County Borough Council
- Cornwall Community Safety Partnership
- Cornwall Council
- County Durham and Darlington Fire and Rescue
- Craven District Council
- Cumbria Criminal Justice Board
- Cumbria Safer and Stronger Thematic Partnership
- Darlington Borough Council
- Dartford Borough Council
- Derbyshire County Council
- Devon and Cornwall Probation Trust
- District Councils Trust
- Dorset Community Partnership
- Dorset County Council
- Durham Tees Valley Probation Trust
- East Riding of Yorkshire Council
- East Sussex County Council
- Elected Mayor of East Tyneside
- Enfield Community Safety Team
- Epping Forest Council
- Erewash Borough Council
- Essex County Council
- Essex Probation
- Exeter Community Safety Partnership
- Forest of Dean Local Strategic Partnership
- Gloucestershire County Council
- Great Yarmouth Borough Council
- Greenwich Council
- Hambleton and Richmondshire District Councils
- Hampshire County Council
- Haringey Council
- Harrogate District Community Safety Partnership
- Harvest Housing
- Havering Community Safety Partnership
- High Peak Borough Council
- Hull City Council
- IAG Race
- JUST West Yorkshire
- Kent County Council
- Kirklees Council
- Lancashire County Council
- Lancaster City Council
- Leeds City Council
- Lincoln Neighbourhood Watch

- Local Public Data Panel
- London Borough of Ealing
- London Borough of Hammersmith and Fulham
- London Borough of Wandsworth
- London Communities Policing Partnership
- London Councils
- London Probation Trust
- Loughton Residents Association
- Luton's Community Safety Partnership
- M'Lop Tapang Programme for Street Children
- Maidstone Borough Council
- Maldon District Council
- Market Harborough Council East Division
- Member of Parliament for Rochester and Strood
- Mid Sussex Community Safety Partnership
- Milton Keynes Council
- Monmouthshire County Council
- NE Derbyshire Community Safety Partnership
- Newark and Sherwood District Council
- NHS Central Lancashire
- North East Lincolnshire Council
- North Yorkshire County Council
- North Yorkshire Fire and Rescue Service
- Northgate Public Service
- NW Regional Joint Committee
- NW Tenant and Residents Association
- Oldham Council
- Oxfordshire County Council
- PA Consulting Group
- Pendle Community Safety Partnership
- Redcar and Cleveland Borough Council
- Richmond upon Thames Community Safety Partnership
- Rock Kitchen Harris Ltd
- RON Digital
- Rotherham Metropolitan Borough Council
- Rugby Community Safety Partnership
- Safer Durham Partnership
- Safer Arun Partnership
- Safer Birmingham Partnership
- Safer Cheshire East Partnership
- Safer Devon Partnership
- Safer Middlesbrough Partnership
- Safer Neighbourhoods of Kilburn ward, London Borough of Brent
- Safer Peterborough Partnership
- Safer Slough Partnership
- Safer Solihull Partnership
- Safer Stockton Partnership
- Safer Sunderland Partnership
- Safer Waverley Partnership
- Safer York Partnership
- Safety Communities Partnership
- Sandwell Metropolitan Borough Council
- Sheffield City Council
- Sheffield City Council Labour Group
- Solihull Metropolitan Borough Council
- Somerset County Council
- South Devon and Dartmoor Community Safety Partnership
- South Gloucestershire Council
- South Staffordshire Community Safety Partnership
- South Tyneside Council
- Southampton City Council
- St Albans Community Safety Partnership
- St Edmundsbury Borough Council
- St Helens Community Safety Partnership
- Staffordshire and West Midlands Probation Trust
- Staffordshire Moorlands District Council
- Stevenage Borough Council
- Stockport Council

- Stoke on Trent Safer City Partnership
- Suffolk County Council
- Sun Guard Public Sector
- Surrey County Council
- Tameside Third Sector Coalition
- Tendring District Council
- Tonbridge and Malling Borough Council
- Torfaen County Borough Council
- Wales Probation Trust
- Warwickshire County Council
- Warwickshire Justice Centre Programme
- Waveney District Council
- Waverley Borough Council
- West Midlands Criminal Justice Board
- West Midlands Joint Committee
- West Oxfordshire District Council
- West Sussex County Council
- West Yorkshire Probation
- Westminster City Council
- Wiltshire Criminal Justice Board
- Windsor and Maidenhead Community Safety Partnership
- Wolverhampton City Council
- Wrexham Community Safety Partnership
- Wrexham County Borough Council
- Wycombe Community Safety Partnership
- Wyre Borough Council

POLICE FORCES AND AUTHORITIES

- Association of Greater Manchester Authorities
- Avon and Somerset Police Authority
- Bedfordshire Police Authority
- Cambridgeshire Constabulary
- Cheshire Police Authority
- Cleveland Police Authority
- Cumbria Police Authority
- Derbyshire Police Authority
- Devon and Cornwall Police Authority
- Devon and Cornwall Constabulary
- Dorset Police Authority
- Durham Police Authority
- Dyfed Powys Police Authority
- Essex Police
- Essex Police Authority
- Gloucestershire Police Authority
- Greater Manchester Police
- Greater Manchester Police Authority
- Gwent Police Authority
- Hampshire Constabulary
- Hampshire Police Authority
- Humberside Police Authority
- Kent Police Authority
- Lancashire Constabulary
- Lancashire Police Authority
- Leicestershire Constabulary
- Leicestershire Police Authority
- Lincolnshire Police Authority
- Mayor of London, the London Assembly, and the Chair of the Metropolitan Police Authority
- Merseyside Police Authority
- Metropolitan Police Authority
- Metropolitan Police Service
- North Wales Police Authority
- North Yorkshire Police
- North Yorkshire Police Authority
- Northamptonshire Police Authority
- Northumbria Police Authority
- Nottinghamshire Police Authority
- NW Police Authorities
- Police Authorities of Wales
- South Wales Police Authority
- South Yorkshire Police
- South Yorkshire Police Authority
- Staffordshire Police Authority
- Suffolk Police Authority
- Surrey Police
- Surrey Police Authority
- Sussex Police
- Sussex Police Authority
- Thames Valley Police
- Thames Valley Police Authority
- Warwickshire Police Authority
- West Kent Police
- West Mercia Police
- West Mercia Police Authority
- West Midlands Police Authority
- West Yorkshire Police
- West Yorkshire Police Authority
- Wiltshire Police Authority