

# What the police are for: the beginnings of a national debate

David Faulkner, John Graham and Ian Loader report on the emerging debate about how policing should be defined by the communities it serves.

The Commissioner of the Metropolitan Police Service, in a BBC lecture broadcast to the nation on prime-time television in November last year, posed the question: ‘What are the police for?’ (Blair, 2005). Policing, he said, “is becoming a contestable political issue as never before” and yet there is no “thorough going, objective debate about policing as a whole”. He went on to ask what kind of police service was wanted and asked who should decide and how. He complained that there was little dispassionate, thought-through, public examination of what the police should do in the 21st century, whether it be “to fight crime or to fight its causes, to help build stronger communities or to undertake zero tolerance”. And he went on to ask how these things might be done, how they should be prioritised and what the police should stop doing.

Less than four months later, the Power Inquiry published its findings on how to increase and deepen political participation and involvement in Britain. The Inquiry found that despite high levels of interest in political issues, the general public thought they had no real influence over the decisions made in their name. They felt alienated from political parties and the key political institutions, lacked information and knowledge about formal politics and no longer believed formal democracy offered the influence, equality and respect they believed is their due.

To remedy this malaise, the Power Inquiry recommended, among other things, a more direct and focused influence on political decisions: “We should be creating a culture of political engagement in which it becomes the norm for policy and decision making to occur with direct input from citizens. This means reform which provides citizens with clear entitlements and procedures by which to exercise that input – through conception through to implementation of any policy or decision” (Power Inquiry, 2006).

A few days later, on 2<sup>nd</sup> March 2006, the House of Lords held their own debate (see Hansard, 2 March 2006, column 351). It covered a wide range of issues, from the unparallel powers the police now hold to the consequences, intended or otherwise, of Police Force restructuring. The Government’s handling of the latter, in particular, is criticised for not allowing sufficient time for consultation and public debate. Contrast this with the setting up of a Royal Commission and two years of debate that preceded the last major police force restructuring in 1964. One member claimed that the Government had cynically used the threat of terrorism for dispensing with open and democratic debate, another that the Government had missed the opportunity to fully involve citizens, whose understanding of and consent to the changes would greatly enhance their chances of success.

Aside from the debate in the House of Lords, there has been nothing other than a long silence since the Commissioner’s plea for a national debate. But how can such a debate actually happen? Why, let alone how, should a cynical and disenchanting public

believe their views would be taken into account? And even if these hurdles were surmountable, how would the public’s views, even assuming they were not hugely disparate, be fed into policy and practice? And would this necessarily be a good thing? Is it actually trite to ask for a national debate on a complex aspect of public policy such as policing, or worse still, was the Commissioner’s plea merely rhetorical, and if so what was he really asking?

The Police Foundation, together with the Centre for Criminology at the University of Oxford, took the Commissioner’s plea at face value and earlier this year dedicated its first Policing Policy Forum – a one-day discussion among interested stakeholders and experts held under Chatham House Rules – to addressing the Commissioner’s question. The following sets out some of the key arguments and identifies in particular some of the lower order questions raised in the discussion. In many ways it is the framing of these questions that has the potential to make the greatest contribution to moving the debate forward.

## What are the police for?

The social, political and operational context of policing has changed since the time of the Royal Commission and the *Police Act, 1964*. Society has become more diverse and more ‘consumerist’, it has become less willing to accept authority, and the public and the police have generally become less respectful towards one another. The public and government have become more demanding in their expectations of the police and of public services as a whole. This begs questions like: **Has the country also become less civilised and law-abiding, or more dangerous because of threats from dangerous people within it, or from terrorism or organised crime? Does the country now need a different kind of policing or a different kind of police service? And if so, are the issues mainly about:**

- **technology, skills and organisation;**
- **culture, leadership and accountability, including changes in the character and composition of the workforce;**
- **a need for greater powers or resources; or**
- **public information and consultation?**

The Government has encouraged the public to have high expectations of the police, and especially of the extent to which police and the criminal justice system as a whole can prevent and control crime and anti-social behaviour. At the same time, the public are ready to look upon the police as a general purpose public service, able to help with relatively trivial problems which have nothing to do with crime.

The situation is complicated by constant claims by government that criminal justice is ‘failing’, the use of slogans such as ‘zero tolerance’ and criticism and sometimes abuse of

the *Human Rights Act*. There are strong arguments for greater ethnic diversity to match the diversity of the population more closely, but efforts to recruit more members of minorities will have little effect unless they are accompanied by changes in the culture of the service as a whole. **Should public expectations of the police be managed to make them more realistic? If so, is it a task for government or the police themselves? What functions, if any, should the police give up? Who should undertake them instead (for example local authorities)? Who should pay?**

While a case can be made that the police should undertake fewer rather than more functions, the police (as well as the Crown Prosecution Service) are expected to become increasingly involved in measures to deal with low-level problems of anti-social behaviour, with their own powers of summary justice outside the jurisdiction of the courts. Those expectations are likely to be strengthened through the development of neighbourhood policing and the Government's perception that police and prosecution are effective but the courts (and the Probation Service) are not. There are good arguments for situations to be resolved outside the courts where that is possible. But there are dangers if the effect is to 'widen the net' of criminal justice and criminalise even more types of behaviour and even more young people. Different communities will have different expectations, including suggestions that disputes might be resolved according to Sharia law where that is the parties' wish. **Is the expansion of police summary justice a process that should continue? What limits or safeguards should be placed upon it? With the increasing emphasis on low level crime and disorder, do the police now have the right priorities between the three levels of crime?**

Policing always has to respond to new legislation and the Government's targets and initiatives, but also to events such as terrorist attacks or (in the 1980s and now in France) public disorder. But an analysis of what a service actually does could give surprising results. A study of the Fire Service, for example, has shown that many fire stations are not in the most effective location, and that its conditions of service and systems of management had allowed damaging features of its culture and working practices to continue unchecked. A similar study might be needed for the police, and might have usefully informed the present proposals for re-organisation.

Three stages can be distinguished in the public's, and Government's, expectations of the police. The first could be described as professional paternalism – the service's own leaders and the country's intellectual elite know what is best and their views are allowed to prevail. That stage came to an end with the Thatcher administration and cannot and should not now be revived. The second is 'consumerism' – it is the job of government, the police and other public services to give the public what they want. That view is now in the ascendant, but it is problematic – it does not deal with problems of priorities or continuing expansion

of demand. The third, which might now be coming into its own, is democratic management – a process of explanation and consultation leading to understanding and agreement.

Democratic management can be closely linked to the Government's plans for local empowerment and local democracy. To put it into effect would not be straightforward – it is hard to identify what the public's expectations actually are, they vary between different groups and in different situations, they are influenced by the media and anecdote, and they can be manipulated for self-interested purposes. For a public service, they have to be distinguished from needs and to be assessed in the context of the wider public interest. National and sometimes international considerations have to be taken into account. The public's expectations are likely to have financial consequences, and judgements have to be made about how the costs should be met – from public funds and if so from which budget, or from other sources and if so which and at whose expense. The process must be well informed, realistic and honest, but debate is not a substitute for accountability and national issues such as serious and organised crime should not be neglected.

Consultation should embrace groups such as young people under 16, professional groups in various occupations, and prisoners. It should not be assumed that prisoners, or others who have received convictions, will necessarily be hostile towards the police. Mechanisms are available in schools, the British Household Survey and the arrangements for neighbourhood policing. **What structures and processes are needed at the local level to improve consultation, understanding and accountability? Where should authority and discretion for decision-making be placed? What principles should apply?**

It is significant that although those who can afford it may opt out of using other public services, and may pay for personal security, they do not opt out of policing. There may be a case for allowing communities some form of policing resource that is at their own disposal. There is no longer any prospect of an indefinite increase of government funds allocated to the police, but there may a case for developing police authorities to become local boards, with their own budgets, as recommended by the Patten Commission on policing in Northern Ireland. **Should police authorities be developed with their own budgets and a greater degree of local autonomy? How should they be made accountable, for example by being democratically elected? What powers should they possess, and how important is it to have consistency in policing across the country?**

## Concluding remarks

The police service, and policing as an issue, have 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

*Continued on page 37*

recognise certain well established facts of behavioural change, or is the NPS simply trying to position itself in the market place? Whatever the reason, it sends out a message that is completely contrary to what has gone before, and will require a sea change in the thinking of probation officers trained since 1997.

In reality I would expect all of these factors to be having some influence, however it cannot be ignored that in the current climate the NPS is under increased political pressure. Despite the confusion over the introduction of the National Offender Management Service, and a lack of clarity over what shape it will take, it is clear that as with other public services, the intention of government is to introduce a mixed economy of service providers drawn from the statutory, not-for-profit and private sectors. Clearly to meet the target of a 10 per cent reduction in reoffending by 2010, the NPS needs to improve its retention and completion rates for programmes and orders. Service providers who currently work in the community justice sphere (through the provision of for example housing, substance misuse, mental health and basic skills programmes) and who may want to compete with the NPS for service contracts, will already be complying with organisational and in some cases occupational standards that require a commitment to and practice of service user involvement. Some of these larger organisations have become adept in the 'social market' and are entirely used to working in a competitive contracts culture. There is evidence that the implementation of service user involvement is problematic in practice (see Didlock and Cheshire 2005) and lacks consistency, but the fact that other organisations have started to engage seriously with these issues means they have an advantage over the NPS in effective practice which translates into commercial advantage as well.

It may be that the NPS has realised too late that in its efforts to secure its survival it has committed itself to a way of doing business that is ultimately self defeating. It is heartening even at this late stage to see interest in service user involvement in the shaping of services, but it may be too little too late to save the National Probation Service.

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*Continued from page 29*

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 database and police amalgamations, have 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 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' approaches 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. If, having read this, you would like to contribute to this debate, then visit the website [www.thenationaldebate.org.uk](http://www.thenationaldebate.org.uk) – we would welcome your views.

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*The views expressed in this article do not necessarily represent those of the authors, nor do they reflect a consensus of those attending the Policy Forum event itself. The full report, setting out the main arguments and conclusions of the day, can be found on the Police Foundation's and the Centre for Criminology's websites: [www.police-foundation.org.uk](http://www.police-foundation.org.uk) and [www.crim.ox.ac.uk/CCR](http://www.crim.ox.ac.uk/CCR).*

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