

# *The Police Foundation*

POLICE FOUNDATION LECTURE

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THE RT HON DOUGLAS HURD CBE MP

THE HOME SECRETARY

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SECRETARY, THE RT HON DOUGLAS HURD CBE MP

There is always a temptation to take a rosier view of history than the facts justify. In this respect policing is like most other topics. We look back to a golden age which never quite existed. The relationship between the British people and the citizens in uniform who police them has not always been one of unalloyed co-operation and respect. The police have, from time to time, found themselves the focus for the frustrations of malcontents - sometimes not because of police actions but because they happen to be convenient representatives of 'authority'. But having reminded ourselves that policing in the past was not always plain sailing we have to concede that the demands facing the police today are greater and more diverse than ever before.

The police sometimes feel that they are being pulled in conflicting directions. In fighting the most serious categories of crime the level of sophistication expected of them increases by leaps and bounds; but at the same time the public expect a police service which is comfortable, providing reassurance at the street corner, and responding skilfully to local concerns.

The range of skills which the police service must now command is formidable. They must shadow and master the dangerous, labyrinthine and increasingly international world of terrorism. They must combat the corrosive trade of the drug barons. They must unravel highly complex frauds perpetrated by subtle minds in the kaleidoscope of international finance.

For these special challenges Government has to provide additional powers to the police and the courts. Hence the special powers provided by the Prevention of Terrorism Act and the need for Government to ensure that there are no political barriers to the free exchange of information between the police and intelligence agencies in the Western democracies. Hence the

tough confiscation powers which have been given to the courts for use against drug traffickers. Hence, the tightening of company law in recent years and the setting up of the Serious Fraud Office.

But these crimes, although posing a serious threat to society, are not typical of the great mass of crime with which police officers have to wrestle. The reputation and success of the police service depend crucially on the success of the police officer on the beat who is the first line of contact with the public. In an age where deference is scarce officers will often need to earn respect and co-operation - however much your and my instincts cry out that it should already be forthcoming. So at one level the increasing complexity of crime suggests the need for police officers to become specialists. At another they have to relate to the everyday concerns and complaints of their fellow citizens.

So year by year policing requires a yet broader range of aptitudes. The common expectation is professionalism. The Police Service is, I believe, well placed to meet that expectation given the high quality of recruits, the improved conditions of service, the investment in better training and equipment and the commitment of officers at all levels to working in partnership with the community in tackling crime. Community policing is not a fad or a euphemism for soft policing. Community policing goes back to the roots of the Police Service. The police cannot fight crime effectively by rushing about hither and thither in a vacuum of information. 'Community' policing is about gaining the trust of local people and using the support and information thereby gained to increase the security and confidence of the neighbourhood and to maintain the Queen's Peace.

### Training

Professionalism requires the melding together of personal qualities of leadership, self discipline and initiative with first class training. I have given my full support to the work being done under the auspices of the Police Training Council to improve the quality of training at all levels. In recent years

training for practically every rank has been reviewed right through from the probationer constable to the highest levels of command. For the first time a systematic attempt is being made to link training with career development.

Rightly much more emphasis is being placed on the development of management and leadership skills. In recent years throughout the public services there has been a transformation of the role of senior officers. Senior officers are now expected not only to possess the traditional qualities of operational command; they must also be effective managers of limited resources. A key role in developing these qualities is now being played by the Police Staff College at Bramshill. The constant challenge for the College is to ensure that it remains the centre of excellence in police training and that in so doing it not only keeps abreast of change in the service but also stays one step ahead of the Service's evolving needs.

#### Legislation

During the election the constitutional position of the Police Service became a matter of controversy. The prospect opened on one flank of a Royal Commission on the police and on the other of the police being made subject to political interference. I firmly believe that the Police Service must be responsive to local views. I know that most Chief Constables are at pains to involve their Police Authorities in discussing their problems and priorities; the network of Consultative Groups has added another channel through which concerns can be expressed. But the operational independence of the police must not be diminished and the police must not be beholden to any political tendency. The Police Service exists to preserve the Queen's Peace and to serve the whole community regardless of political affiliation. Enforcing the rule of law should not be a matter for Party debate.

The election result lifted this cloud of uncertainty. There will now be a period without substantial changes of the law governing the police. We have no intention of interfering with the fundamental balance of the tripartite system set out in the 1964 Police Act. That structure has its problems. It created careful checks and balances and was designed to be operated by

reasonable people. That quality of reason has sometimes been lacking - although relationships have improved noticeably since the abolition of the Metropolitan Counties and the establishment of the new Joint Authorities. The partnership between central and local Government and Chief Officers generally serves us well. The existence of 43 police forces breeds diversity and new ideas; it is right that the police should have their roots in local communities.

Over the last few years the Police Service has absorbed a great deal of legislative change covering public order, prosecution arrangements and police powers. There is now a need for a period of stability and consolidation while these and other changes are digested. The Police and Criminal Evidence Act represents the most thorough-going reform of police powers for 150 years. Its introduction has not been without pain and the training effort which accompanied it was without precedent. The essence of the Act was, of course, the need to strike a balance between increasing powers on one hand and making officers more accountable for their exercise so as to guard against any abuse of the powers. Thus the Act extended police powers of arrest and stop and search. But at the same time it introduced new safeguards; record-keeping, tape recording, access to legal advice and complaints. The temptation is to see such provisions as cutting across each other when the contrary is true. Both sets of provisions strike at the same objective of increasing public confidence in a police service equipped with effective powers. Confidence will not thrive where the police are perceived either to be ineffective in tackling or preventing crime or where instances of abuse of authority go unchecked. The police have been given the powers which befit a highly trained and professional force. It is right that they should be required to exercise those powers professionally.

Now that it has had a period in which to bed down many of the changes made in the Act are widely welcomed. The advent of tape recording is increasing the confidence of the courts in police evidence; the number of guilty pleas and reducing the number of challenges to police evidence. By 1991 tape recording should be available across the country. This should overtake much of the

discontent over the requirement that contemporaneous notes of interviews with suspects should be taken. Let us not forget that this requirement contained in a code made under PACE followed changes in practice in a number of forces. Force by force the police were already finding that if they wanted to get convictions they had to produce a contemporaneous record. The Code of Practice provides an exemption where such note-taking is not practicable or would interfere with the conduct of the interview.

Increased familiarity with the powers seems to be stimulating a recovery in the number of crimes 'cleared-up' after a fall during the early months of 1986. The figures so far this year are better. Earlier this year my Department carried out a trawl of police and other organisations to identify where the shoe was still pinching. The responses to our study suggested that while some minor changes of practice may be needed there is no need to question the fundamental balance struck in the Act.

A few forces have suggested that the strengthened right for an accused person to have a legal adviser present may have increased their difficulties in bringing the guilty to book. I understand this concern but I must make it clear that I do not think it would be right to change this arrangement; access to a legal adviser is a fundamental safeguard. However, in the light of changing circumstances, including the advent of tape recording and other safeguards, it is right to consider whether the right balance is being struck between the interests of a person suspected of crime and the interests of society as a whole in bringing criminals to justice. A case in point is the debate which has been conducted over many years about the use which can be made in court of a defendant's failure to answer police questions. Fifteen years ago the Criminal Law Revision Committee made a limited recommendation, confined to cases where the accused failed to mention to the police a fact on which he subsequently relied for his defence. The subject arouses strong feelings and ten years later it divided the Royal Commission on Criminal Procedure.

We should be ready to look at these questions every so often with fresh eyes. Is it really in the interests of justice, for example, that experienced criminals should be able to refuse to answer all police questions secure in the knowledge that a jury will never hear of it? Does the present law really protect the innocent whose interests will generally lie in answering questions frankly? Is it really unthinkable that the jury should be allowed to know about the defendant's silence and, in the light of the other facts brought to light during a trial, be able to draw its own conclusions.? I shall not seek to provide answers now. But I think these are questions which informed public opinion might address over the coming weeks - without preconceptions or prejudice.

I turn to the problem of offensive weapons. Some officers, despite the stronger stop and search powers contained in PACE, believe their powers to be insufficient. I have studied recent reports about the increased carrying of knives by young thugs with grave concern. It must be clear that those who carry knives are likely to be putting themselves as well as other members of the community at increased risk. We cannot allow the carrying of personal weapons to become a routine occurrence. I am looking at what the most effective way of strengthening the law might be. I am already sure that the sale of offensive weapons which have no legitimate use should be more tightly controlled. These changes will, so far as possible, be pursued through the Criminal Justice Bill.

The Police and Criminal Evidence Act also established the Police Complaints Authority. The police themselves and the public have a strong interest in ensuring that those who abuse their authority or fall far short of the professional standards expected of the police service are rooted out. In 1986 71 officers were dismissed or required to resign after disciplinary proceedings. This is in addition to the 36 who resigned after disciplinary charges had been laid, 52 who resigned while under investigation and 30 who resigned after being charged with a criminal offence but before appearing in court. 26 other officers were either reduced in rank or pay, 251 were fined and 184 were reprimanded or cautioned.

During the passage of the PACE there was prolonged argument about whether the task of investigating complaints against officers should be taken away from the police. We judged that there was no need to set up a wholly separate investigative organisation and that serving police officers have the right skills and stand the best chance of securing full co-operation but that those investigations should, henceforth, be made subject to outside and independent scrutiny. We can now see what a leap forward that was. The Authority has the power to approve or reject the appointment of particular investigating officers and to exercise an independent eye over their work. It also reviews every disciplinary case considered by Chief Officers and may direct that disciplinary charges are brought even after a Chief Officer has taken the view that no further action is necessary. The new Authority is working well. In a string of difficult and controversial cases it has shown its effectiveness as a watchdog and its sturdy independence.

#### Citizens in Uniform

Proper powers and modern equipment are only part of what is needed for effective policing. As Sir Robert Mark has written: 'In the legal and constitutional framework in which society requires the police to enforce the law, the most essential weapon in our armoury is not firearms, water cannon or rubber bullets, but the confidence and support of the people on whose behalf we act'. The tradition of British policing is of a disciplined force of citizens in uniform. An officer may use reasonable force in going about his or her duty of protecting the community. The police remain at all times subject to the law and, on the great majority of occasions, they go about their work unarmed. This is a precious tradition which, subject to the need to give police officers adequate protection, I am committed to maintaining.

It is common but silly to portray the police today as akin to a para-military force. This is nonsense. The police have not caused picket line violence or riots by donning special protective clothing; they have needed that protection because of lawless behaviour by others. Criminals are not more likely to carry firearms because the police have, from time to time, to be



issued with them; the police carry arms only rarely and only where the circumstances dictate that they are necessary for their safety and to protect the public. It would be wrong too to imagine that the carrying of firearms by Police Officers has become more prevalent. Between 1983 and 1986 the number of occasions on which firearms were issued fell by almost a quarter. In 1986 firearms were issued on only 2,453 occasions and in only one of these operations did police officers open fire. In the early months of this year there have been two exceptional incidents. But to get a clear impression of how rarely firearms are used by the police one has only to look at the statistics for the years 1983 - 1986 inclusive in which shots were fired by the police on only 17 occasions in total.

#### Police Manpower

Since 1979 the police have been given a higher priority for public spending than any other major service. The resources going to the police have been increased by almost a half, after allowing for inflation. This has yielded an increase in the manpower available to the police of some 17,500 - of which 11,300 are extra officers. Some of this increase has been accounted for by the new demands made upon the police in that period and by improvements in the conditions of service - and we had to make good several years of neglect by our predecessors. Nevertheless, this represents a huge extra investment. We have been anxious to ensure that this extra manpower is used effectively and efficiently. I stress, once again, the quality of policing; having large numbers of officers in an area is not of itself an answer to crime, the way in which they go about their work is of equal importance.

In addition, we have put a strong emphasis on the need to use civilian support staff to undertake many duties which do not require the specialist skills of a trained officer. Civilianisation resulted in the release of over 1,000 police officers to operational duties over the years 1983-85. During 1986 some two thirds of the 893 extra civilians recruited in provincial forces enabled extra police officers to be released for operational duties.

Civil staff cost approximately half as much as trained police officers. There remains plenty of scope for civilianisation. In the West Midlands, for instance, an increase of 427 in the number of civilian staff approved in the present financial year should release 382 police officers for crime fighting duties. It is well worth remembering that it takes five police officers to provide 24 hour cover, 365 days a year for a single post. At £21,000 per officer, excluding overtime and travelling costs, that amounts to £105,000 per 24 hour post per year. That is what it costs to keep a police presence of one in a particular place round the clock. Police officers are a valuable but highly expensive resource and need to be used as such. We are in the middle of a further phased expansion of police manpower which started last May. I have no doubt that pressures will continue for further expansions in the future and I have little doubt that we shall need to meet them on the basis of proven need. But we should not undertake any such expansion in the future with starry-eyes. More police officers do not equate simply with less crime. An increase in a force may make the fight against crime more effective and it may increase the reassurance given to the public but it may also increase the level of recorded crime. That is not a bad thing because it means that a higher proportion of committed crime is getting reported. The police can only tackle crime if it comes to their attention. The increase in the reporting of such crimes as rape and child abuse, for example, is a positive development. The perpetrators of such crimes can only be brought to justice if the crimes are first brought out of the shadows. But no-one should look to increasing police manpower as a panacea in the long haul to edge back the tide of crime. We shall continue to approve manpower increases as forces identify tasks which need to be done and which only the police can perform.

### Crime Prevention

If we are to reverse the trend in the crime figures which has run for some thirty years it will only be through an effort to prevent crime which goes well beyond the formal criminal justice system. We must involve every citizen and the whole range of public and private agencies which have something to contribute. Housing, education, employment, social services - all these

agencies have something to offer in the response to crime. We must work towards a much closer working relationship between these services and the criminal justice system.

When you stop to think about crime for any length of time it is obvious that its prevention is not a matter exclusively for the police. This is an argument which the police and the Home Office are beginning to win. Crime is the result of millions of individual decisions often on the spur of the moment. We will never be in a situation where there is a police officer standing on each street corner ready to catch the would-be burglar or thief. Crime is held in check by the sanction of law but equally people are prevented from lapsing into crime through a complex network of values, standards and community ties which are engendered and either weakened or reinforced as we go through life.

The real hope of reversing the tide of crime lies in prevention. This can be done at many different levels. It involves schemes like Neighbourhood Watch through which groups of citizens work together with the police. It involves initiatives like the measures taken under the Community Programme or Estate Action to increase physical security measures for pensioners or for hard pressed council tenants. But it should also involve digging deeper and seeking to pre-empt lapses into crime through: education, diverting young people into constructive leisure activities, giving proper support to unstable families, improving housing management and design and through recreating a sense of optimism in those places where opportunities are scarce and crime seems endemic.

Few of these areas of action come within the traditional purview of the police but they are all highly relevant to the long term reduction of crime. Too often other agencies - public, private and voluntary - forget the crime prevention dimension to their work. We cannot afford such a blinkered approach. We need to bring the police and other constructive groups and agencies together more frequently to work together and plan together. Increasing the security of the citizen and of our communities is

emphatically not just a matter for the police - indeed, it often seems that the police are called upon to pick up the pieces when other agencies have failed.

Crime naturally generates strong feelings of anger and anxiety in our country - as it does throughout the Western world. Understandably the public look to the police, the courts and the probation and prison services for protection. We must ensure the best possible service from the formal criminal justice system. We have shown our commitment to strengthening each of them; where gaps appear in the law we shall fill them as a matter of priority. But however professional the Police Service we must have a realistic expectation of what officers can achieve alone. We all have a role to play in working as good citizens with the police in lightening the load which they must carry so that they may concentrate on bringing to justice those whose actions pose the greatest threat to the safety of the citizen and on providing reassurance which can lift the pernicious pall of fear of crime which sits on too many neighbourhoods.