House of Commons
Home Affairs Committee

Police and Crime Commissioners: progress to date

Sixteenth Report of Session 2013–14

Report, together with oral evidence

Ordered by the House of Commons
to be printed 30 April 2014
Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

Current membership

Rt Hon Keith Vaz MP (Labour, Leicester East) (Chair)
Ian Austin MP (Labour, Dudley North)
Nicola Blackwood MP (Conservative, Oxford West and Abingdon)
James Clappison MP (Conservative, Hertsmere)
Michael Ellis MP (Conservative, Northampton North)
Paul Flynn MP (Labour, Newport West)
Lorraine Fullbrook MP (Conservative, South Ribble)
Dr Julian Huppert MP (Liberal Democrat, Cambridge)
Yasmin Qureshi MP (Labour, Bolton South East)
Mark Reckless MP (Conservative, Rochester and Strood)
Mr David Winnick MP (Labour, Walsall North)

The following Members were also members of the Committee during the Parliament.

Rt Hon Alun Michael (Labour & Co-operative, Cardiff South and Penarth)
Karl Turner MP (Labour, Kingston upon Hull East)
Steve McCabe MP (Labour, Birmingham Selly Oak)
Bridget Phillipson MP (Labour, Houghton and Sunderland South)
Chris Ruane MP (Labour, Vale of Clwyd)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publication

Committee reports are published on the Committee’s website at http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/publications/ by The Stationary Office by Order of the House.

Evidence relating to this report is published on the Committee’s website at http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/inquiries.parliament-2010/police-and-crime-commissioners1/

Committee staff

The current staff of the Committee are Tom Healey (Clerk), Robert Cope (Second Clerk), Duma Langton (Committee Specialist), Dr Ruth Martin (Committee Specialist), Andy Boyd (Senior Committee Assistant), Iwona Hankin (Committee Assistant) and Alex Paterson (Select Committee Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 2049; the Committee’s email address is homeaffcom@parliament.uk.
# Contents

## Report

1. **Introduction**  
   - PCCs and the public  
   - Training and transition  
   - Register of PCCs’ disclosable interests  

2. **The work of commissioners to date**  
   - Collaborative working  
   - Transparency  
   - Appointment of deputy and assistant commissioners  
   - Target setting and crime statistics  
   - Support for victims  
   - Commissioner-led campaigns  
   - Overall effectiveness of commissioners to date  

3. **The relationship between commissioners and chief constables**  
   - Holding chief constables to account  
   - The process for the removal of a chief constable  

4. **Scrutiny of commissioners by police and crime panels**  
   - The developing role of panels  
   - Strengthening the role of panels  
   - Panel resources  

Annex: Register of police and crime commissioners’ disclosable interests  
Conclusions and recommendations  
Formal Minutes  

## Witnesses  

## Published written evidence  

## List of Reports from the Committee during the current Parliament
1 Introduction

1. The introduction of police and crime commissioners (PCCs) marked a major change to the governance of policing in England and Wales. During this Parliament, the Committee has taken an active interest both in the development of the Government’s proposals, and aspects of the work of PCCs since their election. This Report examines the work of the commissioners during their first 18 months in office. It considers their effectiveness to date in, for example, engaging the public and developing collaborative ways of working. It also looks at the relationships they have developed with their chief constables, including commissioners’ power to hire and fire, which has attracted significant controversy. In addition, we make recommendations to strengthen the role of police and crime panels so that they are better able to scrutinise the work of PCCs.

PCCs and the public

2. One of the main aims of the PCC reforms was to introduce democratic accountability to the determination of local policing priorities—as the Home Office told us: “We have put policing back in the hands of the public”. A number of our witnesses emphasised the benefit of vesting in an individual, or “go-to person” as the Chief Constable for Thames Valley put it, the power to set those priorities, and in so doing, providing a clarity of leadership that was not present under the former police authorities. For example, the Lincolnshire PCC told us: “I can promote local policing priorities because, unlike police authorities, I know what they are”. Elsewhere, the Sussex PCC said: “ultimately you want somebody who can make a decision. If the public don’t like the decisions […] they can make their voice heard at the ballot box”.

3. The turn-out for the PCC elections in November 2012 was exceptionally low. It ranged from just 11.6 per cent in Staffordshire, to 19.5 per cent in Northamptonshire, and averaged 15.1 per cent across England and Wales. Several factors contributed to the low turn-out, including the darker evenings and bad weather associated with the time of year, the lack of a freepost mailing for candidates, and the timing outside of the normal electoral cycle. Furthermore, a large proportion of the electorate did not understand what they were voting for. As the Cambridgeshire PCC put it: “I spent all of my time not asking people to vote for me, but telling people what the job was all about”. The PCC for Bedfordshire summed up the turn-out for the elections as “little short of calamitous.”.

---

2 PCC0001 (Home Office), para 1
3 Qq 82 (Sir Hugh Orde, Association of Chief Police Officers), 232 (Chief Constable for Thames Valley), 363 (Policy Exchange), 447 (Local Government Association), and 541 (Chair of the Surrey Police and Crime Panel)
4 PCC0031 (Police and Crime Commissioner for Lincolnshire), para 6.1
5 Q 226 (Police and Crime Commissioner for Sussex)
6 Qq 46 (Police and Crime Commissioner for Cambridgeshire), and 462 (Local Government Association)
7 Ibid.
8 PCC0040 (Police and Crime Commissioner for Bedfordshire), para 10
raised a legitimate concern as to whether the commissioners have a sufficient mandate on which to set policing priorities for their areas, it also fails to reflect the extent to which the general public is interested in policing issues.9

4. Since the elections, however, public awareness of police and crime commissioners has increased greatly. In their evidence a number of witnesses quoted the results of a poll carried out by ComRes for the BBC, which found that 62 per cent of people were aware that they had a PCC for their area. They contrasted this with previous research showing that only seven per cent of the general public were aware of the old police authorities.10 Many commissioners attributed the greater level of awareness in part to the work they have undertaken to engage with the public since taking office. We heard a number of examples in this respect. The West Yorkshire PCC told us he had met hundreds of people and a large number of community groups in the course of his work, and ran a monthly public perception survey, which received 15,000 responses in its first year.11 The Thames Valley PCC said: “I have a huge number of meetings, I go to all the councils, and I have public meetings in every area”, while the Staffordshire PCC claimed to have engaged face-to-face with over 12,000 people in the county since January 2013.12

5. Some commissioners highlighted the level of correspondence they received as an example of the extent to which public awareness of PCCs has increased. For instance, the Kent PCC told us she had received almost 9,000 pieces of correspondence since taking office, compared to a handful a week when she was chair of the Kent Police Authority.13 The Avon and Somerset PCC told us she received 20 times more correspondence than the defunct authority had in its last year of existence.14 Greater public awareness of the work of commissioners has been demonstrated in other ways. The Sussex PCC reported regular viewing figures of 500 for the live webcast of her accountability meetings with the chief constable, whilst the West Midlands PCC told us more than 700 people had watched the streaming of a recent road safety forum.15

6. Unfortunately, public awareness of commissioners has stemmed not only from conscious engagement work, but also from a number of adverse media stories concerning their activities. These have included the controversial removal of chief constables, the hiring of deputy commissioners, and the resignation of police and crime panel members. We consider each of these issues in this Report. Whatever the cause of the public’s awareness of PCCs, this, combined with the timing of the next elections to coincide with

---

9 For example, PCC0002 (Mark Ryan); Qq 376 (Police Foundation) and 622 (Police Federation)
10 PCC0001 (Home Office), para 7, PCC0008 (Police and Crime Commissioner for Surrey), para 6.2, PCC0023 (Committee on Standards in Public Life), para 6, and PCC0034 (Association of Police and Crime Commissioners), para 8.1
11 PCC0027 (Police and Crime Commissioner for West Yorkshire), para 2.0
12 Q 146 (Police and Crime Commissioner for Thames Valley); PCC0037 (Police and Crime Commissioner for Staffordshire), para 8.2
13 Q 634 (Police and Crime Commissioner for Kent)
14 PCC0017 (Police and Crime Commissioner for Avon and Somerset), para 1.1
15 PCC0051 (Police and Crime Commissioner for Sussex); Q 429 (Police and Crime Commissioner for the West Midlands)
the local elections, should ensure a greater turn-out in 2016. Indeed, as Lord Wasserman, the architect of the PCC model, told us: “it could hardly get any smaller”.16

7. Yet between now and the next elections, there is still more for commissioners to do. Whilst there is greater awareness of their existence, one survey found that only 18 per cent of respondents had a good understanding of the role of PCCs, whilst only 10 per cent believed that commissioners gave them a greater say over how their local area was policed.17 PCCs have also still to win over the forces for which they set overall strategic direction. Lord Stevens told us just five per cent of police officers and two per cent of police staff considered the appointment of PCCs to be a good idea.18

8. A lack of understanding about the role of commissioners is perhaps unsurprising so soon after their election. When we asked the Minister for Policing, Criminal Justice and Victims whether the concept of PCCs was still on probation, he told us: “No, I just think it is new. With every quarter that passes, people across the country find them both more visible and see the benefits […]”.19 But it is clear that many commissioners themselves view their role as being on probation, particularly following the publication of the report of the Stevens Commission in November 2013, which recommended their abolition.20 For example, the PCC for Kent told us: “It is a new role, It needs time to bed in. There are 41 of us. We are all trying to do different things in different ways”, whilst the PCC for Cambridgeshire said: “we are on probation, and the next election will be the judgement day”.21

9. One of the main aims of police and crime commissioners was to make the strategic direction of policing in England and Wales subject to democratic accountability. It is disappointing, therefore, that the turn-out for the elections in November 2012 was so low, leading some to question whether PCCs have a sufficient electoral mandate. Since their introduction, however, public awareness of commissioners has increased significantly, albeit not always for the right reasons. This, combined with the move of the next PCC elections to be in line with the May electoral cycle should ensure a greater turn-out and level of public engagement at the next elections in 2016. Until then, and whilst the nascent work of PCCs is still to have its full effect on the public’s perception of local policing, it is inevitable that many will consider the concept of police and crime commissioners to be on probation.

Training and transition

10. The role of commissioner is a complex one requiring an understanding of local government finance, legal issues, and crime statistics, among many others. It is also a role that is still being defined by its first incumbents. As the Police Foundation noted,
“incoming PCCs had no blueprint to work from as there was no equivalent post elsewhere in the world or in any other public service in the UK”. Lord Wasserman contrasted the high level of advice and guidance provided by civil servants for new Ministers upon taking office, to the relatively low level of support available to incoming commissioners whose small secretariats may themselves change at election time. He recommended allowing a gap of up to six weeks between the election of new commissioners and their taking office. This would allow time for a period of intensive training for PCCs. It would also provide for an orderly transition between administrations, giving an opportunity for incoming commissioners to make changes to their teams and for any pre-appointment hearings to take place, although the Minister expressed some reservations about the practicality of a transition period, and argued that incoming commissioners in 2016 would have a better idea of the requirements of the job.

11. This Report and the Committee's previous reports on PCCs have shown that many of the difficulties that commissioners have faced could have been avoided given greater opportunity to find their feet before starting the job. For the next elections, we recommend a transition period for new commissioners of one month between election and taking office. This would allow time for the Association of PCCs, College of Policing, Local Government Association, and others to provide intensive training for newly elected commissioners, and a period of transition for post-holders and their teams.

Register of PCCs’ disclosable interests

12. In our first Report of the 2013-14 Session, we recommended HM Inspectorate of Constabulary draw together a national register of PCCs’ disclosable interests to promote transparency, and to aid the general public in holding their commissioners to account. As an interim measure, we produced our own version of a register. The Home Office rejected this proposal, stating that whilst it expected high standards of transparency by commissioners, it was not the role of central Government to establish and maintain such a register. It also said HMIC did not have a role in inspecting PCCs. During this inquiry the Association of PCCs told us a national register had not been created, “in part because of the bureaucracy and complexity involved, but also because most PCCs feel this is a matter of local accountability”. However, both the Local Government Association, the Centre for Public Scrutiny, and the Committee on Standards in Public Life told us they supported the introduction of a national register.

22 PCC0033 (Police Foundation), para 25
23 Qq 393 and 403 (Lord Wasserman)
24 Q 403 (Minister for Policing, Criminal Justice and Victims)
26 Government Response to Home Affairs Committee, First Report of Session 2013-14, Police and Crime Commissioners: Register of Interests, Cm 8692
27 PCC0034 (Association of Police and Crime Commissioners), para 10.2
28 PCC0023 (Committee on Standards in Public Life); Qq 470 (Local Government Association) and 471 (Centre for Public Scrutiny)
13. We continue to believe that there should be a national register of commissioners’
disclosable interests, and reject the suggestion that such an exercise is complex and
bureaucratic. It has been a perfectly straightforward exercise to produce it for this
Report. In the continued absence of any such initiative by HMIC, the Home Office or
the Association of PCCs, we produce the latest version of the register as an Annex to
this Report. For the first time, we also include the disclosable interests of deputy
commissioners.
2 The work of commissioners to date

14. Many of the police and crime commissioners hit the ground running when they took office in 2012, though some have faced trips and hurdles during the intervening period. In this Chapter we look at aspects of commissioners’ work during the last 18 months, including their efforts to promote collaborative working and transparency, as well as their response to recent concern over the reliability of police-recorded crime statistics. We also examine the practice by many commissioners of appointing assistants and deputies to carry out work on their behalf.

Collaborative working

15. One PCC described partnership working as “perhaps the most exciting frontier for commissioners to explore”, noting that they are in a unique position to bring partner agencies together in the public interest.29 Another stated that the role of PCC has “enormous potential to act as an ‘honest broker’ […] to bring disparate services together towards common goals and outcomes”.30 Whilst the former police authorities had tried to encourage more collaborative working, the PCC for Thames Valley, for example, argued that commissioners were better placed than committees to achieve this.31 Many commissioners described how efforts in this respect had been redoubled since their taking office. This has, in part, been driven by statutory requirement. Section 10 of the Police Reform and Social Responsibility Act 2011 placed a new duty on PCCs and chief constables to collaborate where it is in the interests of efficiency and effectiveness. In addition, chief constables are under a duty to have regard to the Strategic Policing Requirement, which sets out in statute the need for collective capabilities to meet national threats.32

16. Notwithstanding the statutory requirements placed on commissioners and chief constables, they also face a financial incentive to collaborate as police forces have been required to make large budgetary savings in recent years, and will continue to need to do so. Although police forces have still needed to reduce staff levels in response to financial constraints, most commissioners recognise the value of collaboration, both as a means of promoting efficiency, but also helping to deliver a better service to the communities they serve.33 To encourage their efforts, the Home Office has established the Police Innovation Fund, which will allocate £50 million in 2014-15 for investment in “innovative approaches with the potential to improve policing and deliver further efficiencies in the future”.34

17. We heard evidence on a range of different forms of collaborative working. First, many commissioners were working on partnering with other blue light services, namely fire...
Police and Crime Commissioners: progress to date

9

authorities and ambulance trusts. For some, progress in this respect was limited to initial discussions—as the PCC for Cambridgeshire told us: “it is a twinkle in the eye, but I am convinced we are going to deliver”. Others, however, have made significant progress. The Minister, for example, highlighted the co-location of a police and fire station in Northamptonshire, which had enabled the sale of a vacated building and closer working between the two services. Elsewhere, the Surrey PCC is leading a collaboration programme between the police force, fire authority and ambulance trust to find ways of streamlining operations, sharing more premises, and delivering joint safety campaigns.

18. A second form of collaboration has been between police forces and local authorities. For example, in Hampshire the police force, fire service and county council are joining up corporate services with the aim of making savings of £4 million per annum. The PCC in Avon and Somerset is also developing integrated business support services with local authorities within her police force area. A third area of collaboration has been between commissioners and universities. Again, the Northamptonshire PCC has set an example by working with a local university to establish a ‘Police, Crime and Justice Institute’, which brings together research activity with the aim of translating it into practical policy. Elsewhere, the South Wales PCC has provided £1.2 million of funding over five years for the Universities Police Science Institute, which is a partnership between Cardiff University’s Violence and Society Research Group and South Wales Police. This collaborative work is looking at issues including community engagement, neighbourhood policing, and countering violent extremism.

19. Another area in which partnership working is developing is on mental health. In different ways, the Greater Manchester, Staffordshire, and Avon and Somerset PCCs are all working to improve the way the police respond to people with mental health problems. They are achieving this through collaboration with the NHS as well as social care workers and the voluntary sector. For example, the Avon and Somerset PCC aims to reduce the number of people detained in police cells under the Mental Health Act from 646 in 2012-13 to zero in 2014. This is an issue on which we expect to produce a report later in 2014.

20. However, the main way in which collaboration is taking place is between police forces themselves. It is happening both along non-geographical lines, for instance between Cheshire and Northamptonshire in respect of back office support functions, but also between groups of neighbouring police forces. The PCCs and chief constables of Bedfordshire, Cambridgeshire and Hertfordshire have recently signed a Memorandum of Understanding to collaborate on a range of areas, including finance, estates and facilities,

35 PCC0005 (Police and Crime Commissioner for Cheshire), para 20; Qq 62 (Police and Crime Commissioner for Cambridgeshire and Police and Crime Commissioner for Greater Manchester) and 63 (Police and Crime Commissioner for West Mercia)

36 Q 695 (Minister for Policing, Criminal Justice and Victims)

37 PCC0001 (Home Office), para 63, and PCC0008 (Police and Crime Commissioner for Surrey), para 7.3

38 PCC0001 (Home Office), para 62

39 PCC0034 (Association of Police and Crime Commissioners), para 9.5

40 PCC0016 (Sophie Chambers), para 13

41 PCC0016 (Sophie Chambers), para 4

42 PCC0005 (Police and Crime Commissioner for Cheshire), para 19
legal services, human resources, training, ICT, firearms licensing, and crime recording. The Bedfordshire PCC told us they were “determined to test the limits of what can be achieved”.43

21. Some commissioners are collaborating on particular policy areas. For example, the three PCCs in the North East have developed a regional strategy to combat violence against women and girls.44 On counter-terrorism, PCCs in the South West have formed a dedicated team, whilst those in the South East have created a dedicated unit that has a single chain of command with Thames Valley Police Force acting as the host force.45

22. In two parts of England there has been an even greater drive to promote collaboration. Following the 2012 Spending Review, Warwickshire and West Mercia police forces have developed a strategic alliance whereby each retains a commissioner, a chief constable and a deputy, but below that there will effectively be one force. The Warwickshire PCC told us the initiative had been a “remarkable success”, having contributed to three-quarters of the savings required of the force by 2014-15.46 Without it, he said “Warwickshire would have struggled to survive as an independent force”.47 Similarly, Sussex and Surrey have agreed a vision to work “as one, operationally and organisationally to enhance and improve services for the public”.48 The forces in both cases have stopped short of a full merger at least until after the next PCC elections in 2016. The Warwickshire PCC told us any such move would first require a mandate from local communities and politicians—a position also supported by the Minister for Policing, Criminal Justice and Victims, who told us “we are not going to impose mergers top-down, but if people want to come up with proposals from the bottom up, they can do”.49

23. However, the positive evidence submitted by commissioners on collaboration contrasts starkly with the findings of HMIC in July 2013 that:

The picture on collaboration is deeply disappointing. Despite HMIC highlighting the untapped potential that exists in collaboration, the pace of change over the last year has been too slow and only a minority of forces (18) are delivering more than 10% of their savings through collaboration.50

There was also significant variation in performance between police forces. The report found that 18 police forces expected five per cent or less of their business to be delivered through collaboration in 2014-15. This contrasted with 20 per cent for Kent and Essex, 28 per cent in Norfolk, and 31 per cent in Suffolk. HMIC acknowledged that slow progress was in part a result of the initial hiatus following the elections of commissioners in 2012. Some of the examples reported in evidence to this Committee will have reflected the

43 PCC0040 (Police and Crime Commissioner for Bedfordshire), para 8
44 PCC0006 (Police and Crime Commissioner for Cleveland), para 7.1
45 PCC0018 (Police and Crime Commissioner for Thames Valley), para 30
46 PCC0001 (Home Office), para 59, and PCC0035 (Police and Crime Commissioner for Warwickshire), para 35
47 Q 59 (Police and Crime Commissioner for Warwickshire)
48 PCC0008 (Police and Crime Commissioner for Surrey), para 7.1
49 Qq 66 (Police and Crime Commissioner for Warwickshire) and 710 (Minister for Policing, Criminal Justice and Victims)
50 HMIC, Policing in Austerity: Rising to the Challenge, July 2013
response by commissioners to re-double their efforts since the report’s publication. A subsequent HMIC report commissioned by the five East Midlands PCCs described the forces as showing “great vision, as well as strong and cohesive leadership, in establishing [their] collaboration programme, which was ahead of its time”.

Nevertheless, the Police Foundation told us: “more needs to be done to encourage inter-force collaboration”, although efforts to do so should not impinge on the ability of commissioners to fulfil their own manifesto commitments as set out in their police and crime plans.

24. Collaborative working has the potential to save money as well as providing a higher standard of policing. We support the efforts of commissioners in working with their neighbours and others in fields as diverse as the provision of blue light services, mental health, community safety, organised crime and counter-terrorism. Although there has been progress in some areas, it is clear that a majority of police forces are not yet exploiting the full potential of collaboration. We recommend that, for forces delivering less than 10 per cent of their business through collaboration, commissioners and chief constables should prioritise work in this area, seeking advice from those forces that have already demonstrated success. We will also continue to highlight examples of good practice in collaborative working in the future.

25. We also support the alliances between Warwickshire and West Mercia, and Surrey and Sussex, the former of which has achieved the majority of their required savings over the current spending period through collaboration. Where such alliances prove successful and supported by the public, we believe there is a case for facilitating the full merger of forces under a single police and crime commissioner and chief constable.

**Transparency**

26. If the electorate is to hold commissioners to account for their actions and performance, it is vital that they are as open and transparent as possible. To this end the Electoral Local Policing Bodies (Specified Information) Order 2011 places a statutory duty on commissioners to publish certain information about themselves and their work, including on:

- Who they are and what they do;
- What they spend and how they spend it;
- What their priorities are and how they are doing;
- How they make decisions;
- What policies and procedures govern the operation of the office of the police and crime commissioner; and
- Lists of gifts and donations, Freedom of Information requests, and registers of interests.

---

51 HMIC, *Working Together: a review of the arrangements for collaboration between the five East Midlands police forces, commissioned by the five police and crime commissioners for the region*, November 2013

52 PCC0033 (Police Foundation), para 19
In our first Report of the 2013-14 Session we noted that a number of commissioners were failing to meet their transparency requirements. The Government believes it is the responsibility of the chief executive of each PCC office, as monitoring officer, to ensure their commissioners are compliant with the Order.53 Nevertheless, in its response to our Report, the Home Office said it had reminded chief executives and their commissioners of their obligations.54

27. We were, therefore, disappointed to hear during the course of evidence to this inquiry that whilst the level of reporting had improved, many commissioners were still failing to meet their statutory requirements on transparency. In November 2013, CoPaCC, an independent organisation set up to compare the work of PCCs, published a thematic paper which assessed the performance of all commissioners.55 The report found that only one of the PCC offices had all 25 primary statutory disclosures on its website, and four commissioners provided 15 or less. Around two-thirds of offices had complied with 20 or more of the disclosure requirements. Bernard Rix, the head of CoPaCC, acknowledged that the analysis considered only whether the information was available on the commissioner’s website—it did not assess the quality of the information provided.56

28. Notwithstanding the work carried out by organisations such as CoPaCC, the Home Office and the Association of Police and Crime Commissioners provides relatively little comparative analysis that might help the general public to assess the actions and decisions of their commissioners against each other. This does not just apply for the publication of statutory information. For instance, in recent months PCCs have been negotiating the transfer to chief constables of police staff, assets and liabilities that were formerly employed or held by police authorities, and which passed to commissioners upon taking office. The ‘Stage 2 transfers’, as they are known, were due to be completed in March 2014, and commissioners will have adopted a range of approaches to the process. The Police Foundation noted that, whilst some PCCs had published their proposals, a single document that brought together all the different structures would also be welcome.57

29. The Committee on Standards in Public Life told us: “PCCs should also consider how lobbying activities may bring conflicts of interest in respect of procurement and decision-making”.58 Accordingly, it called on commissioners to publish a register of meetings held with external stakeholders.

30. We are deeply concerned that despite a requirement in statute, and a reminder from the Home Office, some commissioners are still failing to meet their transparency requirements. This information is vital in allowing voters to assess the effectiveness of their PCCs. We recommend that the Home Office and the Association of Policing and Crime Chief Executives continue to pursue this matter with the relevant PCC offices.

53 PCC0001 (Home Office) para 67 and 71
55 CoPaCC, PCC Statutory Transparency, November 2013
56 Q 380 (Bernard Rix, CoPaCC)
57 PCC0033 (Police Foundation), para 13
58 PCC0023 (Committee on Standards in Public Life), para 11-12
Furthermore, we recommend that commissioners begin to publish a register of meetings held with external stakeholders.

31. However, we believe this information will be more useful to the public and police and crime panels in holding PCCs to account if it is drawn together to allow meaningful comparisons. As such, we recommend that the Association of PCCs begin collating and publishing all statutory information on its website, and carry out comparative analysis where appropriate. In so doing, it should also highlight those PCC offices that are not meeting their requirements. The Home Office or HMIC should also publish a comparative analysis of the range of ways in which commissioners have approached the 2014 Stage 2 transfer of staff and assets.

**Appointment of deputy and assistant commissioners**

32. The Police Reform and Social Responsibility Act 2011 permits commissioners to appoint a deputy and other staff as appropriate. It also states that, with the exception of the deputy, all appointments should be on merit. The deputy PCC is a member of the commissioner’s staff, and it is the only post that is not politically restricted. This means they can carry out political activity on behalf of the commissioner. Apart from the core functions of the commissioner, such as the issuing of a police and crime plan or the appointment of a chief constable, the deputy can undertake any functions on behalf of the PCC. Where a commissioner appoints a deputy, they are required to notify the police and crime panel, which must then hold a confirmation hearing with the candidate before making a report recommending their appointment or otherwise. The commissioner may accept or reject the panel’s recommendation as they see fit. The same process is required for the commissioner’s choice of chief executive and chief finance officer. At present, 24 out of 41 PCCs have employed deputies.

33. In addition, six commissioners have appointed assistant PCCs. These posts are not defined under the 2011 Act, hence fall within commissioners’ other staff and should be politically restricted and appointed on merit. Such appointments are also not subject to a confirmation hearing by the police and crime panel, except where they are also fulfilling another senior role within the PCC’s team. The role of assistant PCC appears to vary across areas. In Northamptonshire, one of the commissioners’ four assistant PCCs is the chief executive and monitoring officer, whereas the West Midlands PCC has appointed three assistants to sit on a strategic policing and crime board.59

34. The appointment of assistant and deputy commissioners has been a source of media interest since the 2012 elections. The fact that PCCs are free to appoint whoever they choose as deputy has inevitably led to public concern over a lack of transparency and, in some cases, accusations of cronyism, which have been damaging to the reputation of commissioners.60 In three cases (Humberside, Sussex and West Mercia) such appointments have taken place despite the police and crime panel recommending against. In Sussex, for example, the panel said it had not been “provided with a role profile, or […]

59 Q 440 (Police and Crime Commissioner for the West Midlands)

60 PCC0033 (Police Foundation), para 21
sufficient information to explain the nature and scope of the role, its functions or responsibilities”.61 The West Mercia Police and Crime Panel told us it had been very critical of the commissioner over a perceived lack of transparency in his choice of candidate, which even resulted in a vote of ‘no confidence’.62 Elsewhere, the West Yorkshire panel endorsed the commissioner’s choice of deputy, but only after several members had voiced concerns. Its subsequent chair, Cllr Allison Lowe, told us she thought the PCC had failed to demonstrate a need for the post, and that it was “a waste of taxpayers’ money”.63

35. Similar concerns have hung over the appointment of assistant commissioners. For example, all three of the assistant PCCs in the West Midlands are Labour councillors, despite having been hired through an ostensibly open and transparent recruitment process. In Northamptonshire, the Conservative PCC has subsequently appointed four assistant commissioners, one of whom was his campaign agent and another his campaign spokesperson.

36. Policy Exchange and Lord Wasserman both robustly supported the right of commissioners to appoint deputies.64 The former told us “PCCs should not be squeamish about appointing the people they need to do a good job”. In evidence, several commissioners gave reasons why they had chosen to appoint a deputy. Often they have done so to fill a gap they had identified in their own experience. For instance, the Thames Valley PCC appointed a deputy who was able to advise him on Buckinghamshire issues.65 The Warwickshire PCC told us his deputy’s knowledge of the county and its politics had been invaluable to him.66 The Sussex PCC said her deputy, who had previously been the chair of the police authority, had been “an incredible asset”.67 She likened the right to make such an appointment equivalent to that of a local authority leader choosing a deputy.68 Although another witness noted that deputies in those cases were also elected politicians, and so remained accountable to the electorate.69

37. One option for improving the transparency of the process for deputies is for them to stand for election on a dual ticket with the candidate for commissioner.70 This would have been the preference of the PCCs for West Yorkshire and the West Midlands.71 Where such appointments are proposed post-election, others suggested there should be an open and transparent recruitment process, requiring greater clarity on why the post is required, what

---

61 PCC0004 (Gabriel Webber), para 3a
62 PCC0021 (West Mercia Police and Crime Panel), para 6
63 Q 531 (Chair of the West Yorkshire Police and Crime Panel)
64 Qq 377 (Policy Exchange) and 404 (Lord Wasserman)
65 Q 228 (Police and Crime Commissioner for Thames Valley)
66 PCC0035 (Police and Crime Commissioner for Warwickshire)
67 Q 179 (Police and Crime Commissioner for Sussex)
68 Q 227 (Police and Crime Commissioner for Sussex)
69 Q 309 (Professor Ian Loader, Stevens Commission)
70 PCC0049 (Roger Seabourne), para 9; Q 479 (Centre for Public Scrutiny)
71 PCC0032 (West Yorkshire Police and Crime Panel), para 2.2.2; Q 439 (Police and Crime Commissioner for the West Midlands)
the role will be, and why the person proposed is the most suitable for the role. The Chair of the Surrey Police and Crime Panel also proposed that panels should have some power of veto, and the ability to remove a deputy in circumstances where it was apparent that they were not the most appropriate person for the job.

38. The employment of assistants and deputies has raised inevitable accusations of cronyism. Whilst we do not question the right of commissioners to appoint a deputy, their appointment must be transparent and instil public confidence. We recommend that at the 2016 elections, candidates for commissioner should be able to name their intended deputies so that they are elected on the same ticket. In cases where a commissioner subsequently seeks to appoint a deputy post-election, the Home Office should set out a clear process for the conduct of their selection. The police and crime panel should also have the power to veto the appointment.

39. We believe the status of assistant PCCs is ambiguous and risks creating public confusion about their role, and that the nomenclature should be avoided. In some cases their appointment appears to side-step the scrutiny process required by statute for deputies. In some areas the appointment of multiple assistants could be seen as an attempt by the PCCs in those areas to recreate the former police authorities. We are also concerned that such appointments do not meet the requirement for posts below the level of deputy to be politically restricted. We recommend that the appointment of posts aside from deputy commissioner should in all cases be subject to an open and transparent recruitment process similar to that for entry to the Civil Service or local government, with that process approved by the chief executive of the office of the PCC.

Target setting and crime statistics

40. In recent years the Government has sought to promote the operational independence of chief constables by scrapping national targets for crime reduction. The current administration removed the final national targets, which related to improving public confidence in the police, in 2010. Since then, it has set police forces the more general objective to reduce and prevent crime.

41. When they came to office, many commissioners adopted a similar approach to target-setting. The Surrey PCC told us one of his first acts was to do away with numerical targets, which he described as providing “reassurance for politicians, but […] mean very little to the wider public”. The Greater Manchester PCC said he had done away with targets, “preferring instead new, meatier performance reports” that took a more rounded view. Elsewhere, the Cambridgeshire PCC said he had “gone to great lengths not to set targets”. Yet this pattern has not been consistent across all commissioners. A BBC analysis of police

---

72 Qq 377 (Police Foundation), 444 (Police and Crime Commissioner for Avon and Somerset), and 521 (Chair of the West Yorkshire Police and Crime Panel)
73 Q 540 (Chair of the Surrey Police and Crime Panel)
74 PCC0008 (Police and Crime Commissioner for Surrey), para 2.1
75 PCC0042 (Police and Crime Commissioner for Greater Manchester), para 2.3
76 Q 26 (Police and Crime Commissioner for Cambridgeshire)
and crime plans in 2013 found that 18 out of 41 PCCs were using targets or performance measures to hold their chief constables to account, using a total of 178 performance targets.\textsuperscript{77}

42. The main driver for the move away from target-setting at a national and force-level has been concern that they create perverse incentives to under or misreport crime. The Police-Recorded Crime (PRC) statistics in particular have been seen to be susceptible to such gaming. Indeed, colleagues on the Public Administration Select Committee have recently published a damning report on the reliability of PRC data, following evidence from a whistleblower from the Metropolitan Police. Among the reasons given for the inaccuracy of PRC statistics were a lack of awareness and understanding of the National Crime Recording Standard and the cessation of independent audits since 2006-07, but also pressures associated with the use of performance measures.\textsuperscript{78} In November 2013 the Chief Constable for Derbyshire, Mike Creedon, was widely reported for claiming there remained an obsession with crime figures, and that as a result many forces did everything they could to ensure recorded crime was not going up. In January 2014 the UK Statistics Authority stripped the PRC statistics of their designation as National Statistics.

43. We asked many of our witnesses whether they recognised the concerns raised by Mike Creedon and others. Lord Stevens told us he believed that the manipulation of PRC data was happening in certain forces. He described to us a Police Federation sergeants branch annual meeting he had attended where a number of participants had told him “the biggest scandal coming our way is the recording of crime”.\textsuperscript{79} In his evidence, the Chair of the Police Federation said: “I still have concerns about the accuracy of crime recording”.\textsuperscript{80} But the chief constables we spoke to said they had confidence in the PRC statistics. The Chief Constable for Bedfordshire told us they had a rigorous independent audit trail that had a 98 per cent compliance rate.\textsuperscript{81} Sir Hugh Orde, the President of the Association of Chief Police Officers said he did not recognise the level and extent described by Mike Creedon.\textsuperscript{82} Indeed, chief constables rely on the crime figures to determine where best to allocate their resources. As the Chief Constable for Thames Valley put it: “It is absolutely in my interest to make sure that the crime figures are accurate”.\textsuperscript{83} The Chief Constable for Sussex also noted that in his force, at least, crime statistics did not form any part of the system for reward, recruitment, selection or promotion.\textsuperscript{84}

44. In response to heightened concern over the quality of PRC data, many of the commissioners we spoke to said they had instigated reviews to ensure their police forces

\textsuperscript{77} PCC0033 (Police Foundation), para 7
\textsuperscript{78} Public Administration Committee, 13th Report of Session 2013-14, Caught red-handed: Why we can’t count on Police Recorded Crime statistics, HC 760
\textsuperscript{79} Q 346 (Lord Stevens)
\textsuperscript{80} Q 618 (Police Federation)
\textsuperscript{81} Q 77 (Chief Constable for Bedfordshire)
\textsuperscript{82} Q 91 (Association of Chief Police Officers)
\textsuperscript{83} Q 244 (Chief Constable for Thames Valley)
\textsuperscript{84} Q 248 (Chief Constable for Sussex)
were compliant.\(^{85}\) In February 2013, HMIC published a report on crime recording in Kent, commissioned by the PCC in the wake of the arrest of five detectives in Maidstone following an anti-corruption investigation, and unease at the level of no-crime by the force, particularly in relation to rape. No-crime is where the police subsequently judge that no crime took place. In 2010-11, 30 per cent of rape cases in Kent were no-crimed—the highest of any force.\(^{86}\) The inspection found that Kent Police were under-recording approximately one in every 10 crimes, and that many crimes were not being resolved appropriately. It concluded that “appreciably more needs to be done before the people of Kent can be confident that the crime and resolution figures published by the force are as accurate as they should be.”\(^{87}\)

45. The Kent PCC told us she was “shocked by the report”.\(^{88}\) However, a number of interventions over the course of 2013 have seen an improvement in processes, and a subsequent HMIC report published in January 2014 concluded that the force had made considerable progress. One of the reasons it gave was the move away from a target-based approach to managing performance to one that focused on outcomes and quality of service. The report noted that: “This has already had a beneficial effect, but more needs to be done in terms of training and raising awareness of the new approach”.\(^{89}\) HMIC is now conducting a force-by-force audit of crime recording, commissioned by the Home Secretary, which it expects to report in the autumn.

46. Public confidence in the veracity of crime data has been severely undermined by recent revelations, culminating in the withdrawal of their designation as National Statistics. We welcome the work that HMIC, commissioners and chief constables are now undertaking to ensure the robustness of crime data, especially as they constitute a key indicator on which the public will assess the performance of commissioners in 2016.

47. We note that target-setting has been cited as one of the reasons for the manipulation of crime figures. We are concerned, therefore, that a large number of commissioners have set targets or performance measures as part of their police and crime plans. Where this is the case, it is vital that PCCs ensure such targets operate as intended and do not act as incentives for the gaming of crime statistics in the future. We recommend that all such commissioners review urgently the auditing arrangements they have in place. We are mindful also that as the next elections approach many PCCs will feel under pressure to demonstrate their effectiveness. It will be the responsibility of chief constables to ensure this does not translate into pressure on forces to under or misreport crime.

---

\(^{85}\) Qq 10 (Police and Crime Commissioner for Warwickshire), 12 (Police and Crime Commissioner for Greater Manchester), 136 (Police and Crime Commissioner for Thames Valley), and 420 (Police and Crime Commissioner for Avon and Somerset)


\(^{87}\) Ibid.

\(^{88}\) Q 637 (Police and Crime Commissioner for Kent)

Support for victims

48. During 2014 and 2015 the commissioning of services for victims will transfer from the Ministry of Justice to PCCs. At present, the referral of victims from police forces and their subsequent support is largely provided by Victim Support, a national charity set up in 2008 following the merger of 77 local victim support charities. It is funded by central Government grant. From October 2014 a number of PCCs will begin providing locally commissioned referral and support services for victims for which they will receive direct funding from the Ministry of Justice. From 2015 all PCCs will be responsible for commissioning such services.

49. Victim Support is working with PCCs and the Government to manage the transition over the next year, but has identified several potential risks. First, new providers will have to develop their own training and ensure it is fit for purpose. Second, there is a possibility that volunteers who had previously worked for Victim Support will leave the sector rather than work for another organisation, for instance, the local police. Third, local providers will need to ensure they have IT networks that are secure to the Government’s requisite standard for holding information on victims’ cases. Finally, changes to the Victims Code and Witness Charter, publicity around the treatment of vulnerable victims and witnesses, and the introduction of the Victims Right to Review have all raised public expectations over the quality of service victims should receive at a time when the delivery mechanism for those services is changing. This a particular concern given the recent report by HMIC on domestic violence and abuse, which found that the current police response is failing victims.

50. The Association of PCCs told us that 20 commissioners had the provision of support and protection for victims as a priority in their police and crime plans. For example, the Cheshire PCC said the transfer of funding “offers a real opportunity for us to put victims at the heart of the criminal justice system and ensure that victims no longer fall through the cracks”.

51. Many PCCs seem to be taking seriously the responsibility they are due to take on for commissioning victims services. There is a potential opportunity to make a significant improvement to the quality of services offered in this area. However, there are also a number of risks, particularly during the transition phase. We recommend that HMIC evaluate the approach taken after PCCs take over responsibility for commissioning victims services in October 2014 so as to inform decision-making by PCCs in the second tranche. We further recommend that before the next PCC elections, HMIC conduct a full evaluation of the move to local commissioning to inform the approach taken by the next generation of PCCs.

---

90 PCC0028 (Victim Support)
91 HMIC, Everyone’s business: Improving the police response to domestic abuse, March 2014
92 PCC0034 (Association of Police and Crime Commissioners), para 8.3
93 PCC0005 (Police and Crime Commissioner for Cheshire), para 5
Commissioner-led campaigns

52. Evidence from the first 18 months of the work of commissioners suggest they can provide a voice for influencing policy at a national level. PCCs have campaigned on a range of issues. For example, the West Yorkshire PCC has pushed for a larger proportion of the funds seized from criminals under the Proceeds of Crime Act 2002 to be invested back into the local areas from which they came for use in community anti-crime initiatives. At present, half of the funds go to the Home Office for use on core purposes. We received evidence from the National Federation of Retail Newsagents supporting this proposal, and there is currently an e-petition entitled 'Give us back all the money recovered from criminals to keep our communities safe'.94 Elsewhere, a group of 11 commissioners have recently put their weight behind the Government’s proposals to introduce standardised packaging for cigarettes and other tobacco products. In a letter to The Times they argue that: “Unbranded packaging has the potential to save many lives and reduce the financial burden on our public services”. They also describe the tobacco industry’s fear that it will lead to an increase in counterfeiting as “nonsense”.

53. Police and crime commissioners are increasingly using their voice to lobby Government on policies that are formed at a national level. We welcome this, and hope that they continue to do so.

Overall effectiveness of commissioners to date

54. In evidence the Home Office and PCCs themselves cited a range of ways in which they have sought to make an impact since their election 18 months ago. In Kent the PCC has rolled out a fleet of ‘mobile police contact points’ to make it easier for people in rural areas to report a crime or anti-social behaviour. The Cheshire PCC has introduced a mobile app that allows users to report crime directly to the police, whilst the Gloucestershire PCC has launched a mobile app that allows young people to safely provide information on gang-related activity in Gloucester, and which lets them speak directly to a multi-agency team that will provide support. In North Wales, Suffolk and Thames Valley the PCCs have unveiled initiatives to tackle rural crime. This has included the introduction of a ‘Country Watch’ messaging system in the Thames Valley area to which 7,500 people have signed up to receive crime alerts, witness appeals, details of police operations, among others. Elsewhere, in Staffordshire the PCC has introduced a number plate recognition system to identify uninsured vehicles, which resulted in over 700 vehicles being seized during its first four months, as well as improving how police work with the local court system.95 These examples show the various ways in which commissioners have developed innovative ways of responding to local concerns and priorities. Furthermore, as the Chair of the Association of PCCs noted, they are the kind of initiatives that would not have been done under the former police authorities.96
55. The majority of our witnesses, however, believed it was too early to tell whether the new model of police governance had proven a force for good. First, there are many factors that affect crime, such as socio-economic effects or national policy decisions, which are largely outside the control of commissioners. It is therefore impossible at this stage to disaggregate any effect brought about by PCCs. Indeed, the current downward trend in crime levels, measured by the Crime Survey for England and Wales, largely predates the introduction of commissioners. Second, because PCCs are required to respect the operational independence of chief constables, it will take time for any changes in strategic direction brought about by the commissioner to have an effect. Third, whilst many PCCs have developed innovative ideas, generally it will take time to determine what outcomes they have achieved. Finally, any assessment of the contribution of commissioners must separate their performance as individuals from the effectiveness of the role itself. As the Police Foundation put it: “we need to give this model time to run before we discard it.”

56. It is too early to say whether the introduction of police and crime commissioners has been a success. As such this inquiry should be seen as a progress report, rather than a definitive assessment of the PCC model. Indeed, even by 2016 it may be difficult to draw a national picture because of the range of different approaches being taken by commissioners, although this should be possible after the term then commencing. However, one clear message from our evidence is that PCCs have provided greater clarity of leadership for policing within their areas, and are increasingly recognised by the public as accountable for the strategic direction of their police force.

97 For example, PCC0011 (National Federation of Retail Newsagents), PCC0019 (Surrey Police and Crime Panel), para 1.3, PCC0020 (Police Federation), para 12, PCC0021 (West Mercia Police and Crime Panel), para 3, PCC0024 (Hampshire Police and Crime Panel), para 1.3, PCC0033 (Police Foundation), para 25, PCC0037 (Police and Crime Commissioner for Staffordshire), para 1, and PCC0047 (Frank A. Chapman), para 4; Qq 6 (Police and Crime Commissioner for Cambridgeshire), 363 (CoPACC), 451 (Local Government Association) and 468 (Centre for Public Scrutiny)

98 PCC0033 (Police Foundation), para 3

99 PCC0033 (Police Foundation), para 25, and PCC0037 (Police and Crime Commissioner for Staffordshire), para 2

100 Q 363 (Police Foundation)
3 The relationship between commissioners and chief constables

57. The relationship between commissioners and chief constables is a key aspect of the new governance model for policing. It is unsurprising, therefore, that it is an area which has attracted concern during the first 18 months in which PCCs have been in post. This has been particularly the case for those instances where the relationship has broken down. In this Chapter we examine the various approaches PCCs have taken to holding chief constables to account, and consider the process for removing a chief constable when they have lost the confidence of their commissioner.

Holding chief constables to account

58. The basis for the relationship between PCCs and chief constables is set out in the Policing Protocol Order 2011. This states that the commissioner has “a statutory duty and electoral mandate to hold the police to account on behalf of the public”. The Order also empowers PCCs to “scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Police and Crime Plan”, and to “hold the Chief Constable to account for the performance of the force’s officers and staff”. However, it also states that commissioners “must not fetter the operational independence of the police force and the Chief Constable who leads it”.

59. The evidence we received suggested PCCs were taking seriously their statutory duties, and had developed a range of ways to hold their chief constables to account. Many have done so using public meetings. For example, the Cheshire PCC holds quarterly ‘public scrutiny meetings’ where the chief constable is held to account against the objectives set out in the police and crime plan.101 The Surrey PCC’s bi-monthly management meetings with the chief constable are webcast live, with agendas and other meeting papers published online.102 So too are the Warwickshire PCC’s regular public meetings, the Sussex PCC’s monthly ‘performance and accountability meetings’, and the Avon and Somerset PCC’s ‘joint community meetings’, for the latter of which the public can submit questions via email and twitter.103 Commissioners have taken different approaches to structuring such meetings. In Greater Manchester, forums based around a single theme have involved the chief constable being questioned not just by the PCC and his deputy, but also a range of panellists from different walks of life and political backgrounds.104 In Kent, regular ‘Meet the Commissioner’ and ‘Meet the Chief Constable’ meetings take place around the county. These are unstructured, and anyone is encouraged to write in or turn up to ask about any

---

101 PCC0005 (Police and Crime Commissioner for Cheshire), para 2
102 PCC0008 (Police and Crime Commissioner for Surrey), para 2.3
103 PCC0001 (Home Office), para 6, PCC0035 (Police and Crime Commissioner for Warwickshire), para 8, and PCC0030 (Police and Crime Commissioner for Sussex), para 9
104 PCC0042 (Police and Crime Commissioner for Greater Manchester), para 3.1; Q 124 (Chief Constable for Greater Manchester)
issue that concerns them.\textsuperscript{105} In Hampshire, the PCC holds bi-monthly ‘Commissioner’s Performance, Accountability, Scrutiny and Strategy’ or COMPASS meetings, based around a single theme, for which the public is invited to attend and observe, but can submit questions in advance which the commissioner will put to the chief constable.\textsuperscript{106}

60. In addition to public meetings, PCCs also hold regular private meetings with their chief constables. In some cases these are structured and minuted, with reports and minutes subsequently published online.\textsuperscript{107} In other cases, meetings are informal and may be conducted over the phone or face-to-face. As the Chief Constable for Greater Manchester put it: “The key thing is the phone call at any time of the day or night”.\textsuperscript{108} Most commissioners use a combination of formal and informal private meetings. For example, the Chief Constable for Bedfordshire told us she met her commissioner between three and four times a week.\textsuperscript{109}

61. Some PCCs have developed additional scrutiny and monitoring arrangements. The Cleveland PCC told us he used mystery shoppers and independent custody visitors who reported directly to him on the services delivered by the chief constable and her force.\textsuperscript{110} The Surrey PCC’s staff attend Surrey Police meetings as a way of gaining a more detailed understanding of the force’s performance.\textsuperscript{111} Elsewhere, the Avon and Somerset PCC has established a panel of independent residents which reviews complaint files against the police force and publishes reports.\textsuperscript{112} Finally, the Thames Valley and Lincolnshire PCCs told us they used negotiated performance measures to hold their chief constables to account.\textsuperscript{113} We have discussed already the risks of an over-reliance on performance measures in the previous chapter.

62. The Chief Constable for Kent told us the arrangements for holding him to account were significantly less burdensome than under the former Kent Police Authority. He estimated that the amount the Force spent on preparing for governance boards, audit committees, and police and crime panels was approximately 57 per cent less than under the previous arrangements.\textsuperscript{114} If extrapolated across police forces, this equated to an annual saving of around £270,000 in police time.

63. Because they have to work so closely together, commissioners and chief constables must strike a balance that permits them to engage constructively in a non-adversarial

\textsuperscript{105} Q 643 (Police and Crime Commissioner for Kent)
\textsuperscript{106} PCC0024 (Hampshire Police and Crime Panel), para 2.2
\textsuperscript{107} For example, PCC0017 (Police and Crime Commissioner for Avon and Somerset), para 3.2, PCC0018 (Police and Crime Commissioner for Thames Valley), para 7, PCC0030 (Police and Crime Commissioner for Sussex), para 8, PCC0035 (Police and Crime Commissioner for Warwickshire), para 8, and PCC0045 (Police and Crime Commissioner for Northumbria)
\textsuperscript{108} Q 124 (Chief Constable for Greater Manchester)
\textsuperscript{109} Q 124 (Chief Constable for Bedfordshire)
\textsuperscript{110} PCC0006 (Police and Crime Commissioner for Cleveland), para 3.3
\textsuperscript{111} PCC0008 (Police and Crime Commissioner for Surrey), para 2.4
\textsuperscript{112} PCC0017 (Police and Crime Commissioner for Avon and Somerset), para 3.2
\textsuperscript{113} PCC0018 (Police and Crime Commissioner for Thames Valley), para 7, and PCC0031 (Police and Crime Commissioner for Lincolnshire), para 2.1
\textsuperscript{114} PCC0059 (Kent Police)
manner, but which also provides opportunity for challenge. We asked several of those who
gave oral evidence to describe their relationship. The Northumbria PCC told us: “we do
not always agree—we have a strong and effective relationship and can disagree while
retaining mutual respect”.115 The Chief Constable for Bedfordshire said her relationship
was “critical, but very friendly”, whilst the West Midlands PCC described it as “One of
mutual respect and one of trust […]”.116 Several witnesses refuted the idea that their
relationship was cosy, although the Chief Constable for Avon and Somerset admitted that
those chief constables who had been appointed since the new governance arrangements
came into place were more likely to have “an alignment of approach” with their
commissioner.117 In contrast, there have been some very public examples of a breakdown
in the relationship between chief constable and commissioner, which we have examined in
previous reports, and look at again in the next section.

64. Notwithstanding the nature of the relationship between PCCs and chief constables, our
evidence suggested there are some risks inherent in the new governance structure. The
Police Foundation argued that more informal interactions, which are unrecorded, could
result in less transparency to decision-making than existed under the police authority
model. Whilst a more informal process allowed decisions to be reached more quickly, it
could become more difficult for police and crime panels to scrutinise those decisions after
the event.118

65. A further risk is that, in holding chief constables to account, commissioners may
inadvertently or otherwise interfere with their operational independence, contrary to the
Policing Protocol. This was a particular concern of the Police Federation, who told us its
members had provided anecdotal evidence that PCCs were “interfering in operational
matters outside their remit”. This was especially the case for commissioners who had prior
experience in policing, and so “found it difficult to let go of the reins of previous roles”.119
The Chief Constable for Thames Valley noted that whilst some areas, such as budget-
setting and the drawing up of the police and crime plan, clearly sat with the PCC, and
others, such as the decision to investigate or arrest, were the responsibility of the chief
constable, there would inevitably be a “grey area” in between.120 She gave the example of
staffing smaller police stations that have a low foot-fall. On the one hand, the decision to
keep these open is an operational one as part of the allocation of scarce resources. But the
commissioner will also have an interest because of the community effects and because they
may have a priority to maintain front-line policing. In such situations, both commissioner
and chief constable may have a legitimate locus.

66. Finally, the Stevens Commission recently concluded that commissioners’ “new powers
of dismissal risk exerting a damaging chilling effect over the leadership of the police

115 PCC0045 (Police and Crime Commissioner for Northumbria)
116 Qq 83 (Chief Constable for Bedfordshire) and 427 (Police and Crime Commissioner for the West Midlands)
117 Qq 235 (Chief Constable for Sussex), 425 (Police and Crime Commissioner for Avon and Somerset), 432 (Chief Constable
for Avon and Somerset), and 654 (Chief Constable for Kent)
118 PCC0033 (Police Foundation), para 20
119 PCC0020 (Police Federation)
120 Q 262 (Chief Constable for Thames Valley)
service, and undermining the relationship that should ideally exist between a chief constable and a PCC”.121 Professor Loader from the Commission likened the position of chief constables now to one of football managers reliant on the confidence of the club boss, whereas a preferred model would be a “system in which chief constables can exercise and articulate their professional judgement without fear of being sacked if they lose the confidence of their PCC”.122 In contrast, Lord Wasserman believed that everyone lived with the prospect of losing their job, and chief constables should be no different.123 Policy Exchange argued that, rather than viewing the relationship as having a chilling effect, it should be seen as one of “creative healthy tension”.124 Perhaps unsurprisingly, the commissioners we raised this with agreed. The Thames Valley PCC described the conclusion of the Stevens Commission as “a huge exaggeration”, whilst the Kent PCC said: “I do not see the evidence for it”—a view also taken by the Chief Constable for Sussex.125

67. Commissioners have developed a range of informal and formal approaches to holding their chief constables to account, both in private and in public, for the delivery of policing. The relationship between both parties has to balance an open and constructive approach with robust challenge where necessary. Commissioners must continue to guard against the inherent risks of the new governance model by ensuring decision-making is as transparent as possible, and avoid any temptation to interfere in the operational independence of chief constables in accordance with the Policing Protocol. Indeed, commissioners and chief constables should regard the Policing Protocol as the foundation on which their relationship is based, and training on it should form part of the induction period we have proposed for PCCs. Behind the new accountability framework lies the power of PCCs to fire their chief constable. Whilst the Stevens Commission concluded that this power risked having a chilling effect on the decision-making of chief constables, the evidence we received does not support this assertion.

The process for the removal of a chief constable

68. In our previous Report on PCCs’ power to remove their chief constables we said: “it is essential to commissioners’ role as directly elected office-holders that they have the power to dismiss chief constables”.126 This power and its effects, perceived or otherwise, has been one of the most controversial aspects of the new governance arrangements for policing. But as the Police Foundation told us: “if [the] relationship breaks down irretrievably, someone has to have that power to remove the other”.127 Policy Exchange put it bluntly: “At least this way everybody knows who is taking the decision and there is proper

---

121 Policing for a better Britain, November 2013
122 Q 296 (Professor Ian Loader, Stevens Commission)
123 Q 389 (Lord Wasserman)
124 Q 386 (Policy Exchange)
125 Qq 201 (Police and Crime Commissioner for Thames Valley), 269 (Chief Constable for Sussex), and 667 (Police and Crime Commissioner for Kent)
126 Home Affairs Committee, Sixth Report of Session 2013-14, Police and Crime Commissioners: power to remove Chief Constables, HC 487
127 Q 364 (Police Foundation)
democratic accountability for it”.\(^{128}\) Notwithstanding the right of commissioners to hold and exercise such a power, the evidence we received to this inquiry suggested several ways in which the process for the removal of chief constables could be improved: by tightening up the existing legislation, by providing better training to commissioners, and through a formalised mediation process between PCCs and chief constables.

69. Section 38(2) of the Police Reform and Social Responsibility Act 2011 states that a PCC “may suspend from duty the chief constable of the police force for that area”. Where a suspension is in relation to the conduct of a chief constable, the Police (Conduct) Regulations 2012 require clear grounds for such action, and provide for a process of review. But, as policing barrister James Berry noted, the legislation is silent on the grounds for suspension where the decision does not relate to conduct, nor does the Home Office provide guidance on how it might be applied, or what safeguards should be taken into account to ensure any suspensions are fair and proportionate.\(^{129}\)

70. In the same way, Section 38(3) of the 2011 Act permits a commissioner to “call upon the chief constable of the police force for that area to resign or retire”, but again is silent on the grounds upon which they may be required to do so. The Chief Constable for Thames Valley noted that this contrasted with the previous legislation, which empowered a police authority to remove a chief constable “in the interests of efficiency and effectiveness”.\(^{130}\) Like any employer, PCCs must still take account of employment and discrimination law in reaching a decision to use Section 38(3) to remove their chief constable. But the lack of any guidance or criteria from the Home Office on its use is more likely to result in its interpretation being tested in court. James Berry told us: “The answer may not be one which the Home Office or Parliament intended”.\(^{131}\)

71. To date, no commissioner has attempted to use their power under Section 38(3). Were they to do so, Schedule 8 of the 2011 Act sets out the process they must follow. This requires them to provide a written explanation to the chief constable, who can in turn make a written representation to the PCC. The commissioner must notify the police and crime panel and provide a copy of the reasons given to the chief constable as well as any written representations. The panel is required to consult HMIC and hold a scrutiny meeting where it can take evidence from both parties. It must then make a recommendation to the commissioner. However, the decision ultimately rests with the PCC irrespective of the panel’s determination. It was this final point that dissuaded Carmel Napier, former Chief Constable for Gwent, from challenging the Gwent PCC to use the statutory process when he asked her to take retirement in June 2013. In other words, she did not see any value to using the Schedule 8 process because she believed the end result would be the same. Furthermore, because the statutory process was not engaged, there was no formal role for the police and crime panel. The Local Government Association told us

---

\(^{128}\) Q 385 (Policy Exchange)  
\(^{129}\) PCC0039 (James Berry), para 15  
\(^{130}\) Q 267 (Chief Constable for Thames Valley)  
\(^{131}\) PCC0039 (James Berry), para 11
the case “highlights the relative ease with which PCCs are able to circumvent what are already limited formal powers of scrutiny”. 132

72. A further difficulty with the legislation relates to the extension of chief constables’ contracts. At present appointments are made for a fixed term of five years. This is extendable for three years, and thereafter on a year-by-year basis subject to agreement between the post-holder and the PCC. Where a chief constable is close to the end of their contract, a commissioner may decide not to allow an extension. This was the case in Avon and Somerset, where the chief constable had already completed eight years in post and the incoming PCC decided not to renew his contract on a yearly basis, instead inviting him to re-apply for his post, which he chose not to do. Again, there is no statutory process for scrutiny of the decision by a commissioner not to extend a chief constable’s contract in the same way there that is for their appointment or removal. As one witness put it, a PCC who held concerns about the performance of their chief constable who was nearing the end of their contract, could simply ‘let the clock tick’, thereby avoiding scrutiny by the police and crime panel. 133

73. In addition to discrepancies in the legislation, there is also a case for improving the training for commissioners in handling the suspension and removal of their chief constable. For example, in Lincolnshire, the PCC’s suspension of the temporary chief constable was overturned following a Judicial Review which found that the decision had been “irrational and perverse”. The taskforce finally set up by the Lincolnshire Police and Crime Panel to review the case subsequently recommended that commissioners be provided with induction training “with a focus on Police Regulations and employment law/human rights legislation”. 134

74. In the cases of Gwent, Avon and Somerset, and Lincolnshire, an underlying factor that will have played a role in the subsequent events in each case was the working relationship between the PCC and chief constable. Where that relationship breaks down, there may be a case for some kind of mediation process. For example, the Chief Constable for Thames Valley told us that in the Gwent case it would have been better to have had some kind of discussion about what the issues were before making the request to retire. 135 One suggestion was that HMIC could play a role in this respect. Another was that the PCC’s chief executive or the deputy chief constable could provide such mediation. 136 Indeed, Section 42 of the Policing Protocol Order 2011 states that local resolution of differences should be sought where possible, although “professional advice may be offered by HMIC”.

75. The removal of a chief constable should follow due process. It is clear to us that there are a number of ways in which the procedure of removing a chief constable can be improved to promote greater public confidence. We recommend that the Home Office bring forward proposals to amend the powers of commissioners to suspend or remove

---

132 PCC0007 (Local Government Association), para 16
133 PCC0049 (Cllr Roger Seabourne), para 10
135 Q 267 (Chief Constable for Thames Valley)
136 Qq 260 (Chief Constable for Thames Valley) and 270 (Chief Constable for Sussex)
chief constables under Section 38(2) and 38(3) of the Police Reform and Social Responsibility Act 2011 by stipulating the grounds on which they may do so. The Home Office should also provide guidance to commissioners on the use of their powers in both respects. In the case of a suspension there should also be a clear system of safeguards similar to those which guide suspension in respect of conduct.

76. We are concerned that commissioners can side-step the statutory scrutiny process set out in Schedule 8 to the 2011 Act for the removal of a chief constable by simply threatening to use it. Accordingly, we recommend that police and crime panels inquire and report into the circumstances whenever a chief constable’s service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged.

77. It is also not right that the statutory scrutiny process can be side-stepped where a chief constable is close to the end of their contract, and the commissioner chooses not to agree an extension. We recommend that the Home Office bring forward proposals to extend the Schedule 8 process to include scrutiny by the police and crime panel in such instances to bring it in line with the process for the removal of a chief constable.

78. We have recommended earlier in this Report the need for a period of training for new commissioners before they take office. We believe that instruction in respect of their duties under the 2011 Act, the Police (Conduct) Regulations 2012, and other relevant employment law would form a useful aspect of that training period. Finally, we recommend the Home Office, HMIC, CPOSA, and the Association of PCCs work together to develop a third party mediation process that commissioners and chief constables can refer to when their relationship breaks down. Training on this process should also be included in the induction period for new commissioners.
4 Scrutiny of commissioners by police and crime panels

79. The Government proposed police and crime panels at a late stage in the passage of the Police Reform and Social Responsibility Bill to assuage concern that, once elected, commissioners would not be subject to sufficient scrutiny for their actions and decisions. The Government’s expectation was for panels to provide ‘light-touch’ scrutiny, and funded them accordingly. In previous chapters we examined the part played by panels in the appointment of deputy and assistant commissioners, and in respect of the removal or suspension of chief constables. In this Chapter we consider how they have approached their scrutiny functions more generally, and where there may be scope to strengthen their role.

The developing role of panels

80. The 2011 Act and the Policing Protocol Order 2011 gave police and crime panels a range of powers, including to:

- Scrutinise all decisions or actions by the commissioner;
- Require the commissioner to provide information and answer questions;
- Make reports and recommendations on the police and crime plan and annual report, of which the commissioner must take account and respond;
- Hold public meetings to discuss the annual report and to question the commissioner on its contents;
- Carry out confirmation hearings when a commissioner proposes to appoint a deputy, a chief executive, or chief finance officer;
- Work to resolve non-criminal complaints made about the commissioner;
- Ask HMIC for a professional view when the commissioner intends to dismiss a chief constable;
- Suspend the commissioner if they are charged with an imprisonable offence which carries a maximum term of two years or more;
- Appoint an acting commissioner if the elected one cannot carry out their role, for example, for health reasons or following resignation or disqualification;
- Veto the commissioner’s first precept proposal, and recommend that it be increased or decreased (although they cannot veto the revised proposal); and

137 PCC0007 (Local Government Association), para 7
• Veto the commissioner’s proposed candidate for chief constable (although they cannot veto the reserve candidate).

81. The composition of panels depends on the number of local authorities within the force area. Where a force area has ten or fewer local authorities, the panel should have ten members plus as least two independent co-opted members. Where a force area has more than ten local authorities, the number of members corresponds to the number of local authorities in the force area plus as least two independent co-opted members. Panels may co-opt additional members as long as the total number does not exceed 20 and the Secretary of State approves the co-options. Overall, the composition of panels is meant to reflect the political and geographical balance of councillors within the force area. Inevitably, this means that often the majority of members on the panel will have the same party affiliation as the commissioner, where they are not an independent. Furthermore, CoPaCC told us that in 26 areas the panel chair had the same party affiliation as the commissioner, and that this could result in the panel providing less challenging scrutiny.138

82. Although the Local Government Association has provided some guidance for the nascent work of panels, and we also note the work of CoPaCC in this regard, the Police Foundation noted that there are no real national standards as to how panels should perform their role. As a result, there has been variation in the way working practices have developed between different areas.139 The Centre for Public Scrutiny recently published a report, which sought to capture some of the experience of panels to date.140 The staff who support panels split their experience into two phases—an initial steep learning curve, followed by period of more proactive work by panels.

83. In the first phase, the work of panels has largely involved their focusing on statutory duties, such as confirmation hearings, scrutinising police and crime plans, and agreeing precept proposals. As with commissioners, this has involved panels developing an understanding of their statutory duties, which has at times resulted in disagreements between the two parties. Several PCCs voiced concerns that their respective panels had struggled to understand their role, and had at times over-reached their powers.141 The Thames Valley PCC told us his panel had at times appeared to be scrutinising the performance of the police force and the chief constable, rather than the commissioner.142 The Lincolnshire PCC also told us the panel’s work had focused too much on operational policing, rather than on the decisions he had taken.143 In fairness to police and crime panels, the Centre for Public Scrutiny told us it was not always easy to separate operational and strategic matters, and that often to have an understanding of the latter, it required information on the former.144 Another concern among PCCs was that in discussions over

138 Q 372 (CoPaCC)
139 PCC0033 (Police Foundation), para 11
140 Centre for Public Scrutiny, Police and Crime Panels: the first year, February 2014
141 Qq 51 (Police and Crime Commissioner for Warwickshire) and 657 (Police and Crime Commissioner for Kent)
142 PCC0018 (Police and Crime Commissioner for Thames Valley), para 11
143 PCC0031 (Police and Crime Commissioner for Lincolnshire), para 3.1
144 PCC0043 (Centre for Public Scrutiny), para 24
setting the precept some local councillors were not able to separate their constituency concerns from their role in scrutinising the precept for the whole police force area.145

84. The Centre for Public Scrutiny believed that part of the problem was that many police and crime panels had members who had previously sat on the former police authorities, and therefore did not appreciate how their role had changed since November 2012.146 The Centre, the Local Government Association and others called for the Home Office to provide greater clarity on the respective role of panels, commissioners, and their offices, including on the extent of panels’ powers and how and when they should be applied.147

85. The second phase in the development of the work of police and crime panels has seen many conducting more proactive work in a way that is not prescribed in the legislation, but which has nevertheless helped them to fulfil their statutory functions. For example, the Dorset and West Yorkshire panels have developed a ‘rapporteur’ approach, whereby individual panel members take responsibility for particular subject policy areas, so gaining specialist knowledge that better enables them to scrutinise the commissioner.148 In Cleveland and Sussex the panels have established sub-groups to consider in more detail the precept and budget in order to better prepare for the annual precept-setting process. Other panels are using themed meetings to focus in-depth on a particular priority of the commissioner.

86. Overall, a number of witnesses sought to characterise the relationship between commissioners and their panels. The Surrey PCC said he had been subject to “robust and open scrutiny”.149 The West Mercia Police and Crime Panel described the relationship as “positive, with a balance being struck between scrutiny and support”.150 The Sussex PCC told us: “The greatest benefit that panels can bring a police and crime commissioner is as a critical friend”.151 At the conclusion of our inquiry, the Minister told us “they are developing a rhythm of being quite a good scrutiny mechanism […] and I hope and expect them to continue to do that”.152

87. Effective scrutiny by police and crime panels relies on creating a constructive working relationship with the commissioner in which the panel acts as a ‘critical friend’. However, many panels have to date struggled to understand their powers and define their role. Indeed, one former member of a police and crime panel described it as “a crocodile with rubber teeth”. In short, they need to conduct themselves less in the style of the former police authorities, and operate more in the mode of select committees. We recommend that the Home Office provide fuller guidance to panels on

---

145 PCC0018 (Police and Crime Commissioner for Thames Valley), PCC0041 (Police and Crime Commissioner for Dorset) and PCC0045 (Police and Crime Commissioner for Northumbria)
146 PCC0043 (Centre for Public Scrutiny), para 24
147 PCC0007 (Local Government Association), para 8, PCC0025 (North Wales Police and Crime Panel), para 2.2, PCC0039 (James Berry), para 20, and PCC0043 (Centre for Public Scrutiny), para 26
148 PCC0032 (West Yorkshire Police and Crime Panel), para 1.2.4, and PCC0056 (Centre for Public Scrutiny)
149 PCC0008 (Police and Crime Commissioner for Surrey), para 3.2
150 PCC0021 (West Mercia Police and Crime Panel), para 6
151 Q 160 (Police and Crime Commissioner for Sussex)
152 Q 696 (Minister for Policing, Criminal Justice and Victims)
their role and remit, and how it relates to commissioners. We also recommend that the Local Government Association consider further ways to develop the sharing of best practice between panels. The political balance on panels is also a concern to us, and so we recommend that, where possible in the future, if the chair of a police and crime panel is from the same party as the commissioner, then the panel should consider appointing a deputy chair who is not from that party.

**Strengthening the role of panels**

88. The police and crime panels that gave evidence to us suggested other ways in which their scrutiny powers could be enhanced. First, a number raised concern at the flow of information from commissioners to panels.\(^{153}\) The sharing of information is crucial to effective scrutiny and maintaining a good relationship between both parties. The Surrey Police and Crime Panel cited an example where the commissioner had agreed to share the recommendations of a review of the county’s neighbourhood policing model before a final decision was made. However, the recommendations of the review were subsequently implemented without the panel having had sight of them.\(^{154}\) In general, the Local Government Association told us there had been a number of cases where panels had only been provided with the information after making repeated requests, and even then it had been incomplete.\(^{155}\)

89. One aspect of the difficulty some panels faced in getting information concerned decisions made by commissioners. PCCs are required to publish all decisions they make that are of significant public interest. However, panels are often not kept aware of what decisions the commissioner is planning to make. Indeed, in some cases announcements were made in the media before the panel had been informed.\(^{156}\) Many felt that a requirement on commissioners to produce a forward plan of their key decisions would facilitate better scrutiny by the panel. Furthermore, witnesses felt that the lack of any definition of what constituted a decision led to a range of interpretations being applied.\(^{157}\) Indeed, analysis carried out by CoPaCC showed that during their first 48 weeks in office, one commissioner made just 11 decisions, which they deemed to be of significant public interest, whereas another made 141—almost three per week.\(^{158}\) Whilst variation in the number of decisions will in part be a consequence of different approaches taken by PCCs, it also suggests that some commissioners may be using a narrow definition of what constitutes a decision in order to avoid scrutiny by the police and crime panel.

90. A second issue raised by panels was in respect of scrutiny of the commissioner’s precept proposals. This is an important aspect of the annual work cycle for panels, though the

---

153 PCC0007 (Local Government Association), para 19, PCC0019 (Surrey Police and Crime Panel), para 2.2, PCC0022 (Welsh Local Government Association), para 14, PCC0024 (Hampshire Police and Crime Panel), and PCC0043 (Centre for Public Scrutiny), para 21
154 PCC0019 (Surrey Police and Crime Panel), para 2.2
155 PCC0007 (Local Government Association), para 20
156 PCC0007 (Local Government Association), para 21, and PCC0022 (Welsh Local Government Association), para 14
157 PCC0043 (Centre for Public Scrutiny), para 26; Q 504 (Chair of the Surrey Police and Crime Panel)
158 CoPaCC, *PCC Statutory Transparency*, November 2013
experience to date for many has seen the process truncated into so short a timeframe as to preclude the possibility of very meaningful scrutiny by the panel. For example, the Surrey Police and Crime Panel told us its members had only five working days to consider the commissioner’s proposals, convene a meeting, and draft a formal response. However, the Dyfed-Powys PCC noted that the scope to provide more time for scrutiny was constrained by the timing of Autumn Statement and the announcement of the Policing Settlement in December.

91. Finally, some panels raised concern over their role in investigating non-criminal complaints against the PCC. Dealing with complaints took up a large amount of panels’ time and resources, and whilst panels are able to carry out investigations, they have no real powers to take action in response. The Cumbria panel noted that the current process risked creating false expectations on the part of complainants. The North Wales panel told us that a lack of experience in dealing with complaints had “led to a tentative and somewhat proliferated approach to their categorisation”. However, other than conveying a sense of frustration at the complaints process, those panels which gave evidence were not able to provide concrete recommendations on how their role could be improved.

92. The Government’s intention was for commissioners to be held to account by the public with police and crime panels providing ‘light touch’ scrutiny. But the low turnout for the PCC elections and, the lack of a formal ‘Opposition’ between elections, inevitably places a greater emphasis on the role of panels in scrutinising commissioners.

93. To allow panels to conduct more proactive scrutiny, we recommend that the Home Office brings forward proposals to amend the Elected Local Policing Bodies (Specified Information) Order 2011 to require commissioners to publish a forward plan of key decisions, where these are known in advance, and to publish background information on each decision when it is made. The Home Office should also produce accompanying guidance for commissioners on what constitutes a decision. We further recommend that the Local Government Association and the Association of PCCs agree a protocol on the timely provision of information to panels generally, but with particular reference to the precept-setting process, to enable more effective scrutiny by panels. In this area, we also recommend that the Government does not again delay confirmation of police funding to such a late stage as last year, with the Autumn Statement not taking place until December. Finally, we recommend that the Local Government Association undertake in-depth research on panels’ experience to date on complaint handling, so that it can make recommendations to the Home Office on how the process should be improved.

---

159 Q 19 (Surrey Police and Crime Panel), para 4.1
160 PCC0009 (Police and Crime Commissioner for Dyfed-Powys) para 3.2
162 Ibid.
163 PCC0025 (North Wales Police and Crime Panel), para 2.7
Panel resources

94. In 2013-14 the Home Office provided funding of £53,000 for the secretariat support for each police and crime panel. It is understood that the figure was calculated on an expectation that panels would require a single full-time scrutiny officer, and that they would meet only four times a year. During the first 18 months commissioners have been in office it has become apparent that the current funding does not reflect the workload of panels, most of which have met at least seven times a year, with one panel meeting monthly.\textsuperscript{164} The Chair of the Surrey panel told us she had attended 23 meetings in the previous year, taking into account full panel sessions, sub-groups, briefing meetings, etc.\textsuperscript{165} Many panels have been informally subsidised by the host authority through, for example, the provision of legal, finance, HR, policy and administrative support. The Local Government Association told us future funding from the Home Office had not been confirmed.\textsuperscript{166}

95. If police and crime panels are to play a stronger role in proactively scrutinising commissioners they need to be resourced accordingly in a way that is sustainable. We recommend the Home Office and Local Government Association undertake research to estimate the actual cost of support for panels to date to determine a more realistic level of funding. We further recommend that to provide long-term certainty, in the future, such funding should come from the police precept.

\textsuperscript{164} PCC0007 (Local Government Association), para 10, PCC0021 (Welsh Local Government Association), para 11, PCC0025 (North Wales Police and Crime Panel), para 2.4, PCC0043 (Centre for Public Scrutiny), para 28, PCC0047 (Frank A Chapman), para 7; Q 372 (CoPaCC)

\textsuperscript{165} Q 495 (Chair of the Surrey Police and Crime Panel)

\textsuperscript{166} PCC0007 (Local Government Association), para 28
Annex: Register of police and crime commissioners’ disclosable interests

The information in the table below is drawn from the website of each police and crime commissioner. It includes information from PCCs’ registers of any interests which might conflict with their role, or that of the deputy, including every other pecuniary interest or other paid positions that they hold. Commissioners’ salaries are set by the Home Secretary by recommendation of the Senior Salaries Review Board.

**Other employment or business:** includes any other paid employment or business, including as a partner or remunerated director, in addition to the role of commissioner or deputy commissioner.

**Beneficial interests (land):** includes any land within the police force area in which the commissioner or deputy has a beneficial interest.

**Beneficial interests (others):** includes any securities held by the commissioner in a body which has a place of business or land in the police force area, and which either have a nominal value in excess of £25,000, or if the share capital of each body is of more than one class, the total nominal value of the shares of any one class exceeds one hundredth of the total issued share capital of that class.

**Licence to occupy land:** any licence which the commissioner or deputy commissioner has entered into to occupy land within the police force area.

**Memberships or position of control or management:** includes any body to which he/she has been appointed or nominated by the Office of the Police and Crime Commissioner as its representative; any public authority or body exercising functions of a public nature; any company, industrial and provident society, charity or body directed to charitable purposes; any body whose principal purposes include the influence of public opinion or policy; and any trade union or professional association. Some commissioners have disclosed information on directorship or trustee positions, but do not provide information on memberships.

<table>
<thead>
<tr>
<th>Police and crime commissioner</th>
<th>Interests disclosed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avon and Somerset</td>
<td>Other employment or business: None</td>
</tr>
<tr>
<td>Sue Mountstevens</td>
<td>Beneficial interests (land): Home address</td>
</tr>
<tr>
<td>Salary: £85,000</td>
<td>Beneficial interests (other): None</td>
</tr>
<tr>
<td></td>
<td>Licence to occupy land within Avon and Somerset: None</td>
</tr>
<tr>
<td></td>
<td>Memberships or positions of control or management: No directorships; no information provided on memberships</td>
</tr>
<tr>
<td>Bedfordshire</td>
<td>Other employment or business: Serving soldier in the Army Reserve</td>
</tr>
<tr>
<td>Olly Martins</td>
<td>Beneficial interests (land): Property at Luton, LU7</td>
</tr>
<tr>
<td>Salary: £70,000</td>
<td>Beneficial interests (other): None</td>
</tr>
<tr>
<td></td>
<td>Licence to occupy land within Bedfordshire: 34 Wensleydale, Luton LU2 7PN</td>
</tr>
<tr>
<td></td>
<td>Memberships or positions of control or management: No information</td>
</tr>
<tr>
<td>Location</td>
<td>Name</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Bedfordshire (deputy)</td>
<td>Tafheen Sharif</td>
</tr>
<tr>
<td>Cambridgeshire</td>
<td>Sir Graham Bright</td>
</tr>
<tr>
<td>Cambridgeshire (deputy)</td>
<td>Brian Ashton</td>
</tr>
<tr>
<td>Cheshire</td>
<td>John Dwyer</td>
</tr>
<tr>
<td>Cheshire (deputy)</td>
<td>Margaret Ollerenshaw</td>
</tr>
<tr>
<td>Location</td>
<td>Name</td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Cleveland</td>
<td>Barry Coppinger</td>
</tr>
<tr>
<td>Cumbria</td>
<td>Richard Rhodes</td>
</tr>
<tr>
<td>Derbyshire (deputy)</td>
<td>Hardyal Dhindsa</td>
</tr>
<tr>
<td>Devon and Cornwall</td>
<td>Tony Hogg</td>
</tr>
<tr>
<td>Dorset</td>
<td>Martyn Underhill</td>
</tr>
</tbody>
</table>

**Notes:**
- **Cleveland**
  - Barry Coppinger
  - Salary: £70,000
  - Other employment or business: None
  - Beneficial interests (land): Family residence
  - Beneficial interests (other): None
  - Licence to occupy land within Cheshire: None
  - Memberships or positions of control or management: Pallister Park Primary School (Governor); Middlesbrough Little Theatre Ltd; Teesside Hospice; Oxfam; Community Interest Company, George and Dragon Public House, Hudswell, Richmond, North Yorkshire; Labour and Co-operative Party; Greenpeace; Amnesty International; Unison; Unite; Community Union

- **Cumbria**
  - Richard Rhodes
  - Salary: £65,000
  - Other employment or business: None
  - Beneficial interests (land): House and land at Ulverston, LA12
  - Beneficial interests (other): None
  - Licence to occupy land within Cumbria: None
  - Memberships or positions of control or management: Safer Cumbria Direction Group (Chair); Cumbria County Council Health and Wellbeing Board (Member); Cumbria Leaders Board (Member); Conservative Party (Member)

- **Derbyshire (deputy)**
  - Hardyal Dhindsa
  - Salary: £56,250
  - Other employment or business: Spouse employed at Bombardier Transportation as Finance Controller
  - Beneficial interests (land): Three properties at Derby DE22
  - Beneficial interests (other): None
  - Licence to occupy land within Derbyshire: None
  - Memberships or positions of control or management: City of Derby elected councillor; Labour Party, Unison, NAPO

- **Devon and Cornwall**
  - Tony Hogg
  - Salary: £85,000
  - Other employment or business: Director or Polaris South West Ltd (Co. no. 05807247). The company has no employees and its income comes from spouse’s work, her horse breeding activities and, in the past, from the commissioner’s freelance sailing instructor work; Spouse works on a freelance basis as an economic development consultant
  - Beneficial interests (land): Property at Helston, Cornwall, TR12, and, St Keverne, Cornwall, TR12
  - Beneficial interests (other): None
  - Licence to occupy land within Devon and Cornwall: None
  - Memberships or positions of control or management: Bourne Free (Charity, Trustee); Parkstone Rotary Club, Dorset (Charity, President); Rowena Masonic Lodge Hants (Charity, Brother); Missing People (Charity, Adviser); Streetwise (Charity, Trustee); National Association of Retired Police Officers (Member); West Howe Community Enterprise (Charity, Trustee); Restorative Justice Council (Honorary Member); Magistrates Association (Member)

- **Dorset**
  - Martyn Underhill
  - Salary: £70,000
  - Other employment or business: University lecturer on an occasional basis at Bournemouth University; Director of T&E Associates Ltd (awaiting closure, as soon as my current expert witness case ends, estimated at Sept 2013)
  - Beneficial interests (land): None
  - Beneficial interests (other): None
  - Licence to occupy land within Dorset: None
  - Memberships or positions of control or management: None
<table>
<thead>
<tr>
<th>Police and Crime Commissioners: progress to date</th>
</tr>
</thead>
</table>

### Durham
- **Ron Hogg**
- **Salary:** £70,000
- **Other employment or business:** None
- **Beneficial interests (land):** Two Properties at Chester-le-Street
- **Beneficial interests (other):** None
- **Licence to occupy land within Durham:** None
- **Memberships or positions of control or management:** No directorships; no information provided on memberships

### Dyfed-Powys
- **Christopher Salmon**
- **Salary:** £65,000
- **Other employment or business:** None
- **Beneficial interests (land):** House in Llandeilo, Carmarthenshire
- **Beneficial interests (other):** None
- **Licence to occupy land within Dyfed-Powys:** None
- **Memberships or positions of control or management:** Cavalry and Guards Club (Member), 127 Piccadilly, London

### Dyfed-Powys (deputy)
- **Tim Burton**
- **Salary:** £53,000
- **Other employment or business:** None
- **Beneficial interests (land):** Home address redacted
- **Beneficial interests (other):** None
- **Licence to occupy land within Dyfed-Powys:** None
- **Memberships or positions of control or management:** No directorships; no information provided on memberships

### Essex
- **Nick Alston**
- **Salary:** £85,000
- **Other employment or business:** Director of a non-trading company
- **Beneficial interests (land):** Home address
- **Beneficial interests (other):** None
- **Licence to occupy land within Essex:** None
- **Memberships or positions of control or management:** Non-executive director of Mid Essex Hospitals NHS Trust; no information on memberships

### Essex (deputy)
- **Lindsay Whitehouse**
- **Salary:** £55,000
- **Other employment or business:** None
- **Beneficial interests (land):** None
- **Beneficial interests (other):** None
- **Licence to occupy land within Essex:** None
- **Memberships or positions of control or management:** No directorships; no information provided on memberships

### Gloucestershire
- **Martin Surl**
- **Salary:** £65,000
- **Other employment or business:** None
- **Beneficial interests (land):** Home address
- **Beneficial interests (other):** None
- **Licence to occupy land within Gloucestershire:** None
- **Memberships or positions of control or management:** No directorships; no information provided on memberships

### Greater Manchester
- **Tony Lloyd**
- **Salary:** £100,000
- **Other employment or business:** None
- **Beneficial interests (land):** No information
- **Beneficial interests (other):** None
- **Licence to occupy land within Greater Manchester:** None
- **Memberships or positions of control or management:** The National Trust; Bumble Bee Conservation Trust; Woodland Trust; Amnesty International; Labour Party; Co-operative Party; Unite the Union; GMB; Fabian Society

### Greater Manchester (deputy)
- **Jim Battle**
- **Salary:** £55,000
- **Other employment or business:** None
- **Beneficial interests (land):** Home address
- **Beneficial interests (other):** None
- **Licence to occupy land within Greater Manchester:** None
- **Memberships or positions of control or management:** Wise Owl Trust (education); Seymour Road Academy, Clayton; Park View Community School, Miles Platting; Irish World Heritage Centre; Project African Wilderness (Charity); Labour Party; Unite the Union; Co-operative Party
<table>
<thead>
<tr>
<th>County</th>
<th>Name</th>
<th>Salary</th>
<th>Other employment or business</th>
<th>Beneficial interests (land)</th>
<th>Beneficial interests (other)</th>
<th>Licence to occupy land within County</th>
<th>Memberships or positions of control or management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gwent</td>
<td>Ian Johnston</td>
<td>£70,000</td>
<td>None</td>
<td>Home address</td>
<td>None</td>
<td>None</td>
<td>No directorships; no information provided on memberships</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(deputy)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Paul Harris</td>
<td>£52,500</td>
<td>None</td>
<td></td>
<td>None</td>
<td>None</td>
<td>No directorships; no information provided on memberships</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hampshire</td>
<td>Simon Hayes</td>
<td>£85,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>The Blue Lamp Trust (Trustee); British Society of Criminology (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(deputy)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rob Jarman</td>
<td>£65,000 (0.8 FTE)</td>
<td>Director, CJS Global Ltd (Consultancy service relating to policing and criminal justice)</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>CJS Global Ltd (Director); no information provided on memberships</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertfordshire</td>
<td>David Lloyd</td>
<td>£75,000</td>
<td>Independent Financial Advisor and Business Consultant, DNA Financial Services</td>
<td>Property at Flamstead, St Albans, AL3</td>
<td>None</td>
<td>None</td>
<td>Hertfordshire County Council (Councillor and Vice-Chairman of the Pension Fund); Wheathamstead Deanery Synod and Flamstead Parochial Church Council (St Leonard’s) (Member); Hemel Hempstead Conservative Association (Member); Conservative Councillors Association (Member); Glyndebourne Festival (Member); Royal Society of Arts (Fellow); Henley Royal regatta (Member); Marylebone Cricket Club (Associate member); Council Herts Community Foundation (Member); North Herts College (Governor); Watford Palace Theatre Board (Trustee); Institute of Directors (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(deputy)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>David Gibson</td>
<td>£50,000</td>
<td>Community First Responder, East of England Ambulance Service (Volunteer)</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Flamstead Parish Council (Member); National Trust (Member); Cyclists Touring Club (Member); Flamstead Cricket Club (Member); Harpenden RFC Squad Club (Member); Flamstead Society (Member); Flamstead Gardens Association (Member); The Wine Society (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Humberside</td>
<td>Matthew Grove</td>
<td>£75,000</td>
<td>None</td>
<td>Home address</td>
<td>None</td>
<td>None</td>
<td>CSS Yorkshire Ltd (Director); no information on memberships</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commissioner</td>
<td>Other employment or business</td>
<td>Beneficial interests (land)</td>
<td>Beneficial interests (other)</td>
<td>Licence to occupy land within area</td>
<td>Memberships or positions of control or management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------</td>
<td>---------------------------------</td>
<td>-----------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Humberside (deputy)</td>
<td>Other employment or business: Director, 1-2 Clear Ltd</td>
<td>Beneficial interests (land): Home address</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Humberside: None</td>
<td>Memberships or positions of control or management: No information on memberships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul Robinson</td>
<td>Kent</td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): None</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Kent: None</td>
<td>Memberships or positions of control or management: No directorships; no information provided on memberships</td>
<td></td>
</tr>
<tr>
<td>Salary: £45,450 (part-time)</td>
<td>Lancashire</td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): Property at Fleetwood, FY7</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Lancashire: None</td>
<td>Memberships or positions of control or management: Wyre Council (Member), Lancashire County Council (Member); Labour Party (Member); Co-operative Party (Member); Unite the Union (Member); Grundy Charity (Trustee)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ibrahim Master</td>
<td>Other employment or business: Director, Masters Enterprise Ltd; Partner in a business in Lancashire (details redacted)</td>
<td>Beneficial interests (land): Redacted</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Lancashire: None</td>
<td>Memberships or positions of control or management: Hidayatel Banat (women’s education charity); Lancashire Partnership Against Crime; Prince's Trust; Labour Party (Member)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leicestershire</td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): None</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Leicestershire: None</td>
<td>Memberships or positions of control or management: Parish Councillor in Wing, Rutland; Bedford School (Governor); Patron of Mutual Support (services support for sufferers of multiple sclerosis); Rutland Sailing Club (President); Conservative Party (Member)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sir Clive Loader</td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): Information redacted</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Lincolnshire: None</td>
<td>Memberships or positions of control or management: No information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lincolnshire</td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): None</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Lincolnshire: None</td>
<td>Memberships or positions of control or management: No information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alan Hardwick</td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): None</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Merseyside: Home in Liverpool</td>
<td>Memberships or positions of control or management: All Together Now newspaper (disability news and advice) (Trustee); Union of Shop, Distributive and Allied Workers (USDAW) (Member)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Merseyside</td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): None</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Merseyside: Home in Liverpool</td>
<td>Memberships or positions of control or management: All Together Now newspaper (disability news and advice) (Trustee); Union of Shop, Distributive and Allied Workers (USDAW) (Member)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jane Kennedy</td>
<td>Other employment or business: Company Director, Thornham Farms (Norfolk) Ltd, Thornham Cottages Ltd, and Jelly Lane Environmental Services Ltd Ltd (no paid remuneration is drawn from any of these companies)</td>
<td>Beneficial interests (land): Property at Thornham, PE36, and the farmland, marshland and cottages in the surrounding area, exceeding 2,000 acres, generally referred to as The Thornham Estate</td>
<td>Beneficial interests (other): Shareholdings in Lloyds Banking Group</td>
<td>Licence to occupy land within Merseyside: Home in Liverpool</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norfolk</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stephen Bett</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary: £70,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Name</td>
<td>Salary</td>
<td>Employment</td>
<td>Beneficial interests (land)</td>
<td>Beneficial interests (other)</td>
<td>Licence to occupy land within</td>
<td>Memberships or positions of control or management</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------</td>
<td>---------</td>
<td>---------------------</td>
<td>-----------------------------</td>
<td>-----------------------------</td>
<td>-------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Norfolk</td>
<td>Jenny McKibben</td>
<td>£56,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Norfolk (deputy)</td>
<td>Northamptonshire</td>
<td>£60,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Norfolk</td>
<td>Adam Simmonds</td>
<td>£70,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Northumbria</td>
<td>Vera Baird</td>
<td>£85,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>North Wales</td>
<td>Winston Roddick</td>
<td>£70,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>North Wales (deputy)</td>
<td>Julian Sandham</td>
<td>£45,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>North Yorkshire</td>
<td>Julia Mulligan</td>
<td>£70,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>County</td>
<td>Name</td>
<td>Role and Salary</td>
<td>Other employment or business</td>
<td>Beneficial interests (land)</td>
<td>Beneficial interests (other)</td>
<td>Licence to occupy land within area</td>
<td>Memberships or positions of control or management</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------</td>
<td>-----------------</td>
<td>------------------------------</td>
<td>-----------------------------</td>
<td>------------------------------</td>
<td>------------------------------------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>Nottinghamshire</td>
<td>Nottinghamshire (deputy)</td>
<td>Chris Cutland</td>
<td>£36,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): Home address</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within Nottinghamshire: None</td>
<td>Memberships or positions of control or management: None</td>
</tr>
<tr>
<td>South Wales</td>
<td>South Wales (deputy)</td>
<td>Sophie Howe</td>
<td>£65,886</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): Home address</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within South Wales: None</td>
<td>Memberships or positions of control or management: GMB Union (Member); Unison (Member); Labour Women’s Network (Member); Progress (Member); Governing Body of Ysgol Gymraeg Melin Gruffydd (LEA Governor)</td>
</tr>
<tr>
<td>South Yorkshire</td>
<td>South Yorkshire</td>
<td>Shaun Wright</td>
<td>£85,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Association of Police and Crime Commissioners (Member); Local Government Yorkshire and Humber (Member); Royal British Legion (Rawmarsh and Rotherham branch) (Member); Yorkshire Society (Member); Greasbrough Working Men’s Club (Member); Labour Party (Member); Union (Member); National Police Air Service Strategic Board (Member); HM Inspectorate of Constabulary Reference Group (Member); HM Inspectorate of Constabulary Crime and Performance Management Group (Member); Coalfields Regeneration Trust (Trustee and Director); Groundwork South Yorkshire (Trustee and Director); Monkwood Primary School (Governor); Rotherham Children’s Trust (Trustee); Millmoor Juniors Football Club (Honorary President)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Other employment or business: None</td>
<td>Beneficial interests (land): Home address</td>
<td>Beneficial interests (other): None</td>
<td>Licence to occupy land within South Yorkshire: None</td>
<td>Memberships or positions of control or management: None</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County</td>
<td>Name</td>
<td>Salary</td>
<td>Other employment or business:</td>
<td>Beneficial interests (land):</td>
<td>Beneficial interests (other):</td>
<td>Licence to occupy land within County:</td>
<td>Memberships or positions of control or management:</td>
</tr>
<tr>
<td>----------------------</td>
<td>-------------------------------</td>
<td>---------</td>
<td>-------------------------------</td>
<td>-----------------------------</td>
<td>-------------------------------</td>
<td>-------------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>South Yorkshire</td>
<td>Tracey Cheetham (deputy)</td>
<td>£45,000</td>
<td>None</td>
<td>Home address</td>
<td>None</td>
<td>None</td>
<td>Barnsley Metropolitan Borough Council (Elected Member); Labour Party (Member); Galapagos Conservation Trust (Member); Yorkshire CND (Member); RSPB (Member); Friends of Rabbit Ings (Member); Save the Children Ambassador; Royston St John the Baptist Church of England VA Primary School (Foundation Governor); Holy Trinity 3-16 RC and CofE School (Governor); Royston St John the Baptist Church PCC (Joint Treasurer)</td>
</tr>
<tr>
<td>Staffordshire</td>
<td>Matthew Ellis</td>
<td>£75,000</td>
<td>County Councillor for Lichfield Rural East (until April 2013)</td>
<td>Owner of properties outside the Staffordshire border for rental incomes, and owner of a property in Shenstone, Staffordshire</td>
<td>None</td>
<td>None</td>
<td>Conservative Party (Member); Lichfield Garrick Theatre (Director, unremunerated)</td>
</tr>
<tr>
<td>Staffordshire (deputy)</td>
<td>Sue Arnold</td>
<td>£25,000</td>
<td>District Councillor for Mease and Tame area in Lichfield; Director of Haselour House Media Ltd</td>
<td>Owner of land and property Haselour House Media Ltd</td>
<td>None</td>
<td>None</td>
<td>No information provided on memberships</td>
</tr>
<tr>
<td>Suffolk</td>
<td>Tim Passmore</td>
<td>£70,000</td>
<td>Self-employed agribusiness consultant</td>
<td>Property at Eye, Suffolk, IP23</td>
<td>None</td>
<td>None</td>
<td>Director of Customer Services Direct (non-remunerated); Conservative Party (Member); Mid Suffolk District Councillor; Eastern Counties/Norfolk Rugby Union Referees Society (Member)</td>
</tr>
<tr>
<td>Surrey</td>
<td>Kevin Hurley</td>
<td>£70,000</td>
<td>Private landlord; Company Director; and remunerated as a Reservist Army soldier holding the rank of major</td>
<td>Two houses in Woking, and one flat in Surbiton</td>
<td>None</td>
<td>None</td>
<td>Inspirational Security Solutions Ltd, and JK Chinese Healthcare Ltd (both un-remunerated, no dividends declared); no information provided on memberships</td>
</tr>
<tr>
<td>Surrey (deputy)</td>
<td>Jeff Harris</td>
<td>£55,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No directorships; no information provided on memberships</td>
</tr>
<tr>
<td>Area</td>
<td>Commissioner</td>
<td>Salary</td>
<td>Other employment or business</td>
<td>Beneficial interests (land)</td>
<td>Beneficial interests (other)</td>
<td>Licence to occupy land within</td>
<td>Memberships or positions of control or management</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------</td>
<td>------------</td>
<td>------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------</td>
<td>------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Sussex</td>
<td>Katy Bourne</td>
<td>£85,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>Thames Valley</td>
<td>Anthony Stansfeld</td>
<td>£85,000</td>
<td>None</td>
<td>Half share in an eight acre</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>field in Kintbury</td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>Thames Valley</td>
<td>David Carroll</td>
<td>£35,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>Warwickshire</td>
<td>Ron Ball</td>
<td>£65,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>Warwickshire</td>
<td>Eric Wood</td>
<td>£45,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>West Mercia</td>
<td>Bill Longmore</td>
<td>£75,000</td>
<td>None</td>
<td>Property at Hanwood, Shrewsby, SYS</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>West Mercia</td>
<td>Barrie Sheldon</td>
<td>£50,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>West Midlands</td>
<td>Bob Jones</td>
<td>£100,000</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Information</td>
</tr>
<tr>
<td>West Midlands</td>
<td>Yvonne Mosquito</td>
<td>£65,000</td>
<td>None</td>
<td>Councillor for Birmingham</td>
<td>None</td>
<td>None</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>City Council</td>
<td></td>
<td></td>
<td>Information</td>
</tr>
</tbody>
</table>
## West Yorkshire

### Mark Burns-Williamson

**Salary:** £100,000

**Other employment or business:** None

**Beneficial interests (land):** Property at Castleford

**Beneficial interests (other):** None

**Licence to occupy land within West Yorkshire:** Queens Mill Project, Aire Street (Castleford Heritage Trust)

**Director or Trustee positions:**
- Castleford Heritage Trust (Trustee, unpaid)
- West Yorkshire Police Community Trust (Trustee, unpaid)
- Castleford Academy (Community Governor, unpaid)
- Glasshoughton Community Forum (Director unpaid, resigned 17 December 2012)
- Wheldon Infants School (Governor, unpaid, resigned 17 December 2012)
- Wakefield Metropolitan District Council (Elected Member, resigned January 2013, ceased allowances 22 November 2012)
- Castleford Town Centre Partnership (Director, unpaid, resigned January 2013)

**Beneficial interests (other):** None

**Memberships or positions of control or management:**
- Castleford Academy (Community Governor, unpaid)
- Glasshoughton Community Forum (Director unpaid, resigned 17 December 2012)
- Wakefield Metropolitan District Council (Elected Member, resigned January 2013, ceased allowances 22 November 2012)
- Castleford Town Centre Partnership (Director, unpaid, resigned January 2013)

## West Yorkshire (deputy)

### Isabel Owen

**Salary:** £56,571

**Other employment or business:** None

**Beneficial interests (land):** None

**Beneficial interests (other):** None

**Licence to occupy land within West Yorkshire:** None

**Memberships or positions of control or management:**
- No directorships or trustee positions; no information provided on memberships

## Wiltshire

### Angus Macpherson

**Salary:** £70,000

**Other employment or business:** None

**Beneficial interests (land):** 2 properties at Wroughton and Swindon

**Beneficial interests (other):** Angus Macpherson Ltd

**Licence to occupy land within Wiltshire:** None

**Memberships or positions of control or management:**
- Haven Heights (Canford Cliffs) Ltd (Director – leaseholder’s share in private flat)
- The Filling Station, Swindon (Member)
- Dauntsey’s School (Member)
- Big Breakfast + (previously Broadgreen Breakfast Club) (Member)
- The Community Foundation for Wiltshire and Swindon (Member)
- The Old Dauntseian’s Bursary Fund (Member)
- Conservative Party (Member)
- Association of Police and Crime Commissioners (Member)
- Institute of Chartered Accountants in England and Wales (Member)
Conclusions and recommendations

PCCs and the public

1. One of the main aims of police and crime commissioners was to make the strategic direction of policing in England and Wales subject to democratic accountability. It is disappointing, therefore, that the turn-out for the elections in November 2012 was so low, leading some to question whether PCCs have a sufficient electoral mandate. Since their introduction, however, public awareness of commissioners has increased significantly, albeit not always for the right reasons. This, combined with the move of the next PCC elections to be in line with the May electoral cycle should ensure a greater turn-out and level of public engagement at the next elections in 2016. Until then, and whilst the nascent work of PCCs is still to have its full effect on the public’s perception of local policing, it is inevitable that many will consider the concept of police and crime commissioners to be on probation. (Paragraph 9)

Training and transition

2. This Report and the Committee’s previous reports on PCCs have shown that many of the difficulties that commissioners have faced could have been avoided given greater opportunity to find their feet before starting the job. For the next elections, we recommend a transition period for new commissioners of one month between election and taking office. This would allow time for the Association of PCCs, College of Policing, Local Government Association, and others to provide intensive training for newly elected commissioners, and a period of transition for post-holders and their teams. (Paragraph 11)

3. We continue to believe that there should be a national register of commissioners’ disclosable interests, and reject the suggestion that such an exercise is complex and bureaucratic. It has been a perfectly straightforward exercise to produce it for this Report. In the continued absence of any such initiative by HMIC, the Home Office or the Association of PCCs, we produce the latest version of the register as an Annex to this Report. For the first time, we also include the disclosable interests of deputy commissioners. (Paragraph 13)

The work of commissioners to date

4. Collaborative working has the potential to save money as well as providing a higher standard of policing. We support the efforts of commissioners in working with their neighbours and others in fields as diverse as the provision of blue light services, mental health, community safety, organised crime and counter-terrorism. Although there has been progress in some areas, it is clear that a majority of police forces are not yet exploiting the full potential of collaboration. We recommend that, for forces delivering less than 10 per cent of their business through collaboration, commissioners and chief constables should prioritise work in this area, seeking advice from those forces that have already demonstrated success. We will also
continue to highlight examples of good practice in collaborative working in the future. (Paragraph 24)

5. We also support the alliances between Warwickshire and West Mercia, and Surrey and Sussex, the former of which has achieved the majority of their required savings over the current spending period through collaboration. Where such alliances prove successful and supported by the public, we believe there is a case for facilitating the full merger of forces under a single police and crime commissioner and chief constable. (Paragraph 25)

Transparency

6. We are deeply concerned that despite a requirement in statute, and a reminder from the Home Office, some commissioners are still failing to meet their transparency requirements. This information is vital in allowing voters to assess the effectiveness of their PCCs. We recommend that the Home Office and the Association of Policing and Crime Chief Executives continue to pursue this matter with the relevant PCC offices. Furthermore, we recommend that commissioners begin to publish a register of meetings held with external stakeholders. (Paragraph 30)

7. However, we believe this information will be more useful to the public and police and crime panels in holding PCCs to account if it is drawn together to allow meaningful comparisons. As such, we recommend that the Association of PCCs begin collating and publishing all statutory information on its website, and carry out comparative analysis where appropriate. In so doing, it should also highlight those PCC offices that are not meeting their requirements. The Home Office or HMIC should also publish a comparative analysis of the range of ways in which commissioners have approached the 2014 Stage 2 transfer of staff and assets. (Paragraph 31)

Appointment of deputy and assistant commissioners

8. The employment of assistants and deputies has raised inevitable accusations of cronyism. Whilst we do not question the right of commissioners to appoint a deputy, their appointment must be transparent and instil public confidence. We recommend that at the 2016 elections, candidates for commissioner should be able to name their intended deputies so that they are elected on the same ticket. In cases where a commissioner subsequently seeks to appoint a deputy post-election, the Home Office should set out a clear process for the conduct of their selection. The police and crime panel should also have the power to veto the appointment. (Paragraph 38)

9. We believe the status of assistant PCCs is ambiguous and risks creating public confusion about their role, and that the nomenclature should be avoided. In some cases their appointment appears to side-step the scrutiny process required by statute for deputies. In some areas the appointment of multiple assistants could be seen as an attempt by the PCCs in those areas to recreate the former police authorities. We are also concerned that such appointments do not meet the requirement for posts below the level of deputy to be politically restricted. We recommend that the appointment of posts aside from deputy commissioner should in all cases be subject
Police and Crime Commissioners: progress to date

to an open and transparent recruitment process similar to that for entry to the Civil Service or local government, with that process approved by the chief executive of the office of the PCC. (Paragraph 39)

**Target setting and crime statistics**

10. Public confidence in the veracity of crime data has been severely undermined by recent revelations, culminating in the withdrawal of their designation as National Statistics. We welcome the work that HMIC, commissioners and chief constables are now undertaking to ensure the robustness of crime data, especially as they constitute a key indicator on which the public will assess the performance of commissioners in 2016. (Paragraph 46)

11. We note that target-setting has been cited as one of the reasons for the manipulation of crime figures. We are concerned, therefore, that a large number of commissioners have set targets or performance measures as part of their police and crime plans. Where this is the case, it is vital that PCCs ensure such targets operate as intended and do not act as incentives for the gaming of crime statistics in the future. We recommend that all such commissioners review urgently the auditing arrangements they have in place. We are mindful also that as the next elections approach many PCCs will feel under pressure to demonstrate their effectiveness. It will be the responsibility of chief constables to ensure this does not translate into pressure on forces to under or misreport crime. (Paragraph 47)

**Support for victims**

12. Many PCCs seem to be taking seriously the responsibility they are due to take on for commissioning victims services. There is a potential opportunity to make a significant improvement to the quality of services offered in this area. However, there are also a number of risks, particularly during the transition phase. We recommend that HMIC evaluate the approach taken after PCCs take over responsibility for commissioning victims services in October 2014 so as to inform decision-making by PCCs in the second tranche. We further recommend that before the next PCC elections, HMIC conduct a full evaluation of the move to local commissioning to inform the approach taken by the next generation of PCCs. (Paragraph 51)

**Commissioner-led campaigns**

13. Police and crime commissioners are increasingly using their voice to lobby Government on policies that are formed at a national level. We welcome this, and hope that they continue to do so. (Paragraph 53)

**Overall effectiveness of commissioners to date**

14. It is too early to say whether the introduction of police and crime commissioners has been a success. As such this inquiry should be seen as a progress report, rather than a definitive assessment of the PCC model. Indeed, even by 2016 it may be difficult to draw a national picture because of the range of different approaches being taken by
Police and Crime Commissioners: progress to date

commissioners, although this should be possible after the term then commencing. However, one clear message from our evidence is that PCCs have provided greater clarity of leadership for policing within their areas, and are increasingly recognised by the public as accountable for the strategic direction of their police force. (Paragraph 56)

Holding chief constables to account

15. Commissioners have developed a range of informal and formal approaches to holding their chief constables to account, both in private and in public, for the delivery of policing. The relationship between both parties has to balance an open and constructive approach with robust challenge where necessary. Commissioners must continue to guard against the inherent risks of the new governance model by ensuring decision-making is as transparent as possible, and avoid any temptation to interfere in the operational independence of chief constables in accordance with the Policing Protocol. Indeed, commissioners and chief constables should regard the Policing Protocol as the foundation on which their relationship is based, and training on it should form part of the induction period we have proposed for PCCs. Behind the new accountability framework lies the power of PCCs to fire their chief constable. Whilst the Stevens Commission concluded that this power risked having a chilling effect on the decision-making of chief constables, the evidence we received does not support this assertion. (Paragraph 67)

The process for the removal of a chief constable

16. The removal of a chief constable should follow due process. It is clear to us that there are a number of ways in which the procedure of removing a chief constable can be improved to promote greater public confidence. We recommend that the Home Office bring forward proposals to amend the powers of commissioners to suspend or remove chief constables under Section 38(2) and 38(3) of the Police Reform and Social Responsibility Act 2011 by stipulating the grounds on which they may do so. The Home Office should also provide guidance to commissioners on the use of their powers in both respects. In the case of a suspension there should also be a clear system of safeguards similar to those which guide suspension in respect of conduct. (Paragraph 75)

17. We are concerned that commissioners can side-step the statutory scrutiny process set out in Schedule 8 to the 2011 Act for the removal of a chief constable by simply threatening to use it. Accordingly, we recommend that police and crime panels inquire and report into the circumstances whenever a chief constable’s service is brought to an end irrespective of whether the Schedule 8 scrutiny process is formally engaged. (Paragraph 76)

18. It is also not right that the statutory scrutiny process can be side-stepped where a chief constable is close to the end of their contract, and the commissioner chooses not to agree an extension. We recommend that the Home Office bring forward proposals to extend the Schedule 8 process to include scrutiny by the police and
crime panel in such instances to bring it in line with the process for the removal of a chief constable. (Paragraph 77)

19. We have recommended earlier in this Report the need for a period of training for new commissioners before they take office. We believe that instruction in respect of their duties under the 2011 Act, the Police (Conduct) Regulations 2012, and other relevant employment law would form a useful aspect of that training period. Finally, we recommend the Home Office, HMIC, CPOSA, and the Association of PCCs work together to develop a third party mediation process that commissioners and chief constables can refer to when their relationship breaks down. Training on this process should also be included in the induction period for new commissioners. (Paragraph 78)

The developing role of police and crime panels

20. Effective scrutiny by police and crime panels relies on creating a constructive working relationship with the commissioner in which the panel acts as a ‘critical friend’. However, many panels have to date struggled to understand their powers and define their role. Indeed, one former member of a police and crime panel described it as “a crocodile with rubber teeth”. In short, they need to conduct themselves less in the style of the former police authorities, and operate more in the mode of select committees. We recommend that the Home Office provide fuller guidance to panels on their role and remit, and how it relates to commissioners. We also recommend that the Local Government Association consider further ways to develop the sharing of best practice between panels. The political balance on panels is also a concern to us, and so we recommend that, where possible in the future, if the chair of a police and crime panel is from the same party as the commissioner, then the panel should consider appointing a deputy chair who is not from that party. (Paragraph 87)

Strengthening the role of panels

21. The Government’s intention was for commissioners to be held to account by the public with police and crime panels providing ‘light touch’ scrutiny. But the low turn-out for the PCC elections and, the lack of a formal ‘Opposition’ between elections, inevitably places a greater emphasis on the role of panels in scrutinising commissioners. (Paragraph 92)

22. To allow panels to conduct more proactive scrutiny, we recommend that the Home Office brings forward proposals to amend the Elected Local Policing Bodies (Specified Information) Order 2011 to require commissioners to publish a forward plan of key decisions, where these are known in advance, and to publish background information on each decision when it is made. The Home Office should also produce accompanying guidance for commissioners on what constitutes a decision. We further recommend that the Local Government Association and the Association of PCCs agree a protocol on the timely provision of information to panels generally, but with particular reference to the precept-setting process, to enable more effective scrutiny by panels. In this area, we also recommend that the Government does not again delay confirmation of police funding to such a late stage as last year, with the
Autumn Statement not taking place until December. Finally, we recommend that the Local Government Association undertake in-depth research on panels’ experience to date on complaint handling, so that it can make recommendations to the Home Office on how the process should be improved. (Paragraph 93)

Panel resources

23. If police and crime panels are to play a stronger role in proactively scrutinising commissioners they need to be resourced accordingly in a way that is sustainable. We recommend the Home Office and Local Government Association undertake research to estimate the actual cost of support for panels to date to determine a more realistic level of funding. We further recommend that to provide long-term certainty, in the future, such funding should come from the police precept. (Paragraph 95)
**Formal Minutes**

**Wednesday 30 April 2014**

Members present:

Rt Hon Keith Vaz, in the Chair

Nicola Blackwood  
Mr James Clappison  
Paul Flynn  
Lorraine Fullbrook  
Dr Julian Huppert  
Yasmin Qureshi  
Mark Reckless  
Mr David Winnick

Draft Report (*Police and crime commissioners: progress to date*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 95 read and agreed to.

Annex agreed to.

*Resolved*, That the Report be the Sixteenth Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 6 May at 2.30 pm]
## Witnesses


### Tuesday 26 November 2013


- **Sir Hugh Orde**, President, and **Sir Peter Fahy**, Vice President, Association of Chief Police Officers, and **Chief Constable Colette Paul**, Bedfordshire Police

### Tuesday 7 January 2014


- **Chief Constable Martin Richards QPM**, Sussex Police, and **Chief Constable Sara Thornton CBE QPM**, Thames Valley Police

- **Lord Stevens** and **Professor Ian Loader**, Independent Police Commission

### Tuesday, 21 January 2014

- **Max Chambers**, Policy Exchange, **Jon Collins**, Police Foundation, and **Bernard Rix**, CoPaCC (Comparing Police and Crime Commissioners)

- **Lord Wasserman**

- **Bob Jones**, Police and Crime Commissioner for the West Midlands, **Chief Constable Chris Sims QPM**, West Midlands Police, **Sue Mountstevens**, Police and Crime Commissioner for Avon and Somerset, and **Chief Constable Nick Gargan QPM**, Avon and Somerset Police

### Tuesday, 4 February 2014

- **Cllr Joanna Spicer**, Local Government Association, and **Ed Hammond**, Centre for Public Scrutiny

- **Cllr Alison Lowe**, Chair, West Yorkshire Police and Crime Panel, **Cllr Dorothy Ross-Tomlin**, Chair, Surrey Police and Crime Panel, and **Cllr Roger Seabourne**, former member of Hertfordshire Police and Crime Panel

- **Steve Williams**, Chair, and **Steve White**, Vice-Chair, Police Federation
Tuesday, 25 February 2014

Ann Barnes, Police and Crime Commissioner for Kent, and Chief Constable Alan Pughsley, Kent Police

Rt Hon Damian Green MP, Minister of State for Policing, Criminal Justice and Victims
Published written evidence

The following written evidence was received and can be viewed on the Committee’s inquiry web page at [http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/inquiries/parliament-2010/police-and-crime-commissioners1/?type=2#pnlPublicationFilter](http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/inquiries/parliament-2010/police-and-crime-commissioners1/?type=2#pnlPublicationFilter)

INQ numbers are generated by the evidence processing system and so may not be complete.

1. Home Office (PCC0001)
2. Mark Ryan (PCC0002)
3. Association of Policing & Crime Chief Executives (PCC0003)
4. Gabriel Webber (PCC0004)
5. Police and Crime Commissioner for Cheshire (PCC0005)
6. Police and Crime Commissioner for Cleveland (PCC0006)
7. Local Government Association (PCC0007)
8. Police and Crime Commissioner for Surrey (PCC0008)
10. Paul Darby (PCC0010)
11. National Federation of Retail Newsagents (PCC0011)
12. Anonymous (PCC0012)
13. Cumbria Police & Crime Panel (PCC0013)
15. Sandra Sanderson (PCC0015)
16. Sophie Chambers (PCC0016)
17. Police and Crime Commissioner for Avon and Somerset (PCC0017)
18. Police and Crime Commissioner for Thames Valley (PCC0018)
19. Surrey Police and Crime Panel (PCC0019)
20. Police Federation of England and Wales (PCC0020)
21. West Mercia Police and Crime Panel (PCC0021)
22. Welsh Local Government Association (PCC0022)
23. Committee on Standards in Public Life (PCC0023)
24. Hampshire Police and Crime Panel (PCC0024)
25. North Wales Police and Crime Panel (PCC0025)
26. Dr Andrew Watt (PCC0026)
27. Police and Crime Commissioner for West Yorkshire (PCC0027)
28. Victim Support (PCC0028)
29. British Retail Consortium (PCC0029)
30. Police and Crime Commissioner for Sussex (PCC0030)
31. Police and Crime Commissioner for Lincolnshire (PCC0031)
32. West Yorkshire Police & Crime Panel (PCC0032)
33. Police Foundation (PCC0033)
34. Association of Police and Crime Commissioners (PCC0034)
35. Police and Crime Commissioner for Warwickshire (PCC0035)
36. Police and Crime Commissioner for Nottinghamshire (PCC0036)
Police and Crime Commissioner for Staffordshire (PCC0037)
London Assembly (PCC0038)
James Berry (PCC0039)
Police and Crime Commissioner for Bedfordshire (PCC0040)
Police and Crime Commissioner for Dorset (PCC0041)
Police and Crime Commissioner for Greater Manchester (PCC0042)
Centre for Public Scrutiny (PCC0043)
Gwent Police and Crime Panel (PCC0044)
Police and Crime Commissioner for Northumbria (PCC0045)
Chief Constable Martin Richards QPM, Sussex Police (PCC0046)
Frank A Chapman (PCC0047)
Police and Crime Commissioner for Thames Valley supplementary (PCC0048)
Cllr. Roger Seabourne (PCC0049)
Chief Constable Martin Richards QPM, Sussex Police supplementary (PCC0050)
Police and Crime Commissioner for Sussex supplementary (PCC0051)
Chief Constable Nick Gargan, Avon and Somerset Police supplementary (PCC0052)
Police Federation of England and Wales supplementary (PCC0053)
Cllr Roger Seabourne supplementary (PCC0054)
Lord Stevens (PCC0055)
Centre for Public Scrutiny supplementary (PCC0056)
Justin Brown (PCC0057)
Naturist Action Group & British Naturism (PCC0058)
Chief Constable Alan Pughesley, Kent Police (PCC0059)
List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the Committee’s website at http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/publications/

Session 2013–14

First Report  Police and Crime Commissioners: Register of Interests  HC 69
Second Report  Child sexual exploitation and the response to localised grooming  HC 68
Third Report  Leadership and standards in the police  HC 67
Fourth Report  The work of the UK Border Agency (Oct–Dec 2012)  HC 486
Fifth Report  E-crime  HC 70
Sixth Report  Police and Crime Commissioners: power to remove Chief Constables  HC 487
Seventh Report  Asylum  HC 71
Eighth Report  The work of the UK Border Agency (Jan–March 2013)  HC 616
Ninth Report  Pre-Lisbon Treaty EU police and criminal justice measures: the UK’s opt-in decision  HC 615
Tenth Report  Leadership and Standards in the Police: follow-up  HC 756
Eleventh Report  Khat  HC 869
Twelfth Report  Drugs: new psychoactive substances and prescription drugs  HC 819
Thirteenth Report  The work of the Permanent Secretary  HC 233
Fourteenth Report  The Government’s Response to the Committees’ Reports on the 2014 block opt-out decision  HC 1177
Fifteenth Report  The work of the Immigration Directorates (April–September 2013)  HC 820

Session 2012–13

First Report  Effectiveness of the Committee in 2010–12  HC 144
Second Report  Work of the Permanent Secretary (April–Dec 2011)  HC 145
Third Report  Pre-appointment Hearing for Her Majesty’s Chief Inspector of Constabulary  HC 183
Fourth Report  Private Investigators  HC 100
Fifth Report  The work of the UK Border Agency (Dec 2011–Mar 2012)  HC 71
Sixth Report  The work of the Border Force  HC 523
Seventh Report  Olympics Security  HC 531
Eighth Report  The work of the UK Border Agency (April–June 2012)  HC 603
Ninth Report  Drugs: Breaking the Cycle  HC 184-I
Eleventh Report  Independent Police Complaints Commission  HC 494
Twelfth Report  The draft Anti-social Behaviour Bill: pre-legislative scrutiny  HC 836
Thirteenth Report  Undercover Policing: Interim Report  HC 837
Fourteenth Report  The work of the UK Border Agency (July-Sept 2012)  HC 792

Session 2010–12
First Report  Immigration Cap  HC 361
Second Report  Policing: Police and Crime Commissioners  HC 511
Third Report  Firearms Control  HC 447
Fourth Report  The work of the UK Border Agency  HC 587
Fifth Report  Police use of Tasers  HC 646
Sixth Report  Police Finances  HC 695
Seventh Report  Student Visas  HC 773
Eighth Report  Forced marriage  HC 880
Ninth Report  The work of the UK Border Agency (November 2010-March 2011)  HC 929
Tenth Report  Implications for the Justice and Home Affairs area of the accession of Turkey to the European Union  HC 789
Eleventh Report  Student Visas – follow up  HC 1445
Twelfth Report  Home Office – Work of the Permanent Secretary  HC 928
Thirteenth Report  Unauthorised tapping into or hacking of mobile communications  HC 907
Fourteenth Report  New Landscape of Policing  HC 939
Fifteenth Report  The work of the UK Border Agency (April-July 2011)  HC 1497
Sixteenth Report  Policing large scale disorder  HC 1456
Seventeenth Report  UK Border Controls  HC 1647
Eighteenth Report  Rules governing enforced removals from the UK  HC 563
Nineteenth Report  Roots of violent radicalisation  HC 1446
Twentieth Report  Extradition  HC 644
Twenty-first Report  Work of the UK Border Agency (August-Dec 2011)  HC 1722
Oral evidence

Taken before the Home Affairs Committee
on Tuesday 26 November 2013

Members present:

Keith Vaz (Chair)

Ian Austin
Nicola Blackwood
Mr James Clappison
Michael Ellis
Paul Flynn

Lorraine Fullbrook
Dr Julian Huppert
Yasmin Qureshi
Mark Reckless
Mr David Winnick

Examination of Witnesses

Witnesses: Ron Ball, Warwickshire PCC, Sir Graham Bright, Cambridgeshire PCC, and Tony Lloyd, Greater Manchester PCC and Chairman, Association of Police

Q1 Chair: I call the Committee to order and start with an apology to our witnesses, and indeed the public. I am afraid we had two votes and, as two of our witnesses will recall, that takes precedence over the work of the Select Committees. I refer everyone present to the Register of Members’ Interests where the interests of all members of this Committee are noted. Are there any additional interests to note on the policing issues?

This is our first session on the Committee’s report and inquiry into Police and Crime Commissioners. We agreed last year that rather than start an inquiry into PCCs before we knew what they were actually doing, we would wait a year and see how things developed and then begin our inquiry. We intend that this inquiry will be a substantial one and the Committee intends to visit a number of different areas in England and Wales to meet with commissioners and also the public. We are delighted to have here Tony Lloyd, Sir Graham Bright and Ron Ball, all Police and Crime Commissioners, having been elected last year.

Could I start with you, Mr Ball, about a topical issue that is in the public domain, and that is the Andrew Mitchell affair? You will know that today it has been announced that one officer will face criminal charges and four officers will be subject to misconduct charges. Your authority was involved, not in the first set of events but certainly in the second. Do you welcome the fact that these charges are being brought and that this matter seems to be coming to an end?

Ron Ball: I very much welcome it, Chairman. There are two groups of people I think I can speak for very clearly. The general public are confused as to why this is taking so long, costing so much money and using so much police time. It is a very serious matter, and I certainly do make that point, but the other is that we have a very large number, the overwhelming majority, of really good police officers who are getting tarnished by this. I think that is a real shame, a real pity.

Q2 Chair: Do you welcome also the IPCC inquiry? I know there was concern as to whether or not they should be involved but, as you know, they are now taking on board the inquiry in respect of what happened in Sutton Coldfield.

Ron Ball: I have taken my own legal advice on the second inquiry, purely to defend my own position, frankly, on the legality of it. I think it is a good thing, provided it is a properly conducted legal inquiry.

Q3 Chair: You were not involved in any way at any stage because you were not even the Police and Crime Commissioner when this happened.

Ron Ball: That is correct. My position has been misrepresented, and I can extremely quickly explain what my position is. I criticised the Police Federation political campaign and I said that the officers should apologise, and I have said that from the outset. As far as holding the chief constable to account is concerned, I have an agreement from the chief constable that if it is appropriate we will have an open public meeting, with all of the information, so that the public or the press can ask any questions. As far as the officers are concerned, all I have said is that we need to make sure that we stick to fair and proper process, and as long as that is done then I am perfectly happy.

Q4 Chair: But of course your chief constable has apologised to the Committee and to Mr Mitchell.

Ron Ball: He has indeed, yes.

Chair: But the officer concerned has not. Would you like to see him do that?

Ron Ball: From the outset, I have said that I thought it was appropriate that the officer should apologise to Andrew Mitchell. I have always said that.

Chair: Mr Hinton has subsequently appeared before the Committee and issued an apology.

Ron Ball: Indeed, yes.

Q5 Chair: Mr Lloyd, in particular to you, you must have been very disappointed to read the Stevens report that said that the office that you and colleagues hold—you are the chairman of the association—is a model that has fatal systemic flaws and that it was an experiment that should not survive the next set of elections. Do you agree with Lord Stevens?

Tony Lloyd: No, I don’t agree, Mr Vaz. I don’t agree for the reason that I think it is premature and it does
not take account of the reality that is being driven through on the ground, the kind of things that Police and Crime Commissioners are doing now that would not have been done under the former police authority model. Any proposal around governance of policing has to at least take into account the gains that have been made with the present model to make sure that we don’t lose those in a process of transformation.

Q6 Chair: Sir Graham, I have a list of all the people who served on the Stevens commission. They are, by any definition, the good and the great, with former commissioners, former chief inspectors of constabulary, the former deputy president of the Liberal Democrat Party, another former commissioner, Lord Condon. It is a damning report, is it not, to say that the arrival of Police and Crime Commissioners has led to an even greater lowering of morale among the police? I think the words were public mistrust in the police having been exacerbated by the role of Police and Crime Commissioners.

Sir Graham Bright: Again, I think it is far too early to make that judgment. We have only been in existence for a year and the report was being put together over a two-year period. The other thing is the input to that report. I noticed that they interviewed something like 32,000 policemen, only 2,000 members of the public and no police commissioners. I personally am amazed that my colleague, Tony Lloyd, bearing in mind it is a Labour Party report, was not called before them to give his point of view. I think that misses a point because out in the wide world—

Q7 Chair: So you can dismiss all that he said? You don’t think it is a fatally flawed system?

Sir Graham Bright: I don’t think it is a fatally flawed system. I can certainly identify with local policing. In my own force, we operate a local policing system and I go along with that. Some things in that report I can go along with but it is not a flawed system. If it was, we would not be able to do some of the things we are doing now, and I am sure you want to talk to us about that in due course. There are so many things we are doing, like getting together with neighbouring forces, that would not have happened without commissioners being there because we can make decisions very rapidly compared with the old committee system.

Q8 Chair: Let us look at one example that was put before our sister committee, the Public Administration Committee. That related to crime figures being manipulated by officers, in particular in the Met. It was Constable James Patrick who went before the Committee and basically gave evidence that the figures were being systematically altered and reduced by between 22% and 25% for rape and serious sexual offences. Commissioner Ball, did it shock you when you heard that information?

Ron Ball: If that is correct, it certainly did shock me, but one of the things that has happened since we have had commissioners is that my colleague in Kent, Ann Barnes, has had HMIC in to have a look at the crime figures there and has found errors and they are being corrected.

Q9 Chair: In respect of your own force, as a result of hearing this evidence, did you initiate a review to find out whether the figures were indeed being manipulated?

Ron Ball: I did, yes.

Q10 Chair: Have you started that review?

Ron Ball: Yes, I have. I have a weekly meeting with my chief constable and I am making absolutely sure that we are not indulging in any of those practices.

Q11 Chair: Can you tell this Committee that you have found no evidence?

Ron Ball: To date, I have not found any evidence at all, but I have not heard back fully from the chief constable yet.

Q12 Chair: Mr Lloyd, you must have been pretty shocked to hear that police officers were manipulating figures in order to reduce crime, in effect. Did you initiate a review in Greater Manchester?

Tony Lloyd: There is a process of independent audit of the figures. I am confident on the basis of that independent audit that the same pattern does not exist, but of course I have asked that we look once again at the independent audit that is taking place. Mr Vaz, if I can make the point that one of the things that it is worth your Committee considering is that if this had arisen under the previous rather more bureaucratic system of governance, it is very unlikely that either Mr Ball or myself, or indeed Sir Graham, could have answered in the affirmative to your question, at least in this timeframe. It would have taken a considerably longer amount of time to report.

Q13 Chair: So you have initiated your review and you are satisfied that there is no manipulation of figures in Greater Manchester.

Tony Lloyd: I am satisfied, subject to wanting to go further, as we would, but I do not believe there is systematic distortion of the figures, no.

Q14 Chair: Sir Graham, what about your area in Cambridgeshire?

Sir Graham Bright: I was pretty alarmed that that was happening.

Q15 Chair: Did you find out for the first time when you heard that evidence or did you know before?

Sir Graham Bright: That the figures were being manipulated? No. That evidence rang alarm bells when it came forward, and I think I am right in saying that all the police commissioners were very concerned about it and questions were asked. I asked and I have been reassured. Our audit committee actually looks at that as well, but it nevertheless has put commissioners on the alert to look very carefully at the way crime figures are recorded. It is something that gets buried, so you need to go and ferret. It was an alarm and I think we can honestly say we took note of that and to the best of my knowledge all commissioners have reacted on it.

Q16 Chair: One question to each of you about integrity after Plebgate, Hillsborough, Jimmy Savile
and all these other dreadful events that have occurred
that have shaken people's confidence in the police.
Commissioner Ball, give me an example of one thing
that you have done in order to improve the integrity
of your local police?

**Ron Ball:** I am sure you are aware that we have a
strategic alliance with West Mercia and one of the
results of that is that the professional standards
departments are being merged. One of the things that
I have done is sort out a chairman of a committee and
we are going to advertise for members of the public
to serve on this committee to do random dip sampling
of all complaints against police officers, not pre-
notified. I have an agreement that that is what we will
be doing.

**Chair:** Mr Lloyd?

**Tony Lloyd:** The chief constable, who will be with
you shortly, and I agreed some time ago, before these
issues arose, at least in the way that they are in the
public domain now, that we would establish an
ethics committee.

**Q17 Chair:** Consisting of whom?

**Tony Lloyd:** This will be publicly advertised. We will
want people of high reputation, high character, who
will have oversight of the whole process of setting of
ethical standards for Greater Manchester Police and
its dealings across both the conurbation and more
generally. I think that is an important step forward.

**Q18 Chair:** Sir Graham, one example of something
you have done to improve the integrity.

**Sir Graham Bright:** As you may be aware, the APCC
has set up a working group on integrity and that is
really important. Everyone has signed up to that.

**Q19 Chair:** Working groups are fine, but what did
you do in Cambridgeshire?

**Sir Graham Bright:** In Cambridgeshire we do have a
very high powered audit committee that we asked to
review and look at that, which they are doing. I think
the way you can keep a lid on this is to ensure that you
are holding the chief constable to account, because he
is ultimately responsible. It comes out of the
operations side mainly. I do that monthly to ensure
that that happens.

**Q20 Chair:** It seems to me that each one of you has
set up committees but cannot come up with a specific
example of something other than setting up a
committee that will try to—

**Sir Graham Bright:** Well, it is the only way to do it,
isn’t it?

**Chair:** What, set up a committee?

**Sir Graham Bright:** I intend to set up a committee
similar to Tony’s as well, because you just have to
keep your hands on it, identify and deal with the
problems, get the report back.

**Q21 Chair:** Do you not think that the public would
expect more than that to you set up a committee?

**Tony Lloyd:** You asked for one example, and I can
give you several examples if you will indulge me. One
thing that we are in the process of doing is
establishing independence within the complaints
system. One of the biggest issues for policing is when
things go wrong and how that is recovered. Most of
those are at a relatively straightforward level. It is a
question of getting the appropriate apology. Some are
more serious and some at the very high level probably
do need to be done away from Greater Manchester.
But I would like to believe that if we can bring
independence and transparency into the complaints
process, that will go a long way to satisfying the
public that in particular when the police are judged
not to be at fault there is credibility in that situation.
It also does mean that when the police are found to
have let the—

**Sir Graham Bright:** We are coming along on the
same line.

**Ron Ball:** With respect, Chairman, it is not just a
committee. What I have said is that the job of these
individuals will be to turn up at PSD and randomly
choose files, so as far as the public are concerned they
should get some confidence from that that we are
taking this really seriously.

**Q22 Mr Clappison:** Can I direct this to Mr Lloyd? I
think you have a very fair point when you say that it
is too early to say whether or not this is a success
because you have been in office for such a very short
time. I suppose a lot will depend upon the visibility
and accessibility of individual commissioners to
members of the public, bearing in mind that the
previous arrangements were not particularly visible,
to say the least, as far as members of the public are
concerned. It begs the question of when do you think
will be a good time to decide whether or not this has
been a success?

**Tony Lloyd:** I suppose if we stick with the present
model it will be when the next round of elections takes
place, but in actual fact, as everyone in this
Committee knows, any elected politician has to
account for their actions almost on a continuous basis.
This is not a once every five years process, or in our
case a three and a half year process. Some of that is
about making sure that the activities that I am engaged
in are visible to the public as far as I can.
The good news in this is to compare the figures:
recognition of the function of the former police
authority was recorded at some 7% of the population;
it is 62% of the Police and Crime Commissioners after
a year. I don’t want to claim that that means that every
member of the public says, “That Tony Lloyd is doing
a wonderful job”. That would be a little naïve, but I
think there has been progress made. The chief
constable and I have held an open meeting in every
one of the 10 local authority areas across Greater
Manchester not simply for the public to attend but for
the public to raise questions with both of us. We have
had a series of themed forums around issues like
dealing with fraud. When I reappointed the chief
constable, we had a public hearing with an independent panel to question him about his vision of policing for Greater Manchester. We had a session on integrity, again in public, and yesterday something on domestic abuse. In that case, I was with the assistant chief constable but nevertheless a senior police officer with functional responsibility. I think getting the vision of policing in the public eye but also trying to
get across the way in which that vision is translated into practice is important for the public.

**Q23 Mr Winnick:** Before I turn to public awareness, can I ask were you familiar with the terms cuffing, nodding, skewing, stitching?

**Tony Lloyd:** I personally wasn't until I read that report.

**Q24 Mr Winnick:** But you are familiar now, arising from the evidence given by Dr Rodger Patrick, a former chief inspector of the West Midlands Police. Did you follow the evidence that he and others gave to the Public Administration Committee on crime statistics?

**Ron Ball:** I have to admit I didn't.

**Q25 Mr Winnick:** Presumably, Mr Lloyd and Sir Graham, you didn't either?

**Sir Graham Bright:** Until that came to our notice, no.

**Tony Lloyd:** I read the media reports, Mr Winnick.

**Q26 Mr Winnick:** I ask because in the evidence given to the Public Administration Committee, these terms were used for the way in which the police apparently under-record crimes and try to show that the statistics are less than what they are. Are you at all shocked that such an allegation could be made? Of course, it is an allegation.

**Ron Ball:** I don't rely entirely on recorded crime statistics. There is a British Crime Survey, which in many ways I think is more accurate, and the reductions in crime being registered by recorded crime are actually being echoed, in fact slightly greater reductions are shown in the British Crime Survey. Let me make absolutely clear I have no time whatsoever for fiddling crime statistics. I would in no way condone that, but I don't think that the current reductions in recorded crime levels are necessarily false as a result of that.

**Mr Winnick:** If those are the views of the other two, perhaps I can proceed on another matter.

**Sir Graham Bright:** Just to say on that point, I have gone to great lengths not to set targets, because once you set targets people have something to work to and try to hide. It has to be totally open and you have to look at the overall response as to whether crime is coming down, whether the area that you are looking at is safe. That is the thing you measure not statistics. I think if you put targets in it is a temptation for people.

**Q27 Mr Winnick:** I take it from the three of you that the crime statistics in your area where you are the Police and Crime Commissioner should be absolutely accurate in all ways.

**Tony Lloyd:** For the sake of the record, in Greater Manchester there is independent audit of that process. One of the things I want to now examine is how efficient that independent audit process is. That is done by my office. I need to know that it does get to grips with all of the allegations that were put to the Public Administration Committee.

**Q28 Mr Winnick:** Turning to another aspect, Mr Lloyd, in answer to the Chair you said you were in favour of Police and Crime Commissioners continuing.

**Tony Lloyd:** I personally believe—I speak now for me and not for the APCC—that there are some things in the model of the Police and Crime Commissioners that we need to examine. There are considerable powers that a commissioner can operate independently of anybody else, in effect. I think we do need to look at that. That said, what I would invite the Committee to examine is the capacity of the commissioner model to effect change much more quickly and probably far better than any previous model. I will give you an example of this, if I may. In Greater Manchester there is something called the Local Criminal Justice Board, which brings together the prison service, probation, policing, local authorities and so on. I am a member of that. That is what I am working through at that level. I chair the Criminal Justice Transformation Board, which is about trying to find ways where we work together as a total system. Having the electoral mandate of a police commissioner to chair that board can make a profound difference. Members of this Committee may be aware that I voted against the commissioner model when it went through Parliament.

**Q29 Mr Winnick:** I was going to say that you have in fact gone native, but would that not be fair, Mr Lloyd?

**Tony Lloyd:** It does mean, Mr Winnick, that those who come to recognise the strengths of the model, having questioned it in the first place, at least can recognise those strengths. I have not ignored the fact that there are some weaknesses but not weaknesses that should allow us to throw away the benefits that the model can deliver.

**Q30 Mr Winnick:** I have before me the statement from the Police and Crime Commissioner Bob Jones, who obviously you all know, in my area of the West Midlands, and he is rather sceptical of any progress that is being made. He said PCCs are more visible than police authorities but not much more as public awareness remains very low. No one can doubt that he is a person who has been involved with the police as a layperson over many years and was a very competent chair of the West Midlands Police Authority; I don't think there is any dispute about that. He feels after a short time, a relatively short time admittedly, that not much has been achieved, either by crime coming down in any way, being reduced, or in fact public awareness. Do you think he is being too harsh?

**Tony Lloyd:** Yes, I do. I know Bob Jones very well and I have a lot of respect for his knowledge and what he tries to do himself, but I think he is being harsh. If I claimed I had had a material impact on crime falling in Greater Manchester, which it has done in my time, I think this Committee would rightly think I was being a little arrogant in such a short space of time, but nor would I accept responsibility had the trend gone the other way over such a brief period. Bob Jones' point about the visibility of commissioners does matter. The
public has to have confidence in policing governance, and that is true. By the way, if your Committee looks at alternative models, that ought to be something that you examine: how do the public get involved in that governance model?

There are other things, for example if you were take one of the issues that every Police and Crime Commissioner is concerned with, the impact of mental health on community safety, the need to have a joined-up system between the National Health Service, the mental health services in particular, and policing. I would say to you, Mr Winnick, and to this Committee that the capacity of a commissioner to drive through change in that area is much more direct than it would be under any other—

Q31 Mr Winnick: My last question—and perhaps a yes or no answer—do you accept that it is quite likely that as far as Police and Crime Commissioners' positions are concerned it is very much a matter of being on probation? Whatever colour the next Government may be, whether it continues or not is a matter of seeing what occurs over the next two years. Do you think that is correct, Sir Graham?

Chair: A yes or a no would be good.

Sir Graham Bright: Yes or no, okay. It is, yes, we are on probation and the next election will be the judgment day.

Tony Lloyd: Yes.

Ron Ball: I am happy to be judged on my record.

Q32 Michael Ellis: Do you think the Stevens report was a politically driven report?

Tony Lloyd: If the last one was a yes or no, I will say no to that one.

Ron Ball: As far as the Stevens report is concerned, there is a lot in it that I agree with and there is a lot in it that we are already doing, but there are some suggestions in it with which I profoundly disagree.

Sir Graham Bright: It was commissioned by the Labour Party. Of course it was politically driven. It is fair for the Labour Party to look at it if they get elected next time.

Tony Lloyd: Whether I agree with the recommendations or not, nevertheless John Stevens and those who took part in that commission were people of some significance.

Q33 Michael Ellis: I don't deny that, Mr Lloyd, forgive me, but it is vested interests, isn't it? If we ask retired chief police officers, we are talking here about vested interests. Would you not say that it is at least fair to say that there are some at the top end of the police establishment who don't want to see these police reforms taking place, who don't want to see the police establishment dragged kicking and screaming into the 21st century, and there is a political motivation behind rubbing the work of Police and Crime Commissioners? It is apparent, is it not, from the posturing that goes on? Would you agree or disagree?

Ron Ball: Again, if I can just chip in. For my bit in Warwickshire, I don't recognise dragging my chief constable kicking and screaming into the 21st century. The introduction I had has been extremely good. We have had a really good working relationship.

Q34 Michael Ellis: I am talking in generality here. I am not talking about your chief constable. You represent on the association.

Sir Graham Bright: I can honestly say that I have not had any problem with the Cambridgeshire force. I went in saying that I thought this was a really good idea and I wanted to make it work, that I had my t-shirt already, I wasn't climbing a greasy pole, would they join me, and they have joined in making this work. I think that noises off have been far more dramatic. Some of the media has had it in for us right the way through. They have given us a lot of publicity, mind you, and those of us who have responded have got a higher profile.

Q35 Michael Ellis: But you detect a sort of urge to knock it down without giving it a chance to see whether it—

Sir Graham Bright: Absolutely. It was certainly the case with the media from day one.

Q36 Michael Ellis: Do you two agree?

Tony Lloyd: Certainly parts of the media have been consistently hostile. I think what is true, Mr Ellis, while I do agree with you, is that, as in any institution, policing has its small "c" conservative areas. Of course that is true. It would be remarkable if that were not the case and there is no doubt there is a need for change. You will talk to the Chief Constable of Greater Manchester, my own chief constable, shortly. I don't speak for him, but I think if you were to ask him he also recognises the need for huge change in the area of policing. Within that context, responding to your original question about Lord Stevens and his commission, if you were to say did that have a small "p" political agenda, I am sure that, like all structures, that is true. I don't think it is helpful that it is necessarily in party political terms, because they were people of repute, whether I agree or disagree with the conclusions.

Q37 Michael Ellis: There is talk about only 7% of people knowing about the PCCs, the Police and Crime Commissioners. Have you heard those stats?

Sir Graham Bright: That was the case at the election but the latest stats show it is 62%, so in the passage of a year that is a huge jump.

Michael Ellis: It is a huge jump because after 30 years of the police authorities existing, I think it was only 6% or 7% of people that could name a member of the police authority so, to get it in context, the actual recognition for Police and Crime Commissioners is very high.

Q38 Chair: On that point, you said, Mr Lloyd, that there is still a battle to be fought to make the public aware that the commissioner exists, the visibility, "I'm here". Apart from jumping on a horse and going through the middle of Coventry, Mr Ball, what other methods have you taken, just one method that you have adopted to try to become more visible?
Ron Ball: One of the things that I am definitely getting benefit from is a much more open attitude to the media in terms of local radio stations. I made it absolutely clear from the outset that I would not do media training, that there were no pre-set questions, and that is the style of operation I want to run.

Q39 Chair: One thing that you have done; just talking to the media a lot?
Ron Ball: Well, just being available to the media, and that is already paying dividends in terms of recognition.

Q40 Chair: Mr Lloyd, just one thing you have done to be more visible?
Tony Lloyd: I have adopted the select committee approach. For example, I had a hearing on the dealing with fraud. I asked Graham Brady, the Conservative Member of Parliament for Altrincham and Sale, to join me when we challenged the chief constable and Action Fraud on how they handle it. I have done similar around domestic abuse. When the chief constable was reappointed, I had an independent panel to challenge him.

Q41 Chair: So public hearings and things of that kind. Sir Graham, something you have done?
Sir Graham Bright: I have got out and about, street surgeries. I have 368 parish councils that we are engaging with for the first time ever. They were left out. I wanted to go to the frontline. I do public meetings of all sorts.

Q42 Chair: Excellent. So it is like being back as a local MP?
Sir Graham Bright: It is like being back as a local MP, yes.

Q43 Mark Reckless: Mr Ball, in terms of your visibility, of course you demanded this review of the Plebgate in Sutton Coldfield, even though it wasn’t your force. We saw you on Newsnight. Some of the stuff from that review came out and helped this Committee get that reopened, so much credit for that, if I may say so.
Ron Ball: Thank you.
Mark Reckless: Can I ask you and your colleagues again about the Stevens report. One of the suggestions it came out with is perhaps you could be replaced with meetings of council leaders for the relevant area and we can look to them to hold the chief constable to account and appoint and dismiss him and check what he is up to and make sure it is in the interests of the public. Do you think council leaders would have the same opportunity to do that work as you have as elected individuals?
Ron Ball: No. I thought the press release that Tony put out yesterday very eloquently explained the problem with doing that in terms of confusion of roles. I admit to being sceptical about commissioners to start with, and it is not just because I am doing the job but I really do think that across the country my colleagues are putting in a huge amount of time and that is from all parties or no party. I think it is working pretty well so far and we just need to let it bed down and see how we do.
Tony Lloyd: I essentially agree with what Mr Ball said. The danger is that if we simply ask the local authority leaders to take on the role we are re-creating the former police authority, albeit it is possibly a higher grade of council, if that is not unkind to those who were—
Mark Reckless: And with people who are rather busier doing other things.
Tony Lloyd: Exactly right, that these are people who have a complicated role in its own right, and whether policing would ever emerge as a priority is a really important question.
Sir Graham Bright: It would be going backwards. It would certainly slow things down, no question about it. One of the things I have tried to do is to link all the authorities within Cambridgeshire together so that we can get people working in one direction, and that would be an incredibly difficult thing to do if each of them had a stake in trying to run the police. I know you can look at local policing but that happens anyway. So I believe that it is having one person who can focus just on one thing, the police, and they can all come and talk to me, as they do, and I go and talk to them.

Q44 Mark Reckless: But putting your shoes into a chief constable, might it not be quite attractive to have council leaders every now and again meeting for a chat, holding you to account and you might hope perhaps to carry on doing what you like without anyone getting in the way of that? Isn’t that perhaps the attraction for some of the senior retired officers on the Stevens review?
Sir Graham Bright: The thought of divide and rule comes to mind.
Tony Lloyd: Can I also make another point?
Chair: Could you do it as quickly as you can? We are just falling a bit behind on time.
Tony Lloyd: Just very quickly then, if I may. In actual fact local government is a very important partner of policing, but in operating in that partnership role it should be doing what local government does well, which is running, for example, the children’s services and those things that the police want to work with. We can join those up, but the model of separate accountability is an important one in this and then the challenge is from me to the council leaders and the council leaders back to me to make sure that we perform our roles properly.

Q45 Mark Reckless: Ron Ball, if Sir Albert Bore and his successor at Birmingham had been responsible for holding the police to account over this Plebgate saga in Sutton Coldfield, do you think they would have given it the same level of attention and proactively required a report in the way that you did?
Ron Ball: It is a bit of a hypothetical question. I don’t think I could have done more. I think looking back at it, I am happy with all the decisions that I took and I took them quickly. Whether another body would have taken longer, I think it would probably have, in all honesty.
Chair: I think the whole Committee endorses what Mr Reckless has said about your views on this and how you reopened the whole inquiry. We are grateful for that.

Ron Ball: Thank you.

Q46 Ian Austin: If all this work to raise your profile and engagement of the public works, what do you think the turnout would be at the next elections? What would you hope it would be?

Ron Ball: It is going to coincide with the local elections, isn’t it, so I would anticipate it is probably going to be around the 30% mark. That would be my guess at this stage.

Sir Graham Bright: I would certainly go along with that. We were labouring against it last time. We had an election in November, which was completely out of sync with anything else, dark cold nights, and there was no freepost either. I spent all of my time not asking people to vote for me but telling people what the job was all about. Now that has come over and people can see it working, I agree that by tagging along with the county council elections I would be looking for 35%, 40% if we could get there.

Tony Lloyd: As a Member of Parliament, I had the second lowest turnout of any MP in Britain.

Chair: And the biggest majority, I think.

Tony Lloyd: Well, I now have the biggest majority as a commissioner. I hope that we will see a significant improvement. It is difficult to specify a figure, quite honestly. It is going to go up.

Q47 Dr Huppert: I was struck when we were talking about the independence of the Independent Police Commission, I looked up the website and a pop-up comes up that says, “The Labour Party will place cookies on your computer to help us make this website better”, which is an interesting definition of independence, but websites can be very revealing.

I would like to ask about police and crime panels and their role, but before I do that can I ask a very specific question to Sir Graham? I spoke to the chief constable instantly I knew about that. You and I have had discussions about that before. You will be aware that an officer from a covert unit in Cambridgeshire sought to recruit a young man to inform about what was happening, to target student union type stuff that was happening among students. Undercover officers have a role. Do you think, as a matter of policy, that that is the role that undercover officers ought to have within a police force?

Sir Graham Bright: That was very much an operational matter.

Dr Huppert: I thought you might say that.

Sir Graham Bright: I was unaware it was happening. I spoke to the chief constable instantly I knew about it to ask why it was being done. It was obvious why it was being done. Were we within the rules? There was a 2000 Act that spelt out quite clearly what the rules were to that. Our police service is monitored and inspected by the appropriate authority and there is no reason to believe they acted outside the remit that they had. You and I know that there is always that sort of activity taking place. One dreads to think that something would happen in Cambridge like it did in Woolwich. It has to go on, but the thing is to ensure that it is done in the right way and sticks to the rule. The rules are there quite clearly for everyone to read. I have sent all the students who wrote to me details of that Act and have had some very nice letters back thanking me for setting it all out for them.

Q48 Dr Huppert: There clearly is a role for undercover officers. I think many people question whether monitoring a student union is one of them. But just to be clear, is your policy decision on this that Cambridgeshire constabulary should operate just in the framework of what the existing law is? You don’t have any other policy decisions.

Sir Graham Bright: Not at all, no.

Q49 Dr Huppert: Thank you for clearing that up.

Can I move on to police and crime panels? Mr Lloyd, you have argued that police and crime panels should be strengthened and in particular should have the power to recall commissioners, as I understand it. Is that right and can you say a bit more about that?

Tony Lloyd: Yes. I have to emphasise I don’t speak now as the chair of the APCC. I speak as Tony Lloyd, individual. I have followed the debate about recall of Members of Parliament, as everybody in this room will have done. I think there is a case for recall but we need to set a very specific—and I don’t want to use the word “high” but it has to be one that can’t be triggered by either whim or political considerations. It has to be done against some standard, a test of public interest. I think it is not just for commissioners, because commissioners have a unique role. A Member of Parliament, for example, is one of a large assembly. A commissioner is sui generis in his or her own area. I think the powers of a commissioner exercised in a reckless, unacceptable fashion have to be examined. How do we control that? We can control it by giving countermanding powers to the police and crime panels but I think that would run counter to the concept.

Q50 Dr Huppert: That is helpful, and I will come to other two in a second about this, but can I follow up on whether you think there are other aspects of the police and crime panels that should also be strengthened, or is it just about recall?

Tony Lloyd: The 10 local authority leaders make up the police and crime panel in my own area. I welcome that because that does mean that when they concentrate on the public process of asking me to justify what I do, it is a high powered structure. I would welcome that as being the universal model, quite frankly, that it is at that level.

Q51 Dr Huppert: Can I also ask each of you how often you have been before your panels? A factual number would be helpful.

Ron Ball: Four times I think since the election. My view is that my police and crime panel are a bit like the public in some ways in that they are struggling to understand the system and understand the role. I think that there is scope—and this is probably true across the country—for police and crime panels to be a bit
more assertive themselves within the existing rules. So I would not necessarily be looking for strengthening of powers. I think there could be a contradiction. What they can’t do is interfere with the programme. If I am standing on a manifesto for what then happens to be some sort of mixture between what I am standing on and what the police and crime panel have approved, that invalidates the model as far as I see it.

Sir Graham Bright: I have been before five police and crime panels so far, and I think it is fair to say they too are new and are bedding in and finding their feet. My office and I take them extremely seriously. We spend a lot of time getting ready for police and crime panels so that we can answer their questions. We offer to give reports, which we do, and we have had informal briefings on one or two things that are going on so that they are aware of it. They are there, of course, not just to hold us to account but sometimes support us. If you read the legislation, that is so, and obviously there has to be a working relationship there. But as I see it at the moment, they are able to hold me to account for anything they want to. They can ask for reports and get them. As I say, we take the police and crime panel extremely seriously, knowing that we have to satisfy them.

Q52 Dr Huppert: One very brief question, what other opportunities are you each looking at for public scrutiny? Sir Graham, I think you refused to attend a meeting of the county council’s safe and strong communities overview and scrutiny committee, which doesn’t suggest you are keen to see other efforts of scrutiny. Do any of you want to see other public scrutiny bodies?

Sir Graham Bright: I think the police and crime panel are the people that scrutinise us. We obviously go and speak to local authorities, which I do, say what we are doing, share things with them.

Q53 Dr Huppert: But you would not go in front of one of their scrutiny committees.

Sir Graham Bright: In that particular instance, when it is the county council, you have got a number of them on the police and crime panel anyway, and that is the way forward, to go through them, otherwise I would be forever attending scrutiny committees. You have one you can focus on and everyone can ask questions of them to ask me, and that is the way forward.

Q54 Paul Flynn: Powerful persuasive arguments were given last week in evidence on why there is pressure on the police to understate the crime figures, for reasons of promotion and personal reputation, to please political masters and the public. If those figures are to an endemic process, so we were told, it is your job to try to correct this to restore integrity. If you do that, the police crime figures will rise. You will be facing a democratic vote in a few years time. Do you think it would be persuasive to say to the public, “Here we are, PCCs, we have doubled the crime figures”? If that is the case, which it is likely to be, aren’t you more likely to go native and join in with the situation that has been going on for so long to understate the figures on crimes?

Tony Lloyd: If the decision were entirely mine, Mr Flynn, I think you would be able to say that is why there has to be a process of independent audit.

Q55 Paul Flynn: How independent is it, Tony? You say you have an independent audit. Who runs it?

Tony Lloyd: These are professional auditors who perform the role from my office.

Q56 Paul Flynn: Are they involved with the police at all?

Tony Lloyd: No, they are entirely independent. They exist within my office and they audit. The point you make is right. The only thing I would say is that every one of us knows that there are some crimes that are endemically underreported, things like rape and domestic violence. We know that if we do it better, one of the consequences will be a rise in reporting.

Q57 Paul Flynn: But aren’t you likely to fall into the same position as those who run the police services in America and have to face election, in that you give the public the public what they want? You give them reductions in the crimes that they are worried about and not possibly those crimes that are far more serious that they are not concerned about. Won’t you be playing to the gallery?

Sir Graham Bright: No. You have to be totally open and transparent. I make an absolute rule of that all the time. You can fool the public sometimes but not all the time and you have to deal with what the situation is. At the moment crime figures tend to be levelling off. They have been coming down for some time. They are starting to level off and that is a warning signal, certainly to me, to have a look at those areas, to get the chief constable to report on them, to hold him accountable. That is what it is all about. If, heaven forbid, we do get crime figures rising, we have to accept that and deal with it, not try to hide it. As I say, you can fool people sometimes but not all the time. People are very well aware of what is going on around them. With the reporting we have through Neighbourhood Watch, eCops and everything else, it is quite clear to everyone what is happening out there.

Tony Lloyd: There is another role as well. I am not the police and it is important that I remind myself every morning that I am not the police. What policing needs is some level of analysis, wherever that is done, whether it is the Home Affairs Select Committee, a Police and Crime Commissioner or a policy authority, that can say what is the causality of change. I make now a partisan point as a Labour politician. I am concerned that recession will have an impact, and is beginning to show some signs of having an impact, on the kind of acquisitive crime that relates to recession. I am concerned that if we see cuts in policing that that will have an impact on the capacity of policing to respond to crime reduction.

Q58 Paul Flynn: While you represent the PCCs, you are not typical of them. A large number of the PCCs are former policemen or have been involved in police politics for years. Isn’t it unlikely that we are going to
see the root and branch reform on crime statistics that we need by people who are part of the groupthink of police?

Tony Lloyd: At every level, one thing that this Committee is in a very powerful position to do is to make the case for exactly that kind of independence of audit that would give the public reassurance that those figures are not open to me or any of my colleagues or anybody else.

Q59 Yasmin Qureshi: Mr Ball, I want to explore with you the benefit of the strategic alliance that has taken place between your area and West Mercia. Can you tell us a little bit about some of the benefits that have accrued and in your opinion is there scope for other police areas to do a similar thing as well?

Ron Ball: You will be pleased, Chairman, I have asked Tony Lloyd to kick me in the shins if I go on too long about this, because I am an absolute total advocate of the—

Chair: Well, I won’t let you go on for too long, because we have other witnesses. If he kicks you in the shin, there are a couple of police officers who might arrest him, so please don’t.

Ron Ball: It is difficult to overestimate the value of the alliance to us. The previous police authority did a superb job. This is their baby not mine, so I don’t get the credit for this. Without it, I think Warwickshire would have struggled to survive as an independent force. We were set the target of saving something over £30 million from 2010 to 2015, which because of the alliance we are well on track to do. In fact we are slightly ahead of target as far as that is concerned. For those who are not aware of it, effectively below the level of deputy chief constable we have now one police force. All of the independent bodies that were, firearms units or dogs or whatever, we now have one, so instead of doing things twice we do them once. It is tremendously valuable.

Q60 Yasmin Qureshi: What do you think other areas could do and how would they be able to benefit from such alliances?

Ron Ball: I think the way to achieve it is it has to be done from the bottom up. It is a difficult thing to do by imposing from above. With ever tighter resources, I think forces should come and have a look at what we have done. But the thing is that both forces understood and realised the benefits of doing it, and so when it came to doing the really difficult stuff it was possible to do that. We had strong leadership to do it, but to try to impose it from above would be a disaster and I don’t think it would work.

Q61 Yasmin Qureshi: A final question for all of the commissioners, what are you doing to develop the blue light services collaborations?

Sir Graham Bright: Strangely enough, I had a meeting with the fire and rescue service yesterday. We are working in collaboration with both Bedfordshire and Hertfordshire, so the three forces are coming together and already making dramatic savings and increasing the facilities and services. We had a serious crime in Peterborough that would have stopped us in our tracks, just like Soham did, but it didn’t because we were able to call on all the other resources. The other thing is that we are looking at blue lights between all three counties as well, so we could have a control centre for the police and fire services for the three counties. That is only a twinkle in the eye at the moment but that is what we are aiming to do.

Q62 Chair: When you call the police you won’t get an ambulance coming?

Sir Graham Bright: Well, we are not doing ambulances at the moment. We are looking at fire. It is a twinkle in the eye but I am quite convinced we are going to deliver.

Tony Lloyd: I am due to meet the chair of the fire and rescue service this week. Can I make the point, Mr Vaz, that the kind of collaboration that would liberate both economic benefits and a better service for the public aren’t only or even necessarily best done with the blue lights services. Vehicle maintenance, for example, may be better done with the one of the local authorities. Collaboration with things like the probation service and HMIC, DWP, where colocation with those services already exists in Greater Manchester, delivers a better service in fighting crime and making our communities safer.

Ron Ball: Likewise, on Friday I am meeting the head of the fire service in Warwickshire.

Q63 Ian Austin: I think it is fantastic to hear the success of this collaboration between yourselves and West Mercia. Can I ask two questions about that? If you have effectively merged the forces below the rank of deputy chief constable, why not go the whole way and have one chief constable and one commissioner?

Ron Ball: I have commissioned a report on that. I think to do one chief constable now would be too early. You face the position of how is one chief constable held to account by two commissioners. That is a very difficult position to resolve. In terms of whether or not we go the whole hog for a merger, I have commissioned a report, together with my colleague Bill Longmore in West Mercia, to look at the mechanics of how that would be achieved.

Q64 Ian Austin: Secondly, very quickly, is what you have said not evidence of the case for wider mergers and wider collaboration? What is the argument against this effectively merged force working much more closely with the West Midlands police force or West Staffordshire, for example?

Ron Ball: There are two elements, operational and political. If you talk to the senior police officers, they are full steam ahead for a full blown merger. I think there are political considerations and I just think we need to do that. Basically, what I say is if that is what the people of Warwickshire want then it is not up to me to stand in their way, but they need to be able to have a say on this.

Q65 Ian Austin: If the chief constables think it would be better for operational policing, surely you ought to listen to them.

Ron Ball: That is not the only argument. Operationally, I don’t think there is any question that that would be more efficient and cheaper, but we have
a proud tradition in Warwickshire Police. We provided the director for the National Crime Agency, for instance, and I think the local people and the local politicians need to have a say first on the Warwickshire Police disappearing as an entity.

Q66 Chair: A quick question on transparency. We published a register of PCCs' interests earlier this year because one was not being published. Who will be publishing the next one, Mr Lloyd?
Tony Lloyd: I hope the Home Office would do that. They are the best equipped organisation to resource it and to bring that together.

Q67 Chair: Yes, so do we. That is why we published it, because they refused. They kept saying that it was up to you to do it.
Tony Lloyd: I think all of my colleagues, as far as I am aware, now have local publication, obviously in the end local people knowing what I am doing is right and proper. I would very much welcome the collation as a national structure, and I think all my colleagues would agree with that. We honestly do believe that it should be the Home Office that resources that.

Q68 Chair: We do too, but we have said that until they do we will continue to publish once a year. Secondly, on diversity, what have you done, Sir Graham, to improve diversity in Cambridgeshire in terms of gender and race? A very quick answer. How many people have you appointed to your team who are either black or Asian or women?
Sir Graham Bright: I think I have almost a total team of women. There is one man, so we have made a big effort to bring those people in.

Q69 Chair: And ethnic minorities?
Sir Graham Bright: As far as ethnic minorities, not in my office but within the police, big efforts.
Chair: No, in your office. We know about the police.
Sir Graham Bright: I haven't any ethnic minority people in my office.

Q70 Chair: Mr Lloyd?
Tony Lloyd: I am losing staff, Mr Vaz, at the moment, but what I can say is the good news is that—

Chair: You are losing staff?
Tony Lloyd: Yes.
Chair: To whom?
Tony Lloyd: Because of the need to downsize the office. This is an issue that the chief constable and I have discussed. In an area of enormous diversity like Greater Manchester, our police force, our police service doesn't reflect that diversity. What we have is a much more proactive recruitment process beginning to show some dividends, less in warranted police officers because the numbers of new officers is very tiny, but in terms of PCSOs, specials and—
Chair: And in your own office?
Tony Lloyd: In my own office, as I say, at the moment I am not appointing staff.

Q71 Chair: Do you have any ethnic minorities or women in your office?
Tony Lloyd: Yes, a considerable number of women and a number of people from minority ethnic backgrounds.

Q72 Chair: Mr Ball?
Ron Ball: There is an argument at the moment, Chairman, that I have zero staff in my office, in that the ones I inherited are no longer with me and I have just had 120 applications for three positions. We have whittled that down to 16 and I think it is four to one women to men of that 16. I will be interviewing on Friday and Monday of next week.

Q73 Chair: Excellent. Thank you to all three of you for coming here today. Obviously we will continue the dialogue with the association as we progress and if there are any areas you wish us to look at we will be delighted to look at whatever you suggest. Thank you very much.
Ron Ball: Can I make one very small point, Chairman? My colleagues will be more familiar with the procedures of the House than I am, but is it in order to wish you a happy birthday today?
Chair: It is, but no presents, I am afraid. Thank you very much, Mr Ball.

Examination of Witnesses


Q74 Chair: Sir Hugh, Sir Peter—I feel as if I should make you a dame for the purposes of these proceedings, just to make it all equal. Thank you for coming. I apologise for the delay. As you know, there were two votes. Sir Hugh, as we begin our evidence today, Andrew Mitchell is conducting a press conference about what happened in Downing Street. Do you welcome the decision to prosecute officers for misconduct and for criminal charges as a view to ending this very long saga that seems to have gone on now for over a year?

Sir Hugh Orde: I think a great strength of the British system of justice, Chairman, is that it is an independent decision by people well qualified to make it and it would be wrong for me to comment upon it. I entirely share your view that this does need to be brought to a conclusion and this is a major step in that direction.

Q75 Chair: Do you think that Plebgate has damaged the reputation of the police, in particular the way it has been handled?
Sir Hugh Orde: I think any event of such significance and such publicity has the potential to damage police public relations, Chairman. You are entirely right and we have had those conversations over many years in this Committee, be it the historic inquiries through to current day events. I think what is important is when they are discovered they are faced up to and dealt with in a transparent and open way. What is interesting, I think, at the risk of sounding a bit like a broken record, is the evidence to date is that the independent views, independent surveys of confidence in policing remain remarkably stable. My sense of that is it is judged as much on police public interactions at the frontline of policing, which my colleagues are far better qualified to speak about now than I am, than they are about the major events that take place in Westminster or at times when many people in many instances were not even born, important though they are.

Q76 Chair: Two of you, Sir Hugh and Colette Paul, served in the Metropolitan Police. Sir Peter, I don’t think served in the Met. I may be wrong. You didn’t? Were you as shocked as members of this Committee and Parliament was to hear that the crime figures were being fiddled, in effect, by officers in order to bring them down, especially in respect of rape and sexual offences cases? Colette Paul?

Colette Paul: I was surprised by the level that was uncovered at the Public Administration meeting. Yes, I was.

Q77 Chair: And this does not reflect what is happening in your own area? You have not given an instruction and nobody has come up to you and said, “By the way, Chief Constable, crime is down in Bedfordshire because we have fiddled the figures”? Colette Paul: Not at all. In fact, we have quite a rigorous audit process in Bedfordshire and when you look at it for recorded crime there is 98% compliance rate for correctly categorising crimes. We check that monthly and we always have an independent audit as well.

Q78 Chair: Sir Hugh, this is a Met issue. As the President of ACPO, you would be alarmed if senior officers knew this was happening and connived to ensure that it continued. You have no evidence to suggest this was approved of at a very high level?

Sir Hugh Orde: Any public debate that raises issues of integrity in policing is very important. I know that my colleague Jeff Farrar of Gwent Police will be speaking to the Administration Committee and has already submitted written evidence in his role as a national policing lead. I have heard today three Police and Crime Commissioners explain to you the checks and challenges they have put in place to reassure them that in their forces this was not an issue. You have heard Colette Paul, and I know Peter has a very clear view on this. You are right, I served in the Metropolitan Police for 26 years in senior ranks up to deputy assistant commissioner and I worked direct to Sir Graham. But when I was in charge of Hounslow, I never put my officers under any pressure to change or fiddle figures. What was critical to me as a leader was a clear understanding of what was going on.

I think the world is far more complicated and I think there were very good answers from the Police and Crime Commissioners, certainly Sir Graham, on the outcome at the frontline and the complexity and the challenges frontline officers face when trying to deliver very good outcomes for victims against a very rigid, black and white system of reporting. I think that is part of the complexity, none of which takes away from the bottom line that the vast majority of police officers in this country act with complete integrity.

Q79 Chair: Sir Peter, this does not happen in Greater Manchester? You have not given an instruction that in order to meet targets PCs are to massage and manipulate figures? You have never heard of this before until somebody brought it before the PASC?

Sir Peter Fahy: Any senior police officer always has to be aware—indeed, any leader of the public service has to be aware—that if you go too hard on performance statistics there is always the risk that some staff will try to manipulate those in recording practices. I have to be honest, I have never been naïve about that. If you go way back in police history, there has been a series of these sorts of stories. You always have to have very strong procedures but it is also the way you operate your performance regime, that you are not putting too much focus on one particular statistic. I have to be honest, when people come to me when either crime is up or down, the first thing I ask is, “Is it a recording issue?” You must not be naïve about this. It is about the way that we operate the performance regime.

I think one benefit from having Police and Crime Commissioners, certainly in my context, is the fact that we have removed this obsession with statistics and taken a much broader view of performance. I am not just interested in crime statistics. It is looking at the whole basket of measures: the more serious crime, the level of public perception, the quality of service, the use of resources, police integrity. It is quite easy for a police leader to just chase a simple statistic, and you must never be naïve about that.

Colette Paul: I have encouraged more reporting around some crimes, which will have an impact on crime figures. For example, sexual offences, domestic violence, hate crime areas. I am very much supported by the PCC as well on these. Over and above that, there is a lot of criminality that becomes crime when police focus on it, drugs and other issues. We have encouraged a more sophisticated look at crime performance.

Q80 Chair: Turning to PCCs and the Stevens report, Sir Hugh, you must be absolutely delighted with the outcome of this report, because I think you were one of the early critics of the establishment of Police and Crime Commissioners. Were you rubbing your hands with glee when you saw the words, “The model has fatal systemic flaws”?

Sir Hugh Orde: I see Mr Reckless smiling at me, Chairman. No, and I have been very clear, as you are well aware and as this Committee is well aware, from the moment this became a manifesto commitment that
it was not a matter for the service to comment on how we are held to account. Likewise, Lord Stevens, who you know I know very well, has written a report. I have got to page 104 of it. It is a substantial piece of work. But it is a matter for the Government of the day to decide whether or not they want to change it looking forward.

Q81 Chair: Sure, but you are the President of ACPO. You have views on everything. ACPO always has a policy, you always can produce witnesses for this Committee—we are very grateful. You are one of the leading police officers in the whole of Europe. How can you take a vow of silence on PCCs when you don’t take a vow of silence on anything else?

Sir Hugh Orde: Precisely because it is outwith our remit. It is how we are held to account, Chairman. In a democratic society, that is not for us. If I may gently correct, on policy now of course it is the National College of Policing and not ACPO, and we are very supportive of that change.

Q82 Chair: We all have huge respect for Lord Stevens. Colette Paul was a staff officer to Lord Stevens and Sir Hugh Orde worked with him. You must have respect for people like Lord Stevens, Lord Condon, Peter Neyroud, all the other good and the great who served on this committee. They say that PCCs have left morale at rock bottom, that they have actually helped the mistrust that the public has in the police. This is a damning indictment, is it not?

Sir Peter Fahy: I have to admit, I don’t recognise that. I have absolute respect for the individuals that you have named, but my contention would be that they have not operated with it on the ground day to day, as I have. I don’t recognise the connection between Police and Crime Commissioners and police morale. I think that has been the result of the economic situation and also a stream of negative stories in the press and all sorts of issues around pay and conditions. With due respect, they have not operated the system and they have not had to operate the system during a time of the greatest challenge the police service has ever faced because of the economic situation. I would have to say that on the whole having one person who holds you to account and you can work with very closely and is able to provide a lot more local flexibility has worked very well, particularly in this current situation. With due respect, I would say that some of the individuals have very remarkable records of service but on the other hand have never had to lead through austerity in the way we are having to lead at the moment.

Q83 Chair: Chief Constable Paul, Lord Stevens must have one supporter on the panel. You worked with him as a staff officer. That is a pretty close relationship. He is a man of integrity. 37 people have served on this committee, not just Labour Party people incidentally. I don’t think that Lord Dholakia, Lord Carlile and Sir Richard Dearlove are members of the Labour Party. Is there nothing to commend anything that Lord Stevens has said?

Colette Paul: Absolutely. Of course there is, and it is a very complex report. He comments on a lot of different issues. What I would say is that I have worked in a range of different governance arrangements. I worked in the Met with the GLA, the Mayor and the police authority. I worked in South Wales where they had a police authority where they had all the elected leaders on the police authority, and now I have worked with a Police and Crime Commissioner in South Wales, which is Alun Michael, and I work with Olly Martins within Bedfordshire. I have had a range and dealt with a range of different governance arrangements. What I would say around the PCCs, and I have a very good relationship with both Alun Michael—

Chair: Remind us who your commissioner is.

Colette Paul: It is Olly Martins in Bedfordshire. I have a very good relationship with him. He does hold me to account. It is a critical but very friendly relationship and things get done much quicker.

Q84 Chair: Better than what was there before?

Colette Paul: I didn’t experience the police authority in Bedfordshire but I did experience the police authority in South Wales, which had leaders on it. They both have things that worked well.

Q85 Chair: Are you quite happy for PCCs to stay?

Colette Paul: Of course I am. It is not my position to say, obviously, but yes I am.

Q86 Chair: Sir Hugh, are you happy for them to stay?

Sir Hugh Orde: I am delighted for the Government of the day to say how we are held to account, Chairman. In the broader aspects of Lord Stevens’ report, there are many things that chime with the current structure as well as the future proposed structures. It is a complex report that covers just about all of the great strengths of our model.

Chair: Indeed.

Q87 Mr Winnick: The police have taken a few hard knocks, Sir Hugh and your colleagues, in the last few years, which I won’t mention because they are all well known. How much damage do you think this Plesgate affair will do to the police force as a whole and not necessarily just to the Met?

Sir Hugh Orde: I think my colleagues are better placed to talk about the operational impact at the frontline. The feedback I am getting is that this is not a debate that takes place between frontline officers and the people they are protecting on a day-to-day basis. We are being judged on what we deliver. That is not to say it is not important and it is not to say that it should not be dealt with and investigated thoroughly. But as I said at the beginning, if one looks, going back 10 or 15 years, at confidence in policing levels—and some are to be found fairly up to date in Lord Stevens’ report—where police fit in the hierarchy still remains at the top end of it in terms of public servants and how trustworthy they are.
know Peter and Colette have far more experience than I have of the impact on the frontline.

Sir Peter Fahy: Obviously it is an extremely concerning case, but this has not been raised in all the public fora that I hold in Greater Manchester with the Police and Crime Commissioner. We are tested in Greater Manchester every single day by the over 1,000 incidents we deal with, the big events that we police, the serious crimes we investigate, and I think that is what the public judges us on. That is why I think also in the whole issue about accountability, whatever method you have, what is key is the responsiveness of local policing, how we deal with an issue that the public have. I think that is how we judge it. It is not to say Plebgate is not extremely serious but, as I say, the public judge us in a different way day in, day out, in a very focused way, and that is what they judge our performance on.

Mr Winnick: Our constituents may well ask should an incident that lasted at most five minutes, probably less than five minutes, at Downing Street and then the allegations that were made and counter-allegations, have taken all this amount of time to come to some sort of conclusion? Don’t you feel, the three of you, that it could have been done in a much shorter time, bearing in mind the vast amount of public expenditure?

Chair: Chief Constable Paul, would you like to respond?

Colette Paul: I wish that it had been done in a much shorter time, I have to say that, with its impact on public confidence. I would agree with Sir Peter around the fact that I do not get asked about this locally, but it does have an impact. It hits the newspapers every day and obviously it does have an impact, and within the policing service we are talking about it. But publicly, I have to say I support Sir Peter. I have not been asked about that locally.

Q88 Mr Winnick: Just on statistics, can I say, like the rest of my colleagues, whichever party we happen to belong to, that none of this criticism reflects on the sheer bravery of police officers, and we know only too well those who have lost their lives carrying out their day-to-day duties and that should never be forgotten for one moment.

As far as crime statistics in general is concerned, these allegations were made to the Public Administration Committee, of which my colleague, Paul Flynn, is a member: cuffing, nodding, skewing, stitching. To save time, you know very well what was said; I would find it surprising if you did not. First of all, were you familiar with these phrases before? I asked Police and Crime Commissioners, but you are very, very experienced and senior police officers, any of these designations I have mentioned, were they known to you before, even if you say that this evidence was not accurate?

Sir Hugh Orde: Some of the slang, cuffing is a word that I have certainly heard before. Something that threw me, stitching as an—

Mr Winnick: Yes, it is a variety of malpractices.

Sir Hugh Orde: Stitching up is a phrase that has been used. That is in parlance.

Chair: We use it a lot here in Westminster. Sir Peter?

Sir Hugh Orde: I could not comment, Chairman.

Sir Peter Fahy: No. The only one I recognise, like you, was cuffing, that is sometimes used, but no, all the other ones I—

Chair: Chief Constable Paul?

Colette Paul: Exactly the same. I have heard of cuffing. I have never heard of any of the others, the other terminology at all.

Q89 Mr Winnick: My final question: do you accept that? We expect you to say no, but how far do you believe it is absolutely essential that the statistics that are given—often bandied about in the House of Commons for perfectly understandable party political reasons, whether they are going up or down and having a go or defending the police, that is all part of parliamentary democracy and the rest of it—should be ones where it can be accepted with total integrity?

Sir Peter Fahy: Obviously it must be, but on the other hand, if you start with a statistical measure like crime statistics that you know are fundamentally unreliable because so much crime is under-reported, then you are starting with a very false premise. That is what we have to be very careful about. That is why we should be going for a range of measures. I turn up at lots of public meetings in Greater Manchester and say, “Crime is down”. They do not believe me and they do not care. They are bothered about their own experience. We put a huge amount of effort into collecting these crime statistics and trying to make sure they are accurate and the public do not believe them anyway. I absolutely want to be held to account, but it is the quality of the service and the way that we deal with the public.

Chair: Sir Hugh, if we can have a quick answer to this.

Sir Hugh Orde: Again, I do not want to second-guess what my colleague will say to the Select Committee Chairman, but I remember as an operational Chief many years ago now, I had a substantial amount of effort into checking the integrity of my crime figures. We had crime reporting registrars who would routinely challenge. We would check the calls to the outcomes and we would get a 90% to 95% hit rate on if a call comes in as a burglary, you will find a burglary report. I think we need to look at it in its totality, but I absolutely agree with Peter, policing is far more complicated than that.

Back to the frontline issue, frontline officers are in these dilemmas when they are trying to give proper outcomes to victims and they find themselves up against a very rigid process. That causes them some real difficulties.

Q90 Ian Austin: Sir Peter, when you were talking about the impact of Police and Crime Commissioners on morale, you said that that had not had an effect on morale, but you said that changes to working practices, terms and conditions, the cuts and all the rest of it, had had an impact on morale. Could I ask all three of you to expand on that and tell us how you think the austerity measures have affected morale on the frontline among your officers?

Sir Peter Fahy: Obviously it is because of the cuts that they are being asked to do the same amount of...
work with fewer colleagues around them. It is a fact of the pay freeze. A huge issue is the lack of promotion opportunities. That is a massive issue in the police service at the moment, but the biggest hit I get when I talk to my officers is what they feel is a constant stream of negative stories. I can only report what they say to me. They say to me, “Why does the press hate us so much?” They live in the real world, they accept the pay freezes, most of them accept absolutely they love their job, they feel they are very lucky to have their job.

**Ian Austin:** Many MPs say the same thing.

**Sir Peter Fahy:** But I can only report to you what they say to me. They are realistic about changes to pay and conditions, but the bit they do not understand is, “Why does it feel that nobody appreciates what we do?”

**Colette Paul:** I would say the impact on morale for me—I have a very small force, it is a rurally-funded force with urban crime issues—it does feel like a very stretched thin blue line and they would say that that is the case. I am already 40 short, which is why I am recruiting like mad at the moment to try to help with that.

**Ian Austin:** How many officers have you lost?

**Colette Paul:** We have lost 15%, so it is 195 officers and a 15% reduction in PCSOs, so it is down from 128 to 108. We have lost an awful chunk in terms of our overall strength, 15%, and that has had an impact, there is no doubt about that. But we are looking to work differently, so I am looking at transformation, I am looking at helping to work differently. That is the way that I am hoping to deal with that, but it has impacted on morale, there is no doubt about it.

**Q91 Chair:** So none of you agree with Mike Creedon? Sir Hugh, Mike Creedon said after the appearance before the Committee that there was an obsession with reducing crime and it is creating pressure on the police to manipulate crime figures. People in many forces had told him that this manipulation was going on. Mike Creedon, the highly-respected Chief Constable of Derbyshire, he is wrong, is he, Sir Hugh?

**Sir Hugh Orde:** Mike raised these issues at an open session of the ACPO conference only last week, and I think what he is describing is the extremely complex challenges faced by frontline officers when they are trying to deliver an outcome. Take, for example—

**Chair:** No, he is saying that they are manipulated.

**Sir Hugh Orde:** That is what he has been told. I do not recognise, from my experience, the level and extent that he describes, and I have just heard three Police and Crime Commissioners and two chief constables say likewise. There are real concerns—

**Q92 Chair:** So he is on his own, basically?

**Sir Hugh Orde:** No, I do not think that is the case either. I think there is a mixed view on how important figures are and the issues around figures.

**Q93 Chair:** No, but he went beyond that, didn’t he, Sir Peter? He said that they were being manipulated; he had heard this in many forces.

**Sir Peter Fahy:** He certainly said the pressure was there, and absolutely, through the whole time of the performance regime where there were league tables, when basic command units were in league tables, there was a constant pressure to look at crime figures, detection rates, prison write-offs. As I say, you are aware of some of these stories. That is why every chief constable has to be very, very aware that that pressure is there and make sure you have measures to try to and guard against it.

**Chair:** Chief Constable Paul?

**Colette Paul:** I would agree. Obviously I was there when Mike Creedon was at the ACPO conference and raised some of the issues that he raised. Yes, pressure is there. There is pressure to reduce crime, there is no doubt about that.

**Q94 Chair:** But not to the extent that people manipulate?

**Colette Paul:** I do not believe the extent that was reported to the Public Administration Committee.

**Q95 Chair:** But he does, because they have told him. What do you not understand is you were all at the same conference and a chief constable like Mike Creedon, very senior police officer—

**Colette Paul:** A very well-respected chief constable, yes.

**Chair:** All of you are very well-respected, but him in particular. There he goes, saying that they are being manipulated and nobody accepts that?

**Colette Paul:** I think what he was trying to say is there were some issues around—and he explained some of the issues that people find difficulties with. For example, crimes under 16 are not recorded at all in terms of the crime figures. There is a whole range of issues around that.

**Q96 Dr Huppert:** Can I now turn to the Parker report about ACPO and its future? This is something, Sir Hugh, that we have discussed on a number of occasions. It made a number of criticisms. It describes at page 16 the structure as, “being inconsistent with public accountability”, page 11, let me get the phrase, “The structure was complex and unorthodox” and on page 8, “It has proved difficult to establish exactly how many working groups there are in excess of 300”, which does not strike me as a well-functioning organisation. What is the future?

**Sir Hugh Orde:** It strikes me as an organisation that has grown up over time to fill the gaps as the national policing picture developed and no one else took responsibility for some critical things that are better dealt with once than 43 or 44 different times. He also said there is a requirement for central focus at the national level and that is a forum for senior leadership of the police service, and underpinned very clearly firstly that the current structure of the ACPO office was value for money, and secondly, it needed an independent Chief to lead it. I think there is lots of things in there and of course a lot of that mirrors the report from Sir David Omand and Sir Denis O’Connor around the national operational deployment through NPoCC.
You will remember, I am sure, the first time I came here as the President of ACPO, I said, “I am deeply uncomfortable” I think was the exact words, “with being in a company limited by guarantee” and the general has very kindly invited us to look at it again. We are looking at it again. I have torn what little hair I have left out looking at other models. One possibility would be statutory. We have raised that with the Home Secretary and she did not think that was appropriate, and I do not disagree with her. It would be hugely complex, I think, to legislate for something that has to flex and move. Again the Stevens report also touches on the need for an ACPO-type structure. It is to look at what we need as the irreducible minimum and then look at how we can handle some of the other bits of business we have taken on out of public responsibility over time and see if they can be done in different ways.

Some of the add-ons, for want of a better description, which people have some difficulty with, essential and efficient though they are, there may be better ways of doing those and the league force model is one of the ones the general comes up with. We are absolutely happy to look at all of that with Police and Crime Commissioners, who of course commissioned the report and who we are meeting with very shortly to discuss.

Q97 Dr Huppert: You did say, I think when you first came to this Committee, you were not happy with the limited company structure. I think a few of us gave you a hard time of it. It is noticeable that nothing much has happened to change that.

Sir Hugh Orde: I am delighted to take recommendations. I cannot find anything that is better. The irony of this is that I spoke to Sir Keith Povey only a couple of days ago at a charity event, and he was responsible for creating ACPO as a limited company. It was not very charitable, the event after that, I can tell you, but the point he was making was, it was about trying to be seen to be transparent so we could publish accounts, people could look at what we did, it employed people and we could deliver looking outwards, keeping the public safe from national threats.

Q98 Dr Huppert: There are a number of ways, of course, of publishing accounts; one can just publish accounts. You said that nobody else stepped up, so you are presumably very pleased that the College of Policing will take a lot of the responsibilities away from you, that you will be happy to hand over that burden to them under smaller constables so that chief constables can talk to each other. You are happy with that?

Sir Hugh Orde: We changed our articles of association very quickly to enable the College to take on the non-operational policy development work in what is a college, a professional college, very exciting ideas, hugely supported by our colleagues, who will speak for themselves, but we need to be clear about its role. It is an inclusive organisation and that is its greatest strength. It represents every single member of policing. Indeed, Chairman, you may even be a member yourself and not even know it. It is an inclusive organisation for the professional police service, sworn and unsworn, therefore it cannot speak on leadership issues on behalf of the service and it is recognising that difference in responsibilities and how they are complementary, not competitive. It is critical.

Q99 Dr Huppert: Who are you accountable to? Sir Hugh Orde: Chief constables. They hold me to account in a fairly robust way and of course the board of directors.

Q100 Dr Huppert: The ACPO board or the Chief Constables’ Council?

Sir Hugh Orde: Again, the general identifies that. The board of directors, which I chair, runs the company and employs the staff, but when I am operating as a chief constable, I hold the office of constable and the rank of chief constable by virtue of legislation, I am entirely independent. My whole purpose or the purpose of my office—never mind the individual in it, that changes over time—is to manage and be the honest broker and to enable Chiefs to come together, but without a geographic responsibility themselves.

Q101 Dr Huppert: I did not quite get the answer to that, and I will finish on this, because I know others have questions: are you accountable to the ACPO board or the Chief Constables’ Council in your operation as ACPO President?

Sir Hugh Orde: I am accountable to a number of people. If you take the riots, one could argue I am accountable to the Home Secretary when I sit in COBR representing the interests of the police service and supporting Government in those endeavours. So it is not a clear picture is the point you are getting. I entirely agree with you.

Dr Huppert: I think the lack of clarity was the comment.

Sir Hugh Orde: Indeed it was.

Q102 Mark Reckless: Doesn’t that lack of clarity mean that you are in effect accountable to nobody?

Sir Hugh Orde: No.

Sir Peter Fahy: Can I say, Chairman, just again in the day-to-day work that they have, working as part of the national structure, clearly previously the Police Authority and now the Police and Crime Commissioners are very much aware of the work that you do also at a national level and that is part of the accountability of ACPO as well. ACPO, yes, obviously as an organisation, but it is also a body of people that day in, day out are working on national issues and representing the service obviously at hearings like this one.

Q103 Mark Reckless: Sir Hugh, you were saying that the College of Policing could not speak on behalf of the police service because other people were involved in it, aside from chief constables, but what gives to chief constables the right to speak on behalf of something you describe as the police service in some national capacity, when what we have in this country is 43 separate forces and the chief constables only have the responsibility to speak on behalf of those?
Sir Hugh Orde: You have just analysed the point very well. First of all, the College of Policing can speak: the Chief Executive of the College, Alex Marshall, a very well-respected chief constable, will absolutely. Firstly, he is a member of the Chiefs’ Council, and secondly will speak absolutely on matters that are the responsibility under his command, for example, the College of Policing, so it is not a silent voice. It is a very important voice and hopefully will be a growing voice in terms of professional development, proper policy development, best practice, what works, all the things that are rightly in the College remit, but for the College to succeed, what we cannot do is continue to throw stuff in. Where I sit, I guess—and I think the general made this point—that the person who leads Chiefs’ Council should be elected by the chief constables, for example, they have confidence in that individual. Chief constables have given me authority to act on their behalf as an honest broker, for example, in multi-site public disorder situations and the fuel strike, things that require an operational deployment.

Q104 Mark Reckless: But has Parliament given authority to them to delegate that part of their role to you, and if so, when and how?
Sir Hugh Orde: I have no idea if it needs Parliament to give them that authority.

Q105 Mark Reckless: You have just taken it unto yourself, have you not?
Sir Hugh Orde: No, the chief constables, through a clear process, have asked me to—
Mark Reckless: But as ACPO?
Sir Hugh Orde: Not me—have asked for the Chair of the Chiefs’ Council to represent them and to do these jobs. In essence, one only has to look at the Sir David Omand report, where the Home Secretary decided that I would be responsible for leading the National Police Co-ordination Centre on behalf of chief constables, so there was a clear process that ties a key strategic need and a person who could speak with the authority of Chiefs.

Q106 Mark Reckless: On that NOPAC board, don’t you also have the Cabinet Office, the Home Office, the Police and Crime Commissioners’ representative rather than it simply being an ACPO role?
Sir Hugh Orde: No, in COBR you do not have any of those people, I think.

Q107 Mark Reckless: NOPAC, is that the abbreviation?
Sir Hugh Orde: No, the National Police Co-ordination Centre, which is under my command, as decided by the Home Secretary, the Chair of the Chiefs’ Council would run that and lead it.

Q108 Mark Reckless: Then you chair it rather than run it or command it?
Sir Hugh Orde: I would see it probably as a command, to be quite honest, because I am moving staff around the country on behalf of my Chief Officer colleagues so they can focus on keeping citizens safe in their area and being held to account, of course, through Police and Crime—

Q109 Mark Reckless: So you have direction and control as the President of ACPO rather than individual Chiefs?
Sir Hugh Orde: You negotiate, Mr Reckless. I do not order—

Q110 Mark Reckless: That is different from command, isn’t it, though?
Sir Hugh Orde: No, not necessarily. I think “command” is quite a useful phrase in terms of leading a—
Mark Reckless: For negotiating?
Sir Hugh Orde: I lead a group of people. Yes, exactly, and you may find that amusing. It is hugely important when you are trying to move people into London, for example, from—

Q111 Mark Reckless: It is not amusing. There is a huge difference and this is an issue we have in British policing, no doubt about it, but there is a huge difference between negotiating and influencing and command, which was the word you used.

Sir Hugh Orde: I command NPoCC, which is a group of people who manage that process. I negotiate with chief constables, who are incredibly corporate, and make sure that the public good and the national security is maintained by moving people around the country.

Q112 Mark Reckless: My understanding was you chaired it. If perhaps you can point to the source of your power to command it in writing to us afterwards, that would be very useful.
I wonder if I could just conclude on an area perhaps of common ground. I was very pleased to hear you welcome policy now being a matter for the College of Policing and I do not want to ascribe to you the view of an independent report if they are not your views, so if I could just ask you about the Parker report. It says on page 10, “There is no clear dividing line between policy and practice” and then goes on to say, “There is therefore a need for chief constables to provide an effective counter to obfuscation by other stakeholders within the College, who may not have responsibility for operational effect and therefore developing police will remain a responsibility of the Chief Constables’ Council”. Do you agree with that?

Sir Hugh Orde: Policy is developed through the national business areas. It obviously covers Chiefs’ Council. That was the agreed process—and my colleagues may wish to contribute to this debate—so Chiefs’ Council is going to discuss it and see if they can deliver it. My sense is that will not be too much of an issue, because of the iterative process of policy development, and of course national policing areas are led by senior members of ACPO who lead staff from across the country of all ranks, shapes and sizes to get the best practice and to develop that policy before it comes to Chiefs’ Council for final endorsement. It then of course goes back to the College and the College board of directors for final sign-off.

Q113 Mark Reckless: But I am concerned about the chief constables having final sign-off. Surely it is a
Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think this affects that. I agree with you absolutely on the vast majority of police officers do a jolly good job and for the delivery of policing and also crucial for the public for the delivery of policing and also crucial to the process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: We will accept that answer. Yes, Mr Ellis.

Michael Ellis: Did you want to say anything else, Chief Constable Paul?

Colette Paul: No, not at all.

Michael Ellis: Very well.

Sir Hugh Orde: I will have a go.

Michael Ellis: Thank you.

Sir Hugh Orde: I think it is not for us is the bottom line. One of the great strengths, as I said right at the beginning, was the case was “ruthlessly investigated” was the description of the Commissioner today. The evidence went to an independent prosecutor’s department, who made a decision. From personal experience, in my last life, it would not be unusual in some of the complex terrorist cases to arrest a large number of people and no one be charged, frankly. So it is very hard to hypothesise on individual cases.

Michael Ellis: Very well. Can I move on then to the Stevens report? Don’t you think it is frankly very odd where he says at one point, I believe, morale low, effectively due to Police and Crime Commissioners? By extension it appears to be that having a democratically elected person increases mistrust in the police. That is what the report appears to be saying in part. Isn’t the reality that if there is an increase in mistrust by the public of the police, that mistrust will likely have been increased by allegations of misconduct, not by the fact that there is a Police and Crime Commissioner? Is it not rather dystopian to suggest that those who are supposed to be supervising the police are responsible for an increase in mistrust? It is rather like saying, “Don’t supervise what we are doing for fear of finding out something wrong and therefore increase the levels of trust”. It is dystopian, is it not, Sir Peter?

Sir Peter Fahy: I do not recognise the connection. Some of my officers have used the office of the Police and Crime Commissioner to complain about me, so they clearly trust the system. I think you are over-emphasising it a bit and if you look at crime figures, tested though they are rightly are, and confidence in policing maintaining its level, despite these big issues that you and the Chairman and many others have raised, I think we should have great strength or take comfort in that that the vast majority of police officers do a jolly good job in very difficult times.

Michael Ellis: I agree with you absolutely on that. As far as the allegations are concerned that came from the College of Policing and not for the Chief Constables’ Council within ACPO.

Q114 Sir Peter Fahy: I think it is very difficult to generalise on the type of offence. I mean, the Plebgate—

Chair: Yes, Sir Peter.

Sir Peter Fahy: If I may say, Chair, because at the end of the day, as the chief constable, I am responsible for the implementation of policy in Greater Manchester within the remit given to me by the Police and Crime Commissioner and within the resources and the financial reality I face, so if the College of Policing comes up with a particular policy that I do not think is right for the people of Greater Manchester or I cannot afford, I have to be in a position to say, “No, we are not going to do this”.

Q115 Chair: Yes, Sir Peter.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Michael Ellis: He will have to wait a little bit longer. I undertake not to take as long as most of our colleagues, Mr Vaz.

Gentlemen and Chief Constable Paul, first of all I want to take a step back and ask you about the allegations that came from the College of Policing for the Chief Constables’ Council to become a revamped ACPO?

Sir Peter Fahy: I see what we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Michael Ellis: He will have to wait a little bit longer. I undertake not to take as long as most of our colleagues, Mr Vaz.

Gentlemen and Chief Constable Paul, first of all I want to take a step back and ask you about the Plebgate matter. I want to ask it in this way, and it is indirect: I have to take a step back and ask you about the allegations that came from the College of Policing for the Chief Constables’ Council to become a revamped ACPO?

Sir Peter Fahy: I see what we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.

Chair: The Committee will look at the way the College operates next year. This is not directed at you, Mr Ellis, you are always very succinct in your questioning, but the Minister is waiting outside.

Sir Peter Fahy: I do not think we have to move to is a very clear distinction between the College, which is a professional body, and a crucial part of the reform process in terms of changing the whole culture of policing to a professional body, and then another organisation, which essentially is the Association of Police Forces, as organisations accountable to the public for the delivery of policing and also crucial employers.

Chair: Very helpful, thank you.

Sir Peter Fahy: The trouble is if the College looks too much like the mouthpiece of the employers or of the forces, we will lose the rest of the workforce and they will just see it as a revamped NPIA.
Chair: Thank you, Mr Ellis. You were a model of succinctness. Yasmin Qureshi. Please could you do the same?

Yasmin Qureshi: I have been very succinct.

Chair: You have.

Q125 Yasmin Qureshi: I just wanted to ask you what arrangements do your respective Commissioners have in place to hold both of you to account? That is only for the chief constables.

Sir Peter Fahy: The key thing is the phone call at any time of the day and night, it might be about a particular incident, a particular call, and there is clearly then a formal police forum every two weeks, but then there are other meetings on top of that. Tony Lloyd talked about the public forums that we have held. They are themed forums on issues like fraud, the confirmation hearing I had to have to get my contract extended, so a range of issues, but I think what has changed has been because it is one person with that political mandate—although I had a very good relationship with the former chair of my Police Authority—does mean that the focus is more intrusive and, as I say, it is speedier because he is able to react without possibly having to seek the views of 19 people on the committee.

Colette Paul: I would say I have weekly one-to-one meetings with my Police and Crime Commissioner in a formal sense, where we sit down and look at performance, but I would say we probably meet up with each other three to four times a week. We speak almost every day around issues, and then we have quarterly formal performance meetings where I am held to account around performance, but I am held to account every single week as well. I would say a lot of accountability, a lot of meetings, a lot of discussion, including the telephone calls probably every day.

Q126 Yasmin Qureshi: Finally, I know we have been talking about statistics and the comment about the police service, so I just wanted to come from a slightly different angle. I can remember years ago when as a junior prosecutor I used to work for the Crown Prosecution Service and we used to have this distinguished between some crimes are either way, some are summary and quite often I would say, “Summary, but I can bring charges on either way”. People would say, “Well, maybe one of the reasons, is it to do with the funding?” because obviously if a police station says, “I have a lot of either way offences indictable” the funding would be higher and if there were loads of summary offences, the funding would be lesser, in those days. Now, there is this issue about the statistics perhaps being changed to meet targets.

Isn’t what this really reflects, all these sort of things? Firstly, statistics in some respects are fairly meaningless, because they do not explain the situation properly, but secondly, what this links is this issue of funding of police forces and of police services. Maybe what needs to be looked at, would you agree, that perhaps an overall about how police services are funded and what jobs they are doing and a proper evaluation of how crimes are marked into the categories that they are and whether there is training issues there and things? Do you think there may be a
time for a much deeper look into these old issues in a constructive way?

Sir Peter Fahy: Sometimes there are some myths about that and officers do sometimes feel they almost have to record more things because they seem to think it will then end to them getting more officers. I come back to I think any wise leader, you are constantly looking for what might be the perverse incentives in a performance regime and you are always trying to make sure you guard against that and try to work that out. But certainly at the moment, there is not that direct relationship with crime levels and funding, because it takes in a range of other factors as well, but on the other hand, there are sometimes myths, and as I say, it is one of the perverse incentives that you have to look at when you are carrying out auditing.

Colette Paul: I would say the funding is a broad issue and it looks at demographics and a whole range of other issues, but obviously as a small force, there is a high risk for us around finance. It is an area that obviously I would want the Government to look at.

Chair: Thank you. Mr Winnick has a very quick supplementary on crime figures.

Q127 Mr Winnick: Yes, indeed, it will be quick. I thought I was going to be arrested a few moments ago. Can I just ask again on the question of integrity of statistics, would you be happy to see some inquiry, a brief inquiry, into this issue, because the Chair quoted a chief constable, I have quoted others, the evidence before the Public Administration Committee. In reply to Mr Ellis, you say some of these terms you are not familiar with and you said that to me as well. Do you think this should be dealt with as quickly as possible, because public confidence you agree is absolutely essential on these figures?

Sir Hugh Orde: Public confidence is essential. We need to see what the Public Administration Committee, when it has heard all the evidence, they come up with. I think that is a starting point. HMIC looks at this routinely and I remember those inquiries well. They are pretty forensic. We have the Office of National Statistics playing this role. Whether there is a need for another piece of work I think is a matter for others, but of course if there was one, we would comply fully.

Chair: On this final question of leadership, we have talked about the frontline and what happened in Downing Street and in Sutton Coldfield. Do you think there is a vacuum in leadership? You are obviously leaders of your profession and you in particular, Sir Hugh, you have held so many hugely important roles in policing. We do not look at this issue of leadership, but leadership is absolutely crucial, is it not, for the future of the police service?

Sir Hugh Orde: Yes, it is, and by way of reassurance, Chairman, I think as a result of your precise statement, we would be fairly confident. What I do have is the privilege of sitting in my ivory tower in 10 Victoria Street. One can look and work very closely with chief constables, deputy chief constables, and I think one of the great strengths of ACPO rather than only a Chief Constables’ Council, it is the totality of the senior leaders of the service working collectively in the public interest. There are some incredibly impressive people who work flat out, both at a local and national level. Of course, this direct entry is a proposal that the College of Policing is now working on and there is some real enthusiasm certainly at the fast track to inspector level—bizarrely, it is a very similar process to the one I came in on in 1977, so we are perhaps reinventing history—and again, some more radical proposals at other levels of the service, so I think the future is bright.

Chair: Sir Hugh, Sir Peter, Chief Constable Paul—no doubt soon to become a dame after this—thank you very much for coming today and please keep in touch with us during our inquiry. I am most grateful.
Tuesday 7 January 2014

Members present:
Keith Vaz (Chair)
Mr James Clappison
Michael Ellis
Paul Flynn
Lorraine Fullbrook
Dr Julian Huppert
Yasmin Qureshi
Mark Reckless
Mr David Winnick

Examination of Witnesses


Q128 Chair: Commissioners Bourne and Stansfeld, thank you for coming to give evidence to the Committee today. This is the Committee’s resumed inquiry into police and crime commissioners, which we began on the first anniversary of their election. Will Committee Members please declare any interests over and above what is in the Register of Members’ Financial Interests? Good. Commissioner Bourne, it is a year and a bit since you were elected. Are you enjoying the job?
Katy Bourne: Thank you, Chairman. Before I start, I wish happy new year to everybody and thank you for inviting me. Yes, I am enjoying the job. It is not without its challenges, but I think it is one of the most satisfying jobs that I have ever done.

Q129 Chair: Is it what you expected?
Katy Bourne: Yes.
Anthony Stansfeld: I think it is what I expected. I was on the police authority when we were setting it up and making provision for it, so there were no major surprises.

Q130 Chair: Thank you. We will come on later to examine some of those issues. I assume you agree with Commissioner Bourne?
Anthony Stansfeld: Yes. I almost have bigger problems. I have 18 councils. I would be at a meeting every moment of the day if we did it the way that is suggested. It might possibly work for some of the very small police forces, but Thames Valley is three of four times bigger than many police forces.

Chair: May I give apologies on behalf of Nicola Blackwood, a Member of our Committee, who represents part of Oxford? Unfortunately, her constituency is being flooded at this moment. She wanted me to put that on the record. That must apply to some of your area as well.

Anthony Stansfeld: It is entirely in my area.

Q131 Chair: Were you surprised, Mr Stansfeld, at some of the issues that have been raised? We do a lot of work in Thames Valley and Sussex as part of the Regional Organised Crime Unit in the south-east. How could a local committee make decisions with a view to that? I just don’t see that working. So I do think that is flawed.

Q132 Chair: Were you surprised, Mr Stansfeld, at the amount of press coverage on the work of police and crime commissioners, and the way in which the press have homed in on the issue of the cost of commissioners and their expenses? In particular in your case, is there anything you wish to tell the Committee about the controversy surrounding the setting-up of your office in Hungerford? Some alleged that it was not a proper office but a secondary office and crime commissioners and their expenses? In particular in your case, is there anything you wish to tell the Committee about the controversy surrounding the setting-up of your office in Hungerford? Some alleged that it was not a proper office but a secondary office that should not have been set up. For the record, would you like to tell the Committee about that?

Anthony Stansfeld: Yes. The Mail on Sunday and The Times have actually retracted their articles. I eventually had to go to the Press Complaints Commission over The Mail on Sunday and The Times. It started off by saying that my expenses had gone up by 6,000%, without pointing out that the base was £7. It had gone to just over £400 the next month and I had driven about 1,000 miles. So I think it was a totally scurrilous article from the word go. The motive, I think, was that when police commissioners first came in, the editor had made an effort to find out anything he possibly could and then distort it. It was a thoroughly bad article. The Times, I have to say, took back its article very quickly when it was pointed out.
Q133 Chair: Commissioner Bourne, were you surprised? I do not have any examples of press interest in you to put to you so you can clear the record, but have you been surprised by the interest in what Commissioners do, how much they spend and how many members of staff they have?

Katy Bourne: I have not been surprised by the interest, because you can see that the press have enormous interest in all public bodies now. MPs have also been under this scrutiny, and I think it is right that they are under such scrutiny. I think that there is still a lot about our role that is unknown. A lot of emphasis is placed on the cost of the office of police and crime commissioner, comparing that with the cost of the police authority, and I think there is a lack of understanding that the role of police and crime commissioner is much bigger than the role of the police authorities ever was. It is very difficult to compare apples with pears—you cannot do it. We are 14 months in now, and what I would like to see going forwards is that very much put to one side and for us to start talking about what the police and crime commissioners are achieving and where they see the role in the future.

Q134 Chair: Let us move on to the substance of some of these issues. The first issue is reporting crime. We have had evidence from a number of chief constables on this subject. It started with a whistleblower from the Met who said that the reason why crime is going down is not that fewer crimes are being committed, but because there has possibly been a misreporting of crime. I wondered whether either of you was aware of that and whether you had asked your chief constable to look at why there has been such a large reduction in the amount of crime in your area.

Anthony Stansfeld: I think there genuinely has been a very considerable drop in certain sorts of crime, I will make that point. I am happy that our statistics are well done. We were inspected by HMIC two years ago, and we passed out, I think, top of all the police forces in the country. It was interesting that our performance at the time did not look very good on paper. I think actually we were probably much better than we thought we were, but we were being very honest with our figures.

Q135 Chair: But, for example, overall in Thames Valley you are down 20% in burglary. Does that worry you? Obviously, you must be pleased with the reduction, but given the stories about misreporting of crime and incentives not to report, are you doing anything about looking at these figures?

Anthony Stansfeld: Yes we are, but I am absolutely convinced that they are genuine.

Q136 Chair: What are you doing specifically?

Anthony Stansfeld: We have 15 people purely checking our records and how we do it, and HMIC has looked at them and is entirely satisfied.

Q137 Chair: Is that in your team, or the chief constable’s?

Anthony Stansfeld: That is in the chief constable’s team.

Q138 Chair: Right. But you will get the results. Anthony Stansfeld: I have all the results and I have somebody in my own staff who also goes through them and checks them.

Q139 Chair: So you can tell this Committee that you are satisfied that the reduction in crime in your area is not to do with misreporting.

Anthony Stansfeld: In those areas that we are doing the figures, I am absolutely happy that the figures are accurate. I think what is a problem is when you hit one particular sort of crime—we have taken household burglary right down, by 40% in Reading in a year. I have no illusions that the people who did that now realise that it is probably not worth doing that because they are so likely to get caught. A lot of them have moved to things like shoplifting far more. That does concern me.

Q140 Chair: Commissioner Bourne, your reduction is also pretty impressive. I think crime has gone down by 9% in Sussex in the year to 30 November and it has reduced for eight consecutive years.

Katy Bourne: That is correct.

Q141 Chair: Are you concerned about any of the allegations made by some police officers that there has been an incentive to misreport and write things down that are not correct in order to meet targets, or are you satisfied that these are robust figures?

Katy Bourne: As PCC, I wanted to understand two things. If a crime is not being recorded, is that down to poor training or poor process management, or is that down to an unprofessional performance culture? I have met with the force performance guy who runs this and tried to understand, because crime recording is quite a complex area and trying to get your head round it is quite difficult. He has done it for numerous years and he says he sometimes struggles with trying to explain it. I know that in Sussex the intention is that a crime is recorded as the victim sees it. It is then up to the officer, as they go through their investigations, to make the decision as to whether that crime is as it was seen originally. For me, the three questions that I always want answered are: are people safe; do they feel safe; and when they need help, are they going to get the absolute best possible help they can? I do feel confident that crime recording in Sussex is as it should be, but I am not complacent. My colleague, Mr Stansfeld, referred to the last HMIC report. Sussex did very well in that, but HMIC are currently doing a report anyway around crime reporting and I look forward to seeing that, because it will help me going forwards.

Q142 Dr Huppert: There has been a range of discussions about how police forces are structured. Obviously, you have both amalgamated over various years. Do you think the current level is appropriate?

Anthony Stansfeld: Thames Valley is the fourth biggest police force in the country. We cover by far
the biggest area—far bigger than the forces bigger than us. We have the three major counties of Oxfordshire, Buckinghamshire and Berkshire. I cannot remember the exact date, but it was about 30 years ago when it was combined, and other ones were not combined. I think we are probably a very efficient size. It is quite difficult for me as a PCC covering such a vast area, but we are three or four times bigger than some other police forces, although our infrastructure is not three or four times as big as theirs, so we have a fairly good model at the moment. Of course, a lot of the things we are doing now, like serious organised crime and counter-terrorism, we have combined right across the south-east of England. Most of it is headquartered in Thames Valley and we have jointly appointed an assistant chief constable to run them on a regional basis.

Q143 Dr Huppert: Commissioner Bourne? Katy Bourne: Yes, certainly for me collaborating with other forces is critical, but only if it is going to drive out efficiencies and further savings. Otherwise, what is the point of doing it? Certainly, Sussex force are now collaborating far more with Surrey and we—the two police and crime commissioners and two chief constables—have had some very good, progressive discussions on this over the last year and we are sharing a lot more. We are just about to appoint a joint chief information officer to run the collaboration programme between the two. If it is going to make a force more efficient then, yes, I think further collaborations are definitely something worth looking at, but also with other organisations as well. I know some of our colleagues up and down the country are doing other things with local authorities and so on.

Q144 Dr Huppert: So both of you would essentially argue that the current sizes are right, but you should collaborate where possible? Katy Bourne: It’s horses for courses. Your first question has always got to be: what is right for the people you represent? You want the best possible police service for local residents because they are the ones who are paying for it. In Sussex and Surrey they joined on major crime. Over Christmas, there was a very unfortunate case which is ongoing. It is interesting that the actual murder took place in Sussex, but it is being led by the senior officer in Surrey, because the team is as one. That is a really good example of how it is very effective and shares best practice across two forces.

Q145 Dr Huppert: How do you manage to cover the very large areas that you are both responsible for? How do you make sure that there aren’t areas that get left out? Anthony Stansfeld: On a personal basis as the PCC? Dr Huppert: Yes, absolutely. Anthony Stansfeld: I live down in the bottom left-hand corner, near Hungerford, and I have an area that runs to Milton Keynes and Newport Pagnell at the far end, and Heathrow. I have kept my staff very small—in fact, my staff costs several hundred thousand pounds less than the police authority staff did—but I did appoint a part-time deputy who lives in Buckinghamshire, was a county councillor, had been on the police authority and knew the area very well. So between us we cover the area. It is fairly difficult because you cannot use public transport, which does not go across the area, and it would mean me coming up to London and going down again for half my area, so I spend rather too much of my time in a car.

Q146 Michael Ellis: May I ask you both about public awareness? Perhaps I could take a step back to the crime figures. Clearly, there is a political agenda to rubbish the crime figures when they are not appreciated, but the reality is that your officers and officers around the country have succeeded in getting crime figures down significantly almost across the board. For that, perhaps you will take back to your respective constabularies our thanks and appreciation for the good work that those police officers are doing. Crime is down, and down significantly.

As far as public recognition is concerned, the BBC did a poll a few months ago in which it found that only—I emphasise the word “only”—62% of people knew they had a police and crime commissioner for their area. I think there was a political agenda behind that as well because I seem to remember another poll indicated that after 30 years of police authorities there was only 7% knowledge of their existence. I think you have done rather well as a body to get 62% recognition of police and crime commissioners in about a year. However, what more can you do to increase public awareness so that even more people are aware that you are there as an option and that they can write to you if they have any issues with the police that concern them? Anthony Stansfeld: It is a difficult one. Obviously, I go round to every area, I have a huge number of meetings, I go to all the councils, and I have public meetings in every area. However, for the press, good news is not very newsworthy and that is clear. The quickest way for a police commissioner to get himself into the news and well known is to do something disastrous, which is unfortunate.

Michael Ellis: I don’t think we recommend that. Anthony Stansfeld: It is a problem. Obviously, I am on local television and local radio quite a lot and it will take time, but the fact is that it has built up a great deal; it is moving in the right direction.

Q147 Michael Ellis: I will come to you in a moment, Miss Bourne. Mr Stansfeld, do you think that police and crime panels can do more to assist police and crime commissioners to raise their public recognition? Anthony Stansfeld: Yes, I think they can. The only difficulty is that they are district or county councillors and it is as difficult for them not to be seen as political in doing that. Through the community safety partnerships and bodies like them which deal with local issues and in dealing with local charities, word gets out very well. Many people living in the Thames Valley know me now but did not know me a year ago.

Q148 Michael Ellis: Miss Bourne, do you have any comment to make about raising public awareness above the 62%?
Katy Bourne: Yes. The figures you quoted are interesting. In 12 months, the ComRes poll clearly showed that people knew they had a police and crime commissioner. I was slightly disappointed that the focus of that poll, which is really encouraging, was on the fact that people did not know our names. I don’t think either of us are so precious that we care whether they know our names. What is really important is that people know that they have one person they can go to who will represent them. They did not know that the police authority was there originally, so I think that is a great bonus.

There is always more you can do. I engage a lot with social media. In Sussex we are looking to set up a youth commission—not commissioner—with a group of 25 young people between the ages of 14 and 25 taken from all the different communities across Sussex. We are setting that up at the moment and it will help to give me evidence for my police and crime plan going forward. That in itself is raising awareness. We do a lot of work with local authorities—you have already heard from my colleague on that. It is about getting out and meeting the public. There is nothing better than face to face.

Chair: We will continue with this questioning. Thank you, Mr Ellis.

Q149 Mr Winnick: Mr Stansfeld, may I first take you up on your response to the Chair. You seemed rather critical, to say the least, about a newspaper article that appeared about your activities. Do you accept that, like Members of Parliament, you are an elected representative and subject to scrutiny and criticism by the media?

Anthony Stansfeld: Yes, I do. It is one of the things that, if you are brave enough to stand for election, you have to put up with. I did put up with it. I did not enjoy it. To start with, I did nothing about it, but when they repeated it twice more, I felt that I considered it unfair.

Anthony Stansfeld: To start with, I did nothing about it, but when they repeated it twice more, I felt that I had to do something about it.

Q151 Mr Winnick: What did you do?

Anthony Stansfeld: I went to the Press Complaints Commission—having written to the editor beforehand and not had any positive response.

Q152 Mr Winnick: And the Press Complaints Commission did what?

Anthony Stansfeld: They looked at the facts. The Mail on Sunday said I had a chauffeur being paid something, but I had a part-time person for a short time on a fraction of what they said. They said I was earning a major sum as full member of a council when I was a back bencher and earning a fraction. They said that I had a scam office. In fact, the part-time office that I use is absolutely vital.

Q153 Mr Winnick: Does that mean—to get to the point—that they upheld your complaint?

Anthony Stansfeld: Yes, they did.

Q154 Mr Winnick: But both of you presumably accept that inevitably and rightly, as with Members of Parliament or anyone else in public life, you will be subject to media scrutiny and attention.

Anthony Stansfeld: I appreciate that.

Q155 Mr Winnick: I am sure that you do. If we look at the issue of police and crime panels, how often have you appeared—if you have appeared?

Anthony Stansfeld: It is every two months.

Q156 Mr Winnick: This is a regular thing.

Anthony Stansfeld: It is a regular meeting every two months where I go and sit in front of the panel.

Q157 Mr Winnick: How long would you say that it lasts?

Anthony Stansfeld: The best part of a long morning. It starts at about 10 o’clock and ends at about 1 o’clock or half-past 1.

Q158 Mr Winnick: Is it a public session?

Anthony Stansfeld: It is in public, yes. The public are invited to come in.

Q159 Mr Winnick: So you appear before the panel every two months.

Anthony Stansfeld: Yes.

Katy Bourne: I believe that ours are quarterly. They have been other such cases. There will be questions about Chief Constables, so I will not pursue that, but how far do you refute—if you do refute, which I am sure you will—that the panels are pretty toothless? You go up before them and you explain and justify what you do, as is right and proper, but at the end of the day, how much control do they have over your activity?

Anthony Stansfeld: I don’t think they are toothless. For a start, if I wished to put up the police precept in the council tax, they have the ability to stop me doing that, which is actually quite an important power. I would not want to turn up at a meeting with my plan all ready just for them to turn it down. My police and crime plan has to go through them to start with before it is ratified. I went through a lengthy period of consultation with them. There is no benefit for me whatsoever in not having them agree with me. They represent their councils. They represent the 18 councils in my area, and if I am doing something that they do not think is right, it would be very stupid of me not to take full cognisance of that.

Q160 Mr Winnick: I wonder whether I can put this point to you, arising from what happened in Wales, where a Chief Constable was dismissed—there have been other such cases. There will be questions about Chief Constables, so I will not pursue that, but how far do you refute—if you do refute, which I am sure you will—that the panels are pretty toothless? You go up before them and you explain and justify what you do, as is right and proper, but at the end of the day, how much control do they have over your activity?

Anthony Stansfeld: I don’t think they are toothless. For a start, if I wished to put up the police precept in the council tax, they have the ability to stop me doing that, which is actually quite an important power. I would not want to turn up at a meeting with my plan all ready just for them to turn it down. My police and crime plan has to go through them to start with before it is ratified. I went through a lengthy period of consultation with them. There is no benefit for me whatsoever in not having them agree with me. They represent their councils. They represent the 18 councils in my area, and if I am doing something that they do not think is right, it would be very stupid of me not to take full cognisance of that.

Q161 Mr Winnick: You would obviously rather that they were on your side, which goes without saying if it is a choice between the panel being on your side or against. At the end of the day, however, you would decide and not the panel.
Anthony Stansfeld: Yes, but I don’t see any major decision that I am likely totally and utterly to disagree with. I think it is an unlikely event.

Q162 Mr Winnick: And you, Ms Bourne?
Katy Bourne: Yes, I’ve found my panel to be very helpful during my tenure so far. They have not always agreed with everything that I have put forward to them, but we have a very good working relationship. Their job is to scrutinise, and effective scrutiny will always make an organisation much stronger. I find that their scrutiny is very effective. Although I meet them formally in the police and crime panel meetings, we do meet informally outside of that as well. I have a regular meeting with the chair and vice-chair of the panel. They have also set up three working groups. One helps me to write and inform the police and crime plan. Another helps with a lot of the victims commissioning work. The third helps with finances. That is where some of the real questions and challenge take place, which I find incredibly helpful.

Q163 Mr Clappison: Mr Stansfeld, do you have any other panels besides those that have to be set up containing local authority members?
Anthony Stansfeld: Yes, I have all the community safety partnerships, of which I have a very large number. I also have an independent audit panel. Those are the main panels I deal with.

Q164 Mr Clappison: Who chooses the members of those panels?
Anthony Stansfeld: The community safety partnerships are chosen by the councils. They are a council issue. They also usually include as a member the local superintendent for that area as well as representatives of probation and youth offending teams and so forth. I certainly do not appoint them.

Q165 Mr Clappison: What are the arrangements for these other panels? How do they constitute?
Anthony Stansfeld: They are a council responsibility. We have a major input. I also provide a considerable amount of their funding. It was Home Office funding to them; it was then diverted to the police and crime commission.

Q166 Mr Clappison: Are members of the panel paid or not?
Anthony Stansfeld: Most of them are in full-time jobs. A large number of them are council officers. On most of the panels there are probably two or three elected councillors.

Q167 Chair: Sorry. Could you clarify that, Commissioner? How many members of the panel do you have in Thames Valley? How many people are on your panel?
Anthony Stansfeld: On my police and crime panel? I think it is 21.

Q168 Chair: Twenty-one. Are you telling the Committee that the majority are council officers?
Anthony Stansfeld: No, no. He was asking about the community safety partnerships.

Q169 Chair: Were you?
Mr Clappison: Panels.
Anthony Stansfeld: He was asking about panels and we were talking about the community safety partnerships.

Q170 Chair: As far as the main panel is concerned?
Anthony Stansfeld: The majority of the main panel are district councillors.

Q171 Chair: And you have how many? 21.
Anthony Stansfeld: I think it is 20 or 21. It is 20 actually.

Q172 Chair: And Sussex?
Katy Bourne: Yes, the police and crime panel. There are 17 members who have an allowance. One of the county councils is the lead authority. They get a certain amount from Government every year. My understanding is that the members get a small allowance, but it is minimal. For the year it is less than £1,000.

Q174 Mr Clappison: Is that the case for Thames Valley?
Anthony Stansfeld: They are unpaid in my area, other than allowances for petrol to get there. I believe in some areas—in other ones, especially in the north of England—they are paid quite considerable sums to be members of the board.

Q175 Mr Clappison: It is very public spirited of them, isn’t it?
Anthony Stansfeld: I think it is very public spirited of them.

Q176 Lorraine Fullbrook: Just a quick supplementary, Chairman, please, to Commissioner Stansfeld. Have you found it difficult to make the transition from councillor to police and crime commissioner?
Anthony Stansfeld: I think if I had come into it completely cold I would have found it more difficult, but I had been the council’s representative on the police authority and I chaired the performance committee on it in the year running up to taking on

1 Note by witness: The Sussex Police and Crime Panel has twenty members made up as follows: 15 members, one from each of the relevant authorities
1 additional local authority member from Brighton & Hove City Council (subject to annual review as agreed by the Home Office)
2 additional local authority members from the relevant County Councils (subject to annual review as agreed by the Home Office)
2 Independent Co-opted members
2 Note by witness: No members of the Police & Crime Panel receive an allowance from the Home Office grant used to maintain and fund the panels functions. Members are able to claim reasonable travel expenses from the host authority and a limited grant per member is set and provided by the Home Office for this purpose.
the job. So, probably not, no. It is a very different environment, but I had quite a good run in beforehand on it.

Q177 Yasmin Qureshi: Coming on to the police and crime panels, Commissioner Bourne, I think you said there were 17 people on your police and crime panel. Are most of them elected councillors? What sort of background do they have? Do you know?  
Katy Bourne: They are all elected councillors, bar two. Two of them are independent members.

Q178 Yasmin Qureshi: Are they from different political parties?  
Katy Bourne: No, they are not from political parties at all. They are completely independent of any political party. One is a representative of the victims’ support group. I believe they sit on the panels as themselves, not as representatives of any groups.

Q179 Yasmin Qureshi: I know you mentioned that you found them very helpful and that it is good to have a constructive dialogue with them, but recently you appointed your deputy despite the panel’s decision not to endorse him. Does that not suggest that, in effect, they are toothless?  
Katy Bourne: Not at all. To give you a bit of background, you have to understand the situation that I was in. When I took office I inherited from the police authority eight full-time equivalent people plus an interim chief exec who was acting up and an interim finance officer. So I had no senior team members. Three months in, I decided that I needed some support, so I appointed a deputy, as the Act allows. You are allowed to appoint a deputy; you don’t have to go out to interview on that. As any leader of any council would appoint their deputy, so you can appoint yours.

I appointed a deputy who happened to be the previous chairman of the police authority. He had eight years’ experience, was well regarded and was particularly good on the financial side as well. He was an incredible asset to me at that time. Since then, I have appointed a chief executive and a chief finance officer, as per the Act, because those are the two senior roles I must have by law.

The panel at the time did not want me to appoint a deputy. I don’t think they fully understood the situation that I was in. I have to admit that at the time we probably did not have the open relationship that we have now. So it has been a lesson for both of us. It was a case of keeping the dialogue open, so that they could understand.

The reason they gave for not appointing was that they were concerned that he was already a councillor. They said that he would not be able to be a full-time deputy for me and be a councillor. Unfortunately, that went against the Employment Rights Act, which clearly shows that, as a responsible employer, you can have an employee doing voluntary work. Being a councillor counts as voluntary work. Therefore, I did not take their advice. I said no and appointed him. He subsequently stepped down from one of his council roles, anyway, which he had told the panel he was going to do. That is where we are. After six months, he decided he couldn’t carry on for personal reasons, so I no longer have a deputy.

Q180 Yasmin Qureshi: The question is not so much why you did what you did or that he has left. It is a question of the fact that the police and crime panel did not endorse him but you went ahead and did so. Therefore, it brings in the question about how effective and powerful they are in reality, or are they basically there to make suggestions? If you like the suggestion, that’s fine, but if you don’t like what they suggest you will go ahead and do what you want to do. You could say, that is fine and that is what you want to do. But it raises the question of how effective they are in holding the commissioner or anybody else to account.  
Katy Bourne: The greatest benefit that the panels can bring a police and crime commissioner is as a critical friend. Their role is to scrutinise, not to hold to account. That is clearly shown in the Act.

Q181 Chair: What is the difference between scrutinising and holding to account in your view?  
Katy Bourne: I think as a scrutiny body they act as a critical friend and put forward their reasoning. The learning that came out of this, to answer the question, was that I had not had a good dialogue with the panel. It was my own fault and I had not spoken to them properly. Since then, we have learned from this to set up these working groups that have been incredibly effective. That allows the panel to scrutinise properly my decisions and challenge me as well, without it blowing up into such a big furore. That is the learning that has come from it. I don’t think that shows them to be toothless at all. I think that shows them absolutely in the spirit in which the Act was written.

Q182 Chair: So when Brad Watson said to you that they were concerned that Mr Waight would not be able to devote enough time to his demanding job, given his commitment to other local authorities, at the time you felt that if you had had a better dialogue with them, you might have accepted what he said? At the end of the day they were right, were they not, because he did step down after only six months?  
Katy Bourne: No, they were not right at all. He stepped down for personal reasons and I respect him for that. That is fine and had nothing to do with his work load. At the time, if I had had a better dialogue with the panel, I would have been able to explain to them the reasons why I needed a deputy at that time.

Q183 Chair: So it was a communication issue?  
Katy Bourne: It was a communication issue, definitely.

Q184 Chair: You have been very open. It is not often you get public officials coming along and saying they made a mistake and should have had a better—  
Katy Bourne: It was never a mistake. I don’t admit that it was a mistake. I absolutely stand by my decision to appoint him. It was the right thing to do; it was the right thing for my office at that time.
Quite intense. We had a PAM—a performance and just down the road from where I live, and it is now protests in a little village called Balcombe, which is have had so far in my tenure was the anti-fracking locally, probably the most challenging thing that we way of holding to account.

Anthony Stansfeld: I have a fortnightly informal meeting—but minutes are taken—with myself, the Chief Constable and the chief executive, where we go through all the major issues that are coming up. We look at performance, finance—

Lorraine Fullbrook: When you say chief executive—

Anthony Stansfeld: My chief executive, who takes the minutes. We have an agenda which we go through it and we have any other business and everything that comes up. For more formal meetings, where I hold the Chief Constable to account, we have what we call a level 2 meeting where the major decisions are made and discussed. They are then put on to the web and you can see them. Then we have a public meeting.

Anthony Stansfeld: No.

Anthony Stansfeld: That is not held in public, but there is then a level 1 meeting which is held in public and, at that meeting, I hold the Chief Constable to account: we go through all the various features. It is not an antagonistic way of holding the Chief Constable to account, but, if things are going wrong, this is my opportunity to say that publicly.
Q194 Chair: At the moment there hasn’t been. Katy Bourne: I think we are still waiting for the results of the public affairs committee—

Q195 Chair: The Standards and Privileges Committee. Katy Bourne: Yes.

Q196 Chair: So you have had no involvement in this at all? No one has come to you about it in your role as commissioner? Katy Bourne: My role as commissioner is to investigate any formal complaints against the chief constable. Therefore without making myself prejudiced at this point—

Q197 Chair: Of course, but as far as the issue of police information notices and the way in which your authority—your area—seems to be giving them out, you have no concerns over the number of PINs that have been issued by Sussex police? Katy Bourne: I think this is probably verging more on the operational side.

Q198 Chair: But as a matter of policy? Katy Bourne: I would be wary of commenting in the light of Mr Loughton’s outstanding case at this moment in time, but it is something that I am alive to.

Q199 Chair: Right. Mr Stansfeld, one of your Members of Parliament is the Prime Minister. Would you have him writing to you as his commissioner, complaining about the lack of police in Witney? Anthony Stansfeld: He never has. Neither has the Home Secretary written to me. She is also one of my MPs.

Q200 Chair: Do you feel a special responsibility to make sure that the relationship with Sara Thornton isn’t too cosy because you have very high profile Members of Parliament in your area? Anthony Stansfeld: I don’t think that things are really interconnected at all. I have one of the most senior chief constables and the most experienced. We don’t always agree. There are things that we will not necessarily agree with in private, but I think I have a very good working relationship with a very competent police officer.

Q201 Lorraine Fullbrook: Chairman, if I may, I should like to ask both commissioners a supplementary question. Lord Stevens argues in his report that the power of commissioners to dismiss their chief constables has had a damaging and chilling effect on police leadership. Do you agree with those conclusions? Anthony Stansfeld: I don’t. I think it is a huge exaggeration. Katy Bourne: I would endorse my colleague’s sentiments. There has been a lot of churn at the top because a lot of chief constables have left for whatever reasons, but that is not an unhealthy thing in any organisation. It gives others opportunities to come forward. I think it is healthy.

Q202 Mark Reckless: Ms Bourne, you said there would be difficulties in the strategic policing requirements if the Stevens recommendations were acted on. How would that work? Would it just be getting people together from the various councils every now and again? Is there not also an issue of who would apply proper and full scrutiny to the chief constable? Katy Bourne: Well, yes, you are asking for dilution across, looking at Sussex, 12 different district and borough councils, each with their own agendas and so on. I didn’t have a police authority background, but from what I have learned it was hard enough to get them to make a decision—one committee of 17. I cannot imagine how difficult it would be to get 12 committees of potentially 17 apiece to make decisions. I cannot see how that would benefit residents in Sussex.

Q203 Mark Reckless: It might not benefit residents, but it might well benefit the chief constables who would not have to— Katy Bourne: It would be very easy to hide. The one thing that has been shown up and down the country with police and crime commissioners is that chief constables are held up to scrutiny far more than they have been in the past. That is a positive thing.

Q204 Mark Reckless: So may it be perhaps that Lord Stevens and some of the other ex-chief constables he was working with aren’t so keen on that level of scrutiny. Katy Bourne: Well, I mean, yes. Why would a turkey vote for Christmas? Anthony Stansfeld: I would agree with that.

Q205 Mark Reckless: Ms Bourne, you were saying about Mr Richards that he deserves respect because he is a chief constable. Haven’t we rather moved on from that and respect is earned rather than ex officio? Katy Bourne: Yes, respect is earned, but you have somebody who has been in policing for 30 years. Anybody who has worked their way through an organisation for 30 years deserves respect for getting where they have got to. That was really just to give an understanding of where I come from with the relationship. I am not there to be Mr Richards’s pal. I am there to hold him to account, but I am also there to be supportive. I want him to be the best possible chief constable that he can be, because that benefits people in Sussex.

Q206 Mark Reckless: But when you put the emphasis on deserving respect because he is a chief constable, or because he has had 30 years of experience, might some people not see that as rather a pro forma statement of confidence, rather than anything stronger? Katy Bourne: I hope not. Call me old-fashioned, but that is just how I was brought up. Coming from my business background, when people get to a certain position, they don’t usually get there just because they won it on a lottery ticket.
Q207 Mark Reckless: And presumably in his case, if you have not appointed him at least you have continued to have him in post. You mentioned Balcombe. Were you satisfied that Sussex police did everything they should have done to allow Cuadrilla to go about their lawful activity?

Katy Bourne: I am, yes.

Q208 Mark Reckless: Could I ask you about collaboration? What concrete results have you had in terms of benefits from your collaboration with Surrey police?

Katy Bourne: It is still very early days. Surrey and Sussex have been collaborating for quite some years now, and in that period haven’t really achieved as much as we have started to see achieved in the last 12 months.

Mark Reckless: So it is not early days. It has been going on a long time, but nothing much has happened.

Katy Bourne: Yes.

Q209 Mark Reckless: Why is that?

Katy Bourne: I just think there was perhaps a lack of will on both sides and there was no drive there before, to really make it work.

Q210 Mark Reckless: And does your relationship with the Surrey PCC deliver that drive which was lacking before?

Katy Bourne: It helps enormously, but it is not just the PCCs. It is working with the chief constables as well. It is important that both organisations are aligned from both sides.

Q211 Mark Reckless: It is working with the chief constables as well. That is quite a difference.

Katy Bourne: That is quite a difference.

Q212 Mark Reckless: And Alun Michael served on our Committee until recently. Anthony Stansfeld: And he is in south Wales.

Q213 Mark Reckless: Surrey has a boundary with Berkshire in your force. Is there any collaboration at all between the two forces?

Anthony Stansfeld: We have just signed a very big contract with BT right across the south region, although one is not a member.

Katy Bourne: Yes, it is Hampshire, Surrey, Sussex and Thames Valley.

Anthony Stansfeld: Kent has not become a member, but it is a huge collaborative one and we are going to save I think £300,000 a year out of that contract alone. Of course, with Surrey we have combined, as I said, all our regional organised crime and all that side of it. We have a meeting early next week where the PCCs and chief constables will go down to Guildford and go through all the collaborative projects that we do together.

Q214 Mark Reckless: Finally from me, do you think police and crime commissioners will continue? Will there be a further set of elections, with some of you re-elected, or do you think Lord Stevens will hit his target?

Anthony Stansfeld: It is up to you who wins an election. I will say that there are 13 Labour PCCs, of whom four, if not five, are ex-Labour Cabinet Ministers. Our chairman, Tony Lloyd, who runs Manchester, is a senior ex-Labour Minister.

Q215 Mark Reckless: And you think police and crime commissioners will continue? Will the position continue? Do you accept that whichever party wins the next election will presumably review the situation, and therefore to that extent the position is on probation?

Q216 Mark Reckless: Ms Bourne, do you think PCCs will continue?

Katy Bourne: I hope so. It will be a sad day for the public if they do not. I really think it is a fantastic opportunity. More members of the public in Sussex I speak to understand the role, and what it means for them that they have somebody through whom they can hold the police to account. It is a real benefit for them, and I hope that it continues.

Q217 Mr Winnick: One understands your wish for police and crime commissioners to continue. It would be unusual otherwise. Do you accept—that is a yes or no question—that the whole position of police and crime commissioners is on probation?

Katy Bourne: No, I do not think we are on probation, because we are elected and in the role now. We are very much here, and I hope that we are here to stay. I certainly intend to keep my sleeves rolled up and keep working hard to prove to people that this is a fantastic opportunity.

Q218 Mr Winnick: Whether you are elected or not, will the position continue? Do you accept that whichever party wins the next election will presumably review the situation, and therefore to that extent the position is on probation?
Katy Bourne: The position is constantly under review from all quarters. Ultimately, it has to be the people’s decision.

Q219 Mr Winnick: The same?
Anthony Stansfeld: Yes. It is inevitably under review the whole time, and the better the job we make of it, the better. However, it would be extraordinarily difficult to go back to the huge, largely anonymous committees that were running the police. When we put together Serious Organised Crime across the south-east of England, imagine getting five committees of 17 to 19 members agreeing to do that. We sat down with the five commissioners, the five chief constables and their staff and we put it together over the course of three or four months. The savings and efficiency improvements were absolutely massive. I don’t believe that the police authorities could have done that.

Chair: It would be helpful if you could write to us with that information, because we are interested in the issue of collaboration.

Q220 Mr Clappison: In making the case for your posts, may I ask each of you what you regard to be your most significant achievement?
Anthony Stansfeld: I set three priorities, but it is always difficult in an area as diverse as Thames. One was to reduce household burglary, which I have done very effectively, I hope—when I say I have done it, I mean the police have done it. I set another one on vulnerable people. You are aware of what went on in Oxford and the serious problems we had with that. Some 25 extra police officers were moved into child sexual abuse and exploitation. We are putting together multi-agency hubs to sort that out through the three areas, which is frightfully important. It is no good the police and everybody else doing it in isolation; that doesn’t work. You have got to operate together in one office.

I made one that was slightly contentious, which was rural crime, but two thirds of my population live in rural areas or small towns, and we had a massive problem with serious organised crime and the stealing of heavy machinery and plant, allied with intimidation across a wide area. We have reduced that quite a lot, but I have got a long way to go on that. I think that my three priorities have not been entirely achieved, but we have made huge progress on all three.

Katy Bourne: Nationally, for me it has been the position constantly under review from all quarters. Ultimately, it has to be the people’s decision. and borough councils together with the county, and they have actually identified somewhere for a transit site now, which will alleviate a lot of the pressure that residents across Sussex have been crying out on, for years and years. So I think from an achievement point of view that sums it up.

Q221 Paul Flynn: How many people listen to your webcast?
Katy Bourne: Gosh, I think pre-Christmas we were hitting around 800 live online. I think the Balcombe one was probably our most successful.

Q222 Paul Flynn: How many have you had?
Katy Bourne: I don’t have the figures to hand, but we can get those to you. We were told by the company— I will not name them, because I am not sure if this is a public broadcast-type; I do not want to advertise them in that respect—that if you get more than 100 online viewers watching at the time, that is really impressive. Our first one we had over 300 watching. The Balcombe one, in particular, I think we had over 1,000 online, watching, at the time. Then of course they can download archive afterwards.

Q223 Paul Flynn: The decision on whether this experiment with police commissioners continues will be decided by the next general election, by a vote on many issues. In what ways do you think the remit of commissioners could be changed, to make it more likely that you continue?
Katy Bourne: I do not think you should change the remit of commissioners. I think it is absolutely—

Q224 Paul Flynn: You are not concerned about the unfettered—or what is claimed to be the unfettered—power of the police commissioner to sack a chief constable, particularly in the case where not only the chief constable may have 30 years of experience, which you commended, but the actual commissioner might have 30 years of experience in the police? Do you think that is something that is useful and likely to endear the commissioners to the population?
Katy Bourne: Members of the public have a huge say in the commissioner that they vote in, and they very much understand what they are getting when they vote for—

Q225 Paul Flynn: This is an example: a commissioner working on the strength of a democratic vote of 8% of the electorate immediately set about putting pressure on the chief constable to resign, who later told this Committee that he expected a large number of applicants to replace her. In fact he had no applicants to replace her. He replaced her with his deputy but no external applicant came in. Do you think that powers of that kind are likely to affect the popularity of commissioners and their acceptability?
Katy Bourne: There are two points there, if I may, that you raise. In one of them you remarked about an 8% mandate. What is a mandate—one vote or 1 million—

Q226 Paul Flynn: None of us here were elected on 8%, I can assure you.
**Ev 30 Home Affairs Committee: Evidence**

**7 January 2014 Katy Bourne and Anthony Stansfeld**

**Katy Bourne:** I think it is a bit pedantic, though, to argue about what a mandate is here. That is one thing I would refute, absolutely; 15.8% of the electorate voted for me. That actually amounted to just short of 200,000 people voting. That is more than vote for any MP, so we won’t go down the mandate route. When you ask whether there is too much power in one person’s hands, ultimately you want somebody who can make a decision. If the public don’t like the decisions that their police and crime commissioner is making then they can make their voice heard at the ballot box.

**Q227 Paul Flynn:** Do you think the powers that police commissioners have to appoint their deputies in a way that is entirely unfettered—we recognise there is some kind of approval with the panels—is a power that has brought criticism to the office? Most of them have appointed their panels.

**Katy Bourne:** No, because the leader of a council has the right to appoint their deputy without recourse to anybody. It is their decision. The Prime Minister has the right to appoint his deputy without recourse to anybody. Therefore as police and crime commissioner, I should have the right to appoint my deputy.

**Mr Winnick:** That is one way of putting it!

**Paul Flynn:** Imagine if I mentioned Mr Clegg in that way—

**Chair:** Order. Final question.

**Q228 Paul Flynn:** Are you conscious of a situation in which someone appoints a pal of his, who is a fellow freemason, for instance, or someone who served with him as a fellow policeman, without any kind of advertising or interviews with people? That is what brings the office into disrepute.

**Katy Bourne:** I cannot be held responsible for decisions that colleagues of mine make. I can be held responsible for the decisions that I make and I stand by them.

**Chair:** Thank you. That is a very clear answer.

**Anthony Stansfeld:** I needed somebody who knew something about the police and who knew a lot about Buckinghamshire. I chose a county councillor in Buckinghamshire who had been on the police authority. I did not have many people to choose from. I did not want somebody who was coming in as my deputy who was learning from scratch. I needed somebody who could advise me on the Buckinghamshire issues. I think I made the right decision. It went in front of the police and crime panel, which agreed with my decision, so it was not an unfettered decision. If they had all objected wildly to him, I do not think I would have appointed him.

**Q229 Paul Flynn:** Mrs Bourne, your panel objected, didn’t they?

**Katy Bourne:** I think I explained the reasons behind that.

**Q230 Paul Flynn:** You did, yes. They did actually object, but you still continued with your appointment.

**Katy Bourne:** They did, and I explained the reasons behind that.

**Chair:** We have heard that explanation. Thank you for coming in. We are most grateful. It has given us a useful insight into the work of police and crime commissioners. If there is anything else you want to tell us about, please do not hesitate to write, especially with the information on collaboration, which I think the Committee finds extremely interesting. Thank you.

---

**Examination of Witnesses**

**Witnesses:** Martin Richards QPM, Chief Constable, Sussex Police, and Sara Thornton CBE, QPM, Chief Constable, Thames Valley Police, gave evidence.

**Q231 Chair:** Perhaps I can begin with you, Sara, on the nature of police and crime commissioners. We have heard from your police and crime commissioners. We wanted to make sure that we heard from the chief constables immediately after the commissioners had given evidence. You may or may not have read Lord Stevens’ report, but you know who he is and obviously you have had contact with him. You yourself have had a very distinguished career in the police. Lord Stevens concludes that there are systemic failures in the way in which the whole operation of PCCs has taken place. Do you agree with that?

**Chief Constable Thornton:** Chairman, I think that to give a straight answer on that would be to venture into party politics. We have got the coalition Government who have introduced police and crime commissioners. Although it is an independent review, it was commissioned by the Labour party, so I do not want to be drawn on what I think is a party political issue. My sense of duty as the chief constable has been to make sure that I did my very best to implement what Parliament had decided in the introduction of police and crime commissioners, and that is what we have done in the Thames Valley.

**Q232 Chair:** Has it gone well?

**Chief Constable Thornton:** I was trying to think about what the differences are. I worked with police authorities for a long time. The point that Mr Stansfeld made about the clarity of priority is really important. He stood on a manifesto that was about burglary, rural crime and vulnerable victims. Those have been translated directly into his police and crime plan, and that is what we operate against. There is clarity about objectives. Also, both commissioners made the point that the public now have what you might call a go-to person when they are concerned about issues or individual cases. That does not mean the police and crime commissioner becomes the decision maker, but they can then advocate on behalf of that member of the
public to either me or my colleagues about issues or cases.

**Q233 Chair:** Sure. Can I stop you there? Are you telling us that you are getting fewer complaints because people tend to write first to the commissioner? As an MP, if somebody comes to my surgery—other Members will have different ways of dealing with this—I would write to the chief constable. I would never get a reply from the chief constable. It would go to the commander of the local police force, who would then reply to me. Constituents like to know, when they go and see their MPs, that they have written to the chief constable. It sounds good. Are you finding that people are now writing to the commissioner first, rather than you? Do you see any change, or is there no change in the way in which the public approach you?

**Chief Constable Thornton:** I still get numerous letters from Members of Parliament. I am aware that the police and crime commissioner gets them in addition, but I have seen no drop-off in the letters. For my own part, if an MP writes a letter to me, they get a reply from me.

**Q234 Chair:** When you say that they are the advocates of the public, how has that manifested itself practically? How do they advocate what the public want?

**Chief Constable Thornton:** People will write to, e-mail or contact the police and crime commissioner, or raise an issue at a meeting. When we have our informal bi-weekly meetings, which he explained to you, he will raise those issues with me. For example, he is very concerned about fraud and the way in which Action Fraud has changed arrangements nationally and whether that is a good deal for victims. He has been very concerned about issues such as female genital mutilation and has raised those issues with me. But also, he will raise individual cases. I think it is important to say that he does not in any way seek to replace my decision making. I think there is an important respect for our mutual roles. I have first accountability to the law, but what he will do is challenge me and seek explanation and rationale for why I was adopting certain approaches.

**Q235 Chair:** Mr Richards, you have been lavished with praise by your commissioner. Were you slightly embarrassed with the words that she used when you announced your retirement? She said that you were steering the force through difficult times and dealing with significant financial challenges. Today, she is obviously someone who has full respect for your work. Do you think that relationship is too cozy?

**Chief Constable Richards:** It certainly does not feel cozy on a Friday morning when, not the eyes of the world, but, as you heard, the eyes of anything up to 1,000 people are on you, and the commissioner is putting her questions, linked very much to her police and crime plan. What may not have come across to the Committee is that the questions tend to be grouped around her priorities and our operational response to them—perhaps a little bit like this afternoon. There can be questions that we might anticipate, but there are certainly very many that we do not.

What it also provides is that sharp focus. It is right to say that we had identified—but the commissioner was very much on the case—a drop-off in performance on burglary detection, which you have heard about, and response times—issues that are critical to the public. I certainly felt, not quite put through the mincer, but it was a tough time. We have responded and reacted as a result.

**Q236 Chair:** So if we are now looking for a boss of policing in Sussex, is it you, or is it Commissioner Bourne?

**Chief Constable Richards:** I like to think it depends on what you are asking about. We have already talked this afternoon about communities and representation. For me, the boss could be the police community support officer, if we are talking about a parish council or local issue that addresses the needs or difficulties that 100 people might be experiencing. If it is an issue such as Balcombe, the drilling and the policing of that drilling, which we have also heard about, then that is almost certainly a matter for the chief constable, with scrutiny and holding to account from the police and crime commissioner.

**Q237 Chair:** Has your life changed at all under the new system?

**Chief Constable Richards:** Yes. Significantly.

**Q238 Chair:** Because?

**Chief Constable Richards:** For a start, if I can put it bluntly and personally, I remember what it is like to work for one boss. Where I would demur from one or two is, I do feel that it is a hierarchical arrangement, which I do not think is a view shared by everyone. I certainly feel that I have been held to account by a single individual who, as we have heard, has the capability of hiring and firing. That sounds pretty hierarchical to me, and it sounds as if I need to be on my mettle when being asked questions, whether they be of a financial, organisational or operational nature.

**Q239 Chair:** Do you go and see her, or does she come and see you?

**Chief Constable Richards:** We alternate. We play call with myself.

**Q240 Chair:** You have mentioned your relations with local MPs. I raised the case of Tim Loughton, and you know about it because it is in the public domain and has been debated in Parliament. Have you now written
to the Standards and Privileges Committee with your submission?

**Chief Constable Richards:** Yes. We have written a full submission.

**Q241 Chair:** Do you know the timetable for the conclusion of that? Because the Committee may take an interest in what has been decided.

**Chief Constable Richards:** I do not know. We have not had a response since we made the submission a week or two before Christmas.\(^3\)

**Q242 Chair:** But do you now accept that ultimately Parliament is sovereign in these matters, and that you have to make a submission?

**Chief Constable Richards:** I have never not accepted that. We have made a lengthy and detailed submission on two occasions now to that Committee.

**Q243 Chair:** As far as police information notices are concerned, how many did you issue last year?

**Chief Constable Richards:** Having heard you ask that question in the previous session, I wondered whether it would come to me and I do not have the answer. I can write to you. It would be wrong for me to guess.

**Q244 Chair:** Let me turn to one issue of substance that we wish to raise with you: the operating figures, the recording of crime figures. Both of you can come to this Committee and proudly say that the number of crimes has gone down in your area. In Sussex, it has been going down for a considerable length of time. Chief Constable Thornton, you must be very pleased, having the Prime Minister and the Home Secretary on your patch, to be able to report a reduction in crime. Were you as concerned as the Committee about the allegations that some of these figures have in effect been fiddled: that the figures recorded are not accurate but are to satisfy the Home Office, the public or some other individual or body? Have you looked at those allegations?

**Chief Constable Thornton:** I was very concerned when those allegations were made nationally. As a police chief, I need accurate crime statistics. I cannot operate effectively, protecting the public in Thames Valley, unless I understand what crime is happening where. It is absolutely in my interest to make sure that crime figures are accurate. I also understand that it is an issue of public trust. We need the public to trust the police: to trust us to tell the truth in the witness box in court and to trust us to record crime accurately. It is really very important.

**Q245 Chair:** We have seen a reduction of 20% in the level of burglaries in the Thames Valley. We have had chief constables and commissioners before us shocked to hear about the fiddling of figures. You are very distinguished. You have served in the police force for many years, almost as long as Mr Richards. Have you ever heard in the past about fiddling the figures? Has anecdotal evidence come to you while sitting in the canteen? Do you ever wonder whether you have really reduced burglary by 20% and that there must be something wrong there?

**Chief Constable Thornton:** I am aware that there has always been a debate in the police service, as long as there have been statistics, about the need for them to be accurate and reliable. That is why in my own force we have 15 members of staff whose full-time job it is to scrutinise the data. That is their job. They are not based on local police areas. They belong to headquarters. They have no interest; they have no skin in the game. It is their responsibility to make sure—

**Q246 Chair:** So they check these figures, and you are confident that the figures for Thames Valley have not been manipulated.

**Chief Constable Thornton:** We check them. Because of the numbers of crime we cannot check absolutely every one but we check where we know from history that there have been problems and where there might be difficulties. As the commissioner explained to you, the last time the inspectorate inspected on this issue, which was unfortunately two years ago, Thames Valley was given a very good report. It was very important to us then; it is very important to us now.

**Q247 Chair:** Mr Richards, what about you? Are you concerned? You have also seen a reduction in crime by 9% for the past eight consecutive years. Have you been chief constable for eight years or longer?

**Chief Constable Richards:** Nine years altogether; six at Sussex.

**Q248 Chair:** Well, you can claim a large part of the credit for that. Are you worried that some of the figures may be fiddled?

**Chief Constable Richards:** I share the thoughts of my colleague from Thames Valley in terms of reputational issues. We depend upon our reputation for integrity in order to generate evidence, intelligence and support in order to prosecute crimes ultimately. Anything that causes that to be shaken needs a severe examination. We have a very similar arrangement to that in Thames Valley, now with a centralised unit. We also put direct responsibility on the first-line supervisor. As you heard earlier this afternoon, the prima facie case of a reported crime is received. If that is going to be varied, it is down to the officer in the case, checked by a supervisor, but on balance of probability there has to be a reason to vary it and change the initial recording.

I would like to make the point, Chairman, that we offer no reward or recognition to either individuals or team leaders, purely on the basis of crime statistics. We pride ourselves on a values-based system to our recruitment, selection and promotion. It has been worked on for many years and certainly pre-dates me. It is living and breathing the values of the force, which have strong echoes of the integrity code that we are seeing introduced nationally. That is what we look to reward and recognise. When it comes, for instance, to divisional awards occasions, often attended by Members of Parliament, the categories that we look to reward in are integrity, personal responsibility, courage, compassion—what you might call the usual suspects in a public body.

---

\(^3\) Note by witness: Full chronology sent via a separate document.
Chair: Very helpful.

Q249 Dr Huppert: Can I go back to this question about how the advent of police and crime commissioners has changed your working practice? I think, Chief Constable Thornton, you were saying how it was a priority to deal with—I think you gave a list of specific things—rural crime, and various others. Are you saying that you were not looking at those beforehand? Why has that changed what you were doing before?

Chief Constable Thornton: What I am saying is that the priorities of the force are now very much informed by the democratic process. Anthony Stansfeld stood on a manifesto which said, “These will be my focus.” What that meant in terms of the force is that we have probably put more emphasis on those priorities because they have that power, that mandate, which plans in the past maybe did not have. It is not to say that we were not dealing with rural crime or burglary; of course we were, but there is an absolute focus on that. In terms of operations and resources, they would get more of a priority than they would otherwise.

Q250 Dr Huppert: And does that mean that you have deprioritised some other things?

Chief Constable Thornton: It means that other things are not top priorities, yes.

Q251 Dr Huppert: It also implies that the police authorities were not setting priorities particularly. Would you agree with that?

Chief Constable Thornton: No, I do not think that it does. My point is that the priorities we have now have been informed by the democratic process. In the past, we would discuss with the police authority what our strategic assessments were telling us about the crime threats and issues in the force and we would agree with them. They never really went to the public in any way. They might have done a few surveys, but there certainly was never any election about what were priorities in this area.

Q252 Dr Huppert: Overall, do you think the people in your area are getting better policing now than they were a year and a half ago?

Chief Constable Thornton: I do not think that is the point I am making. The point I am making is that the priorities have been informed by an election, by an electoral process.

Dr Huppert: But I am asking you the question.

Chief Constable Thornton: Let’s talk about rural crime. Every year since I have been chief constable, I have met with the National Farmers’ Union and the Country Landowners’ Association. If I am honest with you, in the early days, those were not comfortable meetings. My meeting this year was a lot more positive because they were very reassured by the emphasis that had been put on rural crime.

Dr Huppert: Overall, do you have an assessment about whether the policing received now is better or worse than it was a year and a half ago?

Chief Constable Thornton: There is less crime. If the most important thing is crime reduction, there is less crime now than there was last year. As the Chairman has said, residential burglary is down 20%. We are solving so many more burglaries than we were before. That is partly because the police and crime commissioner has asked us to do so, but also overall crime is down 5% this year compared with last year.

Q253 Dr Huppert: Chief Constable Richards, what is your take on this?

Chief Constable Richards: I follow a line of predecessors that I am honoured to follow. I think each of us would have shared the same ambition to improve policing year on year. I would not be so arrogant or complacent to claim that has been the case. Some of the key indicators are reduction in crime, customer surveys and feedback from the community. Interestingly, I have similar experiences of similar meetings with the CLA and NFU. We also have Sussex local council meetings; they come to meet with me once a quarter. The picture there is an improving and enhanced one. So I think constantly to improve.

Where I think the extra focus has come, and it will mean to a degree deprioritising other areas, is interestingly where crime has increased or reported crime has increased. The Commissioner and I would probably share a similar view here that to have an increase in hate crime, or reports of domestic violence—you are not hearing it from me for the first time I am sure—we would regard as a key indicator of a sign of confidence in reporting and confidence not just in policing services but in all the partners that work around those really tricky areas where the true picture of unreported crime still has a long way to go.

Q254 Dr Huppert: And what are you deprioritising?

Chief Constable Richards: That is a very good question. In the past, when we have tried to create a list of things that we should stop doing, it tends to be a pretty blank piece of paper. Another way of looking at that is probably by asking where our performance has struggled a little in recent times. In some of our responses to non-emergencies we are probably taking a little longer to tackle them. That is why we put such a strong emphasis on neighbourhood policing—I would rather get to a problem that is of a lower grade and assessment eventually than not get there at all.

Q255 Dr Huppert: I am fascinated that both of you are very reluctant to say what is not the priority. I can see why. If something is really a priority, that means that there are some things that you are choosing not to do or to do less well. When you said that the thing that you were deprioritising was non-emergency responses, you immediately explained how you are in fact prioritising it to do something about it. Presumably, there are things that you have both chosen not to do in order to prioritise doing other things.

Chief Constable Thornton: There has been no deliberate thought process, discussion or decision made that we will not do this or stop doing that. If the public call us, if they need our help, we will go. We will deal with any crime that people want to report to us, and we are constantly trying to understand the threat and risk in our area and how we can best protect...
the people of Thames Valley. It is more a process of what we give extra priority to, rather than deliberately saying that we will put less priority on something.

**Q256 Michael Ellis:** Now, I would like to ask you about an issue that is sometimes raised by those who are hostile to the concept of police and crime commissioners, which is that of the power that commissioners have to hire and fire their chief constables. There seems to be a suggestion in some quarters that chief constables such as yourselves ought to be in some way inviolable and not subject to the power of others to fire and hire where appropriate. What do you think about that? Do you think that there is an infringement on your operational independence by having, as you said, Chief Constable Richards, to answer to someone who has that power over you?

**Chief Constable Richards:** I certainly do not feel that infringement in any way. I have always felt accountable to the law, first and foremost. In many ways, a police and crime commissioner plays a role alongside that in terms of my accountability. As police officers, we often look across the full range of scrutiny and accountability mechanisms that we have, whether that is the inspectorate, the Home Affairs Committee, the press and media, the courts of law, the police authority previously or police and crime commissioners now. It certainly does not feel unfettered to me, given that list, and of course the most important of all is the general public. Where I think there is an interesting development, which is self-evidently part of the change, is that the general public have a key role in electing a police and crime commissioner. That has obviously not been there in the past. I think it will be fascinating to see how that plays out when the second election comes around, which I must say I do have some trepidation about.

**Q257 Michael Ellis:** Why do you have some trepidation about that?

**Chief Constable Richards:** Because I think that, however successful a police and crime commissioner will have been in any force area, understandably that record will be there to be shot at, fairly or unfairly. There will be a competition, which is, as I understand it, the nature of any election, so there will be winners and losers. My big concern is that the main loser might be the general public through a lack of confidence that plays out through the coverage of the build-up to those elections. I do not think that that is a political point—I hope it is not, because I would not want to make one; I think it is a fact of life. If it is a public confidence issue, it quickly becomes a police service issue. I think that junior and senior colleagues that I have the privilege to lead might find that a challenging time.

**Q258 Michael Ellis:** But of course, those being elected are not chief constables but police and crime commissioners, so perhaps there is some differentiation there. Would you concede that it is not the police that are going to be subject to the politics of an election; it is the police and crime commissioner?

**Chief Constable Thornton:**: If I may say so, if that differentiation comes out in all the coverage, I would be delighted.

**Q259 Michael Ellis:** But you do not feel as though your having someone who is able to hire and fire you infringes on your operational independence?

**Chief Constable Richards:** No, no more so than I perhaps did under previous regimes, where the choice lay not so much with the police authority; I guess it would have been with the chief officer and I suspect that there would therefore have been occasions when, if all mediation and discussion eventually broke down, my approach to life would have been seeing resignation as one of the outcomes, as opposed to hiring and firing. Nevertheless, in many ways, I see the principles as not dissimilar.

**Q260 Michael Ellis:** And Chief Constable Thornton?

**Chief Constable Thornton:** You may recall that there was a statutory instrument placed before Parliament, called “The Policing Protocol”, which set out the role of police and crime commissioners and chief constables. That is something that Mr Stansfeld and I have often looked at and when we have been asked to speak about how the world has changed, we have used that as a base point. That protocol makes it clear that operational independence is a vital principle of British policing and that both the police and crime commissioner and the chief constable have a responsibility to safeguard it. I think that is a responsibility we both take very seriously. Before police and crime commissioners were introduced, there was a suggestion that operational independence would be undermined. I have not personally seen evidence of that. In my own case, we respect each other’s roles and we respect each other individually. We have different roles and we need to work together to protect the public.

On the point you make about hire and fire, I do not feel that that makes any difference to that operational independence. The only thing that I would say is that when a police and crime commissioner feels that perhaps a chief constable is not performing effectively—not doing the sorts of things they want or whatever the issue is—it would be much better if there was some mechanism for mediation or conciliation. The protocol says that these issues should be dealt with locally, but I wonder whether it would be possible for an HMI or some other third party to get involved to conciliate, because it is much better staff relations to talk about an issue than as a first port of call to say, “This is why I think you’re not good enough.”

**Q261 Michael Ellis:** That is an interesting point, but the overall concept of being answerable to an individual—in this case, a police and crime commissioner—is not something you find objectionable per se, from the point of view of independence or operational independence of police.

**Chief Constable Thornton:** No.
Q262 Michael Ellis: Are you happy with the clarity, or otherwise, there might be as to the division of roles between a commissioner and a chief constable? Clearly, in many cases, it is, “How long is a piece of string?” In the legal context, self-defence means two very different things, depending on the circumstances of an individual case. There might sometimes be a grey area in individual cases over the roles that the two of you might have in any particular force area, but do you feel that there is sufficient clarity, between you and a commissioner and your respective areas, for the system to work functionally?

Chief Constable Thornton: Yes, I do. The protocol tries to set it out. I think that there are some areas that are clearly the police and crime commissioner’s responsibility—setting the budget, setting the precept and drawing up the police and crime plan. There are some areas that are clearly about the chief constable’s operational independence—the decision to arrest, the decision to investigate. At either end of that continuum, there is clarity; it is a grey area in between. Some of these areas are ones on which both parties have a legitimate view. For example, one thing that we discussed recently is the fact that some of our smaller police stations, where we still have a front counter open to the public, have a very low footfall—two or three people a day. Is there a better way to provide that service? I am making an operational decision, because if I have it open, I have to have staff there, but the police and crime commissioner is thinking about the community impacts and community issues. With a problem like that, both of us have a legitimate locus in the discussion and we can have a debate about what is best to do.

Q263 Michael Ellis: Thank you. That is very helpful. Mr Richards, did you want to add anything to that as far as the clarity is concerned?

Chief Constable Richards: No, I agree. Absolute clarity with the protocol. There are grey areas. If you are being held to account by somebody and your business is operational policing, I think that it is quite right that a police and crime commissioner should ask you questions about the whys and the wherefores of an operational matter, but the separate areas of responsibility are clear.

Chair: Thank you. Just to remind colleagues, we have Lord Stevens next.

Q264 Yasmin Qureshi: I am going to touch upon some of the things that Lord Stevens has said. We have had quite a lot of discussion this afternoon about the power of the police commissioner to hire and fire the chief constable. I understand that obviously, as Chief Constable Thornton said, there are political decisions as to the protocols and who hires and fires. Obviously, it would not be appropriate for you to comment on this particular issue, but I want to raise an issue that we discussed a little while ago. In light of what you said, Chief Constable Thornton, would you accept, on the issue about firing or dismissing a chief constable, that the way that it currently is—that the commissioner can make that decision—is, on the face of it, wrong, and that it does have and could have, as Lord Stevens has said, a chilling effect on chief constables? You have suggested that there should perhaps be an independent body, or another body, arbitrating, which therefore would suggest an unqualified right to dismiss a chief constable is perhaps—

Chief Constable Thornton: The law says that a police and crime commissioner can call on a chief constable to retire or resign. There is a big legal debate, and certainly my own staff association and the HMI have taken legal advice about whether that is an unfeathered power. I am not a lawyer and I will not go into it, but there is a big debate about whether it is unfeathered. The chief HMI’s view is that it is not unfeathered—that actually, there is a whole realm of years of case law that puts some constraint round that, that it has to be a reasonable decision, etc. The point I was making is that, when a police and crime commissioner comes to thinking like that, it would be much better if we had some sort of ability to mediate and conciliate before it comes to that.

Chief Constable Richards: If I may add, the spirit of natural justice and reasonableness reinforces what Sara Thornton is saying. It is not for me to legislate or propose changes, but something that has no right of appeal or challenge seems to be almost on its own in employment terms. That would be my contention.

Q265 Yasmin Qureshi: That is what we are trying to address. Sometimes, you can argue for unfair dismissals or go to tribunals, or whatever, but the way that the system seems to be here is that, yes, individual police commissioners and chief constables may have a very good relationship in some areas, but it is not hard to imagine areas where perhaps the police commissioner comes in, who is a politically appointed person with their own agenda, and the chief constable may have a very different set of priorities, and there is a conflict between the two. If the chief commissioner can then say, “I can dismiss you,” would you not agree that—I understand that you might find it difficult to express your true opinion about it—in an objective setting, the power that has been given would put the chief constable or any other person in that position in difficulty, in terms of being able to do their job properly? They are going to be watching their back at all times because of the police commissioner. That is the fundamental problem with the police commissioner being able to fire the chief constable.

Chief Constable Richards: I will repeat what we have already said. It is out for a clearer legal decision. There is a danger here of bad cases making bad law, rather than the other way round. I repeat what I have said already. The role of the HMIC could be given greater clarity moving forward. We have had cases that are worthy of significant review. I think, however, that ultimately whatever the outcome of the legal advice for other decisions, there comes a time in high office where the options might be left with the chief officer to make their own decision. I do not think we should be looking to remove that either.

Q266 Mr Winnick: A previous witness, the Sussex police and crime commissioner, might well have said that if the Prime Minister can dismiss a Minister, why...
that the situation has changed and that your job is at the mercy, if that is the right word, of a police and crime commissioner?

Chief Constable Richards: Clearly, things have changed, because the police regulations—the legislation that goes with it—suggests that it has changed. From a personal point of view, although this may sound quite naive, I try to operate—myself, and an organisation—on the basis of principles and take some degree of confidence in those principles. I suspect a colleague of mine from the Chief Police Officers Staff Association, who would be looking at it predominantly from an employee’s or akin to an employee’s perspective, might have a different view, but I think the policing traditions are such that we are all public servants and that, in many ways, we stand or fall by public expectations and public votes. I recognise that the naivety of that might be in terms of contract, career, mortgage and pension, but I am hopeful that the legal advice will give us greater clarity and the very few cases—perhaps only one case—that we have had that has been the focus so far can be seen as something that we move away from and learn from.

Q267 Mr Winnick: Bearing in mind how short a period the police and crime commissioners have been around, there have been at least two cases: Gwent, where we took oral evidence—a most unhappy situation, to say the least—and of course the decision of the High Court judge of the time to quash the decision of the Lincolnshire police and crime commissioner. Would you say that that was an illustration, Chief Constable Thornton, of the situation that exists at the present moment?

Chief Constable Thornton: The two examples you give link in to two of the points I was making. I can only speak for myself in terms of my morale and my concern. It is not an issue that I have in Thames Valley. As I have already said, I think in cases like the Gwent case, it would have been a better way to have had some discussion about what the issues were before going straight to the suggestion that the request to retire or resign was going to be made. That is my point about mediation.

The second point you make about the Lincolnshire case and the judicial review just before I came here this afternoon, because I wanted to read that paragraph before I came here this afternoon, because I wanted to know what the evidence for it was. It is conversations with colleagues. It is not a conversation that I had with Lord Stevens, but I do not dispute that some people might have felt that way.

Q269 Mr Winnick: You take the same view, chief constable?

Chief Constable Richards: I wait to see the evidence, and I do not see the evidence there at the moment.

Q270 Mr Winnick: Can I finally put this to you, chief constable? You said that public servants are subject to dismissal, as in the private sector. No one could dispute that. Leaving aside Members of Parliament—as a subject of the electorate, you might draw an analogy with that if you so wish—but a chief constable can be dismissed. Are you suggesting, Chief Constable Thornton, if I heard you correctly earlier, some intervention—HMI? Would it not therefore be better if there was an intervening process where the police and crime commissioner would not have the total power that exists at the moment?

Chief Constable Richards: I think that seems a reasonable suggestion. I feel that that is the way this conversation has been going for the past five minutes. Perhaps the Lincolnshire case—I am not sighted sufficiently on the detail—indicates that there is an intervention opportunity. I very much agree with Sara Thornton, that if that can come informally in the first instance. I would add to the list as well as HMIC that each police and crime commissioner has a chief executive, and each chief constable has a deputy. In organisations at different stages of my career often you have used the deputy or you have used the chief executive to provide that mediation. So there are different opportunities, but my sense is that something more formal needs to be put in place, which seems to be behind your question.

Q271 Mr Winnick: You mentioned HMI, so obviously you agree with that.

Chief Constable Thornton: Yes. I am not sure whether HMI is the right organisation, but certainly some sort of ability to mediate or conciliate I think would be useful. It is not good for police forces and it is not good for the public to have chief constables changing in rapid succession.

Q272 Chair: So that is very clear. In answer to Mr Winnick, what you are saying is that you think there are flaws in the system. You do think the system can be improved by having intervention by another body, be it HMIC or others, but the current system needs to be formalised much more. Is that what you are saying?

Chief Constable Thornton: I am suggesting that I think there are some improvements that you could make which would deal with some of the concerns...
that some members of the Committee have without, in any way, undermining the ability of a police and crime commissioner to call upon a chief constable to retire or resign.

Chief Constable Richards: Chairman, I would agree with that. It seems to me that somewhere among the foreseen role of the police and crime panel and the emerging and ever-changing role of HMIC, supported by the informal mechanisms that Sara Thornton has talked about—I am not so sure I would go so far as to say “flawless”—but I think there are areas to be tested and then improved.

Q273 Chair: So, to that extent, you agree with what Lord Stevens said, because he feels that there ought to be improvements?

Chief Constable Thornton: I do not agree that the system is systematically flawed.

Chair: No, I understand that—

Chief Constable Thornton: I would just say that I think there are some improvements based on this last year.

Chair: Sure. Is that right? You agree.

Q274 Lorraine Fullbrook: I would like to ask both chief constables this: have you experienced any change or diminution of morale since the introduction of police and crime commissioners among your fellow chief constables?

Chief Constable Richards: Among fellow chief constables, or my own force?

Lorraine Fullbrook: Chief constables.

Chief Constable Richards: No. I think, if I may say, the conversations that I have been involved in reflect the evidence that you have heard from each of us this afternoon.

Q275 Lorraine Fullbrook: I ask that specifically based on the Lord Stevens report and the mentioned chilling and damaging effect on police leadership. I ask that to you as chief constables and of your fellow chief constables really as follow-on from asking that to the police and crime commissioners.

Chief Constable Thornton: The point I have made about the value of some form of conciliation or mediation is something which I have discussed with several of the chief constables. In fact, with a couple of colleagues, we even suggested it to the Home Secretary a few months ago. I certainly know that our staff association is pursuing something along these lines. It is not that people have got morale on the floor; it is just that, in the light of experience, they are thinking about how we could make it better for everybody—and, most of all, better for the public.

Q276 Lorraine Fullbrook: But asking for improvement in something does not necessarily mean that there is a diminution or change in morale.

Chief Constable Thornton: No, exactly.

Q277 Paul Flynn: In your area, Ms Thornton, I believe that large sums of money have been set aside for the work on child trafficking. Has that been successful? Do the results make it look like the very distressing cases that involved more than 50 children in the past will be less likely to occur in the future?

Chief Constable Thornton: Child sexual exploitation is a live issue for my force and many other force areas. You are probably referring to the Oxford case, which culminated in seven very long custodial sentences at the Old Bailey in May last year. When we started that investigation at the beginning of 2011, I do not think we had an appreciation of just how significant the threat and issue was in the Thames Valley. That was a successful case, but it has really focused our attention on what more we need to do: working with our colleagues, particularly in social services, on how we can share information better, how we can really use intelligence and proactive policing to target the offenders of these vile crimes, but also just to raise awareness. Having met quite a few of the victims, one of the things that has stuck me is that the responsibility of police officers and police staff to safeguard children is not just for our specialist units, but about raising the awareness of all our officers and staff, so that they are alert and looking out for the signs, because, I am afraid, it is all too pervasive.

Q278 Paul Flynn: Do you think there is a danger in having someone who is a politician putting pressure on you and on your conduct? Is that likely to distort your priorities? You gave the example of a rural area. Who puts pressure on you in urban areas in the same way as the National Farmers Union and Countryside Alliance do in rural areas?

Chief Constable Thornton: In terms of pressure, it is really important to repeat the point that my first accountability is to the law, and that will always be first before any accountability to an elected politician. In terms of priorities and rural crime, Thames Valley is two-thirds rural, but there are some pretty gritty urban areas as well. When I go to Slough and Reading and Oxford city to brief the councillors, as I do every year, I get asked some hard questions about that. I think the issue for us is that there has always been a lot more crime concentrated in the towns and cities. It is about making sure that in the rural areas, where crime is pretty dispersed but everybody gets to hear about it because it affects livelihoods, we give a proper response.

Q279 Paul Flynn: Can I give you a brief example? One night in my constituency, the third world war was breaking out in one of the urban areas. There was a fight involving dozens of people, a firearm was discharged and a samurai sword was used. In another, rural part, a couple of children were kicking a ball against the village hall. The police attended the village hall, but not the other. The reason, in practical terms, is that the articulate people who knew how to get the police on side were the ones deciding those priorities. Do you find that this is a danger? You say that peace has broken out in your rural areas, but is it at the expense of the urban areas?

Chief Constable Thornton: That was the point I made to a previous colleague of yours. If the public call us, of course we respond based on the risk. If the sort of violence that you describe is happening, of course we...
will go as quickly as possible to give the proper emergency response to protect the public.

Q280 Chair: I have two quick questions. First of all, as you know, Nicola Blackwood has been very involved with you on the issue of grooming. You are doing a pilot—is it called Piggott 1?—on evidence given by children in legal cases.

Chief Constable Thornton: Yes. Are you talking about the pre-recording of evidence?

Q281 Chair: Yes, I may have got the name wrong.

Chief Constable Thornton: Unfortunately, Thames Valley is not one of the pilot areas. I have been in correspondence with Nicola to try to persuade her to persuade whoever in the Ministry of Justice needs to be persuaded that we should be a pilot area, but we are not currently.

Q282 Chair: So you would like to be?

Chief Constable Thornton: We would love to be. I am in contact at the moment with victims who are saying, “Unless we are part of that pilot, we won’t give evidence.”

Q283 Chair: Right. Very good. On CT, I know that you have a very important role. The Committee is looking at counter-terrorism as one of our other inquiries, and the issue of where CT should sit. Should it sit in the NCA or in the Met? You are not a Met officer; you have a big force outside the Met. Where do you think counter-terrorism should sit?

Chief Constable Thornton: Counter-terrorism is currently a shared responsibility between chief constables, with the Metropolitan police leading us, but myself, Sir Peter Fahy in Greater Manchester and Chris Sims in West Midlands all have counter-terrorist units. We work very closely with Cressida Dick as what we call the ACPO TAM board. I think that works very well.

Q284 Chair: So you would not like to see it in the National Crime Agency?

Chief Constable Thornton: I think that the current arrangements, working closely with the Security Service and other partners, work very well. I think the risk of disrupting that is really quite significant. The National Crime Agency is new. It has got off to a good start. Let us see how it develops before we make any structural change.

Q285 Chair: Finally, on diversity, you are one of the very few women chief constables. Though of course we now have a number of women chief constables, we have no black or Asian chief constables, among 43 forces. What are you doing locally to make sure that diversity is increased in Thames Valley, an area that includes places like Slough and Oxford—not just rural areas, but big urban centres?

Chief Constable Thornton: The service has been so much more successful in encouraging the development of women than of ethnic minorities, I agree. There are currently seven women chiefs in England and Wales, out of 43. I am the director of the Police National Assessment Centre, so I look after the selection of all prospective chief officers. When the women come at that level, they do very well indeed. It is really beginning to change: my own force is well over 30% women officers now. We have not had the same success with ethnic minorities, either in terms of numbers coming in or in terms of progression.

What am I doing in my own force? Every time we go to recruit, I do not mind how many people we recruit; my first question—what I care about most of all—is about ethnic distribution, particularly making sure that we get colleagues from BME backgrounds. We do a lot of work in those areas in community groups. If somebody from a BME background contacts us saying they are interested in joining and we are not recruiting at the moment, we will keep their name and get back in contact with them saying—

Q286 Chair: But Chief Constable, there is a will—there is clear willingness to get things done—but it is just not happening. I have been sitting in this chair for seven years, and I have heard chief constables telling me that they are doing very well, having meetings and trying to encourage people, but it is just not happening. Mr Richards, one of the excuses given for having people come in from outside the force at superintendent and other levels is that the force is not as diverse. Are we ever going to change this, do you think?

Chief Constable Richards: Well, you have been hearing it for seven years, and we were all in that same boat. I do think that something about direct entry may change the chief officer profile, because at the moment the picture behind that area Sara Thornton has responsibility for doesn’t look too bright either when it comes to ethnic minorities. So it is not as if it will be better in three or five years’ time. I do not hold out much hope. Where I think we have some hope—but it will take a long time—is that, increasingly, our recruiting processes across the piece, not just for police officers but for police community support officers, are now more situationally based; the academic and other qualifications are more diverse; and now that we are, as you heard earlier this afternoon, opening recruiting for community support officers, police officers, special constables and police staff, we are getting complete diversity across gender, sexual orientation and race, which we have not had before. But that will not change things overnight, and it won’t change things in seven years. I know that the ACPO president, Sir Hugh Orde, has had the experience of Northern Ireland, where legislation was needed to change it. If you study the statistics, the history and the demographics of the work force currently, it may mean something as dramatic as that if we are going to make an overnight change.

Chief Constable Thornton: Chair, may I add one aspect? We opened recruitment last month, in December. Of the 150 people who applied, the percentage from a BME background was 12.8%. That is less than in the population of Thames Valley, which is now about 15%. What I have said to my recruitment staff is, “Okay, can I put people into a sort of pot and take them out in proportion to the population?” I am not allowed to do that; it is against the law. If all the white people who have applied are equally as
successful as the BME people, then it is very difficult for me to hit the equivalent with the population, which is 15%.

Chair: Yes, challenges ahead. Chief Constables, thank you very much for coming in, we are most grateful.

Examination of Witnesses


Q287 Chair: Lord Stevens and Professor Loader, our apologies. We had a vote which delayed our proceedings, but I am glad that you were able to sit in the Public Gallery and hear some of the evidence. Let us first thank you for coming in to give evidence today. Some of us have read with great interest the deliberations of your commission. Just to clarify your credentials, are you a member of the Labour party, are you?

Lord Stevens: Certainly I am not, no, nor a member of any party.

Q288 Chair: Why did you undertake this particular venture?

Lord Stevens: I was asked to do it by Yvette Cooper. There was a great amount of concern in the police service, even when I was commissioner and subsequently, that there should be a royal commission on policing. For whatever reasons, that was refused and declined. We thought that we could do a good job. One of the problems was always going to be on the resources side, but the reason for doing it was we thought we could come up with a good piece of work. I think we have done that.

I would like to stress to members of this Committee that this is not John Stevens’s report. It consists of 40 experts from a range of backgrounds, of which only five are ex-chief constables and of those five, two went on to be commissioners, including myself—I was also an HMI for two years—another became part of the process in the Home Office to keep the police up to scratch, and another became chief HMI. The rest were not chief constables.

Q289 Chair: Thank you, that is very useful. Let us ask you some questions about your conclusions. I notice that one of your favourite songs on “Desert Island Discs” was “When the Saints Go Marching In”.

Lord Stevens: Indeed.

Chair: One of the points that you make in your report is the change in morale, in perception and in the integrity of the police. Those of my generation—I came to this country when I was very young—had great reverence for the police. They were real saints in our view. They could do no wrong and we always believed a police officer. After the Mitchell affair, Hillsborough and the Savile issues, what has gone wrong as far as police integrity is concerned? You seem to lay quite a lot of blame on the Government for changing the landscape of policing rapidly. Is it something systemic in the police service, or is it Government changes?

Lord Stevens: No, and I would also stress that this report should be taken in totality. You cannot look at PCCs without looking at the structure of the police service, and you cannot look at that unless you look at police morale, and so on.

I think the police have become accountable. When I started on the beat in 1962, it was a totally different ballgame. As things progressed with the royal commission we went into cars and the like. The interesting thing that we found—we have been involved in surveys on a wide range of issues, including police staff across the country—is that local policing has stood up pretty well in terms of public satisfaction and what the public think. It is the issues above that have raised big concerns. I certainly remember doing some radio broadcasts around the country in which the biggest questions to me were on things such as Hillsborough.

Q290 Chair: So you think it is the national issues that have resulted in a decline in morale? Where does the Government fit into this? You said in the report as a whole that you think there have been too many changes in the landscape, which has led to a decline in morale because people in the force feel hunted.

Lord Stevens: The decline in the morale of the police service is because of a range of issues. You will see in the surveys that morale is probably at an all-time low, but the police have always been an organisation that complains. I remember a chief constable of mine saying, “If they’re not complaining, John, I would be very worried.” There is something in that.

However, I think the public surveys have raised concerns. I do not want to go through the numbers here, but if you look at where people are, the numbers are really worrying. Let me just quote one on PCCs, since we are discussing about that at the moment: “5% of police officers and 2% of police staff consider the appointment of PCCs a good idea.” That is extraordinarily low, and there might be reasons for that. I am just saying that there have been many, many changes, and what the commission, 28 universities in this country and elsewhere, and 47 academics have said in a piece of work that will now be used by law students is that too much has been brought in too quickly and, specifically in terms of the constitutional position, that has been a dangerous situation to get into.

Q291 Chair: Professor Loader, please feel free to chip in whenever. This is not just him.

Lord Stevens: Oh, I shall certainly be asking him.

Q292 Chair: You have mentioned PCCs, and as you know, they are the subject of our inquiry. Your report—I will not say that it is you personally—is scathing about police and crime commissioners to such an extent that some people believe that, if Yvette
Cooper adopts this as the policy of the Labour party, the next Government, if it is a Labour Government, will abolish PCCs. The report says: “Whilst the introduction of PCCs has given effect to an important democratic principle, the model has fatal systemic flaws. The Government has created a stand-off with the police service that has left officer morale at rock bottom.” There is no mincing of words here is there, Professor Loader? It is a pretty clear statement that having PCCs has been systemically flawed.

Professor Loader: Yes, that was the conclusion that we arrived at. The first part of the quotation is important. We think that underlying PCCs is an important democratic principle: the idea that the public should have some means of exercising control over the police and that elected politicians have a legitimate right to set police priorities. We think all those things should be applauded and defended. There is nothing in what we said that wants to reinvent police authorities or return to the days when we tried to run the police from No. 10 or the like. We simply think two things. First, you could take the view that it is just too early and that we should see how it all unfolds.

Q293 Chair: But there is that view, isn’t there? They’ve been going for only a year.

Professor Loader: There is that view, and we toyed with it for a while. We ended up rejecting the view, because we arrived at the conclusion that the various things that we saw happening on the ground were linked to aspects of the model that are systemic. We are particularly concerned about two of them. One is the idea that one individual can realistically hope to exercise effective governance over and represent the interests of a police force as large as Thames Valley police, which is the area where I live.

Q294 Chair: And what is the second one?

Professor Loader: The second one is the largeness of the constituency. They are linked points. One individual is exercising regulatory control over a force of that size.

Q295 Chair: But one of the issues that you raised is the chilling effect of one person being able to sack a chief constable, which is actually a very good power to have. They may not be able to get to every single village in Thames Valley, but one thing is certain: if they want to sack a chief constable for doing a bad job, they can do so. What is wrong with that?

Professor Loader: On one view, there is nothing wrong with that. Let us not pretend that the number of dismissals of chief constables that we have seen in the first year is, from a certain point of view, not a mistake or not anything to be worried about. It is entirely what the system was intended to do. I have been in rooms where the advocates of the system have envisaged chief constables coming and going with great regularity. They have even envisaged chief constables being got rid of, or can it be improved, as was suggested by Sara Thornton and Chief Constable Richards? There are things that you can do to the system to keep it going, if you put in these different checks.

Lord Stevens: The Committee took a view—it was unanimous, as it happens—on democratic accountability. The phrase used in the Commission and by some of the academics in the work that we had from around the world, as well as the work specifically from this country, was that the genie was out of the bottle. Democratic accountability is there, but the system needs to be improved in a number of areas. For anyone to say that the system is perfect is extraordinary. Mr Winnick described the system as being on probation, and I would say it very much is. The Home Secretary rather bravely said that the PCCs have been responsible for “mistakes and errors of judgement—some possibly serious”. I admire her for saying that. In the build-up to this particular Bill, some of us went to see the Home Secretary and were part and parcel in raising some concerns—

Q298 Chair: And what did she say to you?

Lord Stevens: Well, she listened. Of course, that Bill went through Parliament in the usual process. This Committee has heard about problems with appointments, problems with process, problems with sacking and problems with people—this has been alleged—giving jobs to friends. You cannot possibly say that that process is right and does not need remedying. It would be ridiculous to say that.

Q299 Chair: So they’re drinking at the last-chance saloon and the restaurant is not closed.

Lord Stevens: I would use the phrase used by the Committee: the genie is out of the bottle. I believe
that the political accountability, as you have just heard from the two chiefs, is very powerful, but the process needs to be improved. The room for improvement is in the report and there are options. I also very strongly believe, as does the Committee, that accountability has to be driven downwards. The coalition Government have talked about local accountability and driving it further down, like some of us did in other forces and some of us have done in delivering ward-based policing. Remember that the primary thing in relation to this report is neighbourhood policing.

Q300 Chair: We will come on to that. Professor Loader: Can I just make one point? The issue rather depends what question you want to ask. You could ask, “Are we stuck with PCCs? Can they be made better? If so, how?” There are ways that you can amend the system and make PCCs better. We were asking ourselves a different question: is this the best way to give effect to the important principle of democratic accountability? No, was the conclusion that we arrived at. We thought that there were better ways of doing so.

Chair: Hold that thought; we’re going to bring in other colleagues.

Q301 Michael Ellis: Lord Stevens, you claim that your report is independent—that is written on the report and on the website—but I looked at your website, “Independent Police Commission”, today, and it says, “Promoted by and on behalf of the Labour Party at One Brewer’s Green, London SW1”. It even gives a warning that the Labour party might place cookies on your computer, so I quickly removed myself from the website. The reality is that it is not an independent police commission report, is it? It is actually a Labour party report. You have been asked questions by a Member of Parliament, Bob Blackman MP, about the funding of the report and the commission and who pays the costs. I have been told that there has been no response to Mr Blackman’s letter. Have you responded to his letter?

Lord Stevens: No, I haven’t. I found the letter slightly disrespectful to question a party affiliation. I have no problem with all this—I think you have heard this from Sara Thornton in particular—is that I have never accepted the Tory or Labour Whip. I must say that I think I have answered your question as far as I can. We are not dealing with cookies or unions here.

Q302 Michael Ellis: But Lord Stevens, why don’t you answer the questions that have been put to you by a serving Member of Parliament? He is entitled, as are we, to expect responses to letters from Members of Parliament who represent their constituents. You could have put those points to him about issues such as donations, who is paying for staffing and whether there is trade union support. The website clearly says that the Labour party is promoting the website. It talks about cookies. There are 15 commission members who are Labour politicians, Labour supporters or outspoken critics of the Government. Don’t you think it is a little disingenuous to describe the report as independent? You were commissioned by Yvette Cooper, the Labour party shadow Home Secretary. Is it not actually a Labour party report that is produced for political purposes?

Lord Stevens: No, it really is not. I have said already what the funding was, and you ignored what I said. I found the letter from the MP for Harrow offensive, so I did not reply to it. I am a Member of Parliament myself, and I don’t have to reply to everybody who sends letters—gosh, I would be writing for an awfully long time. I have not replied to that letter, and I don’t think that he would have listened, whatever I said. I have to say that I think I have answered your question as far as I can. We are not dealing with cookies or unions here.

Q303 Michael Ellis: No, no. The general public are being given the impression that it is an independent commission report.

Lord Stevens: Which it is.

Q304 Michael Ellis: And I’m giving you, sir, the opportunity to explain that in a public setting. You contend that it is an independent report, but there are pretty obvious suggestions to the contrary, bearing in mind what we have seen on the website and the make-up of many members of the committee. It is not disrespectful to question a party affiliation. I have no problems identifying my own parliamentary political affiliation, but I don’t pretend that I’m an independent person. What I am trying to establish is the origins of the commission report, whether there has been a liaison with the Labour party when the report was published, and whether there has been a liaison with trade unions, in terms of donations received to fund the website and work undertaken. The public have a right to know that.

Lord Stevens: I totally agree. That is why I would like to explain, and I will get Professor Loader to say a bit on behalf of the academics and some of the other commissioners. As I have explained to you, the only sources of funding came for the website and for some of the expenses on the administration. Everybody on the commission was not paid. In fact, as I said earlier, it cost a lot of money for people. Where I have a problem with all this—I think you have heard this from Sara Thornton in particular—is that I have never done politics. I do not do politics. I am an independent Member of the House of Lords. I would never have accepted the Tory or Labour Whip. I must say that I do not think it is right for you to say that some of the people on that commission are not independent. I will let Professor Loader speak for himself.
Professor Loader: I’m slightly puzzled as to how this is advancing the inquiry into PCCs, but that is a matter for the Chair.

Q305 Chair: It is a matter for the Chair, and the Chair does allow questions if we are taking witnesses—

Michael Ellis: I don’t allow interference with my questioning, Professor Loader. I don’t allow it from any source.

Professor Loader: Let me just add this: it is a matter of public record that the commission was set up by the Labour party. As you pointed out, some of the commissioners were members or affiliates of the Labour party; many other commissioners were ex police officers, were from business or were members of the Liberal Democrats—

Chair: Yes, I think we get that.

Professor Loader: There’s a text that we have written, which everyone is perfectly at liberty to read, engage with, discuss, agree with—

Michael Ellis: Is he going to answer the question?

Chair: In a second, Mr Ellis. I will go now to Mr Winnick and then I will come back to you.

Q306 Mr Winnick: Lord Stevens, you have had a long career in the police service. I do not know your political views, I do not want to know your political views and I must confess that I do not check how Members of the House of Lords vote on various issues. I may do so very occasionally if it is on an issue that is dear to my heart, but not otherwise. Do you find it offensive to be accused of being a Labour party dupe?

Lord Stevens: The answer to that is yes. I find that it is not just me—John Stevens is used to being insulted as a police officer and I am used to taking hard knocks. What I do find very difficult to handle is for all of these 40 people and another 47 academics who work for nothing in the public interest because they think that it is important and that they can give something of value to the Houses of Parliament and to the country, to be accused of political bias, which is not right. That cannot be right.

Q307 Mr Winnick: Do you feel that if your report had been favourable towards police and crime commissioners, as it could well have been, you would not have been faced with hostile questioning and virtually been accused of being simply a puppet of the Labour party.

Lord Stevens: I think that’s right. I think it is one of the only reports to come out recently to have a favourable editorial in the Daily Mail and a favourable editorial in The Guardian. I think that that says a lot.

Q308 Mr Winnick: Coming to the substance of the issue and, really, why you are here—leaving aside the smear attacks—you are very critical of the appointment of deputies by police and crime commissioners. We can perhaps hear from Lord Stevens first, although not because you are in the Lords, and then from Professor Loader. To put it crudely, do you perhaps think that it is jobs for the boys or girls, as the case may be?

Lord Stevens: I’d like to make it absolutely clear that there are some police commissioners who I have seen and interviewed who do a very good job in the circumstances. Where I think there is a problem—I think that the commission would agree with this—is in the appointment of deputies and some of the people who surround them. Taking it at its lowest point, some of it can be seen as cronyism. If you are appointing people to positions of power, which a deputy PCC is—a PCC has even more power—there must surely be an open and transparent process as to how that person got into that position. We think that the evidence shows that that does not happen on every occasion in relation to deputies and also for some of the other appointments.

Q309 Mr Winnick: Professor?

Professor Loader: I think that there is another issue about the appointment of deputies and, indeed, the teams of people around police and crime commissioners. It seems that such appointments can be argued to be a concession to the fact that a single individual cannot do this job, and that over the past year they have effectively been appointing a committee to assist them in that task. However, it is a committee not of elected and accountable politicians, but of unelected and unaccountable appointees. I think that that would be problematic even if there were not allegations of people appointing their friends and former colleagues. This is the sharp difference between the appointment of a deputy to a PCC and the appointment of a deputy to a council leader: when a council leader appoints a deputy, he or she is appointing another elected politician who is accountable to the electorate through that mechanism.

Q310 Mr Winnick: What would you say to a different kind of argument? Suppose a Conservative or Labour person is duly elected. It would not make much sense for that former politician, as the person would describe himself or herself, to appoint someone of the opposite political view. Given the existing system and bearing in mind where politicians stood in the elections as expected, for those who were successful would it not have made sense to appoint people who shared their political views, rather than Labour appoint Tories or vice versa?

Professor Loader: Given the existing system, it makes perfect sense. What people are effectively doing is appointing a committee of people to assist them and carry out their tasks with them. There is a series of questions about how transparent you want that process of selection to be, and what kind of powers you think the police and crime panel should have over that process, which we could discuss. I happen to think that is not as effective a system of democratic oversight as having some kind of committee, all of whom are elected and accountable to the electorate they serve.

Q311 Mr Winnick: My last question is this. It was suggested by the chief constables that one way perhaps to give some sort of protection in employment to chief constables is to have an intervening body, an HMI or whatever. You were both in the room and
listened to the evidence of the two chief constables. If that did occur, although there is no indication that it will, would it change your mind about police and crime commissioners?

**Lord Stevens:** I think in the area of dismissal—and whether it was a gross exaggeration to say chilling effect or otherwise—all I would say would be “Don’t shoot the messenger.” I think it is essential if a chief constable is being dismissed, for whatever reason, that there is some intervening body that is independent to assess what that person did, whether it was right or wrong, and give some protection to that person, bearing in mind that they are answerable to the law alone, and that you don’t have individual issues coming up when people are about to be elected and feel they have to do things for that reason and that reason alone.

**Q312 Mr Winnick:** Do you agree with that, Professor?

**Professor Loader:** Yes, I do.

**Q313 Lorraine Fullbrook:** I have some supplementary questions. I do not think Mr Ellis made his point to insult you in the slightest, but I do think that members of the Committee have the right to question the veracity and legitimacy of a report that is in the public domain. I do not think that was designed to insult you. I would like to follow up on some of the questions that were asked. How much money have you been paid for the website, for administration and so on, by the Labour party or donors to the Labour party?

**Lord Stevens:** I don’t know exactly, but we can certainly give you that evidence. It is not a problem at all.

**Chair:** That would be very helpful, thank you.

**Q314 Lorraine Fullbrook:** Can I ask if it has been declared to the Electoral Commission?

**Lord Stevens:** I don’t know, but we can give that information later.

**Q315 Lorraine Fullbrook:** Can I also ask if your £10,000 and anybody else’s donation of £10,000 to this exercise has been declared to the Electoral Commission?

**Lord Stevens:** My £10,000 plus £2,000 came from an autobiography I did that was to do with scholarships, actually that is all that remains of that particular amount.

**Lorraine Fullbrook:** Yes, but if it is now being used for party political purposes, I believe it has to be declared to the Electoral Commission.

**Q316 Chair:** Would you write to us with that information?

**Lord Stevens:** I will write.

**Q317 Lorraine Fullbrook:** Chairman, I would like to point out that if people work for nothing and have given their time, whichever party it is for, there has to be a nominal monetary value declared to the Electoral Commission for that amount of time, too.

## Home Affairs Committee: Evidence Ev 43

7 January 2014  Lord Stevens and Professor Ian Loader

**Lord Stevens:** When I did the border policing report commission for David Cameron, which took nearly a year and a half, again for no money, this issue was not raised by anybody. You will remember that report and its recommendations came out in terms of border policing. I never had this issue raised. I have to say and I want it as part of the record that I was never accused of being party political in any way. I just want to make that point.

**Q318 Lorraine Fullbrook:** No, I haven’t accused you of that, but do you understand what I’m saying? I do think we have the right to test for accuracy and legitimacy. [Interjection.]

**Chair:** Order. We have to go and vote. We will be back and will start with you, Mr Ellis. Apologies. Setting suspended for Divisions in the House. On resuming—

**Q319 Dr Huppert:** I don’t want to dwell on the name. In my view, it was a mistake to call it independent when it was commissioned by the Labour party. I think on reflection it opens all sorts of allegations. I notice that in the Commons no one ever refers to it as the Independent Police Commission. It is always referred to as the Stevens Commission, which you may think is a good thing or a bad thing. May I move on to the principle because the whole idea behind this—there was a difference between the Conservatives and the Liberal Democrats about how to achieve that—was democratisation so that there would be public accountability? Are you both supportive of that as a principle?

**Lord Stevens:** Yes.

**Professor Loader:** Yes. I thought I had made that absolutely clear.

**Q320 Dr Huppert:** Looking through the report, I could not see concrete suggestions as to how to achieve that.

**Professor Loader:** Have you read chapter 3?

**Dr Huppert:** I’ve read quite a lot of it, but let me finish the sentence—that would be a substantial improvement on the police authorities. Police authorities were local council representatives who were involved. It has changed from district councils to county councils, but it seems to me that what you are talking about is very similar to the police authority model for some of the options you outline. You outline a huge range of options from a force for England and Wales with every council leader coming together in a committee to govern it. I don’t see how you are achieving that proper democratic accountability in many of the models.

**Professor Loader:** Can I—I may fail—but put to bed the idea that we outlined a number of options. We made a clear recommendation—I think this was the innovation that you think is lacking—to uncouple the arrangements and accountability from the force level at which they are currently stuck and to relocate them to the lowest local authority area, which actually starts to do some justice to the word “local” that is not done by the idea of a police and crime commissioner. We outlined what we think local authorities should do, with the appointment of borough commanders and
formulating a policing plan. That has two advantages, including an advantage in terms of democratic responsiveness.

To come back to the point that was raised earlier in relation to the rural and urban crime thing, if there is a PCC making the argument for putting more resources into rural crime, who in the system is empowered to press an alternative case and say what about another area? In other words, you create a local mechanism when there is a range of actors who can make that case. It seems that making that more local and uncoupling it from the force is an improvement on the current system. It also does something else important, which is to find a way of cutting through the debate about structures.

People usually have two kinds of worries about bigger police forces. One is a legitimate worry about putting too much power into too few hands, but there are ways in which you can deal with that. The other is that they think big police forces that are required to do local policing cannot do it—so if you create a police force for the south-east of England, how would you do local policing? What our proposal does is effectively make the local policing area the foundation stone of policing, upon which forces can get bigger without undermining the mechanisms and processes of local accountability. That is the thought; that is the idea.

Q321 Dr Huppert: If I may come back to the details of the local thing, when you say there are not options, paragraph 12 highlights two other options.

Professor Loader: We made that clear recommendation. You clearly need some sort of strategic governance above that. We have a preference for a leaders' council. We also say there are two other options. The innovation we make is making accountability structures more local than they are under the PCC.

Q322 Dr Huppert: To explore this, Lord Stevens, you were in Cambridgeshire as deputy. Lord Stevens: Deputy commissioner in Cambridgeshire. Sorry—deputy chief constable.

Q323 Dr Huppert: Maybe some day. The idea of a legal requirement on the police to organise internal force boundaries to be coterminous with local councils—you are presumably aware of the historical aspect of many of those boundaries: Waterbeach without—there would be a whole area up the Fen Road, which I am sure you know well.

Lord Stevens: Very well.

Q324 Dr Huppert: It would then be separately governed from East Chesterton, which it relates to. Do you think it is sensible to say that you have to keep the force matching exactly the local authority boundaries, which were historic for very different purposes?

Lord Stevens: I think Cambridgeshire is a good example of where there might be a slight difference in the rule. But taking that further, in terms of amalgamation, even when I was deputy chief constable, I led on the business of amalgamation with other deputies of Norfolk, Suffolk and Cambridgeshire, which Charles Clarke tried to take through, and which, as you probably know, never came to anything. However, as a principle, I think coterminosity—which, when I became commissioner, in terms of delivering for boroughs, was driven through and was successful in most aspects, if not all—is important.

Q325 Dr Huppert: At the higher level, you say you would have a policing board with the leaders of each local authority. So in Devon and Cornwall—this is an issue the Committee looked at—you would have a board consisting of nine people from Devon and one person from Cornwall, who would set the overall funding between Devon and Cornwall. Is there not an obvious problem here?

Professor Loader: No, I don't know the details of the arrangements for Devon and Cornwall.

Q326 Dr Huppert: Cornwall has one single council and Devon has nine. It is very hard to come up with this with the police and crime panels.

Lord Stevens: I think that is right, but I think the general principles speak for themselves. Northumbria is another one—it is a county—and you have got Tyne and Wear. Having been chief constable up there for five years, I know it well. There are certain areas where you would have to look at it in detail. However, the general principles of what we are talking about I think would work.

Q327 Dr Huppert: We may have to beg to disagree on some aspects of that. Where there are local government elections, there is exactly the same thing. We currently have these police and crime panels, and I suspect we would agree that they should be stronger. How would you go about strengthening them? What would your suggestions be—not the wholesale change you are describing, but a smaller-scale revision?

Professor Loader: The most radical form of revision which would leave police and crime panels and PCCs in place is to make the responsibilities that are currently lodged with the PCC a co-exercise with the police and crime panels. If you are wedded to the model of the PCCs in charge and the police and crime panel effectively as a form of accountability over them—we did not turn our mind to this question greatly, because we came to the conclusion that that kind of tinkering with the current system was not the way to go. There may be ways in which you would want to increase the powers of oversight and veto that police and crime panels have. For example, in relation to the appointment of deputies or—
Lord Stevens: Can I answer on Cambridgeshire? Certainly, when I was a deputy there for two and half years, they were extremely effective. I remember them giving us quite a hard time, especially in relation to Cambridge, as distinct from Peterborough—which are different types of place, with a different type of emphasis. I remember vividly police authority meetings once a month, which we had at Hinchingbrooke, where we were incredibly effective in terms trying to deliver operational policing to various areas. What you did not have there were people who were elected specifically for a policing role. That was the difference.

Whether it is Northumbria or some of the forces I inspected—Greater Manchester, Birmingham or some of the small forces, such as Norfolk or Cambridgeshire—the difference would be that these people would be elected to support the police commissioner, who would be at the top, with an elected role in terms of policing.

Q329 Dr Huppert: Sorry—so this is not the option that you said was the favoured one, which was the leaders of every local authority. You would go for the two options you list in paragraph 12—the indirectly elected ones. That is the one you are now saying would work better.

Professor Loader: No, the thing is that there are a lot of options. The thing the commission is most wedded to, and we think is an innovation, is devolving democratic accountability down to the local level. I am personally less wedded to—how you then can organise a strategic governance at police force level. We ended up with a slight preference for a leaders’ council. We laid out the two other options. Of course, this is also premised—we make a particular emphasis. I remember vividly police authority meetings once a month, which we had at Hinchingbrooke, where we were incredibly effective in terms trying to deliver operational policing to various areas. What you did not have there were people who were elected specifically for a policing role. That was the difference.

Whether it is Northumbria or some of the forces I inspected—Greater Manchester, Birmingham or some of the small forces, such as Norfolk or Cambridgeshire—the difference would be that these people would be elected to support the police commissioner, who would be at the top, with an elected role in terms of policing.

Q330 Dr Huppert: I intended to ask you lots of questions about this, but colleagues will probably do that later.

Professor Loader: We were therefore minded to try to put in place a kind of governance arrangement which would protect and enhance local democratic accountability and deal with the kinds of questions about accountability that arise if and when forces get bigger—and they are important ones.

Q331 Dr Huppert: But wouldn’t do things like the budget—
Chair: Thank you, Dr Huppert. Mr Ellis.

Q332 Michael Ellis: Let us go back to before I was interrupted, if we may, and some further questioning along those important lines, about which I was asking you. We heard two chief constables giving evidence today. They were both asked—not by me, but by another witness. I suggest that there is a dearth of support, Lord Stevens, for contentions that you have made in this report.

Earlier, Lord Stevens, I thought that you were extremely defensive about my questioning about the independence or otherwise of this report. I will pursue that line of questioning, because I think that it is completely appropriate to ask you whether the Labour party liaised with you, or you liaised with them, about the publication date of the report and about other aspects concerning the media attention that the report received, and timing and all the rest of it, and whether there was direct liaison with the trade union organisations about the promotion of this report.

Would you answer that question for me?

Lord Stevens: Let’s first of all say, “defensive”—robust was my response. Robust, and I can be robust, especially defending other people—

Michael Ellis: I respect that.

Lord Stevens: And I respect your right to ask whatever you want to—absolutely totally.

The business of the publication of the report was actually always moving on because of developments and the fact that we had a large amount of academics and universities involved. We had to pull the report together. It had to have a large editorial team and took a lot of work. So the date of the report obviously was reported to the Labour party as it went on. It was also actually reported to one or two people in your party. The bottom line of all of that is that the influence of Yvette Cooper—I admire her massively. She respected our independence. On occasions, she wondered where the report was going and I suspect she was slightly alarmed that it might never ever be published, but she was honest and honourable in not trying to put any pressure on us whatsoever.

In terms of the trade unions, I can think of no influence put on to us by the trade unions, unless my academic colleagues—the only thing that we did was that the Police Federation helped us with some of the surveys, and I think the trade union helped us in terms of an independent survey of the PCCs and police staff.

Q333 Michael Ellis: Did you write to trade unions asking them to submit evidence to the inquiry?

Lord Stevens: That part was dealt with by Professor—was it you, or was it—[Interruption.] It was Professor Jennifer Brown, who is Mannheim professor at the London School of Economics. So, again, we can give you a report on—

Chair: If you could write to me, that would be very good.

Q334 Michael Ellis: Finally, do you accept that the review was promoted by the Labour party and trade union organisations, including trade unions that fund the Labour party?

Lord Stevens: No. Let me make it absolutely clear, and I really want to make this issue, that when Yvette Cooper launched this particular independent inquiry, she said she wanted cross-party support. She wanted...
the Tory party to be part of it, and the Lib Dems. She did that on my prompting. She got up publicly, and it is on record that she actually asked that to take place. It was slightly disappointing over the course of two years that we did not actually have the type of reaction that I would have liked to have. I can now totally understand why for political reasons; I have no problem with that. But we did offer at the beginning for it to be cross-party. So that is a matter of record and that is on the press release and everything else that came out.

Q335 Michael Ellis: I just want to ask one other thing, which is on a slightly different tack. It is the issue that has been raised about one of the faults, if you like, within the system of police and crime commissioners, as to the size of the constituency base. Do you accept, however, that there are other democratically elected persons—I am thinking of the Mayor of London, both under Ken Livingstone and Boris Johnson—who have even larger constituency bases, and in other western democratic countries even larger still, including over policing? So, is that a viable complaint about the efficacy of the system—Professor Loader or Lord Stevens?

Lord Stevens: I’d like to answer. When I was deputy commissioner, I chaired the committee, which consisted of the Home Office, Lord Harris and others, on the creation of the new Metropolitan Police Authority and the responsibilities of the Mayor. It was an issue we looked at, and you will probably remember—you might not—that we actually made London coterminous with what the ratepayer was paying. In London, because of the set-up of the assembly, because of the direct relationship with the Home Secretary and because of the fact that the Mayor had deputy Mayors—at that stage, Ken Livingstone decided he did not want to chair the police authority himself, and he couldn’t initially because Lord Harris, the Labour nominee, was there doing it—it was something we looked at. And I, for one, would say in terms of size because of the unique structure of London, because of the set-up in terms of the borough base and in terms of how it delivers on the assembly, which is not replicated elsewhere—perhaps it is in Wales in a different form—that it worked there. It also worked because of personal relationships and a wish to forget about politics. I always remember Paul Boateng saying to me, “It’s going to be a bloody time for you and everybody in politics,” but it did not work out that way. We got on with the matters at issue. On the question of size, I think London is probably unique for the reasons that I have stated.

Q336 Lorraine Fullbrook: I would like ask about the “chartered police officer” mentioned in your report. How would the creation of the chartered police officer, as recommended by the commission’s report, work in practice? For the Committee, exactly what is it?

Lord Stevens: Well, after I have spoken, I’ll pass over to the professor. I was in the police service for 43 years and have been connected with it afterwards with Diana and other issues such as this. I was also invited to be the Mayor of London by the Conservative party before it chose Boris Johnson. I just thought I’d get that in. I turned it down. It is a matter of record in the newspapers. I certainly do not think that I would have been as successful as Boris. Who would be? That is another matter.

Everybody has been talking about the professionalisation of the police. This was an issue that was raised by Lord Dannatt and Lord Carlile in particular, and we really wanted to address it. The idea came from Lord Carlile, who is a Lib Dem, that there should be a kind of raising of the professional status of the police officer by some organisation, similar to chartered accountants and others.

The other thing that we were highly in favour of, which you will probably have seen if you have read the report—I am sure that you have—is the College of Policing. We thought that this was a way of raising the status of police officers and recognising right across the spectrum the type of qualifications, the judgment and professionalism that police officers use every day of the week. All of us, unanimously—the College of Policing seems to be up for some of this as well and perhaps the same goes for members of the Government—that think that this is a way of raising the professionalisation of policing. We have to go for this and we have to use the Police College, which I know ACPO is behind—

Q337 Lorraine Fullbrook: I was going to ask what would be the role of the College of Policing.

Lord Stevens: We think the role of the Police College is absolutely pivotal to all of this and to holding people accountable. If you want, I will say a little more about the inspectorate and the business of the IPCC in due course, but the college is central to all of this.

Q338 Lorraine Fullbrook: So is the proposal then to have this chartered association of police officers? Would you then propose doing away with the Police Federation and ACPO?

Lord Stevens: No. What we said about ACPO is that it should still retain responsibility for operational decisions. Let us take the petrol strike, which happened when I was commissioner. The only people who actually had the ability to move police officers around the country were the president of ACPO and the commissioner, as it happened, because I was in Cobra and the rest of it. That still remains. If we have a national emergency, it would have to be the same.

In relation to the Police Federation, that is a matter for them to decide. There will be some danger for the Police Federation if in fact the Police College takes up some kind of association and payments are made to them, but we refute the point made by the Police Federation when this report was published that this affects the office of constable. It does not. This enhances the office of constable.

I am sorry to go on a bit about this, but I have a bee in my bonnet about it. The other thing about the Police College and the chartered police officer is that you could then bring direct entries in for people with particular skills in forensics, accountancy and others, providing that they go through a proper bedding-in
process and that they understand policing. There are great advantages around all of this, I think.

Q339 Lorraine Fullbrook: I am a fan of direct entry anyway. It is used in the armed forces and in the prison service. If the Police Federation and ACPO remained, would you not find that the bureaucracy of this chartered association would outweigh the benefits?

Lord Stevens: I don’t think so. ACPO would have to stay, because, at the end of the day, there is legislation that states that they actually deal with national emergencies, such as flooding or whatever. They have to stay. Bureaucracy, I hope not. I think what it needs is a very strong focused, laser delivery to the benefits of all of this and not be carried away with some of the other issues.

Q340 Lorraine Fullbrook: But there is a finite sum of money to do this kind of stuff. If you did not replace the Police Federation with this chartered association, then money would have to come from somewhere else to set this up. There would be a set-up cost involved.

Professor Loader: Ultimately, the College of Policing, which the report does endorse, has to find a way of becoming pretty much self-financing. The suggestion we make in the report is that, as in the other issues.

Q341 Lorraine Fullbrook: Can’t you do all that without creating a chartered association?

Lord Stevens: No, and I think a point made very strongly by Lord Carlile is that it needs a separate identity to allow the police to become a profession, which, quite honestly, over my period of time, it has never been. I think that has to happen. It also allows—this is where I speak personally—people to come into the police service at the base level without direct entry and work themselves up in terms of qualifications to become, if necessary, the Commissioner of the Metropolitan Police or president of ACPO. I think this is something that could work for the general good, honestly.

Chair: We will have to leave it there. Paul Flynn has the final question.

Q342 Paul Flynn: You state that you would like to see the social purpose of policing enshrined in law. Why?

Lord Stevens: We think that over the course of the last three or four years—and I am speaking against myself, having been a career detective and concentrated on crime reduction in Northumbria, but the means of delivering crime reduction in Northumbria was by a concerted approach—we say that it would be nonsense to concentrate totally on the police. Let us take the emergency over flooding. Are we saying that the police are not an emergency service to come and give their support to the population? Of course we are not. Yes, of course crime is important, but, at the same time, we must not ignore the broader aspects of policing. That does not mean that we should get it totally into social services in a way that sucks out some of the resources in an improper way, but when you talk about the police, it cannot possibly be solely about crime, public disorder and other issues.

Q343 Paul Flynn: There is an argument that, with more democratic accountability via the commissioners or MOPAC in London, there is a greater incentive to distort the figures. Because people have to be elected, they have a strong political imperative. Isn’t this right? Isn’t this almost certain to happen? Priorities will change away from what they should be and the judgments of independent chief constables, against the political agenda where people have to present a picture to show that they doing a decent job to be re-elected.

Lord Stevens: I’ll let Professor Loader follow me on this, but let me say that ever since I have been in the police service, there has been a fiddling of figures. I remember being a detective constable where we used to write off crimes because, allegedly, a stone had gone from a car and banged into a window. It went on and on. There are police forces round about 1991 where they looked at the crime levels of those detections, which were 51%, and when they stopped prison visits and did primary detection, it went down to 5%. The chief constable there was in danger because there was going to be public uproar. The police authority came to the support of that chief constable. I was the chief constable. I don’t want to publicly talk about it, but when I was an HMI, there were cases when we inspected forces and found that there were real problems in terms of recorded crime—cuffing, as we call it—and the business of detection. As Sara Thornton has said, that is an absolute abomination.

Q344 Chair: Is it still going on?

Lord Stevens: Yes, of course it is.

Q345 Chair: So you are telling this Committee that as far as you are aware, the fiddling of figures, cuffing of information or whatever it is called is still going on in the police service?
Lord Stevens: In certain forces, yes. Let me give you some empirical evidence.

Q346 Chair: Can you tell us which forces?
Lord Stevens: No, I do not know the exact forces. All I can say is that I was at a session of the Police Federation’s police sergeants branch annual meeting nine months to a year ago in Chester talking about what their feelings were about the police service. It was a great session, with outstanding people; 75% of them worked on counters out on the front line. All of them said the biggest scandal coming our way is the recording of crime.

Q347 Chair: How long ago was that?
Lord Stevens: It was nearly twelve months ago when I went up.

Q348 Chair: So you now accept it. We have heard evidence from a whistleblower who said that this is happening on a regular basis. You are telling this Committee, which is astonishing to us, that this is still going on in some forces in the police service.
Lord Stevens: I think HMI is going to be doing annual inspections, so I hope that has stopped as a result, but my point has been made.

Q349 Chair: You hope it has stopped, but you don’t think it has.
Lord Stevens: I pray to God it’s been stopped.

Q350 Chair: What is the way of stopping it now?
Lord Stevens: I think single force should be subject to an independent, laser-focused investigation into police crime figures on both detection and the recording of crime. I think that should happen—it is happening—and it should happen as a matter of urgency.

Professor Loader: Can I make two points in relation to your question? One is that it might be helpful to make a distinction between what is evocatively called “fiddling the figures” and the exercise of discretion that officers make when they decide how and whether to record crimes. You cannot eradicate that; you can shape it in various ways. When that discretion is exercised, police officers, for all kinds of good reasons, will respond to what they take to be pressures to make that decision in one way or another. In answer to your question, I don’t think PCCs have created a pressure to manage crime figures on both detection and the recording of crime.

Professor Loader: The second point is that officers make when they decide how and whether to record crimes is that officers make when they decide how and whether to record crimes, and that job will take some time to bed in. Why break something up which has been a massive success over the last 80 or 100 years? Remember what Sara Thornton said: it is the police and MI5 working together. That is something that Baroness Manningham-Buller and I are more proud of than anything—combining squads to work together in the same buildings.

Q355 Lorraine Fullbrook: I would like to go back to the crime figures being massaged, to put it in the nicest way. Have you made a formal request to Tom Winsor to carry out the independent audits that you were suggesting in each force?
Lord Stevens: From my knowledge, when Tom Winsor came to give evidence to the commissioner, as did a lot of other people, I think he is already doing that.

Chair: As a result of what you have said today, Lord Stevens, we will write to him again.

Q356 Lorraine Fullbrook: That doesn’t answer my question, though. Have you made a formal request to Tom Winsor?
Lord Stevens: I haven’t, no.

Q357 Chair: It probably is not in your remit, but it certainly is within ours. As a result of what you have said to us today, I will write to Tom Winsor to ask him whether he can conduct the investigation that you mentioned, in view of what you have said to the Committee.

Lord Stevens: And Chairman, it has to be independent. The business of public satisfaction is how the police should be judged.

Q358 Chair: Of course; we understand that. Lord Stevens, Professor Loader, this has been a very robust session, but I am sure you will be used to it in the
various jobs that you all have been doing—perhaps not you, Professor.
Professor Loader: Oh no, we do robust in Oxford, don’t worry.

Q359 Chair: We are extremely grateful. Could you write to us with the information? Would you like us to write to you or send you the transcripts, so you know what we would like?

Lord Stevens: It would be great, if it is okay with you and the Committee, if you wrote to us. Then we will answer all the questions, including the business of the moneys, what was given and so on.

Q360 Chair: Wonderful. That would be very helpful. Thank you very much. Apologies for the votes in the middle.

Lord Stevens: No, well, thank you for listening to us.
Chair: Thank you.
Tuesday 21 January 2014

Members present:
Keith Vaz (Chair)
Ian Austin
Nicola Blackwood
Mr James Clappison
Michael Ellis
Paul Flynn
Dr Julian Huppert
Yasmin Qureshi
Mark Reckless

Examination of Witnesses


Q361 Chair: Could I ask all those present to declare any interests they have that are over and above what is in the Register of Members’ Interests? This is a further evidence session in the Committee’s inquiry into police and crime commissioners. We are delighted to see Mr Collins from the Police Foundation, Mr Chambers from Policy Exchange, and Mr Rix from Comparing Police and Crime Commissioners, your organisation. Bernard Rix: CoPaCC is shorter.
Chair: CoPaCC, yes. Thank you all for coming. Even though there are three of you here, you do not all have to answer every single question that everyone has. Just chip in whenever, because we will ask the questions generally. If I could start with you, Mr Rix, on your blog on 25 November you referred to Lord Stevens as “The Phantom Menace” in your Star Wars section. Why was that? What did he do that so upset you?
Bernard Rix: He had not upset me. My blog, Mr Vaz, as you may well know if you have read a number of the previous entries, occasionally uses a feature that those that follow me on Twitter have suggested. On that particular occasion, the challenge was for me to write a blog summarising the findings of the Stevens report in the style of Star Wars. That was the closest I got to trying to characterise the work of Lord Stevens in the Stevens report itself.
Chair: If he was the Phantom Menace, who was Princess Leia, Yvette Coopet?
Bernard Rix: I do not think I quite got that far. When I get my next challenge perhaps I might consult you on some of the casting. It can be quite a challenge. I think a previous blog of mine commented on the Winsor report in the style of ABBA. On occasion, the arguably somewhat ridiculous theme that you bring in to illustrate these matters helps to make the material a little more digestible.

Q362 Chair: Did you welcome his report? Did you feel it was fair? Did you think that there were problems with it or not?
Bernard Rix: It certainly examines some of the questions that there are about the new landscape in policing, police and crime commissioners. With police and crime commissioners, we have a single individual who is very powerful.
Chair: No, we know about that, but what did you think of the conclusions? We are keen to know what you thought of the conclusions of the report, not what the report said?
Bernard Rix: I personally do not feel that the conclusions moving away from a single elected individual are ones that, at this stage, should be taken forward, not least because we have only had PCCs in place for a year, which is not enough time, in my view, to determine whether this new landscape is appropriate. One of my great concerns with police governance is that we find we change many times in a short period of time, leaving no time for any of these particular changes to bed in.

Q363 Chair: Yes, we are coming to some of those other points that you have raised, which are very important and valuable. Mr Chambers, in your blog or maybe it was a report, Power Down, you wrote in August 2013, you talked about a once-in-a-generation opportunity to bring accountability to the system. Do you think that the arrival of police and crime commissioners has provided what you have said was missing: the system was bereft of local control, financial responsibility or democratic accountability? You are a fan of the system? You would like them to stay, would you?
Max Chambers: Yes. Policy Exchange has published a number of reports over the last few years looking at this area and has always advocated police and crime commissioners in some form or other. I agree with Bernard in the sense that it is very early to be making definitive judgments about whether this has been a success yet, but one of the things that is striking is that that clarity of leadership that has been provided by a single figure as opposed to a committee has led to some very interesting innovations already in the first 12 months. It is that kind of local control and leadership that we were particularly interested in trying to foster when we historically, as an organisation, have written reports previously recommending the introduction of police commissioners.
Chair: Yes. Mr Collins, are you a believer?
Jon Collins: I think the PCCs were a serious attempt to address a real problem, the so-called democratic deficit and not enough local control over where police resources were used and focused. It is not a model without flaws. I do not think that even its strongest advocates would say that it is a model without flaws, but I think there is no perfect solution to this problem. There are different methods and different ways you...
could develop it and I think the Stevens report puts forward a plausible alternative, but it is difficult to say which will necessarily work best. For that reason, I agree with what the other two witnesses have said, which is that it is a year in and we need to give this model time to run before we discard it. Even if we decide to move on from it a term or two from now, we will have fully learned lessons of what has and has not worked so we will not have to go back to it in a few more years.

Q364 Chair: What struck us in the report but also generally in terms of the powers of PCCs was the ability to dismiss chief constables—what Lord Stevens described as the “chilling effect” of being able to suddenly get rid of your chief constable. Is that a power that you think should be retained by PCCs, Mr Chambers?

Max Chambers: Yes, it is. I think it is an important power that PCCs have. The thing about the Stevens review is that, as far as I am aware, it did not say it is having a chilling effect. It said that it risks having a chilling effect in future, not that there was any evidence that it was already doing so. The decisions a few PCCs have taken over dismissals have been the exception that has proven the rule and the rule is that, in the main, PCCs have built pretty good, on the whole, constructive relationships with chief constables. For me, the question is not so much, “Does the hiring and firing power offend the sensibilities of chief constables?” but rather, “Does it affect the outcomes in terms of the service to the public?” That is the most important thing and if chief constables are deemed by a PCC to be a barrier to that improvement, then it is an important part of addressing that.

Chair: Mr Collins, just on the point of the power to sack. We will come to the other issues, later.

Jon Collins: In terms of the power to sack, in the end, if that relationship breaks down irretrievably, someone has to have that power to remove the other. In the end, the only way round that is that the PCC has the power to remove the chief constable. I think that power should be used rarely and only in exceptional cases. Clearly, if you ended up with a merry-go-round of chief constables changing monthly or yearly, that would be very damaging to the confidence of the public and to the structure of the police service, but we have not, to date, seen that happening. The power should be held back and used in extremis, used sensibly and used in line with existing employment law. When the current chief inspector of constabulary gave our annual lecture at the middle of last year he set out a very clear legal case for why he thinks that employment law very much applies here and that PCCs need to bear that in mind and I would agree that they should do so.

Chair: Yes Mr Rix?

Bernard Rix: The PCC is there to hold the chief constable to account. I believe it is the ultimate sanction in holding the chief constable to account. Therefore yes.
Bernard Rix: It is certainly a challenge. Over the three and a half years for the first term of a PCC, in very broad terms, the first year was for many PCCs finding their feet. I think the second year will see some significant change on the part of many within their force. In the third year, they need to be demonstrating the benefit of the changes they have made and I think it is that year that answers your question. In the fourth year or the last six months, effectively, for those that choose to stand again—and I am pretty sure that it will not be all of those who are currently PCCs—they then need to use that evidence that they have gathered in the preceding year, hopefully independent evidence, to show that they have made some significant improvements in the way in which their force is able to deliver what the public expect of it.

Q368 Michael Ellis: Gentlemen, the issue that was of concern to the Government was the democratic deficit that existed prior to the introduction of police commissioners between the general public and the police, the lack of elected accountability. That has been addressed now, has it not, by police and crime commissioners? There are bound to be some teething troubles but, by and large as a principle, the public having the right to vote for someone who can oversee the strategy and budgetary requirements of a large public sector body like the police is a good thing. Do any of you disagree with that? There is silence. Mr Rix?

Bernard Rix: Certainly the individual who is accountable and answerable to the public is very clear and there is only a single person, so it is entirely clear who is responsible and who has delivered or not.

Michael Ellis: That must be a good thing, must it not?

Bernard Rix: That is a good thing. I would agree on that point. I think the challenge, though, is over the degree to which, for example, PCCs engage with the public, with the communities within their particular area.

Michael Ellis: Yes, but surely some engagement is better than none at all. Before there were PCCs, there was no engagement. Police authorities existed for 30 years and, towards the end of their lives, opinion polls indicated that only about 6% of people knew they existed. Is that right? You are nodding in agreement.

Bernard Rix: It is significantly more now.

Paul Flynn: Mr Chairman, as Mr Ellis appears to be giving evidence in this Committee, are we allowed to question Mr Ellis?

Q369 Michael Ellis: Mr Flynn has not been a member of the Committee for very long, but I am going to carry on. Is it not the reality, though, that with 6% having acknowledged the existence of the police authority, the way that it is 62% now, according to the briefing that I have had from the civil servants who prepare briefings for this Committee, it is quite good in the scheme of things, isn’t it?

Bernard Rix: For me it is a question of what those PCCs then do with that public engagement. It is all very well engaging. The acid test for me would be over the extent to which they pursue the ambitions or the desires of their community and put them in action and see that they deliver. If I might use one example of that, a number of PCCs, quite rightly, over the past few months have been asking their communities about the police precept. There is a bar on the police precept so that it cannot rise above typically 2% without a local referendum. The argument of localism would suggest that PCCs who have that local mandate ought, if that is what their local population would wish, to be able to increase the precept beyond 2%. It appears that that is not the line the Government is prepared to take on this, so we then have this tension between localism and the application.

Michael Ellis: I just want to give the other two—Chair: Final question.

Michael Ellis: There are no other questions from me. I just wanted to see if Mr Chambers and Mr Collins wanted to come back on any of that or have any observations.

Max Chambers: Obviously it is very important how PCCs respond to the fact that they are visible, but I think in this instance visibility is an end in itself as well. What is the point in having an element of democratic accountability that nobody is aware of? The starting point is people are aware of the existence of their local police and crime commissioner, had the opportunity to vote for that person and engaged with them throughout the four years.

Jon Collins: I do not think you necessarily can say either that police authorities did nothing to engage the community, although I would be the first to agree with you they were not as visible as they could have been. The second thing is you do not do away with democratic deficit just by having an election. There is more to it than that and there were clear and well-established problems with the first election, which we do not need to rehash, but as the model goes on, assuming PCCs remain, it will be important for them to build on that and to do more than simply saying, “We are holding an election once every four years, therefore it is solved.”

Michael Ellis: I accept that.

Q370 Mark Reckless: Mr Rix, you said that the Government would not accept that degree of power for PCCs, but in their White Paper, Policing in the 21st Century, they did propose giving that power to set the precept entirely to the PCC, subject just to the local panel being able to call a local referendum if they had a two-thirds majority against the precept. Do you think that would be a better model than what we had once the civil service watered it down?

Bernard Rix: There is a difficulty at the moment, at the very least in the co-ordination between what is happening locally with PCCs and their need to set the precept and the clarity of the instruction from, I believe, the Home Office on whether it is the 2% that will apply and which forces may be exempt from a 2%. You will recall that last year there were, I think, 10 forces that were able to increase their precept by more than 2%. To my knowledge, it is not clear how many and the percentage rise that is permissible at the moment. You put a particular scenario there. I would suggest that the clarity of the scenario is the most important thing, not the detail of the scenario. What I am hearing is, in terms of the ability or otherwise of
PCCs to increase the precept, at the moment they are not clear on what the rules are that the Home Office will be setting, and those will not be clear until later this month or even early next month.

Q371 Mark Reckless: How would you advise voters to determine whether or not that PCC has done a good job, particularly when it comes to assessing them at the next election?

Bernard Rix: This is why, in part, CoPaCC was set up a year ago. CoPaCC is there to compare PCCs and share best practice. It is deliberately there to compare the 41, or even 42 if you include the Mayor’s Office for Policing of Crime, and then examine a number of areas. For example, last year we ran a transparency thematic looking specifically at how PCCs compare on transparency and we have a further five planned for later this year. That provides not just voters but many who are interested in PCC performance with a comparison between PCCs. It is that sort of mechanism that allows electors to take a view on whether their PCC is at the front of the pack or lagging somewhat behind.

Mark Reckless: Mr Chambers and Mr Collins, how would you advise voters to judge their PCC aside from, of course, subscribing to Mr Rix’s monthly CoPaCC review?

Max Chambers: As helpful as the comparative data is, I would ask, “how do people judge their MPs or their mayors?” There is no one particular standpoint that people will take. Some people will look at the crime figures. Other people will go on whether they feel safer in their own communities, or whether they think that particular crime priorities for them have been addressed. Other people might just say, “Do I think my PCC has done a good job in standing up for my local area?” I do not think we need to be prescriptive about how people judge and how PCCs should be judged.

Q372 Dr Huppert: There was a conversation earlier about whether PCCs addressed the democratic deficit and I think it was acknowledged they cannot do the whole work. Part of the key element that was set up was, of course, the police and crime panels, partly to provide greater diversity of representation and partly to deal with the fact that no PCC can cover an entire area. How effective do you think the police and crime panels have been and how could they be strengthened so they can achieve what they ought to be able to do?

Mr Rix.

Bernard Rix: I think there is a real challenge for police and crime panels and, if we start at the very basic step, in some cases it is a question of motivation of the panel. Only in three cases is the chair of the panel is from a different party than the PCC, if we exclude independents. For something of the order of 26 PCCs, their police and crime chair is of the same party. Of course, I am not suggesting that that would discourage any challenge but it is more likely, I would argue, that there is less challenge where it is a chair that is of the same party as the PCC. There is certainly a major question about resources. Police and crime panels are very poorly resourced. Only in one case, I think, do they have a budget of anything other than around £50,000. They are still struggling to find information on what the PCCs are doing. They are uncertain of their powers. They are beginning to share information, but I think they are also discouraged by what I hear is a lack of engagement with those at the centre. I know that a number of police and crime panel members and chairs have written to the Committee and I am sure that a number of them would welcome the opportunity to speak for themselves to this Committee on the challenges that they face.

Chair: We will be having a session with panel chairs.

Bernard Rix: I am sure that they would very much welcome that.

Dr Huppert: I recall one of them who came to see us resigned shortly afterwards. Mr Collins or Mr Chambers, do you have anything to add?

Jon Collins: I would say, in the same way that we were talking about the first year for PCCs being somewhat of a bedding-in period, the same is even more true with panels as it is not, by and large, their full-time job and it is taking some time for them to start to find their feet. They received some fairly strong criticism in the early days about an inability to stop various appointments that they opposed, but I think that it will take time for them to find their feet. There are some concerns about the level of funding and the amount of professional support that enables them to do proper scrutiny. It goes without saying that panels should have access to the information they require from PCCs, and PCCs should voluntarily provide that information if it is asked for because the panel is there to help them to do their job better as well as to hold them to account. A positive, strong, constructive relationship is important and PCCs have to commit to that as well as panels. I would not be too quick, as with PCCs, to jump to give them significant new powers. We always talk about more vetoes and more banning. I would not jump to give them more powers until we have seen how it can really work over a slightly more extended period.

Dr Huppert: Yes. As Mr Chambers said, it is bedding in new resources, not new powers. What is your assessment?

Max Chambers: We have not done a huge amount of work in the space of police and crime panels. I have read the evidence that has been submitted to the Committee as part of this inquiry, but I do not have anything to add to what Jon just said. I think that sounded very sensible.

Dr Huppert: Mr Rix, were there any other things you wanted to add, suggestions for how to strengthen?

Bernard Rix: The key for me is listening to what the panels themselves have to say, acknowledging that in some cases they have not shared with other panels the way in which they can use their existing powers. I am sure you will find that many will argue that they ought to have more. I still think that they are learning how to use their existing powers before they necessarily need to have those additional powers.

Q373 Paul Flynn: As there were no outside applicants for the job of chief constable in Gwent following the sacking or forced resignation of the existing chief constable by the police and crime
commissioner, is that not an example of a chilling effect?

Max Chambers: I do not know enough about the situation in Gwent to comment on that individual case.

Q374 Paul Flynn: I mean generally. We have evidence from the PCC who said there would be a large number of applicants for the job. There were in fact none and an internal candidate was appointed. Do you think the commissioners are working collaboratively across the country? We hear of the fact that something like 13 of the police forces are still using numeric targets for crime statistics, in addition to the Mayor of London. Is there an example of them working in a collaborative way or are they all doing their own thing?

Max Chambers: On the collaboration point, I am not sure about the macro picture but I am aware of examples where forces are collaborating and PCCs are collaborating even across party boundaries. That was one of the concerns: would a Labour PCC be able to work strategically with a Tory PCC? If you look at areas like Cambridgeshire and Bedfordshire and Hertfordshire where there is a Labour PCC and some Conservative PCCs, they are working together on an IT collaboration that is saving the forces money and merging some functions. There are other areas like West Mercia and Warwickshire where they are working very hand-in-glove together and collaborating. There are certainly areas where it is working quite well, but it is not just in force-to-force collaboration where there have been good examples. It is also collaboration between forces and other public services where I think there are more interesting practices beginning to emerge. We are seeing forces working with local authorities to share back and middle office functions, but also forces working with other public sector agencies such as mental health teams and the Fire Service. That is an area where, again, that leadership quality that PCCs are able to offer is driving some interesting practice that it is going to save money and deliver a better quality of service.

Q375 Paul Flynn: Do you think the balance of responsibilities between the commissioners and the police constables is right when the Gwent police commissioner said that he engaged the best legal brains in the country at public expense in order that the other side, as the chief constable, would not have the opportunity of recruiting them? Do you think the balance is perhaps not a fair one?

Jon Collins: I cannot comment on the specifics of the Gwent recruitment situation. I would say that, following the first PCC elections, there were a huge number of chief constables recruited because there were a lot of vacancies at the time of the elections. Inevitably, for the few months after that there will be fewer potential candidates coming forward. The other thing to say about recruitment now where there is a police and crime commissioner in place is that it is almost inevitable that those chief constables who apply for that role and those who are successful will share a vision for the force and for policing with the PCC whom they are applying to work with because that is what you would expect. You would not expect people to move into relationships they know will be problematic. The relationship between PCCs and chief constables in general was always going to be a particular challenge of this reform because it was a new, different form of accountability coming in largely above existing police structures. By and large, it has worked extremely well. The sky has not fallen in. There have been some teething troubles; four areas particularly have had problems, but by and large—

Chair: Which are the four areas?

Jon Collins: They are pretty well documented. There was Avon and Somerset straight after the election, Lincolnshire, Cumbria and Gwent.

Chair: What was the problem with Avon and Somerset?

Jon Collins: It was not necessarily a problem, but in the immediate aftermath of the election the chief constable was moved on pretty quickly. I think the current chief constable and the police and crime commissioner are giving evidence and may be sitting behind me—

Chair: That is why I asked you.

Jon Collins: They have, as I understand it, an extremely good relationship, but they ended up in a court case immediately after the election.

Q376 Paul Flynn: Finally, do you think that an 8% vote for a police and crime commissioner is an adequate mandate for him acting dictatorially?

Jon Collins: The way elections work in this country, by and large, for better or worse, is that there is no minimum number of people you need to get to vote. People who choose to vote choose the person who takes on that role. Obviously everyone, ourselves included, would have liked to have seen the elections have a higher profile and turnouts to have been much higher. Those PCCs who were elected on that first relatively low turnout need to bear that in mind in terms of how they apply their mandate, but they have the powers they would have received if it had been 100% turnout. That is the way it works.

Q377 Mr Clappison: I hope I will not get into trouble for giving evidence, but if I can just say to Mr Chambers that I was interested in his comment about Hertfordshire, Bedfordshire and Cambridgeshire and the police and crime commissioners there being able to drive forward change. As a Hertfordshire MP, I do know that something that was talked about as being needed before the advent of police and crime commissioners was smaller forces to work together across boundaries and across party boundaries, as you rightly say. My question is to Mr Rix. One thing that has caused comment in some cases has been the appointment of deputies by police and crime commissioners. One suggestion that has been put to me from quite a well-informed source is that problems might be solved if there was an election for the deputy at the same time—a ticket for the posts. What is your thinking on that and do you have any other proposals or thoughts on that subject?

Bernard Rix: I personally have no difficulty with the PCC being allowed through statute to select their own deputy. They are then answerable for their
performance, the two of them combined. Equally, the mechanism you describe may also have effect. Do I think that in some cases deputies are needed? Certainly on some of the larger forces, such as Thames Valley, which is a very large force. Although I do not believe the Thames Valley PCC has a deputy, I do think that that is an instance where having somebody that that individual has selected is helpful.

I am one of those few, it seems, who would argue that we need more forces rather than fewer. Very often there is a comment made that we should have fewer forces. I think the engagement that PCCs have, particularly in the smaller forces—I live in Bedfordshire and I know that in Bedfordshire it is possible for a PCC to engage across the county. I can see it being much more difficult in a number of counties such as Thames Valley.

**Mr Clappison:** Have the other two witnesses anything to add?

**Jon Collins:** On the appointment of deputies generally, I think that was introduced on the basis that a PCC would be representing a very big area. It would be challenging to get round and the idea of having someone to support them to do that was brought into legislation. I think that is a sensible thing to do. Where deputies are appointed after the election, I would like to see much more clarity about why they are required, what their role will be and why the person who is appointed is the best possible person to do that role.

Personally, I would like to see those jobs advertised to see much more clarity about why they are required, the deputies are appointed after the election, I would like to see much more clarity about why they are required, what their role will be and why the person who is appointed is the best possible person to do that role.

**Mr Clappison:** Do you have a problem with the electorate knowing in advance who the deputy was going to be?

**Jon Collins:** No, I think that is a perfectly sensible, separate approach. It is also reasonable for PCCs to come in, to look at the scale of the job and then to decide whether they need a deputy and, if so, what skills they need. That is reasonable as well, but where someone is sure they will need a deputy and they have someone in mind who they think will fill the role, I think it is perfectly reasonable to effectively put them on a ticket. Given that people are voting for the PCC, you would still then need to have post-election appointment scrutiny.

**Mr Clappison:** Mr Clappison, anything to add?

**Max Chambers:** I suppose I just want to make a wider point that we mentioned in our *Power Down* report, which is that this is a different job from running a police authority and we do not think the PCCs should be squeamish about appointing the people they need to a good job. If that means that the costs of the PCC office are different and higher than the costs of a police authority, but in doing that they can drive down the policing budget while maintaining the downward trajectory of crime and delivering a better service to the public, that is the more important thing. Deputies and advisers and assistants and all the rest of it, fine—and let the public judge at the end of the four year process whether they have delivered better outcomes.

**Q378 Nicola Blackwood:** I want to follow up on the answers to Mr Austin about targets. I think, Mr Collins, in the Police Foundation’s submission to the Committee you made some comments on targets and you quoted an analysis by the BBC of the PCC’s police and crime plans, which found that 178 performance targets have been set with 18 of the 41 PCCs using targets for performance measures. However, in your answers it was a bit more high-level discussion saying, as I understood it, that we will not be able to assess the impact of these targets until the next election. Have any of you done any work to look at these specific targets in their areas and analyse the different kinds of targets that have been set in the different areas and the impacts that they are having there? It would be very helpful for the Committee.

**Jon Collins:** As you said, it was not our analysis. It was carried out by the BBC. These are all targets contained in police and crime plans that we have looked at, but we have not been looking at their impact. It would be a very useful piece of work for, in general terms, more comparative work to be done to look at how the PCC reform is evolving. We are not currently in the situation to do much more than very high level work, but I think it would be welcome if others could do so.

**Nicola Blackwood:** Mr Rix, you are the Comparing Police and Crime Commissioner’s think tank.

**Bernard Rix:** It is a mouthful. CoPaCC is much more straightforward. Part of our aim for this year is, in the same way that we undertook the transparency thematic at the back end of last year, to run a number of very similar thematics, one of which will be on governance, looking at how PCCs hold their chief constables to account. There are very clearly different mechanisms. I fear I am not in a position to offer any concrete objective evidence as we speak. It is still relatively early, but it is very clear that there are different approaches that PCCs have.

**Q379 Nicola Blackwood:** The next issue I want to follow up on concerns your answer to Mr Clappison about transparency and decision making regarding deputies. I am a little confused. Would it not be necessary for commissioners to publish their decision making for deputies as part of their register of significant decisions?

**Bernard Rix:** It illustrates the way in which different PCCs are interpreting obligations to publish certain statutory transparency factors and they have to publish their decisions by law, as you know. Some PCCs publish as few as one decision a month on average, while others publish as many as 13 or 14 each month.

It is pretty clear from that that there is some interpretation on what type of decision is published by each PCC. I have not seen any decision published on the appointment of their deputy other than, I think Dyfed-Powys, where the approach was somewhat different. Rather than selecting an individual simply on a political basis, there was a competition in Dyfed-Powys.

**Q380 Nicola Blackwood:** In the discussion with Mr Ellis on democratic accountability, clearly the foundation of that has to be transparency and there are the 25 measures of transparency. In your submission, Mr Rix, you clearly outlined your assessment of the degree to which the PCCs are adhering to those statutory requirements. I think there is only one office
of police and crime commissioner where all 25 statutory disclosures have been available on the website, but overall your assessment is that the disclosures are quite good?

**Bernard Rix:** Room for improvement I think. We did use the term “good” in the report that we put together. In fact, you are hearing evidence from the West Midlands PCC, whose office is the one that you described where all 25 statutory factors were mentioned. If you look at the “could do better” side, we found that something like 9% of offices of police and crime commissioners had websites with fewer than 60% of their statutory responsibility for declarations on their website, and that is simply on the basis of a mention. This is not the quality of the information that is provided; this is simply the mention of that statutory transparency factor.

**Q381 Nicola Blackwood:** On the point about quality, obviously none of this material that is declared will be of any value to the electorate if it is not accessible, if it is not in plain English rather than acronym-laden—forgive me—police language, and if it is not freely available and if people do not know where to find it. I wonder if perhaps Mr Chambers and Mr Collins might want to come in on whether they think that the current system is working and whether they think there are any other measures that should be included to make the transparency measures that have been put in place work effectively for democratic purposes.

**Jon Collins:** The first step is obviously that all PCCs should be complying with that but, as you say, that is not enough. To expect many members of the public to trawl PCC websites and make their way through lengthy PDFs to try to get to the bottom of what decisions have and have not been made is unrealistic. I would imagine, given the interest in PCCs so far. It was be valuable if PCCs chose to make that information as accessible as possible in a way that people might be engaged with it and interested in it. It will be in their interests if they are doing a good job to broadcast that as widely as possible to the public and to their potential electorate in the future. There is a clear incentive for them to do that and I think they should be encouraged to do so, and then it is for local and national media and those of us who have an interest in PCCs to take that information and disseminate it as widely as possible.

**Max Chambers:** I agree with all that. The hope is that you will have third-party organisations like CoPaCC—we tried to do this at the time of the last election on our website PoliceElections.com—who will try to make that information digestible and available to people. As Jon says, the first step is PCCs making sure that they comply with the guidance where they have the capacity to do that. That is the other question here. We cannot, on the one hand, criticise PCCs for employing staff and then, on the other hand, say, “You need to be quicker and more responsive in giving us information.” They need to make sure they have the support to do that.

**Q382 Nicola Blackwood:** In your view, all of you, the 25 measures are the right measures and it is just a matter of complying with that?

**Chair:** A yes or a no is fine.

**Bernard Rix:** I am drawn towards no. Quite simply, if I may be allowed a supplementary to that, I feel the measure of those 25 factors is an illustration of the determination of the PCC to publish information. The interest of the public, ourselves included, in the information would extend, for example, to the Association of PCCs website, which has become less transparent in the last month. You cannot simply examine the statutory factors. You have to look at the desire of PCCs individually and the PCC community to share that information and I am mindful here of the NAO comment about transparency.

**Q383 Chair:** Thank you. The Committee were concerned about the lack of transparency. That is why we created our own register of interests for PCCs, because the Government said it was a matter to be dealt with locally. There is no local register, so we did the work ourselves and we produced the register last year. Do you think there ought to be a register of interests of PCCs and, if you do, very quickly, who should hold that register, Mr Chambers?

**Max Chambers:** I can see no reason why not. There is no reason that PCCs should not be declaring their interests. Where it should sit, I do not have a strong view.

**Chair:** Mr Collins?

**Jon Collins:** I agree that there should be one and I think the key thing is that PCCs publish that locally, I think whether someone chooses to collate that into one national document is a secondary issue to making sure it is available from them at the local level.

**Chair:** Mr Rix?

**Bernard Rix:** There is already a statutory obligation on them to publish that information. Not every PCC is doing that at the moment. I think anything that encourages them to get it right on their website is to be encouraged.

**Q384 Chair:** You see no objection to a national register that just collates all this information together? We found it very odd that this was not being done and, therefore, you cannot have a comparison of what is happening in Leicestershire and what is happening in Warwickshire, for example.

**Bernard Rix:** I would argue that is something that CoPaCC is looking to do, in part because there is a vacuum there.

**Chair:** Maybe the register can sit with you. Yasmin Qureshi has the final question then we must move on. Our next witness is here.

**Q385 Yasmin Qureshi:** Would the Chair, with your indulgence, permit me two little questions?

**Chair:** I will. I will measure them carefully, Mrs Qureshi.

**Yasmin Qureshi:** You will, I am sure.

The first question, I just want to take over from what Mr Flynn was saying about the issue about the PCC being able to fire the chief constable. None of you seem to see any problems with that, but let me put it
this way. You have a chief constable, somebody of 20 or 30 years' experience, running an area who knows all about policing. Then somebody comes in, elected on about 8% of the vote—I know it is democratic and it does not matter, but this is very low—and most of them do not know anything about policing. They can come and they simply tell the chief constable what to do and, if the chief constable may have a different view about how they should be tackling the area, that person should be able to fire them. To me that is quite a chilling effect. Do you still hold by the view that that would not cause a chilling effect?

**Bernard Rix:** My feeling here is that this is the will of Parliament; that they are elected individuals; that if they are—

**Yasmin Qureshi:** No, leave aside the will of Parliament. On that basis, we should not be discussing it at all because on the will of Parliament they have been set up. They have been set up. All of you are giving evidence saying it is a great organisation; it is brilliant. I am just pointing out something that is a very obvious problem that a lot of people can see.

**Bernard Rix:** For me it boils down to one or possibly two sentences. The PCC is there to hold their chief constable to account and the ultimate sanction in holding the chief constable to account is the power to fire them.

**Max Chambers:** I might put it a different way. Someone has to have this power and it either sits with the Home Office or it sits with weak and invisible police authorities that nobody has ever heard of. At least this way everybody knows who is taking the decision and there is proper democratic accountability for it. We saw what happened when there was not a high turnover of police constables. We saw the police become more and more remote from the public, with the Home Office buttressing that with very centrally directed, blunt targets. I think this is a much better model.

**Jon Collins:** Just briefly, I do not think this situation is unproblematic, but I do think there are processes in place to try to make sure that the power is not used inappropriately, both processes specifically designed for PCCs in terms of some of the operational independence issues as well as the processes you are meant to run through to remove a chief constable. There is also broader restrictions in terms of employment law that do not allow you to just fire people without any cause at all. As Max said, in the end, if someone is going to hold them to account, someone needs to have that power, but I continue to say that it should be used carefully and sparingly and if there is evidence that it is not, by and large, then it needs to be looked at again.

**Bernard Rix:** Can I just come back on that point? Jon mentioned chief constables a little earlier. I believe I am correct in saying that none of them have been fired from their jobs. The Gwent chief constable resigned. The Avon & Somerset chief constable’s contract was not renewed. The Lincolnshire chief constable is confirmed in post as chief constable and the Cumbria chief constable was an acting chief constable who was acting up as deputy. In fact, the circumstance there was that he returned to his deputy chief constable post. As I understand it, as we speak we do not have any chief constable that has been sacked.

**Q386 Yasmin Qureshi:** I never try to go into personal cases of any individuals. What I am talking about is the potential for the fact that, because of this power and because the elected commissioners may have a particular way of wanting to do things or perhaps a general thing, the expert, as I would call the chief constable, may have a different view and then the tension that can develop between the two. It seems that the final word is with the commissioner to decide what to do. That is what I am talking about. That is the law Mr Flynn was talking about; the ultimate power of somebody who in all honesty is not that experienced being able to fire somebody who is?

**Max Chambers:** It boils down to the fact that—

**Yasmin Qureshi:** Do you not think that is a problem? That is what I wanted to explore with you, the fact that it is a potential problem.

**Max Chambers:** I was just going to say you can either see it as a chilling effect or you can see it as a creative healthy tension. Our view is that that is what it is.

**Bernard Rix:** If I may, there is a clear distinction and there are elements of grey. There is a distinction between the operational side, which is absolutely the chief constable's responsibility, and the strategic side, which is the PCC's. There are instances where there is a grey area in between but ultimately, for me, I would say again that an elected individual who is there to effectively take forward the mandate that has been given them by representatives, that is the one—

**Chair:** Mr Chambers, Mr Collins and Mr Rix, thank you very much. We could obviously go on for hours on this subject. You are obviously very knowledgeable about it. If there is any other information of use to this committee, please write to us. The inquiry is not over yet and, of course, you are welcome to stay to listen to the next session. Thank you very much. Our next witness is Lord Wasserman. There is a vote at 4 pm and, therefore, Lord Wasserman’s evidence will go on until then. We will then vote and come back.
Examination of Witness

Witness: Lord Wasserman gave evidence.

Q387 Chair: Lord Wasserman, thank you very much for coming. The Committee is delighted. After many years of trying, you are with us and we are very grateful. I do not know whether to shake your hand or hug you to welcome you.

Lord Wasserman: Thank you very much. You never give up—quite right. I am looking forward to this. It has taken a long time for me to get here.

Chair: It has. We are delighted to see you because we know, as a peer, you do have a choice and we are delighted to see you here. Now, if anyone is the father of PCCs it must be you. I assume that the mother is probably the Home Secretary. Your toddler is now a year and a half old. Are you pleased with what you have created?

Lord Wasserman: Yes, I am very pleased. First of all let me say it is very early days and I want to repeat what some of the other panelists said. It is very early days for this major constitutional change. We are changing entirely the arrangements by which the country is policed and it would be very odd if a Bill and then an Act, which has been developed in the Home Office in the course of a year and a bit, got everything right. That is just not the way things happen. I see this very much as a work in progress. The first step has been taken. That is why, Mr Chairman, as you know, I welcomed this inquiry very much, because I think we need to put some things right. I will mention one or two things later. We need to put some things right and this gives us an opportunity, after your report is published, to consider them. I hope that this Government perhaps in this session, or the next Government after the election, will put some things right. I think they are minor things but, as I always say, some things that need to be put right. On the whole, Mr Chairman, if I may go on for a minute, I see some real advantages. I think with PCCs now, as opposed the way things were done before—and I was in the Home Office for 27 years, so I do know how the Home Office manages police forces—there are some important advantages. One is I think the PCCs bring a much more holistic approach to crime reduction.

Q388 Chair: We will explore all of this in the questions that we have in the 30 minutes that we have with you. I was reading your speech following the publication of the Stevens report and you talked about the 47 eminent scholars who had helped Lord Stevens. You also talked about the fact that the report offered no practical solutions. In other words you obviously read the analysis, but you felt it was a bit short on practicalities. What are the practical solutions you think that were missing from the Stevens report?

Lord Wasserman: I would have liked to have their guidance. This was a group of professionals. I would have liked to have their guidance on the best structure for operational policing. I would have liked to hear much more about the role of the Inspectorate. The Inspectorate now has to change, obviously, because we have the Inspectorate inspecting a very different structure and an Inspectorate now headed by a civilian. The IPCC was another area in the report that I felt came down in the middle. Then again on my interest in science and technology, I was disappointed, because the report said, “Forensic science is not very good. On the other hand maybe it is.” There was no solution proposed. On IT, which is the longest-running issue, there was again no solution.

Q389 Chair: But you also must recognise that one of the central points of his report was the issue of the ability to sack chief constables, which he said in a sense was casting a shadow over the police leadership. He also mentioned the very low morale that currently exists within the police service. I think he referred to an opinion poll, which suggested 90% were unhappy about the state of policing. In some ways, do you feel responsible? You talk about this great landscape of policing and I agree with you that it is a revolution in policing that has been created over the last three and a half years, but has it been too fast and has the power slipped the other way, specifically in relation to the power to dismiss chief constables and the chilling effect that has on police leadership?

Lord Wasserman: I think that is very interesting. Almost everyone in this country lives with the prospect of losing their job and that is just the way things—

Chair: Apart from you.

Lord Wasserman: Quite. That is not employment, Mr Chairman. People do live with the prospect of losing their job and I have seen this in America where chief constables are fired. I mean Bill Bratton was fired by Mayor Giuliani after two years. They get up, they brush themselves off, and they go on to greater things. Bill Bratton went on to Los Angeles. Bill Bratton is indeed back in his old office in the NYPD. I do not regard this as chilling. I think there is an issue here and I see morale is bad. I think that not enough credit exists within the police service. I think he referred to an opinion poll, which suggested 90% were unhappy about the state was casting a shadow over the police leadership. The central points of his report was the issue of the ability to sack chief constables, which he said in a sense was casting a shadow over the police leadership. He also mentioned the very low morale that currently exists within the police service. I think he referred to an opinion poll, which suggested 90% were unhappy about the state of policing. In some ways, do you feel responsible? You talk about this great landscape of policing and I agree with you that it is a revolution in policing that has been created over the last three and a half years, but has it been too fast and has the power slipped the other way, specifically in relation to the power to dismiss chief constables and the chilling effect that has on police leadership?

Q390 Chair: But you were one of those who favours people coming from abroad to take on the job of a chief constable. You like direct entry. It is part of the revolution in policing. You must feel that chief constables at the moment are failing to provide the
leadership that is necessary to make sure that these reforms are successful. Would you not like to see Bill Bratton coming over here as the commissioner?

**Lord Wasserman:** Bill Bratton is no longer on the market, but let me say this. First of all, I am not on record as favouring direct entry. I am prepared to discuss this, but I am not on record as favouring direct entry, though I know the Home Secretary is. I am on record as saying that I think our chief officers are, on the whole, as good as any officers in the rest of the world. I have worked in the States and, if you lined up our 43 chief constables and you lined up their 43 top ones, I have no doubt that, after the few stars they have—and we know about them—ours are every bit as good, if not better. They are certainly better trained.

**Q391 Chair:** Why do we need PCCs then? If they are so good at their jobs, why—

**Lord Wasserman:** They are two different jobs. If we have very good brain surgeons, why do we need someone to decide about health expenditure? The job of the PCC is not to fight crime. It never has been to fight crime. That is the job of the chief. That is why I get slightly aggravated and disappointed when I hear people say, “Well, it is all working; crime is falling.” Crime is falling because the chiefs are doing their job and the PCCs are meant to be supporting them; I have always seen it that way. The reason I thought the PCCs would be useful and helpful and keep our communities safe—and I was all about community safety; it is not about value for money but about keeping our communities safe—was because I felt that our chief constables were inhibited from acting as they know best through central directives from the Home Office, guidance and directives and memos and targets and what have you, and I wanted to free them to do their job. They are the professionals. They do the job. They reduce crime and they should get the credit for it.

**Q392 Paul Flynn:** In a recent poll, 3% said they thought that the PCC project had made the police more effective and 9% said they felt they had made the police less effective. Is one of the reasons for this a lack of training for PCCs?

**Lord Wasserman:** No. Mr Flynn, the lack of this is that they have not had enough time for this system to prove itself. At the end of the four yours, if you tell me what is people think I will be very much shaken by it because I do not believe that is the case. As I said to the Chairman, if the PCCs and the chief constables work together it is a partnership. The PCCs cannot reduce crime on their own. They do not know how to reduce crime and, by the same token, chief constables need support. They need guidance. They need to be told what the local community wants dealt with. After all, policing needs are more or less infinite and policing resources are very scarce. Someone has to take the rap or take responsibility for deciding which of the many policing needs—domestic violence, traffic, schools—should get priority, and that is the job of the PCC.

**Q393 Paul Flynn:** Tom Winsor told us that he thought that PCCs did not have unfettered power to sack a chief constable. The PCC in Gwent thought that he did and acted accordingly. Do you think there was training needed for both chief constables and the PCCs before they went on this unchartered sea?

**Lord Wasserman:** Firstly, I cannot comment. Tom Winsor is a distinguished lawyer, and I would not challenge his interpretation of this statute.

**Paul Flynn:** But is it your view that they have unfettered powers?

**Lord Wasserman:** I do not think they are unfettered, but I bow to Tom Winsor’s legal view on this. What I think about training is that there needs to be training certainly and we can come back to that. Chairman, because I think there needs to be a period of transition, a period of training. You cannot take someone who has never had this responsibility before and give it to him without any training whatsoever. It is quite different in central Government where a Minister comes into a Department with hundreds if not thousands of professional permanent civil servants to advise and guide her, to a PCC who comes into an office of nine and probably some of them will leave. We can come back to this, I think.

**Q394 Paul Flynn:** Do you think the public will judge the record of PCCs on what they are doing or in a few years’ time by the collapse of public confidence in the accuracy of police and crime statistics, chiefly crime statistics?

**Lord Wasserman:** Insofar as crime statistics are not accurate, I think steps will be put in place to quality-assure them. I do not think this is beyond the wit of man. I think this is a job for the inspectorate, for example, to quality-assure crime statistics. The chief constables have no interest in fiddling the statistics because, in order to allocate police resources effectively, you have to have reliable statistics. If you do not know where the crimes are, when they occurred or who did them, then it is very difficult to allocate your scarce police resources to those areas and those problems that you are trying to tackle. There is no interest for chief constables in trying to fiddle the statistics. Now, do people occasionally fiddle the statistics? Yes. I came across a situation in Philadelphia when I was the Chief of Staff of the Philadelphia Police Department where a captain thought he would be very clever and fiddle the statistics by making a more serious crime into a less serious crime. We soon discovered this through our quality assurance procedures and then he lost his command and he was sent into some Siberia of a job. It amuses me then to think this same captain is now in a federal prison for a very serious offence committed after he left the police, so you have some idea of the character we are dealing with here.

**Q395 Paul Flynn:** A final question: we heard Lord Stevens’ evidence last week where he says the crime statistics have been fiddled for years—had been and are. If you had been training the PCCs, what advice would you give them about setting numeric targets for crime statistics?

**Lord Wasserman:** I think the question of targets is a very important one. I think there has been a misunderstanding here. The Home Secretary, when
21 January 2014

Lord Wasserman

she came into office, did away with national targets and made something of this. Some people were upset. She said, “We will farewell targets and we are not having any targets anymore, national targets” but those were national, one size fits all targets, and I do not believe that crime is a national issue. On the whole, I believe crime is a local issue, Mr Flynn. I live in Pimlico. I am not interested in the crime rate in the country as a whole, I want to know, when my granddaughter comes and visits me in Pimlico, can she go to Lupus Street to buy a newspaper or is she likely to be mugged? That is all I care about. If you tell me that in Tottenham now crime is down by 12%, it is interesting but it does not cut any ice with me because I want to know about my community, my street, my children, my grandchildren.

Chair: Thank you. Can I just say, Lord Wasserman, I know you have to vote and we have to vote at 4 pm. We need slightly briefer answers. It is fascinating what you are saying, but we all want to get in to have a bite at the cherry.

Q396 Mark Reckless: Lord Wasserman, you mentioned living in Pimlico. A year or two ago there was a serious spate of muggings, a number at knifepoint and some at gunpoint, around Pimlico. Was there not evidence there that it was people coming in by knifepoint and some at gunpoint, around Pimlico. Was there not evidence there that it was people coming in from other boroughs in London and it was not perhaps the local community police only, but a wider issue that happened to be focused on Pimlico? Are structures right for dealing with that now, do you think?

Lord Wasserman: Yes, I think they are fine. The Metropolitan Police know how to deal with these matters. I am not quite sure what you mean, Mr Reckless, by “are structures right”. This issue of PCCs does not apply to London.

Mark Reckless: The relationship between neighbourhood policing and more serious crime policing, do we have that connection and interface right, do you believe?

Lord Wasserman: Again, we have the National Crime Agency, which will impact serious and organised crime and a number of other trans-force crimes. I think that is right. Again, it is bedding down. We do not know the relationship between the NCA and the Met and local forces until we see a little more of it. We certainly have someone running the NCA who was himself a chief constable and very conscious of the need to bring all his colleagues along. I am very optimistic about the relationship between local and serious crime.

Q397 Michael Ellis: Congratulations, Lord Wasserman, on seeing this project through to fruition. If we look at some of the complaints from the left about police and crime commissioners in particular, it is said that very few people took part in the election for them. Statistically it was below 50%. Of course, most MPs are elected on less than 50% of the vote, but that tends not to be spoken about quite so much. Do you think it is going to increase the next election and increase after that? Are you confident that the participants in the election will increase?

Lord Wasserman: Well, it could hardly get any smaller. Yes, I do think it will increase because there is so much talk about it. I think there will be much more talk. I think now that the political parties, for example, are going to take that much more seriously than they did. The Conservative Party for one, as you know, was all about having independence, how good it would be to have independence, and now—

Michael Ellis: It is going to coincide with other elections often, is it not?

Lord Wasserman: Also a better time of year and all the rest of it, yes.

Q398 Michael Ellis: The issue of the ability to sack chief constables, you referred before to most jobs being susceptible to dismissal. Do you see that, looking at this matter since the creation of PCCs, as a problem? Do you think that chief constables should be, as senior public servants, susceptible to disciplinary action in the right circumstances?

Lord Wasserman: To disciplinary action if they do something that is under the disciplinary code, but should they be sacked if they fail to live up to their promise? Yes, I do. I think there is a problem and that is about what they are held accountable for. If they are accountable for something that is a professional interest of theirs, fighting crime, and they fail and the police force begins to fall down the league table from one of the top five to the bottom, there is a problem. I think the PCC may well ask the chief constable to resign or retire because he is not doing it.

On the other hand, if, for example, a serious IT project were to go wrong—and this is something that concerns me very much—and the chief constable was responsible for it, should he be made to resign because he made a mess of that? Now, that is a very interesting issue because it relates to something for which the chief constable has not himself been trained. He is not a professional IT person. He is a professional crime fighter, but if the PCC gives him that responsibility to deliver a project on time and to budget he may find himself losing a job for something that is not strictly a policing matter and that does concern me.

Q399 Michael Ellis: Do you think the holistic approach that is provided by having a man or a woman in charge of the strategy and the budget of policing is one of the great advantages of the police and crime commissioner system?

Lord Wasserman: I do not think there is any doubt. Where you sit is where you stand; that is what happens, is it not? If you are in the Home Office and a Home Office official, you deal with the police. You used to be able to deal with the police, probation and prisons. Now you can only deal with the police. On the whole, that is a very difficult way to tackle overall community safety. It would be much better to sit outside and then look across to see, there is a drug problem, there is an environmental health problem, there is a lighting problem, and so on. You cannot solve all these problems, but you can identify them and you can approach those responsible for them.

Q400 Chair: In answer to Mr Ellis about voting turnout, in November 2012 during the elections you
said, “People should go out and vote because they will be kicking themselves that they allow John Prescott to win in Humberside as opposed to someone else.” Obviously he is a colleague of yours, Lord Prescott. How many Lord Prescotts do you think were elected?

**Lord Wasserman:** I could not possibly comment.

**Chair:** But the policies of the people elected, have you looked at them?

**Lord Wasserman:** First of all, some of them are extremely distinguished members of your own House and have gone on to other things. There is no question about it. These people had big jobs on the national stage, there was no question: Tony Lloyd and others. There is no doubt. There are some in the Conservative Party who had not held major office and who, on the whole, I think are doing a very good job. I do not know what the independents are doing. I was not thrilled about having eight former officers of a more or less junior level doing this. That is what the public wanted. I do not think this will happen again. I think it is very difficult for them dealing with chief constables with enormous experience and so on. But, on the whole, I think the quality is much higher than people feared when they wrote articles and columns in the paper before the election, because I do not think we are looking—

**Q401 Chair:** If you were to line them up, as you lined up your 43 chief constables and compared them to anyone in the world, if you were to line up your 43 commissioners how would you compare them to elected officials doing the same job in other parts of the world?

**Lord Wasserman:** Very different, because if I lined them up in America it would be against the mayors and some of these mayors are major city political people. It is a very political job. You cannot go and become mayor from having been an inspector in a local police force. It is simply not possible.

**Q402 Yasmin Qureshi:** Lord Wasserman, earlier you said that chief constables are the crime fighters and I think we all accept that they are the ones with the experience.

**Lord Wasserman:** Certainly.

**Yasmin Qureshi:** You also said that it is not unusual for people in top jobs to be dismissed and no one has a job permanently. There is a bit of difference here, is there not, because you have here somebody incredibly experienced—these individuals often are—and you have somebody who has been elected with perhaps very little experience and knowledge. Therefore, to say that those people can have carte blanche to sack somebody of that knowledge and experience is different, is it not, than say a chief executive of a hospital who may be doing a whole lot of other things? He is not going to be directly fired by a hospital who may be doing a whole lot of other things? He is not going to be directly fired by a hospital who may be doing a whole lot of other things?

**Lord Wasserman:** I know Mr Ellis talks about left and right. For me, this is not an issue about left and right. It is all very well to have elections and democracy, but when it starts interfering with people who have to do a job I get worried about political interference in how the police officers do their job or, for example, political interference in how judges do their jobs. In America, you have judges elected. That kind of thing frightens the life out of me and that is why I am very concerned about this aspect of the fact that the chief constables are being held directly responsible to elected people. It brings what I would call party politics or politics into policing and that is where people like me and some others are concerned about.

**Lord Wasserman:** As I say, there is no comparison between the expertise of a professional police officer, a chief constable, and the PCC. The PCC is elected and he need not have had any experience. In fact, some of those are better than ones who have a little bit of policing experience. His job is not to second-guess the police. Any PCC who suggested to a chief constable how to handle a difficult public order problem would find themselves in difficulty. The chief might tell him he could do it and then he would be in real trouble because he could not possibly begin to understand how to tackle a public order situation of a major kind. In fact, if anyone did that then I would have thought that the chief constable, if he had any self-respect, would himself resign rather than take this kind of abuse. I do not think that is the issue. At the end of the day, if the PCC said, “Domestic violence in our community is a serious problem and I want you to put in resources”, and the chief constable said, “I do not think domestic violence is a problem; I think women bring it on themselves”, I think that is an issue on which there is absolute clarity. If the chief constable cannot work with the representative of the people, he can be fired for that.

**Yasmin Qureshi:** That sort of thing does not happen.

**Lord Wasserman:** It may happen. Why may it not happen?

**Yasmin Qureshi:** I spent 20 years in the criminal justice system, prosecuting for 10 years of those, and I have seen how police officers respond. When I deal with my chief superintendents and other senior police officers, I have never seen them disregard what I told them about the concerns of my constituents.

**Lord Wasserman:** We are talking now about very big decisions about resource allocation and I think that is where the PCC has to express the views of the people—that is what he is elected to do—and hold the chief constable to account for that. Maybe it will not happen, in which case this issue is moot. But, if it does happen, I think it is absolutely right that the PCC should say, “This is how I see it. You see it differently. You do not think that this ethnic minority community or whatever it is happens.” There could be issues. I do not know. I think it is a partnership; I do not see this as anything but a partnership. They both need each other. The chief constable needs the PCC to get resources and the PCC needs him to reduce crime, so they work together.

**Q403 Dr Huppert:** Lord Wasserman, if you were going to make three proposals to improve the current position for the running of police forces, what would your three ideas be?
Lord Wasserman: Running police forces; I will make a proposal for making the present arrangements better. Will you accept that?

Dr Huppert: I will take that as one.

Lord Wasserman: One of them is we need a transition period and this is something I hope the Committee will recommend. I think we cannot have a situation where on 5 May 2016 we elect a group of PCCs and they take office on the following morning. I think we missed a trick there. I think we need a transition period because we do not have any kind of long-lasting structure, as we should have. I was involved in all this and I did not see it. The next PCC election is on 5 May 2016; I suggest that the new PCCs should not take office until 4 July, which is a Monday. In the meantime, they have some training. They understand what the crime statistics look like and how you deal with them. Most people do not understand about this. What is the deviation? What does it mean? What does this mean? You have to have training on this. Also, knowing how the local government finance system works. What is a precept? How do you know about all this? I would give them a training period and a chance to be able to hire their chief executive, their chief financial officer and their team, and I would have a six-week period of transition where the existing team carried on because I would not want to have a period of six weeks where they do nothing. In fact, before the last election I had talks with the Institute of Local Government Studies at Birmingham about developing such a course. We did not do it because we all became so caught up with the development of the legislation.

Dr Huppert: That is two ideas. What was the third?

Lord Wasserman: I do not know if I have any direct suggestions for making things better except that I do think, if I were a PCC—and this is a general comment—I would not concentrate so much on value for money, which has become a bit of an obsession—I look at the chief constable’s salaries and perks and so on—is all very well, I understand all that, but on the other hand let us get on with our chief constables. Let us get them to reduce crime. We will come to the perks later, but there seems to be an obsession with it.

Q404 Mark Reckless: If he cuts the budget by 10% further he might get the precept down by 30%, which would be able to swing a few votes. However, on the deputies, is there anything wrong with a PCC appointing a close ally or friend as a deputy?

Lord Wasserman: I can have deputies and assistants. As far as I am concerned, they need much more support. I do not think they are getting enough support. I see the job of the PCC is to support the chief constable and if, for example, the PCC had with him, by his side, someone who could support him on issues such as diversity, ICT, or estate management or who could support him and the police force working together, this would be much more satisfactory. At the moment all the burden for ICT, for estate management and for diversity, falls on the chief constable.

Q405 Mark Reckless: Finally, there is a bit of a nexus developed between Lord Stevens and some ex-chief constables and the Labour party, albeit the report is described as independent. Do you think they will get their PCCs and stop the accountability that has been brought in?

Lord Wasserman: No, I do not think they will.

Chair: Lord Wasserman, we will write you with other issues, if we may, but thank you very much for coming in to give evidence. Thank you.

Sitting suspended for a Division in the House. On resuming-

Examination of Witnesses


Q406 Chair: We are quorate. Other colleagues will arrive after they have voted. First of all, I apologise for the delay. Obviously there have been two votes and that is why we were away. Could I thank Commissioner Jones, our original witness, and all our new witnesses who have joined us since we advertised this event for coming in? We are currently conducting an inquiry into police and crime commissioners. At some stage we would have certainly come to Avon and Somerset to ask for your views, but we brought this forward. Thank you. Commissioner Mountstevens, Chief Constable Gargan and Chief Constable Sims for coming here at short notice. I want to start with some issues that have been in the public domain over the weekend. Chief Constable Sims, were you as astonished as I was when you read the comments of Tom Winsor that there are areas of the Midlands, which includes Leicester, Birmingham and all places under your command, where the ethnic minority communities were not reporting crimes, both low-level crimes and also even up to murder. He had spoken to a number of Chief Constables and he was quite certain that this was the case? Were you as astonished as I was at that statement?

Chris Sims: I certainly did not recognise at all the picture that was painted in the article. Certainly the quote, “There are cities in the Midlands where the police never go because they are never called”, is totally at odds with my experience, where the inner-city areas that are our most diverse are the areas that generate the most activity for us, understandably, and are the areas that we are putting so much effort into engagement and getting some good traction from local communities. None of that made sense to me in terms...
of my experience. HMIC rang me yesterday and did make clear to me that he was not referring to the West Midlands in the comments he made. He was not able to say where he was referring to, but it certainly was not the West Midlands.

Q407 Chair: We will certainly write to him and ask him because it is quite a general statement that he has made. Commissioner Jones, you have been a local councillor in the area for many years and represented local people and I have obviously represented my constituency for 26 years. I do not know that there has been any underreporting by communities. If anything they are on the phone pretty quickly reporting crimes. What do you say about this?

Bob Jones: Yes. As someone who was born and who continues to live and work in such an area, I did not recognise the HMIC’s description of the area that I live in and the area that I represent. Clearly, in the areas that he is referring to, we have higher levels of reporting and higher levels of police activity than other areas of the West Midlands and the wider country.

Q408 Chair: Chief Constable Gargan, I know you are in Avon and Somerset, where the ethnic population is quite low, apart from Bristol, but you have policed areas in Leicester. Do you recognise any of these comments as bearing any relation to anything that has come before you?

Nick Gargan: I used to be a district commander for an area in Leicester, including your own constituency. Chairman, where in areas there were minority communities of 84% Gujarati Hindu populations. I could only agree with what is being said this afternoon; there is nothing in the Chief Inspector’s comments that resonated with my experience.

Q409 Chair: Mr Sims, you would know, would you not, if there were communities carrying out either sharia law or that had become a police force on their own, a subculture of police officers who are not police officers going about trying to solve crimes and meting out justice?

Chris Sims: We would. When I appeared before the Committee last time, you were kind enough to make mention of a very big operation that had just been running, the murder of an Asian man in Birmingham and then, subsequently, the bomb attacks on mosques. If you just reflect on that operation, the communities of the West Midlands came to us, quite properly, looking for our support and protection and stood by us very noticeably in the way that the policing operation was put together, which could not be further from the picture painted in the article, albeit that we now know that the article was not referring to the West Midlands.

Q410 Chair: Thank you for that. I want to move on next to the Police Federation report and wonder if any of you have had the chance to read it and give an initial assessment as to what you have seen. I appreciate that it was only published yesterday, so if you have not seen it I understand. Commissioner, you have indicated that you have not seen it. Have you seen it, Mr Gargan?

Nick Gargan: I have had a brief look at it, scanned the recommendations and I think the report is a sensible contribution to the thinking that the federation will have to do. It was a brave decision by the new leadership of the federation to commission the report. The report is genuinely independent. I hope that the leadership of the federation and joint branch boards and others in the service, including the leaders of the service, can pull together and find a way forward because I think what we all agree on is that change is necessary.

Q411 Chair: Mr Sims, I was a little surprised that the report was being authored by the former Permanent Secretary at the Home Office who must have known some of these issues when he was Permanent Secretary because he is not new to the game, so to speak.

Chris Sims: I am sure that added to the richness of the report.

Chair: What do you think of the report?

Chris Sims: Again, very briefly, it was only available yesterday but I very much agree with the comments that Nick made, which slightly got lost yesterday in the reporting, that this was initiated by the federation which clearly recognises the issues that it wants to overcome. I suppose the other bit that got perhaps slightly lost is the degree to which the federation is bound by legislation in the way that it operates. I think the report will perhaps help all of us to help the federation to do the job that needs to be done.

Q412 Mr Clappison: Mention of the Police Federation reminds me of the evidence that we took from members of the Police Federation about their meeting with Mr Andrew Mitchell at his constituency office. Perhaps I could ask Mr Sims where we have got to with an apology to Mr Mitchell for that, please.

Chris Sims: I have not met Mr Mitchell yet. I had an appointment with him that Mr Mitchell was unable to fulfil. I spoke to him on the phone and I am due to meet him, I think, in about three weeks’ time.

Mr Clappison: Will you be apologising to him when you meet him?

Chris Sims: I have indicated before, yes.

Q413 Mark Reckless: Mr Jones, do you have any regrets about your role as regards Mr Mitchell?

Bob Jones: Not that I am aware of. I have obviously met with Mr Mitchell and had a discussion on the topic.

Mark Reckless: Were you involved in delivering letters to his constituency or office, bringing up issues, notwithstanding your—

Bob Jones: Yes, certainly. I delivered one to my opposition candidate who happened to be based at Mr Mitchell’s office. It was not a letter to Mr Mitchell. It was a letter to my opponent.

Q414 Mark Reckless: You were very critical of the IPCC which, of course, has now taken control of this investigation, on the basis that there has not been a proper report by the investigating officer delivered but
it was by someone else. On reflection, do you think that some of your comments about the IPCC were a little too harsh in instances?

**Bob Jones:** No, the evidence points to the fact that they made the wrong decision in the first place. They clearly have not done a good job of supervising that one and have acted inappropriately. Their decision to completely review that and start that again is recognition of the fact they did not do their job well.

**Mark Reckless:** Do you not think your attacks on them perhaps detract from where the genuine responsibility for any misbehaviour lies?

**Bob Jones:** I do not think so. The problem is that their actions have meant that we potentially are not going to get closure on this particular issue because of their errors on process and so on. We are not going to get a position where we can see an investigation conclude and a decision being made.

**Q415 Mark Reckless:** I do not know if the West Midlands was one of these but this report was showing that 30 police federations were alleged to have No. 2 accounts and only three had given details of these. Do you share my concern that some of this may be public money and it is totally unclear whether any of it may have been misappropriated?

**Bob Jones:** Sorry, Mr Reckless, I did not follow the start of the question.

**Mark Reckless:** This is about the police federation generally, the report by Sir David Normington of No. 2 accounts, and the fact that I think he said there were 30 of these and only three of the regional feds would allow him any information about them. Do you have any plans to see if public money is being misappropriated or what may have happened to any subscriptions of officers or indeed public funds in the circumstances?

**Bob Jones:** I will certainly act if there is any evidence. Regrettably, not having been at police and crime panel meetings and meetings ever since it has been published, almost continuously, I have not had an opportunity to read it. Clearly, if there is any evidence in there I will see if there is anything I can do to resolve any issues.

**Mark Reckless:** But will you proactively investigate that matter in the West Midlands to see if there is a No. 2 account and, if so, whether its contents have been disclosed or should be to ensure proper use of that money?

**Bob Jones:** Clearly, the main line of accountability of the Police Federation is to its members. That is based on a statutory regulation. If there is any position where it is not complying with that, I will certainly speak to the Police Federation and seek to rectify it.

**Q416 Mark Reckless:** Mr Sims, do you see any role as chief constable in this matter?

**Chris Sims:** You might recall that, when I spoke last time, I talked about the need for some level of oversight of the way some of the expenditure was being used. If you recall, one of the management actions that would have followed from the closure of the investigation we have carried it out regardless was to make sure that there was a process to ensure that the federation was at least transparent if it was intending to use funds in a way that we would describe as novel and contentious. We have agreed that and that stands.

**Mark Reckless:** Thank you. Can I just ask that question to Mr Gargan, because of what I think is your finance and resources business area role? Are you going to do anything about this and these funds where no one appears to know what is in them?

**Nick Gargan:** My relationship with the joint branch board is a very cordial and friendly one and my plan will be, as soon as is possible, to sit down with them and discuss the review in general. That will be on the agenda, but I think one needs to exercise great caution before you start poking around on a fishing expedition into accounts that are fundamentally members’ accounts. These are members’ subscriptions to an organisation with which we negotiate around industrial relations. We need to exercise caution. If anything was brought to my attention that gave rise to suspicion of criminality, then that would be a different matter, but I would hope, in the first instance, to be able to get to the bottom of the local situation by means of negotiation and amicable discussion.

**Q417 Ian Austin:** Mr Sims, it seems to me that relations between the police in the West Midlands and the areas diverse in ethnic minority communities have improved significantly over the last few years. Is that something that you would agree with? Could you tell us a little more about the sort of work that you have undertaken to engage with those communities in places like East Birmingham?

**Chris Sims:** I will be very brief. I think it has improved. There are still challenges and only this week two people have been charged with terrorist offences and we will be creating a dialogue that allows the community to understand why that is and what action we have taken. There is unreported crime and there is underreported crime, particularly around issues like domestic abuse and female genital mutilation. We are doing huge amounts to grow the confidence of the community to report those crimes. Where I take issue with the article is that that effort is going on with the community, not operating in what almost felt like a vacuum and that is the strength in the relationships that we build.

**Q418 Chair:** As briefly as possible.

**Chris Sims:** The thing that surprised me about the article was this phrase, “Born under other skies.” When you spoke to him, did he cast any light on what he meant by that? Was he able to substantiate any of this?

**Chris Sims:** No, I did not speak on that issue. I made the comment in The Times on Saturday that I found that a very peculiar phrase, not least because it seemed to me, if this had been about the West Midlands, that most of the people that we are talking about are British and born in this country and, therefore, part of our culture.

**Q420 Chair:** Thank you. The Committee will be writing to Mr Winsor to ask him to clarify his comments. Let us move on now to the role of the
PCCs and the chief constables and perhaps I could start with you, Commissioner Mountstevens. One of the issues that has come up in the inquiry has been the issue of crime statistics and our concern at what Lord Stevens said to us a week ago and to evidence that has been given even this morning to a sister committee of ours that some of these crime figures that we accept as gospel have perhaps been fiddled. What are you doing about making sure that the figures that you get are absolutely accurate? Are you worried about these assertions that these figures perhaps were not accurate and some had just been made up because officers have decided to do so?

**Sue Mountstevens**: I do not think they were ever made up. There may have been some genuine mistakes. I was very concerned, after the report in Kent that obviously appeared in local and national papers, that more had to be done. In discussion with the chief constable, it was clear that in Avon and Somerset we were not particularly compliant. There was a strategic and an operational group that was immediately set up in about February/March time. I am represented on both of those. A lot of work has been done. The constabulary volunteered to be the pilot for HMIC at the end of last year. There has also been a peer review by Gloucestershire police to have a look at them.

Q421 **Chair**: You have no concern about Avon and Somerset? You are quite happy with the statistics you have? You do not think they need to be looked at again?

**Sue Mountstevens**: We must never be complacent. We are about 95% compliant. We have to embed it in through integrity and through operational culture and make sure that everyone does know the rules, but there is a real focus and that has been very much within the constabulary on making sure these figures are correct.

Q422 **Chair**: Mr Gargan, you must be concerned at what has been said not just by the whistleblowers who have come forward and said that they think that the figures have been fiddled in some circumstances but Lord Stevens, a very well respected former commissioner, and now the decision of the ONS to no longer guarantee these crime statistics as statistics. Are you doing anything locally to satisfy yourself that these matters are now being properly recorded?

**Nick Gargan**: Of course, nobody wants to be a leader in a police service that is watching its previously good reputation dragged down, whether justifiably or not, but when that fall in your reputation is justified then it is right that we should respond very purposefully. We are aware that Avon and Somerset came out badly in two inspectorate reports of recent years, in one of which we were examined for the extent to which a crime had been put on the books and then taken off the books; that is a process of “no-criming”. The second is where incidents have been reported to us that had been dealt with, which seemed like they should go on the books as a crime, but we had fared badly in effecting that conversion and that has prompted the action that Sue has just described. We are now up to a high standard and a high level. We want to stay there and we want to continue improving. We have had the head of CID blogging to the force. I heard an earlier witness say, “Nobody has an interest in concealing crime figures.” I think it was Lord Wasserman who made that point and, of course, as chief constable, I absolutely agree with him. I want those who are resourcing policing to understand precisely the nature of criminal threat we are facing. We should resource ourselves and deploy resources against that threat and so a partial picture is of no use to me at all.

Q423 **Chair**: Commissioner Jones, did you have any concerns when you saw the newspaper articles? You heard the evidence about the possibility that these figures were not accurate and you have the ONS saying, “We cannot guarantee them any more”?

**Bob Jones**: No.

**Chair**: Originally, of course, the Commissioner told this Committee that he was satisfied with the figures and now he has come forward and said that he thinks that there may be problems with these figures and Lord Stevens is telling us that fiddling has been going on for some time. Have you initiated any inquiries locally to make sure the figures are accurate?

**Bob Jones**: It is one of these issues from when I was chairing the authority back in 1995; it is an area that requires total vigilance. Significant changes were made in the 1990s, for instance, removing certain protections: on the concept of going out and getting prisoners to cough up to offences with incentives, any incentive was removed. It is something that we are continually asking HMIC to take on board. In 2009 and 2012, one was offered some significant assurance but clearly further work needs to be done, which meant I was slightly surprised at seeing the Kent one because HMIC had two complete national reviews of this in the previous period. Obviously, if police authorities and then police and crime commissioners are going to have effective performance management, we do need figures that we can trust that are comparable between one force and another. Clearly we can do a certain amount on a unilateral basis in a local area but, particularly for performance management in comparison, we need to make sure all the figures have confidence across the country. Locally, both the police authority and myself have had a policy manager performance analyst who assists with that. We meet with the crime registrar and I am conscious of the fact that the crime registrar has made some changes. For instance, in the last couple of years we picked up the fact that, in terms of shoplifting where stores had banning orders, that was being recorded as intelligence rather than crime and there was also an issue in respect of certain public order offences that were being reported as anti-social behaviour. A lot of these are very much motivated by the complexity of some of the systems and, particularly, some of the national descriptions of what a crime is. Hopefully, that can be rectified in the future.

**Chris Sims**: I have been involved in this for several decades and the one piece I can absolutely assure you of is that the crime statistics now are stronger than they have ever been. The level of scrutiny that they
have is much stronger and the level of independence that sits above them. The Commissioner mentioned—and it is a good example—two issues that we found ourselves that we put into the public domain that we rectified. I do not think there is very much wrong with the system that is being used. It cannot be perfect because we are talking massive numbers and huge complexity. I believe it is basically sound and the public should be able to trust the data that is there.

Q424 Chair: That is very helpful. Let us move on to the relationship between chief constables and commissioners. Commissioner Mountstevens, you were elected with the largest mandate of any commissioner in the country and behaved in a pretty ruthless way when you got in. Did you not ask your chief constable to go within two days?

Sue Mountstevens: That was not quite correct, inasmuch as I had a meeting with the chief constable. The chief constable was in a position where he had already done an eight-year contract. He had had five years and it had been extended three years. All he could do was extend it for one more year. I wanted to work with someone for a much longer period of time than that because that would give consistency with delivering the strategies. I asked him, if I opened it up, would he apply for the job because in that way we could have then worked for five years together.¹

Chair: And he said?

Sue Mountstevens: He said no, he did not want to apply for his own job, and then resigned.

Q425 Chair: You all have been given as a model to this Committee, as a commissioner and a chief constable who work together and the relationship is very harmonious. You appointed Mr Gargan. The fact that he is a Leicester City football supporter obviously did not put you off that appointment, but how would you describe this relationship?

Sue Mountstevens: Sorry, the relationship—Chair: Between yourself and Mr Gargan.

Sue Mountstevens: We have mutual understanding of each other’s roles and that is absolutely key to a good relationship between a chief constable and a police and crime commissioner. We work very closely together. We are obviously going to agree on many things because we have the same vision. We are trying to create very safe and strong communities and by making sure that I hold him to account and ask him questions that the local people are constantly feeding into me about making sure that attention to detail is paramount. I have a very good professional working relationship with Mr Gargan and making sure that it does not become too cosy a relationship, because I hold him to account.

¹ Note by witness: The position on maximum term of Chief Constables’ contracts is set by regulations. The maximum initial term is 5 years. The maximum first extension is 3 years. Thereafter the maximum extension is for 1 year with agreement from both parties—but there is no limit on the number of such 1 year extensions. However, given mutual agreement is required, my point that neither party would have certainty on the position beyond the year as a further process involving the agreement of both parties would be required.

Q426 Chair: I invited, as the Committee does, all the local MPs to come in to watch the session when we have local chief constables in and one of them responded to say that he did not vote for you at the last election but he has become a great fan because of the work that you are doing.

Sue Mountstevens: That sounds very nice, doesn’t it?

Chair: What are you doing there that is not being done in other parts of the country?

Sue Mountstevens: I am very open and I am very transparent. Obviously, being an independent, I do not have a political allegiance. I have always been very clear that I am there representing Avon and Somerset and the local people that make up that area. The fact that it covers 16 parliamentary constituencies as well just goes to show the sheer size of it and it is a mixture of rural and urban. It is being open and transparent and being very clear that I am there to listen. I spend at least one day a week out in the communities listening to what I call the quiet voices—people who do not know how to lobby people like you and myself—so that I can hear very much on the ground. I go to refuges and I go to nursing homes. I make sure that I listen to a very wide group of individuals.

Q427 Chair: Commissioner Jones, you are very much an insider, whereas Commissioner Mountstevens came from outside the political system. You were the former chair of the police authority and you were born in the West Midlands. You obviously knew Mr Sims before because he was the chief constable who used to appear before you. How would you describe your relationship with him?

Bob Jones: One of mutual respect and one of trust, but I do not think we necessarily take things on trust. Obviously we talk things through and ensure that we evidence any course of action that we wish to pursue jointly or inform one another of the areas of responsibility where we proceed in a unilateral way, obviously in the chief’s case in terms of areas of operational independence.

Q428 Mark Reckless: Commissioner Mountstevens, let me ask you about the urban/rural spread. You have the large city of Bristol with its significant policing needs but also a very substantial area of countryside with, I am sure, people pressing for greater policing visibility. I just wonder how you have managed that conflict to the extent that you saw a conflict and whether you have made any changes in the amount of relevant resources going to areas.

Sue Mountstevens: You are absolutely right. There is always a tension and whenever I am in Somerset I am being asked by local people almost all the time, “Does the money always go to Bristol”, and vice versa, I have to say. Bristol has 41% of the crime, so there has to be appropriate resources put into that, but it is also making sure that we work within the rural communities. I have set up a rural crime forum to make sure that, for farmers and people who work in less urban areas, these voices can get heard. One of the things with the community safety grant that is my responsibility to allocate is that we have made sure that the formula is very open. It is based on crime, risk-based on population and areas of multiple
deprivations. Everyone can see how that is allocated. It is not done behind closed doors. I am very clear on what the formula is.

Q429 Mark Reckless: A BBC poll last year showed that 62% of people were aware of the police and crime commissioner. What do you and Mr Jones do to develop your public profile and how do you work with the chief constable in terms of allocating media opportunities and focus?

Sue Mountstevens: We have public forums every other month where the chief and I go to various areas around the patch and where we do presentations, but it is then open to the public to ask us any questions that they like and we also web-stream that. We also have forums where we tackle specific themes. We have done a very successful forum on road safety. We had over 150 people take part in that, with over 700 watching it when it was web-streamed. It is making sure that we are talking about areas that local people want to hear about and making sure that we are very accessible. I have made it very clear that you do not have to submit a question in advance. You can ask us any question that you want and the chief and I, whoever is most appropriate, will make sure that we answer it.

Mark Reckless: Mr Jones, are you often in the media?

Bob Jones: I am and occasionally for good news items as well. We clearly score highly for entertainment value as PCCs and the media are very attracted to the comment if they can get a quick and immediate response. Whether it offers much in terms of assurance and confidence is a moot point.

Q430 Mark Reckless: Mr Sims and Mr Gargan, has the coming of PCCs changed the level of demand or your role as a public face through the media for your force?

Chris Sims: I definitely have done less media in the last year than before. We have done quite a lot together. We did a joint letter, for example, to The Independent last week around crime reporting. Where it is appropriate, we do some things together, but I think the commissioner is right. Often, I am the dull professional voice, whereas the political line is often, quite rightly, more attractive and can be more expansive. The commissioner has been a huge presence on local media and is much sought after.

Q431 Mark Reckless: The commissioner has been a huge voice, whereas the political line is often, I am the dull professional voice, whereas the political line is often, quite rightly, more attractive and can be more expansive. The commissioner has been a huge presence on local media and is much sought after.

Bob Jones: There is one thing in debating the legislation. A number of members felt that this would be an area of tension between PCCs and chief constables. That is not your experience?

Nick Gargan: Certainly it is not my experience locally and I do think that those chiefs who were appointed subsequent to the arrival of the police and crime commissioners are potentially at an advantage because there has been an opportunity to test the alignment of approach throughout the selection process.

Q433 Mark Reckless: Mr Sims, you are happy doing relatively less media than before.

Chris Sims: Yes, I think so. Just to make sure this does not look peace and harmony, there have been media pieces that the commissioner has done that I have challenged and we have discussed and maybe an amended view has come out. Do not mistake this as a totally compliant relationship between us. There is a fair bit of challenge about how things are presented, as well as the destination that we are moving towards.

Bob Jones: Yes. I think there have been some problems in terms of the media wanting to talk about things that are strictly operational where I have had the need to seek to push that, but because there are lots of grey areas sometimes it has come across that I am running the operational side. For instance, we responded collectively to young people in a community demanding to have a knife amnesty, a knife-surrender campaign, that we worked together on. The person who made the decision in terms of the operation was the assistant chief constable. However, because I fronted up and reported back on the collective meeting between the young people, the council, Community Safety Partnership and so on, in the paper it immediately appeared that I had called for a knife amnesty when I was merely the spokesperson, that we worked together on. The person who made the decision in terms of the operation was the assistant chief constable. However, because I fronted up and reported back on the collective meeting between the young people, the council, Community Safety Partnership and so on, in the paper it immediately appeared that I had called for a knife amnesty when I was merely the spokesperson and the decision was made by the operational side. There have been quite a few areas where I have avoided going on dawn raids and things like that, even when I have been invited, so as not to muddy the waters because there are a number of areas where, in terms of assuring the community, they would prefer to see a police officer rather than a politician.

Q434 Ian Austin: Can I ask the two commissioners whether they think that police and crime panels have sufficient clarity of understanding of their role in scrutinising the PCCs, in scrutinising you. Also, how many times have each of you appeared in front of the—

Sue Mountstevens: I have appeared seven times.

Bob Jones: I think, with yesterday it makes it eight. We started slightly earlier. There was a problem, in terms of the original hype, about the powers of the panel, particularly being able to veto the precept, which turned out to be a minor amending-delaying veto rather than a significant veto. Also, of course, there are some practical issues about the veto on the appointment of chief constable. It is always going to be rather difficult for a police and crime panel to be
there. In the West Midlands, as you are aware, we started off with all the leaders on, but rapidly they have started to withdraw from that arrangement and allow people who have more time to go into it. I am pleased that they are increasingly developing and particularly taking advantage of our pre-decision scrutiny and so acting in a similar manner to your Committee, Chair, in terms of inviting witnesses to look at our safer travel plan, our procurement strategy, and yesterday at our transforming rehabilitation proposals. They have a wide range of witnesses and are able to make informed recommendations about decisions prior to making them, because in many ways there are very little decisions I make. I appoint the chief constable, I set the budget. I set the precept. I set the plan and I distribute the community safety funds. Apart from procedural issues, those are the key decisions I make.

Sue Mountstevens: I value their input. I think police and crime panels are a great source of being able to talk things through with them and for them to scrutinise people such as myself. I value very much the professional working relationship that we have with them and we work very hard at being able to deliver what the panel are interested in and also using them because we have panel-link members who are particularly interested in certain work that we are doing. We use them so that they can work with us and then feedback to the panel about what we are doing. We have a good relationship with the panel and I value very much what they do. We have a pre-meet and we also have agenda briefings and when they want reports, then we have a lead member in my office who works very closely with them so that we can produce the answers that they want. We have also provided a training day so that we could talk them through. My chief financial officer and the constabulary’s finance officer work with them to explain the budget and how it was made up. I think they are a source of powerful good and they certainly scrutinise and support with what I do.

Q435 Paul Flynn: What message of significance did you gain from your meeting with 150 members of the public, other than the predictable ones of lowering the speed limit locally?

Sue Mountstevens: Lowering the speed limit was in fact something that was being discussed because the Mayor of Bristol is imposing 20 mph speed zones in Bristol. We had asked for this meeting because, in the press and in the radio, it was becoming more and more vitriolic between pedestrians, cyclists, and car users to the point where it was almost road rage. Everyone wanted the death of almost everyone else. It was very clear that, if we were going to work forward on this, it was necessary to get everyone around the table and talk about it. I know that there are now ongoing meetings between the constabulary and certain of those organisations in order to improve, first, that communication, but also areas that the constabulary can take it from. One of the things that the constabulary have done well is having areas where they will go and tackle cyclists without lights and also cars that are parked in the cycle box. We had good publicity because motorists did not know that they were not allowed to be in that area. By making that a far more educational thing, rather than trying to just get tickets from everybody, I think has helped the relationship, but it is still ongoing and there is still a lot of work to do.

Paul Flynn: The motorists in Somerset did not realise that they should not be in the hatched areas, which have been around for 10 years?

Nick Gargan: I think that carelessness creeps in.

Q436 Paul Flynn: I am trying to give you an opportunity to tell me what your added value is. All that came from the public meeting, from what you appear to have said, could have been gleaned by reading the local papers. What added value do you have in your role?

Sue Mountstevens: It was important that they listen to each other by bringing everyone together and it was important also for them to recognise, first, what the council were doing through the work that they were doing on making the road safer, but also what the police were doing. It was facilitating and making sure that everyone was there to hear and I think there are some positive measures that are now going forward, because it was at the point where there was quite a large concern from local people that the police were not doing anything. That is very obviously not true.

Q437 Paul Flynn: Do you think the fact that you appointed the new chief constable strengthens or weakens your role of acting independently of the force?

Sue Mountstevens: Sorry. Can you ask the question again?

Paul Flynn: Do you think that your action in appointing the new chief constable—and perhaps you can tell me how many applications there were—strengthens or weakens your role as someone who should be standing independently of the police force?

Sue Mountstevens: I think it is always very clear that, as a PCC, I have one foot inside the police but I am always making sure I have one foot outside. Appointing a chief constable who has the same vision about what we want to do in bringing much more transparency and openness to the police so that people in Avon and Somerset accept that it is their police service and that they can scrutinise various parts of it probably has strengthened that role.

Paul Flynn: But you do not see a danger in having appointed someone in your own image; that you would not be able to take this challenging role, which would be perhaps at times inevitably different to that of the police, if you were—

Sue Mountstevens: No, I do not think I appointed the chief in my own image. We went through a very strong interviewing process where we invited various people to listen to each of the applicants making presentations. We had several stakeholder groups. Each of the candidates spoke to voluntary organisations and spoke to members of the council so that they could see how they interacted. That was what I was trying to do by making it open and transparent but very much engaging, because that is what I wanted the police service to be.
Q438 Paul Flynn: Mr Jones, why did you want to see the police and crime commissioners getting the same wage as MPs?

Bob Jones: I thought it was a representative job. I used to make a lot more executive decisions when I was a cabinet member at Wolverhampton council. I think my key role is ensuring that I give a voice to the community and empower the community in a similar way to MPs. The actual decision-making executive structure is fairly limited, particularly with the concept of operational independence. I can see the logic of a mayor where you can do deals with the industry trying to come into the area, cut through the red tape and so on. The urgent quick decisions are those of the chief constable. Mine are the ones that tend to be inclusive and instil confidence that decisions are being made on behalf of the whole of the community, including obviously appointing the correct chief constable.

Q439 Paul Flynn: Do you think that the salary of the PCCs and their ability to appoint their friends as deputies and other matters are barriers to the acceptability of the role of PCCs?

Bob Jones: Certainly the very high levels of publicity have not assisted in terms of confidence in the new structure, and some of that publicity reflects some of the intrinsic weaknesses of the new structure. In terms of my deputy, I was the only candidate to announce the deputy and the first to do it. I thought it would have been much more appropriate that they were on the ticket from the start. I announced my deputy from the point where I was selected as a Labour candidate. The entire electorate were fully aware of who my deputy was going to be, so it would not be a surprise afterwards.

Paul Flynn: You announced it during the election period?

Bob Jones: I announced her as soon as I was appointed as a Labour candidate.

Q440 Chair: How many deputies do you have, Mr Jones?

Bob Jones: I have one deputy, but I do have three assistants. My deputy covers Birmingham. My assistants cover two cities or boroughs each to ensure that I have the presence in the locality and on the local police and crime boards, children’s trust, health and wellbeing board and so on.

Q441 Chair: But you received a lot of criticism for the appointment of your deputy and assistants on the grounds that they were all members of the Labour party. Some were members of the Labour group; some were double-hatting, serving as councillors and chairs of other committees but you still appointed them all.

Bob Jones: The deputy was—

Chair: Not just the deputy, but also the assistants.

Bob Jones: Yes, the assistant police and crime commissioners were dealt with—

Chair: Are they all Labour councillors?

Bob Jones: They are all paid. I am the only police and crime commissioner who has members of my executive board who are acting key roles—business champion, victims champion, e-champion—who are members of the Conservative party, the Liberal Democrat party, Independents and one of the candidates who stood against me. My board is a different one, where the chief constable and myself can be challenged by a cross-party consensus to give some assurance that community decisions are being made in the interest of the wider community.

Q442 Chair: Indeed. I do appreciate that and well done on creating your board, but just going back to the controversy about your deputies and the assistants. They are all Labour councillors. Is that right?

Bob Jones: That is correct.

Chair: On reflection, do you think that was the wise thing to do and, if you were doing it again, perhaps you would have representatives of other political parties?

Bob Jones: I do. I am the only one that has members of other political parties on my board.

Chair: On the board?

Bob Jones: In some ways, they are more effective in that non-executive role because, to some degree, the deputies are the people who are my presence on the ground and who can attend the regular monthly meetings and things which I could not possibly find enough time to have that developed partnership on. They are the people who are committed to supporting my manifesto and delivering my manifesto. My non-executives, because they do not have that role, have complete carte blanche to challenge and they are not committed to delivering my manifesto.

Q443 Chair: Did you put those choices of names as your deputies and assistants to the crime panel to ask them to approve the names?

Bob Jones: The deputy, yes. I was the first one to get confirmation on my deputy. The assistants, I invited the panel to be on the interviewing board but they declined to participate in the interviews.

Chair: Why was that?

Bob Jones: They felt it was possibly too close a relationship with the PCC.

Q444 Chair: Commissioner Mountstevens, do you have a deputy and an assistant and a board who are all paid?

Sue Mountstevens: No, I do not have a deputy. I think in these times of austerity, where there are serious cuts being imposed on the police, it would be wrong to do that but I do think that deputies should be open and competitive appointments. I think they should be either be on a double ticket when you stand so that the electorate can make that decision or, if you are going to appoint during your tenure, I think that they should be publicly advertised, and maybe the police and crime panel should be invited to be part of that so that they could scrutinise the process to make sure it is robust.

Q445 Chair: I am going to put a quote to you. Do you agree with this quote. “With the record low
turnout at the election, record levels of hostility, hostile publicity, record numbers of investigations into PCCs, and clashes between chief constables and PCCs, there is not much evidence that PCCs have led to more confidence in policing or the governance of policing?” Would you agree with that?

Sue Mountstevens: I would not agree with that. I think there is much more recognition of the fact that a PCC is very identifiable and, if you think that in the last year of the police authority they had over 250 contacts, I have already had 4,000 and, in fact, I had more in my first week than they have had in the previous year. I think there is a real hunger out there for people to want to get involved. Some cynics might say, “They are all complaints.” No, they are not. They want to give feedback about how they want their police service to improve.

Q446 Chair: Yes, of course, because that quote came from you, Mr Jones. It is not surprising that Commissioner Mountstevens does not agree with you but, I was surprised, given the fact that you are enthusiastically doing this job—you have appointed assistants, a board, you have the appetite for doing it—that you should have given such a very low assessment of what PCCs have achieved. I think you gave the model two out of 10 for its impact on public confidence in the police. How can we improve it then?

Bob Jones: Certainly I would commend the model I have used at the strategic level, the cross-party board. I have also sought to introduce local policing and crime boards. That is not a new structure. That is—

Chair: Do you stand by your comments, because they are very critical of PCCs? One wonders whether you are going to even stand again, you are so disappointed with the role.

Bob Jones: I am very confident that I have introduced in the West Midlands a whole series of mitigations that have prevented the risk of damage that could have occurred through the PCC model. I have done it by seeking to be much more inclusive. I take my view as not being the voice of the community but making sure that the community voice is heard, strengthening the neighborhood voice, and introducing the new police and crime boards for every one of the cities and boroughs of the West Midlands, which will become community-led instead of just being officer-led. They set the policing plan. They have the relationship with the local policing unit commander, which is the issue which 90% of the public are concerned about. I have given the resources to empower them. I see my role as very much ensuring that we empower those partnerships and community engagement to a new level.

Chair: Do you stand by that statement?

Bob Jones: I still stand by that statement.

Q447 Chair: You do? Okay. We are coming to the end of the session and I just want to ask our chief constables, starting with you, Chief Constable Sims about the fact that people talk about the low morale in the police service as a whole, not just individual police officers. Lord Wasserman made reference to this and Lord Stevens, who you know is a distinguished former commissioner of the Met, made reference to this. What are we going to do to improve that? Many people believe the election of police and crime commissioners meant that chief constables will be held to account and morale would go up, but that has not happened. It has gone down? What can we do to restore confidence, to turn the page on this whole episode?

Chris Sims: I never expected morale to be a function of the PCC election. I think there are two things behind the morale issue. One is that pay and conditions have been eroded, as they have in other parts of the public service, and people at the front of our organisation can see no end to that process. The second is, unsurprisingly, if you turn the television on night after night after night and there are issues critical of policing at whatever level—and we have covered three or four of them just today—that does have an impact on the way people view the value that others place upon their occupation. What I think we can do about it—and this is an issue jointly between the commissioner and myself—is that we want to take forward real police reform: not the politics of landscape change or governance—we want to change the way policing works.

Chair: How do you do that, because all Governments for the last 30 years since I have been in Parliament have been saying that?

Chris Sims: We are at the latter stages of a procurement process to enter into a partnership with the private sector. The first stage of that work will begin in May and it is designed to change the operating model of policing, to uplift the technology available to officers, to change the way that we work with the community, and I think I will—

Chair: Mr Sims, that is not an answer, is it, to say we have low morale and your solution is, “Let us go into a partnership with the private sector”? How can that be the solution?

Chris Sims: My solution is to appeal to the strong professional ethos of officers to give them the tools, the structures, and the processes that will allow them to do the job that they want to do, to instil in them the professionalism that is already there and to take away the barriers that stop that professionalism coming through. I cannot alter pay levels. I cannot combat the tide of political criticism, but where I do think collectively we can work together is to move forward the way that we operate.

Q448 Chair: Mr Gargan, you are one of those chief constables who, when things go wrong, go on to the Today programme, as I heard you a few weeks ago, and apologise for something that the police have done in the past, even though you had nothing to do with it, as a way of turning the page on a particular issue. How would you see the future of policing at a local level? How do we raise the morale of the police officers themselves, which you have to admit is at an all-time low, and make sure that that integrity is restored to the system? We thought PCCs were part of that process but maybe they are not. How would you do it?

Nick Gargan: I have a good deal of sympathy with the view often expressed by my friend and colleague Sir Hugh Orde, who says that he cannot remember a
21 January 2014  Bob Jones, Sue Mountstevens, Chief Constable Chris Sims and Chief Constable Nick Gargan

year in his long policing career when morale has not been reported to be at an all-time low. I get into trouble for saying this sometimes with some retired colleagues and some of the more shrill voices that you encounter on social media, but when I go to the police stations what I see, by and large, are really committed, energetic men and women who feel a little bit bruised about what has happened with pay and conditions; they feel rather unloved, but nevertheless they continue in circumstances where we ask them to do repetitive, difficult, and unpleasant tasks all the time. I think they cope remarkably well and when I walk into police stations I see people who, by and large, are okay. They have smiles on their faces and they are resilient, and they believe in what they are doing, and they know that they are in a job where 96% of the people who apply to become police officers in our force area are unsuccessful.

I challenge back the presumption that morale is at an all-time low. Of course we have problems and I think the leadership of the service needs to respond purposefully to those. I think the leadership of the service needs to take the service through—this is why I think the review of the federation is so important—a period of change in an atmosphere that acknowledges our shortcomings but also celebrates the wonderful brave things that people in policing do day in and day out. It is simply to do with the transformation that Chris was describing there. It has a lot to do with speaking up for our people but also, in that sort of critical friendship that leadership entails, articulating the need for change and saying to people, “We are going to take you through this”.

Q449 Chair: Thank you very much for coming here today. Obviously, things are going well in terms of the relationships in Avon and Somerset and the West Midlands, but I want you to end by giving just one example of a disagreement you all have had that you have subsequently resolved through negotiation. Obviously, it has been going very well but one example of a disagreement, Mr Gargan, with your commissioner obviously.

Nick Gargan: Of course. We were at a public event and all afternoon long across police stations, I had been conducting a mini-poll, “Should we fly the flag at half-mast for Baroness Thatcher’s funeral?” There were two local MPs who were in conversation with the commissioner and me at the time who, having cast their vote, then said, “By the way, whose decision is it?” We both said at precisely the same time, “That will be mine”. That was the area of contention.

Chair: We will not ask what happened. Mr Jones, an example of a disagreement.

Bob Jones: I think probably about access to the front desks, where we had a view as to what degree this was an operational matter and to what degree it was about finance and access to the public. I think we now have an agreed position where we do need to review anything that is preventing us putting maximum resources into frontline operations, but we need to do it in a way where we can hopefully look at reprovision and ensuring that access is being maintained, hopefully in a more cost-effective and imaginative way.

Chair: I have to say the Committee is due to come to visit the West Midlands at Mr Austin’s invitation, so we will be coming to visit you. Perhaps we will have time to come down to Avon and Somerset to see the work that you are doing there but, in the meantime, Chief Constables and Commissioners, thank you very much for coming in today. I am most grateful. Thank you.
Tuesday 4 February 2014

Members present:

Keith Vaz (Chair)
Mr James Clappison
Michael Ellis
Paul Flynn
Mark Reckless
Mr David Winnick

Examination of Witnesses

Witnesses: Councillor Joanna Spicer, Local Government Association, and Ed Hammond, Centre for Public Scrutiny, gave evidence.

Q450 Chair: Could I welcome all those present to the session of the Home Affairs Select Committee dealing with our ongoing inquiry into police and crime commissioners? Could I refer everyone present to the Register of Members’ Interests, where the interests of all members of the Committee are noted? Are there any additional measures that need to be declared? Good.

I welcome Mr Hammond and Councillor Spicer. Thank you very much for coming to give evidence to us today. You have probably been following some of our previous sessions. We have covered quite a lot of ground in the last few months. What we would like to focus on today is the LGA’s view of police and crime commissioners. With you, Mr Hammond, we want to look at the issues of public scrutiny. Perhaps I could start with a question about public scrutiny. Do you think there is enough public scrutiny of the removal of chief constables?

Ed Hammond: It is slightly difficult because it connects, I suppose, to the wider issue about the use of confirmation hearings more generally and hearings for appointment and dismissal of senior posts. The experience that some panels in some areas have had does suggest that there might be cause to look again at the powers of panels to examine at least the reasons for removal of chief constables.

Cllr Spicer: I certainly saw the comments at the time and I have read them. The Local Government Association’s view is that it is still too early to come to firm views on the effectiveness of all the police reforms, both the police and crime commissioners and police and crime panels. I am here on behalf of the Safer and Stronger Communities Board, which is chaired by Councillor Mebboob Khan, who I expect some of you know. We have had reports throughout the last 15 months on police reform, both the panels and PCCs, and although we have had some thoughts that we want to share with you—and we have already submitted some of them—as to how things could be improved, we certainly think it is too early to come to those sort of statements that you referred to.

Q451 Chair: Councillor Spicer? One of our witnesses who is going to come in a little later, a fellow councillor, Roger Seabourne, described the legislation as so poorly set up, rushed and ill thought out that the panel has no teeth and they are not able to scrutinise. What do you feel about that?

Cllr Spicer: I am pretty certain that the view shared across party at the LGA is that the power to send back is probably more correct than the power to veto.

Ed Hammond: I would tend to agree with that. It is difficult to envisage circumstances in which the use of the power of veto would be appropriate. It would only be useful in extreme circumstances where, for example, the proposed appointment was considered to be so inappropriate, which would suggest a significant failing on the part of the office of the PCC and the PCC in terms of their internal HR and recruitment processes. Given the fact that the office of the PCC will have a monitoring officer whose job it is to ensure the probity of those arrangements, it is difficult to see what could be added. Also a veto, certainly in employment law and other terms—I am by no means a lawyer—could be seen as essentially career ending for any chief constable who would be subject to it. You can imagine a circumstance where a proposed chief constable comes before a panel and their appointment is vetoed. That would cast significant doubt on their ability to hold a senior policing post.

Q452 Chair: Councillor Spicer, do you think that the panels ought to have the power to veto the appointment of a chief constable?

Cllr Spicer: You asked earlier about removals of chief constables. To be quite clear, although some of that was a bit rocky to start off with and has been watched very carefully by the LGA, we think that it is part of the learning that it is inevitable that there be changes. In terms of the veto, currently the position is that the police and crime panels are holding these confirmation hearings for deputies and chief constables. I think that as people get more experienced—and this is a relatively new process for local government—the few glitches there have been about that will soon be calmed.

Q453 Chair: Ought they to have the power of veto? If you are looking at the legislation again and you are considering it, do you think that they should be able to dig their heels in and just say no?

Cllr Spicer: I am pretty certain that the view shared across party at the LGA is that the power to send back is probably more correct than the power to veto.

Ed Hammond: I would tend to agree with that. It is difficult to envisage circumstances in which the use of the power of veto would be appropriate. It would only be useful in extreme circumstances where, for example, the proposed appointment was considered to be so inappropriate, which would suggest a significant failing on the part of the office of the PCC and the PCC in terms of their internal HR and recruitment processes. Given the fact that the office of the PCC will have a monitoring officer whose job it is to ensure the probity of those arrangements, it is difficult to see what could be added.

Q454 Chair: Yes, of course. The Gwent situation is one that we have looked at. I don’t know whether you looked at the Gwent situation, where a commissioner says to a chief constable, “I am not going to renew your contract” and the chief constable then says, “Okay, I am going”. Have you looked at that?
Ed Hammond: I have. I am somewhat unwilling to go into depth on my views or otherwise on individual panel.

Chair: That is why you are here, Mr Hammond. You are here to give us the benefit of your views, otherwise you would not be here.

Ed Hammond: Of course, but it is always difficult to talk about individual circumstances where I don’t know everything about the situation involved, and certainly when somebody from Gwent is not here.

Chair: Give us your view on that.

Ed Hammond: I can say in general terms that one would have expected, or certainly if I had been on the panel under those circumstances I might perhaps have expected, to look at that decision made by the commissioner. There may well be circumstances existing in Gwent of which I am not aware that made that impossible or made that difficult.

Chair: Councillor Spicer?

Cllr Spicer: The LGA have looked very closely, through the events they hold for police and crime panels, at the circumstances surrounding what happened in Gwent and also, more interestingly for us in terms of learning, in Lincolnshire, which I believe you have had a view on as well. The view that we have at the moment is that we do not need a change in the legislation around that, but there is a need for some learning from those processes, both by police and crime commissioners and by panels and to a certain extent by public expectation.

Q455 Chair: Lincolnshire is very close to home as far as you are concerned.

Cllr Spicer: Suffolk does not quite join Lincolnshire.

Chair: I thought you said you knew about the Lincolnshire situation.

Cllr Spicer: The Lincolnshire situation was of interest as much as Gwent to us in local government.

Q456 Chair: Assuming they have been on this learning curve, how could that have been handled better?

Cllr Spicer: I think if you look at the timing of both those events, so early in some of the most radical police reform in 40 years, it was inevitable that there would be a mixture of misunderstanding combined with unusual behaviours. One would hope through the national bodies, including ACPO and the Association of Police and Crime Commissioners, that such events would not quite unfold the same way again.

Q457 Mr Winnick: One could understand if a police and crime commissioner has been in office six, 12, 18 months and comes to the view that a chief constable should be removed, but is it surprising that a police and crime commissioner—there were two, in fact, in the areas named by the Chair—was in office for some four, six or eight weeks and suddenly decides that the long-serving chief constable should go? What fairness or justice could there be in making such a quick decision after being elected?

Cllr Spicer: I should have said at the beginning that I do answer some of these questions with the experience of having been on a police authority for many years, and I was the last chairman of our police authority, so I would like to think I know a bit about employment of chief constables.

I can only reiterate that the detailed circumstances, as Ed Hammond said, that might have been behind particularly those two would not happen with such speed and in that way again. The Local Government Association does do a huge amount of training now for police and crime panels to work with them. This was very much the message around the powers that police and crime commissioners would have. I suspect that possibly those very hasty decisions had been made a long time before by the candidate.

Q458 Mr Winnick: When you were on a police authority, and you said you were for many years, did it ever occur to you or your colleagues to dismiss the chief constable?

Cllr Spicer: It certainly never occurred to us in Suffolk to dismiss one. I have to say that there were some difficult times and relationships on and off over the years, not of any particular significance today, and tension, because police authorities had the right to take similar actions, but the relationship was different. There were some weaknesses that the Government has quite rightly sought to address. There were some strengths, too, in the partnership arrangements that inevitably developed. Sometimes they were too cosy, sometimes there was a lot of tension between police authorities and chief constables. No, it certainly never occurred to us in Suffolk to dismiss one, but I am aware it happened elsewhere.

Q459 Mr Winnick: Mr Hammond, it has been suggested to us by previous witnesses that before the process takes place, namely dismissal, there should be some intervening body to look at the situation, not necessarily be in a position to decide one way or the other but to give advice to the police and crime commissioner and the panel. Do you think there is a case for that?

Ed Hammond: I would assume that that would be the kind of advice that the commissioner would expect to receive from their monitoring officer, from the HR director that works with them in the office of the PCC and also with the HR function of the local force. I am not sure if there is necessarily any cause for an additional independent body to provide advice on that. You would hope that between those bodies would be able to provide high-quality advice to commissioners as to what was legal, what was appropriate and what was not.

Q460 Michael Ellis: Why shouldn’t chief constables on six-figure salaries, £100,000-plus a year, sometimes closer to £200,000, be capable of being discharged by a democratically elected person? After all, police and crime commissioners are responsible for a budget and they are responsible to the electorate who elect them. Other people are accustomed in their day-to-day lives to hirings and firings. Why should the chief constables be protected by this cosy arrangement whereby people can be moved around at public expense or kept in place despite the perhaps wider public interest? I am not talking here about any
specific case, I am talking in the generality. Why shouldn’t they be susceptible?

_Cllr Spicer_: I should have added before that police authorities did on several occasions suspend chief constables. I am not particularly aware of any high profile sackings. Mr Ellis, I completely agree with you; police authorities could have done that too, but perhaps were not brave enough.

I think the only qualification I would add—and I think the LGA would agree with me and where your Chairman was coming from—is it also how you do these things. We all work in different ways as councillors or whatever in the public sector. If action is required to be taken, whether someone is earning £20,000 or £200,000, there is a due process. Clearly these very early steps attracted a lot of concern and publicity. Mr Hammond was talking about due HR process. I completely agree with you that it is what the public have elected police and crime commissioners for and these are actions that they are completely entitled to take. My only plea would always be that due process is applied in the interests of fairness and to prevent legal action, as happened in Lincolnshire, at a later stage.

Q461 _Michael Ellis_: I don’t disagree with that in principle, but isn’t the reality that if two people who are supposed to work very closely together have discovered that they are incompatible—I am not citing any individual case here—there may sometimes be circumstances where it is necessary for a move to be made? After all, what should be of paramount importance is the wider interests of the public that they are all there to serve, shouldn’t it?

_Cllr Spicer_: I completely agree with your last point. What is in the interests of the public and indeed the officers and employees of that police force? Good chief constables don’t grow on trees. Any police and crime commissioner would need to consider very carefully their relationship to get that right balance of tension, which the public expect and which the elections have raised expectations about, combined with the fact that the two of them have to work very closely together. There would be some members of the public who still don’t see the difference.

Q462 _Paul Flynn_: Do you believe that a police commissioner with a mandate of 8% of the vote—in my constituency at one polling booth nobody voted—has a mandate to sack the chief constable immediately, without mentioning that this was his policy in his election campaign? Is that a democratic mandate?

_Cllr Spicer_: There are two questions there. If I could just say, as a politician—a humble one compared with all of you, but nevertheless one of over 25 years—winning an election is winning an election. It is deeply unfortunate that the turnout was so low, a combination of time of year, not on an election cycle routine, dark evenings and so on, and it was pretty low all around the country. The evidence from polling is already showing some improvement in public awareness.

Going back to this word “sacking”. I hope I have covered that. I do think it is very difficult for me to comment on the individual circumstances, particularly as I am here on behalf of the Local Government Association. All I can say is that I certainly would not have done something like that and it was not in a manifesto, but the Government had raised expectations that police and crime commissioners were going to be able to do things like that.

Q463 _Paul Flynn_: There has been confusion between the two views of whether the police commissioner had unfettered authority to lean on the chief constable to resign. The chief constable thought he did. We have since been told that he does not, by Tom Winsor and other distinguished people. Do you think there was confusion about that and that if they had both been better informed the chief constable could have put up a defence? We know the commissioner has said that he had cornered all the best legal brains in order that the chief constable could not hire them in defence. It is an atrocious situation, isn’t it? Why aren’t you coming out and complaining about it? It seems to be an obvious misuse of power.

_Cllr Spicer_: The LGA’s stance is not regularly to complain. We do try to go about our business constructively. We are very concerned in both the high profile cases about the advice that was given to the panel, and probably the advice that was given to the commissioner, but I am not the Association of Police and Crime Commissioners and I think they have to explain their actions.

I do have concerns, both personally and on behalf of the LGA, to ensure that there is better training and better clarity for the police and crime panels, who are meant to hold the commissioner to account and who also have a formal role in such dismissals or suspensions, or indeed appointments. That needs to come from the Government, from the Home Office.

Q464 _Paul Flynn_: You say it is too early to judge. Decisions will be made soon on manifestos for the 2015 election that might well include at least one major party’s proposal to end the police and Crime Commissioners experiment and to go on to a totally different system. When will you be in a position to tell us whether you think the system is working or not?

_Cllr Spicer_: It is a question I have been asking myself all morning, wondering whether you would ask that. The LGA takes some pride in being cross-party, although we are well aware of Lord Stevens’ report. At the moment we have lead members from each of the three political parties and the independents and we have discussed this among ourselves very clearly. Our position at the moment remains that it is too early to say. There will be a lot more research, including your own report, that will emerge during the course of the next few months. I believe that all political parties, including my own, will need to be very clear what their position is because I think the public will show a lot of interest in this at the general election.

Q465 _Paul Flynn_: Mr Hammond, you are being equally coy about what your views are. Do you want to open up, because you are among friends here? How do you think the scrutiny of PCCs could be improved?

_Ed Hammond_: There are probably a few things that can be done to improve scrutiny commissioners. Fundamentally, I think effective scrutiny rests on the
existence of a positive, constructive working relationship between the commissioner and the panel, where the panel feels empowered to act as a constructive critical friend to the commissioner and the commissioner listens to what the panel says. The success or failure of these arrangements rests so much on the existence of that relationship that the importance of it should not be underestimated. There are certain things that can be done to help to improve that. There is certainly a lot that can be done around improving the way the information is shared between the commissioner and the panel.

There have been some significantly different approaches around the country with commissioners who have been very open with the panel, who have been prepared to share a significant amount of operational and management information with the panel, and where the panel has used that information in order to carry out its strategic role in holding the commissioner to account. Equally, there have been examples where the commissioner has been rather more opaque, a commissioner who is not consistently publishing key decisions, not being consistent in the way that they interpret what a key decision is, producing police and crime patterns that in some cases have fallen rather below the standards that panels need in order to be able to conduct good scrutiny. In a couple of circumstances people have told me that there has been actual obstruction by commissioners, and in some instances offices of PCCs, in response to what certainly appeared to us to be entirely reasonable requests for information from panels. In part that derives from a misunderstanding on some sides of what the panel’s role is.

Q466 Paul Flynn: Just a final question. Isn’t it true that rather than being watchdogs the panels have generally been fawning pussycats without teeth or claws? How can we make them less friendly and more critical?

Ed Hammond: I think that presuming that you cannot be critical and friendly at the same time, and I think you can. You can act as a critical friend. You can make constructive recommendations and suggestions for changes to the commissioner’s approach without being antagonistic or hostile. There are a number of panels that have that balance right, for example, those that have taken steps to look proactively at the business that the commissioner is undertaking and suggest ways that the commissioner can improve his or her approach and those that have looked forensically at the police. This week many panels around the country are looking at the commissioners’ budget and precept and many are having significant difficulties with that exercise, for reasons that I could go into if you want.

Q467 Paul Flynn: Perhaps you could tell us on which date you will tell us what your views are.

Ed Hammond: I can tell you now, if you like.

Q468 Paul Flynn: Should we continue with commissioners or should we scrap them?

Ed Hammond: I am going to disappoint you because is too early to say. Can I explain why I think it is too early to say? It is because when elections were held in November it meant that commissioners came to post when they had a period of about six or eight weeks to finalise their budget and precept for the following year and also to finalise their police and crime plan for the next year in an effective sense. That meant—certainly our perception has been—that in most instances the plans that belonged to the police authority from before the election were simply carried over to this current financial year.

That has meant that the scrutiny of those statutory arrangements, the budget, the precept and the plan, was quite rushed last year. It was mixed in a number of panels, with a number of confirmation hearings; for example, a lot of panels had confirmation hearings for deputies. We had, as we have talked about, confirmation hearings in a number of big cities for new chief constables, chief executives and finance officers, and that meant that the whole exercise of scrutiny by panels this year, up until maybe last summer, was not reflective of what it is going to look like in the future. I think now it is quite interesting. What are we moving to is a second phase of panel operation.

Q469 Chair: We will come on to some of these in a moment. Let me put one thing to you. You wrote in your e-politics blog on 19 October about the murky world of lobbying. “The murky world of lobbying needs more than just transparency. Stop trying to convince ourselves that transparency will automatically bring about accountability.” What did you mean by that?

Ed Hammond: This goes back a couple of years, because that was October 2012. I think. What I mean is that just publishing information is not enough. You need to have the culture and the mindset in place among decision-makers to accept that when people use that information to hold them to account, they need to take action as a result. That goes to the heart of the things that I have been talking about under the relationship.

Q470 Chair: Yes, it does. Councillor Spicer, one of the things the Committee felt very concerned about is that there was no national register of interests of police and crime commissioners, so we compiled our own last year and we have promised to keep doing this until somebody takes this on board. We keep being told by the Home Secretary that people have to disclose this information locally and put it on their local websites. For the public, and indeed for Parliament, we cannot compare what they are all doing. We have to look up 43 different websites. Do you think there is a case for a national register where everyone can see in one place exactly what the commissioners’ other interests are, as they have for Members of Parliament and chief constables?

Cllr Spicer: And indeed elected councillors, if I could add that to the list. I have not come with an official LGA view on that specific question, but I am very happy to say—and I believe I would speak for everybody at the LGA—that we would welcome and be enthusiastic about that transparency. Equally, I
accept the stated wish of the Coalition Government that police and crime commissioners should stand for election in their own individual right and not be tied by what their businesses or anything else were. I personally was not aware that they were not all putting that information on their website. I think that would be very valuable and equally—I don’t know if you were planning to come on to it—for their deputies and assistants.

Q472 Michael Ellis: You said that it was too early to tell as far as police and crime commissioners are concerned whether it was a good thing or not, and I accept it is early days yet. You made a valid point about the election being off cycle and at a time of year that we do not frequently have elections. You said that the turnout was bound to have been low and it will be much higher next time because it marries up with local elections.

As far as too early to tell is concerned, crime has fallen across the board, hasn’t it? I am not suggesting that that is all down to police and crime commissioners by any means, but isn’t one of the main arbiters of whether something is successful or not, as far as this issue is concerned, the fact that crime is falling? Look at my county of Northamptonshire. It has the fastest reduction in violent crime in England and Wales and the second fastest in crime reduction across the board. Would you agree with me, Councillor Spicer, that that is the sort of thing the general public are going to be looking at?

Cllr Spicer: I sincerely hope they will look at that. At this stage I would say, and you would expect me to, that crime has been falling for four or five years. The last year ran right through with the priorities. In fact, the priorities and the budgets being set by almost all police and crime commissioners do not look very different from those of previous police authorities, particularly in terms of performance. There is very little difference.

What is important about the reforms is that the public can clearly identify who is in charge of their policing, and I will readily acknowledge that that is working. It pains me to say it is working, but I was chairman of a police authority that was probably failing to make that happen. It didn’t actually worry me. I thought it was important people knew who the chief constable was. The reforms are designed to have an elected role and the evidence would seem to be that that is working. I think the fall in crime is—

Michael Ellis: There will be a number of factors, yes. Mr Hammond, did you want to add anything?

Ed Hammond: No, I think I will—

Q473 Paul Flynn: Do the police and crime panels have enough resources or are they going to be outgunned by the commissioners and others?

Ed Hammond: I do not think they are sufficiently resourced. I think the Home Office made assumptions about the amount of resourcing that would be needed, based on meeting four times a year. The experience of panels in the first year and a bit of operation demonstrates that they need to meet more frequently than that in order to carry out their statutory role effectively. You cannot expect panels to come together and immediately be able to carry out effective scrutiny of the PCC’s budget. They will need briefings beforehand; they will need to meet beforehand; they will need to go through the budget beforehand with the PCC. That will involve more meetings, more briefing and more officer support. We have thought, certainly in the absence of the likelihood that the Home Office will commit more funding, that local authorities should think about committing extra resource themselves, as they are empowered to do in legislation.

Q474 Paul Flynn: It should come from the police precept way?

Ed Hammond: No, that would be from general funds. Many local authorities are going to find it difficult to do that, frankly. We suggested £2,000 per authority in our research, but I recognise that the political difficulty of doing that might work against it somehow. I know that some have done that, but I do think more resourcing is necessary.

Q475 Paul Flynn: As there is a general recognition throughout the country that police crime figures are a series of continuous fictions and have been for years, if they are brought back on an even keel and become truthful this is likely to show a picture that crime is increasing from the previous fiddled figures. The true figures might prove that. Isn’t this going to present a real difficulty for the commissioners who are in fact politicians and who are seeking re-election and have a due vested interest in fiddling the figures again?

Ed Hammond: Of course, answering that would require me to accept the premise that figures were originally fiddled, which I—

Paul Flynn: We have evidence of this.

Ed Hammond: If you have taken evidence of this, then you could—it is a very difficult question to answer. I suppose you—

Q476 Paul Flynn: Lord Stevens and the policemen in the Met. I sit on another Committee that has dealt with this in detail and I do not think there is any doubt whatsoever that generally the police crime figures have been manipulated; they are generally untrue and trimmed in various ways, but if you do not accept that, you are pushing against this mountain of evidence that has been presented, including from Lord Stevens, which said that they are fiddled, they were fiddled, they are being fiddled now.

Ed Hammond: I honestly do not—
Cllr Spicer: I do not think he used that word. I have to say, I have some difficulty accepting that word. HMIC go into constabularies doing what they call crime recording checks and clearly from time to time evidence emerges such as has done recently. I do know, having done sampling of crime statistics over many years, that a lot of it is certainly not deliberate fiddling. It is a matter of completely misunderstanding when one crime counts as three or four and whether they are recorded right and so on, which is quite difficult to do.

Q477 Michael Ellis: Needless to suggest, it is not at all accepted that crime figures are that disrupted. In fact, there will always be some errors, but the British Crime Survey is another form of statistics gathering. That is a survey adopted by members of the community, like an opinion poll, and that clearly is not susceptible to the sort of interference that it is suggested that other figures are. Do you accept that the crucial factor here is democratic accountability, and although there will be some resistance to that from certain quarters, the fact that the general public can identify with someone who they can praise and blame accordingly when they are happy or unhappy with things as to how public money is being spent is a principle that should be supported?

Cllr Spicer: Absolutely, yes.

Q478 Mr Winnick: Democratic accountability: police and crime commissioners are elected, however low the poll. They have an electoral position that obviously chief constables do not, but what about deputies to the police and crime commissioner? Aren’t there allegations that some of these recently elected police and crime commissioners have been appointing their mates?

Cllr Spicer: I think that is probably one for Ed, but that has indeed been alleged. Not all police and crime commissioners have appointed deputies. In fact, many, including my own, do not have any deputy.

Q479 Mr Winnick: But some have, have they not, Mr Hammond?

Ed Hammond: Some have appointed people without using what you might think of as standard recruitment practices, and I think that has caused significant concern to panels. When recruitment happens purely on the basis of a PCC inviting somebody to be their deputy, there is no effective base on which to conduct a confirmation hearing. You cannot then ask the commissioner, “What criteria did you use to appoint this person? Why are they most suited to the role? What will the role be?” In many instances, the role of the deputy is very ill-defined and I think many panels have experienced significant frustration in carrying out confirmation hearings for deputies for precisely that reason. I think the position of deputies needs to be looked at again. I think there is certainly an argument to say that people wishing to appoint deputies should make that clear before elections, but we are where we are, and of course under the legislation PCs are empowered to appoint deputies and have absolute discretion on how to do so. Obviously, making a change there would require primary legislation.

Q480 Mr Winnick: But as far as the panels are concerned, as I understand the situation, they have a responsibility to scrutinise a deputy appointment.

Ed Hammond: Yes.

Mr Winnick: But isn’t that bypassed simply by changing the name—instead of deputies, they are assistant commissioners—and therefore there is no necessity in legislation, am I not right, for the appointments to go before the panel?

Ed Hammond: I think you would have to look at that individually and say, “Is this person effectively performing the duties of a deputy?” It would be based on what that person’s job title was and what they were there to do. If it was about providing political management support to the commissioner as a person appointed by them in that role, then they are there as a deputy, really. Certainly if I were the chair of a PCP or somebody providing advice and support as an officer to a PCP and that happened, I would probably approach the office of the PCC or the PCC directly and say, “In our view, this appointment constitutes an appointment of a deputy and we are supposed to carry out a confirmation hearing”.

Q481 Mr Winnick: In Surrey, Mrs Spicer, two assistant commissioners were appointed without any oversight from the panel.

Cllr Spicer: Did you say Surrey?

Mr Winnick: In Surrey, as I understand it.

Cllr Spicer: I think your next witnesses this afternoon come from Surrey. I do not have the details of Surrey.

Q482 Mr Winnick: No, but do you know of this?

Cllr Spicer: No, I am Suffolk, so I do not.

Chair: Yes, we know. Councillor Spicer and Mr Hammond, thank you very much. The bell indicates a Division and members of the Committee will be going for a vote. You are welcome to stay to hear the other witnesses who are going to give evidence to this Committee today, but thank you very much. If there are any issues you think—

Q483 Mr Winnick: I am aware that Mrs Spicer is Norfolk, but I am just wondering if she knew about the decision.

Cllr Spicer: Yes, not the detail, but I think you can obtain that later.

Chair: I must stop the conversation going ahead. If there are other issues that you wish to raise with the Committee, please write to us. Thank you very much. 

Sitting suspended for a Division in the House. 

On resuming—
Examination of Witnesses


Q484 Chair: Could I call the Committee to order and apologise for the delay? I do not think we are anticipating any more votes during your evidence session. I welcome Alison Lowe, Dorothy Ross-Tomlin and Roger Seabourne. Thank you very much for coming to give evidence. This inquiry into police and crime commissioners has been ongoing for a number of months and we are now focusing on the work of the police and crime panels. That is specifically what we would like to ask you about today.

I want to start with you, Councillor Seabourne, because you have been the most outspoken about these panels and we welcome your transparency and the fact that you have allowed us to look at this whole issue in the round. You were pretty critical of the police and crime panels when you resigned from the one in Hertfordshire. Why was that?

Cllr Seabourne: Thank you, Mr Chairman. First of all, with the benefit of hindsight perhaps I might have been a little bit harsh in my comments, but they were made at the time. I was only on the panel for what I referred to as its nascent year and things were very early, as was said earlier. I know I am in the esteemed company of people who are probably far better at doing this than I will ever be, but I suppose I am guilty perhaps of using a little bit of a sound bite. I suspect that I would not be sitting here now were it not that I used fairly strong language at the time. I know you may well comment on it because you followed up my radio interview and commented at the time. I suppose that it achieved its objective. I did not want to just walk away as some kind of admission of defeat. I came into local politics because I wanted to help change things. I felt I was not able to do that and I wanted to make a bit of a sign to at least shake things up. My chief officer tells me that things have improved since I have gone. I am not suggesting that I take credit for that.

Q485 Chair: You did describe the panel as “toothless”. That is quite a strong word. You have had a lot of involvement in local government over the years and you have sat on many committees so you know the difference between an organisation that has some teeth and one that does not have any. Tell us why you said that.

Cllr Seabourne: I think because things were happening that I was not happy with and I felt, having made my comments to the panel, that they either could not or would not do anything about them. I am not sure even now which it was—if they would not do anything, that is very sad; if they could not, that is very disturbing.

Q486 Chair: Who is “they” in this case? The PCCs?

Cllr Seabourne: No, I would say the panel. I do not want to be critical of the PCC as such. My main criticisms were of the panel itself.

Q487 Chair: You would have liked your colleagues sitting on the panel to be a little bit more proactive or to do more than they did do. Is that right?

Cllr Seabourne: Indeed, or to be able to do more. I am not sure if they did not wish to or they were not able to, because in those days it was still too early. I can give hundreds of examples and perhaps I will write in with some.

Chair: One would be fine.

Cllr Seabourne: Of course, because I realise time is short.

Chair: Give us one practical example of the way in which—

Cllr Seabourne: Sure, and I will write in with the others because I could talk for an hour. One case is the publication of statutory data. The Government, the Home Office are continually saying that, “One of the best forms of bringing the commissioners to account is that they publish the information and the public can look at that and judge it”, but what if the commissioner does not publish it? This was happening, it was drawn to our attention that it was happening and it was pointed out to the commissioner. I do not want to be too critical, it was early days, they were busy, but nevertheless, when push comes to shove and you are a believer in the rule of law and you have a public position that is literally the head of that rule of law in that area at that time, you have to follow the rules that have been laid down. When it was not done there was nothing the panel could or would do about it, and I felt that was an example of toothlessness.

Q488 Chair: Councillor Ross-Tomlin, have you served on the panel since its inception or were you added afterwards?

Cllr Ross-Tomlin: No, Chairman, I have been there since the beginning.

Q489 Chair: Do you recognise this description of the crime panels in your area? You have a Chief Constable in Lynne Owens and you have a Commissioner, Kevin Hurley, who is an independent.

Cllr Ross-Tomlin: Yes.

Chair: Do you find that you have enough powers to deal with the work that you need to deal with?

Cllr Ross-Tomlin: We would like more powers because you know we only have two vetoes, one over the precept, which the commissioner can choose to ignore, and over the appointment of chief constables and so on. My experience of the panel is very different. I do take the point that we are now more than a year in and my panel is a very good blend of experience and skill; it is very representative across the county, and I think we are growing in strength. We are now challenging robustly, and I can see the panel working effectively for those we represent.

Q490 Chair: You are challenging robustly Commissioner Hurley?

Cllr Ross-Tomlin: Yes.
4 February 2014 Councillor Dorothy Ross-Tomlin, Councillor Alison Lowe and Councillor Roger Seabourne

Chair: Do you see that as your role, to challenge him rather than to look and see what the chief constable is doing? You see it very clearly as accountability of the commissioner himself.

Cllr Ross-Tomlin: Absolutely, because the chief constable is accountable to the commissioner and he is accountable to us. His role is one of strategy. The chief constable’s role is one of implementation.

Q491 Chair: Give me one example of where you have got your way as a panel and one example where you did not get your way.

Cllr Ross-Tomlin: We are getting our way increasingly often. We have decided to focus on three things: one was cybercrime, which is now in his police PAC plan, another was rural crime, which we are working on, and we also wanted to look at neighbourhood policing. A review had started. In a sense, we did not get our way on that because the commissioner promised us he would come back and talk to the panel before implementation but, as he does sometimes, we were told retrospectively once all the changes had been made.

Q492 Chair: Councillor Lowe, where do you stand between these two opposite views as to the powers of the police and crime panels? We accept that this is early days and that this is a new experience for everybody, but you are also an experienced councillor. You have Mark Gilmore as your Chief Constable and Mark Burns-Williamson as your Commissioner. Do you feel you have enough powers? Do you feel that the commissioner is being held to account?

Cllr Lowe: I think we do have enough powers. Probably the precept is the one area where perhaps we would like a bit more, because obviously we would want to agree the precepts. We are also local councillors and we want to make sure we get the very best value for the people of West Yorkshire. That might be an area for you and for legislation to consider going forward. In terms of everything else, we have powers. We have the power to get Mark, the PCC, to attend our meetings to give us information. The problem for us is more about capacity, not our capacity but his office’s capacity to give us the information we need in a timely way. There is sometimes a bit of tension about the information that we think we need and that his office thinks we need. The legislation is still in its nascent stages and we are a new panel. I think the powers are there and we just have to learn to use them and use them appropriately so that the relationship with the PCC gives us what we want.

Q493 Chair: Just to get some facts, how many members of the panel are there apart from yourself?

Cllr Lowe: There are 14 of us, all councillors apart from two independents.

Q494 Chair: How often have you met since the election of the commissioner?

Cllr Lowe: Last year we met 11 times. This year we will have eight formal meetings. I think we have met so far once this year.

Chair: Almost once a month.

Cllr Lowe: Yes. There is quite a lot of work and, on top of the work that we do, we have leads on particular areas. We developed our own accountability framework, looking at all the statutory areas that we have to cover.

Q495 Chair: Councillor Ross-Tomlin, how many times have you met and how many members of the panel are there in Surrey?

Cllr Ross-Tomlin: We have exactly the same number of members, 14 members, including two independents. I have attended 23 meetings in the last year, but some of them have been complete panels, finance sub-groups and so on. I would think our formal and informal meetings are similar to what Alison has described.

Q496 Chair: Councillor Seabourne, we know that you have resigned from the panel, but how many meetings had you had before you resigned and how many members of the panel are there in Hertfordshire?

Cllr Seabourne: There were 14 when it was a full complement, but three resigned. It was not just me. I think I attended four meetings during the first year, which again shows some of the disparity with where we have come from, which is what all this is about. I never claimed I could paint a national picture. I will run on otherwise, so I will stop there. Thank you.

Chair: I am going to bring in one of your local Members of Parliament from Hertfordshire, James Clappison, who has a supplementary.

Q497 Mr Clappison: You mentioned statutory data and your frustration that it was not published. There is quite a lot of what you could call statutory data. Can you just enlighten us as to what the particular statutory data was that you were so concerned about?

Cllr Seabourne: I can certainly write in with it; it is a very long list.

Mr Clappison: Just choose one. There must be something that stood out.

Cllr Seabourne: Yes, hospitality expenses are one example, but I would not want to pick one. The issue to me was the fact that there was one that was not there. I read the Audit Commission’s report of literally the day before yesterday and found out that it is not just Hertfordshire. The best from their sample was a 75% strike rate of publishing what they are statutorily obliged to publish. I think for any other public body, be it education, health or whatever, if the best achieved was 75% serious questions would be asked.

Q498 Mr Clappison: Has it been published?

Cllr Seabourne: No, it still has not to this day. I am sure some has and some has not.

Mr Clappison: You say some has. Hospitality data for whom?

Cllr Seabourne: For the commissioner.

Mr Clappison: Has that been published?

Cllr Seabourne: Some has, but not all.

Q499 Mr Clappison: What has not been published that you are aware of?
Cllr Seabourne: Obviously, by definition I cannot identify what has not been published. I know some examples, but that is where my problem is. As soon as there is one gap, one asks the question, “I wonder what else is missing?” Obviously, by definition you do not know what is not there.

Q500 Mr Clappison: Some has been published, though, you say.

Cllr Seabourne: Yes.

Mr Clappison: Was that one of the reasons for your standing down?

Cllr Seabourne: It was one of many. I would say it was not the straw that broke the camel’s back, and it was not so much the lack of publishing the information. To be fair to our commissioner, who had only been in the job a few weeks and had a lot to do, it was the fact that when the panel identified it to him and he admitted it had not been done and assured them it would be done, for whatever reason—I am sure there is nothing underhand or he is hiding anything—it still was not done. The panel was absolutely powerless to do anything about it and I think it would have been in his interest if we could have forced him to do it.

Q501 Mr Clappison: But it has been done now?

Cllr Seabourne: Not all of it.

Mr Clappison: Some of it has?

Cllr Seabourne: Yes.

Q502 Mr Clappison: Did it occur to you, looking at this in the round—you were only there for four meetings and you were obviously very concerned about it—that you could stay there and seek for change from within? You would be able to say all of the things that you have said to us today if you were still a member of the panel. Presumably you would be much better informed and know what was happening at the moment.

Cllr Seabourne: That was a very difficult decision for me to make and, having spent more than 20 years as an elected representative—I have to be careful of my language—I do not like people who stand outside the room and do things in it. I prefer people to be in it language—I do not like people who stand outside the room and do things in it. I prefer people to be in it fighting. But in the end I felt I had to resign, despite all of these issues, which I was prepared to stay and fight for. In one meeting in particular someone said to me, “You batted on your own all meeting, well done”. I said, “Well, why didn’t you support me?” I decided I had a conflict of interest, which I have referred to in my written submission. I was appointed by my council as a member of the Hertfordshire Community Safety Board, which has executive decision-making powers, and then I was sitting on the panel that scrutinises those decisions. To me that was an absolutely clear conflict of interest so, if you like, I had a way out of my dilemma.

Q503 Mr Clappison: How did you come to be nominated in that case?

Cllr Seabourne: My council felt, and I agreed, that I was the best person to be sitting on the Community Safety Board, which had executive decision-making powers. We could nominate anyone to sit on the panel that did not have executive decision-making powers and in fact it did not have very many powers at all, as has been highlighted adequately enough over the last parts of your hearing.

Q504 Michael Ellis: Councillors, what arrangements have you developed, if any, in your respective crime panels to scrutinise the decisions made by your commissioners? How effectively do you think those arrangements have worked to date? For example, do you think there should be more guidance to commissioners on what constitutes a decision? In terms of scrutinising the decisions that the commissioner has made, are you happy that the arrangements that you have made are working and therefore that you are providing proper scrutiny for your commissioners? Councillor Lowe?

Cllr Lowe: Our commissioner is very clear about what constitutes a decision and I think overall we would agree. The arrangements are working pretty well. There has not really been any falling out about that. The only thing we would say is that the decisions that should be on his website are very out of date. I think the last decisions are from July. He has been reminded of that.

Michael Ellis: I am sure this is a further reminder.

Cllr Lowe: Yes.

Michael Ellis: Councillor Ross-Tomlin?

Cllr Ross-Tomlin: I think a definition of what a key decision is would benefit our commissioner hugely. We are finding as we scrutinise that the better we get it, the more inclined he is to use the ambiguity of who does what.

Q505 Michael Ellis: I suppose by its very nature what amounts to a decision or a key decision is quite difficult to define. We have to use common sense, don’t we, and that means probably working together? Do you see room for improvement in that area?

Cllr Ross-Tomlin: Absolutely I see room for improvement. I don’t know if I am going off your question here, but I also see huge room for improvement as far as our challenge to the precept is concerned because of the timing element of it. We have six days and although our commissioner is able to say in December what he is going to be asking for, he did not give us the information until the 1st of this month. We meet him to discuss it on the 6th and it has to be all resolved by the 20th if we have challenge, yet we do not have enough information yet to know the way forward.

Q506 Paul Flynn: Are you happy with the resources you have to challenge the precept? You get a relatively small amount of money, about £53,000 I understand. Do you employ anyone who can give you useful advice on that?

Cllr Ross-Tomlin: We have three accountants on the panel, which helps hugely. We also have two ex senior police officers and a retired Member of Parliament. We have quite a lot of expertise, but we do not really have enough resource as a panel. I think Councillor Lowe touched upon it. The timing of the precept is ridiculously short. We also, as lead authority in Surrey, do subsidise it quite a lot because our total is...
4 February 2014  Councillor Dorothy Ross-Tomlin, Councillor Alison Lowe and Councillor Roger Seabourne

about £65,000. The only people on our panel who are paid are the independent members, who get about £2,500 each.\footnote{Note by witness: The independent members do not receive any allowance.}

Q507 Paul Flynn: What percentage of the members of your panel live in rural areas?
Cllr Ross-Tomlin: Maybe five out of the 14.

Q508 Paul Flynn: Is crime in the rural areas worse than in the urban areas in your area?
Cllr Ross-Tomlin: It is different.

Q509 Paul Flynn: Why are you concentrating on it then?
Cllr Ross-Tomlin: We feel that the police resource is concentrated on the urban areas and perhaps they are not paying sufficient attention to the crime that is going on in the rural areas.

Q510 Paul Flynn: I will take your answer where you say it is different. There is less crime in the rural areas, which would explain the proportion you have been allocated.
Cllr Ross-Tomlin: We have not studied it yet in detail so I can’t say with any confidence how much less it is than we expect.

Q511 Paul Flynn: So it was an evidence-free decision to concentrate on rural crime.
Cllr Ross-Tomlin: It was in response to concerns expressed to panel members by their residents.

Q512 Paul Flynn: Councillor Lowe, looking at the very impressive activities that you have indulged in, when in many years time you come to retire and you look back on your career, which will give you the greater satisfaction, the work you have done on the panel or other activities you are involved in?
Cllr Lowe: I have to say the work as a mother would have come first, but I think we are doing some good stuff in West Yorkshire. I am really pleased. We do not have the same problems with the precept that they are making; to interrogate some of the assumptions that they are telling us so that we have a very clear brief from the local authorities—Bradford this time, last year it was Leeds. We are really happy with the information that we are getting and using that methodology this year we were able to get the PCC to agree to give some money back to the local authorities. He is giving £1 million to us for domestic violence work, he has given money back to subsidise some PCSOs and he has given money back to the CSPs across the region.

Q513 Paul Flynn: You are convinced that there is useful value to be gained from the panel and from the existence of the commissioners?

Cllr Lowe: From the panel, yes, and obviously we are stuck with the commissioners so the panels have to work with them.

Q514 Paul Flynn: Are you unique in getting money back from the commissioner?
Cllr Lowe: I think we are unique in several ways, but probably that will turn out to be the case, yes.

Q515 Chair: Councillor Seabourne, did David Lloyd ring you up and say, “I don’t agree that it is a waste of time, space and money. Please, Councillor Seabourne, stay on. You have a great contribution to make to this venture”? Were there attempts made to keep you on?
Cllr Seabourne: No, he didn’t. I meet David at least once a month and we have a very good working relationship. That is not a problem. I do not agree with everything he says and I would not expect to.

Q516 Chair: Did he try to keep you on? He presumably did not agree with you.
Cllr Seabourne: No. I am sure he did not agree with me, but I think thereby lies one of the problems. The PCC has an undue influence on the panel and I would say it is not at the instigation of the PCC by any means. It just happens to be because of the political make-up of the panel. You asked a question earlier on about more guidance for what is a key decision. You can never have too much guidance. I will give you an example. When it came to the closure of front offices of police stations, we could not even decide whether or not it was an operational decision or a police commissioner decision, let alone whether it should be a key decision. Obviously, there would be this vagueness to start with.

Q517 Chair: Would it have helped if you were elected at the same time as the commissioner?
Cllr Seabourne: I think one of the real problems was the timing. I referred to what I considered to be rushed legislation, and I won’t go over that again, and the implementation even more so. On this first cycle, the time given for David to prepare the budget and the plan and for us to scrutinise it was indecent, and I think I have said it would be rude and insensitive to be too robust on its scrutiny. It just was not fair. Unfortunately, that was inevitable, but I think that set a culture and it was too late, it was done, water under the bridge.

Q518 Chair: Indeed, and Councillor Ross-Tomlin, what about your commissioner, Mr Hurley, does he go out of his way to curry favour with you? Does he know that you have influence over him and does he go out of his way to be helpful to what you are doing?
Cllr Ross-Tomlin: Our relationship is quite good. He is quite a character. He is happy to work with us. We mostly get the information we require from his office, but of course if they are doing something we know nothing about we do not have the resource to challenge that and to drill deeper into finding out what it is.
Q519 Chair: Would it have helped if you had been elected at the same time? One of the features of the police authority structure is that you are elected councillors. You are an elected councillor, but you are not elected by the people and he is.

Cllr Ross-Tomlin: No, and I think it works better the way it is. We are all selected from our own districts and boroughs and the county because we have a particular interest, expertise or background, and the blend of that seems to work well.

Q520 Chair: Councillor Lowe, what about your relationship with Mark Burns-Williamson?

Cllr Lowe: It is cordial.

Chair: Cordial or cosy?

Cllr Lowe: Cordial, definitely not cosy. Mark will tell you, I hope, if you ever ask him, that we give him respect, but we are also very clear about our role and his. He has been very uncomfortable in many of our meetings, and I think that is right. We have to be constructive, but we are there for a different purpose. He is responsible for £2 billion over the course of the four years. He has to be held accountable for that.

Q521 Mr Winnick: If I can start where I stopped because the Division bell. My question is to you first, Councillor Ross-Tomlin, and it is about the situation where the police and crime commissioner appointed someone and changed the designation. That was in your area and the panel that you chair had some critical words to say about that.

Cllr Ross-Tomlin: We did indeed. We quite often have critical words to say. Our meetings are webcast and you will find lots of critical words. Yes, we were unhappy. He needs to consult us, but he sometimes does it retrospectively and that is not good enough. I do feel very strongly that when a commissioner is unhappy. He needs to consult us, but he sometimes does it retrospectively and that is not good enough.

Q522 Mr Winnick: What did happen when the police and crime commissioner decided on what everyone would have considered—presumably your panel as well—a deputy? What happened? Did he simply change the designation and ignore you?

Cllr Ross-Tomlin: No. He has a deputy who he produced. We did go through the hearing for that and we were happy with his choice, but the assistant commissioners were brought to a meeting as assistant commissioners and this is what he looked on as consultation.

Mr Winnick: Commissioners, so it is two?

Cllr Ross-Tomlin: Two, one looking at racial equality issues, and the other looking at victim support.

Q523 Mr Winnick: Basically, would they be looked upon with justification as deputies?

Cllr Ross-Tomlin: No, they are different. They work for a far shorter time and they are paid significantly less.

Q524 Mr Winnick: Your panel nevertheless was critical and you said, if I may quote, “It is extremely easy for commissioners to sidestep the PCP”, and made the point, for example, “While the legislation prevents the commissioner appointing a deputy without consultation with the panel, Surrey’s Commissioner was able to appoint two assistant commissioners without any oversight”. Do you stand by that?

Cllr Ross-Tomlin: I absolutely stand by it.

Q525 Mr Winnick: Councillor Seabourne, does that strengthen your criticism of the panels as being toothless. Did it justify your resignation?

Cllr Seabourne: A very smart commissioner—and most of them obviously have not got where they are by not being smart—can play the system very well in terms of putting up a straw man precept to be knocked down, to have the second one walk through if they wish to do that. They can have an assistant rather than a deputy commissioner if they wish to have that and bypass the system. The system allows them a bit more freedom than I think is good for them.

Q526 Mr Winnick: I take the point. You are not intending to go back on the panel, I take it, at some stage?

Cllr Seabourne: Who knows? It is not high on my list of ambitions.

Mr Winnick: By popular demand?

Cllr Seabourne: I have not had a transfer request put in and now the window is closed, but I am certainly not antit the panel. I only felt that there were changes that needed to be made and I thought I could do more good sitting on the board than on the panel, so in a way the decision was made for me.

Q527 Mr Winnick: May I ask you something that has not been asked so far, namely the oath that the police and crime commissioners take, and I quote, “I will not interfere with the operational independence of police officers”. As far as I understand it, it is very difficult to pin down operational independence because, as the HMIC has stated, it is not defined in statute. Let me give you one or two examples and I would be pleased to have your comment. There was a high-profile police case two years ago, the tragic murder—all murders are tragic, it goes without saying—of a Bristol woman and the press picked on the wrong person. We know the outcome of that, and over 30 years ago of the case of the mass murderer of women, and so on. Am I not correct in saying that it would be very difficult for the police and crime commissioner to tell the media in effect, “That is entirely a matter for the chief constable and his police force and not for me”? I doubt if the media would be satisfied. What do you feel? In a high-profile murder case that is dominating the media, as in the examples I have given, would the police and crime commissioner stand aside and say, “Not me”?

Cllr Seabourne: I hope he would, but I think there lies one of the problems. It is quite understandable that, irrespective of the low turnout at the polls, the public generally are not aware of and cannot be expected to be aware of the rather intricate rules and responsibilities and interests of the chief constable and of the commissioner, let alone of the panel and of the commissioner. Therefore, one of my fears and one of my strongest platforms at the time was that the public
think police, be it commissioner, chief constable, panel, don’t know what the panel is. If things are not done properly and seen to be done by the book, as we well know, it gets a great deal of poor publicity, as has happened in my county yesterday and this morning. Therefore, the job of the men and women on the street doing the real hard job is made that much harder because the police are getting a bad name. It is nothing to do with them if the commissioner does not publish his results or comments or even is asked a question that he is not responsible for. That was one of my main concerns—that it is a public perception of the police, not the institution, not the new governance arrangements. The public, quite frankly, do not understand very well.

Q528 Mr Winnick: Before the elected positions were created in legislation, members of the police authority would not be asked questions by the media—I can’t recollect any example where members of the police authority or the chair of the police authority were asked questions by the media—in high-profile murder cases. Do you agree that the situation is now different?

Cllr Ross-Tomlin: I have no working knowledge of the Surrey Police Authority, but I know that our commissioner is the sort of chap who would be happy to give a quote because he declares himself to be a pundit in any case.

Q529 Mr Winnick: It would not just be a quote because the media would be saying, “What is happening? When are the police going to catch the alleged murderer?”

Cllr Ross-Tomlin: I would hope that he would be working closely with the chief constable and their respective communications departments in any statement that was given.

Q530 Mr Winnick: Are you in agreement, Councillor Lowe?

Cllr Lowe: I agree. My experience is that Mark, in those circumstances, would not get involved in the operational detail, would not be giving any information to the press. But what he would want to do is ensure that the public perception of the police’s conduct was that he was doing all that he should do in his position to ensure that that was transparent and all the rest of it.

Q531 Chair: Councillor, why did you let Mark Burns-Williamson get away with appointing so many Labour party people to his team? You are a member of the Labour party.

Cllr Lowe: I am a member of the Labour party.

Chair: He came to you with the appointment of a regional director of the Labour party and you passed that, did you?

Cllr Lowe: Are we talking about the deputy? Yes. If you have done your homework—

Chair: Sorry, not the regional director. I think a relative of the regional director.

Cllr Lowe: Yes, a relative. If you have done your homework you will have seen that I was very vocal—

Chair: We try to do our homework on the Committee.

Cllr Lowe:—in my opposition to Mark recruiting a deputy. It was not the person of Isabel Owen that I had any exceptio to. It was the fact that he was—

Chair: The concept.

Cllr Lowe: It was the concept of recruiting a deputy. I thought it was a waste of taxpayers’ money.

Q532 Chair: You told him he did not need one.

Cllr Lowe: For me, he had to demonstrate that there was a need, and that meant that he had to be in the post for up to a year, demonstrate that there was enough work for that person to do and then we would have considered his—

Q533 Chair: But did that show that your committee is, as Councillor Seabourne says, toothless because he went ahead and made the appointment of someone who is politically quite close to him?

Cllr Lowe: Yes, he did, and the legislation allows him to do that. If you have a problem with it, then it is about changing the primary legislation that allowed that to happen. I remain unhappy about that. Mark knows that, but I am a grown-up and we move on.

Q534 Chair: Councillor Ross-Tomlin, in respect of local matters in Surrey, there was an attempt to begin a quite extensive privatisation scheme in Surrey, which predates the arrival of Chief Constable Lynne Owens. Would you have been part of any discussions about that? It has subsequently been shelved, I understand, but would they have shared any of that information with you?

Cllr Ross-Tomlin: Was this the amalgamation with another force?

Chair: Yes, with the West Midlands.

Cllr Ross-Tomlin: Yes, that predates me and I do not know much about it, but the commissioner is very keen himself that we amalgamate with Sussex. I have a working relationship with the chairman of Sussex—

Q535 Chair: What do you mean, amalgamate the whole of the police authorities?

Cllr Ross-Tomlin: The Surrey police force amalgamate with Sussex police. We do not consider he has a mandate to do that. The Surrey panel is against it and the Sussex panel, I understand from my discussions with it, feels the same, although we are happy with all of the collaborative working that goes on, because that makes sense.

Q536 Chair: Your commissioner wants to merge Surrey and Sussex?

Cllr Ross-Tomlin: Yes.

Chair: Nobody supports this?

Cllr Ross-Tomlin: No.

Q537 Chair: Councillor Seabourne, for the time that you were on there, when you made your very brave and principled stand in deciding to resign, did you see anything that caused you concern? I know you have a list of 100, I know you threatened to read it out and I know you are going to send it to us, but in terms of the appointments that were being made by the commissioner. Hertfordshire does not seem to me the kind of place where lots of appointments were made.
Cllr Seabourne: No, and I have been very careful not to criticise the commissioner because he—

Chair: You have been very careful. We understand that your beef is not with him.

Cllr Seabourne: Thank you. For example, he appointed one deputy who we found out later was his running mate but did not get the Conservative party ticket to stand. I think it would have been more transparent to say that at the time. I am not that bothered; he has a mandate and he is going to appoint who he wants, because that is what the legislation allows him to do, but in terms of the public perception it was not good. She resigned for an unconnected reason and he appointed a second deputy who happens to live in his village. It is just not good public relations and the panel was not happy with that. It is his choice and I support his right to choose, but it was not a tactful appointment because the public perceive, “Oh, it is the police, jobs for their mates” and they say “the police”, not “the commissioner”. That is what worries me.

Q538 Mr Clappison: Do you think it would be an improvement and avoid some of the problems you have just outlined if the deputy was elected as well as the commissioners?

Cllr Seabourne: On the same ticket, absolutely, because it is transparent. Take it or leave it, absolutely, because he would have got there, that is for sure, yes.

Q539 Mr Clappison: Do you all agree with that?

Cllr Lowe: Yes.

Cllr Ross-Tomlin: Yes, either that or the post was advertised.

Cllr Lowe: Our post was advertised.

Q540 Michael Ellis: Can I put a counterview to that, which has perhaps been expressed by many? Why shouldn’t police and crime commissioners be able to appoint the people who are going to be working for them and with them and help them achieve the functions that they are elected to achieve? After all, it does not stop Ministers and shadow Ministers from appointing their special advisers without going through the normal employment processes. If an electorate have elected a Labour police and crime commissioner, why shouldn’t he be free to select his own staff, and the same for a Conservative commissioner? It is an elected appointment and he or she will be responsible for them and will be answerable for them as well, come an election. Does anybody disagree with that as a principle? It is a completely non-partisan point that I am making.

Cllr Lowe: I agree with you to some extent. It is fine that we have a Labour deputy and a Labour PCC. My issue is about the use of public funds. But there was a proper recruitment in this instance and Mark is more than welcome to have his Labour colleague in that role.

Cllr Ross-Tomlin: I am quite comfortable with the deputy who was selected and I take your point. Why should he not select whoever he wants? But we should have some power of veto, and we should have the ability to get rid of that deputy if time shows that he was not the best chap for the job.

Paul Flynn: Do you agree that there is nothing at the moment to stop any police and crime commissioner from appointing a member of his own family, someone who had helped him financially in his election campaign, a fellow member of the Freemasons or some other body, or anyone? It is a completely archaic system that has to be reformed.

Michael Ellis: Excuse me, I was in the middle of asking my questions. I do not do that to Mr Flynn so I do not know why he insists on doing it at every opportunity in my case. Mr Chairman, as it happens I am concluding anyway.

Chair: Mr Ellis, is that the end of your questions?

Michael Ellis: As it happens I have, thank you.

Q541 Chair: A final question from me: stay or keep after a year and a half? Would you keep the role of police and crime commissioner or would you get rid of it? Councillor Lowe?

Cllr Lowe: Ideologically I was opposed to PCCs and I remain so. Having said that, I am very conscious of the cost of introducing PCCs and I would want to be assured that we have something better and more cost-effective if we were going to replace them.

Chair: Councillor Ross-Tomlin, keep them or get rid of them?

Cllr Ross-Tomlin: I would keep them. I feel it is more democratic and that the residents are better represented by a more transparent process.

Cllr Seabourne: I come from a position of a very low crime rate and a very good police force and a good governing structure. If it’s not broken, don’t fix it. I would be rather critical if I wanted to throw it all out now and perhaps throw the baby out with the bath water. Sorry about my mixed metaphors. We have come this far. We should see it through a bit more, but there really do need to be some adjustments and tinkering with the processes.

The last questioner asked about appointments. Can I give you one example with the appointment of the chief executive? In Hertfordshire we appointed a chief executive part time who is also chief executive of the fire and rescue service. As it happened, the result of that is a saving to the budget of Hertfordshire County Council. That is something that should be open to much more robust scrutiny than was possible under this present system.

Q542 Chair: If we gave the panels a bit more teeth, might you consider rejoining?

Cllr Seabourne: I would never say never to anything. I enjoyed my time on the panel and when I felt I was achieving something I was happy to do it, but when I felt I was not achieving anything, then I had better things to do with my time in public service and I would prefer to spend my limited time there.

Q543 Chair: This Committee is most grateful to all three of you for coming here today. We found it a very interesting session and you have given us some very good ideas for our final report. Thank you so much for coming to share all that with us. If you have any information that you would like to give us—I know, Mr Seabourne, that we are awaiting your 100
reasons—we would be delighted to see them and, of course, we will publish anything that we receive.

Chair: Please do send us anything, even if it is bizarre. It is the job of the Committee to look through these matters.

Cllr Ross-Tomlin: I will try to make sure it is not, Chairman. Thank you.

Chair: Thank you very much.

---

**Examination of Witnesses**

Witnesses: **Steve Williams**, Chair, Police Federation, and **Steve White**, Vice-Chair, Police Federation, gave evidence.

Q544 Chair: Mr Williams and Mr White, thank you for giving evidence to us. As you know, it is a feature of the inquiries of the Home Affairs Select Committee that we have always invited the Police Federation to give evidence to the Committee on a number of different issues. Can I take this opportunity to thank you and your colleagues for the way in which you respond so very rapidly to our requests for information? Thank you very much.

Steve Williams: You are most welcome, Chair.

Chair: This is part of our inquiry into police and crime commissioners and we are very keen to hear your views on it, but clearly the Normington report has been published and I know the Committee is interested to ask you questions on the report. You have now had a bit of time to digest it. I congratulate you, as Chairman, on having decided to instigate this inquiry. Was it an act of bravery too far, given the damming verdict of Sir David Normington into your own organisation? Do you regret having set it up, or did you have an inkling that things were going wrong? It is not normal for the incoming chairman of an organisation to decide to open an inquiry into the organisation itself? Did you feel that there were some problems?

Steve Williams: No, not at all. We recognised some time ago that the Federation needed to change; we needed to reform. I took office just over 12 months ago now and instigated the review. We were very fortunate to be able to put together such a credible panel of people, supported by the RSA as the secretariat. The findings are before us; the interim report gave us an indication of the direction of travel. We did not wish to sit on our laurels. We recognised that issues were identified in that interim report so we got about some business in relation to communications, particularly internally. We have already picked that piece of work up and we are actively engaged in a process now. We have had a series of meetings on a national level and we meet again tomorrow. There has been some really positive work on what needs to be done.

Q545 Chair: That is very helpful. But, Mr Williams, you must have suspected that something was wrong with this organisation for you even to decide to set up an inquiry. Something at the back of your mind or perhaps more than anecdotal evidence must have been presented to you that made you feel that, “It is time that we looked at the Fed very carefully”, or did you just open it up and have this inquiry without any preconception as to what it might say?

Steve Williams: No, not at all. We recognised some time ago that the Federation needed to change; we needed to reform. I took office just over 12 months ago now and instigated the review. We were very fortunate to be able to put together such a credible panel of people, supported by the RSA as the secretariat. The findings are before us; the interim report gave us an indication of the direction of travel. We did not wish to sit on our laurels. We recognised that issues were identified in that interim report so we got about some business in relation to communications, particularly internally. We have already picked that piece of work up and we are actively engaged in a process now. We have had a series of meetings on a national level and we meet again tomorrow. There has been some really positive work on what needs to be done.

Q546 Chair: No, I understand that, but did you have an inkling that things were going wrong? It is not normal for the incoming chairman of an organisation to decide to open an inquiry into the organisation itself? Did you feel that there were some problems?

Steve Williams: Yes, I did. We had been looking at ourselves and even in conference in May 2012 there was talk about changing. When I became Chair I recognised there was that need and instigated the review, with the backing of the Joint Central Committee. It has been quite hard hitting, and understandably so. There were no real surprises in there as far as I was concerned as the Chair.

Q547 Chair: Were you surprised that 91% of the Federation membership wanted the organisation to change? It is a very large percentage. It is almost everybody there.

Steve Williams: Yes, there is an acceptance that we do need to change and—

Q548 Chair: Were you surprised at that percentage?

Steve Williams: That particular figure of 91%, yes, I was, but that is 91% of the 12,500 officers who responded to the survey. I understand, from having spoken to Sir David Normington who chaired the independent review, that that need for change was mirrored wherever he gathered the evidence and the team gathered the evidence.

Q549 Chair: How do you feel about some of the most recent events that have occurred involving police officers? I know that you issued an apology in respect of Andrew Mitchell. I think you said this, following the conviction of Keith Wallis, “It is only appropriate that I apologise to Mr Mitchell for the officer’s actions”. You stand by that statement, do you?

Steve Williams: I do, indeed, yes, and Mr Mitchell has accepted that. In fact, he has suggested that we meet, but clearly there are ongoing proceedings and that will be something that will take place in the future when, hopefully, I will have some constructive dialogue with him.
Q550 Chair: Do you feel that perhaps in the past the Federation has been too aggressive in dealing with public issues of this kind and that if it had paused and considered more carefully perhaps we would not be where we are today with such low morale in the Federation?

Steve Williams: Yes, there have been some concerns about that.

Q551 Chair: What are you doing practically about issues such as Hillsborough and the Andrew Mitchell affair?

Steve Williams: We welcome the ongoing investigation in relation to that inquiry and we very much look forward to the findings. It is very important that the truth comes out in relation to Hillsborough for everybody concerned. Our feelings still go out to the families and friends of those poor people who died during that event.

Q552 Chair: In respect of Andrew Mitchell, are you supporting the officer who is suing him in the civil courts with financial assistance?

Steve Williams: In relation to Constable Toby Rowland?

Chair: Yes.

Steve Williams: No, I don’t think we are financially supporting him.

Chair: The Federation is not financially assisting him?

Steve White: Maybe if I could answer that point, Chairman.

Chair: Yes, of course, Mr White.

Steve White: For members of the Police Federation, we have certain rules in terms of funding for on-duty occurrences. This is an on-duty occurrence that is being funded by the Police Federation up to a point. Having said that, it is a matter between Toby Rowland, as an individual officer, and the matter before the court. I am sure you will appreciate that it is going to be quite difficult for us to expand on those issues.

Q553 Chair: No, we do not want you to expand on it. All I am asking is, is the Federation financially assisting the officer in his civil case, not the criminal case, against Mr Mitchell?

Steve White: The Police Federation has funded legal advice for PC Toby Rowland, yes.

Q554 Chair: It continues to do so, does it?

Steve White: It continues to do so up to a point, but of course once you get to a point in legal proceedings, when we start talking about conditional fee arrangements and so on, that is then for the legal teams to determine. It is worth pointing out that this is not a blank cheque or anything of that nature. There are checks and balances that we, as an organisation, go through throughout these stages.

Q555 Chair: Mr Williams, in respect of the Normington report, there were suggestions that your regional chairmen or chairpersons had control of the budgets of the Police Federation and there were concerns about how the money was being held. Do you, as Chairman of the Federation, know how much money is in all these bank accounts?

Steve Williams: No, I do not, Chairman. I do not and I do not think that is right. This is about public confidence and transparency and openness and I welcome those findings within the review.

Q556 Chair: As Chairman, you are telling this Committee that you do not know how much members’ money is being held in any particular part of the country, that you would like to know this figure, as the Chairman, because this is the subscription of your members but you do not know it?

Steve Williams: No, I do not and I do not think that is right.

Q557 Mr Clappison: Mr Williams, I appreciate your candour in the way in which you have come to the Committee today. One of the things that the Normington report has recommended is greater accountability of the Police Federation to the public, as opposed to just accountability to its members. Do you believe that if there was such public accountability it would help the Police Federation to make the voice of police officers heard in a way that perhaps it has not been heard in the immediate past?

Steve Williams: I think you are absolutely right. Yes, this is about public confidence. If there is suspicion around the organisation that represents the rank and file, then how can we expect the public to have confidence within the police service? I absolutely agree with you.

Q558 Mr Clappison: We need to hear that voice across a range of issues, don’t we?

Steve Williams: We do, indeed, absolutely, yes.

Q559 Mr Clappison: Can I come back to the question that the Chairman was asking you about the financial arrangements as far as this legal action is concerned. I was not proposing to ask about that, but I was quite intrigued by what you were telling us. The big money in libel actions comes when it goes to court, doesn’t it—the big fees as far as counsel and so forth are concerned? Do you expect, if there is such a libel action, that the Police Federation will be funding it or not?

Steve White: The governance of these procedures is handled by a particular official within the Police Federation—the Deputy General Secretary. My understanding is that there has been funding up to a point and then, of course, we will always keep funding issues under review. As I said earlier, this is not a case of a blank cheque. However, we do have fund rules in terms of the support of members for on-duty occurrences. This comes within that and the criteria for the spend is controlled by the Deputy General Secretary. I wish I could give you the exact details, but I do not have them to hand. It is a matter of procedure for us.

Q560 Mr Clappison: Could I ask both of you very briefly, would we be right in interpreting what has been proposed as a fresh start?

Steve Williams: In relation to the independent review?
Mr Clappison: Yes, not about the detail but for the Police Federation as a whole—a fresh start.

Steve White: It is important to recognise that the Police Federation has been in existence since 1919. We are almost 100 years old. While the independent review has been critical of the organisation, it is important to point out that the huge amount of work that is undertaken by our representatives locally, and is appreciated by our members who use those services, has gone unnoticed to a certain extent. It is one of our failures and one of the reasons why we needed an independent review so that we could get out that message in terms of what our reps do day in and day out. It does often go unnoticed.

Mr Clappison: I am not decrying that, but even very old organisations need a fresh start sometimes.

Steve White: Now is an appropriate time and, as Mr Williams said earlier, as an organisation we have been talking about change and reform for quite some time. There has now been a firm catalyst to drive that forward and hence the Normington review.

Q561 Paul Flynn: Until these reforms come in, would you advise anyone who has dealings with your organisation to secretly record them?

Steve Williams: No, I do not think that is necessary. The money has been collected as membership fees and is appreciated by our members who use those services, has gone unnoticed to a certain extent. It is one of our failures and one of the reasons why we needed an independent review so that we could get out that message in terms of what our reps do day in and day out. It does often go unnoticed.

Steve White: It is important to recognise that the Police Federation has been in existence since 1919. We are almost 100 years old. While the independent review has been critical of the organisation, it is important to point out that the huge amount of work that is undertaken by our representatives locally, and is appreciated by our members who use those services, has gone unnoticed to a certain extent. It is one of our failures and one of the reasons why we needed an independent review so that we could get out that message in terms of what our reps do day in and day out. It does often go unnoticed.

Steve White: Now is an appropriate time and, as Mr Williams said earlier, as an organisation we have been talking about change and reform for quite some time. There has now been a firm catalyst to drive that forward and hence the Normington review.

Q562 Paul Flynn: If Andrew Mitchell had not made a secret recording, his career would be ruined and three lying police officers would have deceived the public. Surely it would be prudent for anyone who has dealings with you to make sure that they record every word of it.

Chair: Can I just say, we are recording what you are saying today.

Paul Flynn: Indeed, yes.

Steve Williams: I think it is a sad indictment that people feel that they would have to record conversations with every Federation representative.

Q563 Paul Flynn: How is it that you do not know the total sum of money? I believe very large sums are involved. You are the head of the organisation. Tens of millions involved?

Steve Williams: So I understand, but I do not know the figure.

Q564 Paul Flynn: And you do not know where it is.

Steve Williams: As I said, that is not acceptable and that is why we need to change, and that is why we need to be more open and more transparent in what we do.

Q565 Paul Flynn: Why do you have so much money?

Steve Williams: Why do we have so much money? The money has been collected as membership fees over a number of years and it is used to represent our colleagues, rank and file officers. It is right and proper that rank and file officers have a voice because sometimes they are not able to speak out for themselves and that is the role and responsibility of the Police Federation of England and Wales. But I do agree that we are not as transparent as we should be in relation to finances.

Q566 Paul Flynn: How do you exercise financial control if you, as the head of the organisation, are ignorant of the total amount of money that you hold?

Steve Williams: These are the changes that need to be brought about so that I do know going forward in the future. It is important also that the membership, the officers we represent, know exactly where their money is being kept and how it is being spent.

Paul Flynn: They don’t and they haven’t for a long time.

Steve Williams: No, they haven’t and I recognise that.

Steve White: May I provide some clarity? The accounts of the Police Federation of England and Wales are audited and are publicly available on our website. There are certain financial criteria in terms of the reserves that an organisation of our size has to have. It is also worth pointing out that the conversation that we are having is about what is called the number two accounts. The first accounts of the Police Federation are audited. We have the full details of those centrally and we know all of those details. Some years ago, we sought legal clarity in relation to the secondary accounts, which are used locally by joint branch boards to fund member services and things of that nature.

Chair: That is what you don’t know?

Steve White: To provide the clarity, those accounts are legal. There is nothing within the fund rule—

Q567 Chair: We understand that. Mr Flynn’s specific request was whether you know how much money is being held in those number two accounts?

Steve White: The fund rule states that they need to be audited and the details of these number two accounts should be forwarded to our headquarters.

Q568 Chair: No, we understand that, but do you know now, Mr White?

Steve White: Some of the local joint branch boards have done that, some have not, and several weeks ago we wrote providing the clarity, saying that this should happen. I honestly believe that there was an oversight in terms of the administration and auditing of the accounts. We have now clarified that and we are getting the detail.

Q569 Chair: Your brief is very useful, but Mr Flynn asked a specific question and we would be grateful for an answer. Mr Williams has been very open and transparent with the Committee and we are grateful. He says he does not know the amount of money being held in these accounts. At this moment, does anyone know how much money is in these accounts? This Committee would find it extraordinary that an organisation like the Police Federation and its Chairman did not know how much is in these number two accounts. I understand your honest belief, but just today, at this moment before the Select Committee on Home Affairs, do you know how much money is in these accounts?

Steve White: Mr Williams is absolutely right. No, we don’t.
Q570 Paul Flynn: I think we all understand that there needs to be an organisation to represent the interests of rank and file police and we have all generally had a great deal of respect for the Federation over the years. But would you agree that Plebgate and what happened at Hillsborough have undermined public confidence to a great extent? On Hillsborough, even this morning we hear new evidence of witnesses being bullied into signing statements they were not allowed to read, allegations that we heard and all the rest of it. These are terrible accusations being made against your trade union, which I do not think has ever been made against any other trade union. Do you not need to start from the beginning again and look at the very serious charges being made against you?

Steve Williams: Yes, there have been some high-profile cases that have clearly knocked confidence within policing and you have alluded to two or three of them there. That is why we needed to embark on a reform programme, and why I instigated this work, with the blessing of the Joint Central Committee. We are a democratic organisation and we do need things to go through due processes. Bear in mind that the report has only been out two weeks and we have already made some rapid inroads into what needs to be done. There is a route plan within that report of the work that needs to be carried out between now and our conference in May where eventually this independent report will be taken. We have already completed several aspects of that. There is some positive acceptance of what needs to be done and what is being done.

Michael Ellis: You believe it is in the tens of millions of pounds?

Steve Williams: Yes.

Q574 Michael Ellis: But there has not been sufficient oversight up to this point to establish even an exact figure, and right now, before this Committee, you are not able to tell us what the grand total is?

Steve Williams: No, Mr Ellis. That is regrettable.

Q575 Michael Ellis: Do you agree in principle that there should be nothing to hide here? You are a statutorily created body and this is information that the public should be able to have access to.

Steve Williams: Yes.

Q576 Michael Ellis: Do you think that, in light of that, this discloses a situation where we could effectively have another Co-operative Bank waiting to happen? Do you think that is at least possible? You do not have proper control or oversight over these huge sums.

Steve Williams: We do not have copies of their audited accounts, no. We do not know how much is currently being held around the country, and that does need to be addressed.

Q577 Michael Ellis: Further to that, you have headquarters in Leatherhead. Is that right?

Steve Williams: Yes, that is correct.

Q578 Michael Ellis: How much money has been spent on the headquarters at Leatherhead?

Steve Williams: I think the cost of the building was somewhere in the region of £26 million.

Michael Ellis: £26 million. Do you think that is an exorbitant sum to have spent on the headquarters of the Police Federation?

Steve Williams: That was the sum of money it cost to build the premises. It is a purpose-built building that provides training and support facilities for Federation officers.

Q579 Michael Ellis: It is a premium building, a top quality premium building, is it? It is £26 million for a union headquarters. Is there going to be a return on that investment?

Steve Williams: There is a return because it is a training establishment. Steve and I have come from there today. We have many officers, Federation reps, who have been trained to make sure they can provide a proper service to our colleagues, the rank and file officers.

Q580 Michael Ellis: Talking of the officers and especially the elected officers, what is the payment structure for the elected officers? Do you publish expense accounts? You have spoken nobly about transparency, but can we have some information about the payment structure for the elected officers and their expense accounts, for example, over the last five years? Is that something you are prepared to look into and disclose as well?

Steve White: It is one of the recommendations in the report, but it is worth pointing out that for many years,
as long as I have been on the Joint Central Committee, our annual report and treasurer’s report has detailed all of those accounts. It is available on our websites and it is published.

**Q581 Michael Ellis:** The payment structure of the officers?

**Steve White:** Yes. The payment structure in relation to honoraria again is included in the Normington report. It says there needs to be an examination of it and that absolutely needs to be the case. But in terms of the transparency of it, audited accounts are publicly available in relation to the operation of PFEO, the national umbrella organisation. It is worth just making the point that because we are a police federation and a staff association representing 127,000 hard-working cops in this country, we have 43 individual joint branch boards. The way we are statutorily set up at the moment gives them autonomy, and we are an umbrella organisation. That is not to say that I am making an excuse. It is just that that is the way we are and that is why we need to change.

**Q582 Michael Ellis:** Finally from me, do you agree with Sir David Normington when he says that the payment structure should be something to which the public have access? Do you think you should start publishing the expense accounts of your elected officers, perhaps over the last five years, so we can see where this money is going?

**Steve Williams:** My own personal opinion is yes. We have absolutely nothing to hide and we should be transparent and that should be available.

**Q583 Mr Winnick:** Opposing cuts in the police force is a legitimate exercise in a democracy. I am not aware that it is not so. But do you think the Police Federation, in opposing the Government—I happen to oppose the Government on this issue as well—you overstep the mark as a federation?

**Steve White:** I think it is important for the 127,000 officers we represent, who sometimes find it very difficult because of restrictions on their own personal circumstances as police officers. We need to stand up and represent the views of those members, and clearly we—

**Mr Winnick:** We understand that, but do you think you have overstepped the mark and in doing so discredited the Federation?

**Steve Williams:** In what regard overstepped the mark, sorry, sir?

**Steve White:** There is always a fine line to draw, and I think Sir Hugh Orde summed it up when he said there should always be a healthy tension between police and politicians. We are here to represent the views of our members and it is right and proper that, importantly, for the good of our members and, more importantly, for the good of the public we serve.

**Q584 Mr Winnick:** But is it not an irony that, the Andrew Mitchell affair and the way he was dealt with in so many aspects, played right into the hands of the Government you were opposing as regards trust?

**Steve White:** I think we would all agree that the Andrew Mitchell affair was regrettable across the whole circumstance of it. What we need to focus on now is how we are going to operate in the future and how we are going to stand up to scrutiny, how we are going to represent the views of our members and the communities who want the British police service to remain the best police service in the world.

**Q585 Mr Winnick:** Can I ask about the money that you spend on legal fees? Police Federation accounts indicate that over £7 million was spent on members' legal fees in one year, namely 2012, and also in 2011. It is a rather excessive sum, is it not?

**Steve White:** In context I do not think it is excessive at all. It is the single biggest project that we as the national Police Federation have. But of course, when you bear in mind the number of cases we support our members in, there has to be due process and we need to ensure that during these processes, whether it be civil, employment tribunals, legal advice in relation to equality matters, misconduct matters—we support our members in a whole raft of matters. In fact, litigation is a relatively small proportion of that budget. The vast majority of the legal advice that comes out of that budget is in support of our members fulfilling their role.

**Q586 Mr Winnick:** In a case that was rather highly publicised, for obvious reasons, a police officer sued a burglary victim because he fell down a drain. The Police Federation took the view that he should be supported. Am I right?

**Steve White:** We consult legal advisers on behalf of our members and we take legal advice in relation to the merits of cases. We firmly believe that our members should have the same legal rights and protection as anyone else in society. Clearly I cannot talk about individual cases, but as a concept I think that is appropriate and—

**Q587 Mr Winnick:** Suing the victim of a crime?

**Steve White:** No. What is appropriate is that our officers have the same protection afforded to them as any other member of the public as they go about their duties, and each case is judged on its merits, with legal advice and decisions taken accordingly.

**Q588 Mr Winnick:** For my last question, there has been a great deal of criticism about your legal firm. You said legal advice is given. Presumably that is the
firm that used to be called Russell Jones & Walker. Am I not right? That is the firm you use?

Steve Williams: One of the firms we use.

Mr Winnick: It has changed its name, I believe.

Steve Williams: It has now become Slater & Gordon, but it is one of the retained firms of lawyers that we use.

Q589 Mr Winnick: Slater & Gordon. Am I right that it is the one firm that you use?

Steve Williams: No. We have several retained lawyers. It is one company that we use.

Q590 Mr Winnick: But you utilise Slater & Gordon for most of the cases, do you?

Steve Williams: They do deal with the lion’s share of our cases, yes.

Q591 Mr Winnick: I give a quote that was in the New Law Journal some years ago, in 1994. It said, “The Police Federation have an efficient and aggressive firm of London solicitors”—presumably the firm that I mention—and appear to have a policy of attacking the press by legal action in order to improve or correct the public attitude to the police”. Unfair?

Steve Williams: How long ago was that, sir?

Mr Winnick: That was some years ago.

Steve Williams: 20 years ago.

Q592 Mr Winnick: Do you think it has all changed now?

Steve Williams: I do.

Q593 Mark Reckless: You say you follow legal advice, but do you not also have to consider the reputational impact on the police of pursuing these legal actions?

Steve Williams: Each case is judged on its own merits, as Mr White has said, and it is decided from that professional legal advice and the merits of the case whether to support it or otherwise.

Q594 Mark Reckless: Are you saying that if the legal advice is that the case has merit you will support it?

Steve Williams: If it fits within the criteria of our fund rules, yes.

Q595 Mark Reckless: Even if the impact of pursuing it is to bring the Police Federation into disrepute?

Steve White: All the impact is considered on a case-by-case basis, of course it is, and sometimes the decisions are going to be difficult. At the heart of what we do is the fact that we have to take account of our members and their wishes and we have to make judgments in terms of appropriate use of members’ money. That is controlled and accounted for quite tightly. As an example, if funding is turned down for whatever reason, the member has a right to appeal and then we convene an appeal panel and we look at other—

Q596 Mark Reckless: Does that not just give a further structural bias towards the Police Federation pursuing aggressive legal action? When you look at a case and turn it down and say, “This is not right”, there is then an avenue of appeal that can lead to it being done anyhow.

Steve White: No, I do not think that is the case. The vast majority of legal cases and legal advice that we pay for for our members is absolutely right and appropriate. Of course, what we are talking about here is a small minority of cases that have hit the headlines when we have had to review what has happened.

Q597 Mark Reckless: You say that police officers deserve the support that an employee would get in another circumstance. Wouldn’t the normal thing, if you are injured in the course of carrying out your work and you want recompense for that, be to seek that from the employer rather than suing the customer?

Steve White: You are absolutely right and in fact sometimes that will happen, depending on the circumstances of whether it is an injury or whatever the circumstances are with the individual officer. But when that avenue is not available, the principle that police officers should be afforded the same legal protection as anyone else going about their work is—

Q598 Mark Reckless: If they are going about their work and they fall on a drain or something at a service station, surely the appropriate avenue is the force that the officer works for, not suing the poor chap who called up and said there was a crime going on.

Steve White: I can’t comment on individual cases, but we operate on the principle that each case is looked at and judgments are made on its merits.

Q599 Mark Reckless: I am suggesting perhaps that, rather than making a judgment on the merits in each individual case, it might be wise for the Police Federation to consider the impact of these decisions on the reputation of the Police Federation and, indeed, on policing and other policemen in this country.

Steve White: I think you make a very valid comment.

Mark Reckless: You have to consider how things are looked at with that in mind.

Steve Williams: Can I just come back to you on that point? We have in fact been working closely with the Home Office and with Government on the issues and concerns that you raise. Going forward, it is something we are trying to address because of the impact that these few cases have on the service and on the Police Federation.

Q600 Mark Reckless: I am glad to hear that. I just have one final question on a different subject. One thing that is disclosed in your accounts is a £2 million provision in respect of a dispute with HMRC. Could you explain to the Committee what that relates to?

Steve Williams: HMRC is currently looking at our finances and accounts and we shall be in dialogue with it very shortly to address the issues that have been raised.
Q601 Mark Reckless: Is it the case that that £2 million relates to a decision by the Police Federation to charge the cost of the flats that you have in Leatherhead as an expense rather than recognising it as a perk for the officers who benefit from it?

Steve Williams: I have not got the detail of what that relates to. That will be dealt with by the treasurers, but I would be more than happy to write to the Committee and update you as to what that relates to.

Q602 Chair: Will you write to us about that? Thank you. In respect of civil compensation, the Home Secretary has written to this Committee to say, “I do not believe that there is justification for a police officer to seek financial compensation from a member of the public for an injury sustained on duty”. Are you aware of that view?

Steve Williams: Yes. I have had a conversation with the Home Secretary myself.

Chair: But you are looking at this issue?

Steve Williams: Indeed we are, yes.

Q603 Chair: Can I just say—then we will close this issue on the accounts—that this Committee is deeply concerned about the lack of financial transparency. Our concern is for you, as the chairman of your organisation, that you do not know how much is being held in these accounts. We would like you to look into this and write to us once you have the information. I am sure you would want to know that anyway, but this Committee is very keen to know. Just one final point on this issue about the number of police officers you have. Do you know how many members you have in the Police Federation?

Steve Williams: Yes. That is a figure I could obtain through the treasurer.

Q604 Chair: Do you have their full names and addresses and details of how to contact them?

Steve Williams: No. One of the concerns that have been highlighted is that we currently do not hold a members' database. That was identified in the interim report of the independent review. It is something that we are working towards. It is very important that we can contact the membership directly. It was particularly important during the ballot on industrial rights. We could not get the messages across that we needed to get across directly to our people to advise them of the importance of what that all meant and, despite doing pieces to camera and sending out literature, it was not the position that we wanted to be in. We need to have a national database so we can directly make contact with the membership.

Q605 Chair: At the moment you are telling this Committee that you, as Chairman of the Federation, do not have a national database so you are not able to contact every member?

Steve Williams: Not at this time. But I can tell you, Chairman, that that is a piece of work that is ongoing and it is something that we have in fact picked up from the interim report.

Q606 Chair: Of course. Give us a time scale so we can be satisfied that there are going to be changes. When can you come back to this Committee and say, “I now know how many officers we have”? I think we all find it extraordinary that you as Chairman do not know the names and addresses of all the members of the Federation—not personally, but have access to it—and also that you do not know how much money is being held in the number two accounts. When do you think is a reasonable time scale for you to come back to this Committee and say that you know all this information?

Steve White: Would it be helpful if I answered this, Mr Chairman, because I am part of the executive of the project board that is undertaking this work? It is worth pointing out that it was in January last year that the Joint Central Committee took the decision. You are absolutely right, it was ridiculous that we did not have a database of our members, and the work started then. The project board has done a significant amount of work in terms of mapping what is going to happen. Of course, one of the most important things we have to do is get the data from the 43 individual forces around the country, and that work has already started. I would hope that, if not by the end of this year, certainly by the beginning of next year, we would—

Q607 Chair: That is a very long time, is it not?

Steve White: I accept that it is a long time and I want this work, believe me, to happen absolutely as quickly as possible.

Q608 Chair: I think the Committee would find that unsatisfactory. We would expect you to know who your members are well before the beginning of next year and I hope that you will redouble your efforts to do that.

Steve White: The project is formed for us to do it as quickly as possible.

Steve Williams: I would be more than happy, Chair, to come back at any time to address the Committee with an update as to where we are with the issues.

Q609 Chair: That would be very helpful. Have you personally, Mr Williams, been the subject of a lot of criticism by your own members for opening what has amounted to a Pandora’s box of the real problems? Have you personally been subjected to a lot of upset and even abuse by people?

Steve Williams: I have received some criticism, yes. Chair: Has that amounted to abuse as well?

Steve Williams: Yes.

Q610 Chair: This must be very stressful for both you and your family. How are you coping with that?

Steve Williams: We are doing okay, I think.

Q611 Chair: Has it stopped now that it is all out in the open or are you still getting this abuse and criticism from people? Criticism is one thing, but obviously when it is personal abuse it is not acceptable.

Steve Williams: There is still some criticism being levied, Chair, yes.

Q612 Chair: Do you know who is behind this?
Steve Williams: No. But I appreciate that, as chairman of an organisation representing 127,000 colleagues, I am not going to please everybody all the time. There are some hard-hitting results within this review and some of my colleagues have not accepted what is contained within there very readily.

Q613 Chair: But you are not responsible, are you? You just found out this was happening. That is the issue, isn’t it?
Steve Williams: Yes.

Q614 Chair: Let us move on to other areas. We asked you to come here originally to talk about police and crime commissioners so we have some quick questions on those issues. First of all, the issue of professional standards. There is an issue being raised as to the cost of the certificate of policing under the new arrangements. You clearly want your police officers to be professional and you know that under the College of Policing people now have to pay £1,000 for a certificate. Do you have a view on that?
Steve Williams: We are working very closely with the college as it moves forward and as it develops, and we will play our part in that. It is vital that the Police Federation plays its part in such a case as the College of Policing because that could change the face of policing.

Q615 Chair: Yes, but what about the cost for your members of having to pay £1,000 each? One colleague has described it as a "bobby tax". This must be quite a detriment to those who want to qualify. Would you like to see it removed?
Steve Williams: The funding issue is something we have to work through with both the Federation and the College of Policing as to how that is all going to pan out in the future. In relation to the point you make about professionalising the service, yes, I couldn’t agree more.

Q616 Chair: In respect of crime statistics, having heard evidence that has been given to our sister committee and others, there is a suggestion that crime statistics on a local basis may well have been the subject of changes. In other words they do not reflect the truth of crime statistics. People have called it the British Crime Survey can’t be fiddled because it is of the general public themselves, is it not, responding to a survey, like an opinion poll?
I would like to move on from that point to the point about police and crime commissioners. Do you think that one of the main issues that was worrying the Police Federation about operational independence has borne fruit? In other words, do you think there is a concern that police and crime commissioners have interfered with the operational independence of police officers in the 15 months they have existed?

Steve Williams: On the first point you made, I would not seriously wish to rubbish—you are absolutely right, recorded crime is dropping and that is attributed to the hard work and dedication of my colleagues up and down the country.

Michael Ellis: They should be congratulated on that.
Steve Williams: Absolutely. In relation to the independence, we have mixed messages from our colleagues up and down the country. There are some excellent good news stories and there are some difficulties about, for want of a better term, interfering with operational policing issues from some police and crime commissioners. There is a mixed bag. It is still early days. They have not been in place for a great deal of time and we will wait with interest to see how in time the police and crime commissioners—

Q620 Michael Ellis: You are keeping an eye on that?
Steve Williams: We are very much keeping an eye on it. Yes, sir.

Q621 Mark Reckless: Overall, how do you believe police officers have adjusted to the advent of police and crime commissioners?
Steve White: I think overall most officers in their day-to-day dealings are doing their job to the best of their ability, which is what they have always done. Our members have been saying to us that some police and crime commissioners are more visible than others.
Some engage readily with the Federation in particular and some less so. That is also true of the officers on frontline work, regardless of budget control, which is primarily the police and crime commissioners’ responsibility. Whatever direction they may wish to agree with the chief constable, the work of the local officer still needs to happen. Of course, clearly the relationship between police and crime commissioners and chief constables is an important one and I think we have seen it is a steep learning curve for all involved with this new concept. Things are beginning to settle down. But have they really seen a major difference? I think the jury is still out on that, to be honest.

Q622 Mark Reckless: I have heard officers say that one of the issues they think lies behind poor morale—I do not think I agree with this, but there is a perception, at least among some officers—is that their work is not valued as much by the public or perhaps they are not held in as high esteem as before. Even if you do not accept that, does having someone elected by the public help to show officers that they are valued when you have a PCC who is active and getting out there to meet officers?

Steve White: I think the concepts could be sound but, of course, the difficulty we have, without wishing to get into a political conversation, is that 15% of the electorate around the country elected the PCCs. I think that does not give you a flavour of how interested members of public are in relation to policing. They are very interested in it and we do enjoy huge support. If you pick up the phone and you need assistance, the police turn out. The vast majority of members of the public value the service that they get and satisfaction over the last few years has been climbing and climbing and climbing. But in terms of whether members of the public are particularly enamoured with or interested in the issues that a police and crime commissioner has to deal with, again the jury is still out.

Q623 Mark Reckless: Mr Williams, can we use this Normington report into your organisation and the professionalisation of policing through the College of Policing as a way to begin to increase the prestige of police officers with members of the public? Is the way up from here, do you believe?

Steve Williams: I do indeed believe that is the case. Yes, absolutely.

Q624 Mr Winnick: On the question of the Police Federation, reference was made by the Chairman—there are a lot of references to “chairman” because I understand you are the Chair and Vice-Chair, but I do not want to make a great issue of it—to the fact that the Police Federation in itself is a form of compromise reached in 1919, which you mentioned earlier on, in order to make it illegal for police officers to strike. As a result the Police Federation was brought into existence. That is the situation, is it not?

Steve Williams: It is, yes. You are right.

Q625 Mr Winnick: Are you satisfied that what did occur nearly 100 years ago is the proper way to proceed in the future, namely, that it is illegal for the police to strike and that they have the kind of organisation that has existed since 1919? While reform is on the agenda—otherwise you would not presumably have initiated the inquiry and presumably will start implementing the recommendations—are you satisfied that the Police Federation established in 1919 is the right way to approach matters on behalf of police officers up and down the country?

Steve Williams: Yes I am. What you must bear in mind is that we have recently balloted the membership in relation to seeking industrial rights and ultimately the right to strike, and that was overwhelmingly defeated. The country was divided into four sections of police officers. I was very heavily involved in the ballot. You had a vociferous group of officers who wanted very much to have industrial rights. You had officers who said, “I am so proud to be a police officer, I am going nowhere near seeking industrial rights or the right to strike”. You had officers who suggested, “I am not going to even bother because Government will not sponsor it and the Opposition will not sponsor it. It is going to cost us a lot of money. It is going to take us an awful long time and it would be an absolute waste of time so I am going nowhere near it.” The fourth group of officers was concerned about the big issue of compulsory severance that we are still waiting for the Home Secretary to make a decision on in relation to the arbitration tribunal. That is how the country was divided.

Going back to answering your question, yes, the Federation has been around since 1919. I am keen to drive through the reforms that are needed to make sure the Police Federation is going to be around for another 100 years to be the voice of the rank and file police officers.

Q626 Mr Winnick: Do you now accept that you have a responsibility, not just you two but all the leading active members of the Police Federation, to reform and change? It may well involve perhaps a less aggressive policy. It is a matter for the Federation to decide on who should be sued and the rest of it. I must say, suing a victim does seem out of place, but that is a matter for you to decide. All in all, in general, do you recognise that you have a challenge to change the way the Federation is looked upon, including apparently the large majority of your members?

Steve Williams: I am committed, as the Chairman, to radical reform and I will be calling on my colleagues to help me in order to deliver the changes we need to make sure we are effective in what we are doing on behalf of the rank and file police officers of this country.

Q627 Chair: Mr Williams, would you describe the situation at the moment, as far as the Federation is concerned, as a crisis that you seek to overcome to bring stability back to an organisation that used to be one of the most respected in the country?

Steve Williams: As Mr White alluded to, there is tremendous work done up and down the country by the Federation at a national and local level, but we...
do need to take on board the recommendations and we need—

**Q628 Chair:** But is it a crisis at the moment that you are seeking to overcome?

**Steve Williams:** I do think we need to address the concerns that have been raised, but we are a democratic organisation. We have to go through due process and that is what we intend to do. We have already commenced a piece of work, but Rome was not built in a day, it was burnt in a day. We have to take due cognisance of what is in here and deal with it effectively and efficiently through dialogue and debate, and I intend now to go up and down the country. We have a big meeting tomorrow. We have a meeting with national chairmen and secretaries on the 10th where we will further debate this. There is a lot of work to be done before we get to conference in May as to how we can progress the findings of this report.

**Chair:** On behalf of the Committee I thank you and Mr White for coming here. You have been very open and transparent with this Committee. You have answered all our questions. You have been extremely helpful, and I hope that your members are proud of what you have done today and they are grateful to you for having initiated the inquiry, because clearly so many of them want to see changes. We wish you the best of luck in ensuring that those changes materialise.

**Steve Williams:** Thank you, Chairman.
Tuesday 25 February 2014

Members present:
Keith Vaz (Chair)
Nicola Blackwood
Mr James Clappison
Michael Ellis
Paul Flynn
Lorraine Fullbrook
Dr Julian Huppert
Yasmin Qureshi
Mark Reckless
Mr David Winnick

Examination of Witnesses


Q629 Chair: Welcome, Commissioner Barnes and Chief Constable. Thank you very much for coming before the Committee. We are delighted to see you, Commissioner Barnes. I hope you have recovered fully from your illness.

Ann Barnes: I am on the mend, thank you. Thank you very much, everyone, for your forbearance. It is very kind of you, especially your staff. You were very understanding.

Chair: We will be gentle with you today, I am sure, if you have not made a full recovery.

Mark Reckless: I was a member of the Kent Police Authority during the period of Ann’s chairmanship and served on the panel with Ann, which appointed Alan Pughsley as the Assistant Chief Constable within Kent initially.

Q630 Chair: Thank you very much, Mr Reckless. Commissioner, you were quite critical of the establishment of Police and Crime Commissioners when you—

Ann Barnes: I am sorry, I think because I have been so unwell I cannot hear you very well. Could you speak up a bit please?

Chair: Yes, of course. You were quite critical of the establishment of Police and Crime Commissioners when you were Chair of the Kent Police Authority, when Mr Reckless served with you with great distinction. In fact, to take a quote of yours, you said that they would be a “wasteful waste of taxpayers’ money, naive and disastrous”. That is a pretty damning condemnation of the concept that the Government introduced. You have obviously changed your mind about this. When did you change your mind?

Ann Barnes: If I had to put money on your first question, it would be that one.

Chair: Then you have the answer already.

Ann Barnes: No, I do not have the answer already. As you know, if you do ask me a question, I do answer it. I was very critical of the timing. I was critical of the cost at the time, when obviously the country was in very dire financial straits. I did not think the model was broken. It needed looking at, and I was always very happy to look at any change to the model of governance, because we are in the 21st century, and you do have to move on. I was critical of the politicisation of the post.

I did my level best as Chair of the Police Authority in Kent. It was a very different kind of governance structure. Like the old Police Committee, it was a very old-fashioned local authority committee system of governance, and this is a different one.

Q631 Chair: You fully embrace it, do you? You are on the road to Damascus—or the road to Gravesend?

Ann Barnes: I would not say I have had my road to Damascus. All I would say is I did stand as a matter of principle, because I did want to keep party politics out of police governance, so I did. I honestly felt I had to do that.

Chair: Because that was a manifesto commitment.

Ann Barnes: It certainly was.

Q632 Chair: Of course you beat the party system and all the parties and you got elected as an independent. Have you governed as an independent?

Ann Barnes: Absolutely. I was elected by the people of Kent in every single constituency area and every single district, and I am very proud of that fact. They put a lot of trust in me to keep party politics out of decision making, and honestly, Scout’s honour—or Guide’s honour—that is exactly what happens in Kent.

I would just like to say one thing: when Mr Cameron decided that he wanted this system or he thought it was a good idea, he did say he wanted local, credible independent people to stand for this post. That is exactly what has happened in Kent. I will fulfil the people’s trust in me.

Q633 Chair: The Committee has no doubt about that; we could have chosen from 43 and we wanted to hear from you as part of our inquiry, because we believe that the profile that you brought to the job, and the independent nature in which you say you want to do it, is something that we needed to look at. Alan Johnson and Charles Clarke—I do not expect them to be great friends of yours—are two former Home Secretaries who said this in a joint article in The Guardian on 13 February: “It’s difficult to escape the conclusion that PCC is a title searching for a role.” Do you think they are wrong? Do you think there now is a defined role that can be fulfilled in holding the Chief Constable, who is sitting on your left, to account?
Ann Barnes: Yes, there is. I think it has been a role that 41 Police and Crime Commissioners are doing in their own way. There is a certain list of statutory obligations in how you go about doing it. There is a fair bit of local discretion over that. I think that is a good thing as well, because it does mean that local people get some influence over a job description, if you like. There is no job description. Holding the Chief Constable to account is my statutory duty. How I do it is for discussion with the people of Kent. I and other Commissioners decide to do it a different way. But I do think there is one thing that all Commissioners have, and that is a single point of contact, because that is the one thing that did not happen with the Police Authority.

Q634 Chair: Give me an example. In the past I used to write to my Chief Constable about constituents who complained that officers had not visited them after a burglary. You might now get those letters. Do you get letters like that?
Ann Barnes: I have had nearly 9,000 pieces of correspondence from local people. When I was Chair of the Police Authority I had a handful a week.

Q635 Chair: Do you find that you then take those letters, send them off to the Chief Constable, to Mr Pughsley, and he replies? Do you chase them up, or do you find your work is done by giving it to him?
Ann Barnes: No, my work is not done by giving it to him. I need to make sure that he acts on it if he needs to. A lot of the correspondence has been historical. People have gone through a system and come to the end of that system, and think now with the Police and Crime Commissioner there is another opportunity. You still have to do that. You still have to go through that process. Anything that comes into my office is automatically sent to the force, and I track where it goes and what happens to it.

Q636 Chair: So you can tell this Committee very clearly that you have now changed your mind, that it is not a wilful waste of public money, it is a role that needs fulfilling, you are glad you stood and you feel that there is a future for this job.
Ann Barnes: I am glad I stood. It was a matter of principle for me. If I had lost, I would not have liked it, but at least I was pleased I stood for it. If it has to be anybody, I am glad it is me, because I do not bring any party politics into police decision making in Kent. I do have a track record of delivery as well as Chair of the Police Authority—a different system, I know. But I do work very hard. It is early days for Commissioners.

Chair: We will come to that in some of the other questions.

Q637 Dr Huppert: Can I turn to this issue about crime reporting figures? You had HMIC do an inspection, and I am sure you know very well that they found a target-driven culture and that crimes were pursued on the basis of how easy they were to solve, rather than their seriousness or their impact on victims or communities. I understand steps had been taken to try to deal with that by both of you. What are those steps, and how much do you think these problems have been eliminated? Either of you can answer.

Ann Barnes: As far as Kent is concerned, I was very pleased I did do that independent report. It was very important to me that there was a distance between the police and any investigation because of the independence of it. Even though the police do a lot of investigations, and 99.9% of the time they are fine, there is a little bit of doubt if the police are investigating themselves, so I needed to have that independent thing.

I was putting a marker down, Dr Huppert, because I wanted everybody to know that whatever I did in Kent was open and transparent, so I am pleased I did it. I was shocked at the report, because the year before that I had had a report from HMIC to say in almost every case Kent records crime accurately, and we went from that to that in a year.

Q638 Dr Huppert: So you think that during that year things went worse, or you think HMIC gave you a different answer in that time?
Ann Barnes: I do not know.

Q639 Dr Huppert: Which do you think it is?
Ann Barnes: All I can say is, as Chair of the Police Authority, we had to rely on HMIC to tell us that the force’s recording practices were accurate. That is what they always used to say, apart from no crime, which is a different issue. The last report I had said that—I quote it because it is etched on my mind—in almost every case Kent Police records crime accurately. Then we went from that to the new methodology. They did a new methodology for Kent. They looked at 300 crimes very seriously, right down from the first call to the end of it. Our Chief Constable, when he was the Deputy, was given the task of putting it right, and I held the last Chief Constable to account for putting it right, and I hold this one to account for putting it right.

Q640 Dr Huppert: Chief Constable, do you think it has been resolved?
Alan Pughsley: I think there has been significant improvement. The most recent HMIC report recognises that itself. If I may, I will encapsulate probably the three big headlines about what has changed. The first bit is at the point of contact in the control room. There are better processes and systems in place in there to make sure that decision is better than it was. The next point is the point of whether or not we record that as a crime in the IMU, as we call it; there is better supervision and better challenge of officers from that part of the business. The third bit is a change in culture, which is the hardest bit to put right and it has taken the longest, but that starts right at the very top, with me. There is no target-driven culture now in Kent Police. Our officers have been seen by the HMIC as part of focus groups, and they have been told by all of those officers, “No numerical targets, no individual targets.” I am just carrying on, at this moment in time, trying to make sure this culture does not change.
Q641 Dr Huppert: Where do you think this puts you in comparison with other police forces?

Alan Pughsley: I could not answer for other police forces at this moment in time. I can just say where Kent Police is, and I know that the 90% that was talked about some time ago is consistently 96% and 97%.

Ann Barnes: Can I just make an extra comment there? On the 6% or 7% that it has improved by now, recorded crime in Kent has gone up by that amount; that has directly contributed to the fact that it has been recorded. The crime is still the same, but it has been recorded more accurately. I cannot believe that that was just a matter for Kent, and I am pleased that HMIC is now doing this national look at crime recording.

Chair: Indeed, prompted by us and other committees.

Ann Barnes: It is important that those figures are accurate.

Q642 Michael Ellis: Just a supplementary on these points. First of all, the British Crime Survey operates in a different way to the individual police forces' statistical analysis of their crime rates, because it questions individuals and it operates the same way as it has done for many years. That has also shown significant reductions in recorded crime, so there is a danger of some wishing to argue for political reasons that crime has not come down. In fact, I put it to witnesses before this Committee that that does a disservice to the excellent work of our policemen and women, who have succeeded in getting crime down by significant numbers—by over 10%—across the board, not just in your county. Do you accept that the British Crime Survey strengthens the whole issue?

That is one supplementary point.

Also, is not the success of the democratisation that has been brought about by Police and Crime Commissioners' being in existence evidenced by the point that you made to Mr Vaz a few moments ago? When you were Chair of the Police Authority, a police authority that had been in existence for 30 years, you were getting one or two letters a week from members of the public, and now you have had 9,000 letters. Is that not democratic accountability?

Ann Barnes: Yes, it is democratic accountability, but going back to the decrease in crime, crime has decreased. If you look at Kent, it has significantly decreased over the years. We might now be recording it more accurately and it might be a little bit higher, but during that time it has still decreased. But going back to the crime figures, it is important that local people have trust in their crime figures. You cannot compare one force with another unless they have exactly the same accuracy for crime recording.

Chair: Thank you, Commissioner. That is very helpful. We need to make progress, colleagues, because the Minister is also coming in. Paul Flynn.

Q643 Paul Flynn: What arrangements have you made to hold your Chief Constable to account?

Ann Barnes: The way I do it is openly and transparently. I have a bi-monthly governance board, which is open to the general public. We go through all different aspects of force performance. I am also setting up a support services board looking at the support services that the Chief Constable provides. We also do together—this is accountability to the people—a “Meet the Commissioner” and “Meet the Chief Constable” evening. In fact there is one tomorrow. Hundreds of people turn up. There is no agenda. They do not have to write in and say what they are asking. We are just there, and we go round the county doing that on a monthly basis.

I also have a weekly detailed meeting with the Chief Constable about aspects of force performance during the week. We speak daily. We are in constant contact. I also do what I call an open letter. If I do have a lot of people who have a particular issue, then I will write an open letter and an open answer to that. I did it over Ramsgate and the live exports. There were lots of difficulties over live exports.

Q644 Paul Flynn: Lord Stevens has argued that the power of commissioners to dismiss their Chief Constable has had a “damaging and chilling effect” on police leadership. Do you accept that conclusion?

Ann Barnes: No. I do think with any report, Mr Flynn, you should be objective and dispassionate and have a base in evidence. I do not see evidence for that in the Stevens report. Some of it I did agree with, but that I disagree with. I do think it is a very critical relationship, though.

Q645 Paul Flynn: You would be an enthusiastic supporter of what happened in Gwent, would you, where the Commissioner came in and from day one was determined to sack the Chief Constable? Would that have a chilling effect, do you think, on relationships?

Ann Barnes: It is a matter for the Commissioner for Gwent.

Q646 Paul Flynn: Yes, indeed. You talked about the number of letters you have. Can you give us some idea of the numbers of letters you had in your first month and the numbers you have had in your most recent month?

Ann Barnes: It has not stopped. It is more or less the same numbers. I cannot give you numbers.

Q647 Chair: You gave us a figure of 9,000 since you were elected.

Ann Barnes: Yes, a year last November. I did think it would slow down, but it has not. But a lot of the letters, Mr Flynn, are not to do with policing. They are different parts of the criminal justice system, because the police are the uniformed part of the criminal justice system and people automatically write to me. But I have had to send things to the courts and Crown Prosecution Service and probation as well, so it is not just policing.

Q648 Paul Flynn: Do you expect, when you face your electorate again, to be reporting an increase in the number of crimes?

Ann Barnes: I do not, because Kent now has a very accurate basis for its crime figures and a lot of work has been done in the force. Members of the force will tell you that it is one of the best things that happened,
because there is now absolute clarity on where Kent is, according to crime recording.

Q649 Paul Flynn: You are suggesting that in the past the lack of accuracy meant that it understated the level of crime or exaggerated the level of crime?
Ann Barnes: That is what the Inspectorate said, but crime is still at the same level; it just was not reported.

Q650 Paul Flynn: Do you accept now that while you would take pride in the fact you are not a politician, you will be presenting yourself for election, and will be judged on matters such as the perceived level of crime? You are a politician in all but name.
Ann Barnes: I will be judged on many things. I am setting up a victim’s bureau, and I am determined to put victims at the heart of the criminal justice system; they are not. They are passed about from pillar to post, often. I am adamant that the Kent Police will not just be a response force; it will always be in the communities, there will always be community policing and I will be judged on a raft of measures. I just want people to think, “She did a good job for us. I am going to vote for her again”.

Q651 Paul Flynn: Have you any concern about the conduct of the Police Federation?
Ann Barnes: It is a matter for the Police Federation. I think they are being very brave to have an independent report. It is overdue and the independence is the important thing, and I am quite sure they will work hard to put matters right that they need to put right.

Q652 Chair: You said you would like them to vote for you again, so you are telling this Committee that you have gone to the extent of not only changing your mind about Commissioners, but you quite like the job and will stand again.
Ann Barnes: I love the job, Mr Vaz. It was a job made for me. I am independent, I am credible and very good with people.
Chair: You have clearly started your election campaign.
Ann Barnes: I know, but you know what they say: a week is a long time in politics, and so is two years.

Q653 Chair: Chief Constable, are you afraid of Commissioner Barnes?
Alan Pughsley: Absolutely not, in any way, shape or form.
Ann Barnes: Did he say, “Are you frightened of Commissioner Barnes”?
Alan Pughsley: He did, Commissioner. I absolutely welcome being held to account ultimately by the public. That is the role of policing and the role of the Chief Constable, and I am very comfortable being held to account by one person on behalf of—

Q654 Chair: How would you describe this relationship? You will go to these meetings together around Kent. Some may think that this is quite cosy.
Alan Pughsley: I suppose if I describe the monthly meeting where I am held to account in a public meeting by the Commissioner and her team, it is anything but cosy, to be honest with you. It is the policing plan. It is a manifesto of pledges and it is how we are dealing with efficient and effective policing against those priorities, so that is certainly not cosy.

Q655 Chair: How many times has she rung you up since she has been elected and said, “You have done something wrong”, and wanted something changed?
Alan Pughsley: Done something wrong and wanted something changed—I cannot think of any occasion where those words have been said to me in the last eight weeks.

Q656 Chair: In the last eight weeks?
Alan Pughsley: I have been Chief for eight weeks, and only eight weeks, so “I want something changed” has not happened at all.
Ann Barnes: It is early days, though.
Alan Pughsley: That certainly has not happened in the last eight weeks. We have regular conversations about concerns that come into the Commissioner’s office, because the public have a different way of corresponding with the police. So, yes, we have regular conversation about concerns, but none of those two in the way that you have asked, Chair.

Q657 Yasmin Qureshi: I want to discuss with you briefly the police and crime panels. Do you think they have a sufficient understanding of the clarity of their role in scrutinising your work?
Ann Barnes: I think they are still steeped in local authority committee work. I have tried very hard to get away from that. There is a lack of clarity. For instance, you cannot hold Police and Crime Commissioners to account for the performance of the Chief Constable. You have to realise they are different roles; that is my job. Perhaps more training needs to be done. I do not know what the criterion is for people being appointed to the panels. I have absolutely no idea what it is, what criterion is set up from there, and what qualities and experience people have for doing that.
I know the panel in Kent are, at their next meeting, looking at their own ways of working. I do think that members of the panel need to turn up to meetings of the panel and not send substitutes, because that is quite tricky; somebody goes along and they have very little knowledge of the policing world. But we are talking about a year. It is very early days and we are all quick to criticise, and yet everybody out there is doing their best to do a good job for local people. Instead of criticising them, we should be helping them.

Q658 Yasmin Qureshi: Yes, but I do not think that was the question. What I was asking you was whether you think the police and crime panels have sufficient understanding of your role and are therefore able to scrutinise you. From what you have said, if I understood correctly, they have not fully understood what your role—
Ann Barnes: I am sorry; I didn’t hear that.
Yasmin Qureshi: If I understood you correctly, you said just a few moments ago that in your opinion the
panel has not fully understood what your role or responsibilities are. I think you gave an example of them asking about the Chief Constable. What I was going to ask is: do you think that the panel has sufficient powers, or could its powers be strengthened to be able to effectively hold the Police Commissioner to account?

**Ann Barnes:** I think they do have the powers they need. Ultimately, it is the electorate that will hold me to account, as the electorate holds you to account.

**Q659 Chair:** Yes, but that is every four to five years. What Ms Qureshi is talking about is this: we received evidence from Councillor Roger Seabourne, who came to us and said that they were toothless and did not have the power. He is the ex-Chair of the committee in Hertfordshire. He said they did not have the power to hold the PCCs to account. Of course you are going to be answerable to the electorate, but in the meantime who holds you to account? Quis custodiet custodes?

**Ann Barnes:** I cannot speak for other Commissioners and their panels, because I do not know what their relationship is. I have had nine meetings of the police and crime panel in Kent. We have discussed a range of subjects. It is not a cosy relationship; I am quite sure that it might be in some areas, but it certainly is not in Kent. They certainly take their work very seriously in Kent. You only have to look at the webcast, because they are all webcast, so I invite you to do that.

**Q660 Lorraine Fullbrook:** This is a supplementary to Chief Constable Pughsley. You said earlier that you liked being held to account by the public. But surely the point is you are not held to account by the public, however much you like it. That is the point of the Police and Crime Commissioner role.

**Alan Pughsley:** I am certainly held accountable to the public and by the public when I go to public meetings and answer their questions. As the Chief Constable in the previous regime, that did not happen, to be brutally honest. This is every two months. Tomorrow is an example: we are in a certain area of Kent at 6 pm in the evening, and anywhere between 150 and 200 people ask me any question they want around how policing services are being delivered in their part of the county.

**Q661 Lorraine Fullbrook:** With respect, you will still have your job, no matter whether you have a hard time or not at a public meeting. It is Ms Barnes who will keep her job or not, depending on whether you deliver, so liking being held to account by the public is not the point of the role of Police and Crime Commissioner.

**Alan Pughsley:** Yes, I am held to account officially by the Police and Crime Commissioner—of course I am—on a daily basis, on a formal weekly basis and at a formal public meeting, as we described. Equally important is the interaction and the way that I am seen to be accountable to the public. So it is very important that the Chief Constable is accountable through a PCC if necessary, certainly to the public.

**Q662 Mr Winnick:** I am sure we are all pleased that you two are able to get along very well professionally. It is almost, as you described it, Chair, a platonic love-in, and we will see how it progresses. Would you accept that however much you like your job, Ms Barnes, as undoubtedly you do, the position of Police and Crime Commissioners is very much on probation?

**Ann Barnes:** It is a new role. It needs time to bed in. There are 41 of us. We are all trying to do things different ways. I do think that nationally we could, as a group, become quite a vocal force for good, if we united around a particular issue. I am thinking of the mental health issues and people with mental health difficulties being kept in cells. Also at the moment I am spearheading some work around female genital mutilation and the petition that is going on. I already have more than half the Commissioners signed up to going back to their Chief Constables and talking to the force about how that message is going out.

I do think we are going to be a force for good nationally. Looking to the future, I would like to see more of a sphere of influence around the whole criminal justice system, because if we are absolutely key to putting victims at the centre of the criminal justice system, we should not be working in quite such rigid silos. There is governance and accountability of the police; I do not see it anywhere else.

**Q663 Mr Winnick:** The Police and Crime Commissioner in the West Midlands, in my part of the world, is on record as saying, in effect, that it is a very disappointing position, and he clearly feels, given the way he stated that, that it should be abolished. Do you recognise that it may not be a permanent position? Who knows what a future Government may decide to do?

**Ann Barnes:** Yes, I know perfectly well what Bob Jones’ position is. I think he gives himself four out of 10.

**Mr Winnick:** Was it two out of 10?

**Ann Barnes:** Was it two out of 10?

**Chair:** It was.

**Ann Barnes:** Well, I think he is being very harsh on himself. He is very influential and a very good advocate for Police and Crime Commissioners. It is early days and we should all be working together, spreading good practice. We are, actually, and I think we are all doing our best to do what we were elected to do, and that is to be the voice of local people, to hold the force to account, to make sure we get a good policing service.

**Q664 Mr Winnick:** One last question, because the Chair is hurrying us up—understandably, because the next witness is outside. You have no deputy.

**Ann Barnes:** No.

**Mr Winnick:** No, that I know. Could you just tell us the total number of staff?

**Ann Barnes:** Yes, I had 13 full-time staff—

**Mr Winnick:** Thirteen?

**Ann Barnes:** No, I had 13 full staff in the police authority. I now have 16; some of those are part-time, and two are secondees. The budget is £1.5 million. I am keeping to that for my term, but it is very difficult, Mr Winnick, because I have far more responsibility,
especially taking on board the whole of the issues around victims and victim services. I need to have a team around me who can deliver for me, because I have lost all the expertise of the police authority. Mr Reckless will tell you we had some really good members on the police authority who did an awful lot of work, and that has gone. I am having to build that resource around me, and it is very hard.

Chair: Thank you. That is an excellent curtainer raiser for Mr Reckless’ questions. I am going to give him some latitude as he is your local MP.

Mr Winnick: Don’t say it with such pride.

Chair: No, he is the local MP of your area.

Q665 Mark Reckless: Commissioner, you spoke about the Kent Police Authority and there has been some focus on commissioners and the costs of their private offices. Can you make any estimate of the cost to Kent Police of supporting the Kent Police Authority, in terms of the main meetings, the committees, and the 100 or 200 pages of briefing materials and the comprehensive and, in many ways, very impressive work that went into that? Have you any idea of what that cost was, and how much of that you have been able to save as the commissioner?

Ann Barnes: You will be pleased to know, Mr Reckless, that if you came to my meetings now, you would not find that there was a plethora of reports. I have banished them. Two sides of A4 bullet points is what we have now, and everything is a discussion. You can hide things in papers quite easily. You cannot hide very much with two pages of bullet points. That bureaucracy has gone, hasn’t it, Chief Constable? It seriously has. It is far more one-to-one meetings now. I do not have a cottage industry—not does the Chief Constable—churning out reports for me, because I do not want it and do not need it. I would rather have a grown-up, sensible, honest debate. But no, I think it is practically impossible to do that. On the other hand, the force really cannot quantify what they get from our office, because they get an awful lot of public engagement and stuff that goes through to them from my office as well. It is quite difficult to quantify that. You are an economist, I know, so perhaps—

Q666 Mark Reckless: Could you or the Chief Constable give some sort of estimate of the amount of that material and the preparation work? I just think it is one area that has not been in the public domain, so it might be useful for an inquiry.

Ann Barnes: Do you know, I might get my teeth into that next. It might be worth looking at that.

Chair: Chief Constable?

Mark Reckless: Thank you.

Mr Winnick: Alan Pughsley: I could not put a figure on it, but I can certainly say it is about half of the work that we were doing before. From a transparency point of view, just on the straightforward governance meetings, we are probably doing half the work we did before with the police authority.

Q667 Mark Reckless: We spoke before about the Stevens report, and the ex-Chief Constable referring to the damaging chilling effect on police leadership of the power of a commissioner to dismiss the chief constable. Why did the powers of police authorities in this respect not have a similar chilling and damaging effect?

Ann Barnes: I have no idea. I do not agree with him anyway, I really do not. I thought it was very emotive language. It should not have been used. I do not see the evidence for it.

Q668 Mark Reckless: Commissioner, do you think chief constables could be held to account by the array of local authority joint committees that Stevens reports, or would the chief constables be able to do pretty much as they liked?

Ann Barnes: Well, it strikes me that the Stevens report, with that particular model, is going back to the old days of the old policing committee. Michael Howard, when he was Home Secretary, abolished those and set up police authorities to have some sort of independent voice there, rather than the party politics that was played out on a lot of the old policing committees. I think it would be very difficult but, as I say, a week is a long time in politics and we have an election coming up next year, haven’t we?

Q669 Mark Reckless: What impact do you and the Chief Constable believe there has been from the change in the senior appointments process, so that you as a commissioner just appoint the chief constable, and then the chief constable appoints his team?

Ann Barnes: I did not have a problem with that. As you know, I chaired the official side of the police negotiating board for a long time, so I was heavily involved with chief officer appointments and I was on the senior appointments panel. It is his team and I hold him to account for how his team works. I suppose in a way it is only right and proper that if he is being held to account by me for the work of his team, then he should appoint his team. That said, he does ask me to sit on the appointments panels. We did one last week in Kent and I think that is probably the best way of doing it. I do not have a problem with that.

Q670 Mark Reckless: You said it was not for the police and crime panel to hold you to account for the performance of the chief constable, but surely to the extent that you appoint, and only you can dismiss the chief constable, isn’t it right for them to do that, at least to some degree?

Ann Barnes: Well, on going in front of the police and crime panel to make sure that the appointment process that I used for the chief constable was open, honest, transparent and based on merit, it is absolutely vital that somebody looks at that. It is just right and proper that that happens, so I am very happy for that to happen.

Q671 Mark Reckless: Could I quickly look at a couple of the more difficult areas that you have had? Some other commissioners have been criticised, rightly or wrongly, for appointments of deputies, with some people criticising the appointment process for that. You received some criticism for the appointment of Peter Carroll and Howard Cox at I think £5,900 a
month. You said to the Kent and Sussex Courier, "They're not spin doctors", she insisted. 'They're highly experienced in public relations, have run very successful campaigns'—I think one of them was your campaign manager—and have got skills I need.' One of them styles themselves a social media expert. Do you have any regrets about how those appointments were made?

**Ann Barnes:** No, I took it on a business decision. I did not have them. It is like any organisation, any person; you have to have a group of people around you who can deliver the work you want. I did not have that on the people I inherited from the police authority. I could have gone to the market. I could have picked people off the shelf—it would have cost me more—or I could have advertised for those jobs. It would have taken me three, four, five months to get people in place. I did short-term employment. They did their work. They came in, they upskilled, they built all kinds of things, and they have gone. Their time has ended and they have gone. I have a new chief of staff who is busy reorganising my office. I do not make any apologies for doing that. It was on a business basis.

**Q672 Mark Reckless:** The criticism that you received, though, and that other commissioners may have received for deputy appointments more frequently—would you see that as more as teething problems of the first-stage appointments, when people are coming into an office new, or do you think it is something we can expect to hear to the same extent in future?

**Ann Barnes:** When you are going into an office new and you do not inherit those skills, you have to make sure you get them somehow. I would like to think the next time round those skills will be there, whether you have appointed those people or not. The commissioner at the time will have appointed those people, so I cannot see that being a problem anymore.

**Q673 Mark Reckless:** Finally, Chair, on your youth commissioner, we know about Paris Brown and everything that went on around that. I understand, though, that you concluded your interviews for a youth commissioner. You want to push ahead with that appointment. You had all those interviews and I thought a decision had been made at the end of November, but three months later we still have no announcement. Why is that?

**Ann Barnes:** Because I have been waiting for him or her to negotiate a start date with me. It has been quite complicated for one reason or another, which I am not going into here. There will be an announcement before very long, and I am looking forward to my youth commissioner starting work.

**Q674 Chair:** Do you think lessons can be learned from the Paris Brown recruitment?

**Ann Barnes:** Well, let us put it this way, Mr Vaz. Every hour of every day, I shall be looking at a Twitter account.

**Chair:** Excellent. Well, I am sure you are following Mr Reckless, at the very least, on Twitter. Can I just say on behalf of the Committee thank you for coming in to both of you?

**Ann Barnes:** Pleasure.

**Chair:** We are particularly impressed—I am, and the Committee is—with your campaign, "Go Green to Stop FGM."

**Ann Barnes:** Thank you.

**Chair:** As you know, the Committee is about to start an inquiry into FGM, and we have just secured a debate in Parliament on this subject for the first time in many years. Thank you so much for coming here today, and to you, Chief Constable.

**Ann Barnes:** If I can be of any help with that, please let me know.

**Chair:** Thank you, and thank you, Chief Constable. **Ann Barnes:** Thank you. **Alan Pughsley:** Thank you.

---

**Examination of Witness**

**Witness:** The right Hon. Damian Green MP, Minister of State for Policing and Criminal Justice, gave evidence.

**Q675 Chair:** Minister, my apology—whenever you appear before this Committee I seem to be apologising to you, rather than the other way round—for keeping you waiting because previous witnesses have been exciting the Committee with the answers to the questions that we have put. We would like to examine you today on two issues. The first is Police and Crime Commissioners, but we have also announced an inquiry into the Police Federation, so to save you coming back again, we are going to talk to you a little bit about that. Could I ask you, first of all, a question about police morale? This has been a feature of some of your recent speeches in the House after Hillsborough, the Andrew Mitchell affair, and examples of misconduct cases. Do you think that we have now reached a stage where we can turn the corner, basically turn the page, on what seemed to be a declining situation regarding police morale?

**Damian Green:** Well, I hope so. I am always struck whenever people talk about morale by a quote I have heard Hugh Orde give very often, which is that since he entered the police in I think it was the 1970s, morale has always been at its lowest ever. I take his experience to bear in this.

There are two separate issues from the question. One is the morale of the police looking at themselves and their own terms and conditions, and I think it is inevitable. We went through a period of stringency in pay, which obviously has to remain, and changes to the pension regime. It was natural that serious concerns were expressed by many police officers about that. We have done those changes now. Clearly, there is going to be no pay explosion anywhere in the public sector in years to come.
Q676 Chair: Is that the end of the fashioning of the new landscape? We can say to the police service, “It has been tough, because we have had to change so many things, but that is it now—no more changes”?

Damian Green: The other point I was going to make was that there are also the external changes as well. Those will have to continue. You have been having investigations into PCCs. One of the good things I think PCCs have done has been to introduce more innovation into the police service. Just as it is true in the private sector, it is true across the public sector, it is certainly true in policing, that change will continue. Anyone entering, frankly, any career now thinking, “I have now got to grips with this job and it will remain the same for the next 30 years” is deluding themselves. That is as true of the police as it is of politics or anything else. Change will continue but, as I say, the initial changes that had to be made to pay and pensions have now happened.

Q677 Chair: Do you think that you have reached the end of the Andrew Mitchell affair? There have been some misconduct cases; a police officer has gone to jail. Is there anything more to be done on this? Do you think it is time just to draw a line under it?

Damian Green: The misconduct cases are, of course, still going on, so it would be inappropriate for me to comment on what might come out of that. In general terms, if I can step away from the individual issue, which, as I say, is still going on, it is clear that police integrity, public confidence in the police, remains a very important issue. The Home Secretary made an important announcement to Parliament last year about that. That is also a series of changes that will continue. The college will produce the code of ethics. I hope that and other changes result in a change in the culture that, over time, will, among other things, increase public confidence in the police and, I hope, improve police morale as well, because the two are mutually supportive.

Q678 Chair: Yes. We have just heard some very interesting evidence from the commissioner in Kent, who started off being very much against Police and Crime Commissioners when she chaired the police committee, saying that the change was a wilful waste of public money, naive and not necessary, and has now come to the conclusion that it is a very good thing to have. She is enjoying the job. Do you think you have now done the deal with the British people: they now will accept the need to keep Police and Crime Commissioners irrespective of what Lord Stevens has had to say, or even Mr Chris Leslie, who today is talking about them costing a great deal of money and perhaps on economic grounds they should have to go? Do you think the deal has been done, the public will now accept this?

Damian Green: I think there is a lot of evidence that the public appreciate what Police and Crime Commissioners can do and are doing, much more than they did in the first few months. It is unsurprising. They are still only 18 months old as an institution and the figures are quite stark. The old police authorities, about 7% of people were aware of them; Police and Crime Commissioners, about 70% of people are aware of them. In those terms alone, on public visibility and, therefore, accountability, I think it is unarguable that Police and Crime Commissioners are a considerable improvement on the old police authorities.

One of the other big changes has been the degree of innovation that has come from having these visible, publicly accountable, publicly elected figures. Across parties and across the country there are innovations being driven by Police and Crime Commissioners. Vera Baird in Northumbria has rolled out vulnerability awareness training. You have heard, no doubt, from Ann Barnes very eloquently what she is doing in Kent; Adam Simmonds in Northamptonshire is bringing together police and fire services. You can see beneficial changes in the policing landscape brought about by PCCs.

You mentioned Chris Leslie’s speech this morning. I was struck that he said that Police and Crime Commissioners are costing more than the old arrangements. On the evidence of this Committee, that is not true. You found that they were costing about the same in terms of a percentage of the police budget as the old police authorities. They are not costing any more and they are producing good results.

Q679 Chair: Maybe he has not had the chance to look at the evidence that has come before us. Let me turn to the Police Federation and then other colleagues will come in on other issues. On a scale of one to 10, how shocked were you at the conclusions of the Normington report?

Damian Green: Like everyone else, I found it hugely illuminating and somewhat shocking. There were various elements that I know not only you or I would have found shocking but the leadership of the federation found shocking: the No. 2 accounts in particular, the existence of these hidden accounts.

Clearly, it drove not least David Normington himself to the conclusion that you need root-and-branch change to the federation. I very much welcome the fact that the current leadership of the federation commissioned that report, and that the report itself is so thorough, and that it sets out a time scale for improvement and reform. It is very important that we see that this is not a report that gathers dust, that this is an action plan that needs to be put into action.

Q680 Chair: You can only speak for yourself. You have been in the job for 17 months. Do you regret not having probed this before? It took the current chairman, Steve Williams, to commission this report but, of course, David Normington was a former Permanent Secretary at the Home Office. Did it ever cross your mind that police officers were paying subscriptions that were disappearing into these accounts, and nobody knew what the figures were? I am not blaming you because obviously you were not running this stuff, but yourself and your predecessor Ministers and successive Governments never seemed to have asked the questions. Indeed, this Committee has never asked the question. It took Steve Williams to commission this report before somebody asked.

Damian Green: It is a fair point that these accounts had clearly been running for a long time. What I think it shows is that the lack of central information systems in the federation itself meant that everyone in a sense was not asking the right question, starting, as I say,
from the leadership of the federation itself. I would not blame predecessor Administrations or officials at the Home Office.

Q681 Chair: No, but it is a creature of statute, isn’t it, and Parliament obviously was not concerned? No individual should be blamed. In a sense, the system did not work to ask the questions. Is it because they were too fearful of poking the Police Federation because of the enormous power that the Police Federation is perceived to have? Nobody wanted to criticise the police and nobody wanted to interfere in their private arrangements?

Damian Green: I think the root over the decades is that, as you say, nobody wants to criticise the police. We all recognise that individual officers, the vast majority of them, do a difficult and sometimes dangerous job and do it well. Over time, that built up to saying, “If you do not want to criticise the police, then you must not ever question the Police Federation.” It has taken the current leadership of the federation to say—

Q682 Chair: Sure. Do you trust the current leadership to implement the recommendations made by Sir David?

Damian Green: I know they are determined to do so, and I very much hope they can persuade their colleagues to do it.

Q683 Chair: If they do not, would the Home Office be in a position to seize any of these assets or not? You are going to give them the chance to do it first, are you?

Damian Green: At this stage of the process it is sensible, given that we all agree the leadership is acting courageously so far, to allow them to continue the process. The key date that I would set is this year’s federation conference in May. We want to see progress by then. We want to see that conference, the whole federation and its representatives, embracing the need for radical reform. I know that the federation leadership would hope that as well.

Q684 Chair: Do you plan to implement the review’s recommendation to amend the Police Act 1919 to remove the core purpose of the federation, or are you waiting for the conference?

Damian Green: At the moment, those decisions are there to be taken by the federation. It would clearly be preferable if the federation itself took the decision to embrace radical reform as set out in the Normington review and, as I say, I would encourage them very strongly to do that.

Q685 Lorraine Fullbrook: There are several—I think two Police and Crime Commissioners and one chief constable—who are calling to receive a greater proportion of the funds raised from the Proceeds of Crime Act. What would your view be about this?

Damian Green: Well, we do, because of the Proceeds of Crime Act, take in hundreds of millions of pounds, which can be distributed. I am aware of that, obviously. As it happens, I was in West Yorkshire yesterday with Mark Burns-Williamson, who is one of those PCCs. Fifty per cent of it goes to the force; 50% goes to the Home Office, but it is then spent on Home Office core purposes. It is spent on policing and we will use it to support regional crime squads and so on, so it is all being spent to a good purpose in fighting crime.

The most important thing—I appreciate the desire of PCCs and chief constables to get more money from this—is to try to increase the quantum of money that comes in. To that end, today my ministerial colleague Karen Bradley, the new Minister at the Home Office, is in Spain at a conference because Spain is clearly one of the areas that is fertile territory where we might be able to use this Act more efficiently. We are working very hard with the Spanish authorities. We also intend, as soon as we can, to legislate to strengthen the Act. So for those who are hoping for greater proceeds in the future, we are on the case.

Q686 Chair: We know that 80% of the fines that have been imposed on the Mr Bigs have not been able to be collected; that is out of the £920 million that the courts have fined them. You are saying your legislation will do what?

Damian Green: Will attempt to strengthen the collection element. That is one of the things we are looking at. You will also have seen this week that the new Director of Public Prosecutions is appointing more people to do this. The whole criminal justice system is working together to try to make sure we get more of these proceeds back.

Q687 Mr Winnick: Do you think there is any justification for the view some hold about the event in which you were involved, namely when your Commons office was searched? Your party understandably felt very strongly—as did others, including myself. Do you think perhaps historians in the future—who knows what historians will write—will say that to some extent that antagonism between the police and your political party started around that? Do you think there is any justification for that?

Damian Green: I think that was a one-off event. The truth is the antagonism, as you say, was to a large extent dissipated between my party and the Commons authorities, the Government of the day and various other parts of the Whitlehall machine. No, I do not think that was a determining element at all.

Q688 Mr Winnick: There is no connection at all?

Damian Green: No, I think that was seen as, thankfully, a one-off event that everyone looking back hopes could not happen again.

Q689 Mr Winnick: I will not pursue that point. As regards the Police Federation, undoubtedly things occurred and apologies have been made. Andrew Mitchell was again apologised to by the Chief Constable in my part of the world, in the West Midlands, and you know of the meeting that occurred. Do you accept that in a democratic country the police have every right to make clear where they are unhappy—for instance, with the reductions in police force numbers and so on? You do not challenge,
presumably, their right, individually and through the Police Federation, to make their position clear?

**Damian Green:** No, that is the whole point of the Police Federation. It is because they do not have the right to strike that they have a federation that can both argue about terms and conditions and make political points. They have had marches and demonstrations against Governments of all kinds in my experience as a Member of Parliament. Clearly, those have to be done in an appropriate and dignified way and there must be no sense in which the powers that we give as a society to the office of constable, those specific powers we give people, bleed over into political campaigning.

**Q690 Mr Winnick:** Police and Crime Commissioners, Minister: do you accept it is on probation?

**Damian Green:** No, I just think it is new. With every quarter that passes, people across the country find them both more visible and see the benefits that I have already outlined. I point out again the amount of innovation and the fact that they are using their powers for good in practical ways. You have just heard from Ann Barnes. The fact that she took the decision to bring in HMIC to look at the way her force was recording crime statistics, knowing that that might produce some embarrassing headlines—which it did—I think was a brave and correct decision. To some extent, that is as near as we can get in social science to a properly controlled scientific experiment, because the previous police authority did not do that. It had Members of this Committee on it, I believe. Or were you on at a different time? I apologise.

**Mark Reckless:** I do not think we had the power to request that.

**Damian Green:** Indeed, so it is powers, but also Ann Barnes was chairman of that police authority. She has been able to do some work as Police and Crime Commissioner that she could not do as chairman of the police authority. As I say, that seems to me quite a good experimental piece of evidence to show that the current system is better.

**Q691 Mr Winnick:** One last question on Police and Crime Commissioners, Chair. If there is a high-profile murder case, as in Bristol where a female was murdered and the wrong person was featured in the press as being responsible—the media have apologised and there has been court action and so on—or what happened in the very early 1980s in Yorkshire, where a number of females were murdered, is it not quite clear that the distinction between operations and the work of the Police and Crime Commissioners will be somewhat merged, because inevitably the media will ask the Police and Crime Commissioner in a particular area what is being done to resolve the murders?

**Damian Green:** I do not think so, and I have read the evidence.

**Mr Winnick:** You do not think so?

**Damian Green:** It need not be. It requires both the commissioner and the chief constable to be sensible in observing the distinction that we all make between operational policing and overall strategy. The Police and Crime Commissioner is there to set the crime plan, to set the precept, but in an individual case of how you are going to catch this murderer, then in the end it is the chief constable who has operational responsibility for that. The media would naturally go to the chief constable or whichever senior officer is in charge of that as their first port of call.

**Mr Winnick:** Well, we will see. I find it difficult to believe that would have happened in Yorkshire.

**Chair:** Thank you, Mr Winnick. We will move on.

**Q692 Michael Ellis:** Minister, can I ask you again about the Police Federation? The current leadership certainly seem to be moving in the right direction. They have a very difficult set of circumstances that they have inherited. Are you concerned about the reports that we have received, including evidence we have had in this Committee, about the so-called No. 2 accounts? The sums involved apparently are in the tens of millions of pounds. Would you venture any suggestion on whether those sorts of sums should be finally disclosed as being in existence in the No. 2 accounts, and on what should happen to those sorts of sums? Do you also agree that it would certainly be appropriate for the Police Federation to release information about the expenses that have been incurred by their elected officers, and things like the salaries paid to their elected officers? Do you think that would be appropriate?

**Damian Green:** First of all, I cannot say with any authority whether it is tens of millions or billions or any other figure. None of us knows.

**Michael Ellis:** No, but if there were those sorts of numbers in them.

**Damian Green:** Almost regardless—I would think this even more strongly were I a serving police officer paying £22 a month to the Police Federation—I would want to know how that money was being spent. The fact that both the federation leadership and, indeed, Sir David Normington could not get and was just refused access to details of the No. 2 accounts shows a real underlying problem. It shows why the scale of reform needs to be so radical inside the Police Federation.

**Q693 Michael Ellis:** Of course there have been reports about a person who was engaged by the Police Federation to look into these matters. That lasted three months and they no longer work for the Police Federation. Are you concerned about those reports and do you have anything to say about the issue of expenses and salaries?

**Damian Green:** I am in favour of transparency in all public bodies. The federation is clearly a public body and, therefore, I think it would be in the federation’s interest to be as open and transparent as possible about matters like that.

**Q694 Michael Ellis:** It is also under the 1919 Act, isn’t it? That is under statutory existence.

**Damian Green:** Yes. That is why I say it is a public body; therefore, it has responsibilities over and above those of, say, a private company.
Q695 Michael Ellis: Finally from me, on the issue of Police and Crime Commissioners, on a completely different point, how do you feel progress can be made, if progress is desired to be made, in the amalgamation, if you like, or the co-operation between blue light services? You mentioned the work that Adam Simmonds is doing in Northamptonshire, my county. Do you see some movement in that area as being positive in terms of savings to the public purse and so on?

Damian Green: I think it is very important that blue light services collaborate more than they have in the past. Partly it is to do with efficiency in terms of spending public money, but mostly it is about providing a better service. When I was in Northamptonshire I visited a police and fire station; it is both. They all said that not only has this enabled them to vacate and sell one building, but it means that they work together much more closely, just habitually, because they are in the same building every day. That is happening in other parts of the country. In Durham, we have given some money through the Innovation Fund to the PCC there specifically for the purpose of creating police and fire stations together. One should not forget the ambulance service as well. Around the country, the mood is now there to improve this co-operation, and it will be one of the next big stages of reform that we need to see.

Q696 Dr Huppert: Let us turn more to this issue about police and crime panels. How do you think they are performing? Have they done what you hoped they would do and what it was agreed that they would do?

Damian Green: I think they are getting better. I say this deliberately addressing one of the areas where there have been difficulties: in Lincolnshire—which we discussed on this Committee in one of my previous experiences—when it was perfectly clear that immediately after they were set up and the PCC was there—there was the dispute between the PCC and the chief constable—that the panel did not do its job adequately and did not use the powers available to them. I take that as an example because we have seen this week that after the incidents that happened, the court case and so on, the panel has now demanded an apology from the PCC and the PCC has given that apology. Now, that seems to me the panel using its powers effectively. It has taken some 18 months to get there. Generally, and I know this from the evidence you have heard from other PCCs as well, they are developing a rhythm of being quite a good scrutiny mechanism over the PCCs and I hope and expect them to continue to do that.

Q697 Dr Huppert: I think there is a long way to go, and perhaps it would be worth looking at whether they should be given more powers in order to exercise it. Currently, they are fairly weak in power and hence it is less interesting and less attractive to serve on them. Would you agree with that?

Damian Green: No. I think they have the appropriate level of powers. The difficulties in some areas—not in every area but in one or two areas that we have seen so far—have been because the panels have not exercised enough the powers that they have. Where they are exercising those powers, there is a good creative tension between them and the PCC, which is what is meant to be there. They are meant as a scrutiny mechanism. They are not there as an executive. They are not there as a sort of “son of police authority”.

Q698 Dr Huppert: Do you think Police and Crime Commissioners should also try to engage with other existing bodies, whether they are council scrutiny committees that look at safer neighbourhoods or whether they are local area committees? Do you think there is an expectation that commissioners should try to engage with such bodies?

Damian Green: It depends what you mean by “such bodies”. I am very keen on local criminal justice boards. Obviously, Police and Crime Commissioners play a significant role in them, but there are also health and wellbeing boards—they are called different things around the country—and quite often policing can play a significant role in that sort of area. It is good for PCCs to engage with them as well. Yes, I think the PCC needs to become a significant player across the spectrum of local interests.

Q699 Dr Huppert: One last question from me. The funding for police and crime panels themselves: in the longer term, how should that be paid for? How should the costs be assessed? Should it be from the police precept? Should it be done by the local councils?

Damian Green: I have not heard any particular objections to the current way of doing it. Both in terms of, if you like, the quantum and the distribution mechanism, I do not see that as a particular problem at the moment.

Q700 Mark Reckless: Commissioner Barnes said, at least about the Kent police and crime panel—she was critical in this sense—that it was steeped in the committee culture of local government. Do you see that as a good model in terms of a scrutiny committee, perhaps looking at the health scrutiny committee and some of the work it does with an outside body? Is that something police and crime panels should be aiming at or is it the wrong model?

Damian Green: It is inevitably going to be a committee of some sort or another. Given that it needs to have, if you like, some kind of legitimacy, then having people chosen from elected local councillors seems as good a model as any. As I say, the problem has been the realisation of the panels of what powers they have and how best to exercise them. That is settling down, it is getting better, so I do not think there is a need for an early change in that.

Q701 Yasmin Qureshi: Can I ask about the relationship between the police commissioners and the chief constable, especially the power of the commissioner to remove the chief constable? We have heard and I am sure you are aware of the cases of Gwent and Lincolnshire, where some concerns were generated because of what happened. Two little questions: first, are you satisfied with the way the PCC has handled these things up to now? Secondly, are there any lessons to be learned as to whether the
Home Office may be able to provide further detailed guidance to PCCs on this process if these issues occur? The whole question about the police commissioner being able to sack the chief constable has also been suggested as having a chilling effect on the police being able to do their work. I just wanted to ask: has the Home Office looked into this potential problem, or problem that happened?

Damian Green: Obviously, we look very carefully at any incidents of this and the legislation is there, not least the powers of the panel, to ensure that if a chief constable challenges a decision, and clearly it would be an important decision, then not only does the panel have powers to call evidence and make statements but, very importantly, HMIC, the inspectorate, can come in to provide an independent outside look and provide evidence on which the panel can then comment, and on which both the chief and the PCC can comment. The system is there. You have mentioned the two famous incidents in Lincolnshire and Gwent. Of course, in Gwent the chief simply stood down, so the process was never triggered.

In terms of the other bit of your question—have we considered having more guidance—if you look at the legislation, the procedure is there. There is what would be a fairly rigorous procedure. Therefore, it is for—if it happens—an individual chief to trigger that process, and at that point rigorous scrutiny is brought about.

Q702 Paul Flynn: The chief constable in Gwent stood down because she was under the impression that the commissioner had absolute right to dismiss her. It was suggested by Tom Winsor that this was not the case. In the Gwent situation, the commissioner has said that he engaged secretly the best brains in the country, the legal people, so that the chief constable could not hire them. In those circumstances, she had little choice, I believe. Do you think that the chief constables need more protection and more information about their role to stop them being misused by decisions that are arbitrary and possibly malicious by incoming commissioners?

Damian Green: Without going into the details of the Gwent case, simply because I am not aware that lawyers were not available, there is a whole organisation, CPOSA, which exists to provide trade union-style advice to chief officers. Chief officers themselves have that protection and, in general terms, clearly if somebody has risen to the level of chief constable they will have a significant level of skill and organisation and self-confidence. In broad terms, it is quite difficult to bully a chief constable. They can look after themselves, in my experience.

Q703 Paul Flynn: This was a new situation, and there were three instances, as you know. I can assure you that the commissioner was described in this House as a vindictive bully. In those circumstances, do you not think that this matter should be addressed? There are many who feel that a great injustice was done to the chief constable.

Damian Green: As I say, the system is there. If the chief constable had said, “I do not accept this,” then at that point a process would be triggered that involves HMIC, so would involve somebody very senior coming in from outside who would owe nothing to either side and who would investigate and then lay the evidence in front of everyone, including the panel. The system is there to protect both sides. All it needs is triggering.

Q704 Paul Flynn: Was it a mistake to give commissioners absolute powers to appoint their deputies?

Damian Green: No, I do not think so. We have now moved all the operational policing under the stage 2 transfer to the power of the chief constables, and I think that the key to all of this is transparency. The public will know who the PCC is appointing and what they are paying them and so on. The distinction that I think is really important and is perhaps not drawn often enough is that Police and Crime Commissioners are elected politicians. They are not functionaries. They are not officials. In the end, they are responsible to their electorate. They can always be checked out by their electorate. If they behave badly, then that will make it significantly more difficult for them to get re-elected next time. That, I believe, is the discipline over them. Given that, then I think they need to be regarded in that light, rather than simply as an official.

Q705 Paul Flynn: If there was a transparent system that was open to competition from outside, there would not have been accusations of commissioners appointing their political allies, those who financed their election campaign, members of their own fraternities or other pals. There was the case in Sussex where one person took on the job and then later resigned, but there have been other accusations of cronyism.

Damian Green: There are accusations made against elected politicians of all kinds at all times. As I say, the solution to this is transparency, openness. We all know a lot more now about those who are responsible for police governance than we did under the previous system. There is in the legislation significant demands on PCCs to publish a whole raft of information that was not available to the public before. As I say, for elected people that is the best protection against any kind of corruption in the system.

Q706 Paul Flynn: This is my final question. Would it not be better if they were elected on the same ticket as the commissioner and they served jointly?

Damian Green: What, the chief constable?

Paul Flynn: The assistants.

Damian Green: Oh, the assistants. I do not think it would make much difference.

Paul Flynn: The way they elect the presidents.

Chair: A sort of dream ticket.

Damian Green: Yes. You are electing an individual to do a job, and we could all go off into disquisitions about the American presidential elections and how it has changed over 200 years, but I will resist the temptation, Mr Chairman.

Q707 Paul Flynn: In your view, it is all right to put someone in a job earning about £50,000 a year...
withou
Damian Green: When Norman Baker became a Home Office Minister, which was October, wasn’t it?

Q715 Chair: Try to look back to when you were Firearms Minister, if you could. What was the Government’s policy on this?

Damian Green: The Government’s policy is that the protections are there, and clearly firearms licensing is a very delicate issue. One can think of other tragic cases that have ensued. I was confident when I was doing the job that the individual forces, because it is done on a force basis, were significantly tightening up the way they operated. To say that licences are just automatically renewed is not the case.

Q716 Chair: In terms of crime statistics, we have also heard evidence about the accuracy of these statistics. The commissioner has not changed his evidence, but looked again at the evidence he gave to this Committee and came to the conclusion that there are concerns about the way in which they are being recorded. There is now an HMIC review of this. Are you happy with that, or do you have any concerns about the accuracy of these statistics?

Damian Green: There are two things. First, thankfully we record crime in two completely different ways. We can be confident that crime is falling because the crime survey, which does not depend on the statistics produced by the police, gives a consistent story, so I am confident of that. Of course, we need accurate police statistics as well. That is precisely why the Home Secretary called in HMIC and said, “Look at this on a force by force basis.” They are going to produce an interim report in April, and I think a final report in October. In the course of the coming months, we will have some authoritative independent evidence both of what has been done in the past or is being done in the present and, no doubt, knowing HMIC, strict recommendations about what needs to be done in the future as well. I think that is a step forward.

Q717 Chair: Finally, on the historical cases that have been looked at by the police, obviously the public have been watching the very high-profile cases of William Roache and Dave Lee Travis and others, who have been acquitted after a very long and expensive police investigation. Do you think that this is proceeding in the correct manner? Should the police continue to do what they are doing, or have we reached a stage where there is an end to the investigations?

Damian Green: If you are the victim of a crime, you deserve a police investigation and, following that, potentially a prosecution and a case, whether that crime was committed last week or 30 years ago. That is the sensible and correct principle we need to work on, on this basis.

Q718 Chair: There is an open cheque—whatever it costs—to clear up these cases? The police should follow the evidence in the way that they think best?

Damian Green: Yes. If evidence is produced and then the CPS thinks there is a case to be answered, and that it is worth a court case, then, as I say, if you were a victim of a crime 30 years ago, you have as much right to have that crime cleared up as if you were a victim a few months ago.

Chair: One final question from Mr Reckless, and then we will release you.

Q719 Mark Reckless: Just finally on collaboration, Minister, there seem to be some barriers between police collaboration and the court system. Obviously, the judiciary are independent and we have to respect that, from that perspective, but there are a lot of administrative issues. Matthew Ellis, the PCC in Northamptonshire, has a very impressive pilot programme that is cutting through this and saving quite a lot of money. Can you support that more in other areas and nationally?

Damian Green: I not only can but do. I am also a Ministry of Justice Minister, and one of the things I am most keen on driving through is precisely that: the thought that this is a criminal justice system that starts with the police arresting somebody and ends with somebody being let out of prison and put on probation. If that is what the system takes, that should be one system. In particular, the technology through that system should be able to talk to itself, so that it is reliable and quick, and so that you are not constantly photocopying, faxing, doing all the things that have happened in the past. That is why in the last budget the Chancellor gave a special fund of £160 million precisely for this type of work.

Our vision is that by 2016 we will have a digital criminal justice system, which will mean not just the police using tablets or smartphones—it does not matter, there will no doubt be some other technology in the future—but recording everything digitally, both in terms of writing and body-worn video. That creates a digital case file that then goes through the system. You press a button and the file goes to the CPS. The CPS can press a button and disclose it to the defence. The court case can be heard with barristers with screens in front of them, with judges with screens in front of them, so at no point do you have the traditional barristers travelling round the country—I speak feelingly as the husband of a barrister—with suitcases full of papers, some of which will have been lost, all of which will have been transferred around at massive expense and slightly inaccurately for periods past, and then getting there and the defence saying, “This document was not disclosed”, or the police saying, “Yes, we will go back to the station and get that.” All that kind of thing that causes delay and frustration in the criminal justice system is unnecessary in a digital era, and we are moving as fast as I can to get towards that.

Q720 Chair: Very finally, we are concerned about the reduction in police dogs: 117 units have been lost since 2009, and they are very cost-effective. They do not answer back. We have seen the value for money that they provide when we have been to Calais, when we have seen them on drugs raids. The NCA, as you know, in their new operations, use them. Is it a worry to you that these very effective parts of policing that are not expensive are being reduced so dramatically?

Damian Green: That is classically an operational matter for individual chief constables. You are right,
25 February 2014   The Right Hon. Damian Green MP

Dogs do effective work on drugs and some public order, but it is not for the Police Minister to second guess any individual chief constable.

Chair: No, I am not asking you to second guess it. I want you just to say what you feel generally about police dogs and their use.

Damian Green: Like this Committee, I have seen police dogs used extremely effectively, but it is not for me to tell chief constables how many police dogs they should have.

Chair: I am sure they will be relieved to hear that. Minister, thank you very much for giving evidence to us today. We are most grateful. Apologies for keeping you waiting again. That concludes the evidence session.