

Elected Police and Crime Commissioners: some caution is certainly required

Tim Newburn analyses the impact of elected Police and Crime Commissioners (PCCs). He argues that although there is an undeniable potential for enhanced democratic input into policing, police alone are not a magic bullet for solving crime and the distance between PCCs and local government is an issue, amongst many others, of which to be cautious.



We find ourselves on the cusp of the most significant reform of police governance in England and Wales for half a century. The Police Reform and Social Responsibility Act 2011 introduces directly elected 'Police and Crime Commissioners' (PCCs) with very substantial powers over policing. They will have responsibility for the maintenance of their local constabulary, for ensuring that it is efficient and effective, as well as holding the chief constable to account for the exercise of a range of duties. Crucially, the PCC will also be responsible for appointing and dismissing the chief constable and for agreeing the appointments of deputy and assistant chief constables. These powers are held by the Mayor in London.



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Under the new arrangements each local area will also see the establishment of a Police and Crime Panel (PCP), with a minimum of 10 and a maximum of 20 members. All local authorities in the relevant area will have at least one councillor representative on the PCP.

What should we make of these reforms? Many claims have been made, not least that they will help 'reconnect' police and public, that they should empower the public to hold the police to account, and that they will mean that the public will have someone 'on their side' in the fight against crime and anti-social behaviour. Or, as the Conservative Party election manifesto put it in 2010, the reforms were expected to bring greater *democratic* involvement in policing. Indeed, over the years commentators and critics on both the left and the right of the political spectrum have called for greater 'democratic policing'. But whilst the term is easy to conjure up and to use in support of a variety of actual or potential policy initiative, rarely is there much clarity as to how the term is being used. In short, how do we judge if policing is more or less 'democratic'?

I want to suggest that in thinking about PCCs and their potential impact on 'democratic policing' that we use seven principles as the core criteria (This draws directly on work that Trevor Jones, David Smith and I did some years ago titled *Democracy and Policing*). These are: widespread *participation* in political decisions; *responsiveness* of policy to representative bodies; *information* to form a basis for decision-making by representatives; an even *distribution of power* between different actors in the system; the possibility of *redress*; *effective delivery of outputs*, such as order maintenance, crime prevention, and prosecution; and, finally, a concern with *equity*, from which the other six spring. Speculatively – given that the first PCC elections don't occur until this coming November, I'll take each in turn.

Participation

This is the primary argument generally used in favour of PCCs. However, current indications suggest public knowledge of the forthcoming elections is slight, and there are fears that turnout will be low. Indeed, it is debateable anyway whether the opportunity to vote for a PCC once every four years or so will amount to meaningful participation in the process of local police policymaking. In short, whilst participation remains important, therefore, there are good reasons for thinking that other 'democratic

values' are at least as significant in this context.

Equity

Whereas policing always involves striking a balance between competing and often conflicting demands, there is still little mature public discussion about the emphasis that should be given to different policing objectives or policing methods). One potentially positive effect of PCCs could be to bring such tensions out into the open. Alternatively, there is a danger that PCC elections might provoke lowest common denominator 'majoritarianism', in which the police are pressured to respond to the demands of one section of the voting public at the expense of others. The relatively recent successes of extremist parties such as the BNP in local elections are a reminder that we should not assume that 'participation' necessarily leads to progressive reform.

Delivery of service

Every citizen benefits if policing is effectively and efficiently delivered. The principle of effective service delivery flows from the principle of equity, since a well-policed society is more just than a badly-policed one. The PCCs will be a new source of pressure on the police to show that they are achieving results in ways that matter to the electorate. PCCs may well be a good thing, but the key issue will be what 'counts' as good performance. To be truly effective PCCs will need to resist the temptation to play to the gallery, and will need to defend those aspects of policing which are least easy to measure, or may be relatively invisible to the voting public.

Responsiveness

Elected commissioners are clearly intended to make the police more responsive. They face difficulties however for policing is both influenced by immediate demands and expectations and also plays an important role in shaping such expectations and demands. One danger is that certain forms of crime may be excluded from regular or serious police attention, and whilst PCCs may play an important role, much will depend on their willingness to expose otherwise submerged public demands.

Distribution of power

The concentration of power among a few individuals or groups is inimical to democracy. By shifting at least some power away from central government and police chiefs, in theory the introduction of PCCs aids the distribution of power. Indeed, in the broader context of the recent abolition of national league tables and performance targets (as [announced](#) in mid-2010), the PCC reforms do present a real attempt to shift the locus of power over policing away from the centre. That said, with responsibilities covering huge geographical areas there will clearly be limits on the extent to which 'local' influence is enhanced by these reforms.

Information

There is wide agreement across the political spectrum that good information is needed for the achievement of all other democratic objectives. Routine information is insufficient, however, and it is important that there are alternative and independent means of interrogating the police service about their actions. The PCC should be able to perform this function and consequently give more impetus to the demand for more and better information, building on positive recent advances such as the introduction of crime data and local 'crime maps' ([introduced](#) in early 2011).

Redress

The possibility of redress is integral to democracy. This context is probably best seen as the capacity to remove an incompetent or malevolent police management, together with the capacity to reverse policies that unfairly target particular groups and to right wrongs done to individuals by the police. PCCs will be the first local representatives to have the power to dismiss the chief officer and this clearly strengthens local capacities. In relation to PCCs, what is less clear is the extent to which they will be able to make an important difference in relation to redress at levels below senior management.

Where does this leave us?

There is undeniable potential in these reforms for enhanced democratic input into policing in England and Wales, not least because of the shift in influence away from Whitehall and towards 'local' areas. At the same time, some caution is also required. PCCs add further complexity to an already convoluted system of police governance and for all the talk of local democracy in one sense PCCs are just the latest in a long sequence of attacks on local government. In terms of impact on crime, PCCs will have little leverage over local issues such as education, employment, housing and others that arguably have a significant influence on local crime and order. As such, much of the rhetoric surrounding PCCs repeats the common misconception that the police alone can be the magic bullet controlling crime or, indeed, that this is their core mission.

Perhaps the most important question to be asked about the reforms is whether they will ultimately contribute to increased insecurity, making crime seem a more and more serious problem, and available solutions less and less convincing, or whether they will open a window onto a wider view and offer the prospect of a more deliberative and constructive debate. Whilst it is important to keep an open mind, there are two significant sources of concern. First, [current indications](#) (a recent YouGov poll for Victim Support found that fewer than half of all respondents knew of the forthcoming PCC elections) and historic precedents (police-community consultative groups for example) suggest that only a small minority of people will be prompted to 'participate' - either by voting or by becoming involved in other forums - in PCC-related activity. Furthermore, the entrenched nature of party political competition over crime issues, the overly narrow definition of policing and its functions currently being used, and the distance between PCCs and local government, all restrict the likelihood of a largely positive outcome; an outcome which stimulates useful, well-informed and constructive debate, grounded in a mature appreciation of the real issues and realistic options facing local communities.

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