

10 Police reform

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Introduction

Crime and anti-social behaviour remain major concerns for the public.

No public service should be protected from reform and improvement. The police service has many strengths and its work on behalf of the public is often both impressive and under-appreciated. The task, therefore, is to raise the quality of the service further for the benefit of the people it exists to protect (and who pay for the service through their taxes) and for the police themselves.

The best method for improving the performance of a given service is to expose it to a greater degree of consumer pressure. By introducing more choice and competition, producers or service providers are forced to raise their game. That option is not, however, so readily available for the police force, which is a natural monopoly supplier and has a special function as a coercive arm of the state.

So the task is to find alternative methods for raising the performance standards of the police.

The approach adopted with great enthusiasm by the Labour government has been characterised by a major increase in central control, target-setting, micromanagement and inspection. The aim has been to improve performance by lifting productivity and

achieving greater value for money. These are laudable goals and the systems used have sometimes had a positive impact, particularly in weeding out very low-quality performers. But the overall assessment of Labour's centralised control methods is not favourable.

The excessive use of targets, many of which have been arbitrary in the effects they measure and contradictory in their application, has had a distorting effect. Targets have also had unintended consequences, restricted professional judgement and sometimes even harmed the recipients of the services.

Those responsible for raising standards have become increasingly accountable to Whitehall and its legions of central inspectors rather than to the service users. The focus on economies of scale in pursuit of efficiency has created a tendency towards larger, more remote and less accountable services. As a result, these services have become too unwieldy, too inflexible and too uniform.

Only a more localised approach can address these concerns while concentrating on the continued requirement for higher standards, operational accountability and value for money.

This chapter looks at all aspects of police reform. It examines how senior police officers can be given greater operational freedom. It looks in detail at alternatives for improving the accountability of the service. It considers workplace practices and examines the structures of the police.

The intention is to point a way forward towards a more devolved, responsive, community-oriented, accountable and effective police service.

Operational freedom: central targets and their unintended consequences

Like other public services, the police are now subject to a much more stringent regime of assessment and inspection. The

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rationale for this approach is understandable. Public spending must be accountable. Every part of the public sector should also strive to provide a high standard of service.

The National Centre for Policing Excellence has had some positive impact. But the problem with this heavily prescriptive approach is what has been inadvertently lost in the process. The higher level of political intervention means the days of the rogue police officer have gone; but what about the unconventional and creative police officer with innovative ideas?

This rule of unintended consequences has become a dominant feature of the increasing culture of inspection and performance assessment. It is the same for the hospital patient who is kept waiting longer than necessary because the target for the treatment of his or her condition has already been met for that month and attention has switched to meeting other goals. It is the same for the ambitious teenager who is not entered for a GCSE because he or she may fail and drag down the performance of the school in the league table.

The performance targets stipulate that robbery should be a priority for the police. This assessment has been made at a national level and is an understandable response to increasing levels of public anxiety, especially about violent muggings.

But should it be a priority for every area? For example, the Taunton Basic Command Unit, which covers half of Somerset and approximately 250,000 people, records an average of one-and-a-half robberies a week. Some of these are serious, but some, like the theft of mobile phones, although they should never be underestimated, are less likely to have a lasting effect on the victim.

What is most striking is how rare robbery is in Somerset. It would be better if it was even rarer, but a rational person, responsible for the performance of the Taunton Basic

Command Unit, would not make the reduction of robbery a key performance indicator for the police in the area. However, there is a requirement to follow a national agenda – which is also nearly always an urban agenda – even where it is not appropriate.

This is not an isolated example. A few years ago there was growing public anger about the increase in car theft. The political response was to make the reduction of car theft an important factor in determining police performance. Today, improvements in vehicle security, better registration checks and CCTV usage have reduced public concern over car theft relative to other crimes. But it remains a key performance indicator for the police.

The effect of applying highly prescriptive criteria to assessing the police has resulted in a distortion of rational behaviour. Senior officers with decades of experience are often required to downgrade the emphasis on crimes that diminish the quality of life of residents in their area and concentrate instead on crimes of less immediate consequence.

Senior police officers, like head teachers or hospital chief executives, are given little freedom to exercise their professional judgement. To do so, perversely, is to risk jeopardising their career progression. The rational course of action is to slavishly follow the irrational instructions.

Reform, then, should begin with localising public services and liberating senior managers to exercise their professional judgement as they go about their tasks. The government should realise that centralisation, standardisation and regulation have thwarted innovation, creativity and wise judgement. It should also not fall into the trap of believing that what is best for London is best for everywhere.

In short, there should be greater operational freedom.

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Service accountability: closer and more responsive to the public***The localism principle***

Operational freedom needs to be balanced by the accountability of the service provider to the service user.

Labour has responded to this requirement with a model of inspection and auditing which is inflexible, centralised, top-heavy, bureaucratic, unresponsive and expensive. If Liberal Democrats are to reject this approach, the onus is on us to describe a superior liberal alternative.

The first principle should be devolution of authority and power. The current building blocks of policing are the Basic Command Units (BCU), which vary considerably in size. I do not believe the government should be prescriptive about the exact size of the standard BCU. This should be left to the individual police force to determine. But the presumption should be towards having small BCUs.

A community of around 100,000 people – approximately the size of a rural district council or a parliamentary constituency – may be the optimum size. There is also a close compatibility between the initiatives undertaken by local councils and the work of the police.

The key to effective community policing is visibility, accessibility, immediacy and local knowledge. The police should be woven into the fabric of the area that they administer. So, for example, the senior police officer should see it as his or her role to write a regular column in the local newspaper and attend neighbourhood-based local action team meetings. If the BCU cannot manage this level of community intimacy then it is too big.

Much of this community-based good practice already takes place in many areas. But it is undervalued by the government,

despite protestations to the contrary. The greater emphasis is usually on the so-called 'protective services'. Of course dealing with major crimes and incidents is extremely important but, to a large extent, these services look after themselves. The police will rightly always give priority to solving murders, combating terrorism and dealing with the aftermath of large civil incidents. Police, government and other related authorities could further improve coordination, but these major functions are rarely neglected.

Most people's concerns are more routine. Of course they want the police to break up terrorist cells or deal effectively with the effects of a train crash in their area, but these are not everyday priorities. What matters, day-in day-out, is the graffiti, the vandalism, the late-night noise, the broken car wing-mirror and the litter. Dealing with these more immediate public concerns requires a constant emphasis on small-scale, localised community policing.

There are essentially three ways to improve scrutiny and accountability: through central specialist scrutiny bodies (such as the Audit Commission), through democratic oversight bodies (such as local councils) and through lay scrutiny bodies (voluntary groups). This government has placed far too much emphasis on the first method to the detriment of the other two.

Accountability: addressing the explosion in centralised control

All organisations, in both the private and public sector, benefit from auditing and assessment. There is obvious merit in measuring performance in a way which exposes deficiencies and allows for problems to be rectified. Good managers welcome constructive suggestions for improving their service. Ultimately, *in extremis*, if a police force has gone off the rails, there need to be mechanisms for identifying catastrophic failure and intervening.

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But the paraphernalia of government auditing and inspection is far too elaborate and expensive. Public money that should be spent on high-quality public services is being allocated to government agencies in London which send auditors around the country to compile reports on the absence of such services.

The government has poured public money into auditing and inspection. The Audit Commission, for example, had an annual budget of £232 million in 2004–05.

There will always be a need to judge performance and provide relevant information to Parliament and the public. But this has become a self-sustaining bureaucracy which too often encourages professional service deliverers to warp their priorities to meet arbitrary targets.

Accountability: increasing democratic input

What is often forgotten amid the proliferation of centrally driven targets is democratic accountability. But what does this mean in the context of policing?

I do not think it is appropriate to elect police officers. They have an independent and impartial role that would sit very uneasily with the inevitable requirements of seeking elected office. There are also serious practical implications associated with the policy of electing police officers. What, for example, would be the mechanism for forcing an internal challenge against an incumbent? How would the campaigning be funded? What would be the relationship between the elected police officer and unelected ranks within the police service?

I am happier to explore an equally significant but, in my view, more achievable step. The chief superintendent of the BCU should be required to bring forward his or her programme for the four-year cycle for ratification by the electorate. The BCU chief superintendent would consult on the content of the pro-

gramme and make the case for its adoption. If it were defeated, it would have to be revised and resubmitted to the electorate. Alternatively, in the absence of an agreement, the chief superintendent could offer voters the choice of two programmes.

If each BCU was coterminous with the local council this process could also allow the public to decide or ratify the level of police precept (the part of the Council Tax bill that is earmarked for policing) for their area. Making the connection between what you pay locally and what you receive would have an immediate impact on public interest and accountability.

These proposals – for the ratification of the police's priorities and local funding plan – represent a radical departure from existing police practice. But they would strengthen the all-important link between the police and the people they serve without requiring police officers to compete with each other for electoral advantage. The process of consultation and ratification would, in itself, massively increase scrutiny of the police and their responsiveness to public opinion.

There is also a need to consider the accountability and suitability of members of each police authority. The government's instinctive solution to this problem is to propose extra stipulations, regulations and requirements for members of police authorities. Again the drive is towards more central interference. It would be easier to propose a model of accountability which could be applied nationally if there were uniform local government structures in Britain. In reality, a variety of systems will be needed.

Where there is a directly elected mayor, that person is the obvious candidate to be the ex-officio chairman of the police authority. The Mayor of London should have responsibility for the Metropolitan Police. In most cases, however, there is no directly elected mayor, or the areas covered by the police authority and the mayor are not coterminous.

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The government favours a typically centralised process whereby the chairman is 'subject to a competency-based selection process overseen by the Office of the Commissioner for Public Appointments'. Instead, the emphasis should be on developing the role of the council leadership. In the absence of a directly elected mayor it would be a worthwhile step if the police authority was chaired ex-officio by the leader of the largest council or using a rota of the council leaders within its area. Each council leader should also work closely with the BCU which is coterminous with his or her own area.

The temptation is to go all the way and elect chairmen of police authorities. I remain to be convinced of the merits of this proposal. There is already evidence of voter fatigue in Britain and I do not believe that the strength of a democracy is measured by the numbers of elections that are held. Nor does accountability automatically flow from having an election. The danger is that instead of being under the public microscope, directly elected police authority chairmen would be subject to levels of scrutiny closer in equivalence to directly elected Members of the European Parliament (under both the current electoral system and the previous system).

Most people would, I suspect, vote on the more immediate issues that affect their community. There would be the strong possibility of a disconnection between the main responsibilities exercised by the elected chairman and the factors that determined his or her election. If that were the case, the election would create an impression of accountability rather than making it a reality. For an election to be worthwhile there would have to be a reasonable prospect that good chairmen would win and bad chairmen would lose. An electoral lottery would not be of value.

What matters is accountability. The best solution is to have the position of police authority chairman filled by elected office

holders with serious and substantial roles: men and women who are well known to the public, have no one to hide behind and are judged on their record.

Accountability: increasing the public role

Lastly, scrutiny and accountability could be enhanced by increasing the involvement of the public.

I support the idea of lay members on the panels that select reasonably senior officers. The sector inspector, for example, of a town of 15,000 people should reasonably expect to have representatives of the community on the panel. The ideal would be to involve people who are already part of local community action teams in their own neighbourhoods.

There is too much passivity at community level. People often ask 'what are the police doing for us?' – which is not unreasonable – but they should also be asking 'what can we do for ourselves?'. Policing alone cannot rid a neighbourhood of crime and anti-social behaviour. The people in that community also need to demonstrate leadership and be encouraged to do so working alongside the police. At its best this is a partnership.

The police can help in many ways. They can give guidance on everything from the application of the law to how to convene meetings. They can use their community budgets to provide equipment for local people to clean up graffiti or buy equipment for a youth centre.

Many people on local action teams are ideally placed to identify the qualities in a potential police recruit that would be most effective in helping to reduce crime and anti-social behaviour in their neighbourhood. The police may feel uncomfortable with this approach, and the advice of the lay members might be indicative rather than binding, but far more will be gained from including the public than from excluding them.

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Politicians too readily underestimate the public. I suspect that most volunteers would be conscientious and respond positively to having the opportunity to be involved.

Workplace reform: rewarding excellence

The majority of police officers are good, dedicated professionals, committed to serving their communities to the best of their ability. But every profession has people who do not pull their weight. That is unfair for the police officers who *are* committed and unfair for the public who are receiving an inadequate service for their taxes.

One senior police officer, in a moment of great frankness, told me that it was very difficult to dismiss a police officer unless he or she 'commits a criminal offence'!

Apart from police officers who are idle (there may not be many but there will obviously be some), there are others who are unable to carry out their duties at the level commensurate with their rank. They may, for example, lack the physical capability to perform their duties. The result is that uniformed police officers on £30,000 are left carrying out tasks which could be done more efficiently by a secretarial employee on £15,000. Spending double the money for an inferior service will not maximise the benefits to the public.

The police service, like other parts of the public sector, is still subject to restrictive work practices which make it harder to improve standards. There is an amazingly complex range of pay scales, increments and other micromanagement measures. These systems are designed to remove the power of discretion from senior managers in the public sector. Instead of exercising professional judgement, the police chief is shackled by inflexible regulations.

Some broad guidelines would be helpful, but otherwise the pay and conditions of staff can be determined by senior managers.

This is routine practice in the private sector and it works perfectly well. The best employees who contribute most to the organisation prosper while those whose contribution is more limited are less generously rewarded.

Why is there such reluctance to trust public sector managers to make decisions? There is no inherent reason why they should be more corrupt or prone to favouritism than their equivalents in the private sector. They should be no less capable of exercising wise professional judgements, and if they are, that is partly a result of being stifled and second-guessed throughout their careers. But with greater authority comes greater responsibility, and ultimately, if a senior manager is incapable of making difficult decisions, he or she should be replaced by someone more competent.

The criticism is sometimes made that there are too many managers in the public sector. This is true and, to a large extent, is the inevitable product of central planning. However, there is a separate but related issue in the public sector: the quality of the management.

Good people are constantly limited and frustrated. They enter the service with great intentions and then find that they are boxed in. Their scope for innovation and creativity is curtailed. Is it any wonder that they sometimes become jaded and end up adopting a tick-box mentality?

Sir Ian Blair recently said that he regretted the reluctance of middle-class people to pursue a career in the police. I think he had a point. I would like to see the best educated and most talented people, regardless of their class, join the police force and feel that they can make a real contribution to their community. We should trust them and give them the freedom to operate.

They should recruit the staff they need to do the job. They should be able to promote and financially reward the highest

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achieving employees who are gaining the best results. They should be able, following recognised procedures, to dismiss persistently underperforming staff. They should have scope to exercise flair and imagination.

Structural reform: local emphasis

All these proposals need to be considered against the backdrop of suggestions that police forces in England and Wales should be amalgamated. The government has previously maintained that the 43-force structure is inadequate for providing 'protective services' to the public and that fewer forces would lead to greater efficiencies.

The government should be cautious about taking too narrow a view in its pursuit of efficiency. There can be a real tension between greater efficiency and public satisfaction. Putting officers on the beat is an inefficient way to detect crime, but it is popular with the public because it provides them with a hard-to-quantify but important feeling of security and reassurance.

In this regard the police are exposed to pressures evident elsewhere in the provision of services that lead to similarly unpopular consequences. Removing functions from small post offices is done in the name of efficiency but the community is diminished when a post office subsequently closes. High hospital bed occupancy is intended to be more efficient but increases the risk of compromising hygiene and causing serious infection. Call centres are regarded by accountants as highly efficient but they are rightly unpopular because they make the service impersonal and remote.

I remain wholly unconvinced by the broad thrust of the case the government has made for mergers.

I do not believe that any politician should be wedded to 43 as a magic number. There are some small police forces that struggle to

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achieve economies of scale or respond to exceptional demands. The Soham murders – accompanied by huge media and public interest – were said to have come close to overwhelming Cambridgeshire police. This suggests that the force is ill-equipped for dealing with, for example, a much larger terrorist outrage.

So there may be a case for some amalgamations, especially if these are undertaken on a voluntary basis and determined by considerations on the ground rather than a template drawn up in the Home Office.

What the government has proposed went much further. In the South West, for example, the main option put forward was for a regional police force. The new force would have stretched from Swindon to the Scilly Isles. Not only is that a massive area but it is also unlikely to function effectively as a single entity. Tewkesbury in Gloucestershire is nearer to Scotland than it is to Penzance in Cornwall.

One option worthy of consideration is affiliations between existing police forces. These reciprocal arrangements could create advantageous economies of scale and improve value for money to the taxpayer without the disadvantages associated with huge regional merged forces.

There is, for example, plenty of scope for joint arrangements on purchasing of services such as IT. Such an approach should reduce duplication of spending and help ensure a greater compatibility of systems. There should also be plenty of opportunity to coordinate support services such as personnel and training. Joint working on operational matters should be further encouraged, especially with neighbouring forces.

Going further and creating regional forces would create all the problems that I believe the public services need to avoid. It would make the police more remote and less accountable. At the moment, as an MP, I know the Chief Constable of Avon and

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Somerset Police and feel able to contact him directly with a matter of concern to my constituents. What is more, I would expect him to have a working knowledge of the policing requirements of all the towns within my constituency.

The chief constable of a regional South West force would be a figurehead removed from the on-the-ground policing concerns of the public. He or she would inevitably concentrate his or her attention on the large urban centres in the region – Bristol, Swindon, Bournemouth, Plymouth – to the exclusion of the more remote and rural communities.

The government is addicted to gigantic models for public services. It needs to rediscover the human scale. With policing, that level is the neighbourhood BCU. The government has argued that the public can have both: big issues solved by big forces and small issues dealt with by neighbourhood policing. But it has learnt little from the wider experience of public services. Unless they are allowed space to breathe, the smaller, community-oriented services will be suffocated by the monolithic, unresponsive, large-scale services.

Conclusion

I believe the centralised, top-down, target-driven, command-and-control style of public service delivery has run its course. The benefits that accrue from this approach – and there have been some – have long since been overtaken by the system's inherent weaknesses.

This government seems incapable of loosening its grip and trusting people to use their judgement. With a 'National Police Plan' and more powers for the Home Secretary to issue highly prescriptive instructions, the direction of travel is clear: operational freedom and local accountability are to be further eroded.

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Britain's public services, including its police service, require a lighter, more liberal alternative to this government's management style. It is a style that has now been tested to destruction.