

# Crime-Busters or PCC Plods?



Former detective sergeant **Geoff Monaghan** has some trenchant views on the policing plans of Policing and Crime Commissioners.

The Police Reform and Social Responsibility Act 2011 provides for the replacement of police authorities with directly elected Police and Crime Commissioners (PCCs), with the aim of improving police accountability by 'reconnecting' the public with policing.

Briefly, in accordance with section 1 of the Act, the core functions of the PCCs are to secure the maintenance of

an efficient and effective police force within their area, and to hold chief constables to account for their functions. In particular, PCCs must hold chief constables to account for their delivery of the police and crime plans (PCPs). The PCP, drawn up in consultation with the chief constable and local communities, sets out the priorities of the PCCs and reflects their wider community safety

responsibilities.

Despite the initial widespread approval and accompanying fanfare leading up to their elections in late 2012, PCCs are now in the firing line and politicians, academics and the media are raising questions regarding their effectiveness and usefulness. In its report *Policing for a Better Britain*, published in 2013, the Independent

Police Commission (IPC) didn't pull any punches and described PCCs as a "failed experiment". Even the Home Secretary, Theresa May, who introduced the system of elected PCCs as part of her police reform measures, is on record as saying that their first year had been "a little mixed" when it came to holding forces to account.

Leaving aside problems such as the political and legal fallout following the suspension of the chief constable of Lincolnshire, the dismissal of the chief constable of Gwent, allegations of cronyism and questions regarding their accountability and competency, I'm concerned that many PCCs have fallen short of expectations in terms of their PCPs. To be blunt, I believe the majority have failed to deliver on their promises to produce innovative and feasible PCPs and that their ill-conceived plans stand little chance of bringing about significant reductions in crime or improving community safety. In turn, I believe their failure will reflect poorly on local police services, thwart government attempts to increase public confidence levels in policing and very likely fuel the blame game culture which increasingly dominates debates regarding the state of policing in Britain.

On reading the 41 PCPs, I was struck by the fact that few PCCs provide any detail as to how their aspirations will be realised and in terms of tackling volume, drug and organised crime, there is little evidence of innovative thinking. Indeed, few go beyond the hoary phrases cherished by senior police officers and politicians alike: e.g. "[We will] enhance the investigation of serious violence, burglary, hate crime and rural crime to solve it and deter offenders" (Northumbria PCP) and "[We will] reduce the impact caused by drugs and alcohol through intervention, education and enforcement activity" (Merseyside PCP).

Surprisingly, many of the plans are poorly written and a number of them include language more suited to the tabloids rather than public policy documents. The following examples are especially worthy of mention. Adam Simmonds, the PCC for Northamptonshire unashamedly writes: "There will be a focus on eradicating drugs and reducing acquisitive crime." Eradicating drugs? I'm not nippingking over sloppy prose – Simmonds is obviously serious in pursuing a policy of eradication because he's set up a "new Office for Drug Eradication". It's difficult to imagine a better example of the unaccountable in full pursuit of the undoable. He continues: "There will be

a huge change in activity in respect of drugs." "Drug markets will be dismantled, with strong intelligence [and] proactive enforcement...". Presumably, prior to his appointment, local officers ignored drug markets, favoured weak intelligence and rejected proactive approaches such as executing search warrants and running test purchase operations.

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be a drive to increase the use of the Proceeds of Crime Act to ensure that crime never pays." In truth, crime often pays; according to the National Audit Office (NAO) at least £99.65 of every £100 generated by the criminal economy during 2012-13 was kept by the perpetrators. Instead of platitudes, Simmonds could have echoed the research findings regarding confiscation orders and said something like "The lack of coherent strategic direction and agreed success measures, compounded by weak accountability and a flawed incentive scheme, combined with poor performance and cost information, lack of knowledge, outdated ICT systems, data errors and ineffective sanctions, has persuaded me not to include confiscation orders in my performance targets." Political suicide? Certainly, there are risks in making such a statement, but no more so than the risks attached to the eradicating drug misuse idea.

In terms of improving community safety in general, Simmonds has this to say: "Doing what has always been done is not an option." Really? So no concerted efforts to prevent and reduce crime? No plans to combat terrorism, organised crime and domestic violence? No drive to increase arrest rates? No 'visible policing' strategy? No interest in promoting road safety? Well, no. In fact all these objectives are part of his plan, so clearly there is a commitment to carry on doing what has always been done. In general terms, how could it be otherwise?

Other PCCs have also fallen into

the trap of making ill-considered sweeping statements. This one is from the Lincolnshire plan: "When a crime is committed, we will ensure that those responsible are quickly identified and progressed through the criminal justice system in a fair and timely way." And so is this: "We can make Lincolnshire a no-go location to commit crime." Talk about raising unrealistic expectations.

PCCs are also tasked with ensuring that police forces are responsive to the needs of the public and have gone to some lengths to stress that their PCPs reflect this. Of course, in a democratic society we expect nothing less – but tailoring policing policies and practices, which are underpinned by statute, Codes of Practice and national guidelines, to suit the wishes of local residents, is easier said than done. This is especially true in cases where the wishes of residents are rather vague. In her Foreword to the North Yorkshire PCP, the PCC Julia Mulligan notes with approval that as part of the consultation with local residents, 3 out of 5 wanted a "harder line taken with criminals" and the majority "wanted more offenders charged rather than cautioned". However, she has nothing to say as to how North Yorkshire police will operationalise residents' aspirations. This is a glaring omission, because it's difficult to see how, in an attempt to meet Mulligan's expectations, the local police could systematically circumvent the guidance on charging issued by the Director of Public Prosecutions (DPP), or the Ministry of Justice guidance on 'simple cautions' or the DPP Codes of Practice regarding 'conditional cautions'. Creating arbitrary 'blanket policy' regarding charging and out-of-court disposals is not within the gift of PCCs.

In any case, police discretion regarding policy and practice covering simple cautions and other out-of-court disposals has been significantly curtailed in recent years on the back of Ministerial and Association of Chief Police Officers (ACPO) guidance and statutory provisions such as section 37 (B) (7) of the Police and Criminal Evidence Act 1984. Of course, Mulligan could argue that, prior to her appointment, inappropriate cautions were the order of the day – but she doesn't offer any evidence to support this notion and it's unlikely that this was the case.

Unsurprisingly, all the PCCs talk about ensuring 'high-visibility policing'/'visible policing presence' – that is to say, ensuring that patrolling uniformed officers are regularly seen by people living and working in communities.

Whilst acknowledging the fact that the presence of uniformed police officers serve to reassure communities and deter some forms of offending, it seems to me that on the back of shrinking or static numbers of officers and ambitious (if not unrealistic) performance targets, it's becoming increasingly difficult for forces to meet the public's expectations regarding high-visibility policing. Perhaps it's worth pointing out that PCCs' expectations regarding marked increases in arrest and prosecution rates could well undermine their attempts to maintain, let alone increase, the idea of high-visibility policing. Why? Because 'thief-takers' by definition spend much of their time in police stations: writing and trawling intelligence reports, booking-in, searching and interviewing arrestees, interviewing witnesses, completing crime reports and preparing prosecution files. They also spend a good deal of their time attending courts, obtaining search warrants and giving evidence. Proactive policing almost always involves covert policing work: e.g. static and mobile surveillance and recruiting, tasking and managing informants – activities which, by definition, escape the public's attention. And then there are the numerous training courses officers are now required to attend. Against this background, I believe the comments relating to high-visibility policing should have been more nuanced.

In fairness, some PCPs are rather good. The plan for Hertfordshire, with its punchy and memorable title *Everybody's Business*, is well written and generally free from clichés and sweeping statements. The report also contains some interesting ideas, such as the introduction of a website which will allow victims to search images of recovered stolen property. And it's refreshing to see that the PCC and Chief Constable have settled on realistic performance targets: e.g. a 2% reduction in crime for 2014.

The plan for North Wales is also well written and the PCC's 'three stages to a crime' approach provides an interesting and novel framework on which to build concomitant strategies and tactics. Surrey's plan deserves attention because its framework rests on the notion of 'zero tolerance policing'. The PCC, Kevin Hurley, a former Detective Chief Superintendent, clearly has a mandate for this approach because he appeared on the PCC ballot paper as the *Zero Tolerance Policing ex Chief*, a registered political party of which he is the leader. Thankfully, his plan sets out what he means by 'zero tolerance policing': "Zero



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tolerance is not about locking criminals up and throwing away the key. It is about making sure that the police – and partners – always do something about anti-social behaviour whenever they encounter it. It is about laying down a marker of what is – and what is not – acceptable behaviour in our society." However, whether he and Surrey police have sufficient resources to realise their ambitions is questionable – "always doing something" carries a huge price tag. Still, this is nothing less than our communities expect.

In summary, I was hoping the PCCs would demonstrate their willingness to innovate – to introduce new ideas, methods and approaches on the back of established frameworks. I expected they would draw on the wealth of research available to them and learn from the successes and failures of previous crime

and drug strategies. I anticipated seeing crafted, well-grounded, pragmatic plans, free from platitudes and erroneous thinking. In the majority of cases, I was deeply disappointed.

Concerning the future of PCCs, the IPC (which was chaired by Lord Stevens, a former Commissioner of the Metropolitan Police Service) has this to say:

"Following a careful evaluation of the evidence, the Commission concludes that the PCC model is systemically flawed as a method of democratic governance and should be discontinued in its present form at the end of the term of office of the 41 serving PCCs."

On the basis that the majority appear to be struggling to deliver coherent plans, I tend to agree with the IPC recommendation. In the meantime, I would urge the Police and Crime Panels, chief constables and local partners (including drug services) to take another look at their PCPs and, where necessary (i.e. the majority of cases), urge their PCCs to consider re-writing parts of their plans and re-thinking most of their targets.

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