

POLICING POLICY FORUM: WHAT ARE THE POLICE FOR?

Meeting at All Souls College, University of Oxford, 30th March 2006.

PRESENT

Roger Graef, *Chief Executive, Films of Record, (chair)*
Lord (Bill) Bradshaw, *Thames Valley Police Authority*
Gareth Crossman, *Director of Policy, Liberty*
Eilidh Currie, *Institute for Criminal Policy Research, King's College London*
Sir Geoffrey Dear, *Trustee, Police Foundation*
David Faulkner, *Centre for Criminology, University of Oxford*
Janet Foster, *London School of Economics*
Stan Gilmour, *Thames Valley Police*
John Graham, *Director, Police Foundation*
Alison Hannah, *Director, Legal Action Group*
Nick Herbert, *Member of Parliament*
Barrie Irving, *Police Foundation*
Mark Kilgallon, *CENTREX*
Ian Loader, *Director, Centre for Criminology, University of Oxford*
Barry Loveday, *University of Portsmouth*
Ken McDonald, *Director of Public Prosecutions*
Robin Merrett, *Metropolitan Police*
Peter Neyroud, *Chief Executive, National Police Improvement Agency*
Anna Reid, *Policy Exchange*
John Samuels, *Council of Circuit Judges*
Enver Solomon, *King's College London*
Michael Webb, *New Zealand Police*

Apologies were received from
Jan Berry, *Police Federation*
Dan Clacher, *Hampshire Police*
David Dickinson, *British Security Industry Association*
Alex Gask, *Liberty*
Fionnuala Gill, *Association of Police Authorities*
Paul Maltby, *Prime Minister's Strategy Unit*
Joanne Perry, *Victim Support*

BACKGROUND

This meeting was the first of what is hoped to be a series of events to be arranged jointly by the Police Foundation and the University of Oxford Centre for Criminology. The purpose of the Forum is to address fundamental questions about policing and to promote a debate about them. It is not about responding to government initiatives or providing quick solutions to the problems that the police are currently facing. At this stage, it is more important to find the right questions than to give the right answers.

The first and most fundamental question is 'what are the police for?' To consider that question, the meeting addressed three issues:

- Are the police fit for purpose today, and if not why not? Has the world changed so much that the old assumptions and expectations can no longer be sustained?
- How have the public's and government's expectations of policing changed? Are they unrealistic, and if so, what can be done to correct them?
- How can those who are presently excluded from the debate be drawn into it, and how can the public's views be marshalled and fed into the development of policing policy and practice?

This note records the main points that were made in discussion. Not all participants necessarily agreed with all the points that were made.

SESSION 1: ARE THE POLICE FIT FOR PURPOSE AND IF NOT WHY NOT? HAS THE WORLD CHANGED SO MUCH THAT THE OLD ASSUMPTIONS AND EXPECTATIONS CAN NO LONGER BE SUSTAINED?

The first task must be to decide what their purpose is or should be. In an increasingly anxiety-ridden society, it is important to be realistic about what it is that the police should be doing and to acknowledge that there must be limitations on their role. It can no longer be assumed that the police can be the ultimate 24/7 emergency service, with a remit that stretches from helping old people with simple tasks which they find difficult, to combating the threat of terrorism. "*No human problem exists or is imaginable that is not within the ambit of the police*" (Bittner, 1974), so now more than ever greater clarity is needed on the boundaries of what should and what should not fall to the police service. The introduction of a non-emergency police number in Thames Valley has meant that people can now be directed more effectively to the services they require. Five per cent of those calls are asking for simple practical advice such as times of trains, and it is right that the police should not have to spend time dealing with them.

It has been stated that the police are not 'fit for purpose'. Society has changed considerably in the last 20 to 30 years and the police service has been unable to keep pace. Members of the police service need to meet certain standards if they are to provide an effective and efficient service and there are questions concerning the quality of the present workforce. Many police officers are unsure of their role and serious questions need to be asked about providing more levels of entry, greater specialisation, and more varied career patterns. Is there even a shared understanding within the police service as to what their role should be?

The fact that the police service does not reflect the diversity of the wider population is another problem (there are 320 language groups in London alone but very few multi-lingual officers). The public is increasingly critical of a service in which there is little cultural diversity, and the police have a history of not promoting members of minorities into high level positions. Some people may not connect with neighbourhood policing if the police make little or no effort to reflect that neighbourhood's diverse culture. Efforts simply to attract more recruits from minority communities can appear tokenistic unless they are

accompanied by more fundamental changes in cultural assumptions and prevailing attitudes.

Policing currently operates at three levels – serious and organised crime, middle level crime, and low level crime and anti-social behaviour. The police are generally perceived as being more effective at dealing with the more serious end, but in reality policing does not neatly fall into these three categories and priorities must be constantly reviewed. The events of 11 September, 2001, and 7 July, 2005, for example, had a major impact both on policing and on public perceptions of police work.

It might be expected that with about a third of young adult of males having criminal convictions, a large part of the public might hold a generally negative view of the police. The police are always likely to be unwelcome in some communities, and their presence could be seen as a criticism that the community is unable to manage itself by informal means. On the other hand, the way that the police are perceived as treating people involved in or affected by crime, and the authority and legitimacy which comes from that perception, can itself have an impact on people's attitudes and the likelihood that they will observe the law and co-operate in its enforcement.

To keep abreast of increasingly sophisticated criminal activity, the police need to make a leap forward, both in organisation and in technology. As the public make increasing demands for better services, the police need to find better ways of responding. The organisation and infrastructure are in many ways no longer suited to the modern world. The police must have a greater capacity to work together strategically - locally, nationally and internationally - as a fully integrated service. Technology needs to be joined up across the system, and able to cope, for example, with differences of language. Questions about information technology could be outsourced to experts, so that the right issues are raised and the right questions are asked. But technological advance demands resources, and other public service organisations are facing similar problems.

In a 'joined-up' criminal justice system, the police need to relate to its other components. The police and the Crown Prosecution Service have sometimes thought and behaved as if they were not a part of a wider system. That view is changing. This has been a positive step towards changing attitudes of both service providers and service users. There has sometimes been a view that the police and the CPS are separate from the public, doings things 'to' rather than 'with' one another, and superior in the sense of owing allegiance to the Crown rather than being accountable to the public. When prosecution policies are developed in the Crown Prosecution Service, public meetings are now held so that the community can be consulted and the public invited to judge the Service's performance against its published policy and standards. The old hostilities need to disappear for the relationship between the police and the public to improve.

It is the job of management to ensure that the police are fit for purpose. Developing strategies is an important part of this, but it is the easy part. It is

a huge step from constructing strategy on paper to implementing it on the ground. The ideas are there, but they are often poorly understood. There is also a problem of short-termism - a constant pressure to create instant solutions to immediate problems without regard to longer-term issues or the bigger picture.

Many of the old assumptions and expectations can no longer be sustained in a consumerist society where the public are able and expect to purchase goods and services that are tailored to their needs. Market ideology encourages demand, whereas the old public service ethos dampened it. This new outlook challenges the traditional view of public service and has serious implications for the police. The Government rightly demands the highest standards of performance, but a demand-led model eventually leads to unmeetable expectations and a resultant sense of failure, irrespective of whether the service has improved or not. The question of how to sustain a public service – and not just the police service - in a consumer-driven world is a significant contemporary issue with no easy answer.

Taken with other changes in society, the market model has shifted public expectations of the police from a deferential position to one characterised by consumer-oriented demands. The public, are more aware of their rights and more ready to say what they want, but seem less interested in how their demands are met, seeing policing as very much a matter for government and not one for which they have any responsibility themselves. Inevitably, demand exceeds supply, the police become overstretched and end up doing things they shouldn't and not doing things they should. And ironically, the more the service improves, the more demand for it increases.

The growth of the policing 'family' to include police community support officers and the private sector is another contemporary challenge. Questions about the public police cannot be separated from questions about policing as a whole, and there are particular problems about accountability, especially for those who do not hold the office of constable. It could be argued, for example, that police community support officers should 'belong' to local government rather than the police. And there are serious questions to be asked about the accountability of the non-public police (for example the private security industry), whose powers have increased significantly in recent years.

The kind of policing that communities receive or expect varies between areas. In a 'safe' area which nevertheless has a high level of fear of crime, there needs to be a different kind of policing from an 'unsafe' area where fear of crime is more proportionate to the crime that is actually committed. Those who most need the police often receive the worst service. This has important implications for how police resources are allocated and prioritised and what role local people might play in reaching these decisions

National debates and local consultation are no substitute for effective accountability. Police authorities do however provide an effective form of accountability and one might ask whether their role should be strengthened and developed. There is a case for transforming police authorities into local

boards, with their own budgets and a greater degree of local autonomy, as recommended by the Patten Commission on policing in Northern Ireland. More radical – although inevitably controversial - changes would be possible if the notion of ‘contestability’ were introduced into policing and some police functions were exposed to market testing.

Rather than updating and renewing the existing police model, it might be better to look for a new model. Is it right for example that the police should be mainly reactive and only 1% of their time should be spent proactively reducing crime? A more proactive model would however have to be paid for; it cannot be automatically assumed that more resources would be forthcoming, so some thought should also be given to what the police might stop doing. The police should not expose themselves to a potential criticism that they are in the business of social engineering, and a key policy objective must be to manage the public’s expectations of the kind and quality of service that could properly and realistically be provided.

An analysis of what a service actually does could give surprising results. A study of the Fire Service has shown that many fire stations are in the wrong place and its conditions of service and systems of management have allowed damaging features of its culture and working practices to continue unchecked. A similar study might be needed for the police, and might usefully have been made before the present proposals for re-organisation were put in train.

SESSION 2: HOW HAVE THE PUBLIC’S AND GOVERNMENT’S EXPECTATIONS OF POLICING CHANGED? ARE THEY UNREALISTIC, AND IF SO, WHAT CAN BE DONE ABOUT IT?

It was suggested that the thinking on policing had been trapped between two models – one that is currently in disrepute, and the other which is now in the ascendant. A third is struggling to be born. The first is one of professional paternalism where the police, supported by other professional elites, have the attitude of ‘we know best - we’ve been trained, we know how to manage our resources and we know how to balance liberty and security’. It has become much more difficult to sustain that position over the last 25 years, and few people would now defend it.

The second model is that of the ‘service station’ state, where it is the job of government and public services, including the police, to satisfy its citizens as ‘consumers’. Demands by the public should be registered and satisfied, but not debated or challenged. But this model also presents a number of problems. It assumes that the demands of the public are benign. It effaces the fact that the police have finite resources and does not deal with the problem of insatiability. It does not allow for priorities to be based on considerations such as equity or the national interest, rather than public demand. The State has in essence ‘faked its own death’ in appearing to have lost confidence in its ability to steer and adhere to a notion of public interest. Government and the police need to find a way of registering people’s concerns but without being compelled to meet them uncritically.

A third model, which might now be coming into its own, could be called democratic governance – a process of explanation and consultation leading to understanding and agreement. It could be closely linked to the Government's own plans for local empowerment and local democracy. But to put it into effect would not be straightforward – it is not easy to identify what the public's expectations actually are; they vary between different groups (for example between travellers and an area's established residents) and in different situations; they are influenced by the media and anecdote; and they can be manipulated for self-interested purposes.

Public expectations are difficult to measure but their measurement is important. Much of the evidence and many of the statistics on which the evidence of public expectations is based are very much open to challenge. The findings of polls can be open to different interpretations. And "the public" is made up of many different interest groups – victims, offenders, territorial and ethnic communities - some of which are easier to consult or better at articulating their wishes than others.

As for any public service, expectations have to be distinguished from needs and assessed in the context of the wider public interest. The people who drive expectations are not necessarily those who need the service the most or whose claims should take priority. The needs and expectations of all those who use the criminal justice system, including offenders, are also important. The word 'expectations' generally has positive connotations, but those of some people, for example blacks, Muslims or travellers, may be quite negative.

A 'good service' may not always mean one that is successful in 'catching the burglar'. People's expectations of policing often reflect a romantic image of Dixon of Dock Green: it may be enough that there is somebody, in some position of authority, who is ready to listen to their concerns. And people's perceptions of what the police can achieve may differ markedly from what the courts and other criminal justice agencies believe.

Public expectations also differ according to the type and level of crime and the extent to which people may feel directly threatened by it. People, and the media, may for example react more strongly to low level disorder or anti-social behaviour than to crack houses, or even some murders, which only affect 'other people'. People want the police to deal with their own problems as they see them. They are typically about the behaviour of young people; traffic and the anti-social use of vehicles; and 'council' issues such as graffiti and the mess left by dogs. If more resources were devoted to these issues, perhaps there would be less dissatisfaction with the police.

Recent legislation has had the effect of blurring the purpose of the police. For example the police have recently been given more powers of summary justice (on-the-spot fines, conditional cautions and increased powers of arrest), reflecting the Government's view that the process of trial, conviction and sentence is less effective than direct action by the police. That view might be contested, but there is a good case for trying to resolve certain problems

outside the courts and the formal criminal justice process and without leaving the stigma of a criminal conviction.

If one looks at the triggers for crime – drink, drugs and lack of activities for young people - there seems no reason why dealing with those should necessarily be a matter for the police or a charge on the police budget. If responsibility were transferred, say to local government, the police could make valuable savings and at the same time perhaps improve their relations with the public.

If the Government, through Parliament, gives the police the powers that the police ask for, the Government will expect the results it wants. There are however demands on the police and limitations on their scope for action, for example community relations and competing priorities, including the legitimate concerns of other agencies, as well as respect for human rights, that may make delivering those results unrealistic.

In a democracy, the police should not just get whatever powers and resources they want. There needs to be consultation and an open exchange of views. The question should not be 'what powers, or resources, do the police want?' but 'what do they need to do the job the country expects from them?' In the debate surrounding the passing of new legislation on terrorism, the Government seemed to claim that because the police wanted powers to detain suspects for 90 days, it was illegitimate for critics to argue against this..

Government needs to recognise that expectations of policing are limited by choice as well as purpose. Purposes are multiple, contextual, time specific and multi-dimensional, but from purpose comes choice. The choices that police have to make are limited by democracy, legitimacy and by the choices made by partner agencies. The extent to which policing on its own can make an impact on levels of crime should not be over-estimated.

The present culture of complaint has led to a succession of high-level inquiries that have damaged confidence in the police. Where the public thinks the police are untrustworthy, or the criminal justice system is 'failing', the arguments have often come from government. On the other hand, inquiries such as the Stephen Lawrence inquiry, and a readiness to listen to complaints more generally, can have a positive and often salutary effect.

The key to dealing with expectations is dialogue and giving people information. Communication with the community is a win-win situation – the community feels more content and intelligence from the community will subsequently flow more easily. Though there is a long way to go, the tragic events of July 2005 demonstrated some of the positive aspects of policing. During the period which followed, the police tried to engage the most critical voices and there was a positive benefit from doing so. Even so, it is all very well to engage a community, but judgements still have to be made which may not always coincide with that community's wishes.

SESSION 3: HOW CAN THOSE WHO ARE PRESENTLY EXCLUDED FROM THE DEBATE BE DRAWN INTO IT? HOW CAN THE PUBLIC'S VIEWS BE MARSHALLED AND FED INTO THE DEVELOPMENT OF POLICING POLICY AND PRACTICE?

A national debate requires 'quiet' as well as 'noisy' people to be heard. All agencies within the criminal justice system need to be involved in the debate, including the judiciary, and there should be effective mechanisms in place to enable ordinary people to contribute at a local level. The internet provides opportunities which are only beginning to be exploited.

The public has at present a general sense of impotence. They feel themselves so distant from the democratic process that they regard policing as something they cannot do anything about. There is no common language in which the issues can be discussed. The language of 'level 1, 2 and 3 crime', for example, is exclusionary. And people sense that everything has become so politicised, with all power (and hence decision-making) now resting with the Government.

The attitude of the Government from 1997-2005 was that it had no need to listen to criticism. Votes in the House of Commons were overwhelmingly in their favour. The Government no longer has the same Parliamentary majority, but it still has the same attitude of mind. Even Parliament is shut out of the debate to some extent, and when that is the case other people feel even more excluded. The media need to act responsibly and an impartial body is needed to moderate the debate.

The discussion on the proposals for amalgamating police forces is a good case in point. It gave the impression that the reforms were being rushed through and had been prepared with very little consultation. Critics see them as an unnecessary distraction from more fundamental issues such as accountability, modernisation of the workforce, and the legitimate use of technology. There is strong case for acting swiftly to implement change once it has been decided upon, but the process of reaching that decision needs careful and if necessary time-consuming deliberation.

Various mechanisms were suggested for bringing more people into the debate.

- An important group that is often excluded is the under 16s. They could be reached through schools, not least by the use of new technology, but those who are not attending schools need to be reached as well. This could be done by developing specific consultation procedures for engaging young people (for example youth panels).
- Questions could be added to the British Household Panel Survey.
- Mechanisms need to be developed for engaging key stakeholder agencies, such as the judiciary, the Crown Prosecution Service and police officers themselves. .
- People in prison (78,000) should be consulted as well. They all have personal experience of the police and their impressions and expectations are important.

- Questions on this subject must be carefully framed. In replying to abstract questions on sentencing, for example, respondents are likely to say that sentences are too lenient, but when presented with the facts of a case their view is much more likely to correspond with existing sentencing practice.

The police service, and policing as an issue, has become increasingly politicised. Both the Government and the police are perceived as having colluded in this process, and as having thought that with each other's agreement they could avoid serious public consultation. The quality of the Parliamentary debate, for example on terrorism, the expansion of summary justice, the creation of a DNA data base and police amalgamations, has suffered as a result. The police service itself is constantly distracted from the professional work of policing to meet haphazard and unpredictable political demands, and the risk is that the public will become cynical and isolated.

The aim of this Forum should not be to have a one-off debate and then draw a line under it. There needs to be a continuing discussion that draws in people from other countries as well as foreign nationals living in the United Kingdom. It should be able to influence other countries' approach to policing and develop new and innovative ways of reaching wider audiences, including the disenfranchised, the marginalised and those who still believe that the police are more a service to be feared than a service that can help. But to achieve better policing, it will be important to go beyond consultation and debate and find new ways to involve the people in making decisions and holding the police to account for the service they provide.