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LOCAL GOVERNMENT
INFORMATION UNIT



AN EASY GUIDE TO POLICE AND CRIME COMMISSIONERS

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Background

Police and Crime Commissioners are the biggest change to policing since the Police Act 1964 rationalised the constabularies and created the police authorities the new Commissioners will replace. The new relationship between a chief constable and a single Police and Crime Commissioner, to whom they are accountable, will define policing.

But the government expects Police and Crime Commissioners to exercise their authority over more than just policing, believing their direct election gives them a mandate to exercise leadership across and beyond the criminal justice system: even if that means making demands of services over which they have no authority, or of councils that already have their own democratic mandate.

Despite the promise of crime-fighting commissioners, the elections did not capture the imagination of an electorate that, it seems, were untroubled by the alleged unaccountability of police authorities.

Now they are here, will anyone notice? Or do they present a unique opportunity which will not just see a change in policing, but a change across the whole criminal justice system?

The history

The formation of the Metropolitan Police by Sir Robert Peel while he was Home Secretary is well-known; the term ‘bobby’ lingers on as a reminder. Outside of London, however, policing was, effectively, a local authority function.

Throughout the nineteenth century a series of Police Acts empowered, then required, the creation of local police forces funded primarily through local rates. By the start of the twentieth century the UK had hundreds of separate police forces serving often quite small communities, overseen by single or joint local authority ‘watch committees’.

The process of consolidating these forces began in earnest with the Police Act 1946 and was largely completed by the Police Act 1964. Throughout the second half of the 1960s the old borough forces were gradually absorbed into larger county constabularies overseen by a police authority comprising local councillors and magistrates (police authorities themselves were reformed in 1994 to comprise councillors and appointed independent members).

Policy

Calls for reform of the leadership of policing have been gathering pace for a number of years. While the police – despite occasional controversies – still command a general respect beyond the dreams of any politician or journalist, attention has focused on the role of police authorities. The authorities, it was claimed, were invisible and unaccountable and despite debate between parties on the current reform, all have considered ways of introducing more democracy.

David Blunkett was considering directly elected police authorities in 2003, the same year the Conservatives launched the idea of directly elected police commissioners at

their party conference, a pledge they included in their 2005 election manifesto. In 2008 the Labour government dropped plans to introduce direct elections to police authorities following opposition from local government.

2010 election

By the 2010 election both the Conservative and Liberal Democrat manifestos contained explicit reforms for police authorities. Labour, on the other hand, had shied away from their previous support; their manifesto committed them to prevent politicisation of the police force and made no mention of previous plans for directly elected police authority members (although it did make reference to increasing accountability for all public services).

The Conservative manifesto retained their commitment to a directly elected individual replacing the “invisible and unaccountable police authorities”. This newly elected person would “be responsible for setting the budget and the strategy for local police forces, with the police retaining their operational independence.”

The Liberal Democrats, who had been opposed to previous suggestions of reform, effectively proposed an enhanced police authority. Under the Liberal Democrats these would be directly elected – although with the ability to co-opt extra members – and have “the right to sack and appoint the chief constable, set local policing priorities, and agree and determine budgets.”

Coalition

The Coalition: our programme for government and the subsequent Police Reform and Social Responsibility Act 2011 represented a compromise between those proposals. The coalition agreement committed the government to “introduce measures to make the police more accountable through oversight by a directly elected individual, who will be subject to strict checks and balances by locally elected representatives.”

The legislation

The Police Reform and Social Responsibility Act

The Police Reform and Social Responsibility Act gained Royal Assent on 15 September 2011. The Act itself contains a mix of reforms; although the introduction of Police and Crime Commissioners was the highest profile element, it also contained a number of reforms to licensing law and miscellaneous provisions ranging from demonstrations around Parliament Square to the issuing of arrest warrants.

In brief the Act abolishes police authorities in England and Wales, replacing them with a directly elected Police and Crime Commissioner in each police force area. It also establishes Police and Crime Panels in each police force area, drawn from local councillors, which will scrutinise and advise the Police and Crime Commissioner.

In London a slightly different structure was created, with the Mayor for London taking the Police and Crime Commissioner role through the Mayor's Office for Policing and Crime and the London Assembly, rather than local authority councillors, taking on the functions of a Police and Crime Panel.

Police and Crime Commissioners

The Police and Crime Commissioner has relatively few statutory duties. They must issue a police and crime plan within the financial year each ordinary election is held, set the budget (and therefore the policing precept) and produce an annual report.

The plan must be created in consultation with the chief constable and the Police and Crime Commissioner is required to obtain the views of the community – the general population, victims of crime and non-domestic ratepayers – on policing before a police and crime plan is issued.

The plan must cover a number of topics:

- the police and crime objectives, including policing and crime reduction.
- the policing of the area the chief constable must provide.
- the financial and other resources that will be provided.
- how performance will be measured.
- the crime and disorder grants that will be made, and the conditions under which they will be made.

A Police and Crime Commissioner may appoint a deputy and delegate functions to them (and the deputy can, in turn, delegate further) although some functions must be carried out by the Police and Crime Commissioner, namely:

- issuing the police and crime plan
- determining police and crime objectives
- attending a police and crime panel to which they have been required to attend
- preparing an annual report to a policing and crime panel
- appointing, suspending or requesting the resignation or retirement of a chief constable
- calculating the budget requirement.

In London any deputy will be subject to a confirmation hearing at the London Assembly. The Assembly can only veto an appointment if the nominee is not an Assembly member and two-thirds vote to veto.

In addition the Police and Crime Commissioner must appoint a chief executive and a chief finance officer, and can appoint any other staff they deem necessary.

Police and Crime Panels

The creation of Police and Crime Panels have largely been overlooked in the run up to the elections.

Each Police and Crime Commissioner will be scrutinised by a Police and Crime Panel. These panels will comprise a councillor from each local authority covered by the police area; where there are less than ten local authorities, they will have to decide how to appoint extra members until there are ten councillors on the panel. Panels will be required to co-opt two members, and can co-opt more with the Secretary of State's approval as long as the panel's total membership does not exceed 20.

In England (other than London) panels will be committees or joint committees of the relevant local authority and appointments made by those local authorities. In Wales, although the constitution of membership will be conducted on the same basis, the appointments will be formally made by the Secretary of State on the council's recommendations and the panels will not be local authority committees. In London, the London Assembly will be required to form a sub-committee to act as the Police and Crime Panel.

These panels will be the scrutiny body for the Police and Crime Commissioner and make reports and recommendations to the PCC. These must be published, and the panel will be responsible for sending them to each local authority in its area.

Panels will have the power to require the attendance of the Police and Crime Commissioner, or a member of their staff, but staff will not be required to disclose any document or evidence of advice they offered to the commissioner. The panel can also require the chief constable to attend the same meeting as the commissioner; however, the panel's powers of scrutiny extend only to the commissioner, and not to the police or their operation.

While Police and Crime Panels are primarily a scrutiny body, they do have some powers relating to the Police and Crime Commissioner and their duties.

Panels must review any precept proposal, and no precept can be issued until the panel has reported back. This report can include recommendations, including a different precept and the Panel can veto a proposal with a two-thirds majority. They are also required to review and report on any proposed chief constable appointment, which they can also veto with a two-third majority.

Most interestingly they have the power to suspend the Police and Crime Commissioner if the commissioner is charged with an offence carrying a maximum imprisonment exceeding two years. While this has the lower bar of being charged, rather than convicted, it conflicts with the now infamous section 66 of the Act which bars anyone with a conviction which could carry a sentence of imprisonment of any length from being a Police and Crime Commissioner. It raises the theoretical possibility of a Police and Crime Commissioner being able to avoid suspension when charged with an offence that would, if convicted, disqualify them from office.

The wider context

While the legislation might seem to offer Police and Crime Commissioners a fairly limited set of duties and powers, the ministerial narrative has been much more expansive.

In her speech to the 2012 Conservative Party conference the Home Secretary, Theresa May, highlighted the broader role of Police and Crime Commissioners, saying (without acknowledging any turnout doubts) “Commissioners will be important figures not just because of their formal powers, but because their mandate from the public will allow them to get things done.” Her speech, a rallying cry ahead of the first elections, was a culmination in the government’s narrative that cast the new Police and Crime Commissioners not just as formal office-holders, but as leaders of the entire criminal justice world.

Her speech followed the pattern of numerous government consultations and announcements since the passing of the act by adding a new responsibility of ensuring victims have a greater say in the nature of the punishment given to people guilty of anti-social behaviour. If anything, it was unusual since it will require a change in the law; previous additions to the commissioner’s role have tended to rely purely on their mandate. So, for example, the Ministry of Justice’s Swift and Sure Justice consultation states a belief that “Police and Crime Commissioners are well placed to lead criminal justice reform in their areas” but does not suggest adding to their legislative powers. Damien Green, the Minister for Policing said in his first major speech to Police and Crime Commissioner candidates that by “galvanising all the agencies, such as councils, job centres, schools, probation officers, social and health services, and by finding and developing a common cause PCCs can put the victims and communities at the forefront , improving lives for families and residents.”

For the government, at least, there is an expectation that Police and Crime Commissioners will be active in any and every area they see as relevant to crime reduction.

The elections

Politics as (almost) normal

After the passage of the Police Reform and Social Responsibility Act there was something of a phoney war during which it seemed the political parties were waiting to see which would blink first, all wary of accusations of politicising the police. Indeed, it initially appeared the government wanted high profile independent candidates to come forward, rather than looking to its own ranks to fill the offices.

Early on the Liberal Democrats went as far as saying they would not field candidates, but instead allow MPs and activists to support and campaign for independents, although this stance was subsequently revised and the party's regions were left with the decision on whether to field, and finance, candidates. By summer 2011 both the Conservative and Labour parties had started their selection processes and it was clear that the hoped for high-profile independent candidates would not be forthcoming. It was to be a party political election like any other, although the Liberal Democrats would, for the first time in a generation, not be fielding candidates across the country.

The final tally of candidates nominated across the 41 police areas reveals that while there is a strong showing of independents, over half the candidates come from one of the three major parties; two-thirds when you include UKIP.

Independent*	55
Conservative	41
Labour	41
Liberal Democrat	24
UKIP	24
English Democrats	5
British Freedom	1
Campaign to Stop Politicians Running Policing**	1
Green	1
Justice and Anti-Corruption	1
Zero Tolerance Policing ex Chief (sic)**	1

* Two independent candidates formally withdrew after their nomination.

** The Campaign to Stop Politicians Running Policing and Zero Tolerance Policing ex Chief were formally registered with the Electoral Commission in September 2012 and are effectively independent candidates.

However, that 55 independent candidates managed to clear a fairly significant nomination process shows there remains a strong feeling that the position should be independent. Nomination requires a deposit of £5,000 and 100 signatures of support, a significant hurdle before you even consider the costs of running a campaign in some incredibly large constituencies. Generally the independents offer some experience or expertise within the criminal justice system, often being practitioners, former police officers or members of police authorities.

Disqualifications

What was particularly remarkable about the nomination process were the number of candidates who withdrew because they would not be qualified for election. The Act laid out the qualification criteria for candidates, most were those familiar to any political candidate, agent or returning officer, like age and nationality or bars on certain employments. A rule that exists only for Police and Crime Commissioner candidates, however, prevents anyone with a criminal conviction that could result in a prison sentence from being elected.

The Act is clear, section 66(3) states:

“A person is disqualified from being elected as, or being, a police and crime commissioner if –

(c)the person has been convicted in the United Kingdom, the Channel Islands, or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence).”

Subsection (4)(a) clarifies that an imprisonable offence is one for which an adult may be sentenced to prison.

Unfortunately this does not seem to have been widely understood. The Top of Cops blogs speculated that Theresa May herself provided incorrect advice to Simon Weston just days before he launched his independent campaign in South Wales despite a juvenile conviction which would have disqualified him from election. Some months later Ms May stated publicly that the legislation was not aimed at barring someone with a conviction at age 16. It seems, however, that others in the Home Office were of a different view, Nick Herbert stated in the Bill’s committee stage “the provision will apply to any youth offences ... we are consciously applying a much higher test to police and crime commissioners in a way that is not done for a person in any other elected office.”

By the time of the elections section 66 had claimed several victims. Bob Ashford (Labour candidate in Avon and Somerset), Mike Quigley (Conservative candidate in Nottinghamshire) and Phil Dilks (Labour candidate in Lincolnshire) all withdrew having won their party’s nomination. There are still others who withdrew part-way through their party nomination process because of the restriction, and Alan Charles (Labour candidate in Derbyshire) withdrew, took legal advice and then re-stood over confusion on the exact status of a conditional discharge he received when fourteen. Perhaps most damagingly for a political party Lee Barron (Labour candidate in Northamptonshire) revealed a previous conviction left him ineligible for election, but only after the close of nominations and the deadline for withdrawal; he therefore remained on the ballot paper but would have forced an immediate by-election if he won.

Despite calls for the provision to be amended Damien Green has indicated a review is unlikely telling The Guardian: “now everyone knows what the rules are they will think hard [before they stand] in the future.” He even goes so far as to draw the conclusion that it is further evidence that the rate of convictions among young men needs to be reduced.

The results

In all the furore over low turnout the results often seem to have been overlooked.

The final tally of Police and Crime Commissioners across England and Wales was:

Conservative	16
Labour	13
Independent	12*

* This includes Kevin Hurley in Surrey, who had registered a political party: Zero Tolerance Policing ex Chief

Turnout

It is hard to think of a positive gloss to put on the extraordinarily low turnout for the Police and Crime Commissioner elections. Anecdotal evidence during the day suggested that few were bothering to head to their polling stations, with presiding officers able to count the votes cast on the fingers of one hand, by the end of the day at least one polling station reported a zero turnout.

Once all the votes had been counted the figures ranged from 11.6 per cent in Staffordshire to 19.5 per cent in Northamptonshire, although the latter figure was helped by a much higher turnout for the high profile Corby by-election. The results took the crown for the lowest turnout for a national election by some margin.

Reaction to the turnout has broadly fallen into two camps: those who consider it a sign that the electorate have rejected the very concept of Police and Crime Commissioners and those who consider it a failure by the government to publicise the reform and the elections. The government spin suggests that the difficulty was getting people to vote for a public office they had not seen before; perhaps a subtle admission that their publicity had failed.

To a degree these are mutually exclusive arguments. If there was inadequate publicity and, therefore, general ignorance about the reform and elections people cannot have deliberately rejected them through abstention. Undoubtedly there were many who abstained as a protest against the reform, but lack of publicity and understanding is likely to be closer to the truth. Turnout in UK elections has been in general decline for decades, and this election an extreme demonstration of that. In any case, there are dangers in interpreting low turnouts as a rejection of the office up for election: on that basis pretty much every elected position in the UK, other than MPs, has been rejected by over half the electorate.

The Election Commission will be investigating turnout and reporting to Parliament. The report is not likely to make comfortable reading for those responsible for publicising and promoting the elections.

Voting system

The voting played a decisive part in eight of the contests: Gloucestershire, Hampshire, Humberside, Lincolnshire, Norfolk, Suffolk, Surrey and Warwickshire.

Had the elections been run on first past the post, and assuming the electorate did not change their voting intention, the results would have been:

	FPTP	Actual
Conservative	18	16
Labour	16	13
Independent	7	12

Clearly independent candidates were the key beneficiaries of the supplementary vote system. The Conservatives lost four of their first round leads (all to independent candidates). Labour lost three of their first round leads, the Conservatives and one to an independent. The eighth seat which saw the lead change was Lincolnshire, where the final round was between two independents (although the eventual loser had registered a political party: Campaign to Stop Politicians Running Policing).

Independents

The success of the independents was remarkable. While there was strong evidence that there was widespread support for independent candidates during the campaign, converting this to actual votes is not an easy task. In a low turnout election one might expect the odds to be in favour of political parties with well-oiled election machines getting their voters to the polling stations.

While the supplementary vote system assisted independent candidates, this should not take away from their success in making it to the final round in so many contests. Aside from the 12 contests they won, they were in the second count in a further four contests: Essex, Nottinghamshire, South Wales and West Yorkshire. It is, without a doubt, the most successful national election for independent candidates in modern British politics.

The next four years

Grant Shapps, commenting on the low turnout, said, “here’s a prediction for you: next time round I bet there’s a higher turnout.” While he wasn’t setting a high target for 2016, his argument is a strong one. The success or failure of Police and Crime Commissioners as concept relies far more on the success or failure of the actual Police and Crime Commissioners over the next three and a half years than to a low turnout at the first election.

However, the turnout may affect the perception of mandate on which the government places so much stock for the commissioners’ wider leadership roles. Some commissioners may feel unable to undertake leadership with the support of less than one in ten of the electorate and some agencies may be less responsive than otherwise. Regardless of this, some things will not change. The Police Reform and Social Responsibility Act is still on the statute book, and the powers set out in that remain so Commissioners will still be publishing police and crime plans, setting budgets and issuing grants.

The election of so many independents may prove interesting. While the party political candidates displayed some separation from their central party they would, at the very

least, have faced pressure not to deviate too far from party policy. The independents will have no such pressure, and coming from a range of backgrounds may result in some diverse approaches being adopted across the country. The neighbouring Commissioners of Ann Barnes in Kent and Kevin Hurley in Surrey are a good example. Ann Barnes had been the chair of Kent Police Authority since 2005 and campaigned on her track record, Kevin Hurley is a former senior policeman and campaigned on a platform of zero tolerance policing. Kent and Surrey are likely to see very different styles adopted by their Commissioners.

The first clues to the different approaches will come with the publication of budgets and police and crime plans over the coming months. It will take much longer to assess whether those different approaches have yielded results, but by the time the electorate come to vote, or not, in 2016 they will have seen an diverse set of policing strategies in effect across the country.

The implications for local government

The PCC: an unknown quantity

The introduction of Police and Crime Commissioners is almost without recent precedent in the United Kingdom and is not simply a replacement police authority. The government have repeatedly made clear their view that Commissioners will have a leadership rôle that extends beyond their legislative remit; even if they did not, it would be remarkable if no candidates used their democratic mandate to justify a more activist approach than police authorities ever did.

Ultimately it will be down to a matter of personality. In exactly the same way every councillor, executive member or leader will have their own style and approach, so too will Police and Crime Commissioners.

However, there will be – initially at least – a point of continuity through the Police and Crime Commissioner’s staff, which will transfer from the police authority on 22 November when the new commissioners take office. Commissioners are required to appoint a chief executive and chief finance officer, but after that are free to appoint whatever staff they deem necessary. While some changes are inevitable, and each Commissioner will take their own view, it’s likely that the expertise and experience former police authority staff will bring with them will ensure that many will remain in similar rôles.

Duty to work in partnership

Despite government references to the leadership rôle of Police and Crime Commissioners the Police Reform and Social Responsibility Act instead imposes a duty on Commissioners to work in partnership with responsible authorities, so, for example, Community Safety Partnerships and commissioners are both required to have regard to each others priorities.

The partnership requirement is, however, more of a first among equals arrangement. The Commissioner may have to have regard to the Community Safety Partnership’s priorities, but also has powers to hold CSPs to account, approve or reject their proposals to merge and give them grants.

Community Safety Partnerships will face the additional tension that each partner is likely to have their own relationship with the commissioner. Potentially this could mean they have different lines of accountability and wider expectations that are not fully compatible with the local partnerships ambitions.

The London experience

It is tempting to suggest that London’s experience is that life with a Police and Crime Commissioner isn’t all that different to life with a police authority. Certainly the man on the Clapham omnibus would probably not have noticed the change from the Metropolitan Police Authority (MPA) to the Mayor’s Office for Policing and Crime (MOPAC), the London equivalent of the Police and Crime Commissioner.

The same could probably have been said for most practitioners. The high profile of the Mayor of London plays a role. Ken Livingstone and Boris Johnson had both stamped their authority on the MPA through their appointments – in some ways the

creation of MOPAC merely formalised this. Indeed, Boris Johnson had effectively dismissed Ian Blair as Metropolitan Police Commissioner in 2008.

Therefore, at an operational level the transition has not made that much difference, at the frontline everyone continues with their work much as they did before. Grant funding may come from MOPAC rather than as part of the area based grant, but it covers much the same work, and while there are uncertainties about the future, these largely relate to funding issues that currently permeate every part of public sector. Things may change as MOPAC flexes its muscle more, but discussions and concerns about performance remain as evidence-based under MOPAC as they were under the MPA.

London may be an imperfect example. The Mayor has a much wider rôle than a Police and Crime Commissioner; while crime is always an important electoral issue, he does not share the same pressures as a Commissioner judged solely on crime. However, it is the only precedent that exists and suggests change will not be revolutionary and, initially at least, will be focused on policing.

An unarmed sheriff?

All the candidates present themselves as able to reduce crime, offering solutions like more police officers, zero tolerance or harsher sentencing. But can they really deliver on those promises?

Maybe, but they will not be able to do it alone. Their powers and discretion are limited, and they do not have direct control over large areas that could be considered part of their wider remit.

Starting with their formal powers. They have to issue a police and crime plan: but this must be written in consultation with the chief constable, they must obtain the views of the community, and they must have regard to the Strategic Policing Requirement set out by the Home Secretary. Their power to hire and fire chief constables is limited to a pool of pre-qualified candidates. They can set a budget, but the precept will be subject to the same capping and referendum criteria (a maximum two per cent increase next year) as local authorities. In other words, there are a series of limits on their range of action.

Much has been made of the fear of politicisation of the police and commissioners will, uniquely, have to swear an oath of impartiality on taking office. The oath is largely unnecessary; it may serve as a reminder to commissioners and those around that they cannot engage in bald partisanship, but there are few politicians in the UK who cannot or do not represent the whole electorate once elected. Likewise, the promise not to influence operational policing merely reinforces existing law that prevents politicians being involved in such matters.

Where Commissioners will have significant powers are their ability to allocate grants in line with their identified priorities. Previously allocated nationally via the area based grant community safety funding will now come through Police and Crime Commissioners. The risk to some councils is that their commissioner's priorities do not align with their problems and, as a result, their grant is diverted elsewhere, possibly outside the local authority sector. While the previous funding régime was

formulaic and often imperfect, it did have a degree of predictability and could not be driven by an individual. It remains to be seen how radical Commissioners might be in changing the funding allocations in their areas.

Where the commissioners power really lies is in their potential ability to act as leaders in their areas: to use the sheriff analogy, they may be unarmed, but can recruit a formidable posse. This, however, will be an individual skill, they will be coming fresh to a landscape that already includes many formal and informal partnerships. How successful they are at persuading those partnerships, or creating new ones, will be the acid test for their effectiveness.

What should councils be doing?

Now the first Police and Crime Commissioners have been elected, and are preparing to take office on 22 November, what should councils be doing (if they haven't already)?

Know your new commissioner

You now know who your new Police and Crime Commissioner will be. For some the name might be familiar, and even a member of your authority. For others some research will be required. Either way, it is essential to understand the policy position of the Police and Crime Commissioner.

Their election website and manifesto should provide an idea of the issues they are likely to consider important and, by inference, will give some indication of those issues they consider less important (although bear in mind that an election platform will not be the whole picture). While Police Authorities exercised collective decision making meaning an individual member's beliefs and prejudices mattered relatively little the Police and Crime Commissioner will be making decisions alone; understanding the vision that guides that decision-making will make a big difference.

Know your partnerships

Partnership working is a way of life for many in the public sector, whether they are formal arrangements between agencies, or informal, frontline working practices that help get the job done and the outcomes you want, councils are increasingly involved in multi-agency delivery and you need to consider what those other agencies are thinking.

However much you value the partnership, others in it may be facing other pressures. This will especially be the case for those agencies who operate beyond your council boundaries and may find the Commissioner's priorities diverting their attention and resources. This might not be a bad thing, those resources might be coming your way, but it is important to recognise and anticipate how the new Commissioner might affect others as well as yourself.

Identify the risks

Change is always a dangerous time. There can be no guarantee that the Commissioner's priorities align with your council's priorities, or even if they do, that the Commissioner gives them the same weight: for example, you might both consider anti-social behaviour a priority, but the Commissioner may want to target low-level offending while you have concentrated on the worst offenders.

Unless your thinking is perfectly aligned with the Police and Crime Commissioner's thinking there will be differences in priorities and, therefore, the risk that funding allocations will change. You might already have identified these risks, but now the election is over you can know with more certainty and start, if necessary, preparing for any funding or resourcing changes that may follow.

Identify the opportunities

Just as there are risks, there will be opportunities. If the Commissioner's priorities means some areas see cuts, then (leaving aside the general reductions in spending) there is the implication that it is to move resources to other areas.

The new Commissioner may have a priority to target specific areas, perhaps geographical hotspots or particular crime or disorder types. Assessing these priorities against your own area may highlight potential projects which had previously not been considered or were under-funded that could be pursued with the new Commissioner.

Prepare your cases

With the Police and Crime Commissioners taking responsibility for grant payments from 2013 it will pay to have gathered the evidence to support your case for when they come to make that decision.

Obviously the commissioner will have access to lots of data. However, it is unlikely they will have insight into the effectiveness of all the work that is taking place. Being able to demonstrate not only a need, but effective work leading to positive outcomes not only assists your case, but may also assist a commissioner in learning and spreading best practice.

Conclusion

The focus on turnout before the election was largely irrelevant. The legislation in place pays no regard to the size of the mandate, and while ministers were frequently pressed to defend the reform in the face of seeming apathy it never stopped them adding to the Police and Crime Commissioner job description. While, in some ways, they are merely replacements for police authorities with relatively little formal power, they represent a step change in the democracy accountability and service provision for this country. And how they work over the next few years could have profound implications for how local government is viewed and delivered in the future.

Laboratories of democracy

While the concept of laboratories of democracy may be American (made popular in an 80 year-old court case) the UK can proudly highlight a history of local government acting as the innovator in developing policies that were then adopted nationally. The trend in recent decades has seen this record weakened through legislative proscription, central government targets and even the media pressure against 'postcode lotteries' but Police and Crime Commissioners have the potential of re-awakening a spirit of local innovation and competition.

First, a single person is the decision maker. While their actions will be scrutinised by the Police and Crime Panels, and ultimately the electorate, the natural delays and compromise that are built into collective decision making will be removed.

Second, the background of individual Commissioners will predispose them to different approaches to the same problem. Those from a criminal justice background will bring a different mindset to one whose background is in business.

Third, the pressure of focus on a single issue, with individual accountability, may make Commissioners more amenable to new approaches if they feel existing practice has not been successful, or not been successful enough.

In all likelihood this is a Utopian dream. The pressures of media and electoral accountability, as well as pressure from party HQs for those elected on a political label, will probably result in risk-averse Commissioners. However, the prospect of even one Commissioner trying something different and changing the way services are delivered and improving outcomes make it an enticing prospect.

A model for other services?

If Police and Crime Commissioners are deemed successful, there is the question of whether the model could be repeated elsewhere, and what impact this will have on local government?

In modern times the UK has tended to elect generalist politicians to collective bodies, any specialism from a portfolio comes from appointment, not election, to that portfolio. Even the relatively recent innovation of directly elected mayors has only changed the election to that of an executive, rather than deliberative, position – the mayor still has general responsibility for a range of public services.

It has taken a little over a decade to move from the first serious thoughts within the major political parties of directly elected commissioners to the first elections. Now the precedent has been set other services could move that way much more quickly. Could, for example, education commissioners step in now that we are increasingly in a world of free schools and academies rather than local authority maintained schools? Despite their youth, how long will it be until Health and Wellbeing Boards are accused of being invisible and unaccountable?

Measuring success

Ultimately it will be the electorate in 2016 who decide the success or failure of Police and Crime Commissioners. And arguably the Police and Crime Commissioners will never be the masters of their own destiny; whatever their powers, factors like the economy, education and housing will always play as much a part in crime (and electoral success) as the police on the street or the punishments meted out by the courts.

However, since the Police Reform and Social Responsibility Act was passed hundreds have touted themselves as being the ones best able to fill the rôle – now just 41 are left, the country's first Police and Crime Commissioners.

During the election they tended to define their campaigns in narrow terms: police numbers, privatisation, zero tolerance were touted again and again. Now they have been elected they will have to pick up the wider challenge of a mandate to reduce crime, and using it to provide leadership across a range of agencies. None will find it easy and none will find overnight success, but it will be fascinating to watch and to assess the difference they make.

In 2016 will we be able to look at 41 police areas and see the positive impact made by 41 Police and Crime Commissioners? Or will we be yearning for a return to those invisible police authorities? Only time will tell.

Useful resources

The Home Office's Police and Crime Commissioners website:

<http://www.homeoffice.gov.uk/police/police-crime-commissioners/>

The Association of Police and Crime Commissioners:

<http://www.apccs.police.uk>

Top of the Cops:

<http://topofthecops.com>

Your Next PCC:

<http://www.yournextpcc.com>

The Guardian datablog:

<http://www.guardian.co.uk/news/datablog/2012/nov/16/pcc-election-results-police-crime-commissioners>

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About the LGiU:

The LGiU is an award winning think-tank and local authority membership organisation. Our mission is to strengthen local democracy to put citizens in control of their own lives, communities and local services. We work with local councils and other public services providers, along with a wider network of public, private and third sector organisations.

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