

What are PCCs for?

The intended role of Police and Crime Commissioners and their performance since 2012

By Iain McLean, Mike Norton and Anika Ludwig

What are PCCs for?

The problem

Policing in Great Britain has always been predominantly local. But, almost two centuries after the first UK Act authorising a police force, there is no agreed model of local democratic control. A number of forces have never been under the control of elected local authorities; others have moved in and out of local control. Ireland, and now Northern Ireland, faced unique public order issues when policing began, therefore its police have never been responsible to elected Local Authorities. Consequently, because the issues and the administration of policing in (Northern) Ireland are so different to those in Great Britain, they are not further considered in this paper.¹

The Metropolitan Police Act 1829 (10 Geo.4, C.44) created the force which set the model for policing in Great Britain, but did not set the governance model. Its territory was historic London and the neighbouring counties. Its officers were directly appointed by the Home Secretary: ‘fit and able men shall from time to time, by the direction of His Majesty's Secretaries of State, be appointed as a Police Force’. Pay and conditions were to be regulated by the Secretary of State². The force was not to be locally funded.

A democratically accountable locally-controlled force was not envisaged in 1829 because Local Authorities were created later: for English cities by the Municipal Corporations Act 1835; for the counties of England, Scotland and Wales in 1889. Scottish burghs were nominally self-governing and were islands outside the jurisdiction of the counties, as were English cities and most large English towns (‘county boroughs’). In both Scotland and England, therefore, this created doughnuts of boroughs/burghs surrounded by counties, with different administrative and electoral arrangements.

Local policing followed these jurisdictional boundaries. The 1835 Act required cities to create a police force. Outside the cities in England and Wales, the creation of a force was optional until the County and Borough Police Act of 1856, while the Police (Scotland) Act of 1857 created a force for each county. This occurred in both countries over 30 years before county councils became elected bodies.

There were extensive changes in local government in the 1970s in Scotland, England, and Wales. The doughnut pattern of self-governing boroughs/burghs surrounded by counties,

¹ Because 19th Century UK governments did not trust Irish local authorities, when most Irish citizens resented British rule, Irish policing was not put into the hands of county councils when they were created in the 1890s. The main force, the Royal Irish Constabulary, was an all-Ireland force answerable through the UK's Dublin administration to British ministers. It thus resembled the French *gendarmerie* or Italian *carabinieri* more than a British police force. At the partition of Ireland in 1921, the Royal Ulster Constabulary became responsible to the Parliament of Northern Ireland. There have been many changes both in policing and in the character of the Northern Ireland Parliament since then, but the force, now renamed more neutrally the Police Service of Northern Ireland, is still under direct Parliamentary control.

² The formula ‘one of His Majesty's Secretaries of State’, now more simply ‘the Secretary of State’, is a general empowering phrase to allow the UK government to act through *any* minister, irrespective of changes in ministerial titles and functions after the passing of a statute.

each with its separate police force, was abolished in favour of a two-tier model of counties and districts. This led to more uniformity in policing. Counties, or groups of counties, became Police Authorities, of which there were 43 in England and Wales, and eight in Scotland. In principle, local democratic control and partially-local funding became more tractable from this point forward.

Since devolution to Scotland and Wales in 1999, the Scottish Parliament and National Assembly for Wales have become responsible for their domestic functions including police. Wales has continued with four forces (North Wales, South Wales, Gwent and Dyfed-Powys), each covering an amalgamation of Local Authority areas. The Scottish Government merged its eight regional forces into a single national force in 2013 (Police Scotland).

Other anomalies exist. The City of London Corporation refused to let its territory be incorporated into the Metropolitan Police area in 1829. Therefore, the City of London Police remains as a highly specialized force serving a tiny resident population but with wide responsibilities for, inter alia, public order in the City and financial and commercial crime prevention.

The British Transport Police (BTP) is responsible for policing railways, but not other forms of transport, in Great Britain. This anomaly arises because railway companies were established by private Acts of Parliament. From the beginning, those Acts empowered the railways to police their premises. In early days the duties of railway policemen included ticket collecting and signalling.³ BTP became a single force in 1948 on the nationalization of British Railways. Its governing body reports to the UK Department of Transport, not to the Home Office. It is currently proposed that the BTP in Scotland will be merged with Police Scotland.

There are also two smaller, specialised forces which we do not discuss in detail: the Ministry of Defence (MoD) Police and the Civil Nuclear Constabulary (CNC). Each, like BTP, is responsible for protecting its parent body's installations; but, unlike the railways, those installations are not open to the public.

This history has created a patchwork of democratic control in most areas but not in all. The City, BTP, MoD, and CNC forces have no democratic control. The Metropolitan Police (Met) now comes under the jurisdiction of the Mayor of London, and Police Scotland under that of the Scottish Parliament. Since November 2012, the rest of Great Britain has Police & Crime Commissioners (PCCs). Why?

The best argument for instituting PCCs was that democratic control was very meagre. After the extensive local government reform of 1972-3, each single-force county in England and Wales had a police committee comprising elected councillors and magistrates. However, several forces covered amalgamations of counties. For instance, Thames Valley Police (TVP) covers the three counties of Oxfordshire, Berkshire and Buckinghamshire; Avon & Somerset Police (ASP) covers Somerset plus the now-abolished county of Avon (viz., greater Bristol and

³ Hence the mostly archaic nickname 'bobbies', now current only in the slogan 'bobbies on the beat'. The nickname arose because the 1829 Act was introduced by Home Secretary Sir Robert Peel. By extension, railway signalmen also became known as 'bobbies'.

Bath). The creation of six metropolitan county councils in 1973 meant that five of the six had a one-to-one match with the force areas of West Yorkshire, South Yorkshire, Greater Manchester, West Midlands, and Merseyside. But the abolition of metropolitan county councils in 1986 left these five, which were the largest forces outside London, with ineffective democratic oversight. Even where there was a one-to-one mapping between a county and a police authority, the presence of magistrates on the police authority meant that it was not wholly democratically controlled even by the indirect route of a committee of councillors.

Police finance was also deeply obscure. It came from two main sources. One was a 'precept' on council tax. Police authorities had the right to determine a local tax, which took the form of a surcharge on residents' council tax bills. This was far from transparent, and residents had, in effect, nobody to complain to if they thought the precept was too high, or indeed too low. Very few people read the annual statements that come out with Council Tax bills explaining how the proceeds are allocated.

The other source of police funding is from central government grant. This is by formula, again derived in ways that at most, a few insiders understand. Formula funding reinforces vested interests. Those forces that benefit from the weightings in the existing formula have a powerful incentive to lobby against change. Those who would do better under a rival formula are powerless, except perhaps at a change of government.

The planned solution

In June 2010, the newly elected Coalition government issued a White Paper containing its proposals for PCCs in England and Wales^{4,5}. The White Paper states:

The approach of the last decade has been for central government to intervene more and more in local policing in an attempt to make it more accountable.... Nowhere in this long list of reforms does the public appear as the natural democratic check and balance that Peel referred to in 1829 as the bedrock of police activity.... Targets and standards in policing were driven by Whitehall rather than the public.... A Cabinet Office review in 2007 highlighted that only 7% of the public would know to go to their Police Authority if they had a problem with policing in their local area....

In the Budget on 22 June 2010, the Chancellor announced that 'unprotected' Departments – including the Home Office – will face real cuts over the next four years. Police funding will have to take its fair share of this challenge... We will empower the public: introducing directly elected Police and Crime Commissioners who will give the public a voice and strengthen the bond between the public and the police through greater accountability and transparency...

⁴ Home Office. 2010. "Policing in the 21st Century: Reconnecting police and the people", CM 7925, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118239/policing-21st-full-pdf.pdf, last accessed 27 April 2016.

⁵ <http://www.theguardian.com/public-leaders-network/2016/apr/08/police-crime-commissioner-pcc-election-may>

The public at the ballot box will be the ultimate judge of the success or failure of each Commissioner and how well they are serving their community.... From January 2011, we will ensure that crime data is published at a level which allows the public to see what is happening on their streets and neighbourhoods. We will require police forces to release this data in an open and standardised format that would enable third parties to create crime maps and other applications that help communities to engage and interact with their local police in a meaningful way.....

The White Paper stated that the government did not plan to reduce the number of forces. Despite its mention of 40% cuts in the money available for policing, it was so silent about police financing that the word 'finance' does not appear in it at all.

The Police Reform and Social Responsibility (PRSR) Bill was introduced in the House of Commons on 30th of November 2010, which provided for the election of PCCs to replace Police Authorities in 41 police force areas in England and Wales from May 2012.⁶ However, during its passage through Parliament in September 2011, Government amendments resulted in a change of date of the first PCC elections from May 3rd 2012 to November 15th 2012. In most of England and Wales these were stand-alone elections. However, the PCC elections took place alongside parliament by-elections in Cardiff, Corby, Manchester, as well as the first Mayoral election in Bristol. Elected PCCs were expected to "swap the bureaucratic control of the police for democratic accountability" which would "benefit police and public alike".⁷

The Act provided for PCC elections to be conducted by the Supplementary Vote (SV) system. This system has no *a priori* justification in the theory of voting and elections, but it has a history and a purpose. Its original purpose, when introduced for elections to the Mayorality of London, was to stop Ken Livingstone from becoming Mayor. (It failed in this purpose). Each voter may express two preferences. If there are more than two candidates, the two top candidates in terms of first preferences go through to the second round of counting and all others are eliminated. If (and only if) supporters of eliminated candidates have expressed a second preference for one of the two candidates left, those votes are added to that candidate's total to determine the winner in the second round.

In the run-up to the first London mayoral election, Ken Livingstone had been suspended from the Labour Party (not for the last time). Politicians from the governing Labour Party thought that this would ensure that Livingstone, were he to run as an independent, would be eliminated in the first round; that most of his second preferences would go to Labour; and that Labour would therefore win the mayoralty. It did not work out like that. Livingstone did

⁶ The Electoral Commission. 2013. "Police and Crime Commissioner elections in England and Wales: Report on the administration of the elections held on 15 November 2012", available from http://www.electoralcommission.org.uk/_data/assets/pdf_file/0003/154353/PCC-Elections-Report.pdf

⁷ Committee on Standards in Public Life. 2014. Local Policing – accountability, leadership and ethics.

run as an independent, but the Labour candidate came third, and Livingstone was accordingly elected.

SV is not normatively defensible. It is a variant of Alternative Vote; it shares all the defects of that system and adds more of its own. Under Alternative Vote (AV), voters are invited to rank all the candidates. As with SV, first preferences are then counted, but candidates are successively eliminated, starting with the one receiving fewest first preferences, and any transferrable votes are transferred. The process is repeated until one candidate has more than half of the valid votes remaining, including transferred votes. In 2011, AV was resoundingly defeated in a referendum in favour of retaining plurality ('first past the post') for elections to the House of Commons. The fact that it can eliminate the candidate who would beat every other one if candidates were compared head-to-head in pairs did not feature in arguments in the referendum: appropriately, because the same is true of first past the post. For all its defects, however, it does give voters the option of ranking all the candidates, and does not arbitrarily disenfranchise those who fail to guess correctly who will be the top two first preference-getters. To use an easily understandable mathematical term, SV is *strictly dominated* by AV, a system that had just been heavily defeated in a national referendum when it was laid down for use in the first PCC elections. SV was used again in the 2016 PCC elections, as it is prescribed in the Act. But it would be highly desirable to abandon it for future elections, to improve their credibility.

The 2012 election round

Partly due to the strange time of year elections took place, as well a lack of awareness of PCCs and their election, turnout rates were very low across England and Wales for the inaugural PCC elections. In most police force areas, turnout rates were somewhere between 10-20%, with an average of 15.1%; the lowest turnout ever recorded in a nationwide election.⁸ Of the PCC seats contests in England and Wales, 16 were won by the Conservatives (one in Wales), 12 by Labour (one in Wales) and 10 by Independent candidates (two in Wales). Candidates who previously held an elected position in local or regional councils tended to be more successfully elected than those outside of politics (see table 1).

There do not appear to be any obvious performance measures of PCCs; the Police and Crime Plans produced by PCCs as part of their mandate include rather generic aims and objectives (e.g. reducing crime, focusing on victims, deterring offending). Consequently, the positive impacts PCCs have had have been overshadowed by negative stories; there have been a number of controversial stories surrounding a number of PCCs during their first run in office. For example:

- Ann Barnes, the PCC for Kent, pledged to introduce Youth Commissioners in her police force area, aimed at reducing the gap between young people and the police. In April

⁸ C. Rallings & M. Thrasher. 2013. "The 2012 Police and Crime Commissioner elections in England and Wales: aspects of participation and administration", available from http://www.electoralcommission.org.uk/_data/assets/pdf_file/0005/154472/PCC-2012-electoral-data-Report.pdf

2013, 17-year old Paris Brown was appointed, representing the views of young people in relation to policing in Kent. However, less than a week into the role, Miss Brown was forced to resign, following news reports of racist and homophobic tweets on her Twitter account, as well as boast of drinking and drug taking, that she had posted a year before.⁹

- Miss Brown was replaced a short while later by 20-year old Kerry Brown (no relation), however she was also suspended in June 2014 after it was disclosed she had a 'close friendship' with a married former Conservative councillor.¹⁰ Subsequently the role was scrapped, and was replaced by a Youth Advisory Group, which was made up of the local Kent County Youth Council, and the Medway Youth Parliament. In March 2016, Ann Barnes announced she was not standing for re-election for her role as PCC.
- Shaun Wright, the PCC of South Yorkshire, came under increasing pressure to resign from his post of PCC following the Rotherham child sexual exploitation scandal.¹¹ It emerged that he had held a senior role in child services in Rotherham between 2005 and 2010. After a number of votes of no confidence by the Police and Crime Panel and Sheffield City Council, as well as calls to resign from the Labour Party, the Prime Minister and the Home Secretary, Mr Wright finally resigned in September 2014. Under current legislation, there is no power of recall for PCCs and the only way they can be removed is if they commit misconduct in public office, or are convicted of an offence with a custodial sentence of two or more years.

The new PCC of South Yorkshire, Dr Alan Billings, was elected in a November 2014 by-election. He who took the most conspicuous decision by a PCC to date, viz., to suspend the force's Chief Constable, David Crompton in April 2016 in the wake of the Hillsborough inquest, citing an "erosion of public trust and confidence".¹²

Allegations of cronyism have also tainted a number of PCCs¹³, with initial fears that as many as 16 PCCs had appointed friends, former colleagues and contacts as deputies on salaries up to £65,000. While the PCCs were elected by the public, the role of a deputy commissioner is not subject to a democratic vote and does not have to be advertised.

PCCs have only been elected in 41 out of 43 Police Force Areas in England and Wales; the Met and City of London are exempt. So what happens in areas where there are no PCCs? Who holds the police responsible?

⁹ <http://www.theguardian.com/uk/2013/apr/09/paris-brown-stands-down-twitter>

¹⁰ <http://www.bbc.co.uk/news/uk-england-kent-27692723>

¹¹ <http://www.theguardian.com/uk-news/2014/sep/16/rotherham-child-sex-abuse-pcc-shaun-wright-resigns>

¹² <http://www.independent.co.uk/news/uk/home-news/south-yorkshire-police-chief-constable-david-crompton-suspended-over-response-to-hillsborough-a7003846.html>

¹³ <http://www.telegraph.co.uk/news/uknews/law-and-order/9728959/Fears-of-cronyism-as-police-commissioners-appoint-deputies.html>

In London the shooting of Jean Charles da Silva e de Menezes in 2005 caused much concern around police accountability in the UK. Menezes was a Brazilian man, shot by the Metropolitan Police, after a case of mistaken identity, during a period of high alert after the 7/7 bombings a few weeks earlier. No one has been held accountable for his shooting despite a number of investigations into the incident carried out by the Independent Police Complaints Commission (IPCC). The first investigation concluded that none of the officers would face disciplinary charges. The second investigation strongly criticised the police command structure and communications to the public. The Police Commissioner, on behalf of the Met Police, was charged by the Crown Prosecution Service with a failure of the duty of care due to Menezes; he was found guilty and his office was fined. The European Court of Human Rights ruled in 2016 that it was ‘right not to charge’ police over the 2005 shooting of Menezes: ‘His family condemned the judgment for allowing police to avoid accountability.’¹⁴

The newly formed Police Scotland has also received grave criticism since its inception in April 2013. The deaths of Lamara Bell and her partner John Yuill in July 2015 have been linked to a lack of accountability, significant weaknesses in the rollout of a national call-handling system and inadequate oversight. Yuill and Bell lay undiscovered for three days after their car crashed on the M9 southbound near Bannockburn, Stirlingshire after officers failed to respond to reports of a crash.¹⁵ Police Scotland faced a barrage of criticism after it emerged that a call reporting the crash on the morning it happened was not entered into its systems. Chief Constable Sir Stephen House, who eventually stepped down after months of pressure, described the error as a result of ‘individual failure’. An HMIC (Her Majesty’s Inspectorate of Constabulary) review raised serious questions about whether the failure was the result of more systemic problems within Police Scotland.

Such incidents continue to raise concerns regarding oversight and accountability of policing in GB. All forces who previously elected PCCs have done so again in the second round of elections of PCCs in May 2016, apart from Greater Manchester Police (GMP). GMP have elected to move to the Mayoral model, currently in place in London, who will be supported by a deputy PCC from 2017. The election of a Mayor is seen:

“as a positive, it’s a huge opportunity. Particularly because we know we’ve got a lot of good work going on and the relationships have been established. It’s just the next step to a bigger and better Greater Manchester”. (CFO, GMP)

The 2016 election round

The PCC elections in 2016 took place alongside a number of other local council elections in May, and consequently it was anticipated that turnout rates would be higher. Overall a 10.9% increase in turnout was recorded, and 74% of PCCs standing for re-election did so successfully (20 out of 27). Political party denomination were relatively equal between Labour and

¹⁴ <http://www.theguardian.com/uk-news/2016/mar/30/jean-charles-de-menezes-police-officers-should-should-not-be-prosecuted-echr>

¹⁵ <http://www.theguardian.com/uk-news/2015/nov/10/police-scotland-call-handling-hmics-review-lamara-bell-m9-crash>

Conservative, with 16 Labour (two in Wales) and 20 Conservative candidates successfully elected, however Independent candidates dropped from 11 to 3, and Plaid Cymru gained two posts (see Figure 1 and Table 1). Some of the highest voter turnouts were recorded in Wales, Dyfed Powys leading the way with 49% voter turnout. Durham demonstrated the lowest voter turnout with 17.4%.

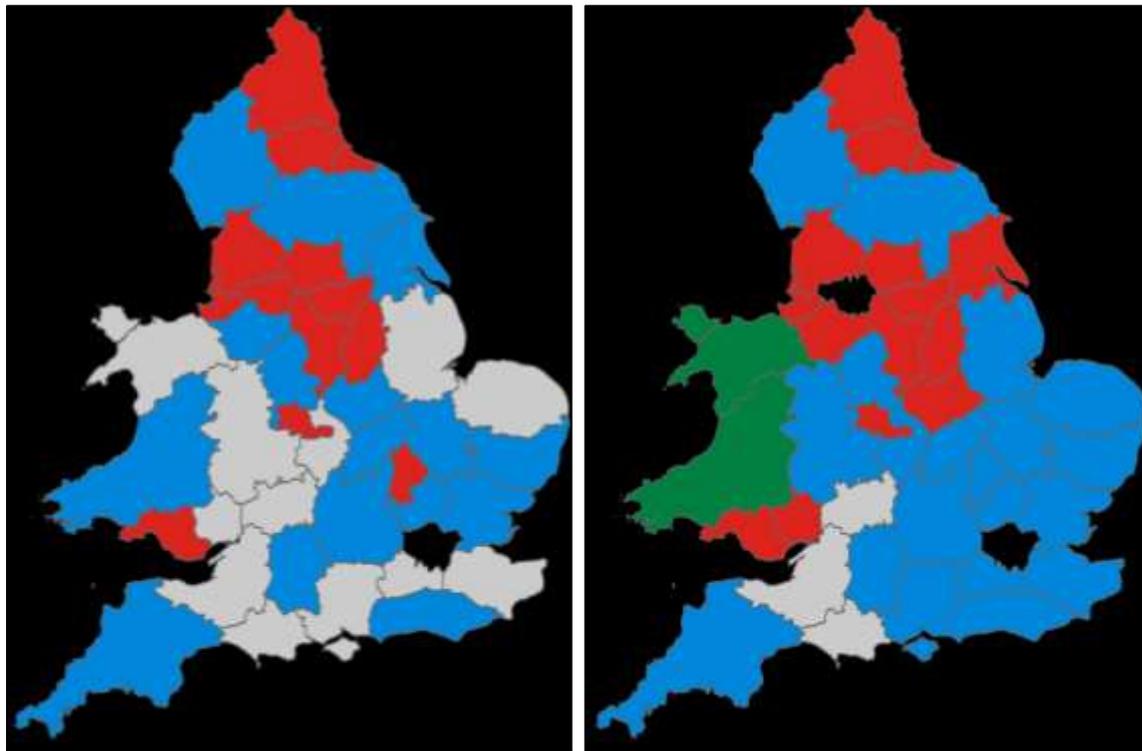


Figure 1: Outcome of PCC elections 2012 and 2016, by political party (grey=independent, blue=conservative, red=labour, green=Plaid Cymru) (Source BBC).

The highest turnout rate was in Wales where there was also other important elections happening.

“It will be really interesting for me, just to see what the turn-out is like this time around. Slightly different in the Welsh thing because we’ve got assembly elections the same day, so that’s bound to increase the turn out. But in other places it will be really interesting, where it is the only election taking place whether it has got any traction and whether they’ve got people interested in voting for it. Last time round, when nobody really knew the role, well we didn’t understand the role.” – Deputy PCC, Gwent.

Table 1: The winning candidates of the 2016 PCC election and their party affiliations.

PFA	2012/2014 Winner	Turn out	Party affiliation	Standing again?	2016 Winner	Turn out	Party affiliation
Avon & Somerset	Sue Mountstevens*	19.6%	Independent	YES	Sue Mountstevens*	26.0%	Independent
Bedfordshire	Olly Martins*	18.2%	Labour	YES	Kathryn Holloway*	23.1%	Conservative
Cambridgeshire	Sir Graham Bright*	15.3%	Conservative	NO	Jason Ablewhite*	29.3%	Conservative
Cheshire	John Dwyer*	14.1%	Conservative	YES	David Keane*	23.3%	Labour
Cleveland	Barry Coppinger*	15.1%	Labour	YES	Barry Coppinger*	19.7%	Labour
Cumbria	Richard Rhodes*	16.4%	Conservative	NO	Peter McCall*	24.9%	Conservative
Derbyshire	Alan Charles*	14.7%	Labour	NO	Hardyal Dhindsa*	23.2%	Labour
Devon & Cornwall	Tony Hogg*	15.1%	Conservative	NO	Alison Hernandez*	22.1%	Conservative
Dorset	Martyn Underhill*	17.1%	Independent	YES	Martyn Underhill*	21.7%	Independent
Durham	Ron Hogg	14.7%	Labour	YES	Ron Hogg*	17.4%	Labour
Dyfed-Powys	Christopher Salmon	17.1%	Conservative	YES	Dafydd Llywelyn*	49.1%	Plaid Cymru
Essex	Nick Alston*	13.1%	Conservative	NO	Roger Hirst*	25.2%	Conservative
Gloucestershire	Martin Surl*	17.1%	Independent	YES	Martin Surl*	29.4%	Independent
GMP	Tony Lloyd	13.9%	Labour	N/A	Tony Lloyd*	N/A	Labour
Gwent	Ian Johnston*	14.4%	Independent	NO	Jeff Cuthbert*	39.0%	Labour
Hampshire	Simon Hayes*	15.0%	Independent	YES	Michael Lane*	28.0%	Conservative
Hertfordshire	David Lloyd*	14.5%	Conservative	YES	David Lloyd*	28.1%	Conservative
Humberside	Matthew Grove*	19.5%	Labour	YES	Keith Hunter*	22.1%	Labour
Kent	Ann Barnes*	16.3%	Independent	NO	Matthew Scott*	21.0%	Conservative
Lancashire	Clive Grunshaw*	15.5%	Labour	YES	Clive Grunshaw*	28.1%	Labour
Leicestershire	Sir Clive Loader*	16.4%	Conservative	NO	Willy Bach*	19.8%	Labour
Lincolnshire	Alan Hardwick*	15.6%	Independent	NO	Marc Jones*	20.7%	Conservative
Merseyside	Jane Kennedy	12.7%	Labour	YES	Jane Kennedy	30.2%	Labour
Norfolk	Stephen Bett*	15.0%	Conservative	YES	Lorne Green*	23.2%	Conservative
Northamptonshire	Adam Simmonds*	19.8%	Conservative	NO	Stephen Mold*	22.0%	Conservative
Northumbria	Vera Baird	16.8%	Labour	YES	Vera Baird	31.4%	Labour
North Yorkshire	Julia Mulligan	14.3%	Conservative	YES	Julia Mulligan*	22.0%	Conservative

North Wales	Winston Roddick*	15.2%	Independent	NO	Afron Jones*	41.6%	Plaid Cymru
Nottinghamshire	Paddy Tipping*	16.8%	Labour	YES	Paddy Tipping*	21.4%	Labour
South Wales	Alun Michael*	15.2%	Labour	YES	Alun Michael*	42.5%	Labour
South Yorkshire	Shaun Wright ¹⁶ (Alan Billings)	15.0% (14.6%)	Labour	YES	Alan Billings*	28.4%	Labour
Staffordshire	Matthew Ellis	12.0%	Conservative	YES	Matthew Ellis*	21.1%	Conservative
Suffolk	Tim Passmore*	16.0%	Conservative	YES	Tim Passmore*	24.0%	Conservative
Surrey	Kevin Hurley*	17.7%	Independent	YES	David Munro*	27.2%	Conservative
Sussex	Katy Bourne*	15.8%	Conservative	YES	Katy Bourne*	22.5%	Conservative
Thames Valley	Anthony Stansfeld*	13.3%	Conservative	YES	Anthony Stansfeld*	24.2%	Conservative
Warwickshire	Ron Ball*	15.6%	Independent	NO	Philip Seccombe*	26.0%	Conservative
West Mercia	Bill Longmore*	14.7%	Independent	NO	John-Paul Campion*	20.7%	Conservative
West Midlands	Bob Jones ¹⁷ * (David Jamieson)	13.9% (10.4%)	Labour	YES	David Jamieson*	28.6%	Labour
West Yorkshire	Mark Burns- Williamson*	12.3%	Labour	YES	Mark Burns- Williamson*	33.2%	Labour
Wiltshire	Angus McPherson*	15.8%	Conservative	YES	Angus McPherson*	24.0%	Conservative

* Second preference votes required to determine winner

Average turnout rate 2012: 15.6%

Average turnout rate 2016: 26.4%

Percentage PCC's re-elected: 74%

¹⁶ Mr Wright resigned in September 2014 following weeks of pressure after the Rotherham scandal.

¹⁷ Bob Jones died unexpectedly in July 2014.

Most results were contested using second preference voting, with Merseyside and Northumbria being the two exceptions. Independent candidates did not appear as strong as the other main political parties – Labour and Conservative, and in police force areas where independent candidate was up for re-election many did not make it to the second preference stage.

We have completed preliminary analyses of these results; more will follow in later papers. To date, we can report two findings. First, we undertook textual analysis of all the successful 2012 manifestoes. We wished to see whether Conservative and Labour candidates stressed different themes, and whether political-party winners stressed different themes to successful independent candidates. Our findings are null. Sometimes, as now, null findings are important. We were testing two hypotheses: (H1) that Labour candidates made specifically left-wing promises (e.g., more protection of the poor) while Conservative candidates made more right-wing promises (e.g., more protection for property; (H2) that political party campaigners would systematically stress different promises to non-party candidates. Figure 2 presents our word clouds for the three classes of candidate.

Figure 2: Frequency analysis (word clouds) for terms used by successful Labour, Conservative, and Independent PCC candidates in 2012



Statistical analysis will follow in later papers, but eyeballing is sufficient to disprove H1 and H2. Whatever may have differentiated members of the Class of 2012 PCCs, it was not party politics, nor was it a division between those who had risen through party politics and those who had not.

This finding is not inconsistent with the more party-oriented results in 2016 (Table 1 and Figure 1). Parties are continuing organisations, with permanent machinery in place for vetting

and selecting candidates. Independents must finance their own campaigns. However, despite the more politically partisan composition of the Class of 2016 than of its predecessor, the evidence of Figure 2 leads us to predict that PCC elections will continue to be fought on, essentially, non-party political grounds.

Our second result to date concerns the performance of police forces as measured by the Crime Survey of England and Wales, which is large enough to have data for each force area. All those who work in this field know that *recorded* crime, as reported by forces, is so subject to measurement bias and discretion in recording that it is valueless as evidence for the efficiency or effectiveness of a force. Recorded crime figures, although still produced, no longer count as National Statistics, which is the badge of authority conferred by the UK Statistics authority for data that conform to the UK's Code of Practice for Official Statistics.¹⁸ This leaves the Crime Surveys (separately, of England & Wales, and of Scotland) administered by the Office for National Statistics as the sole reliable and valid evidence for the effectiveness of a force in reducing crime. The Crime Surveys record respondents' experience of crime – *reported* crime, but as reported by survey respondents, not by forces. These data are used by HM Inspectorate of Constabulary, where they are combined with administrative data about unit costs to produce a scorecard for the efficiency and effectiveness of each force in England and Wales.¹⁹

Using the Metropolitan Police, which has no PCC (the mayor of London is the equivalent to the PCC but with more powers), as a benchmark, we compared the HMIC ratings of forces for the six years (2007-2012) before the introduction of PCCs and the three years (2013-15) since their introduction for which data are currently available. We found a statistically significant increase in police force rating, about 6 percentage points increase, from the PCC introduction ($R^2=0.65$). This is a within-force effect, controlling for correlation across years and police force areas, and using the Metropolitan Police as the control. As with most social science data, correlation does not prove causation, but this is preliminary evidence in favour of the PCC experiment.

Finance: the missing dimension of reform

As noted above, the 2011-12 reform proposals did not deal with finance at all; a glaring deficiency. One of the first principles of both democracy and public finance is that the responsibility to spend and the responsibility to tax should go together. In policing, they did not. If anything, the creation of PCCs made matters worse, because the old Police Authorities at least included local councillors who had a power to fix rates (local property taxes), and a duty to answer to their electorate for the level of local rates. Our interviews²⁰ with PCCs and

¹⁸ https://www.statisticsauthority.gov.uk/wp-content/uploads/2015/12/images-codeofpracticeforofficialstatisticsjanuary2009_tcm97-25306.pdf, accessed 12.07.2016.

¹⁹ <https://www.justiceinspectors.gov.uk/hmic/our-work/peel-assessments/>

²⁰ In total the project has interviewed 7 PCCs and 9 Chief Finance Officers.

finance officers uniformly show them to be frustrated at having duties to spend but no effective powers to tax. The local component of their funding comes from Council Tax.

But, for reasons not directly concerned with policing, Council Tax is a(n even) worse tax base than the rates which it replaced. Council Tax and Business Rates are the two taxes that emerged from the Poll Tax policy disaster of the late 1980s.²¹ The idea behind the poll tax, shorn of the accompanying ideology, was that local services were really a charge on citizens, who benefited from them equally; therefore, in principle, all should be charged the same. Therefore the tax base was shifted from property (rates payable on houses) to people (poll tax payable by individuals). It was also seen as a way of reducing local government expenditure and of reining in councils controlled by the opposition Labour Party.

The problems of confused objectives, lack of political support, failure to consult anybody who knew about local government finance, and general political chaos led to the downfall of both the Poll Tax and Prime Minister Margaret Thatcher in 1990. What emerged from the wreckage was Council Tax and Uniform Business Rate. Both are flawed tax bases for policing, for different reasons.

Council Tax is levied on the capital values of houses as they stood in 1991. There are eight bands labelled from A to H. It is severely regressive, both between individuals and between geographical areas. The council tax bill for a poor household represents a much higher proportion of household income than that for a rich household. This is (only) slightly softened by the existence of Council Tax Benefit, which is currently proposed to be wrapped up into Universal Credit if and when that comes into full operation. The most obvious, and easiest, reforms to Council Tax would be to revalue the base, to reflect current house prices rather than those of 1991, and to add bands at the top, so that households in areas of high property values paid a slightly higher proportion of their income in Council Tax. The only place where these reforms have been attempted since 1990 was Wales, where houses were revalued to 2005 prices and an extra band I was added at the top.²² As might be expected from any corrective mechanism, four times as many households moved up a band as moved down. The resulting furore led the UK government to promise that there would be no revaluation in England.²³

The fact that Council Tax is regressive as between local authorities, such as police force areas, makes it an even worse tax base than if it were (merely) regressive as between people. Muellbauer (2004, p. 16) gives the following example.

²¹ The best account is Butler, D., A. Adonis & T. Travers. 1994. *Failure in British government: the politics of the Poll Tax* Oxford: Oxford University Press.

²² Details at <http://www.council-tax.com/counciltaxrevaluationwales.html>, accessed 06.06.2016

²³ <http://www.bbc.co.uk/news/uk-11401602>, accessed 06.06.2016. The Scottish Government has also dodged the issue, by appointing a Commission on Local Tax Reform, <http://localtaxcommission.scot/download-our-final-report/>, but rejecting its more radical proposals. However, the nationalisation of Police Scotland makes this issue less urgent there.

Another reason for regional inequality and cycles of deprivation lies in the regional and local regressiveness of property taxation. The distortions of the system can be highlighted by taking Kensington (London) and Kensington (Liverpool). A three bedroom terraced house costs around six times as much in Kensington South (KS) as in Kensington North (KN). The implied land price ratio must be around 12 to 1. KS has one of the lowest Council Tax rates; KN one of the highest in the country, 30 per cent higher than KS in 2004–5 for a band D house, though the differentials have narrowed sharply since the late 1990s. Such a terrace will be in band A in KN and in one of the higher bands in KS, say band D. Given the local regressiveness of the tax, the tax on the KN house will be almost as high as that on the KS house, despite it being far cheaper. Seen as a tax on the underlying scarce resource land, the tax rate would, on these assumptions, be around 10 times higher per £ of residential land value in KN.

As to business rates, part of the post-poll tax damage limitation was to nationalise them. Business rates are collected by local authorities, but the proceeds are pooled and then redistributed back through the local government finance formula in a way that recognises relative need. This resolves one of the anomalies of Council Tax but it creates another, namely that local authorities have no incentive to grow their business rates tax base, because the proceeds would be redistributed away from them. And police authorities, now PCCs, have no access to the business rates pool. Business Rates are being reformed and this issue must be revisited shortly when the reforms have settled down.²⁴

The practical implications of this came home in our interviews:

Q: Has the raise in precept eased the burden a little bit this year or is it just going to level it out and help you tick over?

A: ... That's now incorporated into the base, future increases are increases on an increase. So we are getting the extra benefits of that and the council tax base, in terms of the number of properties we can collect council tax from is increasing because the Local Authorities are recognising their having to become self-sufficient because the Revenue Support Grant is going to fall away to 0 over the period of this spending review. So they are looking to build properties and to promote council tax, house growth, house building programmes within their areas and business rate growth as well, although we don't benefit from the business rate scheme. So we have got some additional income but because we have been so dependent on government grant, it's the government grant that constitutes the biggest proportion of our funding. [Treasurer of an urban PFA]

A senior officer in another urban force said:

So for me when I think about demand, there is three categories to them. One is what I think is the volume, the bulk, which has always been there, always will be there. So

²⁴ A current research funding bid from the Institute for Fiscal Studies, with which we are associated, will investigate the policy and distributional effects in the recent changes in Business Tax regime, if it is funded.

response policing, some elements of neighbourhood policing. Second area, which is the really new stuff, in an increasingly technology driven world, there is the whole world of cyber, and some people who study these things, probably in the realm that there is more demand in the dark web than there is about what you can physically see and touch. And then the third thing, for me, is, controversially perhaps, political demand. And the one area of policing I would firmly put in that is neighbourhood policing. So if you take a professional policing model, in terms of resource allocation, you will sometimes find that the amount of resource that you put into neighbourhood policing would not be justified on the grounds of a cold, hard analytical view in terms of demand and return on investment and all of that. What there is, always has been, a strong political demand for visible reassurance policing. Where that bleeds into, particularly our world, is that, for example, in the more affluent areas, the argument about how much service you get is more vested in ability to pay than it is in services consumed. And those more affluent areas, the principal policing services that they consume are about visibility, reassurance policing. And really the argument about, so if Billy burglar comes and screws your house. Actually he doesn't live in your area, he probably comes from a more deprived area that is close to you. So the sensible policing response to protect you, to protect you, is actually to put more resources into that deprived area to stop Billy burglar ever coming anywhere near you. The demand though, consistently from more affluent areas is that I want the PCSO, the police officer walking past the end of my garden because the theory is that I then feel more reassured.

In summary: PCCs have no direct control over any tax base. Local authorities have some control over the Council Tax base, and may be beginning to make more tax effort than formerly by encouraging housing developments in their area. This seems to have a small knock-on effect for PCC budgets, according to our interviewees. Neither local authorities nor PCCs have any real control over business rates. Within a PFA area, there may be some taxpayer pressure to spend money in affluent parts of the county; but there is no mechanism for redistributing between poor areas and rich ones – from Kensington in London to Kensington in Liverpool for example. Any reform of the PCC regime must be accompanied by an appropriate reform of its tax base.

Conclusions and recommendations

Policing in any country does not exist in a social, political or economic vacuum and consequently police services have been undergoing a major transformation. Framed against the economic downturn, organisational changes and proposed reforms to pay and conditions, police services are attempting to align themselves to a more streamlined approach to

delivering an effective, efficient and economical product to the community and others with whom the police interact.²⁵

Until 2012, the responsibility for the delivery of all policing services in England and Wales was shared between three different bodies - the Home Secretary, Police Authority and the Chief Constable; an arrangement commonly referred to as the tri-partite system.²⁶ Under this system, the Home Secretary was responsible for the overall efficiency and effectiveness of policing and was accountable directly to parliament.

The Ministerial Foreword to the 2010 White Paper which set out the justification for the PCC system was written by Theresa May, then Home Secretary. She wrote:

So to achieve Peel's mission of preventing crime and disorder (which we now call anti-social behaviour), we need to once again reform policing in the country; restoring once more the connection between the police and the people, putting the public back in the driving seat and enabling the police to meet the new crime and anti-social behaviour challenges....

[W]e will transfer power back to the people – by introducing directly elected Police and Crime Commissioners, representing their communities, understanding their crime and anti-social behaviour priorities and holding the Chief Constable to account for achieving them, and being able to fire her or him if they do not....

The large scale devolution in power to local forces will be matched by a stronger, more streamlined approach on those issues that do require national coordination. These changes will have to be made at a time of serious and difficult budget cuts. I have already been clear that the police will have to bear their fair share of the burden. That is why value for money will have to drive everything the police do.²⁷

This, plus the extracts from the White Paper quoted above, make it clear that the proposed police reform was multi-faceted, going far beyond the introduction of PCCs. Its promise/threat of 'serious and difficult budget cuts' has been carried out. UK public expenditure on police services has been reduced, at 2016 prices, from £18,239 million in 2011-12 to £16,645 million in 2015-16.²⁸ For a service most of whose costs are labour costs, this is a striking reduction.

Our review, interviews and data analysis to date lead us to some tentative conclusions:

- The introduction of PCCs was botched because of the late change in the date of the first elections and the use of an unacceptable electoral system.
- The legitimacy of the role increased somewhat after the 2016 round of elections.

²⁵ Rogers, C. & J. Gravelle. 2012. "UK Policing and Change: Reflections for Policing Worldwide." *Review of European Studies* 4 (1):42-52.

²⁶ Home Office. 1964. *The Police Act 1964*. London: The Stationery Office.

²⁷ Cm 7925, Ministerial Foreword.

²⁸ HM Treasury, *Public Expenditure: Statistical Analysis 2016*, Cm 9322, July 2016, Table 5.2.

- There is no evidence that PCC candidates of different political persuasions, or of different professional backgrounds, made distinctive appeals. In political science terms, the PCC elections appear to have been *valence*, rather than *position*, elections.
- Some PCCs did use the powers promised in the Ministerial Foreword, e.g., in the dismissal of the Chief Constable of South Yorkshire in 2016.
- The level of crime reported by the public in the British Crime Surveys has declined somewhat over the period since PCCs were created, despite the reduction in police expenditure.
- The level of accountability that the authors of the 2010 White Paper hoped for has not been achieved, and cannot be achieved while the sources and routes of funding for police remain utterly obscure to the public. The omission of any mention of finance was a serious weakness of the White Paper.

In sum, on the evidence we have seen, there has been some improvement in police performance, in value for money, and in public satisfaction since 2010, but there are several other steps that a reforming government could take.