

Beyond the Ballot

Lessons from electing Police and Crime
Commissioners

Police Effectiveness in a Changing World Project

Matthew Davies

Beyond the Ballot

Lessons from electing Police and Crime Commissioners

Matthew Davies

April 2014

The views contained in this paper are those of the author alone, and not necessarily those of the Police Foundation.

About the author

Matthew Davies is a third year PhD student at the University of Oxford, conducting research in collaboration with the Police Foundation into Police and Crime Commissioners. His project, 'Elected Police and Crime Commissioners: An Experiment in Democratic Policing', examines the introduction and implementation of the policy and specifically explores the wider implications for the democratic governance of the police.

About the Police Foundation

The Police Foundation is an independent think tank focused on developing knowledge and understanding of policing and challenging the police service and the government to improve policing for the benefit of the public. The Police Foundation acts as a bridge between the public, the police and the government, while being owned by none of them.

Acknowledgements

With grateful thanks to the Dawes Trust and Oxford University for joint funding the PhD studentship on which this work is based.

Contents

Contents	3
Introduction	4
1. Eligibility of candidates	4
Deposits, nominations and campaign funding.....	5
Challenges for independent candidates.....	5
Previous convictions.....	6
The role of magistrates and councillors.....	7
Candidates with police backgrounds.....	8
Broader implications.....	9
Lessons and recommendations on candidate eligibility.....	10
2. Turnout	11
Why so low?.....	12
<i>Timing</i>	13
<i>Dissatisfaction</i>	14
<i>Provision of information</i>	15
<i>Candidate campaigns</i>	17
Lessons and recommendations for voter turnout.....	18
Conclusion	19
Appendix: Methodology	20
References	22

Introduction

On 15 November 2012, Police and Crime Commissioners (PCCs) were directly elected by the public across England and Wales for the first time. The election of a single, locally-accountable figure represents a radical change to the way in which police forces are held to account. PCCs have a number of powers, including powers to set local police priorities, appoint and dismiss chief constables (with and without cause¹) and direct police and crime reduction budgets. However, the first elections for PCCs and the campaigns leading up to them were the subject of considerable criticism, which deserves thorough inspection in order to make sure that we get future elections right.

Rather than assessing the merits of the PCC policy, this paper explores the process of the PCC elections. Specifically, it addresses two of the most critical issues of the elections, namely the eligibility of candidates and voter turnout. Prior to the elections, several problems were identified in the media concerning the eligibility of candidates. Obstacles to independent candidates, the disqualification of those with prior convictions and the role of magistrates received the most significant media focus. But other, arguably equally important, questions – such as the eligibility of councillors and former police officers – drew less attention and warrant closer scrutiny.

The first section of this report identifies the core issues regarding eligibility and provides some recommendations for the future based on the lessons from the first elections. The next section provides an overview of some of the most serious problems relating to voter turnout. It identifies the fundamental failures that the Home Office and Electoral Commission should attempt to avoid in future, including timing, voter dissatisfaction, and provision of information to the electorate. It also explores the lack of digital innovation and engagement by many candidates throughout the campaigns. Based on these findings, further recommendations for improving voter turnout are presented.

These issues deserve critical attention ahead of the next elections if the introduction of PCCs is to 're-energise local democracy' (Cameron, 2006).

1. Eligibility of candidates

The Police Reform and Social Responsibility Act 2011 stipulated that to run for the position of PCC, candidates had to be 18 years old or over; British, Irish, or a citizen of a member of the Commonwealth or European Union; and registered to vote within the police force area in which they hoped to stand.² Candidates were excluded from the role if they had ever been convicted of an imprisonable offence or at the time of nomination and polling day were subject to debt relief or bankruptcy restrictions, were directly or indirectly employed by the police, or were a civil servant, a member of the armed forces, a judge, or a member of staff of a local council. Those already elected to the Welsh Assembly, Scottish Parliament,

¹ Although the limits to this power were discussed at the Police Foundation's 2013 John Harris Memorial Lecture, given by HM Chief Inspector of Constabulary Tom Winsor. The text of the speech is available at <http://www.police-foundation.org.uk/uploads/holding/johnharris/jhml2013.pdf>

² Police Reform and Social Responsibility Act 2011, s.64.

Northern Ireland Assembly, European Parliament and UK House of Commons could stand in the elections but were obligated to resign upon election.

Deposits, nominations and campaign funding

PCC candidates were also required to obtain 100 nomination signatures and pay a deposit of £5,000 to stand, a much higher requirement than the 10 signatures and £500 that MPs must find. The higher bar for PCC candidates was set in response to House of Commons debates about a need to, in the words of then Cabinet Office minister Mark Harper, 'strike a balance between allowing candidates to participate while acting as a disincentive to those with no real prospect of success' (House of Commons, 2012). However, the decision to set a high deposit inevitably acted as a deterrent to some candidates.

The decision not to provide a centrally-funded mailshot to the electorate about candidates was also controversial as the cost of funding their own mailshot was prohibitive for many candidates. In general, the cost of campaigning across often large constituencies was seen to be a problem for candidates, and even party-backed candidates often had limited financial backing.³ This was a particular challenge for candidates standing in force areas with large constituencies, such as Thames Valley force area, which covers 18 local authorities, or the West Midlands force area, which covers 28 different MPs' constituencies.

Challenges for independent candidates

Despite the push for high quality independent candidates (see, for example, Institute for Government, 2011), these issues presented particular challenges for those candidates without the support of a political party. The large deposit dampened any real prospect of standing for many independently-funded candidates, who were particularly critical of the decision by the government not to fund a mailshot for all candidates. Out of 46 candidates who withdrew from standing in the election, at least 14 explicitly cited concerns about cost or difficulties in competing with party-backed candidates (Garland and Terry, 2012).⁴ Similarly, the requirement to obtain 100 signatures proved to be particularly challenging for independents. According to a survey of candidates after the elections, 74 per cent of independents admitted difficulty in meeting this requirement, compared to 29 per cent of political party candidates (Electoral Commission, 2013a).

However, of those independents who were able to overcome these obstacles, 12 were successful at the elections, which was a significant achievement given that there were seven areas that were not contested by any independent candidates.⁵ Significantly, as a percentage of areas where candidates stood, independents performed better than the Labour party and almost as well as the Conservatives (see Table 1). The surprise success of

³ For example, in a survey conducted by the Electoral Commission (2013a), 58 per cent of independents and 29 per cent of party-backed candidates agreed that it was difficult to raise the amount required for the deposit. The amount spent by Labour candidates, for example, ranged from just £170 to £39,282 (Electoral Commission, 2013b).

⁴ For example, see withdrawal statements from Gillian Radcliffe (South Yorkshire):

<http://rotherhampolitics.wordpress.com/2012/09/13/gillian-radcliffe-withdraws/>; Khan Juna (Thames Valley):

<http://topofthecops.com/2012/10/12/withdrawal-statement-of-khan-juna/>; and Stephen Brookes (Staffordshire)

<http://www.theguardian.com/public-leaders-network/blog/2012/jul/13/police-commissioner-elections-political?newsfeed=true>

⁵ They were Dyfed Powys, Hertfordshire, Lancashire, North Yorkshire, Northumbria, South Yorkshire and Staffordshire.

independents in some areas on election day overtook earlier debates about whether there had been level playing field, but the issues of campaign resources and the barrier created by the large deposit are likely to re-emerge in future elections (Electoral Reform Society, 2012a).

Table 1: Winning candidates by party backing

Candidate type	Number of force areas contested	Number of successful candidates	Percentage of candidates who won in contested areas
Conservatives	41	16	39%
Labour	41	13	32%
Independents	34	12	35%

Previous convictions

There was also significant debate in the lead up to the elections around the eligibility of candidates with past convictions for imprisonable offences. This resulted in several candidates having to stand down once they realised the rules disqualified them.

One of the first instances (and one of the most illustrative of the confusion over the rules) was that of Simon Weston, a Falklands war veteran who declared his intention to stand as an independent candidate in South Wales, despite having a conviction as a juvenile for being a passenger in a stolen car. The *Police Reform and Social Responsibility Act 2011* indicated that anyone ever convicted of an imprisonable offence (regardless of whether convictions were 'spent') was barred from standing. When questioned about Simon Weston's eligibility, the Home Secretary, Theresa May, suggested however that these rules were not designed to bar people with juvenile convictions (BBC News, 2012a). This was further supported by the Attorney General, who interpreted the law as barring only those who had received a conviction as an adult (Crick, 2012).

However, records of parliamentary debates during the passage of the Act suggest that the then Policing Minister, Nick Herbert, intended the law to prohibit all candidates with juvenile as well as adult convictions for an imprisonable offence from standing for election, arguing for a standard for PCCs comparable to that required of police officers:

"The provision will apply to any youth offences, and we need to go back to that. The test is very stringent. With all the debate that we have had - there was the suggestion that the test relating to suspension was not stringent enough, and so on - I do not think that we can agree to such stringency but then say, "They may have committed a relatively minor offence when they were young." Well, an imprisonable offence is not likely to be so minor. We apply a test of that standard to police officers, and 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." (Herbert, 2011a)

Legal commentators strongly challenged the opinions of the Home Secretary and Attorney General (see, for example, Baston, 2012a) and the Home Office and the Electoral Commission subsequently confirmed that juvenile convictions would count as a bar to standing (Baston, 2012b). This led to several more high profile withdrawals due to juvenile convictions.⁶ For example, Bob Ashford (Labour candidate in Avon and Somerset), who had worked for the Youth Justice Board for 13 years, stood down due to a conviction that he had received at the age of 13. This was contentious not only because it meant that a candidate with beneficial experience was unable to stand, but also because he was allowed to hold the criminal justice system to account in one capacity but not another (Wright, 2012). Such instances have called into question the inflexibility of the disqualification rules and highlighted the problems caused by the rules on candidate eligibility.⁷

The role of magistrates and councillors

Similarly controversial was the disqualification of magistrates from standing as a PCC. Although magistrates were not specifically prohibited from running in the legislation, in August 2012 the then senior presiding judge in England and Wales, Lord Justice Goldring, ruled that magistrates would have to resign their position if they wanted to *run* as a PCC (Chapman, 2012a), which caused considerable consternation among several candidates who were magistrates (Chapman 2012b). Lord Goldring described this as necessary to avoid damaging the judicial independence of magistrates due to the political nature of the PCC role:

“It would be inappropriate for a judicial office holder to hold an office which has an oversight and leadership role in respect of police forces, or to participate in an election campaign for such a role” (cited in Travis, 2012a).

The guidance also warned that magistrates could not serve on Police and Crime Panels, although magistrates had in the past been actively encouraged to be members of police authorities. Following objections from candidates, Lord Goldring altered the guidance to require that magistrates standing for election should take a leave of absence until the ballot and resign if elected (Goldring, 2012). This change was described as pragmatic by the press, as serving magistrates had already declared their candidacy before the guidance was issued, requiring compliance after the fact (Beckford, 2012a). The new guidance also allowed magistrates to serve on Police and Crime Panels, but these amendments were described as ‘interim only’ and subject to review (Goldring, 2012). It is therefore likely that this issue will resurface in future elections (see, for example, Iles, 2012).

There is also an argument to be made as to whether the same rules ought to be applied to local authority councillors who wish to run as PCCs. It was not until after the elections that

⁶ Bob Ashford (Labour, Avon and Somerset), Phil Dilks (Labour, Lincolnshire) and Mike Quigley (Conservative, Nottinghamshire) all had juvenile convictions and had to drop out after the law had become clear. Alan Charles, the Labour candidate in Derbyshire, stood down due to a theft committed as a juvenile, but was reinstated after it became clear that the conditional discharge he received did not count as a conviction.

⁷ The lack of clarity over the eligibility rules were not helped by delays in the provision of secondary legislation concerning the electoral process. See for example, Electoral Commission (2013) .

media attention was given to this issue.⁸ However, councillors who continue in office may face real or perceived conflicts of interest. For example, a PCC may be seen as favouring their particular council area if they decide to increase police numbers or raise community safety partnership funding in their particular constituency (to the detriment of other constituencies in the force area). There is also a potential public confidence issue where a PCC remains a councillor, since it may prompt questions about whether the PCC has the time to effectively do the job.⁹ Such concerns illustrate the need for further review around whether councillors can remain in office if elected as a PCC.

Candidates with police backgrounds

Of the 194 PCC candidates, 32 were former police officers, of whom eight went on to be elected. Under the Police Reform and Social Responsibility Act 2011, those directly and indirectly employed by the police at the time of candidacy were disqualified from standing, but not if they were former police officers. In a Home Affairs Select Committee report (House of Commons Home Affairs Committee, 2010), it was suggested that police officers (including and above the rank of Assistant Chief Constable) should have to wait at least four years after leaving the police before standing as a candidate in the same area in which he or she has served. This was to avoid situations where a PCC would be reviewing decisions he or she had previously made whilst serving as a police officer.

However, this recommendation was rejected by the government, citing ‘the professional experience that ex-police officers could bring to the post’ (House of Commons Home Affairs Committee, 2011). While the government’s response also called for an ‘open and healthy debate about how we can best harness the experience, dedication and motivation of such officers’ (House of Commons Home Affairs Committee, 2011), no debate subsequently took place and no further restrictions were imposed upon candidates coming from police backgrounds.

An opinion poll commissioned by the think tank Policy Exchange suggested that the public were generally in favour of candidates with a policing background.¹⁰ Some of this may be down to a lack of publicity over the policy and limited public understanding of what the role might entail,¹¹ leading to the misconception that this was a police management role as opposed to a mechanism for holding the police to account. Candidates with a police officer background subsequently accounted for a significant proportion of eventual winners (see Figure 1).

Whether it is right in principle that people who have been members of the police service should be overseeing their former organisation arguably needs more careful consideration.

⁸ For example, see concerns raised about Suffolk’s PCC Tim Passmore and his decision to remain on as a Suffolk District Councillor: <http://ipswichspy.wordpress.com/2012/11/19/calls-for-pcc-to-quit-councillor-role/>

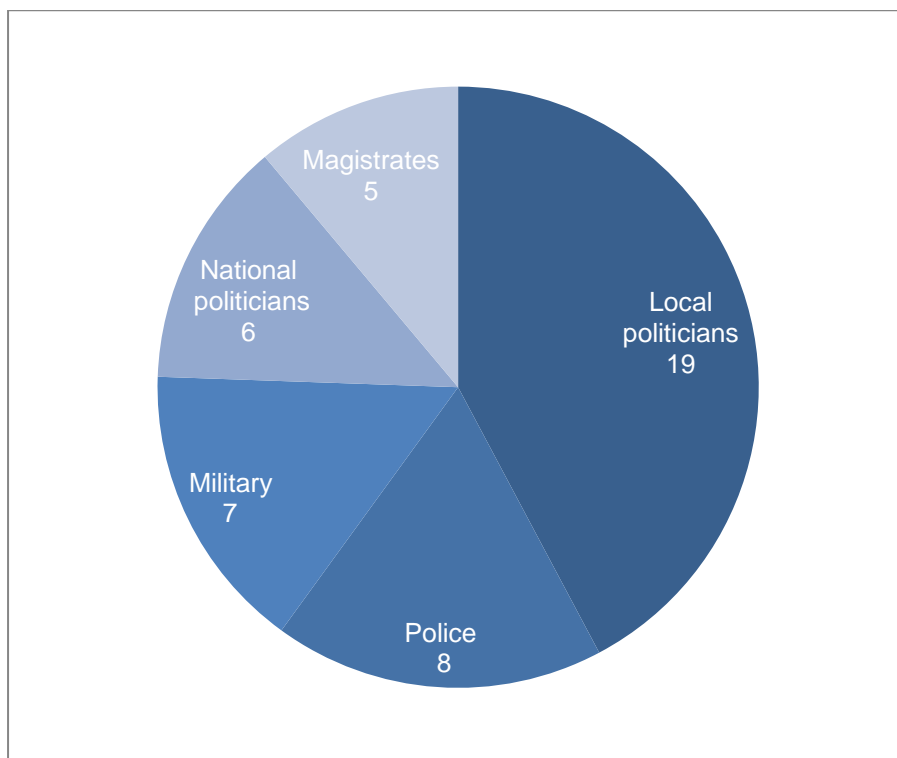
⁹ For example, public concern was reported regarding PCC David Lloyd in Hertfordshire, who held on to his borough councillor role until May, and continues to occupy his position as a county councillor: http://m.watfordobserver.co.uk/news/10267047.PCC_to_quit_to_councillor_role_following_public_outrage/

¹⁰ The poll found that the majority of respondents (59 per cent) thought that those from police backgrounds would be best qualified for the job (Policy Exchange and Deloitte, 2012).

¹¹ The lack of public understanding of the role was also possibly reflected by the fact that only two per cent of those who voted said that they voted due to crime related reasons (while 75 per cent voted due to ‘civic duty’) (Electoral Commission, 2013a).

Past Home Office research on police authorities suggested that when members of the public were informed about the role of the police authority, they became concerned over whether the authority was sufficiently independent from the police force and wary of relationships being friendly to the point of creating an 'old boys' club (Myhill et al., 2003). The same is likely to apply to PCCs and their panels.

Figure 1: PCCs' former professions



Reproduced using data from Guardian Datablog (Guardian, 2012b)

Broader implications

Eligibility is likely to continue to be contested because of the inherent contradictions and ambiguities around legal restrictions, current professional expectations and roles, and democratic principles such as inclusion and equality. But such contradictions can generate important debate. In the first elections, some of this debate did not take place (such as whether councillors could remain in post upon becoming a PCC or the appropriateness of former police officers standing). Where debate did occur, it was often too late (such as those magistrates who had already committed to running for election, or those candidates who had to stand down after learning about disqualification rules which were not made clear). Questions of eligibility should therefore be subject to timely and open debate to avoid discrediting future elections.

Lessons and recommendations on candidate eligibility

Lesson 1: The £5,000 deposit may have disadvantaged candidates outside major political parties.

Recommendation: Review the amount required as a deposit to stand as a candidate with a view to reducing it to the same as required to stand as an MP.

Lesson 2: There was insufficient consultation concerning candidate eligibility, which did not fully consider the implications of disqualification rules for magistrates, councillors, former police officers, and those with past convictions. This caused confusion and prevented well-qualified, suitable candidates from standing.

Recommendations

- A lower disqualification threshold than a conviction for an imprisonable offence should be established. At the least, those with spent convictions under the Rehabilitation of Offenders Act (1974) should be allowed to stand as PCC candidates.
- Magistrates and councillors should be allowed to run for the position of PCC, but upon being elected they should be required to stand down from these posts.
- The Home Office should reconsider introducing a four year 'cooling-off' period for former police officers who wish to run as PCC candidates, following consultation with the public and the police.

2. Turnout

The average turnout at the elections was 15.1 per cent,¹² with a low of 11.6 per cent in Staffordshire and high of 19.8 per cent in Northamptonshire. The media presented this turnout as one of the most serious failures of the elections. This section outlines some of the key issues before considering what might be done to improve turnout at future PCC elections.

In his concluding thoughts on ‘direct democracy’ – one of the first times the idea of a directly elected police commissioner was mooted – Conservative MP Douglas Carswell emphasised the importance of elections to democratic governance:

“Popular elections are the means of aggregating the popular will, and popular will expressed via the ballot box, not an elite’s interpretation of what is in the popular interest, is the basis on which we should be governed” (Carswell, 2002)

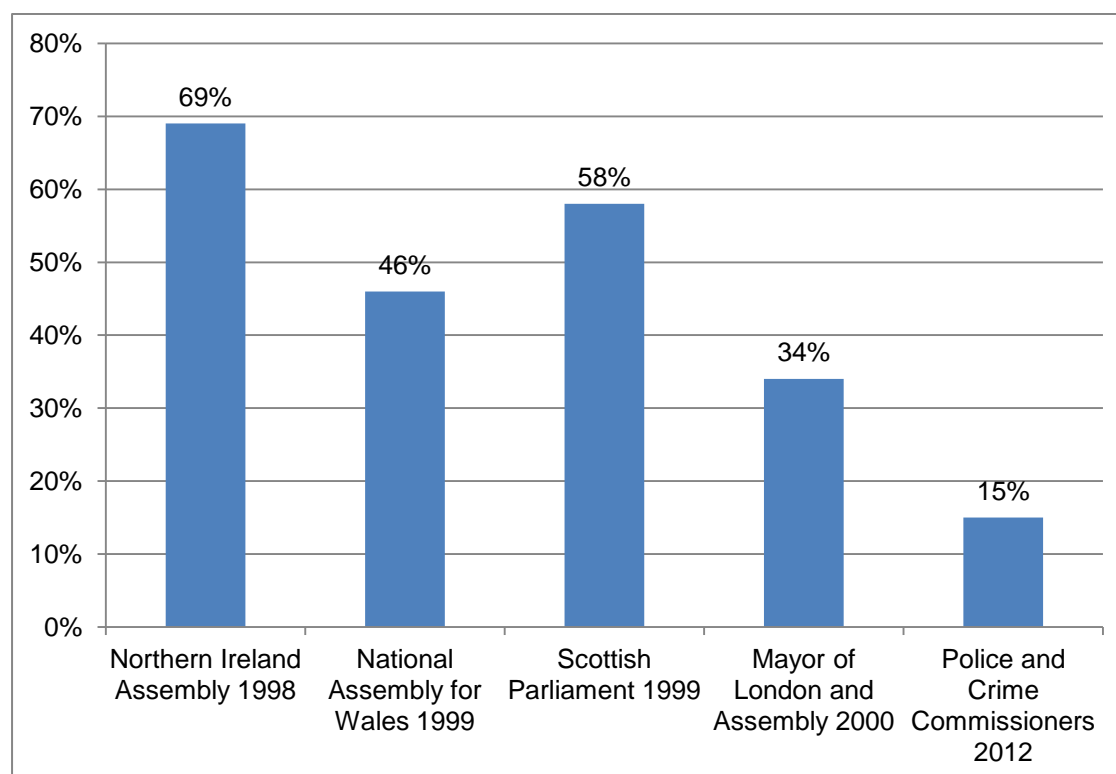
The irony of the PCC elections is that the low turnout and relatively higher number of spoiled ballot papers has been regarded as an expression of a *lack* of popular will.

The critical mass needed for a ‘good’ voter turnout in an election is subject to debate – what percentage of the population would have to vote in order for an election turnout to be deemed sufficient? Using other UK political (general and local) elections as a yardstick, the average turnout for PCCs was poor compared to an average of 42.3 per cent for local elections and 73.3 per cent for national elections (The Guardian, 2012). Turnout for PCCs was the lowest turnout for a national election in UK history.

However, turnout in general and local elections has historically fallen, so comparing PCC elections to other elections with high average turnouts presents a skewed image. A fairer comparison is to therefore examine first time elections for novel institutions in more recent history. As illustrated in Figure 2 below, even with this type of comparison the PCC election turnout remains the lowest.

There are, however, other units of measurement which have been used to judge the election turnout. For example, if greater public participation in policing is taken to be one of the major goals of the reform, one crude way to assess turnout is to compare the number of people who participated in selecting a police authority chair (a handful) to the number who voted for a PCC. This argument was advocated by, for example, Grant Shapps, then Minister for Housing and Local Government (Huffington Post, 2012). By this reasoning, a turnout of 0.1 per cent would be considered successful. Whatever interpretation is taken of the turnout, there is widespread consensus that a higher turnout would be better (BBC News, 2012b).

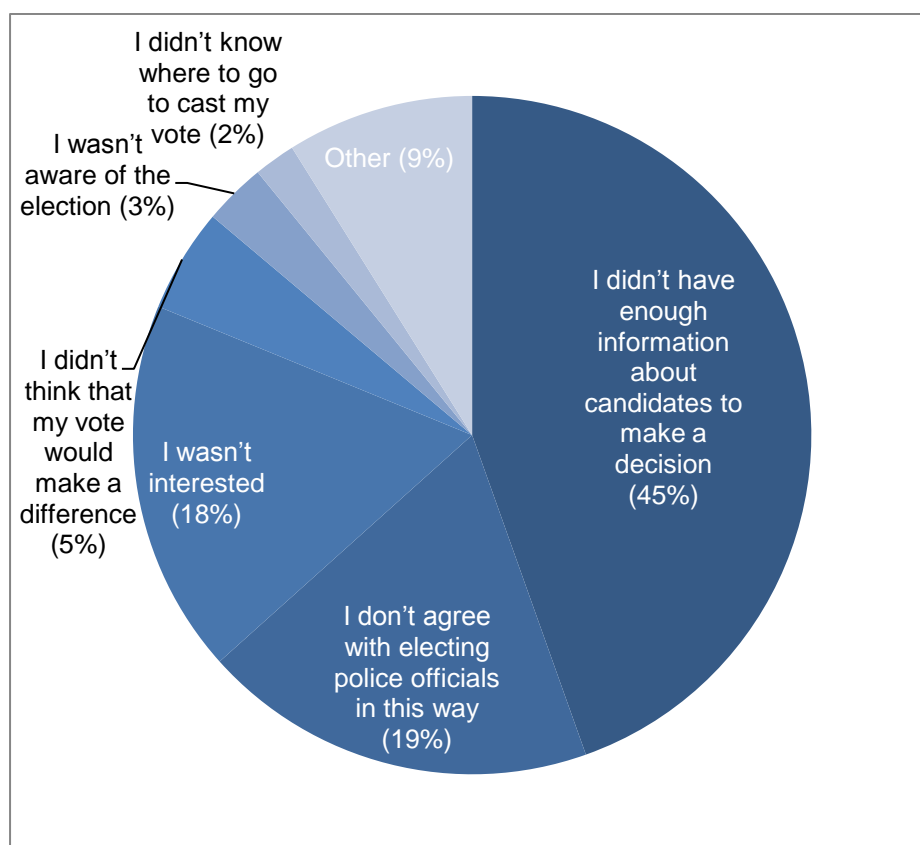
¹² This figure includes votes that were rejected. When rejected votes are excluded from the analysis, the average turnout falls to 14.7 per cent (Electoral Commission, 2012).

Figure 2: Turnout in novel UK political elections since 1998

Source: Electoral Commission (2013a) 'Police and Crime Commissioner Elections in England and Wales'

Why so low?

Following the elections, one poll attempted to capture the reasons for the low turnout. They included lack of information, electorate apathy and disagreement with the PCC role (Populus, 2012) (see Figure 3). These problems, along with others cited in the media (such as timing), are explored in more detail below.

Figure 3: Reasons given for not voting

Source: *Populus, 2012*

Timing

One of the most cited concerns about the elections was their timing. The Conservative Party had originally intended to hold the elections in May 2012 in conjunction with local elections, but Liberal Democrats pushed to postpone them due to concerns about local elections becoming too focused on law on order (an issue on which they have been historically weak) (BBC News, 2012c). Following this shift, critics claimed that people would not turnout to vote on a cold, dark, wet night in November (although in fact postal votes accounted for almost half of all PCC votes [House of Commons, 2012]). The Electoral Reform Society (ERS, 2012b) suggested that the timing alone would reduce turnout by around 6 per cent.

Future elections will be aligned with other elections, with the next election (in 2016) coinciding with local elections and the subsequent one due to take place at the same time as a general election (in 2020). This may therefore be less likely to recur as an issue. In Northamptonshire, which had the highest voter turnout across the country (19.2 per cent), there was a by-election in Corby at the same time (House of Commons, 2012). A similar (but less significant) pattern was evident in South Wales, which recorded an above average turnout of 17 per cent, which may have been connected to a simultaneous by-election in Cardiff. On the other hand, Greater Manchester (where a by-election took place in Manchester Central) recorded a below-average turnout of 13.9 per cent.

The government attributed some of the blame for the low turnout to a lack of media coverage by London-based media, since the election did not include London. It is hoped that alignment with local or general elections will attract more media coverage for the next PCC elections (Travis, 2012b), but the influence of the media on turnout is unpredictable and difficult to measure. It is also possible that dual elections could dilute stories about PCCs by focusing on other political stories.

Dissatisfaction

Turnout may also have been affected by public dissatisfaction with the role of PCCs. Media reports after the elections pointed to a large number of spoilt ballot papers (see for example, Mulholland, 2012). However, this may not reflect widespread disagreement of the policy. While there were almost 10 times more spoilt ballot papers compared to general elections, only about one per cent of all votes were deliberately spoilt – only slightly higher than the nearest comparable election (the London Mayoral election of 2000) (Renwick, 2012).

The fact that 19 per cent of respondents in the Populus poll chose not to vote because they did not agree with ‘electing police officials in this way’ suggests some degree of resentment, but once PCCs become a more established part of the political landscape, this may subside. In this vein, Nick Herbert (Herbert, 2011b) drew parallels with the London Mayoral elections:

“The return of power to the people in the capital has been permanent. Who would take it away from Londoners now? Who would remove the responsibility for policing from the elected Mayor and hand it to an unelected committee? In the future, I believe the same will be said of elected Police and Crime Commissioners” (Herbert, 2011b).

However, what distinguishes the election of PCCs from mayoral elections is the novelty of a politically elected figure overseeing the police, which elicits concerns about politics ‘interfering’ with operational policing. This was one of the key criticisms of the reform from members of the Labour party, who claimed that it went ‘against a 150 year tradition of keeping politics out of policing’ (Balls, 2012). The idea of electing PCCs was also fiercely (and publicly) resisted by senior members of the police service. For example, Sir Hugh Orde, president of the Association of Chief Police Officers, initially publicly threatened that several Chief Constables would resign if the policy came into effect on the grounds that it would affect the operational independence of the police (Edwards, 2009).¹³¹⁴

Although it cannot be conclusively determined that the ‘anti-politics’ message directly affected decisions to vote, these kind of public statements may have done little to assuage public concerns about the idea of directly electing commissioners. Whether dissatisfaction with the policy will subside in future elections, and whether turnout will subsequently increase as a result, remains to be seen. What may be more critical to voter turnout in future

¹³ Although the ACPO response has since become more receptive to the role of PCCs following the creation of the policing protocol.

¹⁴ Similarly, Lord Blair, a former Commissioner of the Metropolitan police, was quoted as discouraging people from voting just weeks before the elections: <http://www.independent.co.uk/news/uk/politics/former-met-boss-sir-ian-blair-tells-people-not-to-vote-in-elections-for-police-and-crime-commissioners-8219671.html>

elections (and more amenable to change) is just how knowledgeable the electorate are about the elections, the role of PCCs and what they do on a day-to-day basis.

Provision of information

A month before the elections, one national poll revealed that 54 per cent of respondents had either not heard about the elections at all, or had heard of them but knew nothing at all about them. A further 31 per cent knew 'not very much' (Ipsos MORI, 2012) (Figure 4).

Furthermore, figures from the Populus poll (Populus, 2012) after the elections illustrated that 45 per cent did not vote because they did not have enough information about the candidates. These findings suggest that there was very little public awareness about either the elections in general or about the candidates.

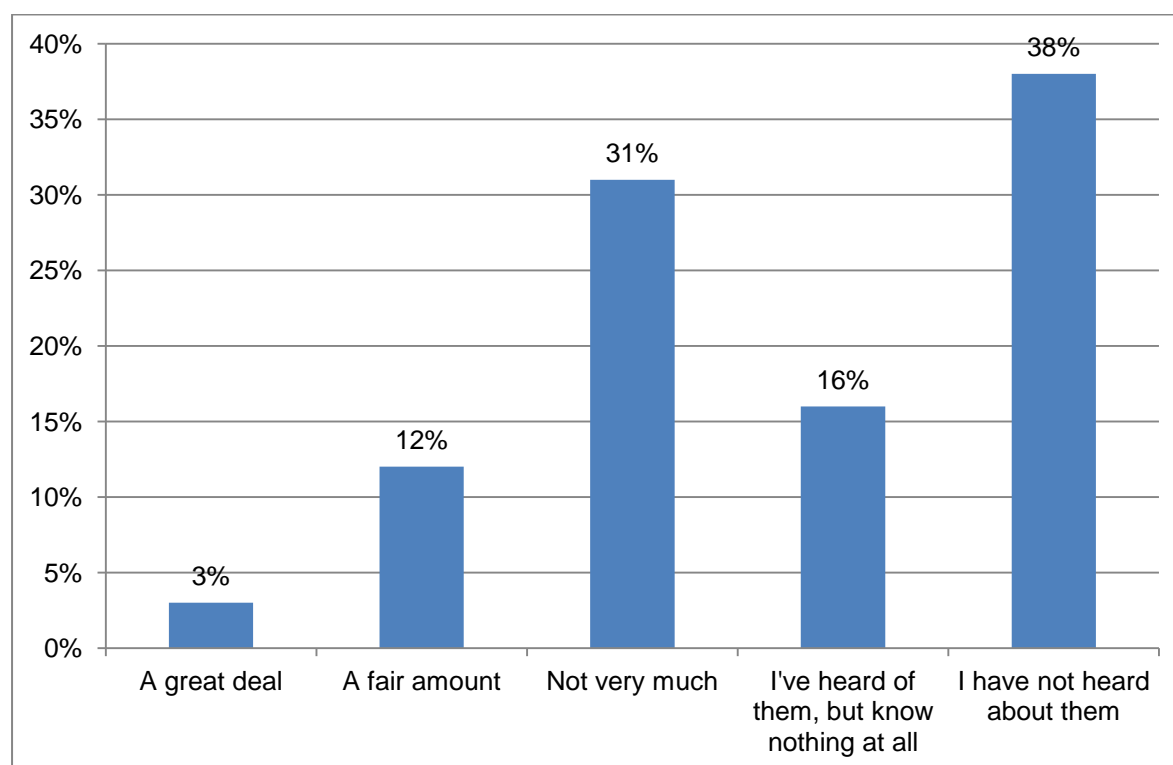
The Home Office received much criticism for this from campaign groups. The Electoral Reform Society (2012b), for example, warned prior to the elections that the Home Office was in danger of dampening turnout for five reasons – four of which related to access to information.¹⁵ These included the decision not to send out leaflets with information about the elections and candidates, and the decision to provide information about candidates online only (unless print copies were specifically requested¹⁶). The Electoral Reform Society argued that this limited access to information for the electorate (especially the seven million people without access to the internet) and was a further obstacle to independent candidates who may not have had the same support network or resources as party candidates.¹⁷

¹⁵ These included decisions to not conduct a mailshot with candidate information, only provide information online, set up a helpline just 23 days before the elections, hold the elections in November, and make no provisions for information in accessible formats for those with sight difficulties or in any other languages.

¹⁶ In total, there were 122,215 leaflet requests, of which just over 90,000 were made using the information hotline and around 32,000 requests were made online. Hansard, 26 November, Column 37W.

¹⁷ Although these claims were contested by Nick Herbert (2012), who argued that the provision of leaflets is a red herring, citing the low turnouts in the Manchester Central by-election despite the electorate having received such information.

Figure 4: Awareness of PCC elections, October 2012: ‘How much do you know about the elections?’



Source: Ipsos MORI, 2012

When taking into consideration the number of visits to the Home Office website (choosemypcc.org.uk) and the number of candidate information packs which were ordered by the public, in total only 5.6 per cent of eligible voters saw information about candidates from the Home Office (Electoral Commission, 2013a).

Other issues relating to access to information included a lack of accessible information for those with sight difficulties or those speaking different languages, in addition to the provision of a helpline only 23 days before the elections (Electoral Reform Society, 2012b). One whistle-blower from the Electoral Commission call centre raised concerns about the ability of the automated helpline to provide any meaningful information (although this claim was rebutted by the Home Office, citing independent tests which found the information to be clear and easy to follow) (Travis, 2012c). A further problem which may have caused confusion among the public was that the Electoral Commission also ran a separate publicity campaign from the Home Office, which resulted in some duplication. The Electoral Commission has argued that in future elections a joint publicity campaign would be a more effective and consistent approach (Electoral Commission, 2013a).

In addition to the *quantity* of information provided (or lack of it), its *quality* might also be improved. The Home Office began its publicity campaign towards the end of October – less than a month before the elections. However the Home Secretary, Theresa May, explained that it was never the intention to run a long publicity campaign as ‘people would be bored to tears’ by the time of the elections (Beckford, 2012b). The Home Office campaign was

conducted on television, radio, billboards and online. The adverts typically depicted various instances of visible street crime and concluded with the tagline 'on 15th November, criminals will be hoping you don't vote'. The adverts did not explain the reasons for the introduction of PCCs and focused on crime reduction - a very specific aspect of the policy - rather than explaining what PCCs would actually do (The Vibe, 2012).

While these campaigns might have raised awareness, their content might have done little to address voter apathy. In the Populus poll (Populus, 2012), which examined peoples' reasons for not voting, almost a fifth of respondents (18 per cent) stated that they were not interested in voting. It is not possible to determine to what extent this was related to insufficient or unclear information, but the provision of better information may produce a more informed electorate.

Candidate campaigns

The introduction of PCCs was intended to promote greater public engagement with the police and with crime issues. The act of campaigning is just one facet of this but it provides a novel way of interacting with communities about their policing and crime concerns. There are a number of ways in which candidates engaged the electorate during the run up to the election. There are traditional methods of campaigning, such as face-to-face encounters (e.g. knocking on doors or holding hustling events) as well as publicity gained from local and national media (e.g. newspapers, radio and television). However, in large force areas with a number of constituencies, the exponential growth of the internet meant that candidates could achieve a greater reach across their force areas. The Association of Police and Crime Commissioners (APCC) has argued that public engagement should now be 'digital by default' (Howe, 2012) and that PCCs have a key opportunity to 'reset the default setting on public services' relationships with the public' (APCC, 2012). Indeed, a range of digital tools were used by candidates, such as websites, blogs and social media (eg Facebook and Twitter), but candidates did not fully make use of all the tools available to them: under half (44 per cent) had their own website, 61 per cent had active Twitter accounts and only 23 per cent had a Facebook account (see Figure 5).¹⁸

In light of the lack of centrally provided information about the candidates (such as mailshots), greater use of the internet will be crucial in future elections. In big force areas and where candidates have to invest large sums of money in deposits, engaging with the population in an online environment (such as free social media) can be a significantly cheaper and more efficient means of communication compared with more traditional forms, such as printing and distributing leaflets. But perhaps most importantly, the internet also offers new and innovative ways of engaging citizens¹⁹ - particularly those citizens who traditionally have the greatest contact with the police. People between the ages of 16-24 are the most frequent users of the internet²⁰ and they are also traditionally the age group with the most contact with the police (either as victims, witnesses, suspects or offenders). The internet therefore presents PCC candidates with a real opportunity to engage with this age group in ways that

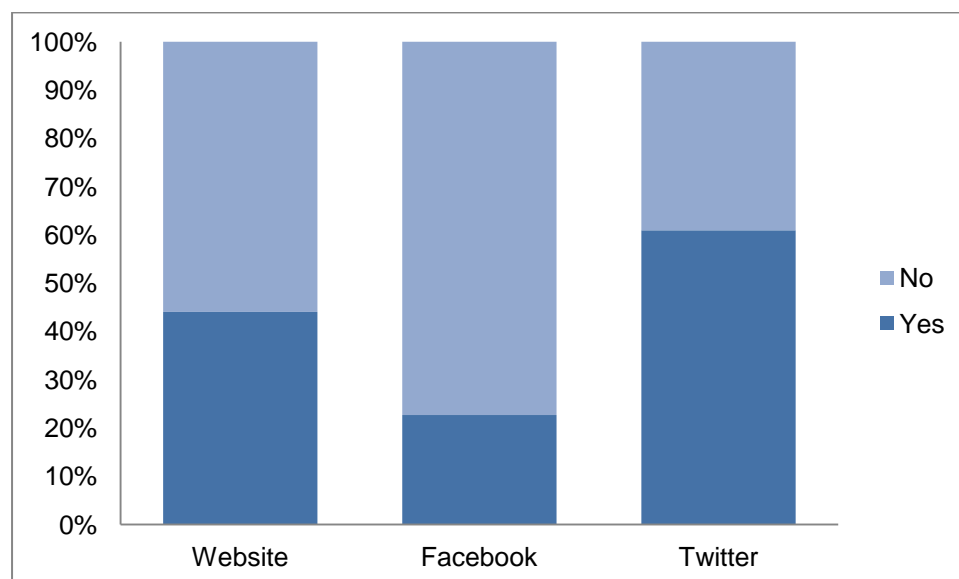
¹⁸ Based on figures collected by Bernard Rix.

¹⁹ The APCC Digital Democracy guide provides a variety of examples of some of these innovations (Howe, 2012)

²⁰ 98.7 per cent of 16-24 year olds reported having used the internet, compared to 59.8 per cent of 65-74 year olds. (Office for National Statistics, 2011)

were not previously possible.²¹ Future candidates ought to consider how best they can make use of such tools.

Figure 5: Online presence of candidates



Lessons and recommendations for voter turnout

Lessons: Both the quantity and quality of information provided by the Home Office, Electoral Commission and candidates did not inform the electorate sufficiently and did little to alleviate public concerns about the policy.

Recommendations

- A publicly-funded mailshot to all voters should be provided to better inform the electorate about their local candidates.
- A more cohesive and extensive publicity campaign should be organised by the Home Office and Electoral Commission, better explaining the purpose of the role.
- Candidates should make greater use of what the internet and social media has to offer, in order to engage with a wider pool of citizens and in particular those who do not traditionally vote.

²¹ It is notable that almost half of all candidates signed up to the Howard League's campaign which pledged to consult young people if they were to become a PCC (22 of whom went on to win) (Crook, 2012).

Conclusion

Any restrictions over who could stand as a PCC were always going to be complex and problematic. If pledges are made that the public will have greater opportunities to participate in who runs the police, then automatically disqualifying certain people from standing will always seem controversial. Likewise, if one asserts that the introduction of elections is going to be one means of reconnecting the public with the police, then one has to expect criticism when most of the public choose not to participate. These are problems because the stated point of the policy was to create greater public engagement in policing. But, engagement is particularly difficult to achieve and something that was attempted in various ways by police authorities throughout their lifetime. The elections were just one early (and crude) indicator of how well this new reform will turn out – a large part of the rest lies in the hands of PCCs and what they end up doing in practice. But future elections will be important in stimulating and sustaining public interest in local policing, so it is essential that relevant lessons are learnt.

Resolving issues around the eligibility of candidates should be one step in the right direction. Those candidates without the support of major political parties were disadvantaged by the large deposit required of them. In the future, the process could be made fairer by amending guidance on deposits. The threshold for those with previous convictions could be lowered, and the role of magistrates and councillors ought to be given greater consideration. Additionally, there will need to be more time for consultation over candidate disqualifications and a greater degree of clarity on the ensuing rules in order to avoid situations whereby candidates have to stand down as a result of ambiguities.

Addressing the problems relating to turnout is of paramount importance. Holding the first elections on their own and in winter did little to encourage people to vote. This was aggravated by public dissatisfaction with the idea of introducing politicians into police work and a lack of information about why PCCs are important. While the next elections will be held in conjunction with other elections, more promotion will be required by the Home Office, the Electoral Commission and candidates themselves to persuade the electorate to vote.

Finally, a clear underlying theme that emerges from this assessment is the need for open and transparent information at all stages of the process. Clarity over who is able to stand as a PCC, unambiguous and informative publicity about the role, and broader-reaching methods of communicating with the public are essential. Achieving greater turnout hinges upon addressing these elements and has the potential to establish PCCs as more effective conduits of engagement between the public and the police, particularly compared to previous systems of police governance.

Appendix

Methodology

This paper is based on analysis of media press coverage, blogs and social media news about PCCs from 1 September 2012 to the elections on 15 November, predominantly accessed using Twitter and Google Alerts. Where issues were raised concerning either candidate eligibility, voter turnout or public engagement, information (ranging from news articles, Tweets, blog posts and YouTube videos) was logged in Storify.²² Through building 'stories' in such a way, it was possible to gain a sense of the main contours of online debates. This process was supplemented by an assessment of policy documents and statements made by key relevant stakeholders. As shorthand, we refer to 'national debates' encapsulating online and print media coverage of these events as well as political and other stakeholder statements and documents.

²² Storify is web application which enables users to store various information from the web and create 'stories'. See <https://storify.com/>

References

APCC (2012) *PCCs can 'reset the default position on public engagement with politicians through digital technology'*. Press release, 22 November 2012.

Balls, E. (2012) Police Reform Bill goes against 150 years of keeping politics out of policing. *Labour Party*, [online]. Available at: <http://www.labour.org.uk/police-reform-bill-goes-against-keeping-politics-out-of-policing>

Baston, R. (2012a) PCCs: why I think the Attorney General may be wrong and juvenile offences can be a bar. *Baston Legal*, [online]. Available at: <http://bastonlegal.com/news-and-articles/pccs-why-i-think-the-attorney-general-is-wrong-and-juvenile-offences-can-be-a-bar/>

Baston, R. (2012b) It's official: Home Office and Electoral Commission confirm age no bar on convictions for PCCs. *Baston Legal*, [online]. Available at: <http://bastonlegal.com/news-and-articles/its-official-home-office-confirm-age-no-bar-on-convictions-for-pccs/>

BBC News (2012a) Police commissioner legislation 'not aimed at Weston'. *BBC News*, [online] 19 June 2012. Available at: <http://www.bbc.co.uk/news/uk-wales-politics-18512605>

BBC News (2012b) Police and Crime Commissioners: Media reaction. *BBC News*, [online] 18 November 2012. Available at: <http://www.bbc.co.uk/news/uk-20376910>

BBC News (2012c) Lib Dems urge police election delay to help councillors. *BBC News*, [online] 7 September 2012. Available at: <http://www.bbc.co.uk/news/uk-politics-14819550>

Beckford, M. (2012a) Judge backs down on magistrates standing as police commissioners. *The Telegraph* 10 August 2012. Available at: <http://www.telegraph.co.uk/news/uknews/law-and-order/9467875/Judge-backs-down-on-magistrates-standing-as-police-commissioners.html>

Beckford, M. (2012b) £150,000 a go: X Factor adverts to get you to vote for a police chief. *The Telegraph* 5 October 2012. Available at: <http://www.telegraph.co.uk/news/uknews/law-and-order/9590691/150000-a-go-X-Factor-adverts-to-get-you-to-vote-for-a-police-chief.html>

Cameron, D. (2006) *John Harris Memorial Lecture*. London: The Police Foundation.

Carswell, D. (2002) *Direct Democracy: Empowering people to make their lives better*. London: C-change.

Chapman, S. (2012a) Senior Judge bans magistrates from PCC role. *Top of the Cops*, [online] 8 August 2012. Available at: <http://topofthecops.com/2012/08/08/senior-judge-bans-magistrates-from-pcc-role/>

Chapman, S (2012b) None-fessions and Nonsense. *Top of the Cops*, [online] 10 August 2012. Available at: <http://topofthecops.com/2012/08/10/none-fessions-and-nonsense/>

Crick, M. (2012) Law doesn't disqualify Weston, Grieve reckons. *Channel 4 News*, [online] 27 June 2012. Available at: <http://blogs.channel4.com/michael-crick-on-politics/law-doesnt-disqualify-weston-grieve-reckons/1221>

Crook, F. (2012) Elections for Police and Crime Commissioners. *The Howard League for Penal Reform*, [online] 6 November 2012. Available at: <http://www.howardleague.org/francescrookblog/elections-for-police-and-crime-commissioners>

Edwards, R. (2009) Sir Hugh Orde threatens resignation over Tory plans for directly-elected commissioners. *The Telegraph*, [online] 22 November 2009. Available at: <http://www.telegraph.co.uk/news/uknews/law-and-order/6631249/Sir-Hugh-Orde-threatens-resignation-over-Tory-plans-for-directly-elected-commissioners.html>

Electoral Commission (2012) Police and Crime Commissioner elections. *Electoral Commission* [online]. Available at: <http://www.electoralcommission.org.uk/elections/past-elections/elections-for-police-and-crime-commissioners>

Electoral Commission (2013a) *Police and Crime Commissioner Elections in England and Wales: Report on the administration of the next elections held on 15 November 2012*. London: Electoral Commission.

Electoral Commission (2013b) *2012 Police and Crime Commissioner elections spending report*. London: Electoral Commission.

Electoral Reform Society (2012a) Open letter to Theresa May. *Electoral Reform Society* [online] 26 September 2012. Available at: <http://www.electoral-reform.org.uk/blog/open-letter>

Electoral Reform Society (2012b) *How low can you go: Projecting Turnout for Police and Crime Commissioner Elections*. London: Electoral Reform Society.

Garland, J. and Terry, C. (2012) *How Not to Run an Election*. London: Electoral Reform Society.

Goldring (2012) *Police and Crime Commissioners New Guidance*, August 2013.

The Guardian (2012) UK election historic turnouts since 1918. *The Guardian* [online], 16 November 2012. Available at: <http://www.guardian.co.uk/news/datablog/2012/nov/16/uk-election-turnouts-historic>

The Guardian (2012b) PCC election results: what's happened in the police and crime commissioner votes? *The Guardian* [online] 16 November 2012 <http://www.theguardian.com/news/datablog/2012/nov/16/pcc-election-results-police-crime-commissioners>

The Guardian (2012c) Police and crime commissioners: a ludicrous life sentence. *The Guardian*, [online] 9 August 2012. Available at: <http://www.guardian.co.uk/commentisfree/2012/aug/09/police-crime-commissioners-magistrates?newsfeed=true>

Herbert, N. (2011a) *Police Reform and Social Responsibility Bill* (Vol. Col. 483). Public Bill Committee.

Herbert, N. (2011b) *A New Era in Policing*, Speech to the Institute for Government. *Gov.UK*, [online] 21 November 2011. Available at: <https://www.gov.uk/government/speeches/a-new-era-in-policing-nick-herberts-speech-to-the-institute-for-government>

Herbert, N. (2012) Leaflet red herring #2 - Manc Central by-election turnout also low, yet had funded election addresses & no doubt many party leaflets [Twitter] 16 November 2012. Available at: <https://twitter.com/nickherbertmp/status/269489226054238208>

House of Commons (2012) Police and Crime Commissioner Elections. *House of Commons Research Paper* (Vol. 12/73). London: House of Commons

House of Commons Home Affairs Committee (2010) *Policing: Police and Crime Commissioners, Second Report of Session 2010-11*. London: The Stationery Office.

House of Commons Home Affairs Committee (2011) *Policing: Police and Crime Commissioners: Government Response to the Committee's Second Report of Session 2010-11, Seventh Special Report of Session 2010-11*. London: The Stationery Office.

Howe, C. (2012) *Digital Democracy: Building New Relationships with the Public: An APCC Guide*. London: APCC.

Huffington Post (2012) David Cameron Defends Historically Low Voting For Police And Crime Commissioners. *Huffington Post*, [online] 16 November 2012. Available at: http://www.huffingtonpost.co.uk/2012/11/16/david-cameron-defends-pcc_n_2143824.html

Iles, J. (2012) The removal of local justice. *Top of the Cops*, [online] 7 January 2013. Available at: <http://topofthecops.com/2013/01/07/the-removal-of-local-justice/>

Institute for Government (2011) *Who Chose the Sheriff?* London: Institute for Government.

Ipsos MORI (2012) *PCC Omnibus Survey for the Transitional Board for the Association of Police and Crime Commissioners*. London: Ipsos MORI.

Mulholland, H. (2012) Police commissioner elections: high rates of spoilt ballot papers recorded. *The Guardian*, [online] 16 November 2012. Available at: <http://www.guardian.co.uk/uk/2012/nov/16/police-commissioner-spoilt-ballot-papers>

Myhill, A., Yarrow, S., Dalglish, D. and Docking, M. (2003). *The Role of Police Authorities in Public Engagement. Home Office Online Report 37/03*. London: Home Office.

Office for National Statistics (2011) Internet Access Quarterly Update. *Office for National Statistics*, [online] 15 February 2012. Available at: http://www.ons.gov.uk/ons/dcp171766_256200.pdf

Policy Exchange and Deloitte (2012) *Preparing for Police Commissioners: Exploring the Impact of PCCs*. London: Policy Exchange/Deloitte.

Populus (2012) *PCC Poll ONLINE Fieldwork: 16th-19th November 2012*. London: Populus.

Renwick, A. (2012) Spoilt Ballots in the PCC Elections: What Do the Numbers Tell Us? *Reading Politics*, [online] 16 November 2012. Available at: <https://blogs.reading.ac.uk/readingpolitics/2012/11/18/spoilt-ballots-in-the-pcc-elections-what-do-the-numbers-tell-us/>

Travis, A. (2012a) Magistrates banned from standing in police commissioner elections. *The Guardian*, [online] 9 August 2012. Available at: <http://www.guardian.co.uk/uk/2012/aug/09/magistrates-banned-police-commissioner-elections?newsfeed=true>

Travis, A. (2012b) Police commissioner elections on track for lowest turnout in British history, *The Guardian*, [online] 15 November 2012. Available at: <http://www.guardian.co.uk/uk/2012/nov/16/police-commissioner-elections-lowest-turnout>

Travis, A. (2012c) Home Office helpline for Police Commissioner elections 'useless'. *The Guardian*, [online] 8 November 2012. Available at: <http://www.guardian.co.uk/uk/2012/nov/08/police-commissioner-election-helpline-useless>

The Vibe (2012) The inevitable result of the Police Commissioner elections. *The Vibe*, [online] 7 November 2012. Available at: <http://the-vibe.co.uk/2012/11/07/the-inevitable-result-of-the-police-commissioner-elections/>

Wright, O. (2012) Bob Ashford withdraws from Police and Crime Commissioner race after it is revealed trespass conviction aged 13 disqualifies him. *The Independent*, [online] 8 August 2012. Available at: <http://www.independent.co.uk/news/uk/home-news/bob-ashford-withdraws-from-police-and-crime-commissioner-race-after-it-is-revealed-trespass-conviction-aged-13-disqualifies-him-8022433.html>