

The Flanagan Review and the fight against (police) bureaucracy.

Barry Loveday takes a critical look at the 'cautious' recommendations of the most recent review of policing.

In a 124 page report on policing that quickly albeit briefly captured media headlines Sir Ronnie Flanagan outlined, in early February 2008, his strategy for improving the future delivery of police services in England and Wales (Home Office 2008). In what is a detailed and potentially challenging assessment of the current malaise which confronts the police service, Sir Ronnie has provided a number of indicators of the new route which he would expect the police service to take for the future. In doing so, however, Sir Ronnie, as Chief HMIC, understandably perhaps, betrays his own professional bias which is reflected in the rather cautious recommendations that come with the Review.

That said the Flanagan Review does challenge a range of popular shibboleths which currently surround police service delivery. These extend from the assumed centrality of police establishment numbers through to current police grant allocation and the impact of performance management, the latter of which has fast become the bane of all public services as they have been encouraged by government to 'drive up performance' through central target setting. There is as the Review identifies, plentiful evidence that when the latter is added to the growth of internal police bureaucracy, a direct product of performance management, then public policing can be expected to deteriorate in close proportion.

The Review not surprisingly therefore comes down hard against bureaucratic and burdensome processes that currently engulf the police service.

Targets and Terror

An early target within the Review is the application of performance frameworks that have served to direct policing at the cost of the exercise of local discretion. An early example of this was the introduction of the Policing Performance and Assessment Framework (PPAF) in 2004, used by both Home Office and HMIC to monitor performance and which when supported by the Police Standards Unit, established by David Blunkett when Home Secretary, served to quickly intimidate chief officers and their forces into abject compliance. Not surprisingly the Review is deeply concerned that the successor to PPAF, the 'Assessment of Policing and Community Safety' (APACs) does not go the same way as its predecessor.

Nor is this concern at all misdirected as, despite public assertions to the contrary, the Home Office remains committed to target setting to improve police performance. This has been most recently evidenced in the governments National Community Safety Plan 2008-11 (Home Office, 2007) where within Annex B, Strategic Policing Priorities and Key Actions for the police service in 2008-9 are identified in some detail. The four-page Annex identifies six Strategic Policing Priorities (SPPs)

and within these SPPs no less than 75 'key actions' which are to direct the activities of police forces over the next year. While these SPPs it is stated in bold type 'do not represent additional performance indicators' it is also made clear that it is intended that police performance will indeed be measured through APACs. Thus it would appear that one bureaucratic monster could merely be replaced by yet another.

Torment by Doctrine

Not all of the drivers of bureaucracy confronting the police service have however emanated from government. In fact much of the present inertia that characterises policing has, in fact, been self-inflicted. This inertia along with the problem of risk aversion can, as the Review identifies, be traced back to the strange decision made by a former ACPO president and chief constable to introduce the discipline of recording policy as 'doctrine'. On the basis of a personal view that the police could benefit from the application of similar manuals of doctrine developed within the army, Sir David Philips was to initiate a mountain of bureaucratic activity which took the form of prolific drafting of 'doctrine' to cover any and every operational police activity by offering practical advice on 'good practice'.

This particular torment by doctrine quickly engulfed the entire police service and has created a situation where, as the Review points out, the service is in danger of becoming a 'slave to doctrine and straitjacketed by process'. The Review notes the nightmare of doctrine has created a situation where as is argued:

'Over the past 2 years alone 41 new pieces of doctrine have been introduced and an additional 22 are currently under development. What is even more concerning is that at an individual level, doctrine is growing exponentially,' (Home Office, 2008).

The use of doctrine has, in addition, helped to create and sustain a risk-averse culture within the police

service of which the Review is also highly critical. It notes that internally a 'just in case' mentality has arisen which leads to every process being designed 'to the worst case scenario' with no regard to how it will be handled on an every-day basis by thousands of operational police officers.

As the cult of 'doctrine' has grown it has heavily circumscribed risk-taking within the police and has, along the way, also created 'heavy handed and burdensome processes' which now dominate the service.

While 'doctrine' therefore needs to be reassessed with a view to its termination it is perhaps unfortunate that the Review instead specifically recommends that the issue of risk should be referred to a government committee, the recently established Risk and Regulation Advisory Council. Quite what can be expected to arise from the Councils' deliberations or how long it will take to come to a conclusion is difficult to establish. Yet the recommendation to involve a Risk and Regulation Advisory Council may serve to indicate how risk-averse the Review has itself, in the end, proved to be.

Workforce Modernisation

In what proved to be, for the media, its central message, the Review provides an overview of workforce reform. Based very largely on the Inspectorates' 2004 *Thematic Report on Modernising the Police Service* along with the results from a number of police pilot sites the Review marks an important stage in the reform process while also acting as a 'flyer' for a government committed to public services reform. Given the evident reluctance of successive governments to cross the Police Federation it has been left to the Chief HMIC to question the continuing utility of the current all time high 141,000 police establishment.

There has, of course, never been any independent assessment of police manpower levels, not least because police numbers have never been evaluated in terms of police activity, local or national need. When to this is added the incremental nature of such

manpower growth, the ability to justify current police numbers can become, to say the least, problematic. This inconvenient reality has in the immediate past been hidden by the governments own commitment by way of its (recently abandoned) Crime Fighting Fund to substantially increase police establishment. But this only reflected the fact that police numbers had in effect become a kind of virility test for the two main political parties and where police numbers rather than what they did became the critical issue.

Wiser counsels internal to the service were, however, to suggest that more might be gained from internal reform and a modernisation programme that could fundamentally alter the shape of the police service while also increasing its effectiveness. Recent evidence from police forces piloting workforce modernisation clearly indicates that this reform process has much to offer. In Surrey the use of Mixed Economy Teams led by constables and consisting of PCSOs and civilian support staff has had a dramatic impact on perceptions of personal safety (fear of crime), while in Bexley, the use of Civilian Investigators was to cut the time spent in dealing with cases by an average of 50 per cent (Loveday 2008). Interestingly the pilot sites have also served to expose the very limited need for fully trained police officers.

Drawing from evidence from the pilot sites, the Review was to conclude that around 10% of police activity required fully trained police officers and that many existing duties could be carried out equally well by civilian staff. This discovery along with the absence of any clear definition of either what constituted 'core' police functions or how levels of police resilience might be identified, suggested that police numbers could be reviewed. It was also difficult to justify the retention of 'standing armies of police officers' while someone tried to work the problem out.

The media was not surprisingly to headline within the Review, the axing of police numbers. Yet, some

time ago, it was to be estimated that extrapolating from the police modernisation pilot sites future establishment could fall from the current 140,000 to around 90,000 but that this would be matched by a five-fold increase in civilian personnel (Police Professional 2005).

The fight against form-filling

Elsewhere in the Review a determined attack is mounted on the current misuse of police time both in terms of 'back office' and operational duties. Current crime recording methods have encouraged a huge increase in detailed recording of all offences and where irrespective of their seriousness, the same amount of detail is provided for all levels of crime. A situation has now been reached where it is estimated an average medium size police force will spend approximately 40,000 hours per year filling in over-lengthy forms with information that is almost entirely valueless (Home Office, 2008).

The review is also highly critical of the application of sanctioned detection rates, particularly in relation to offences brought to justice. The perverse consequences of this target setting were, particularly in low crime areas, to encourage the police to criminalise people for behaviour that might have caused offence but which 'could be better dealt with in another way'. This relates at least in part to the use of Penalty Notices of Disorder (PND) by police that, thrown around like confetti, became a primary means of achieving sanctioned detection targets. Directed at 'low lying fruit' the PND enabled the police to hit their targets but also served to criminalise the young.

More controversially, the Review wants, in its fight against form-filling, to change current procedures in relation to stop-and-search. It argues that the extension following the Stephen Lawrence Inquiry of 'stop and account' procedure to all police encounters with the public now means that in London alone, 48,000 police hours a year will be spent in completing the relevant forms following a police stop. Given past abuse of stop-and-search powers

by the police, a strong case can of course be made for such regulation. However the Review concludes that in future a business card and use of Airwave to record the encounter would suffice (Home Office, 2008).

Conclusion

While there is much that can be welcomed within the Review, it is also evident that it does not give clear guidance on implementation. Neither, other than by resurrecting the earlier and now discredited case for police amalgamation, does the Review confront the growing pressure to devolve budgets to local BCU commanders who, ultimately, should be made responsible for workforce modernisation (Loveday

and McClory, 2007;2008). This is a singular oversight, given the emphasis placed at the end of the Review on the need for both effective local partnerships and a structure of accountability that engages the local community (Home Office, 2008). Nevertheless there is enough evidence within the Review to suggest that in future, the police service in England and Wales will no longer be 'plodding along'. ■

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References

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Primary Recommendations

In his final report Sir Ronnie Flanagan makes no less than 33 recommendations to improve the overall effectiveness and delivery of the service. These range from requiring the Home Office, HMIC, APA and other tripartite members to clarify their roles to remove duplication and sharpen accountability for performance [R1] through to embedding structures to promote and sustain Neighbourhood Policing [R33].

The most salient recommendations however, might be thought to embrace a significant change to police grant and the funding formula to ensure that in future resources follow objective need [R5]; that the Home office should set out its strategy for Workforce reform in the forthcoming Green Paper [R11]; that the NPIA should provide guidance and assistance to both police officers and police staff to progress their careers through better management of their professional development [R15]; that Chief constables should direct close attention to working practices within Neighbourhood Policing to ensure that flexible working options are in place [R16]; that all existing 'Doctrine' which will include regulations, operational policing manuals and practical advice on best practice should be subject to review [R19]; that the Risk and Regulation Advisory Council should examine the role of risk within the police service and begin a debate on risk aversion and culture change [R20].

The Report also recommends that to achieve the dual goal of public trust and confidence in crime statistics all incidents and crimes are recorded and responded to proportionately [R21]; that the roll out of the Simple Speedy Summary Justice initiative along with Integrated Prosecution teams be implemented nationally by 2012 [R22]; that the comprehensive Stop and Account form should be removed and replaced with the use of a police 'receipt' or business card along with airwave to record the encounter [R24] and that the Home Office and CLG should consider how best to support community safety partnership working in two tier local authority areas [R25].

Within the Report, support for future Neighbourhood Policing strategy is identified which it recommends should be integrated within a neighbourhood management approach and that, alongside this, a national leadership and training resource should be developed to build local partner capacity in community safety [R26-R27]; that the NPIA should have a funded programme for the next three years to enable forces to embed Neighbourhood policing and for ACPO, APA and NPIA to develop principles to minimise abstractions from neighbourhood policing teams by 2008 [R31]. It is also recommended that to sustain Neighbourhood policing the APA and NPIA should provide guidance on how they can promote and sustain Neighbourhood policing [R32].