



First Generation Project

Background Paper

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I. Introduction

On 15 November 2012, the public across England and Wales (excluding London) will elect the first generation of Police and Crime Commissioners (PCCs). PCCs will have a number of important roles, including setting the strategic direction of police forces, holding the chief constable to account and setting the local police budget. They will also have a wider role in working with partners to reduce crime and anti-social behaviour.

The election of PCCs represents an opportunity to influence a new locally elected representative, at a time when an increased focus on localism makes it all the more important to work with such local figures for positive change. There is great scope for PCCs to work creatively at a local level, leading and strengthening partnerships, linking with health and other community-based services, and looking beyond crime detection to crime reduction. The reform is important to a range of statutory and voluntary partners. It is hoped that as well as setting the background to this project, this report will provide a useful resource for a range of agencies preparing to influence and work with PCCs in the new landscape.

I.1 The First Generation Project

The First Generation Project is funded by the Barrow Cadbury Trust, and intends to inform and influence the candidates standing for this election. The project will involve Revolving Doors Agency and the Transition to Adulthood Alliance (T2A) working closely together to make the case for improved responses locally to the 'revolving doors' group and young adults in contact with the criminal justice system.

While in some instances they require distinct approaches, there is significant overlap in the problems faced by these groups. People in the 'revolving doors' group suffer from simultaneous multiple problems, including poor mental health, which can lead them into repeat contact with the criminal justice system. Each problem reinforces the other and ineffective support from services can leave people caught in a downward spiral of crisis and crime. Meanwhile, many young adults aged 18-24 face a difficult transition to adulthood and a criminal justice system that fails to recognise their specific needs. Due to the complexity of their problems, both of these groups are often particularly poorly served by mainstream statutory services, and fall through gaps in service provision.

PCCs will have an important role in addressing these problems, and in doing so could improve the efficiency and effectiveness of their police force. Both groups are overrepresented in the criminal justice system, and make considerable demands on police time. While young adults are the most likely age group to commit an offence, they are also the most likely to desist from offending and 'grow out of crime' if the right approach is taken. Similarly, addressing the multiple needs of 'revolving doors' offenders has been shown to reduce reoffending. Improved partnership working locally, an emphasis on diversion where appropriate and a focus on early intervention can improve outcomes for both groups, and reduce the impact that their offending has on communities and the public purse.

PCCs will be important figures in achieving these goals locally going forward. This project, however, is focused more immediately on the upcoming election campaigns of PCC candidates across the country. As such, it aims to:

- Raise awareness of issues faced by young adults and ‘revolving doors’ group among candidates
- Gain commitment to tackle multiple needs
- Gain support for distinct approaches for young adults
- Gain commitment to engage with young adults and people with multiple needs
- Establish a relationship to continue working with PCCs post-election as their role develops.

1.2 Purpose of the report

The project has been split into two phases: a research phase and an influencing phase. Alongside desk-based research and the monitoring of news surrounding prospective candidates, the research phase involved meetings with stakeholders, three expert roundtables (focused on young adults, mental health and women offenders respectively), and two consultations with the Revolving Doors service user forum (see appendix 2). All of this has informed the content of this report, the purpose of which is to sum up the learning from our research so far, and provide a background from which our messaging and influencing work will develop. Chapters two and three will summarise some of the issues faced by the ‘revolving doors’ group and young adults in contact with the police, as well as some proven solutions that can reduce crime and reoffending. Chapter four will then describe the new policing landscape set out in the *Police Reform and Social Responsibility Act 2011*, including outlining the statutory role of the PCC, before chapter five looks at the prospective candidates so far and the run up to the election. Chapter six then identifies a number of key issues going forward, presenting opportunities and concerns for both the ‘revolving doors’ group and young adults, before chapter seven offers some concluding remarks and outlines the next steps for the project.

Before this, however, it is important to place the policing reforms within their broader policy context.

1.3 Policy context

The reforms to policing, which are the subject of this report, are occurring at a time of unprecedented change in the public service landscape. This includes widespread changes in the health and criminal justice sectors, which will have an impact on both young adults and people with multiple problems who come into repeated contact with the police and criminal justice system.

There are a number of key, interlinked themes underlying the coalition government’s programme of reform, including:

- **Localism** – Shifting power away from central government and allowing greater decision making at a local level is a shared policy priority of both the Conservative and Liberal Democrat partners in the coalition.
- **‘Big Society’** – This was a major Conservative platform in the 2010 election, emphasising social responsibility, social action and community empowerment over ‘big state’ approaches. This concept forms an important backdrop to many reforms.
- **Openness and accountability** – Publishing information and improving the accountability of public services links closely with both localism and the ‘big society’. Early moves included the creation of www.data.gov.uk, intended to empower an “army of armchair auditors”.¹

¹ <http://www.communities.gov.uk/newsstories/corporate/1685058>, accessed 12.06.12

- **Diversifying service provision** – The government has shown support across health, criminal justice, local government and other sectors for increasing competition in service provision. Public sector must increasingly compete with private and voluntary sector providers.
- **Deficit reduction** – Underlying all changes is the deficit reduction programme. Reductions in budgets are being seen at a national and local level. This represents an extremely challenging environment for services working with the most excluded groups, who often provide an early intervention that reduces the risk of later contact with the criminal justice system.

While these broad themes and principles have shaped legislation, specific measures in a number of areas are also directly relevant to PCCs.

Criminal Justice

The government's criminal justice reform agenda extends far beyond the police, and PCCs are not the only radical change in this environment. The *Legal Aid, Sentencing and Punishment of Offenders Act 2012* (LASPO) has been passed, introducing a range of measures aimed at toughening community sentences, increasing public confidence in non-custodial sentences and reducing demand for prison spaces. The government has also issued a consultation setting out proposals on reformed non-custodial sentences (MOJ, 2012a). Alongside this, the government are also consulting on wide-ranging reforms to the probation service, including a reduction in the number of probation trusts and a transfer of commissioning responsibility from central government to trusts (MOJ, 2012b)

In line with some of the themes outlined above, criminal justice has also seen an increased drive towards outcome-based payment structures. The Coalition Agreement (HM Government, 2010, p.23) promised that it would:

“introduce a ‘rehabilitation revolution’ that will pay independent providers to reduce re-offending, paid for by the savings this new approach will generate within the criminal justice system.”

This has since been put into practice in a number of experimental approaches including:

- ‘Payment by results’ pilots in a number of prisons including HMP Doncaster
- Probation-led Financial Incentive Models, which aim to provide financial returns to local communities that have reduced demand on the criminal justice system
- Drug and alcohol recovery pilots
- Continued implementation of the social impact bond pilot at HMP Peterborough that was developed under the previous government. Bond investors will receive a return on their investment if services provided by voluntary sector providers achieve a reduction in reoffending of 7.5% or more (Social Finance, 2010, p.5).

These approaches will undoubtedly influence how the PCCs will view their commissioning responsibilities.

Health and social care

Sweeping reforms to health and social care also mean that PCCs will be just one of many new entrants in a complex local environment. Since coming to power in 2010, the coalition government has embarked on the largest scale reorganisation of the NHS in its history. Primary Care Trusts (PCT) and Strategic Health Authorities (SHA) are being abolished, with commissioning responsibilities transferred to clusters of GP practices known as Clinical Commissioning Groups (CCGs). These will be responsible for the commissioning of most local health services, including mental health services, but will be accountable to a new national NHS Commissioning Board, currently operating in shadow form. The national NHS Commissioning Board will be responsible for offender health services in all custodial settings, including police cells, and will also take responsibility for criminal justice liaison and diversion services which are being rolled out nationwide. These will be accessible in all police custody suites and courts by 2014, and will provide a service to offenders with a range of needs such as mental health and substance misuse issues.

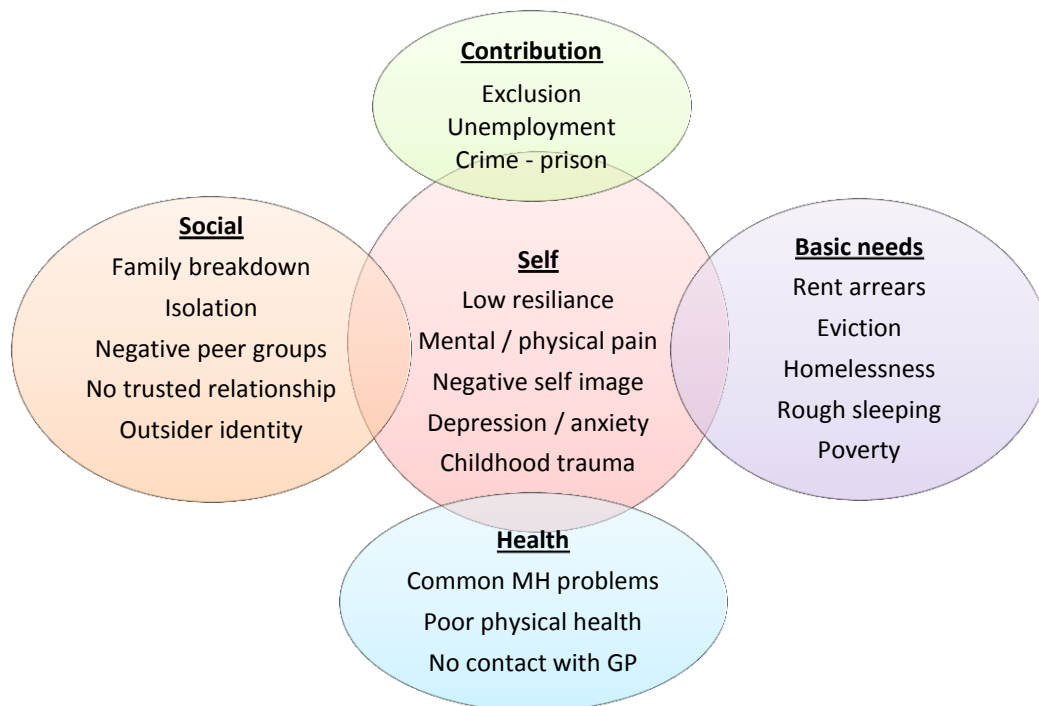
Responsibility for public health is to be transferred from the NHS to local authorities, funded by a ringfenced public health budget. Meanwhile, all upper-tier local authorities will be responsible for setting up statutory Health and Wellbeing Boards, which will include the director of public health, locally elected councillors and representatives of local Clinical Commissioning Groups, children's services, adult social services and local Health Watch (a new independent organisation representing the views of the public). The main aim of Health and Wellbeing Boards (HWBs) is to improve outcomes in health, care and wellbeing. Improving mental health will also be a key component of this responsibility, and their agenda will extend to wider issues impacting on health such as housing, education and the environment (Local Government Group, 2011). HWBs will be an important strategic partner for the PCC.

All this provides an important context in which to understand both the driving motivation of the reform, and the rapidly changing local context in which the newly elected PCCs will be operating. Before moving on to consider the specifics of police reform, however, chapters two and three will summarise some of the issues faced by the 'revolving doors' group and young adults in contact with the police.

2. Issues for the ‘revolving doors’ group

2.1 The ‘revolving doors’ group

Men and women in the ‘revolving doors’ group suffer from multiple problems at once. Their needs can include mental ill health, drug and alcohol problems, poverty and homelessness, and often lead them into repeat contact with the criminal justice system. Each problem reinforces the other, leading to a situation of “multiple interlocking problems where the total represents more than the sum” (Rankin & Regan, 2004, p.i). They receive ineffective support from mainstream services, which focus on one problem at a time. Unable to receive the help they need, they can be caught in a downward spiral of crisis and crime; causing substantial damage to themselves and their communities, and having a substantial impact on the public purse.



The size of this group in each local area is difficult to determine. This is due to inherent difficulties in identifying a group that is defined, in part, by their poor engagement with services. Inadequate data collection and sharing between agencies is a further barrier (Anderson, 2011, p. 4). Nevertheless, Revolving Doors Agency estimates that there are at least 60,000 people in this situation in England at any one time (Revolving Doors Agency, 2011, p.4). Our research shows that people with multiple needs are strongly represented in populations that present particular problems to public services, such as the offender and homeless populations as well as users of drug and alcohol services (Anderson, 2011a, p. 5). They are represented across all stages of the criminal justice system, while particularly high numbers of short-sentenced prisoners and repeat offenders have multiple needs (Revolving Doors Agency, 2010; Anderson, 2011b).

Multiple Needs and the criminal justice system

- 75% of prisoners have a dual diagnosis of mental health problems combined with alcohol or drug misuse.
- 72% of male and 70% of female sentenced prisoners suffer from two or more mental disorders. This compares with 5% of men and 2% of women in the general population.
- 69% of arrestees test positive for at least one drug.
- A third of prisoners lose their home while in prison.
- 61% of short-sentenced prisoners reoffend within a year.

Poor mental health is a particular underlying problem for many people within this group. Mental health problems are extremely common, with one in four people in the UK suffering a mental health problem in a given year (ONS, 2007). Poor mental health is also closely linked to other issues. As the government's strategy document *No Health Without Mental Health* states, mental health is:

“central to our economic success and interdependent with our success in improving education, training and employment outcomes and tackling some of the persistent problems that scar our society, from homelessness, violence and abuse, to drug use and crime.” (HM Government & Department of Health, 2011, p. 2).

It is clear, then, that it should be an important priority for a range of stakeholders at a local level, including PCCs.

It is also important to note that distinct problems are faced by women with multiple needs, and women often benefit from a different approach to men. In particular, women who have come into contact with the criminal justice system face a specific set of problems relating, for example, to family and childcare arrangements. Women that end up in prison are more likely to self-harm than men, and may be placed further from home due to there being fewer women's prisons, making resettlement arrangements more difficult. Addressing these needs requires a “grown-up version of equality”: one that recognises that the need for diverse and personalised responses to problems (Duffy & Hyde, 2011, p. 19).

2.2 The ‘revolving doors’ group and the police

People in this group are a daily concern for the police. As the current government recognised in the *Breaking the Cycle* green paper, “a significant proportion of crime is committed by offenders who have multiple problems” (MOJ, 2010, p.7). Indeed, multiple unmet needs as described above are at the root of many individuals' repeat offending and anti-social behaviour.

This low-level offending places a serious burden on the police, taking up police time and diverting resources away from higher risks and priorities in the community. It is also a great source of frustration, as the same well-known individuals in the local area repeatedly pass through police custody only to return after a fine, community sentence or short prison sentence during which their needs have not been addressed.

The ‘revolving doors’ group do not only come into contact with the police as offenders, however. People suffering from multiple problems are among the most vulnerable in the community and are often the victims of crime as well as perpetrators (Anderson, 2010; Revolving Doors Agency, 2010, p. 8). Moreover, the police will often encounter people in this group as part of their wider

community role. It is widely acknowledged that a relatively small amount of police time is spent on actual criminal cases, with an early British Crime survey finding that only 18% of police interactions with the public related to crime incidents (quoted in Newburn, 2007, p. 602). Officers will often encounter people with multiple needs in a state of crisis or distress where no offence has been committed. As the emergency service of last resort, it is often the police service that has to respond when other services fail, and it is the police service which bears the cost of this intervention.

One example is the amount of time the police spend dealing with mental health issues. Police responsibilities under the Mental Health Act are illustrative of this problem. Section 136 of the Mental Health Act for example, enables the police to detain individuals suffering an apparent mental health crisis in a public place who are in “immediate need of care and control”. This responsibility requires close joint-working between police, mental health and local authority social care services in order to assess the individual in an appropriate place of safety. A recent study by Revolving Doors in the North East, however, found that often there was difficulty linking with mental health services, leaving police officers spending many hours waiting with a Section 136 detainee and sometimes even detaining them in police custody (Anderson, 2012, pp. 53-71).

There is clearly, then, great benefit for the police in working strategically and proactively to address the needs of the ‘revolving doors’ group locally.

2.3 Local solutions

Solutions to these problems are already tried and tested in a number of local areas. In nearly 20 years of research and practice, Revolving Doors Agency has contributed to an ever-growing evidence base of what works in local areas to tackle the issues facing men and women with multiple needs in repeat contact with the criminal justice system. In particular, **Partnership working** between criminal justice, health and social care agencies and the voluntary sector is vital, providing a holistic approach to improving health and reducing reoffending. **Tailored support** by a trusted lead professional or link worker is key, working with the individual to understand and address the range of problems they face and support them to access the services they need. **Early intervention** is important, preventing problems from becoming entrenched and supporting desistance as problems are easier to solve earlier. Meanwhile, **involving service users** can help to improve the performance of services. It can also help those involved locally in their recovery, building esteem and providing valuable skills.

There are a number of agencies employing these broad principles locally. They include link worker schemes which address the needs of the individual holistically and support people to access appropriate services, and women’s centres that provide the specific approaches many women offenders need to turn their lives around, while simultaneously supporting victims of rape and domestic violence to rebuild their lives. Examples of some of these services are provided in appendix I.

These solutions can reduce crime, improve health outcomes, and reduce damage caused to communities. They could reduce the time and resources spent by the police service in dealing with this group, allowing valuable and diminishing resources to be focused on issues of greater priority both locally and nationally. It is clear that these issues must be of interest to a police and crime commissioner, and the PCC should be a key player in proactively seeking solutions locally.

3. Issues for young adults

3.1 Young adults in transition

Young people face multiple transitions to adulthood. These include leaving education, finding a job, living independently or becoming a parent, and all of these happen at different times for different people. The UK today is a particularly challenging environment in which to make these transitions. Over 22.2% of young adults are not in education, employment or training (NEET), and 1.04 million young people (16-24) are unemployed (ONS, 2012). The transition is particularly turbulent for young adults with multiple or complex needs, who find their contact with mental health or social care services disrupted abruptly when they turn 18. These young people often end up falling between the gaps in services; losing support at a crucial stage in their lives, and at a time when young people are most likely to come into contact with the criminal justice system (T2A, 2012, p. 7).

Young adults are hugely overrepresented in the criminal justice system. They make up less than 10% of the British population, but account for more than a third of those commencing a community sentence, one-third of the probation services caseload and almost one-third of those sentenced to prison every year (T2A 2012, p.8). Nevertheless, while they are the most likely age group to commit an offence, they are also the most likely to desist from offending and “grow out of crime” (T2A, 2012, p.8).

Often, however, barriers to desistance are created when the criminal justice system fails to recognise the specific needs of young adults. Research has shown that the adult brain is not fully developed until at least the mid-20s. While the sentencing council has made moves to allow maturity to be taken into account in the sentencing of young adult offenders, this does not occur throughout the system. As with health and social care services, the jump from youth to adult justice occurs abruptly at 18, when in fact young adults are still maturing. As the final report by the independent Riots, Communities and Victims Panel (2012, p. 91) noted:

“Justice is a particularly pronounced example of where the nature and type of interventions provided shift quickly at 18, whereas the specific needs of the individual follow a more complex and extended path.”

The fact that three-quarters of young adults leaving prison are reconvicted within two years, and two-thirds are reconvicted within two years of serving a community sentence, shows that this non-specific approach for young adults is clearly not working (T2A, 2012, p. 8). In particular, a criminal record makes those factors proven to enable desistance, such as employment, even more difficult to obtain. The right intervention can facilitate desistance, but too often this is not received, leading many young adults down a path of crime and reoffending.

3.2 Young adults and the police

Young adults are more likely than any other age group to come into contact with the police. Recent statistics show that²

- 208,262 young adults aged 18-20 were arrested by the police for notifiable offences in England and Wales in 2009-10
- 59,948 18-24 year olds received a Penalty Notice for Disorder in 2010
- 2,973 18-24 year olds received a conditional caution in 2011.

This contact often takes place on the street, and is often linked to behaviour fuelled by alcohol (T2A, 2012, p. 12). Given this high level of contact, the police have an important role to play in shaping responses to young adult offenders. They are the gatekeepers of the criminal justice process, and have considerable discretion to decide whether an offence has occurred, whether they should arrest or whether another response is more appropriate.

It should be noted, however, that just as with the 'revolving doors' group above, young adults do not only come into contact with the police as offenders and suspects. Many offences perpetrated by young adults are also committed against young adults, including violent offences. Furthermore, many young adult offenders are simultaneously victims of crime.

A further concern is the poor relationship in many areas between the police and young adults. An exacerbating factor in many instances has been the use of stop and search powers by the police. Stop and search was used more than a million times in 2009/10, with a crime detection rate of 9% (Home Office, 2011c). Black and Ethnic Minority groups in particular are disproportionately stopped; a study published by the London School of Economics (LSE) in 2012 revealed that a black person was 29.7 times as likely to be searched than a white person in 2011 (Townsend, 2012). Low levels of trust in the police are a particular problem in urban areas, and was raised as a concern by the Riots, Communities and Victims Panel in its final report (2012, p.101-102). Clearly, this lack of trust can lead to tension between young adults and the police, as well as a reduction in the reporting of crime and a lack of information which could lead to the conviction of more serious criminals.

It will be important for PCCs to find solutions to these issues, addressing the crime and reoffending of this group as well as building trust with young adults in their communities.

3.3 Local solutions

The Transition to Adulthood Alliance (T2A) is a group of 12 leading criminal justice, health and youth organisations convened by the Barrow Cadbury Trust, promoting the need for a distinct approach to young adults in the criminal justice system. Over a number of years, the alliance has built evidence of approaches that work to reduce reoffending among young adults. These include **diversion** away from the criminal justice process where appropriate, and the use of **restorative approaches** which have shown high levels of victim satisfaction, and great success in reducing reoffending. In essence, the core 'T2A approach' is focused on the recognition that young people in the transition to adulthood need **tailored support** and not an arbitrary cut-off from services at the time when they need them most.

² House of Commons Hansard (2012), House of Common Written Answer ('Stop and Search: Young People'), 1 February 2012, Column 692W

The Barrow Cadbury Trust supports three pilots (examples outlined in appendix 1) which have proved successful in applying these principles locally. A recent evaluation found that they had a substantial impact with their cohort on a number of measures, especially on reoffending. The six-month reconviction rate for the T2A cohort was 9%, which compares favourably to national statistics which show a one-year reconviction rate of 46% for young adults (58% for those leaving custody) (Catch 22, 2012, p. 26). Overall the evaluation concluded that “the T2A model provides effective support for young adults and helps them in desisting from crime” (Catch 22 2012, p. 3).

PCCs have a clear role in supporting such solutions. Before a more in depth consideration of the opportunities and concerns for young adults and the revolving door group around the introduction of PCCs in chapter 6, however, it is important to understand the detail of the reform.

4. Police reform and the PCC

Policing in the U.K is traditionally described as “policing by consent”. This is often summed up with the quote from the founder of the Metropolitan police Robert Peel that “*the police are the public and the public are the police*”. These Peelian principles remain central to the identity of British policing today, meaning that great importance is placed on the legitimacy and accountability of the police to the public.

The *Police Reform and Social Responsibility Act 2011* represents a major change in the governance arrangements that provide this accountability. The government’s key aims for the reforms reflect many of the principles laid out in 1.3 above, and were described in the white paper *Policing in the 21st Century: reconnecting the police and the people* (Home Office, 2010):

- **empower the public** – improving accountability by introducing a directly elected police and crime commissioner
- **empower the police** – removing bureaucratic accountability, freeing up officers’ time to get on with their jobs
- **shift the focus of national Government** – localising power and reducing central government’s role in local policing, enabling central government to focus on co-ordinating responses to national threats and serious organised crime
- **empower the Big Society** – make sure “everyone plays their full part in cutting crime in a Big Society”.

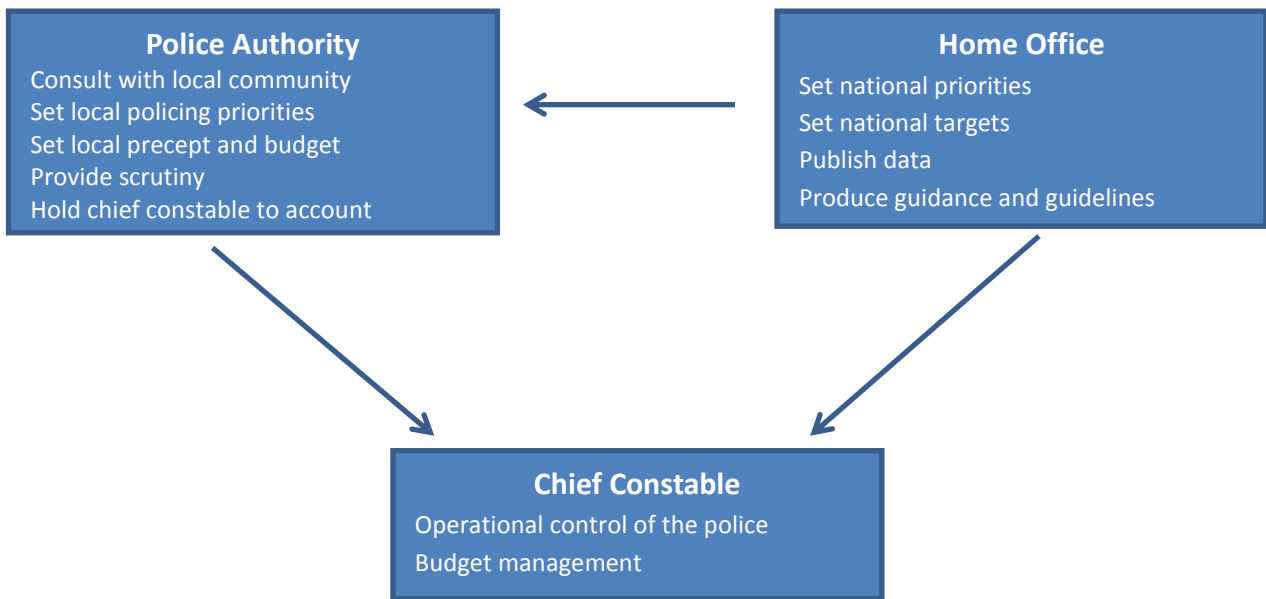
4.1 Background to police reform

Prior to these reforms, police forces have been governed by a tripartite structure, with the chief constable, Police Authority and Home Office sharing responsibility for policing (see figure 1). Within this structure, the chief constable is responsible for the operational command and budget management of each police force. Democratic accountability is provided by the Home Office, which provides central guidance, monitoring and target setting, and an appointed Police Authority within each force area. The Police Authority is made up of 17 members (Nine councillors and eight independent members), and combines a mixture of executive and scrutiny functions. These include setting the local budget and precept, setting local priorities and holding the chief constable to account on behalf of the local community.

These arrangements have been subject to a number of criticisms. These include:

- Police Authorities are too weak locally, and are often seen as subservient to the local chief constable (Murji, 2010, p. 164)
- The Home Office has become too powerful in setting targets, effectively managing police forces from the centre. This has led to too much bureaucratic oversight, and not enough accountability to local communities (Roth, 2010, p. 9-10)
- Police Authorities are not very visible to the public, challenging their claims to represent the community. A review by the government in 2008 found that only 7% of people had heard of their police authority (Roth, 2010, p. 9).

Figure 1: The current tripartite structure



These critiques have led to widespread calls for the reform of the police governance structure in order to bring greater local accountability. This has focused in particular on reform of the police authority, and brought support from across the political spectrum. The Labour party made plans to replace police authorities with a directly elected alternative in 2008, although they retreated from this position after opposition from the Association of Chief Police Officers (ACPO), Police Federation, and the Association of Police Authorities (APA) (Roth, 2010, p. 11). The Liberal Democrats also pledged to introduce directly elected police authorities in their 2010 Manifesto (Liberal Democrats Manifesto, 2010, p. 72).

The Conservative party's proposed reform was laid out in their 2010 manifesto, where they pledged to:

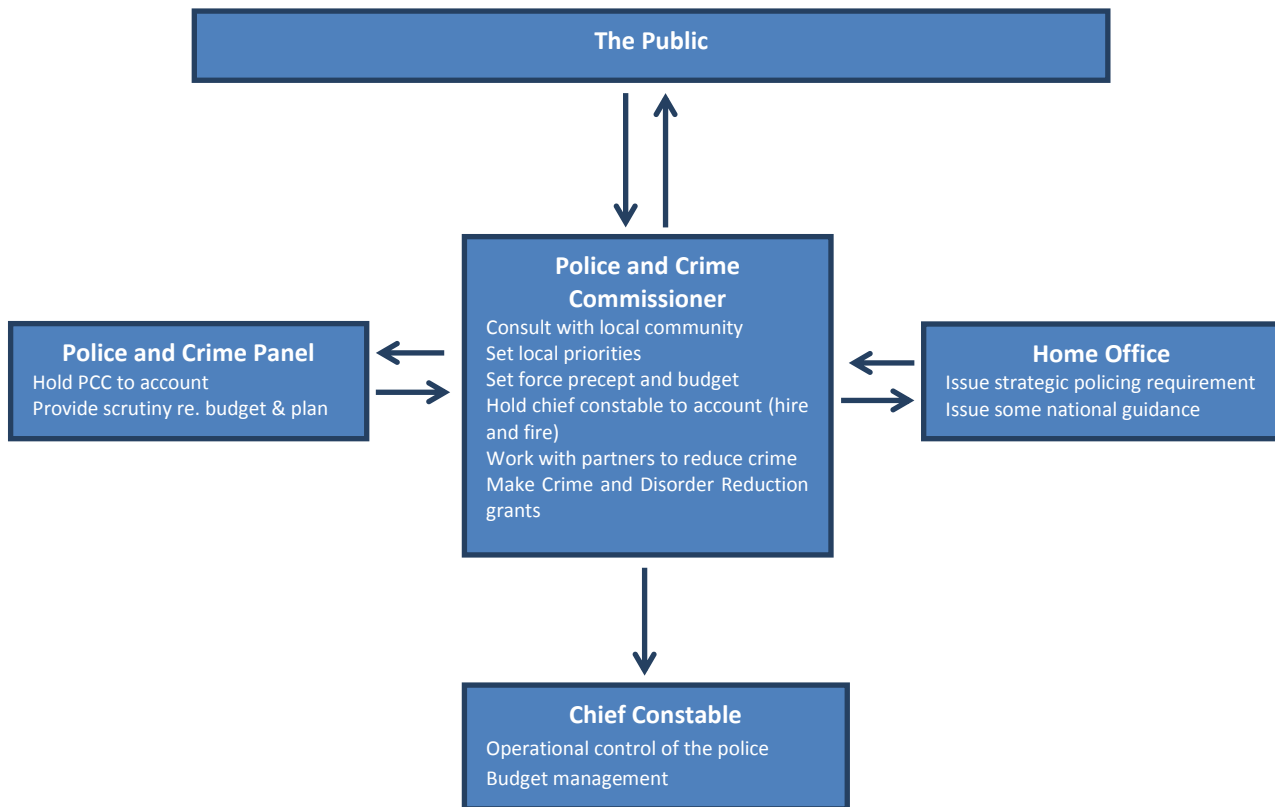
“replace the existing, invisible and unaccountable police authorities and make the police accountable to a directly-elected individual who will set policing priorities for local communities” (Conservative Manifesto, 2010, p. 55).

It is this approach that was adopted in the coalition agreement after the 2010 election (HM Government, 2010, p. 13).

4.2 Legislation and guidance: the new policing structure

The central innovation of the new policing structure is the creation of a powerful new elected figure, with a combination of strategic and scrutiny functions over the police and a broader criminal justice role. The changes to police governance go deeper than simply replacing the Police Authority, however, and include the creation of the police and crime panel as a new scrutiny body for PCCs. The new structure set out by the legislation is summarised in figure 2.

Figure 2: The new structure



The roles of each body are described in more detail below. It is important to note, however, that the legislation is strongly shaped in the context of localism. As such, the roles laid out in the legislation are deliberately loosely defined and not overly prescriptive, while Whitehall aims to take a hands-off approach when it comes to issuing guidance. As was stated in the white paper:

“We do not want to shackle Commissioners with reams of guidance and prescription on their role. Their local focus will be largely determined by the public.” (Home Office, 2010, p.12)

4.2a - Police and Crime Commissioner

A more in depth discussion of the various roles of the PCC is provided in the key issues section below. The purpose of this section is to set out the statutory role of the PCC within the new structure of police governance.

The defining feature regarding the police and crime commissioner is that they are an elected official, and as such directly accountable to the public in a way that Police Authorities were not. The PCC will be elected for a fixed four-year term, although the first generation will have a slightly shorter term reflecting the fact that the elections were delayed from their intended date alongside the local elections in May.

The PCC’s role

The statutory role of the PCC incorporates all the previous functions of the police authority regarding community liaison and police scrutiny, as well as the executive functions of setting the local

budget, precept and policing priorities. On top of this, the PCC has a broader responsibility to work with a range of local partners to reduce crime, and has powers to commission services from providers other than the police force.

Table I below summarises the role of the PCC into five key areas, while designating some of the more specific powers and responsibilities relating to each one.

Table I: Statutory role and powers of the PCC	
Role	Statutory Duties and Powers
Hold the chief constable to account	<ul style="list-style-type: none"> • Hold the chief constable to account for exercise of their functions, and for the exercise of their police force’s functions (s1(7)) • Ensure that the chief constable has regard to national responsibilities, and the police and crime plan (s1(8)) • Ensure that the chief constable maintains an efficient and effective police force (s1(8)) • Has the power to hire and fire the chief constable (s38)
Engage with the local community	<ul style="list-style-type: none"> • Must engage with public and represent their views (s14) • Must engage with victims of crime (s14(2)) • Must publish information that they consider necessary for those in the community to assess the performance of both the PCC and the police. (s11(3))
Set policing priorities in a police and crime plan	<ul style="list-style-type: none"> • “Must issue a police and crime plan within the financial year in which each ordinary election is held” (s5 (1)) • Consult chief constable and police and crime panel on a draft plan (s5 (6)) • Must keep plan under review (s5(9)) • Represent the views of the public in their plan and in setting priorities (s17(1))
Set the police and community safety budget	<ul style="list-style-type: none"> • PCC must ensure that the police force is “efficient and effective” (s1(6)(b)) • PCC will set the local precept (s26) • Can make a crime and disorder reduction grant to any person or organisation that “will secure, or contribute to securing, crime and disorder reduction” (s9)
Work in partnership to reduce crime and reoffending within the force area	<ul style="list-style-type: none"> • Must co-operate with all community safety “responsible authorities” (s10 (2)) • Must co-operate with criminal justice bodies³ and “make arrangements...for the exercise of functions so as to provide an efficient and effective criminal justice system for the police area” (s10 (3)) • Has a specific responsibility for the delivery of community safety and crime reduction, and a “wider responsibility for the enhancement of the delivery of criminal justice in their area” (Policing Protocol Order, s20)

The broader role of the PCC is supported by the transfer of a number of funds to them from 2013/14. On top of the policing grant and precept, the PCC will receive the community safety fund that was previously paid to community safety partnerships (CSPs), funding for victims services, and the Home Office portion of Drug Intervention Project (DIP) funds among others. Any ringfences on

³ The legislation defines criminal justice bodies in S10 (5), and includes CPS, courts, prison, probation and youth offending teams.

these funds will be removed to enable the PCC to commission services as they see fit. This is discussed further in 6.4a below.

Relationship with other bodies

As is evident from some the statutory duties within the table, there are a number of points at which the PCC must interact with other bodies with a stake in police governance. These include the chief constable, police and crime panel and the Home Secretary as well as the public. The PCCs duties in this regard include:

- **Sharing information** – must share information with the police and crime panel in a timely fashion and on request, to enable them to conduct their scrutiny function. (s13)
- **Police and crime plan** – must have regard for the priorities of the local community, as well as the views of the Chief Constable, police and crime panel and existing local community safety partnerships. A draft plan must be produced in partnership with the Chief Constable and subject to scrutiny by the police and crime panel. (s28(3) and s5(6)(c))
- **Setting the budget and precept** – The budget will be subject to the scrutiny of the police and crime panel. The precept set by the PCC must be referred to the police and crime panel, and can be vetoed by them with a two-thirds majority. (Schedule 5)
- **Hiring the Chief Constable** – The PCCs choice of Chief Constable must be referred to the police and crime panel, and can be vetoed with a two-thirds majority. (Schedule 1)
- **Producing an annual report** – To be scrutinised by the police and crime panel at a public meeting, with all recommendations and responses to be published. (s28(4))

Staffing and funds

Unsurprisingly, the police and crime commissioner is not expected to fulfil all of these roles alone. The PCC will have an office of support staff, the size and cost of which is up to each individual PCC. The Act does specify two roles, however. Each PCC must employ a chief executive as their head of staff, and a chief financial officer (Schedule 1, (6)(1)). The PCC may also appoint a Deputy Police and Crime Commissioner (Schedule 1 (8)). The back-office of the PCC will be funded out of the general policing and crime fund, and all expenditure made public.⁴

Operational and strategic functions

These wide ranging responsibilities make the PCC a powerful local leader; considerably more powerful than the Police Authority that they are replacing. Nevertheless, the Home Office has been keen to stress that in terms of police oversight, the PCC's role is purely strategic. All operational policing decisions remain solely in the domain of the Chief Constable. As the Home Office website states:

“PCCs will not be expected to run the police. The role of the PCC is to be the voice of the people and hold the police to account”.

⁴ <http://www.homeoffice.gov.uk/police/police-crime-commissioners/questions/staff/index.html>, accessed 18.06.12

To reinforce this, police and crime commissioners will make an oath of impartiality in which they will recognise the operational independence of the police.⁵

This separation of strategic and operational responsibilities has been vital to the government defending against accusations that the introduction of elected PCCs would lead to the politicisation of the police. However, it is unlikely that this distinction will be as clear cut in practice as it appears in theory. As the new Policing Protocol states:

“The concept of operational independence is not defined in statute, and as HMIC has stated, by its nature, is fluid and context-driven.” (S35)

This fluidity may lead to tension over certain grey areas in the operational/strategic divide. For example, there have already been widely reported allegations in London that the former deputy mayor for policing and crime (London’s equivalent of the PCC) Kit Malthouse asked officers to scale back the phone hacking investigation. Indeed, Kit Malthouse admitted questioning the assistant commissioner of the Met about this at the Leveson enquiry⁶. The police argued that this was an operational decision; however it could equally be argued that it was a budgeting issue, and it was legitimate for the deputy mayor for policing and crime to become involved to hold the commissioner (London’s equivalent of the chief constable) to account and ensure the maintenance of an “efficient and effective police force”.

The water is further muddied by the PCC’s role in holding the chief constable to account for the performance of their functions and their force’s functions. While the designated executive powers of the PCC discussed above (budget and precept setting, setting priorities in the police and crime plan) are to be conducted at a strategic level, their scrutiny function over the police will necessarily simultaneously push them into having a say on operational issues. Having both of these functions vested within a single individual will certainly place stress on the “operation/strategic” divide in practice.

Different PCCs are likely to interpret their role differently in this regard, and will have varying degrees of influence over some of the chief constable’s operational decisions. It is highly likely, however, that there will be some initial tension between the PCC and chief constable and they work out the precise limits of their roles locally.

4.2b – Chief Constable

The role of chief constables within the new structure is in essence unchanged: they remain in charge of all operational policing and the day to day budget management of the police force. Nevertheless, the reforms will represent a substantial change to local power relationships previously experienced by the chief constable. While not all of the responsibilities laid out below will be new to them, it is likely that their experience of them will be substantially altered.

Within the new framework, when discharging their duties the chief constable must:

- Have regard to the police and crime plan, and the priorities set by the police and crime commissioner (s8(2))

⁵ Nick Herbert, speech to the ACPO conference 23.05.12, <http://www.homeoffice.gov.uk/media-centre/news/police-commissioners-oath>, accessed 06.06.12

⁶ http://www.huffingtonpost.co.uk/2012/03/29/leveson-inquiry-kit-malthouse-phone-hacking-probe_n_1387322.html, accessed 15.06.12

- Have regard to the strategic policing requirement, and relevant codes of practice (see 2.2d below)
- Consult the PCC when appointing staff above the rank of chief superintendent (Policing Protocol Order 2011, s23 (b))
- Must “ensure that their PCC is regularly informed of their decisions and operational activity in a timely manner so that the PCC can hold the chief constable to account” (Policing Protocol Order 2011, s24).

This relationship is not one way, and the PCC has a responsibility to seek the chief constable’s advice on the Police and Crime Plan (s5 (6)). The chief constable also has a key role in supporting the delivery of the strategy and objectives set out in the Plan, and assisting the PCC in planning the force’s budget (Policing Protocol Order 2011, s23).

This working relationship between the PCC and the chief constable will certainly be one of the crucial issues in the new structure. Indeed, perhaps the most obvious change is that the chief constable’s job now depends upon their relationship with this locally-based, directly elected official. Despite the chief constable’s operational independence (see above), this fact combined with their electoral mandate will make the PCC an extremely powerful player in this relationship. There are, however, arrangements to ensure that PCCs are placed under scrutiny themselves.

4.2c - Police and Crime Panel

The police and crime panel (PCP) is a scrutiny body, intended to act as a check on the power of the PCC. According to the Local Government Association (LGA)’s guidance, the PCP exists to “*scrutinise the police and crime commissioner, to promote openness in the transaction of police business and also support the PCC in the effective exercise of their functions*” (LGA, 2011, p. 7).

Membership

The panels will be made up of a minimum of 12 members (10 councillors plus two lay members), and maximum of 20 members. The precise make-up will be decided locally, within certain parameters set out within schedule 6 of the *Police and Social Responsibility Act 2011*:

- Where a force area consists of ten or fewer authorities, there will be 10 councillors not including co-opted members.
- Where a force area consists of more than 10 authorities, there will be as many members as there are local authorities, plus two co-opted lay members.
- Additional councillors can also be co-opted onto the PCP, as long as the overall number does not exceed 20, there are two lay members, and the Secretary of State approves the co-options.
- Where there is an elected mayor within the force area, they automatically sit on the PCP representing that local authority.

Composition of the PCP is also to be determined in accordance with the “balanced appointment objective” (schedule 6 (31)). This means that panels will need to be both geographically and politically representative of the force area. In keeping with the principles of localism, the precise way that this will be calculated has been left to local areas to decide. However, if no agreement is reached by July 2012, when according to a Home Office timetable⁷ the shadow PCP is supposed to

⁷ <http://www.homeoffice.gov.uk/publications/police/pcc/pcc-timeline?view=Binary>, accessed 29.05.12

be established, the Secretary of State has the power to make nominations. In Wales, the members of the PCP will all be nominated by the Home Office.

The Act makes provision for the addition of lay members to the panel, specifying that each panel must have at least two (schedule 6 (4)(2)). There is no restriction on who these lay members should be in the legislation, and as such LGA guidance suggests that lay positions could be used to bring in expertise from other community safety 'responsible authorities' (including health or probation), or individuals who could otherwise provide different skills to the panel (LGA, 2011, p. 26). The Home Office is likely to provide resources to cover lay members' expenses (LGA, 2011, p. 20).

Statutory role

The legislation specifies a number of roles that the PCP will perform in order to hold the PCC to account. These are:

- Review the Police and Crime Plan and make recommendations. The PCP is a statutory consultee for the plan, and the PCC must "have regard" to the PCP's views (s28 (3) and s5 (6)(c))
- Review the PCC's proposed precept. The PCP can veto the proposed precept with a two-thirds majority (Schedule 5 (4))
- Review the PCC's appointment of senior staff. The PCP can veto the appointment of the chief constable with a two-thirds majority. They will also review the PCC's back office appointments, including the chief executive, chief financial officer and any deputy PCC (Schedule 1 (4))
- Scrutinise the PCC at 'set piece' events at certain points in the year (s28(3) and (4))
- Make reports and recommendations on matters relating to the PCC's duties, to which the PCC is obliged to respond (s29 (3))
- Review and respond to the PCC's annual report (s28(4)).

The above points show that, despite its intended purpose as a balance on the power of the PCC, the PCP actually has limited statutory powers. While the PCP can veto the PCC's appointment of chief constable and the setting of the precept, it can only do this when a two-thirds majority is obtained. Furthermore, in most instances its role is purely advisory; reviewing and making recommendations which the PCC must respond to, but by no means has to accept. As such, the core of the PCP's role will be to provide what has been termed 'reactive scrutiny': responding at certain set points to policies and decision emanating from the PCC.

Reactive or proactive scrutiny

Nevertheless, LGA guidance has suggested that there could be a benefit in the PCP moving beyond the limited statutory role set out in the Act to take a more proactive approach. In their words:

"A proactive approach expands the scope of the PCP beyond its formal statutory role, but a successful adoption of this method of working could strengthen the delivery of the PCP's core statutory responsibility" (LGA, 2011, p. 15).

This would involve "engaging in current policy development, influencing decisions before they are made" (LGA, 2011, p. 17). The LGA argues that this approach fits closely with the PCP's responsibility of "supporting the effective exercise of the functions of the police" (s28 (2)).

They also, however, recognise that adopting this more proactive approach has resource implications. In particular, a more proactive panel is likely to require separate policy and administrative support to be provided locally in order to fulfil its role. While the Home Office will provide some central funding (with £30,000 plus on-costs pledged to support the work of each PCP), it is uncertain how long this funding will last and it is likely that only limited resources will be available for the functioning of the PCP (LGA, 2011, p. 20). Local authorities are free to supplement this funding and provide resources, but it is uncertain how willing local areas will be to commit substantial funds in difficult financial times.

Indeed, there is little political will nationally for a proactive and powerful PCP. Nick Herbert has summed up the government's position, stating that:

“there should be no attempt to continue police authorities by another name, and no attempt to spend more money than the defined scrutiny function of Panels requires...the public will not accept Panels unnecessarily adding cost” – Nick Herbert, speech to Institute for Government, 21.11.11.⁸

It should be noted, however, that as key resourcing decisions will be made locally, the power and role of the PCP is likely to vary across force areas.

4.2d – Home Office

In keeping with the principles of localism, one of the key aims of the reforms to policing was to reduce the role of the Home Office locally. As expressed in the *Policing Protocol Order 2011*:

“The establishment of PCCs has allowed for the Home Office to withdraw from day-to-day policing matters, giving the police greater freedom to fight crime as they see fit, and allowing local communities to hold the police to account.” (s27).

The Home Office's central role will instead focus on national priorities such as terrorism and serious organised crime through the Strategic Policing Requirement. This is something that all forces must “have regard to” in their planning, and tackles those serious crimes that require a national outlook and cross-force co-operation (Police Protocol Order 2011, s29). The Home Office also retains powers to intervene if a potentially serious problem arises, for example where a force budget is set too low and endangers public safety, and to specify certain instances in which forces must collaborate (Police Protocol Order 2011, s28).

Some monitoring and guidance setting powers have been retained by Whitehall, and the Home Office can continue to receive crime data and information from the chief constable. They will undoubtedly continue to issue some guidance and best practice suggestions for PCCs, however all the signs are that the Home Office are not willing to be overly prescriptive with any guidance, leaving as many decisions as possible to local areas.

4.2e – Other bodies

A number of other national bodies already exist, or are being created, that play a further role police governance. Many of these bodies will act as a check on the power of the PCC, while the purpose of others will be to provide professional support and guidance to PCCs in post. These bodies include:

⁸ <http://www.homeoffice.gov.uk/media-centre/speeches/a-new-era-for-policing>, accessed 01.06.12

National Crime Agency (NCA)

The Home Office aims for the NCA to be operational by December 2013. It will be, according to the Home Office, an “operational crime fighting agency”, focused on strengthening the response to tackling organised crime, keeping borders secure, fighting fraud and cyber-crime and protecting children and young people. It will build on the work of the Serious Organised Crime Agency (SOCA) and other bodies with this national outlook.

The PCCs are to “have regard” to the work of the NCA when it becomes operational, just as they are to the strategic policing requirement set by the Home Office.

Her Majesties Inspectorate of Constabulary (HMIC)

HMIC is an independent inspectorate which reports to parliament on the efficiency and effectiveness of police forces in England and Wales. Their inspectors have the power to seek information from police forces and access their premises. The Inspectorate will continue to function independently, holding poor performing police forces to account and publishing their reports. Indeed, the recent appointment of Tom Winsor, author of the Winsor review of pay and pension conditions for the police, has been described by the Home Secretary in terms of ensuring an “independent inspectorate” to “shine a light on policing”.⁹

On top of inspections, the inspectorate will provide comparable data on each police force and make this available to both PCCs and the public. This role is seen by HMIC as even more important in the new policing landscape, and is discussed further in 6.2c below.

Independent Police Complaints Commission (IPCC)

The IPCC has been in operation since 2004, and its primary purpose is to increase public confidence in the police complaints system in England and Wales. The IPCC will continue to investigate the most serious complaints and allegations of misconduct against the police in England and Wales, as well as handling appeals from people who are not satisfied with the way police have dealt with their complaint.¹⁰

Association of Police and Crime Commissioners

A number of organisations, including the Local Government Association (LGA) and some private sector consultancies, have shown an interest in developing a national representative body for PCCs. Ministers have agreed that the current Association of Police Authorities (APA) is best placed to set up a transitional representative body for PCCs, which will run up until March 2013. According to the APA website¹¹, the new Association of Police and Crime Commissioners (APCC) will provide the following services to all PCCs:

- Provide **advice** to candidates from May 2012
- Facilitate a national programme of transition and **induction** for all PCCs

⁹ http://www.huffingtonpost.co.uk/2012/06/10/theresa-may-tom-winsor-chief-inspector-police_n_1584374.html, accessed 14.06.12.

¹⁰ http://www.ipcc.gov.uk/en/Pages/about_ipcc.aspx, accessed 12.06.12

¹¹ <http://www.apa.police.uk/transition-to-pccs/association-of-police-and-crime-commissioners>, accessed 06.06.12

- Provide **information** on national policing policy issues, and important legislative changes
- **Consult** PCCs on national issues to help develop policy positions and influence change
- Facilitate the **leadership** of PCCs on national governance structures such as the National Crime Agency
- Assist PCCs in **collaborating** to share practice, procure services, and identify ways to achieve efficiencies through working together effectively.

It was recently announced that LGA and APA have agreed to work in partnership to help deliver this, and “to support the work of elected PCCs at both the local and national level in the best interests of the public”.¹² After March 2013, the elected PCCs will be free to choose how and if they want this support to continue.

¹² http://www.local.gov.uk/web/guest/pcc/-/journal_content/56/10171/3637321/NEWS-TEMPLATE, accessed 09.07.12

5. Candidates and elections

Despite the various checks outlined above, each PCC will be a powerful local figure. Furthermore, the limited central guidance that has been offered makes the individual candidates all the more important. As such, before the final chapter looks at some of the opportunities and concerns for the ‘revolving doors’ group and young adults around the PCC reform, this chapter places these considerations in the context of the run up to the elections, and the candidates that have put themselves forward so far.

5.1 Candidates

As with any elected office, there are a number of legal requirements and exclusions over who can stand. The candidate must be over 18, a British, Commonwealth or EU citizen and live within the force area. They are disqualified if they are a public servant, a sitting MP or have ever been convicted of an imprisonable offence. Aside from this, however, anybody is able to stand, and candidates from a non-political background have actively been encouraged (Home Office, 2011b, p. 2).

Despite this emphasis on attracting ‘non-political’ candidates, political parties will be contesting the elections. Both the Conservative and Labour parties are fielding candidates in all 41 force areas. The Liberal Democrats are not funding candidates centrally, although a small number of local party organisations have chosen to support a candidate to stand on a Liberal Democrat ticket. UKIP are also putting forward candidates in some areas, while the English Democrats claim that they will field candidates in all force areas in England.¹³

A number of independent candidates have put themselves forward for the campaign, with at least one independent considering standing in most areas. Concerns have been raised, however, that the set-up of the elections makes it difficult for independents to succeed, or even stand at all. In order to be nominated, candidates must front a £5000 deposit. Moreover, it will be difficult for most to fund a campaign across a large and unfamiliar electoral area (Thames Valley, for example, has an electorate of 2,225,601) without the backing of a local political party. There are limitations on campaign expenditure, which apply from 8 October. However, with the upper-limits set between £72,231 and £356,204 depending on the size of the force area, this will hardly create a level playing field.¹⁴

Selection processes are on-going in most areas, although the Labour party have confirmed the selection of all 41 of their candidates followed a postal ballot of party members in June. The Conservatives have longlisted centrally for most areas, but are letting each area decide their nomination process. Some are using a postal ballot, while others have opted for open hustings, resulting in a longer wait for the full list of confirmed Conservative candidates.

As such, it is still early to make an assessment as to who the first generation of police and crime commissioners are likely to be. Nevertheless, it is possible to summarise the current situation. It is clear, for example, that early reports linking a number of high profile and celebrity candidates with the role, from Crimewatch presenter Nick Ross to former MP Anne Widdecombe¹⁵, have proved over-hyped. With the notable exception of John Prescott in Humberside, and a smattering of

¹³ <http://robintilbrook.blogspot.co.uk/2012/05/zero-tolerance-for-political.html?m=1>, accessed 01.06.12

¹⁴ Based on calculations by Baston Legal <http://bastonlegal.com/wp-content/uploads/2012/05/PCC-Poll-Patrol-1.pdf>, accessed 02.06.12

¹⁵ <http://www.guardian.co.uk/uk/2011/dec/11/katie-price-next-police-chief>, accessed 01.06.12

current and former Labour MPs (including Vera Baird in Northumbria, Tony Lloyd in Manchester, Alun Michael in South Wales), very few high profile candidates have chosen to stand.

Indeed, despite the Conservatives stating on their website that they are “casting the net widely and certainly will look beyond those who have previously worked on police authorities”¹⁶, the vast majority of potential candidates are local councillors with experience on the police authority. Unsurprisingly a number of former police officers have also put themselves forward for the role, often on an independent ticket, while a few former military figures and local business leaders have also put their name forward.

Some early concerns were raised over the diversity of candidates. Many have echoed the concerns of shadow Home secretary Yvette Cooper, who stated that she was:

“concerned that the very nature of PCCs concentrating power on one individual is making it harder to reflect the diverse nature of communities” – speech to the ACPO conference, 23.05.12¹⁷

She claimed that Labour have “worked hard to encourage more women to come forward and more candidates from ethnic minority backgrounds”¹⁸, and just over a third of the selected Labour candidates are women, with two Labour candidates from BME backgrounds. As Conservative selections are ongoing, and not all Independents or other party candidates have put themselves forward yet, it is not possible to assess the diversity of candidates overall at this stage. Nevertheless, around 20-25% of all prospective candidates mentioned at this early stage are women, and a very small number are from BME backgrounds. It remains to be seen whether this ratio changes when the final nominations are made.

5.2 The debate so far

Despite campaign rules and restrictions applying from 8 October, for many the ‘long campaign’ has already begun. At the time of writing, a number of prospective candidates have already set up twitter accounts and websites for their campaigns. The progress of these contests varies between different force areas. Areas such as Humberside, Sussex and Kent have seen a number of prospective candidates come forward. In others areas, such as Wiltshire and Cumbria, developments have been slower and potential candidates less vocal.

Our monitoring of what prospective candidates have been saying has revealed a number of early themes. Unsurprisingly, the discussion of these is shaped by national party political stances well as local concerns. The Labour party have issued five key PCC pledges, which all of their candidates are signed up to, focusing on opposition to 20% cuts to policing, supporting neighbourhood policing, ensuring a strong and swift response to anti-social behaviour, working with councils and the public to prevent crime, and respecting the independence of the chief constable. It remains to be seen whether the Conservative party will provide something similar, although it is unlikely as it may conflict with the current emphasis on localism. Nevertheless, it will be interesting to see how the balance of local politics with national policy will play out as the role develops if, as expected, a high number of party-political candidates are elected.

¹⁶ http://www.conservatives.com/Get_involved/Police_and_Crime_Commissioner_Elections.aspx, accessed 01.06.12

¹⁷ http://www.acpo.police.uk/documents/Conference2012docs/Yvette_Cooper_Conference_Speech.pdf, accessed 01.06.12

¹⁸ Ibid.

Key themes so far include:

- **‘Bobbies on the beat’** – many candidates promise to prioritise and protect visible frontline policing. For Labour candidates this is often shaped in terms of the party-line of opposition to the government’s policing cuts. However most prospective Conservative candidates also argue that they will protect ‘frontline’ policing by making efficiencies elsewhere.
- **Cutting bureaucracy** – A favoured point, particularly for Conservative candidates but also for others, is reducing the bureaucratic burden on the police. Bureaucracy and ‘back-office’ functions are also often cited as first in line to provide the efficiency savings that will protect frontline policing.
- **‘Common-sense’ policing** – This is raised frequently, although it means different things to different candidates. For many Conservative candidates, but also some Labour and independents, the emphasis here is on letting police officers be police officers. A common quote among PCC candidates and commentators is that “police officers are not social workers”.
- **Improving efficiency** – In the context of budget cuts and wider austerity, improving the efficiency of the police force is a stated priority of many candidates, especially the more right-leaning ones. This is often linked to improving value for money for the local taxpayer.
- **Outsourcing police functions** – The outsourcing of certain policing functions is raised by many candidates, with many Labour candidates selecting opposition to ‘privatisation of the police’ as a prominent part of their early platform. For most candidates, including many Conservatives and some Labour, the debate is closely linked to efficiency, with the outsourcing of certain back office functions supported.
- **Standing up for victims** – Both Labour and Conservative candidates stress that they will stand up for the victims of crime. This is often (but not always) emphasised by placing victims in a dichotomy with offenders: standing up for victims by being tough on offenders. This is discussed further in 6.2b below.
- **Tackling anti-social behaviour** – Anti-social behaviour is raised by most candidates as a priority, regardless of political affiliation.
- **Representing the community** – Many potential candidates have emphasised their fundamental role as being to engage with the community and represent their views to the chief constable. Often the language employed paints the potential PCC in a relatively passive light, and downplays the power of their role.

This list is, of course, not exhaustive, and is based on the early comments of those candidates that are already tweeting and campaigning. In taking the most common and recurrent themes, it also obscures a number of promising comments from individual candidates. There are, for example, a number of candidates raising young adults as a priority, and others stressing the importance of partnership working and reducing reoffending. Nevertheless, it is likely that these more dominant themes will continue to influence the debate as the final candidates are selected, issue their manifestos and move towards election.

5.3 The elections

The elections for the post of police and crime commissioner will be held across England and Wales on 15 November 2012, excluding London where the mayor already fulfils the role of police and crime commissioner. It will be a stand-alone election as it was felt that the local elections on 3 May were too soon for both the Home Office and local areas to prepare for the new post. Subsequently, normal elections will be held every four years in May alongside any local elections.

Voting will be conducted using the Single Transferable Vote system (STV), whereby each voter may indicate their first and second preference on the ballot paper. If no candidate receives over half of the vote on first preferences, then all but the top two candidates are excluded and their second preference votes added to decide the winner. This is the same as the system used to elect the Mayor of London.

There are widespread concerns over turnout at the election. Given that the local elections in May only achieved an average turnout of 32% this is unsurprising. Polling has revealed a low level of knowledge and interest in the election, with a recent ComRes poll revealing that with 6 months to go 57% of those polled had no knowledge of the PCC elections. Of those that had heard of the elections, only 18% reported knowing what the office of police and crime commissioner will involve. (ComRes, 2011a).

The government has been criticised by the Electoral Commission, as well as some candidates, for not doing enough to remedy this situation. Ministers have decided not to send information leaflets to each home, as is standard practice for other elections¹⁹. This combined with traditional concerns over the impact of a winter election have raised concerns that the turnout could be substantially lower than that of even the local elections.

There are fears that such low turnout could see the election of more hardline or extremist candidates, and will leave the PCC with a limited mandate. Home office ministers have been keen to downplay these concerns, however, with Nick Herbert stating in a speech to the Institute for Government last November that:

“any turnout for an elected office will confer more legitimacy than the appointed body which it replaces has.”²⁰

¹⁹ <http://www.birminghampost.net/news/west-midlands-news/2012/05/31/warning-that-west-midlands-police-commissioner-elections-could-flop-65233-31081190/#ixzz1wjMsWmk6>, accessed 01.06.12

²⁰ <http://www.homeoffice.gov.uk/media-centre/speeches/a-new-era-for-policing>, accessed 01.06.12

6. Discussion: opportunities and concerns

Whichever candidates are elected, and whatever their mandate, police and crime commissioners will be important local figures. As implied in chapters two and three above, their introduction provides a number of opportunities to improve local responses to both the ‘revolving doors’ group and young adults in contact with the criminal justice system. However, the reform also raises a number of concerns.

The discussion below is structured in relation to each aspect of the role of the PCC: holding the chief constable to account, engaging with the public, setting local priorities in the police and crime plan, setting the police budget and working with partners to reduce crime and reoffending. It has been informed by our research, meetings and roundtables with a range of partners and experts, and consultations with the Revolving Doors service user forum. As well as addressing opportunities and concerns for both the ‘revolving doors’ and T2A groups, it will also consider opportunities for partners and those working in the sector to influence the PCC.

6.1 Holding the chief constable to account

6.1a Representing the public

The police and crime commissioner is responsible for holding the chief constable to account on behalf of the public. However, concerns have been raised by some over the prospect of the PCC giving the public too large a say over policing. Nick Herbert has dismissed this, describing critics as “anti-democratic pessimists”. Nevertheless, superficially a range of polls suggest there is some legitimate cause for concern. Recent polls by ComRes for the Sunday Mirror and YouGov for the Sun taken immediately after the summer riots, for example, revealed that 90% of the public supported the use of water cannon on rioters, 75% supported rubber bullets and 33% said live bullets should have been used (ComRes 2011b; YouGov 2011).

Of course, no PCC will follow these figures slavishly: neither will they be allowed to. As discussed above, the PCC has limited say in operational issues, and the checks and balances on the PCCs power nationally mean that certain operational standards and practices must be maintained, regardless of polls (see 4.2a and 4.2e above). Nevertheless, it must be recognised that opinion polls will play an important role in determining the context in which the PCC must operate. In particular, when seeking re-election PCCs are likely to pay even more attention to proving that they have dealt with the priorities of their constituents. In this context, it may be difficult to get the needs of marginalised groups, such as offenders, onto the agenda in favour of an apparently popular “tough on crime” stance. Indeed, recent polling focused more specifically on PCCs does tend towards emphasising a “tough on crime” stance. A recent ComRes poll found that the most important characteristic in a PCC for respondents was “a commitment to being tough on crime” (47%). This was followed by “experience of working in law enforcement” (44%) and, more encouragingly, “willingness to try new and innovative measures to tackle crime” (33%) (ComRes, 2012). In terms of crime priorities, another ComRes poll in November 2011 asked a sample of the public what the priorities of the PCC should be, and found that (ComRes 2011a):

- 71% said clamping down on anti-social behaviour
- 43% said gun and knife crime
- 36% said property crime
- 31% said tackling gangs.

Nevertheless, while in many ways the impact of polling on priorities has been viewed with concern, it may also provide some opportunities. Attempts to influence PCCs must take account of these polls as the PCC is likely to, and using 'popular' issues such as anti-social behaviour as a lever could help to influence the PCC. This is indeed an opportunity for the Revolving Doors and T2A agenda, as both of these groups are disproportionately involved in anti-social behaviour locally. There may also be some opportunities for organisations to conduct further polls which provide a more nuanced view of public opinion. It has been widely shown that the public are less punitive in their opinions when given further information to make their decision rather than being asked to give a top-of-the-head response, while research into public opinion reveals strong public support for prevention of crime rather than punishment alone (Roberts, 2011, pp.99-102). This could provide an opportunity for organisations attempting to influence the PCC to demonstrate public support for their position.

Overall, it will be important to influence candidates in ways which address the leadership role of PCCs in informing, as well as responding to, public priorities.

6.1b Holding struggling forces to account

The PCC's role in holding the police force to account also represents an opportunity for partners operating both nationally and locally to raise concerns around police performance on key performance indicators related to the 'revolving doors' group and young adults. As a directly elected official, the PCC will effectively become the public face of their police force. While their executive role does not cover 'operational' issues, they will still be held to account for them by the public. As such, the PCC will be sensitive to any poor performance by the police force, and is likely put pressure on the chief constable to resolve issues. No PCC will be happy to see their force coming bottom of any performance league tables, or performing poorly in HMIC inspections.

Of course, it will still be vital for local partners involved in seeking solutions to build links with the chief constable and other senior operational police staff. However, the office of PCC will add another dimension to this. Specific issues in which it may be possible to put pressure on the PCC over the chief constable's performance include:

- **Performance of functions under the Mental Health Act** – for example section 136 detentions discussed in 2.2 above.
- **Number of repeat visitors to custody** – Individuals in the 'revolving doors' group come into frequent contact with the police, and are often in and out of police custody. More effective interventions could reduce this burden on the police.
- **Rates of crime and anti-social behaviour** – Both young adults and the 'revolving doors' group are responsible for a disproportionate amount of crime and anti-social behaviour locally.

In influencing police and crime commissioners once in post, then, it will be worthwhile considering the influence that they can in turn place on their police force. As long as the data can be accessed and research undertaken (see 6.2c), PCCs in struggling areas are likely to be open to suggestions around best practice and how to improve performance.

6.2 Engaging the community

6.2a Engaging with the whole community

Police and crime commissioners will not rely solely on polling to assess the opinions of their electorate; rather they will be expected to actively consult the community within their force area. This could be an opportunity for them to build links with young adults and the ‘revolving doors’ group in the community, perhaps through engaging with existing service user and community groups.

This is likely to be a challenging task. Those with multiple and complex needs are among the most excluded in the community. This will not be helped by the ‘offender’ label, which could further exclude both some young adults and people within the ‘revolving doors’ group in the eyes of some PCCs. References to the ‘community’ made by potential PCC candidates and national policy makers often either implicitly or explicitly exclude offenders. While not all potential candidates have gone as far as former prospective candidate Tim Collins in defining the PCC’s role as “rat-catchers”²¹, many candidates are understandably keen to stress that they are on the side of the ‘community’, and tough on ‘criminals’. There will be a challenge for organisations working with offenders to break through this dominant characterisation and stress that both young adults and people with multiple problems are a part of the community, whom the PCC represents.

There is a strong case for PCC engagement with these groups, and the importance of building trust between the police and these groups will be an important lever going forward. Low levels of trust in the police are widely reported among young adults (see 3.2), while discussion with the Revolving Doors service user forum also revealed distrust among service users with a background of multiple problems. Some members were not convinced that the new PCCs would be prepared to address negative approaches from the police towards these groups, with one person suggesting that the elected PCC could be “just another bully”. Improved relationships between the police and these groups could benefit the police, potentially contributing to a reduction in offending and an increase in the reporting of crime.

6.2b Duty to engage with victims

The PCC has a specific duty to consult with victims in their force area. Moreover, despite initial opposition from organisations such as Victim Support (see NSPCC & Victim Support, 2012), the government have recently confirmed that the PCC will be responsible for funding for victim’s services with victims funds to transfer to them from the MOJ. This reflects a broader emphasis from the government that PCCs should consider victims as one of their central concerns.

This emphasis on victims is welcomed. However, it is a concern that, just as with references to the ‘community’ discussed above, there has been a tendency among many prospective PCC candidates so far to identify ‘victims’ and ‘offenders’ as two constant, mutually-exclusive groups. A strong victim/offender dichotomy has been created by many, which leads to them stressing their support for victims by emphasising that they are “tough” on offenders. A representative example is provided in a quote from a prospective candidate:

²¹ <http://atkinsonsmallblog.dailymail.co.uk/2011/11/police-should-be-ratcatchers-not-social-workers-colonel-tim-collins-shows-the-benefits-of-elected-commissioners.html>, accessed 18.06.12

*"I haven't got any sympathy for criminals, I have sympathy for the victims of crime...I don't want to understand why criminals commit offences, I want criminals to understand what impact their offending has on their victims."*²²

It is important to challenge this characterisation and stress that both young adults and people with multiple problems are just as often victims as they are offenders (see 2.2 and 3.2). The fact that somebody has committed an offence does not preclude them from being a victim of one. Indeed, many women offenders have also been victims of domestic violence or abuse in the past, with 66% of women accessing one service in Birmingham²³ having been subject to violence either currently or in the past (Revolving Doors Agency, 2010, p. 8). The PCC should consider these groups as part of their duty to consult victims, and not exclude everybody that has also committed an offence.

6.2c Openness and accountability vs. cutting bureaucracy

A further aspect of the PCC engaging with the community is their duty to ensure that the local citizens are provided with information in order to assess the performance of their police force (*Police and Social Responsibility Act 2011*, s11). This is in keeping with the coalition government's emphasis on openness and accountability in public services, with police and crime commissioners encouraged to make the police as open as possible to the public. This could present an opportunity for agencies interested in influencing the police, as greater availability of data and information in the public domain will make it easier to assess police performance and to build evidence for the effectiveness of particular approaches. It could also help to apply pressure to PCCs where police forces are performing badly (see 6.1b).

In many ways, the reform will see an opening up of police governance. There is a statutory duty, for example, to publish all reports, recommendations and responses that go between the PCC and PCP, while financial accounts will be made available for scrutiny. These duties, however, come alongside a strong emphasis from the Home Office on cutting bureaucracy. Theresa May has been keen to state that:

*"I've scrapped the Policing Pledge and confidence target, the PSA targets, the key performance indicators and the Local Area Agreements. I want police officers chasing criminals, not chasing targets. So I've set the police just one single objective – to cut crime... [with] a series of measures aimed at scrapping police bureaucracy and restoring officer discretion."*²⁴

While a reduction of centralised targets can broadly be seen as a good thing, it may also lead to a lack of standardised measures on which to judge the performance of police forces. The Home Office are deliberately avoiding being prescriptive on this subject, and are leaving it up to individual areas what data they collect and release. It is important to note that in the statutory duty to publish information, it is up to the PCC to decide what is "necessary" in order for the public to be able to assess their police force.

While HMIC are committed to providing comparable data and will be an invaluable source of information around police performance, it remains to be seen how information on specific

²² <http://topofthecops.com/2012/02/13/statement-of-keith-hunter-prospective-labour-pcc-candidate-for-the-humberside-police-area/>, accessed 15.06.12

²³ Anawim mental health project. See <http://www.revolving-doors.org.uk/partnerships--development/projects/anawim-mental-health-project/> for more details.

²⁴ Speech at the 'value for money in policing' summit, 29 June 2011. <http://homeoffice.gov.uk/media-centre/speeches/vfm-policing>, accessed 15.06.12

performance indicators or specific issues will be affected by the drive to reduce bureaucracy. This is a particular concern when data surrounding multiple needs is already extremely poor.

6.3 Setting strategic priorities in the police and crime plan

6.3a Influencing local priorities

The PCC is responsible for setting strategic priorities for policing and crime reduction in the police and crime plan. These priorities are supposed to reflect the views of the public in their force area (see 6.1a), but should also be arrived at in consultation with the chief constable, and must “have regard” to both national priorities and the more localised priorities of existing community safety partnerships.

The process of determining and reviewing these priorities, however, also presents an opportunity for organisations working with the ‘revolving doors’ group and young adult offenders to influence priorities locally. The legislation states that the plan must be constantly kept under review (s5(9)), while it is also subject to scrutiny in the annual report the PCC places before the police and crime panel. As such, the determining of local priorities is deliberately an extremely open process, with opportunities for agencies to hold consultations with PCCs and feed into their thinking.

6.3b Beyond police oversight: the importance of the ‘middle C’

In setting priorities for the police and crime plan, it is also important to note that the remit of the police and crime commissioner stretches beyond providing police oversight and engaging with the public. The legislation puts a duty on the PCC to take broader responsibility for reducing crime within their force area, and the importance of this additional responsibility has been repeatedly stressed by ministers and the Home Office:

“The clue is in the name. These will be Police AND CRIME commissioners. Their role will be greater than the police authorities they replace” – Nick Herbert speech, 21.11.11²⁵

This provides a significant opportunity for PCCs to set out their vision for crime reduction. Somewhat disappointingly, the debate around PCCs so far has minimised this role and focused instead on issues surrounding police oversight. Candidates have been discussing, for example, cuts to police numbers, bureaucracy and putting bobbies on the beat, but rarely talking at any length about measures they would take to cut crime that are beyond traditional policing (see 5.2 above). It is ironic that potential candidates are focused on police oversight, while failing to grasp the opportunities for innovation in crime reduction which the role provides.

Given the background and knowledge of many candidates in this area, and the neglect of the ‘middle c’ in much of the discussion around police and crime commissioners so far, influencing work prior to the election must highlight the importance of a broader and potentially innovative approach to reducing crime. PCCs must be encouraged to use their strategic role to focus on crime reduction, not just emphasising improved crime detection.

The PCC will not be able to address this important ‘middle c’ without working in partnership with a range of agencies. This is discussed in further detail in 6.5 below.

²⁵ <http://www.homeoffice.gov.uk/media-centre/speeches/a-new-era-for-policing>, accessed 01.06.12

6.4 Setting the police and community safety budget

6.4a Transferring funds and removing ringfences

PCCs will be responsible for setting the police budget, including deciding the council tax precept as described above. However, the funds that will be available to them also reflect their broader remit to cut crime. As such, from 2013-14 they will receive the following funds.²⁶

- Police grant
- Council tax precept
- Community safety fund
- Home Office portion of Drug Intervention Project funds (one third of the overall fund. The remaining two thirds will go to the new Health and Wellbeing boards)
- Funds for services addressing violence against women and girls
- Funds for victims services.

In order to avoid disruption, current arrangements will continue for all of these funding streams immediately after the elections. However, from 2013/14 the funding will be transferred unringfenced, and form a single pot from which the PCC will be free to fund a range of activities from a range of providers. As such, funding that was previously earmarked for “community safety”, including drug projects, crime reduction and reoffending schemes, will be spent according to the PCC’s local priorities.

One major concern over the removal of these ringfences is that individual PCCs could be tempted to spend money previously designated for community safety priorities on more visible and popular issues such as ‘frontline’ policing. As noted in 5.2 above, many prospective candidates have raised the issue of ‘bobbies on the beat’, and with the much publicised 20% cut in police funding PCCs may choose to protect frontline staff by diverting funds from elsewhere. While it is debated that this approach will have a significant impact on cutting crime, there is certainly a political incentive to increase or at least maintain numbers of frontline police officers. As was seen in the London mayoral election, the issue of police numbers has a tendency to become a political battleground in its own right, often in isolation of a broader discussion around crime.

Even without this electoral incentive, the role of the chief constable as a statutory consultee for both the budget and the police and crime plan may see the PCC persuaded to transfer funds from community safety to policing services. The power relationship between the PCC and the chief constable will be interesting in this regard, and it is likely that many chief constables will be keen to secure funding for their policing duties. Voluntary and statutory sector service providers who perform a vital community safety role now find themselves in direct competition for these funds, and will need to ensure that they also make their case to the PCC.

The stakes are high for organisations that currently rely on community safety funding. The impact of these decisions will be particularly great given existing cuts. The Home Office expects the Community Safety Fund transferring to the PCCs to be around £28.8 million for England and £1.2 million for Wales, which represents a 60% reduction compared with 2010-11 (Drugscope, 2012, p. 3). While many funds are being transferred to the PCC, all of these funds are also shrinking, and a great deal rides on what the PCC chooses to prioritise.

²⁶ Funding arrangements differ in Wales, where the Welsh assembly has indicated that any funding given to Welsh CSPs will continue to be paid to them, rather than being diverted to the PCC.

In this context, it is likely that financial arguments outlining the effectiveness of schemes in reducing crime and reoffending will be crucial. With broad responsibilities and shrinking funds, most PCCs would be looking for value for money even without their statutory responsibility to run an “efficient and effective” police force. Communicating the savings that can be made for the police and other criminal justice partners by investing in services that reduce crime and reoffending will be vital.

Nevertheless, as is discussed further below, the combination of all of these funds also provides the PCC with the discretion to work innovatively to reduce crime within their area: piloting new projects and pooling funds with partners to achieve joint outcomes.

6.4b The PCC as a commissioner

This transfer of funds will make the PCC an important commissioner of community safety services. The Act allows for the PCC to make a crime reduction grant to any agency or body that “will secure, or contribute to securing, crime and disorder reduction” (*Police Reform and Social Responsibility Act 2011*, s9). The PCC is free to set the terms of any grants. This is a deliberately broad remit, and the Home Office are keen for PCCs to move beyond police services and take a broader role. Indeed, Nick Herbert has suggested that the responsibilities of the PCC will continue to grow moving forward:

“We have always made it clear that the government would keep under review the role police and crime commissioners can play in the wider criminal justice system” – Nick Herbert, 21.11.11²⁷

Even within their current role, however, there is substantial opportunity for the PCC to work innovatively. They will be able to pool funds with local partners, and have flexibility to joint-commission services where there is a mutual benefit, for example in improving health and reducing reoffending among a particular group. Certainly, it is clear that PCCs will need to work in partnership with a range of agencies to ensure that their commissioning work is most effective at meeting their strategic aims (see 6.5 below). As Chris Williams, senior advisor on community safety at LGA, has stated:

“If a PCC is serious about reducing crime, they will want access into everybody charged with the responsibility to commission services which may impact on crime and disorder...The intelligent PCC will want to engage with those providers and commission jointly with them.”²⁸

However, while there is a clear opportunity around this new, potentially dynamic aspect of the PCC’s role, there are concerns over how effectively they will be able to use it. Firstly, PCCs are likely to have little experience of commissioning. Moreover, their initial backroom staff will be made up of former Police Authority staff, who equally did not previously have a commissioning responsibility. This raises concerns about the knowledge base they are beginning from, and although organisations such as APACE are issuing guidance, it is likely that the commissioning side of the PCC’s role will develop fully later in their term.

Overall, there is a great deal of uncertainty as to how PCCs will approach their commissioning role, and there are likely to be substantial differences between local areas. Nevertheless, this aspect of the PCC’s role is likely to become increasingly important moving forward, and offers substantial opportunities for working creatively to improve outcomes for young adults and the ‘revolving doors’ group.

²⁷ <http://www.homeoffice.gov.uk/media-centre/speeches/a-new-era-for-policing>, accessed 01.06.12

²⁸ <https://knowledgehub.local.gov.uk/web/christopher.williams.1/blog/-/blogs/7881098>, accessed 18.06.12

6.5 Working with partners to reduce crime and reoffending

In emphasising the PCC's role in cutting crime, Home Office ministers have also been keen to stress the need for them to work collaboratively. As the Home Office pamphlet *Police and Crime Commissioners: What partners need to know* makes clear, PCCs will be one among many leaders in a complex local landscape, where:

“collective local leadership on crime, justice and community safety will be the key to cutting crime and improving outcomes for local people” (Home Office, 2011a, p.1).

It is for this reason that the PCC has two inter-related, reciprocal statutory duties to co-operate laid out in the legislation. These are:

- **the criminal justice duty (s10 (3))** - requires PCCs to co-operate with criminal justice bodies (namely police, courts, youth offending teams, prisons and probation) to “make arrangements...for the exercise of functions so as to provide an efficient and effective criminal justice system for the police area.”
- **the community safety duty (s10 (2))** – states that the PCC and responsible authorities (those named in the Crime and Disorder Act 1998, namely probation, health, local authority, police and fire) must work together in “exercising functions”. It is through this duty that Health and Well Being boards and the PCC have a statutory duty to cooperate.

As with the rest of the legislation, these duties have been deliberately broadly defined. This will enable each local area to work out how best to facilitate the cooperation between the PCC and these agencies, as well as how far the cooperation will go. Nevertheless, the Home Office are optimistic, and envisage the PCC becoming a key local leader:

“[the PCC] could be a catalyst for partnership work to cut crime, encouraging joint planning, commissioning and prioritisation” (Home Office, 2011a, p. 4).

There will be a number of important opportunities for the PCC to improve outcomes for both the revolving doors group and young adults (and thereby the police and the community) by working with local partners.

6.5a Criminal justice partners

Police and crime commissioners should recognise that in order to cut crime, it will be important to tackle reoffending. The latest reoffending statistics show a proven reoffending rate of 26.4%, while 34% of offenders being supervised in the community reoffend within one year.²⁹ These offences have a significant impact on their community, and on police resources. As such, the PCC will need to work closely with prisons and probation at a strategic level to tackle this problem. This could include measures to improve links back into the community for short-sentenced prisoners, as well as supporting and expanding existing Integrated Offender Management approaches locally. Taking a lead in galvanising local partnerships, and ensuring that criminal justice interventions are effective in preventing reoffending, will see benefits ‘upstream’ for the PCC through reduced crime, safer communities and more effective use of police resources.

PCCs should also work to build strategic links with youth justice services, and enable a smoother transition for young people coming to the end of their involvement with youth justice. PCCs should

²⁹ <http://open.justice.gov.uk/reoffending/offenders-in-the-community/>, accessed 18.06.12

work closely with youth offending services (YOSs) to ensure that services do not cease abruptly at 18, and prevent young people from falling through the gap at this vital time. The Youth Justice Board are also increasingly concerned about the issue of transitions, and could be a vital partner for PCCs looking to address this issue.

A further key partner locally will be community safety partnerships (CSP). The relationship between PCCs and CSPs is likely to be varied across the country, and is complicated by the fact that the PCC will be taking over the funds of the CSP. Although PCCs and CSPs must “have regard” to each other’s priorities, the PCC is not a ‘responsible authority’ and will not be part of the partnership. To some extent, CSPs will be accountable to the new commissioner, and may need to bid for funding from the PCC: thus moving from being a commissioner to being commissioned. Nevertheless, community safety partnerships have built up a good deal of knowledge about reducing crime and reoffending locally, as well as links with local services, and will be essential partners for the PCC.

Many CSPs have also linked closely with the voluntary sector. There are a number of voluntary organisations working locally to reduce reoffending and community safety, and it will be that it will be important for the PCC to engage these. Safer Future Communities have been funded by the Home Office to build the capacity of the voluntary sector to link with the PCC, and have appointed a co-ordinator in each local area.³⁰

6.5b Health and offender health

The changes in the health landscape laid out in section 1.3 above are extremely relevant for the PCC. Health agencies will be a vital strategic partner in the PCC’s duty to cut crime and reoffending. As has been noted above, many offenders have problems such as poor mental health and drug and alcohol problems. Not only are these health needs higher in the offending population than the general population, they can also often be closely linked to offending behaviour. As such, there is a substantial overlap in the priorities of PCCs and the new health and wellbeing boards, and the two should work closely together at a strategic level to address the needs of those with multiple problems. It is also important to note that HWBs have a role in determining the content of Joint Strategic Needs Assessments (JSNAs), which will be important in shaping the commissioning of services locally.

The changes in the commissioning of offender health services (also noted above) are also important to the PCC. The NHS national commissioning board will commission the healthcare services that operate in police custody suites, so there is an obvious interest here. However, they will also commission new criminal justice liaison and diversion (CJLD) services that are to be rolled out by 2014. The PCC will be a vital partner in ensuring the effectiveness of liaison and diversion locally. These services will perform a vital role in ensuring that people with mental health problems, learning disability and other needs who should not be in the criminal justice system are diverted away, however as their name suggests they are fundamentally a liaison and signposting service: CJLD services will need something to divert to. PCCs will have a role in working proactively locally as both commissioner and strategic partner to ensure these services are able to divert out of the system effectively, reducing the burden on police resources while enabling police officers to focus on their core role rather than dealing with people’s health and social care needs.

For those PCCs committed to ambitious and effective partnership working, there will be a number of obstacles. From a logistical standpoint, a lack of coterminosity may pose a barrier to effective

³⁰ <http://www.clinks.org/services/sfc>, accessed 15.06.12

partnerships. Health and wellbeing boards will operate at the local authority level, meaning that there will be many different boards with their own JSNAs and priorities for a single PCC to work with. There are similar problems around criminal justice agencies. A probation trust may span a number of force areas, while prisoners will be released back into the community from across the country. This local complexity is added to by the vast changes occurring in the local government landscape. PCCs may be new entrants, but so too are the Health and Wellbeing Boards they will need to work with, while radical changes to the structure and role of probation have been outlined in a recent government consultation (MOJ, 2012b). Nevertheless, local solutions to these difficulties must be found for the PCC to reduce crime and maintain an efficient and effective police force within their area.

7. Conclusion & next steps

The introduction of elected police and crime commissioners presents both challenges and opportunities for those concerned with the 'revolving doors' group and young adults in contact with the criminal justice system. As a powerful locally elected leader, the PCC will have great scope through their commissioning role and broader crime reduction remit to work creatively in partnership to tackle multiple needs and encourage distinct approaches to young adults. In doing this, PCCs could tackle the offending behaviour of both these groups, reduce crime and produce savings in police resources, and the public purse.

There is simultaneously a real danger, however, that individual PCCs will ignore these wider issues, or emphasise a solely punitive approach that will see their resources and focus go elsewhere. PCCs have a broad remit and a range of priorities and responsibilities. For this reason it is important that organisations working with the 'revolving doors' and T2A groups, both locally and nationally, work hard to influence the PCC, make the case for these groups, and demonstrate their importance to the PCC's plans.

This project aims to influence the candidates for election, raising awareness and gaining commitments before they are elected and take up their role. Following the publication of this background paper, we are working to develop a set of key messages for candidates. These will result in briefings papers which will be distributed to all candidates. This work will proceed alongside ongoing analysis of candidates and their priorities. In the coming months we will undertake a range of further work to influence candidates in the run-up to the election on 16 November 2012.

Appendix I: Service examples

Linkworker schemes

New Directions - Warrington

New Directions in Warrington provides a link between neighbourhood police and mental health services. As an early intervention service, it identifies individuals with low-level problems who are at risk, but would not normally be helped until their condition had deteriorated much further. All of the person's needs are assessed by one of two full-time workers, and they are offered support and signposted to a range of community services.

The scheme has had a substantial impact on those it has worked with, achieving:

- A 78% drop in reported crime compared to the pre-intervention rate
- A 71% fall in 'Vulnerable Adult' reports – after an initial fall of 54%
- A 30% reduction in anti-social behaviour in the first year of operation.

This highlights the potential for partnerships between the police and community services which intervene early to help people access services and tackle offending behaviour.

Milton Keynes Link Worker + service

The Milton Keynes Link Worker+ project is a partnership between Milton Keynes Community Safety Partnership and charity P3. The scheme focuses on people who are in crisis because of a combination of problems, including mental health needs, accommodation problems, substance misuse, and offending and anti-social behaviour. It facilitates the engagement of clients with services which can maintain their long term wellbeing. The project works closely with the police and other partners in the city.

Women's Centres

WomenCentre – Calderdale and Kirklees

WomenCentre is a community based organisation in West Yorkshire, aiming to serve the needs of some of the most vulnerable women in the community. It recognises the need for a specific approach to women, and works with women who have multiple needs and who are poorly served by existing services. By adopting a holistic, person-centred approach, the WomenCentre empowers women and families to solve their own problems in every aspect of their lives including:

- **Justice** – Working with victims of domestic violence and rape and reducing reoffending rates for women offenders
- **Health** – tackling mental illness, drug and alcohol problems, improving healthcare
- **Welfare** – helping women into work, helping them to access education and a basic income.

This approach has proved highly successful in reducing reoffending, with an evaluation by NACRO finding that the reoffending rate of women engaged with WomenCentre's *Evolve* programme was **3.2%**, compared with a national average of **47%**.

T2A pilots

West Mercia T2A

Run by Youth Support Services (YSS), the project works with young adult offenders with high needs in the community, across the Worcestershire, Herefordshire, Shropshire and Telford local authority areas. It offers a flexible, community based, one-to-one support and mentoring service, using a mixture of paid staff and local volunteers. A key worker works directly with the young adult, and each young person develops their own action plan with “smart objectives”. There is regular dialogue with probation and youth offending teams, and key workers regularly attend statutory agency team meetings where appropriate.

London T2A

This is run by St. Giles Trust, and works with young adults just prior to their release from prison and upon release into the community. Support offered includes help with housing, accessing training and employment, as well as emotional support with issues such as relationships, behaviour, self-esteem and self-perception. The service is delivered by staff, all of whom are all ex-offenders. This helps to provide a level of trust and credibility with the young adults. They take referrals from Croydon Probation Trust, the police and work closely with Youth Offending in the area.

Birmingham T2A

Delivered by Staffordshire and West Midlands Probation Trust, the project is focused on young adults aged 17-24, identified as posing a medium risk of reoffending. The project enables intervention to be tailored to the maturity and needs of the individual young adult and offers mentoring, as well as specific help with accommodation, employment, relationships and substance misuse, depending on their needs. It manages the transfer process of all young people moving across from the Youth Offending Service to adult Probation services, and works in the courts to ensure that sentencers are kept informed about community options and alternatives to custody, particularly following breach of an order.

Appendix 2: stakeholder meetings to date

- Sally Benton – NACRO
- Jon Collins – Police Foundation
- Nathan Dick & Jessica Mullen – CLINKS/Safer Future Communities
- Andrew Morley – Crime and justice consultant, former chief executive of London Criminal Justice Partnership
- Lucy Russell – Howard League
- Max Rutherford – BCT/T2A
- Sarah Thomas – Catch 22/T2A
- Chris Williams – LGA
- T2A roundtable
 - Penelope Gibbs – Prison Reform Trust
 - Stephen Moffatt – Criminal Justice Alliance
 - Jessica Mullen – Clinks/Safer Future Communities
 - Lucy Russell – Howard League
 - Catch 22
- Mental Health roundtable
 - Andy Bell – Centre for Mental Health
 - Lynn Emslie – NHS South
 - Paul Huitson – Police Federation
 - Lucie Russell – Young Minds
 - Sarah Simons – Together
 - Jenny Talbot – Prison Reform Trust
- Women’s centres roundtable
 - Lisa Dando – Brighton Women’s Centre
 - Joy Doal – Anawim
 - Clare Jones – WomenCentre
 - Rokaiya Khan – Together Women Projects
 - Gillian Nowland – One25 Bristol
 - Jackie Russell – Women’s Breakout
 - Sarah Swindley – East Lancashire Women’s Centres
- Consultations with Service User Forum

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