

**Manchester City Council
Report for Resolution**

Report To: Executive – 15 September 2010

Subject: Home Office Consultation: Policing in the 21st Century:
Reconnecting Police and the People

Report of: Chief Executive

Summary

This report summarises a Government White Paper on the future of policing and proposes key points for a response from the Council.

Recommendation

That a response from Manchester to the White Paper be formulated in the light of comments expressed by the Executive and that the Chief Executive be authorised to approve the final response following consultation with the Chair of the Executive.

Wards Affected:

All Wards

| Community Strategy Spine | Summary of the contribution to the strategy |
|---|--|
| Performance of the economy of the region and sub region | This report proposes that governance of policing should not be separated out from the wider governance of the future economic, social and physical development of the sub-region. |
| Reaching full potential in education and employment | This report proposes that governance of policing should continue to be strongly related to enabling people to reach their full potential by reducing offending behaviour and reducing re-offending. Individual commissioning at the level of individuals in the context of their families at neighbourhood level will be critical to this. |

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| Individual and collective self esteem – mutual respect | This report proposes that our response to the White Paper should emphasise the critical importance of a One Team approach to police and other public services enabling residents to have respect for themselves, their neighbours and their neighbourhoods, particularly in playing their part of tackling anti social behaviour. |
| Neighbourhoods of Choice | Integration of neighbourhood policing with Council and other services at neighbourhood level will be a key priority for the Council in the delivery of its neighbourhood focus strategy. |

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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Background documents (available for public inspection):

Policing in the 21st Century: Reconnecting Police and the People, Home Office July, 2010

Minutes of AGMA Executive 27th August, 2010

1. Introduction

The Government has published its intentions for reform of Policing in England and Wales in the White Paper "Policing in the 21st Century: Reconnecting Police and the People". The White Paper can be found at CPGcommunications@HomeOffice.gsi.gov.uk or copies can be obtained from the contact officers listed at the start of this report.

The White Paper contains proposals to reform operational policing and strategic management and commissioning of police services, including fundamental changes to accountability and partnership working.

This report informs the Executive of the main proposals of the White Paper. The report then proposes key points of principle to form the basis of response from the City Council, having regard to the relevance of the Government's proposal to future delivery of the Community Strategy and the Greater Manchester Strategy. The consultation period ends on 20th September and it is recommended that a response from Manchester be submitted based on the comments of the Executive and that the Chief Executive be authorised to approve the final submission in consultation with the Chair of the Executive.

The White Paper was considered by the AGMA Executive Board on 27th August. The Board agreed that a general response from AGMA will be brought forward for consideration and approval of the AGMA Chairs and Vice Chairs by the Chief Executive of the Police Authority.

Following consultation on the White Paper, the Government intend to introduce a Police Reform and Social Responsibility Bill in the autumn.

The key areas covered in the White Paper (and summarised in section two below) are:-

- Increasing democratic accountability
- Removing bureaucratic accountability
- A new national framework for efficient local policing
- Tackling crime together (this section covers partnership with local authorities)

2. The Main Proposals of the White Paper

2.1 Increasing Democratic Accountability

2.1.1 Elected Police Commissioners

The White Paper states unequivocally that Police Authorities will be abolished and replaced by directly elected Police and Crime Commissioners.

A single Commissioner will be directly elected at the level of each Force area. He/she will have a four year term of office will be able to serve a maximum of two terms. Legislation in the autumn will mean that the public will have the first vote for

Commissioners in May 2012. It is likely that a preferential voting system will be used.

Once elected, the Commissioners will have five key roles:

- Representing and engaging with all those who live and work in the communities in their force area and identifying their policing needs;
- Setting priorities that meet those needs by agreeing a local strategic plan for the force;
- Holding the Chief Constable to account for achieving these priorities
- Setting the force budget and setting the precept. Reporting to the public on how funding is being used.
- Appointing and, where necessary, removing the Chief Constable.

Commissioners will be enabled to play a role in wider questions of community safety and the Government is considering bringing together crime and disorder reduction partnerships at force level to deal with force-wide community safety issues. Commissioners may also be given a role in commissioning community safety work from agencies other than the police. This is currently a function of local partnerships.

2.1.2 Police and Crime Panels

Police and Crime Panels will be established to provide a balance to the power of the new Commissioners. Their role will be to ensure that there is a robust overview at force level and that decisions of the Police and Crime Commissioners are tested on behalf of the public on a regular basis. Panel members will be drawn from locally elected councillors and independent and lay members. The Panels and their work relate to the Commissioner and not the force itself.

The Panel will be able to advise the Commissioner on his/her proposed policing plan and budget for the force and consider progress at the end of each year outlined in a 'state of the force' report. If the Panel objects to the Commissioner's plans or budget they will be free to make their concerns public, or in cases of misconduct, to ask the Independent Police Complaints Commission (IPCC) to investigate the Commissioner.

They will be able to summon the Commissioner to public hearings, take evidence from others on the work of the Commissioner and see papers sent to the Commissioner as a matter of course except where they are operationally sensitive. They will also have a power to trigger a referendum on the policing precept recommended by the Commissioner.

2.1.3 Neighbourhood Beat Meetings

Police forces will be required to hold regular 'beat meetings' so that residents can hold them to account. Commissioners and the Police will be responsible for ensuring that their forces' neighbourhood policing teams are having regular beat meetings at times and in places that are widely advertised. Forces are expected to take an innovative approach to making the most of these meetings and other ways of engaging the full range of members of the public in diverse communities.

2.1.4 Publishing Crime Data

From January 2011, all crime data will be published at a level which allows the public to see what is happening on their streets and neighbourhoods. The government aims to ensure that the police are in a position to publish data frequently in order to bring the UK in line with best practice from other countries (some of which publish information every week)

2.1.5 Her Majesty's Inspectorate of Constabulary (HMIC)

HMIC will become a stronger advocate in the public interest, independent from the Government and the police service. HMIC will be given the powers to be able to undertake this role with a view to providing the public with objective and robust information on forces.

2.2 Removing Bureaucratic Accountability

2.2.1 Cutting the bureaucracy imposed by Whitehall on police forces

The White Paper states that government will continue to have a role in setting the national strategic direction for the police, but it will have no role in holding them to account for how well they have done.

2.2.2 Reducing bureaucracy and promoting professional judgement

Specific measures for reducing police bureaucracy include:

- The national requirement for the 'stop' form will be abolished in its entirety by the end of the year. Currently, people who are stopped and searched should receive a written record of the search or a receipt of the stop at the time of the event. All the existing stop and search procedures will be reduced dramatically.
- From November 2010 charging decisions will be returned to police officers for a broader range of summary offences
- Health and safety practices will be reviewed to get away from a risk aversion culture that can sometimes prevent police officers from intervening and protecting the public.

Bureaucracy across the whole criminal justice system will be reduced. By September, HMIC will have completed its analysis of the criminal justice system and how it can be improved to reduce bureaucracy. Its findings will be used to identify specific measures to improve the system.

2.2.3 A national framework for efficient local policing

Key aims of the new national framework include:

- Better value for money in local policing –this will entail a review of remuneration and conditions of service for police officers and staff.
- Better collaboration between forces to save money on back-office and operational support functions, and tackle serious and cross-boundary criminality more effectively.

- Simplifying national arrangements, including creating a new National Crime Agency that will lead the fight against organised crime, protect national borders and provide services best delivered at national level.

To achieve these aims the government intend to

- introduce a duty on forces to collaborate with other forces
- look at how the private sector can play a role in delivering services for groups of forces – e.g. custody facilities.
- Introduce a national system for procurement to achieve efficiencies.

2.3 Tackling Crime Together

A new crime strategy will be published later in the year that will describe how the ‘Big Society’ will prevent and reduce crime.

Government aims to restore confidence in policing so that more people get involved and residents are ready to act as witnesses, confident that they will be supported when they stand up against anti social behaviour. Citizens will be encouraged to take part in joint patrols.

Steps will be taken to make it easier to access the police and report crime and anti social behaviour. The Government will seek to establish a cost effective way of establishing the number ‘101’ as a single national police non-emergency number.

The criminal justice system will be made more transparent, more accountable and focused on the needs of victims. This will entail:

- Sentencing reform to ensure that it is effective in deterring crime, protecting the public, punishing offenders and particularly cutting re-offending;
- Developing a new approach to the rehabilitation of offenders. To stimulate innovation, existing provision will be opened up to the private and not-for-profit sectors.
- Reviewing the prison estate’s contribution to rehabilitation and reducing re-offending and developing a sustainable and cost effective prison capacity strategy as part of the Spending Review.

Some of the regulations for Crime and Disorder Reduction Partnerships will be repealed but the core statutory duty on key partners to work together will remain. Crime and Disorder Reduction Partnerships will have the flexibility to decide how best to deliver for their communities. Consideration is being given to powers that would bring together Crime and Disorder Reduction Partnerships at the force level to deal with force wide community safety issues. As indicated above, Police and Crime Commissioners would be given a role in commissioning community safety work.

3. Key Points to form a response from the City Council

3.1 Context to our response: the Council’s role in reducing Crime and Disorder

Over the past five years, there have been significant reductions in crime and improvements in public confidence in Manchester. It is the view of the Chief Executive that these achievements would not have taken place without a strong multi-agency partnership led by the Council and the Police. It is our intention to go forward with a refreshed Crime and Disorder Reduction Strategy from 2011.

Manchester's current Crime and Disorder Reduction Strategy, the One Team strategy, contains specific targets as an integral part of the Local Area Agreement. Whilst these instruments and attendant targets will cease to exist after the end of the current financial year, our residents continue to tell us that crime and anti-social behaviour reduction are at the top of their priorities. Our success in tackling gun/gang violence which earned us a green flag in the Comprehensive Area Assessment and our approach to neighbourhood delivery through the Respect programme are examples of where we have improved confidence. Manchester is both perceived to be, and in reality is, a safer City as a result of our collective efforts.

Notwithstanding the uncertainty caused by the Government's reforms, the Council will be working closely with all of its partners, with elected Members and with local people to identify the issues that matter most to them and put these at the heart of our continued work on crime and anti social behaviour for the coming three years. As in previous years, we expect to focus on reducing serious acquisitive crime, reducing serious violence (including domestic abuse), reducing re-offending amongst adults and young people, tackling drug and alcohol abuse, reducing anti-social behaviour and tackling the crime of most concern to local residents and improving public confidence.

Public service reform will feature strongly in our new strategy, exploring new relationships with the voluntary, community and private sectors. We will continue to tackle the drivers of crime, particularly drug and alcohol misuse, worklessness, dependency and lack of aspiration. We will continue to develop strong integrated commissioning with a firm focus on neighbourhood delivery. Empowering local people to take responsibility through the development of the 'community force' will grow public engagement and public confidence.

Manchester has consistently pushed at the edges at the national crime and anti social behaviour agenda and often set the context and the pace for innovation and change.

Four specific workstreams in the current programme that chime with the government's reform programme are:

- Integrated Neighbourhood Working – Joining up Council, Police and other resources, co-locating teams and maximising collective enforcement effort at neighbourhood level.
- Community Force – empowering local people to take responsibility for reducing crime and disorder, to act as community champions and to hold public agencies accountable.

- Transforming justice – using cost benefit analysis as the basis for a programme of local reform, reducing costs in the justice system and redistributing those savings back in to local areas.
- A new approach to rehabilitation – transforming our drug and alcohol services to focus on recovery and reintegration.

The Council's response to the White Paper should be designed to enable it to continue to play this strong role in tackling crime and disorder issues which remain at the top of residents' priorities and which are critical to the future growth and prosperity of the City.

3.2 Police and crime Commissioners

The White paper offers no evidence that directly elected Police and Crime Commissioners will have a greater impact on cutting crime and disorder within reducing budgets than any other arrangement. There are two fundamental questions. First how will accountability through a single person at Greater Manchester level improve accountability to local communities for what are essentially neighbourhood issues. Second how will this form of accountability improve the prospects for genuine localism i.e. fundamental reform across public services based on the particular needs of people and place? An opportunity is being missed to build on accountability at the level of Councils where, in Manchester we have democratically elected Councillors have key role through an Executive Member with responsibility for crime and disorder, and Overview and Scrutiny Committee with a statutory role in overseeing community safety and Ward Councillors with opportunities to engage at neighbourhood level through Neighbourhood Partnerships.

However the proposal for directly elected Commissioners reflects a specific commitments made in the Coalition Agreement and the Government is not consulting on whether they should happen, but how best they can be implemented. It is therefore important to include in a Manchester submission proposals to mitigate the risks that the White Paper proposals will reduce accountability through local government and make it harder to integrate policing with wider public service reform at local level.

3.3 Governance

If the powers of the Police and Crime Commissioner proceed on the basis set out in the White Paper, it will be important for the Council to argue for those powers to be set within the context of the wider and recently strengthened governance of Greater Manchester. This is to ensure that policing does not become separated from the wider tasks of responding to residents at neighbourhood level , reducing the drivers of offending behavior and contributing to the economic , social and physical development of Greater Manchester. .

The Commissioner will have the power to produce a local strategic plan for the police force. It would be helpful for this plan to be agreed jointly with the Executive Board of AGMA so that is consistent with and contributes to the Greater Manchester Strategy.

The proposal in the consultation paper is for the Commissioner to have the power to set the force budget and set the precept. The intention of the Home Office is to “make precept raising subject to referendums”. The Home Office say that further detail will be set out by the DCLG. The consultation paper from DCLG on local referendums to veto excessive council tax increases came out in July and proposes that any precepting authority proposing to set an excessive (judged against principles set by the Government) council tax increase would have to hold a referendum offering a choice between a shadow budget set within the Government’s principles and the higher budget. This will apply to Police and Crime Commissioners. The referendums would be organised by the billing authorities, i.e., for Greater Manchester, each of the ten councils.

The only real check on a Commissioner in setting the precept will, therefore, be by government capping backed up by referendums. This separates the governance of policing from the governance of the wider economic, social and physical development of the sub region. It also relates only to the size of the precept, it provides no local democratic input, other than the single person elected as Commissioner, to the value for money achieved from the precept.

To balance this, the power for the Commissioner to set the force budget and set the precept could be made subject to approval by the AGMA Executive Board. As a Joint Committee, the Board could be given this power. In future the Commissioner’s proposals for the local strategic plan for the police force and the budget and precept could be subject to agreement with the Greater Manchester Combined Authority reflecting Government confidence in this as a robust form of governance to integrate and prioritise resources.

3.4 Neighbourhood Focus

The consultation paper recognises the improvements that have been made in the responsiveness of policing since the introduction of neighbourhood policing. Local crime and anti social behaviour problems remain at or near the top of residents’ priorities for their neighbourhoods. An elected Commissioner and a single Panel (see below), however constituted, will not on their own ensure the direct accountability at street and neighbourhood level needed to respond to this priority.

The proposal that police forces be required to hold regular ‘beat meetings’ is unnecessary in Manchester as there are already Neighbourhood Partnership meetings linking to Local Tasking and Partnership Business Groups. However, within the context of wider governance referred to above, there could be a requirement for local authorities and the Commissioner to work in partnership to establish arrangements to engage Ward Councillors as locally elected representatives in the exercise of policing and other public services which deal with crime and anti social behaviour. This should be coupled with the right of residents to request that their ward Councillor submit specific crime and anti-social behaviour issues for consideration by the relevant Council Overview and Scrutiny Committee which should retain powers to call in the police and other agencies with a role in resolving the issue. This would be in line with the objectives of the White Paper which are to both improve local democracy for policing and reduce the crime and anti social behaviour issues that matter most to local residents.

3.5 Policing and Crime Panels / Crime and Disorder Partnerships

The consultation paper proposes Police and Crime Panels in each force area “drawn from locally elected councillors from constituent wards and independent and lay members who will bring additional skills, experience and diversity to the discussions”. They will have a power to trigger a referendum on the policing precept recommended by the Commissioner. As referred to above, this is not a power to directly limit increases or to have any direct impact on value for money.

There is no clarity in the consultation paper about how Police and Crime Panels will be constituted. It should be for local areas to determine the composition of any Panel and how it fits to local governance arrangements. In Greater Manchester, the Panel could form part of the AGMA governance arrangements (for example, the Public Protection Commission) linking to the power of the Executive Board in relation to precepts. Governance within AGMA would also give a voice to the private sector which does not feature in the White Paper.

There is a lack of clarity in the White Paper about the government's views about the future role of Crime and Disorder Reduction Partnerships. The leadership role of local government in these partnerships is essential if the reform of policing is to be fully part of place based reform of public services, particularly reform of the criminal justice system and reducing offending. There is proposal to bring together Crime and Disorder Reduction Partnerships at force level to deal with force-wide community safety issues and to give the Commissioner a role in commissioning community safety work from agencies other than the police. Whilst force wide community safety issues should be dealt with at a Greater Manchester level, this should be through the AGMA Public Protection Commission and should not limit the roles of district level Crime and Disorder Reduction Partnerships. Local partnerships must retain a commissioning role if we are to integrate commissioning around individuals and families at neighbourhood level.

3.6 Value for Money

The White Paper does not present sufficient challenge to value for money in policing. There are proposals to increase the role of Her Majesty's Inspectorate of Constabulary in relation to value for money and to give the Association of Chief Police Officers a formal role to play in setting standards and sharing best practice. Both organisations are more likely to focus on the silo based improvements and efficiencies than cross agency reforms. There is insufficient emphasis in the White Paper integrating police roles. For example by integrating the delivery of neighbourhood policing with council and other public service enforcement functions layers of management can be reduced with single, not duplicate, supervision bringing more effective as well as cheaper tasking of officers on the ground. Substantial savings could be made by having joint teams co-located in premises that have better access for residents. The traffic role of police officers could be also be more integrated with other public services, potentially at lower cost and with improved outcomes. The White Paper looks at improvement and efficiency from a police rather than a whole public service perspective.

Finally there is a substantial centralisation of policing proposed in the White Paper by the creation of a National Crime Agency. There are also proposals for national prescription on, for example, procurement and back office integration, ignoring the opportunities for local economic benefit from procurement across public sector boundaries in localities and potential efficiencies from integration of back office across agency boundaries.

4. Conclusion

4.1 The Council's response to the White paper will be finalised in the light of comments by the Executive on this report.

4.2 We will also seek to align our response with that of AGMA. The Executive Board of AGMA on 27th August considered the White Paper and asked the Chief Executive of the Police Authority to formulate a general response for consideration and approval of the AGMA Chairs and Vice Chairs.