

# Size Isn't Everything

**Restructuring  
Policing in  
England  
and Wales**

**Barry Loveday**

Foreword by **Sir Simon Jenkins**

**policy  
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Localis is an independent research organisation which was set up to develop new ideas for local government. It organises seminars and commissions research relating to all aspects of local government.

## **About the authors**

Barry Loveday is Reader in Criminal Justice Administration at the University of Portsmouth. He is a member of the Local Government Association's advisor group on community safety, and author of Policy Exchange's *Going Local: Who Should Run Britain's Police?*

Sir Simon Jenkins is one of Britain's most respected journalists. He worked on the *Evening Standard*, *Sunday Times* and *Economist* before becoming editor of *The Times* in the early 1990s, won the 'What the Papers Say' Journalist of the Year award in 1998, and currently writes regular columns for the *Standard* and the *Guardian*. His sixteen books include *Big Bang Localism: a Rescue Plan for British Democracy*, published by Policy Exchange in 2004.

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**Restructuring Policing  
in England and Wales**

**Barry Loveday**

edited by **Anna Reid** with research by **Jacqueline Riozzi**

foreword by **Simon Jenkins**



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Policy Exchange  
Clutha House  
10 Storey's Gate  
London SW1P 3AY  
Tel: 020 7340 2650  
[www.policyexchange.org.uk](http://www.policyexchange.org.uk)

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# Foreword

Simon Jenkins

Big is rarely beautiful. Small is usually best. Of no public service could this be more true than policing. The police enjoy the privilege of arresting and detaining free citizens and can do so only with the consent of the communities in which they operate. Barry Loveday, a Home Office official turned honest man, has been studying this trend for over a decade.

In the 1990s the Home Office attempted to create a policing NHS, a state police force. This pamphlet shoots holes in the government case for such big organisations.

The progressive reorganisation of Britain's police into ever larger units has merely fuelled public dissatisfaction. The Thatcher government argued that labour unrest necessitated a regional/national police force. Now terrorism and “organised crime” is the excuse. There is no problem in creating specialised national units or in force collaboration. But the establishment, financing, control and accountability of Britain's police must be to their local communities, not Westminster or Whitehall. Loveday makes the case convincingly, yet again.





# Executive Summary

The government should abandon its plan to amalgamate English and Welsh police forces.

- There is no evidence that big forces perform better than small ones. Though force performance varies widely, even amongst those covering socio-economically similar areas, this does not correlate with size.
- Amalgamation would reduce police accountability and responsiveness by distancing force HQs from the communities they serve, and by sacrificing co-terminosity with local authority boundaries.
- Basic Command Units lack the stability and powers effectively to support local policing on their own.
- The estimated £500m-£600m cost of amalgamation would come at the expense government's Neighbourhood Policing Strategy, as well as necessitating rises in police precept. Even if all the costs were borne by central government, equalization of precepts across the new superforce regions would mean unpopular tax hikes for city dwellers.
- Amalgamation would make it hard for police to cooperate well with the Crown Prosecution Service, courts and probation services.

Instead, the government should allow forces voluntarily to federate where necessary, extend the remit of national policing agencies and/or re-establish Regional Serious Crime Squads, devolve more responsibilities to Basic Command Units, and make them genuinely accountable to local communities.

- Where forces lack needed capacity to cope with serious or new types of crime, they should be allowed jointly to establish permanent specialist units. They could also exploit economies of scale in purchasing, IT and fleet management.
- The Serious Organised Crime Agency should be expanded to cover serious inter-regional organized and serial violent crime, as well as people and drug-trafficking and tax and revenue fraud. Alternatively, Regional Crime Squads could be re-established, as has successfully been done in the West Midlands.
- BCUs should be allowed to manage their own budgets and set their own policies.
- BCUs should also be made genuinely accountable to local communities. BCU commanders should be hired and fired by city mayors or council leaders, and BCU boundaries should be made so far as possible co-terminus with local authority boundaries. This will be easier if the ODPM goes ahead with its (as yet unofficial) plan to replace all county and district councils with unitary authorities.

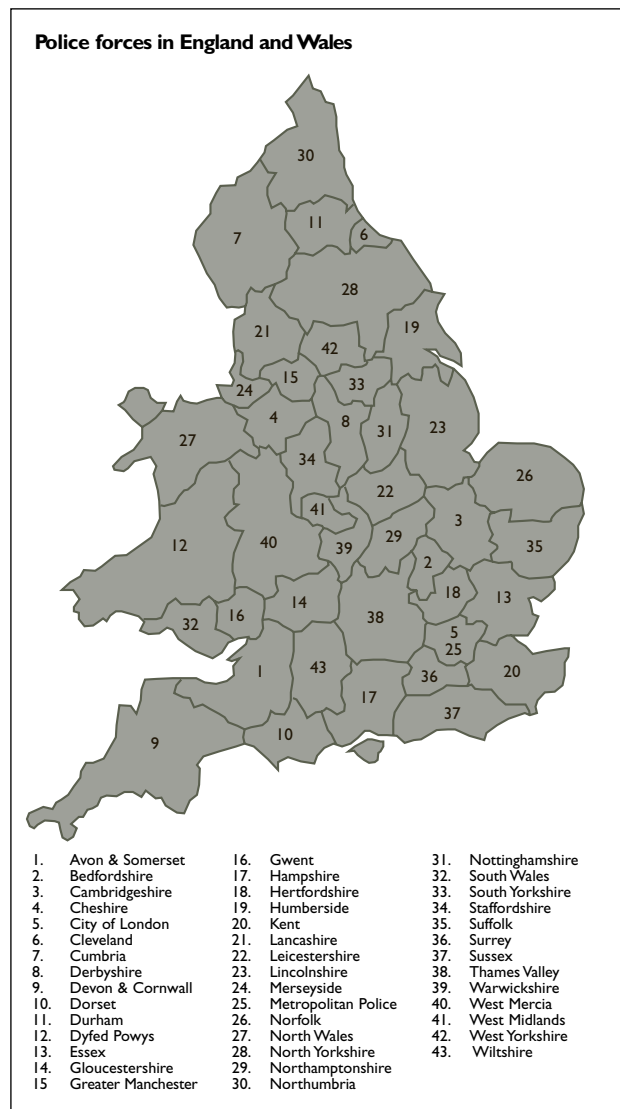
**Force restructuring is not the major challenge facing policing today. Workforce modernization is far more important to the future of the service. By trying to force through traumatic and counter-productive amalgamations in the teeth of public and much professional opinion, the government is wasting political capital as well as hindering the fight against crime.**

# Introduction

Over the last five months police forces and their police authorities have been thrown into turmoil by the Home Secretary's announcement of a planned reduction in their number from today's 43 to around thirteen. Following a highly critical report from Her Majesty's Inspectorate of Constabulary (HMIC) entitled *Closing the Gap*, the Home Secretary has in short order requested all forces and authorities to address themselves to identifying a regional structure within which to place themselves.

The timescale set for this exercise in self-immolation is extraordinarily tight. Forces were initially required to identify partners for amalgamation within three months of *Closing the Gap's* publication in September 2005, and on February 6th 2006 five amalgamated regional forces – West Midlands (to include Staffordshire, Warwickshire, West Mercia and West Midlands); North East (to include Cleveland, Durham and Northumbria); Merseyside (Merseyside plus Cheshire); North West (Cumbria plus Lancashire); and Wales (to include Dyfed-Powys, Gwent, North Wales and South Wales) - were definitely designated to go ahead. More announcements covering the rest of the country are expected soon.

The speed with which the Home Office has acted upon HMIC's report has been matched only by its reluctance to engage in any meaningful consultation on the report's proposals. Police authorities were required to present their own amalgamation ideas by mid-December, and the only (delayed) parliamentary debate held on the issue so far fell just before the Christmas recess. No mention was made of the planned mergers

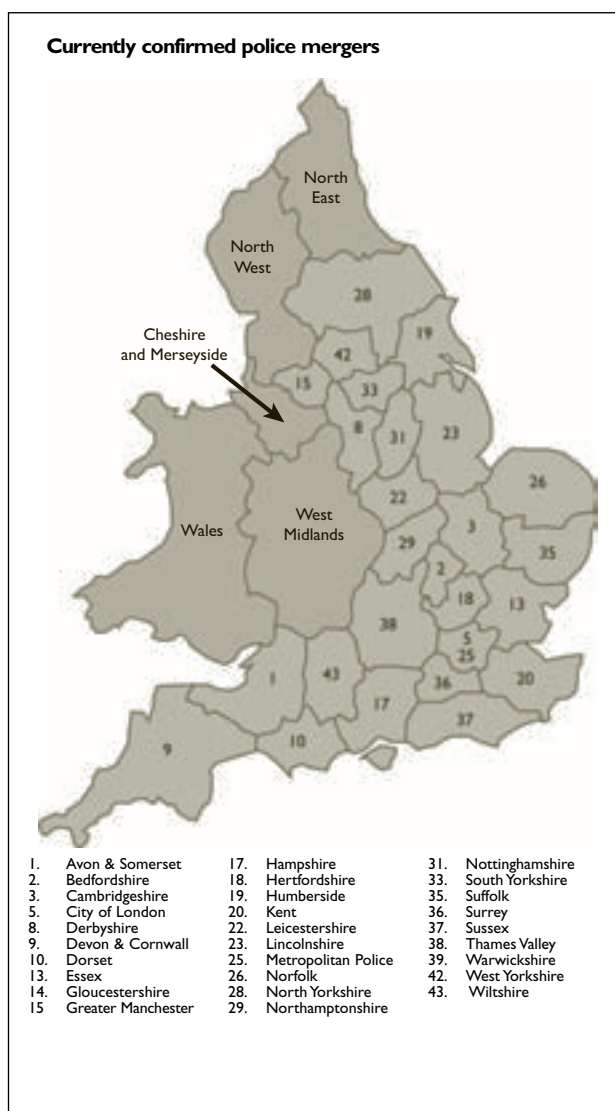


during the May 2005 election campaign, nor in the Labour Party manifesto.

Yet if the Home Secretary hoped for speedy acquiescence to his proposals from the police service, it is becoming increasingly obvious that his hopes are misplaced. Fewer than one in three police authorities support the amalgamation options offered them, with Cleveland, West Mercia, Cheshire, Sussex, Essex, Kent, Hampshire and all the Welsh forces being particularly loudly opposed. Of the five definite mergers announced

on February 6th, only one – of Lancashire and Cumbria – has been approved by all the police authorities involved. The Superintendents' Association supports, but the Association of Police Authorities (APA) opposes the plans, preferring that authorities be allowed to choose for themselves the configurations that best suit their area [*Police Professional* January 2006].

Last but not least, the government itself appears only recently to have made up its mind to mergers. A joint Home Office/Prime Minister's Strategy Unit report of



July 2004 stresses that merger proposals should take into account “consequential risks for the rest of the criminal justice system” (see pp 23–4 below), and that “Evidence from other sectors suggests that merger can be a costly, protracted exercise which does not always deliver expected benefits and inevitably causes distraction for management and staff. Any case for merger would need to show that the likely benefits outweigh these risks [‘Police Reform: a joint Home Office/Strategy Unit project; summary report’ Home Office, July 2004].”

### The urge to merge

The current structure of policing in England and Wales is indeed far from perfect – even, to adopt HMIC’s catchphrase, not ‘fit for purpose’ – but for the exactly the opposite reason to that given by the Home Office.

At least since the early 1960s, governments have been prone to the belief that fewer, bigger police forces would be more effective, efficient and easier to control. A Royal Commission of 1962 led to the Police Act of 1964, which enabled the Home Secretary of the day to cut 117 forces outside London down to 49. The Local Government Act of 1972 reduced that to today’s 41, plus the City of London Police and the Met. In consequence, forces naturally came to cover far larger geographical areas, often crossing local authority boundaries. Today’s amalgamated forces of Thames Valley and West Mercia, for example, each cover three county councils areas.

The distancing from and loss of accountability to local authorities implicit in the mergers was exacerbated by a gradual arrogation of powers from local police authorities to Chief Constables and the Home Secretary. Although the 1964 Police Act set up a ‘tripartite system’ ostensibly giving equal powers to each of the three, in practice it was heavily weighted against police authorities and in favour of Chief Constables. Added to the quasi-constitutional convention of ‘constabulary independence’, this significantly reduced the ability of local police authorities (and therefore of local communities) to influ-

ence policing styles and priorities within their own localities. These became in effect things imposed upon them by chief officers as ‘police professionals’ – contributing perhaps to the social unrest and outbreaks of major public disorder suffered by many English cities in the early 1980s.

“ Merger can be a costly, protracted exercise which does not always deliver expected benefits ”

Police authorities were further emasculated by the Conservative government’s abolition of the Greater London Council and metropolitan county councils in 1985. One – perhaps unintended – consequence of the reform was to do away with metropolitan police authorities, which were replaced by ‘joint boards’ made up of metropolitan district councilors. Later legislation – notably the 1994 Police and Magistrates Courts Act, and the 1996 Police Act – cut the size of police authorities (usually from 35 members to 17), did away with direct elections to the authorities, and transferred control over police budgets from them to Chief Constables, who effectively became the ‘chief executives’ of their forces.

The new powers granted Chief Constables by the 1996 Police Act were however outweighed by those gained by the Home Office. Under the Act, the Home Secretary was able to set national policing priorities, to which police forces were required to draw up Local Policing Plans. The HMIC also acquired the power to monitor police authorities as well as forces, explicitly undermining the thirty-two year-old ‘tripartite system’. The Police Reform Act of 2002 centralised power over policing yet further by introducing a National Policing Plan (NPP) set by the Home Secretary for three-year periods. NPPs to date have instructed police forces to concentrate on ‘volume’ crime

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– burglary, mugging and theft from motor vehicles – and have succeeded in significantly altering police behaviour to this end.

To back up the NPPs an increasingly elaborate inspection system has been developed, involving a new Home Office-based Police Standards Unit as well as the HMIC. Forces and Basic Command Units (now the primary management unit within every force) are assessed monthly according to 37 performance indicators known collectively as the Professional Policing Assessment Framework, or PPAF. BCUs identified as under-performing are reported to a Performance Review Committee within the Home Office, which can then refer them to Standards Unit or to HMIC. As a result, unsurprisingly, police activity is now heavily directed towards fulfilling Home Office priorities and hitting Home Office targets [Loveday 2005].

The Home Office's powers will be extended even further by the Police and Justice Bill 2006, published on

January 25th 2006, and due for its third reading soon. It gives the Home Secretary the power to intervene directly in poorly performing forces without waiting for a critical report from HMIC or acting through the local police authority (as specified by the 2002 Police Reform Act). The new clause, according to a Home Office official, "will act as an incentive to police forces to enhance performance, and make the powers that the Home Secretary has in the Police Reform Act 2002 to intervene in failing forces 'fit for purpose' [Martis 2006]." The Home Secretary also gains the power to directly intervene in 'poorly performing' police authorities themselves – possibly as a result of former Home Secretary David Blunkett's clashes with Humberside and Sussex police authorities over the removal of their respective Chief Constables. The new Act effectively puts the final nail into the coffin of the local police authorities, as well as into the 1996 Act's 'tripartite system' and Chief Constables' already very theoretical operational independence

# 1. What gap?

*Closing the Gap* followed on from an earlier HMIC report titled *Mind the (Level 2) Gap*. Both looked at how well police forces, as currently structured, deal with what is known in the jargon as ‘Level 2’ crime – the sort of more serious and complex crime, in other words, that usually crosses force boundaries. The classification is drawn from the National Intelligence Model (NIM) of policing, originally pioneered by the then Chief Constable of Kent, David Philips, and now subscribed to by all forces. It categorises crimes as follows:

- *Level 1 Crime* - Local criminality managed at BCU level (eg anti-social behaviour, criminal damage, assault.)
- *Level 2 Crime* – Crime crossing force or BCU boundaries (eg a team of shoplifters covering two or more cities, or a team of car thieves covering several neighbouring counties. Not a category of specific offences.)
- *Level 3 Crime* - Serious crime, organized at a national

or international level (eg terrorism, people and narcotics trafficking).

A major concern of the NIM – a concern, it should be said, largely generated by the former Chief Constable who developed it – is that policing does not currently pay sufficient attention to Level 2 crime, which allegedly finds itself squeezed between the Level 1 crime that the general public cares most about and the Level 3 crime that preoccupies the Home Office. This thinking also lies behind the HMIC’s two recent reports. In *Closing the Gap* HMIC argues that the 21st century policing environment is characterized by:

Wide-spread enterprising organised criminality, proliferating international terrorism and domestic extremism’, placing a ‘premium on intelligence, expertise and smart use of capacity [HMIC 2005:1.4].



To deal with these “complex, volatile threats”, the report goes on, police forces – currently geared towards Level 1 crime - need not only new capacity, but complete reconfiguration. To justify this radical recommendation, it presents the results of a national assessment of police force fitness in relation to seven ‘protective services’, namely counter-terrorism and counter-extremism; serious organised crime; civil contingencies and emergency planning; critical incident management; major crime (homicide); public order, and strategic roads policing.

The HMIC describes its findings as “stark”. Very few forces are assessed fully to meet required standards, with the figure of 4,000 officers - or 6,000 total staff - being identified as a necessary minimum. Whereas forces this size or larger “tended to meet the standards across the seven protective services measured”, forces below this size “tended to fall somewhat short of the standard, with in general the smallest forces faring the least well [HMIC 2005:5.6].” Reponse to serious and organized crime “suffered in many places simply because there was not enough resources and specialist support to act upon the intelligence gathered [HMIC 2005:1.12].” Though effective policing is well sustained at BCU level, the analysis concluded, more serious cross-border crime is simultaneously underpoliced and “widespread, vibrant and growing”, posing “the greatest risk to communities and the economy [HMIC 2005:1.19].”

The answer to all the above, *Closing the Gap* concludes, is wholesale reconfiguration of the police service. Though the current system matching police forces to local government structures has helped drive down volume crime, “the current scope and scale now act as constraints to improving protective services and the economics associated with them [HMIC 2005:1.40].” Reform will encompass structure, processes and “relationship developments [HMIC 2005:1.47]”, enabling affordable protective services to flourish without undermining existing strengths in local policing. Reconfiguration options offered for consideration are:

- Collaboration between existing forces
- Lead forces for specialist capabilities
- Lead regional forces
- Federations of forces
- Strategic forces

In quick order, however, the report finds all options other than ‘strategic forces’ wanting. Collaboration or lead forces, it argues, would only preserve the status quo; lead regional forces would raise problems of accountability, and federations of forces would remain too decentralized. Resistance from within the police service itself, it additionally claims, would make the softer options unworkable: ‘Dissatisfaction with the status quo – a pre-requisite for major self-reform – may be insufficient amongst some incumbents to provide the degree of leadership this option [federation] requires [HMIC 2005 1.56].’

“ Immediate acceptance of *Closing the Gap* by the government has been matched by a sharply negative reaction from many senior police officers ”

Strategic forces, *Closing the Gap* concludes, could be achieved quickly and are the only option offering the “critical mass to provide the necessary sustainable level of protective services that the 21st century increasingly demands [HMIC 2005:1.60].”

### A dodgy dossier

Immediate acceptance of *Closing the Gap* by the government has been matched by a sharply negative reaction from many senior police officers, from police authorities and, not surprisingly, from the opposition parties.



Divisions of opinion within Association of Chief Police Officers ranks surfaced at ACPO's January 2006 council meeting, when for the first time in living memory members demanded a vote on policy.

Doubts centre both on the validity of *Closing the Gap's* analysis, and on its recommendations. The author of *Closing the Gap*, former Chief Constable of Surrey Denis O'Connor, himself admits that the link between force size and performance is weak:

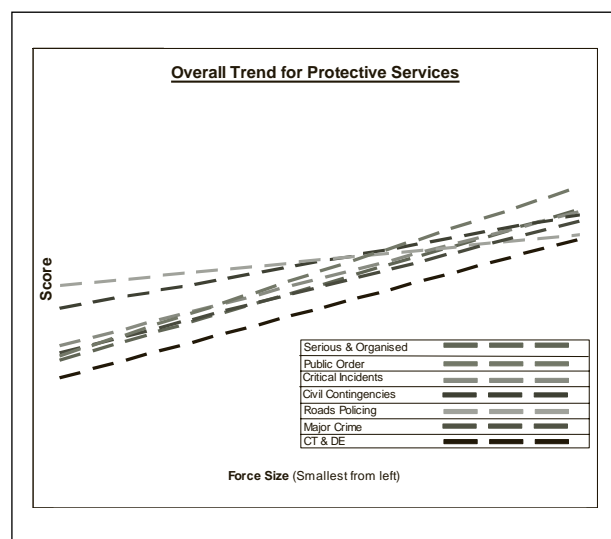
'Being bigger is not enough to guarantee strong protective services. The environment (situation) also matters. For example, the presence of cities, ports or events (ie. repeated exposure to risks and challenges) also enhance the repertoire of protective services that forces offer the public. Able leadership can also be influential in allowing smaller forces to punch above their weight on these issues [HMIC 2005:1.10].'

Environment aside "there are outliers: some smaller forces were almost as successful as the majority of larger forces, whilst two relatively larger forces (5000+ staff) received surprisingly low scores [HMIC 2005:1.11]." At the same time – despite country-wide introduction of the NIM, "intelligence was the aspect with the lowest scores and the greatest shortcomings, regardless of size of the police force [HMIC 2005:1.14]."

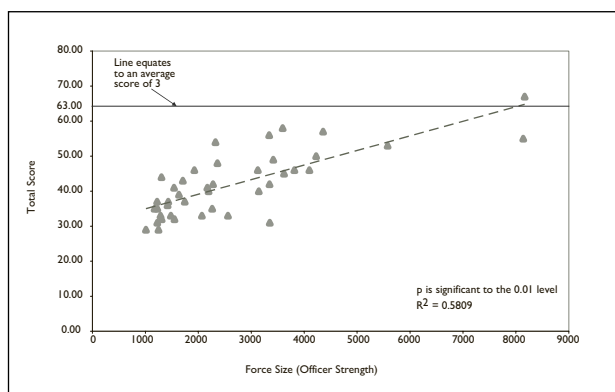
Further doubt is cast on *Closing the Gap's* 'size matters' premise by a critique commissioned from Anthony Lawrance, Professor of Statistics at the University of Warwick, by the West Mercia Police Authority in December 2005. As described above, HMIC bases its amalgamation recommendation on the crucial statistical finding that in policing Level 2 crime bigger-equals-better. Lawrance questions the reliability of the scoring method used for each force, the statistical soundness of the claimed connection between size and effectiveness, and HMIC's misleading presentation of its data.

Scoring - from 1 to 4 - for competence in each of the seven 'protective services' appears to have been arrived at by "subjective but informed judgement for each force", without any repeat assessments or independent second opinions. Nor does any quantitative data appear to have been used. Scores are then simply aggregated, with no weightings to take account of the relative importance of different sorts of crime in different force areas. A force in a peaceful rural area is therefore penalised for failing to possess specialist anti-terrorism or organised crime units, for example. "At the very least", Professor Lawrance comments, "it would have been sensible to give charts for each of these protective service variables against force size...I suspect that some rather interesting effects would have been shown. The treatment of these data leaves me deeply suspicious of the blanket conclusion drawn [Lawrance: 2]."

Lawrance is also witheringly critical of HMIC's presentation of its data, which in the case of first key graph (exactly reproduced below) is so uninformative as to be meaningless: "an almost perfect example of how not to present a graph – no scales on either axis, no data plotted to justify the lines drawn. It is almost impossible to obtain any critical understanding from it [Lawrance: 4]."



Another of HMIC's key graphs, also reproduced here, fails very obviously to support the supposed trend shown. As Lawrance comments, " 'statistics' have here been used for support rather than illumination (...allusions to lamp posts are not appropriate in the present context)...Looking at the points sliced in a vertical direction, what strikes is the *variability* of the total score for quite small intervals of force size...I cannot believe that this will not *still* be so if the forces were amalgamated...and the variability might well be more [Lawrance: 3]." As for the 'trend line' purporting to show that bigger forces do better, it "represents a very inadequate summary of a relationship that does not exist in terms of a line, and which ignores variability about the line [Lawrance: 6].



In summary, Lawrance concludes:

- i) The quality of the statistical information gathered for HMIC Report *Closing the Gap* is questionable.
- ii) The statistical treatment of the data collected is largely unjustified and appears open to criticism in its combinations of scores.
- iii) The graphical presentation of the data is poor and trend lines could be misleading; the use of computer-produced statistical elaborations is unjustified.
- iv) The impression I get from the HMIC and Home Office documents I have referenced is

that there has been minimum professional statistical science input concerning the planning stages, the data analysis, its presentation and in regard to conclusions drawn.

- v) It cannot be presumed that there is a causative relation between protective service effectiveness and force size from rough trends on simple graphs. The conclusions drawn in respect of the 4,000 minimum force size almost totally ignore the variability of protective services performance at each force size, and no evidence is provided that this will be small at the 4,000 level. In short, there will be an unknown number of good and poor performers in re-formed larger forces [Lawrance: 6].

To date there has been no official response to these criticisms either from the Home Secretary or from other ministers at the Home Office.

## Level 2 or Level 1 Crime?

As doubtful as HMIC's 'bigger-equals-better' conclusion is its assumption that inter-regional crime is a large and growing problem. *Closing the Gap* itself admits that for many local communities these 'complex, volatile threats' are not a major concern:

Too much Level 2 activity now happens without their knowledge and underneath the public radar. Year on year the threats are growing ever more severe, yet sadly the victims of serious and organised crime or major incidents do not form an influential enough constituency to drive change [HMIC 2005:4.18].

The same, it might be said, applies to police forces themselves. Surveyed on behalf of the Superintendents' Association in 2003, only small minorities – 17% and 14% - of BCU commanders thought their areas suffered

above-average organized or gang-related crime, and the majority were preoccupied with ordinary volume crime, 'disorganised' violent and domestic crime, anti-social behaviour and alcohol-related disorder.

**Question: 'Thinking about the prevalence of the following crimes in your area, in your opinion how does your BCU compare to the national average?'**

Base: All respondents (223)	Above average (%)	Average (%)	Below average (%)
Volume crime	33	31	34
Serious/violent crime	34	25	39
Drug dealing	28	42	27
Race/hate crime	14	25	58
Witness intimidation	10	30	56
Organised criminal networks	17	28	52
Gang warfare and related killings	14	10	72
Alcohol-related disorder (e.g. from nightclubs/pubs)	30	52	16
Domestic violence	28	61	8
Traffic offences, including road traffic accidents	15	64	18
Anti-social behaviour	29	59	10

Source: Survey of Basic Command Unit Commander Performance, carried out on behalf of the Superintendents' Association and the Home Office by BMRB International, 2003.

The Home Office's claim that Level 2 crime is a growing problem also sits oddly with British Crime Survey findings (much vaunted by the Home Office) that violent crime peaked sharply in the mid-'90s, and has been falling since.

### Small is beautiful

More research questioning the validity of *Closing the Gap* has recently been carried out by staff at Thames Valley Police. In the annual 'baseline reports' made on all forces by HMIC, Thames Valley points out, small forces regularly take the top spots on overall performance. Consistent chart-toppers in the HMIC's Professional Policing Assessment Framework (PPAF) or 'radars' include Dyfed Powys and Gloucestershire, with 1,900 and 2,200 staff respectively. Though Thames Valley concluded that large forces did have a slight advantage in tackling some Level 2 crime, that was

more than outweighed HMIC Baseline Assessment 2004's conclusion that "All police forces – regardless of size – were found to be either 'fair' or 'good' in tackling Level 2 criminality, suggesting that there was not a great deal of variation between any of the forces [Harrad 2005:24]." Detection rates – widely accepted as the single most important measure of police performance – showed small forces outperforming large ones, as did measures of public confidence in the police [Harrad 2005: 25].

“ In each group there were wide variations in performance, but small forces were at least as likely to perform well as large ones ”

Thames Valley's research also questions the Home Office's optimistic view of the cost savings to be made via amalgamations. By far the largest costs for the police service in England and Wales are staff-numbers related (salaries, pensions and other employee expenses accounted for 81% of total police spending of £7.9 billion in 2005 [Harrad 2005:25]). Savings will therefore not be large unless the amalgamations enable either police establishments or civilian staff numbers to be cut – which are not options aired by *Closing the Gap*.

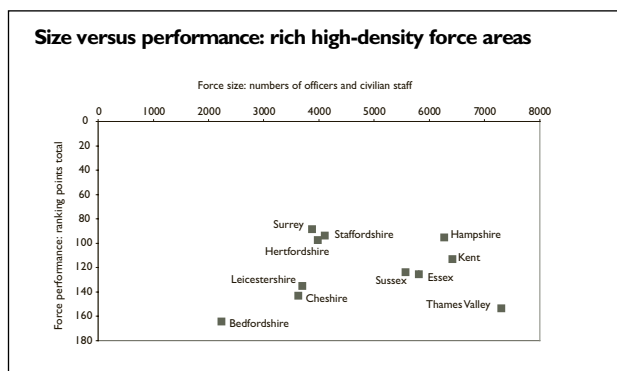
"It is not currently possible", the Thames Valley's analysis concluded, "to show that the size of a force affects its cost efficiency, spending or performance to any significant degree. There is no clear evidence that police forces' performance in crime reduction, detections or public perception relate to their size or number of police officers. Some small police forces perform extremely well and some large police forces badly [Harrad 2006: 26]"

Thames Valley's conclusions are backed up by new data analysis from Policy Exchange. In 2003 Policy Exchange pre-

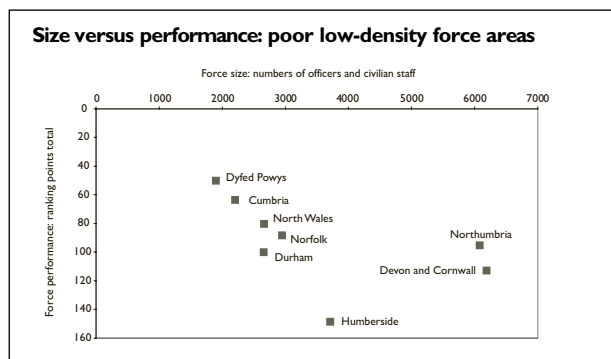
empted the Home Office’s first-cut PPAFs or ‘performance radars’ by publishing its own performance league tables of English and Welsh police forces, using data from the HMIC, Home Office and British Crime Survey. Covering the years 2001-02, they showed the overall top performers as Dyfed Powys, Gwent, Suffolk and Hampshire – all traditional county forces - and no correlation at all between force size and performance within groups of forces covering socio-economically comparable areas [Loveday and Reid 2003].

Repeating the exercise in a simplified form for the years 2004-5, Policy Exchange again found no connection between size and success: in each group there were wide variations in performance, but small forces were at least as likely to perform well as large ones. (A full description of Policy Exchange’s methodology and results can be found in the appendix on p35.)

The graph below, for example, compares forces covering relatively wealthy, suburbanized areas. The two worst performers in the group are also the smallest and largest - Thames Valley with 7,300 sworn and civilian staff, and Bedfordshire, with only 2,200. Surrey, with well under the Home Office’s watershed 4,000 officers, does better than Hampshire and Kent, which are both half as big again.

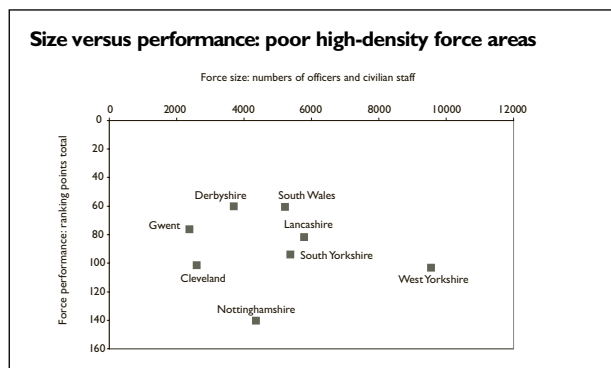


In relatively poor rural areas, the best-performing forces are amongst the smallest in the country – Dyfed Powys, with under 2,000 staff, and Cumbria, with 2,100. Devon and Cornwall – a medium-sized amalgamated force dating from the 1970s - performs second-worst in the group.



In relatively poor high population-density areas no connection can be discerned at all between size and performance. Cleveland, South Yorkshire and West Yorkshire all do similarly, for example, despite the fact that Cleveland has only 2,600 officers and civilian staff, South Yorks 5,400 and West Yorks a sizeable 9,500.

The worst-performing force in the entire country, it should



be mentioned, is also the largest - London’s Metropolitan Police. With over 48,000 staff in total, it is about the same size as the BBC and larger than the Royal Navy. The Met argues that its various special functions – royal and diplomatic protection, security for government buildings – invalidate comparisons. But on the key measure of sanctioned detection rates (ie, percentage of reported crimes brought to justice), it does significantly worse than the three other forces covering large conurbations. While the Met achieved a sanctioned detection rate of only 15% in 2004-5, Greater Manchester, Merseyside and the West Midlands all achieved 19-22%, despite being less than a third of the Met’s size.

## 2. Who pays?

*Closing the Gap* says little about how much the restructuring it recommends is likely to cost. In what might be termed a highly elastic evaluation HMIC is only prepared to suggest that “direct savings from merger *might* [author’s emphasis] amount to £70m annually”, and that “productivity gains worth around £250m annually *might* be generated through workforce modernisation and other [unspecified] improvements [HMIC 2005:1.31].”

Though cost savings are not put forward as a justification for the amalgamations, it is forecast that the sale of buildings would allow more money to be put into protective services, while there would also be “inevitable costs associated with change – eg IT harmonization.” On overall costs, HMIC concludes with the admission that “unfortunately information on this is far from perfect [HMIC 2005:1.24].”

Though HMIC may be shy about costing its amalgamation plan, others are less so. Police authorities have provided interim assessments for their force areas – which presumably they would have been happy to share with the Home Office if asked to do so – and the head of ACPO’s Finance Committee, Chief Constable Tim Brain of Gloucestershire, has calculated costs at somewhere between £500m and £627m. In the course of the House of Commons debate on police reform of December 19th 2005, the then Liberal Democrat Home Affairs spokesman, Mark Oaten MP, remarked that:

Different figures are being put around. My office has spoken to a number of police authorities. First, there is

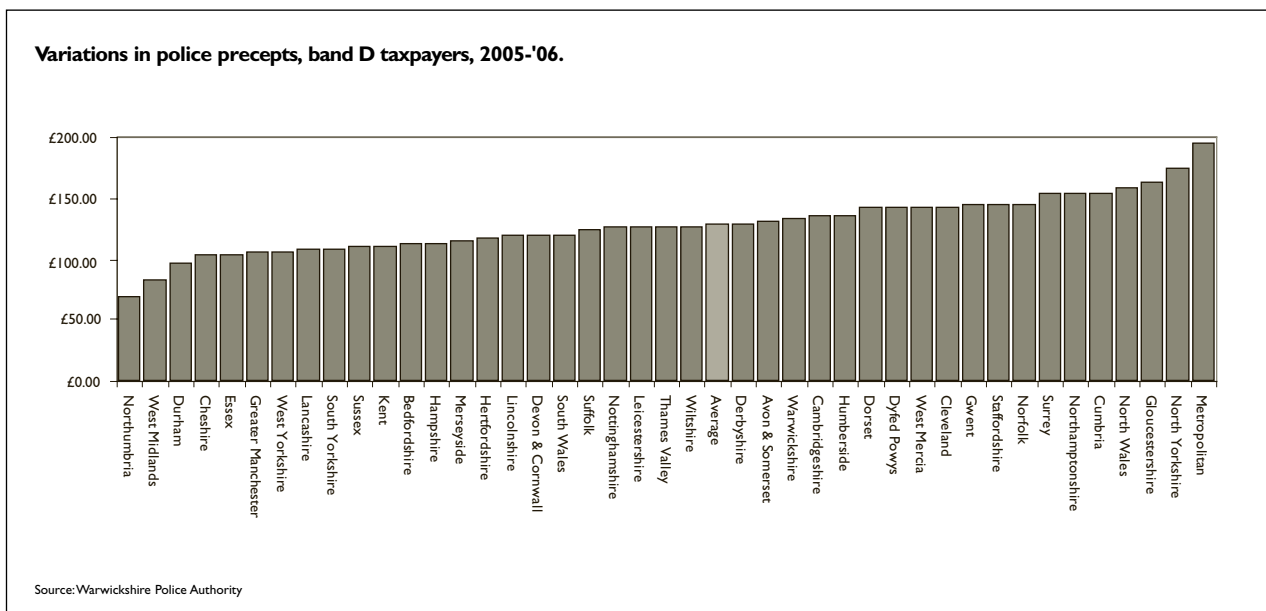
Lincolnshire. The proposed merger for the East Midlands would amalgamate Lincolnshire, Northamptonshire, Leicestershire, Nottinghamshire and Derbyshire. It is estimated that that would cost £100m. The director of finance says that even if the change...could result in some efficiency changes over a long period...there could be a net recurring debt cost of £30m a year [HC Deb 19 Dec 2005 Col 1615]....

...There is a proposal to merge Norfolk, Suffolk, Essex, Hertfordshire, Bedfordshire and Cambridgeshire into one force. The director of finance said that that would be at a cost of £66m. Similarly, when we talked to...Kent, Surrey and Sussex, we were told that the merger would cost £91m. Given the global figure we can assume a total sum of £500m to £600m. The money will have to be found from council tax payers or from front-line police. If the figure is £500m, it equates to about 5,000 police officers’ [HC Deb 19th Dec 200: Col 1616].

The Association of Police Authorities has similarly estimated the cost of restructuring at somewhere between £430m and £520m, including all start-up costs, IT and police precept equalization within the new ‘superforce’ regions.

### The precept equalization trap

Even if restructuring did not cost – as the current consensus suggests – as much as £500m-600m, it would



involve substantial rises in council tax for many local taxpayers. Currently there are wide variations in the size of the police precept paid by taxpayers in different force areas, from the £70.03 payable in 2005-'06 by Band D taxpayers in Northumbria, to the £176.00 payable in North Yorkshire, and £196.28 in London.

Today's situation dates back to the early 1990s, when the Home Office introduced a new Police Funding Formula linking central policing grants to measurable data such as crime figures and numbers of calls for police help. As recently explained by Tony Butler, former Chief Constable of Gloucestershire, this emphasis on quantitative indicators rewarded measurable crime-fighting activity at

the expense of patrol and other community and preventative activities. This led to a steadily widening gap in funding between urban and rural police forces. In 1997-8 council taxpayers contributed 17% of the total budget for non-metropolitan forces, and 12% of the budget for metropolitan ones. By 2004-5 the gap had grown considerably, with council taxpayers in non-metropolitan areas contributing 29% of total police budgets, compared with only 15% in metropolitan areas [Butler 2006: 28]. In West Mercia and Gloucestershire, the proportion of the total policing budget covered by local taxpayers rose from 19% and 17% respectively in 1997-8, to a startling 35% and 36% in 2004-5.



If police precepts were to be harmonized across the new 'superforce' areas, this would obviously mean a considerable rise in payments for city council taxpayers, until now advantaged by the Police Funding Formula. Even though rural taxpayers' precept payments would simultaneously come down, the poll tax experience suggests that this would be politically extremely unpopular, especially amongst the expanding portion of council taxpayers who are retired people on fixed incomes.

The problem was forcefully highlighted by Crispin Blunt, Conservative MP for Reigate, during December's policing debate:

A graphic demonstration of what has happened to Surrey relates to financial matters. County councillors have been forced to find 46% of Surrey's funding for the next financial year from the council taxpayer, in comparison with only 15% in 1997. If the Government takes away from the county the control, accountability and responsibility for the Surrey police force, at what price will councillors vote increasing council tax precepts to support their force? In fact it will no longer be their police force. They should dump the financial mess - that is my recommendation - in the lap of the Government, because the police will be a governmental organisation accountable to no one. I would oppose Surrey councillors who supported an increase in police precepts in that context. They should fight it as hard as they possibly can when it is no longer their police force [HC Deb 19th Dec 2005 Col 1638].

Short of 'dumping the mess in the lap of the Government', it is unclear how neighbouring local authorities would divide the total precept demanded by their new, shared police force amongst themselves. In the words of Mark Francois, Conservative MP for Rayleigh, "The standard Essex precept is £105 for policing compared with £145 in Norfolk. With the greatest respect to my colleagues from

elsewhere in East Anglia, Essex council taxpayers pay enough council tax as it is. They do not want to pay even more to subsidise policing in other parts of East Anglia [HC Deb 19th Dec 2005 Col 1667]."

For this reason amongst others Butler argues for a new funding formula that does not discriminate against non-metropolitan forces. Given the uncertainty about how much the Home Office is prepared to contribute towards the costs of restructuring and of ironing out the massive differences in precept, he concludes that "individual police forces and police authorities should be commended for resisting the demand for individual authorities to write their own suicide notes when the benefits from such a step are far from clear." If the Home Office "insists that restructuring is the only solution", he goes on, "the consequences for the British public have the potential to make the privatisation of the railways look well planned and executed in comparison [Butler 2006:29]."

### **There goes the neighbourhood**

The projected cost of force amalgamation needs also to be seen within a wider policing context. The expected £500-£600 million extra expenditure will occur at the same time as the 'rolling out' of the Neighbourhood Policing Strategy, to which the Home Office is also committed.

Currently the long-term costs of Neighbourhood Policing, though likely to be considerable, are difficult to estimate. Although since April 2005 the Home Office has provided funding to recruit some 24,000 new Police Community Support Officers (CSOs), this funding runs out in April 2008, after which forces will be required to pay for them themselves.

Whether forces will be able either to pay for, or to manage, restructuring and the introduction of Neighbourhood Policing simultaneously is doubtful. In London, Neighbourhood Policing will be ward-based, with constables and CSOs being permanently assigned to

particular locations. Already, this level of commitment is coming at a cost, with some senior officers informally reporting that they have had to cut back on reactive capacity – ie response times to specific requests for assistance. The Neighbourhood Policing Strategy also requires the creation of parish or ward-level community consultation mechanism, putting additional demands on police time. Where Chief Constables are to find the extra officers simultaneously to man new units focusing on organized crime is nowhere explained – likely, judging by past experience, by cannibalizing Neighbourhood Policing. All this may go some way to explaining the “many sleepless nights” Denis O’ Connor experienced while preparing *Closing the Gap* [Pertile 2005]. There is every reason to fear that senior HMIC officials will experience even more broken nights if the report’s proposals ever come to fruition.

### The right to remain silent

Aside from cost estimates, *Closing the Gap* has some significant omissions. Most obviously, the alternatives to amalgamation – force collaboration and federation – are only cursorily explored. A substantial section assessing the collaboration option, though written up in full, was controversially left out of the final report.

Second, it is nowhere made clear that the report is premised on the ‘workforce modernisation’ programme currently being piloted in Bexley and Surrey. This involves the replacement of sworn police officers with civilian staff, both as CSOs and in other capacities. If, as HMIC states, each of the seven ‘protective services’ is to have its own permanent, dedicated staff, with no ‘double-hatting’ within each force, this implies a significant increase in policing manpower, only achievable if civilianisation goes ahead on a large scale. Otherwise, both ordinary volume crime policing and the Neighbourhood Policing Strategy are liable to be undermined, with manpower demands proving beyond the capacity of even the most optimistic senior police manager.

Adding to the pressure on day-to-day policing will be the fact that career advancement is likely to be much more achievable within the new specialist Level 2 units. To be cynical, it is already apparent that senior officers’ personal attitudes towards the government’s amalgamation plan are influenced by the career opportunities that the new superforces would provide [Martis 2005].

“ If the Neighbourhood Policing Strategy were to be undermined by force amalgamations, this would be far from the first time the Home Office has abandoned a policing policy apparently set in stone ”

If the Neighbourhood Policing Strategy were to be undermined by force amalgamations, this would be far from the first time the Home Office has abandoned a policing policy apparently set in stone. Recent history is littered with abandoned policing strategies – Unit Beat Policing; Policing by Objectives; Total Geographic Policing; Problem Orientated Policing; Community Policing - each of which was hailed in its time as a solution to contemporary challenges, only to be written off within a few years. Though it is hard to forecast any individual policy’s shelf-life, experience suggests that most sooner or later succumb to ‘implementation malaise’ and political demands for new initiatives or programmes [Loveday 2005: 346].

Third, no mention is made of the implications of amalgamation for other parts of the criminal justice system. Ironically it was one of the first tasks of the incoming Labour government to reverse Director of Public Prosecutions Barbara Mills’s disastrous reorganization of the Crown Prosecution Service only five years earlier. As was argued at the time “One CPS area stretched



from Chester to Windsor and covered five police forces. Crown Prosecutors were unable to forge links with senior police officers [Loveday 1999].” Following the highly critical Glidewell Report of 1998, 13 large, unwieldy CPS regional offices were replaced by 42 smaller CPS offices aligned with police forces and probation services. The whole debacle only emphasized that regional structures are too remote from local communities and public agencies ever to deliver good service or to generate public confidence.

Similarly, Her Majesty’s Court Service has over the last three years been engaged in the difficult process of unifying magistrates and crown and county courts into a single service. The reform was expressly designed to bring courts in line with the 42 police forces – and will be rendered pointless if force amalgamations go ahead. As one local JP wrote despairingly to *The Times*, “Charles Clarke seems intent on moving the goal posts again. Are we ever going to see a successful joined-up approach to local justice?”

# 3. Why Basic Command Units can't carry local policing

Neighbourhood policing will not survive for long unless it takes place within a stable, secure institutional structure that allows effective local engagement. HMIC argues that this structure is now in place in the form of well established Basic Command Units (BCUs), described as:

the critical building blocks of both the current structure and a possible new arrangement. They deliver the vast bulk of everyday policing services and many are now sufficiently large and have secured co-terminosity [with local authorities] such that they can be left largely intact during a move to a more streamlined structure.”

“Public resistance to combining smaller forces”, HMIC goes on, “can be abated to some degree by emphasizing that local arrangements – ie at BCU and neighbourhood level – will not change [HMIC 2005:1.32].”

But as with other aspects of HMIC’s ‘dodgy dossier’, this claim quickly evaporates on closer inspection. Contrary to HMIC’s assertions, much confusion still surrounds the size, status and role of the BCU. Outside unitary authorities and metropolitan districts BCUs have to date failed to achieve anything like the degree of stability claimed for them. On the contrary, the recent history of BCUs in the provinces has been one of constant change and disruption as their boundaries have been regularly and significantly altered by senior police management.

The extent of the problem was highlighted by the Home Secretary himself at the summer 2005 ACPO conference in Birmingham, where he specifically requested that BCU boundaries be drawn up so as to be co-terminous with those of local authorities. The request was followed up by a letter to the president of ACPO asking him to ensure that all forces identify co-terminosity as a clear objective – particularly the dozen or so forces that have so far failed completely to do so at BCU level.

As well as ever-changing boundaries, BCUs suffer from professional uncertainty as to their precise role and function. This is currently reflected in the absence of consensus as to their most effective size. Former Chief Constable for Bedfordshire Michael O’Byrne notes that:

“The primary operational unit is the BCU. This unit is made responsible for 90-95% of policing in the area and is usually under the command of a superintendent or chief superintendent. When the Audit Commission initially proposed the concept the ideal number was reckoned to be between 150 and 200 police officers. By the late 1990s the ideal number had become for most forces between 250 and 350 officers. Some forces now have BCUs of over 400 officers and at least one force has BCUs of 1000 [O’Byrne 2001:125].”

Since those words were written in five years ago, the number of very large BCUs has risen. Five BCUs – Bristol Central, Newcastle-upon-Tyne, Nottingham, Lambeth and Westminster – now each have 1,000 or more officers plus several hundred civilian staff. These could be more accurately described as ‘city police forces’, and the ability of a single chief officer to manage a unit of this size is clearly questionable [O’Byrne: 2001:125]. Though originally introduced so as to flatten police hierarchies and give local commanders the powers effectively to manage local policing, their increasing size is undermining this initial *raison d’être*.

“ That senior police themselves have doubts about the level of responsibility BCUs should take on is evidenced by their reluctance to give them powers over their own management and finance ”

The seemingly inexorable expansion of BCUs obviously parallels current thinking on overall police force sizes. In both cases arguments are made for ever-larger units of policing. Yet other than some preliminary assessments made by the Superintendents’ Association, very little analysis has been done on what in reality constitutes the optimum size for a BCU. In the absence of such independent evaluation, BCU sizes in practice are determined by ‘professional judgement’ – in other words, by guesswork.

Despite the evident problems surrounding the management of BCUs, professional opinion continues to support their enlargement. This trend may well be exacerbated – as the APA has already suggested - by force

amalgamations, with BCUs growing ever more distant and ‘strategic’ as force HQs do the same.

### The accountability gap

A third problem with BCUs as currently constituted is their lack of genuine accountability. It is now widely accepted that this requires co-terminosity between policing and local authority borders – as well, of course, as real powers for locally elected politicians to decide policing policy, finance and staffing (see Loveday and Reid’s *Going Local*, 2003). Indeed, the Superintendents’ Association, whose membership includes all BCU commanders, recently stated that co-terminosity is the single most important factor in determining whether a BCU delivers effective policing [SA 2004].

The BCU accountability gap is most acute in non-metropolitan counties where the two-tier system of local government, split between county and district, pertains. Here one BCU commander commonly covers several district council areas, and is therefore theoretically obliged, under the Crime and Disorder Reduction Partnerships, to try and cater for several often conflicting sets of priorities at once. These problematical BCUs also, of course, belong to the county forces currently under greatest threat of amalgamation. Overall, any notion that they exhibit stability except in metropolitan areas is wholly misleading.

That senior police themselves have doubts about the level of responsibility BCUs should take on is evidenced by their reluctance to give them powers over their own management and finance – specifically, by the general failure of force HQs to delegate budgets to the BCU level. Responding to the 2003 survey by the Superintendents’ Association mentioned above, the majority of commanders said they had no or only partial control over every spending item listed except for overtime and office equipment. Only 13% could make decisions as to pay without reference to force HQ; 22% decisions about IT or property; 27% decisions about vehicles; 29% decisions

about training, and 42% decisions about levels of civilian staffing [SA 2003: 49].

Even where budgets have been delegated, BCU commanders' ability to manage them is severely circumscribed by central control over manpower spending, which forms by far the biggest item of policing expenditure. The situation is reinforced by the ring-fenced Crime Fighting Fund, set up by the then Home Secretary David Blunkett, which can only be spent on police establishment. Should force amalgamations go ahead, it will be vital that priority-setting and budgets are fully delegated down to BCU level, without every BCU decision having to be ratified by a distant and overburdened force HQ. Outside the Superintendents' Association, however, such a wholesale shift in power away from the senior ACPO ranks is unlikely to meet with professional support.

Predictably, the accountability gap at BCU level has been seized upon by the Opposition. As the Shadow Home Secretary David Davis MP argued in the course of December's debate:

The Home Secretary has claimed that local policing will remain through the Basic Command Units, which he says are accountable, but there is not true accountability there at all. He obviously does not understand the difference between accountability and consultation, which are indeed rather different. The BCUs take their direction from above and report to those above them. Local people have no control over them whatever. What happens if the

BCU [commanders] do something wrong? Can they be fired? No. Can they be replaced? No. Can they be held to account in any way by the people they serve? No. The Home Secretary says that he desires the establishment of mechanisms that will effectively hold BCU commanders to account, but then he admits that those mechanisms will be non-statutory. It is not enough for him to 'desire' accountability; there must be a formal mechanism to put local accountability in place [HC Deb Col 1602 19th Dec 2005].

The lack of accountability at BCU level does indeed constitute one of the weakest links within the restructuring programme - and HMIC's 2005 report. It may ultimately prove to be the programme's most contested issue. Within the profession, the most radical thinking on the issue has come from the Superintendents' Association, which has recommended that local authorities be involved in the selection of BCU commanders, currently carried out by senior chief officers at force HQ. It also suggests that a civilian manager of police services be located and work within each local authority's management structure. The only caveat it makes is that other local heads of services, and chief executives, be made equally publicly accountable for their actions [SA 2004].

It is clear, however, that the Superintendents' Association's predisposition towards greater local accountability is not entirely shared by members at ACPO



level. For those responsible for planning the current amalgamation programme, it is evident that the current relationship between police HQs and BCUs is expected to continue as is, albeit within much bigger 'strategic' forces.

### **Regional government by the back door**

The accountability gap is even more glaring in relation to the proposed new 'superforces' themselves. As currently envisioned, these more or less coincide with the nine new regional Government Office boundaries, suggesting that the key driver behind the amalgamation plan is as much back-door implementation of the government's (unpopular) regional government scheme as improving policing.

“ The key driver behind the amalgamation plan is as much back-door implementation of regional government as improving planning ”

This suspicion is reinforced by the Home Secretary's sidelining of 'crime markets' – in other words, geographical crime patterns – as a criterion to be taken in consideration when assessing force mergers. Though forces and authorities were originally told that they could be taken into account in their submissions, subsequent merger proposals that follow them rather than regional government boundaries have been ruled out. For example, merger between North Wales, Merseyside and Cheshire police was immediately rejected as crossing the Welsh-English border, despite the fact that much Welsh crime originates in Liverpool. Similarly, merger between Dorset and Hampshire – logical because it would give unified coverage of Bournemouth and Poole - was turned down on the grounds that Hampshire falls within the

South East Government Region and Dorset in the South West.

Some of the most vocal opposition comes from the North East, where Cleveland has put up sustained opposition to forced merger with Northumbria and Durham. As the chairman of the Cleveland police authority (which has taken legal advice on the Home Office's decision to rule out other restructuring options), puts it:

There is a particular irony that in the northeast of England – the one area where people had a chance to vote on the 'regional agenda' and rejected it overwhelmingly – we find ourselves being offered just one 'option' by the Home Office Review Team: a regional force. Whatever the motivation, the [restructuring exercise] is a blueprint which more and more people are recognizing as a serious threat to the fundamental principles of local accountability, consent and support [*Police Review* 2006:16].

One consequence of amalgamation will be much more remote 'regional police authorities'. Since the Home Secretary has signaled that they will have no more than 23 elected and independent members, many local districts will effectively be disenfranchised. The regional police authorities will also be precepting bodies, which means that decisions on the overall level of council taxes will also be taken without participation at the local level.

None of these accountability and governance problems has yet been adequately addressed either by senior police or by the Home Office. Police planning documentation, for example, has focused on the operational aspects of restructuring. In the West Midlands strategic force area, for example, planners have already concluded that "within a [regional] framework there exist positive opportunities to establish satisfactory governance arrangements." These would involve chief officers providing coordination and focus within 'sub-regions', allowing the amalgamated forces to meet "simultaneously the twin requirements for operational scale and local diversity."

The West Midlands planners do identify governance and accountability as potential difficulties within a 'Consolidated Risk Register.' If police authority membership numbers are cut following regionalisation, they ask, "will public representation and accountability be damaged?" But at the same time they also worry ('Risk 5') that in the absence of an effective police authority "local civic leaders...will generate a perception that they 'own' BCU commanders, and attempt to unduly influence them [Draft Police Force Restructure, West Midlands 2005]."

This sort of ambivalence does not exactly augur well for accountability, either for strategic forces or for their component BCUs. Options currently under active consideration appear to include stronger partnership working arrangements at local authority level (identified by the Home Office within its Neighbourhood Policing Strategy [Home Office 2006 Review of Partnership Provisions:21].) These could be extended as part of proposals by the Office of the Deputy Prime Minister for closer scrutiny of Crime and Disorder Reduction

Partnerships by local authority Overview and Scrutiny Committees [ODPM Joining Up Neighbourhood Management and Neighbourhood Policing Centres: 2006].

Neither of these proposals, though welcome, is robust enough to provide effective oversight of BCUs at local authority level. Yet as the distance between local BCUs and regional force HQs grows, the need for such local accountability becomes all the greater. 'Community calls for action' as a means of influencing police – as floated by the Home Office Review of CDRPs - are as yet untried and untested. In any case they cannot be expected to act as a substitute for governance mechanisms based on democratic principles and procedures and located within an established local government framework [Local Government Association 2003]. The problem may become more obvious as the ODPM assumes some responsibilities for neighbourhood policing under its own strategy of joining-up neighbourhood management [ODPM: Centrex: 2006].

# 4. Proceeding in the right direction

Although HMIC was requested to explore alternatives to strategic forces, *Closing the Gap* makes it obvious that there was a clear presumption against the options of collaboration or federation. There is anecdotal evidence that a section on collaboration written for *Closing the Gap*, though completed, was expressly left out of the final draft, and the report's general tenor strongly suggests that its conclusions were preordained. This has of course been fully reflected in the absence of public or other consultation following the report's publication in September 2005, and in the Home Secretary's overt stance in favour of amalgamations.

This has not deterred the Association of Police Authorities (APA), or individual authorities and forces, from investigating alternatives. Cleveland, West Mercia, Essex and Kent have all identified the 'stand alone' option as being the one best suited to their circumstances. The APA's proposal for federations of police forces, developed with help from Sussex Police, offers a framework that would likely prove far more popular than amalgamation, and far less destabilising and expensive to implement [*Police Review* 2006:8].

Under the APA's scheme, neighbouring forces would be able, if they wanted, to jointly provide protective services across a federated area, but would continue as now to deliver local policing individually. In a logical extension of existing arrangements for terrorism and other major incident cover, binding legal agreements between forces would set out the funding for and quality of protective services, while most police functions remained the

responsibility of existing police authorities and Chief Constables. Amongst the plan's many advantages are that it could be put into place relatively quickly at a moderate cost. It would allow local forces to retain their identities while generating enhanced capacity and some economies of scale, for example in purchasing, IT and fleet management. It would also – as the APA points out – be more popular within and thus 'owned by' rather than imposed on the police service, greatly enhancing its chances of success. Finally, it would have much smaller implications than amalgamation for levels of council tax [*Police Review* 2006: 8].

Elsewhere chief officers – notably Roger Baker, Chief Constable of Essex - have proposed the retention of the 43 force system with the addition of one 'national force' to fill the Level 2 gaps identified by HMIC. While providing a strategic capability this option would avoid the turmoil of major restructuring that the Home Secretary's plans will inevitably generate. Tony Butler, former Chief Constable of Gloucestershire, agrees, arguing that that dealing with Level 2 crime does not require wholesale merger of police forces, as already demonstrated in the West Midlands Region where the Regional Crime Squad has been re-instated and other new regional collaborative structures successfully manage asset confiscation and counter terrorism. He adds that:

The establishment of similar structures in other police regions would be more cost effective than

amalgamating all the constituent police forces. A further advantage would be to make these structures and their cost more transparent and not hide them within an amalgamation programme that would have to draw officers from other duties in the absence of specific funding [Butler 2006:29].

Though the current president of ACPO, Sir Chris Fox, claims near-unanimous support for the Home Secretary amongst his members, in reality senior ranks are deeply divided. Privately, chief officers complain that Fox has ceased to represent their views, and the next ACPO head, Ken Jones of Sussex, who takes over on April 1st '06, eloquently supports force federation rather than amalgamation. ("I would strongly argue", he recently wrote in *Police Review*, "that we ought to retain most forces, and their identities, as they are [Police Review July 1st 2005: 24-25].")

### The unitary ideal

The government is right in saying that the status quo is not an option, but for reasons of lack of genuine accountability rather than because of any major shortfall in coverage of regional organized crime. The challenge then becomes one of identifying a police structure that enhances accountability and local policing while also enabling the police to provide effective 'protective services' at strategic level.

On this basis alone the current restructuring proposals are unacceptable. They would further remove policing from the community, creating even more remote police bureaucracies at regional level while simultaneously eroding local accountability. As the David Heath, Liberal Democrat MP for Somerset and Frome, put it in December's policing debate:

Under the Government proposals the South West would stretch from the Isles of Scilly to north Gloucestershire. For an individual in my

constituency there is precious little difference between such an authority - which covers an area the size of Belgium - and a national police force [HC Deb 19th Dec 2005 Col 1618].

“Policing works best when subject to clear lines of accountability, and that accountability works best when one specific unit of local government has responsibility for one specific unit of policing”

Any successful restructuring of the police service needs to take into account forthcoming reforms to local government. At the moment – according to a series of leaks from ODPM in early 2006 – major changes are under consideration, namely the replacement of the 34 shire counties and 230 districts with single-tier unitary authorities. "It would mark", as the *Daily Telegraph* reported, "the biggest shake-up of local government in England since 1974 [Philip Johnston, *Daily Telegraph* Jan 28th 2006]." This is in direct contradiction to HMIC, which in *Closing the Gap* specifically claimed that no plans for local government restructuring were on the horizon.

Policing works best when subject to clear lines of accountability, and that accountability works best when one specific unit of local government has responsibility for one specific unit of policing. In the words of O'Byrne:

In my experience policing works best where there is a clear link between the BCU and the local political unit. The shape of local government is critical to the successful reorganisation of the police service...Unless there is to be a massive democratic deficit it is essential that the police



service is so structured that it has a clear relationship with local government [O'Byrne 2001:136].

The ODPM's proposed expansion of unitary authorities – if it happens - would provide an extremely good platform for exactly this kind of relationship between local government and BCUs (as well as other criminal justice services.) Evidence from existing unitary authorities suggests that they are much better able to deliver successful Crime and Disorder Reduction Partnerships than their county and district counterparts. Accountability could be enhanced – as O'Byrne suggests - by giving local politicians the power to select BCU commanders, as well as more control over local taxation and spending. Together with a devolution of powers away from Chief Constables to BCU commanders, the scheme would provide a strong platform for neighbourhood policing, and avoid the trauma and expense associated with force mergers.

“ There is a growing consensus that instead of merging police forces, to tackle serious cross-border organised crime new National Policing Agencies should be created, or greater use made of existing ones such as SOCA ”

### In the meantime

The ODPM's reorganisation of local government, may, however, never happen, and in the meantime the police may indeed (though the HMIC has not proven it) need to cope with more Level 2 crime. As the APA argues, this is best achieved through a federated system allowing forces to draw on resources from surrounding areas. Regional

Crime Squads should be re-established – as recommended by Butler and successfully practised in the West Midlands – as should other formal, collaborative structures where necessary [Butler 2006:29].

To this arrangement should be added provision for national response to major incidents and to serious organised and serial crime. This could take a number of forms, but would in the first instance certainly extend to widening the general remit given to the new Serious and Organised Crime Agency. As Mark Oaten argued in December's policing debate:

Only 18 months ago they established SOCA - the Serious and Organised Crime Agency - because they rightly accepted that solving some serious crimes required expertise and a national approach. We should expand SOCA so that forces that...cannot cope with, for example, a serious threat of terrorist attack or a complex crime, can call in resources from SOCA, which has the expertise to deal with such problems. That is a much better model than merging forces and requiring them to achieve SOCA's skill level. The solution is staring the Government in the face. They created SOCA, which we should expand and use further [HC Deb 19th Dec 2005 Col 1617].

Formed out of the old National Crime Squad, National Criminal Intelligence Service and the investigative branches of Revenue and Customs and the Immigration Service, SOCA is due to become operational in April '06. Currently its remit is to detect and reduce serious organised crime, especially drugs and people-trafficking, and tax and customs fraud. This should be expanded downwards to cover inter-regional organised crime (the recent Securitas raids being perfect examples), serial serious assaults, rapes and murders, and major incidents. There might also be grounds for assessing the potential utility of a 'National Border Force' to take over people and

drugs-trafficking and other international organised crime.

## Conclusion

There is a growing consensus that instead of merging police forces, to tackle serious cross-border organised crime new National Policing Agencies should be created, or greater use made of existing ones such as SOCA. Such agencies would be directly accountable to the Home Secretary, and their responsibilities would encompass counter-terrorism, serious organised crime and drug trafficking, national border policing and some protective services.

This would eliminate the need for more specialist capability across all regions, but would allow, if necessary, for the re-establishment of the six Regional Crime Squads, which until their replacement by the National Crime Squad in 1998 provided an effective service at this level.

A wider national dimension would also allow for consolidation of local policing within unitary authorities, if these do indeed wholly replace country and district councils. Establishing BCU commands with boundaries coterminous with those of unitary authorities would provide the most stable, responsive and effective platform for local policing – which the sort of policing the public cares most about.

Preserving existing forces would also have the advantages of saving money, minimising disruption, avoiding unpopular rises in police precept, and preserving (painfully acquired) co-terminosity with the Crown Prosecution and Courts Services.

Most importantly, it would allow a reform much more fundamental than force restructuring to the future success of policing, namely workforce modernisation. As the Chief Constable of Surrey, Bob Quick, recently said in an aside to an APA conference, restructuring is ‘moving the deckchairs’, the real issue being improving productivity, especially by the more widespread and flexible use of police staff.

Such a modernisation programme, if implemented, would both professionalise policing and effectively expand the police establishment by freeing up sworn officers from jobs that could be equally well filled by civilians. Politically it might be a hard sell, as evidenced by the fact that all three parties are still striving to outbid each other on headline figures for officer numbers. Indeed, this view of policing as a sort of virility test for governments has undermined many attempted reforms over the years.

“ At the local level, BCUs should be strengthened and made more accountable ”

In summary, **our recommendations** are as follows:

- The government should seek to establish a three-tier policing system based on:
  - Local BCUs responsible for neighbourhood policing and community safety.
  - Federated forces responsible for most protective and specialist services.
  - National agencies responsible for serious inter-regional and international organised crime, people and drug-trafficking and counter-extremism and counter-terrorism.
- At the local level, BCUs should be strengthened and made more accountable. They should have charge of their own budgets and priority-setting, and BCU commanders should be both hired and fired by local politicians – mayors where they exist, council leaders or specially-elected police boards or commissioners.
- At the intermediate level, forces should be encouraged voluntarily to federate where they lack genuinely

needed capacity to deal with inter-regional, complex, unusual or new sorts of crime. They should be allowed jointly to finance and manage permanent units in specialisms such as forensics, murder, and underwater and helicopter search. They should exploit economies of scale on purchasing and fleet management. Regional Crime Squads could also be re-established.

- At the national level, SOCA should be expanded to cover those protective services not covered by federated forces. Alternatively new national agencies could be created – for example a National Protective Services Agency to deal with serious organised crime, and a National Border Protection Agency to deal with international trafficking and terrorism.

Not all these reforms need to happen at once: devolution of BCU budgets, for example, could take place immediately, as could the assumption of greater powers over

BCUs by local authorities where they are co-terminous with BCU boundaries. Serious thought also has to be given to demarcation issues between federated forces, re-established Regional Crime Squads and national agencies such as SOCA. Murder, for example, though a very serious and in most areas thankfully rare offence, usually has no regional or national dimension.

The advantages of merged 'superforces' are so doubtful, and their drawbacks so obvious, that it is hard to see why the Home Secretary has thrown his weight behind the scheme with such enthusiasm. The better – and incidentally more popular – course would be to allow forces to collaborate on specialist services where necessary, and to bolster local policing by creating genuine accountability – not simply consultation mechanisms – at the local authority level. His resources and political capital thus freed up, he could then turn his attention to the hard, but much more rewarding, task of making English and Welsh police more productive and professional.

# Appendix:

## Methodology used for force performance comparisons

The aim of this analysis was to examine HMIC's claims that big forces in general perform better than small forces, and that there is a watershed number of around 4,000 officers below which forces are ineffective.

Firstly, the 42 forces (excluding anomalous City of London) were divided into five groups covering comparable areas, namely: large conurbations, rich high-population density areas, poor high-population density areas, rich low-population density areas, and poor high-population density areas. The four large conurbation areas were London, Greater Manchester, Merseyside and the West Midlands. Elsewhere, unemployment rates and population per square kilometre for each force area were calculated, and forces grouped according to whether they fell above or below the two means. (The same method used in Policy Exchange's earlier report, *Going Local*.)

The resulting groupings were as follows:

- i) **Major Conurbations:** Greater Manchester; Merseyside; the Metropolitan Police; West Midlands
- ii) **Smaller Cities (areas with relatively high population density and relatively high unemployment):** Cleveland; Derbyshire; Gwent; Lancashire; Nottinghamshire; South Wales; South Yorkshire; West Yorkshire.
- iii) **Rich Suburban (relatively high population density, relatively low unemployment):** Bedfordshire; Cheshire; Essex; Hampshire; Hertfordshire; Kent;

Leicestershire; Staffordshire; Surrey; Sussex; Thames Valley.

- iv) **Poor Rural (relatively low population density, relatively high unemployment):** Cumbria; Devon and Cornwall; Durham; Dyfed Powys; Humberside; Norfolk; North Wales; Northumbria.
- v) **Rich Rural (relatively low population density, relatively low unemployment):** Suffolk; Cambridgeshire; Wiltshire; Gloucestershire; Dorset; Warwickshire; North Yorkshire; Lincolnshire; Northamptonshire; West Mercia; Avon and Somerset.

Performance data were taken from the Home Office's Police Performance Assessments for 2004-5. From the 37 PPAF performance indicators used by the Home Office, we selected the 21 most useful, rejecting those that measured absolute numbers rather than percentage rates, or non-central policing activities. Measures of the public's fear of crime and perceptions of crime levels were also omitted. The 21 chosen performance indicators (PIs) fell into three categories as follows:

- (i) **Crime Rates:** Comparatives risk of personal crime; comparative risk of household crime; domestic burglary rate; violent crime rate; robbery rate; vehicle crime rate; life threatening and gun crime rate; road traffic and safety casualty rate.

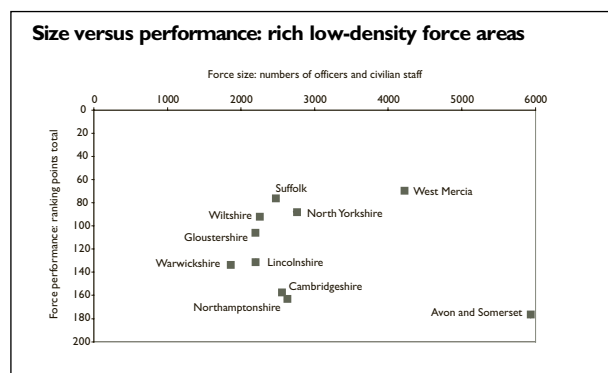
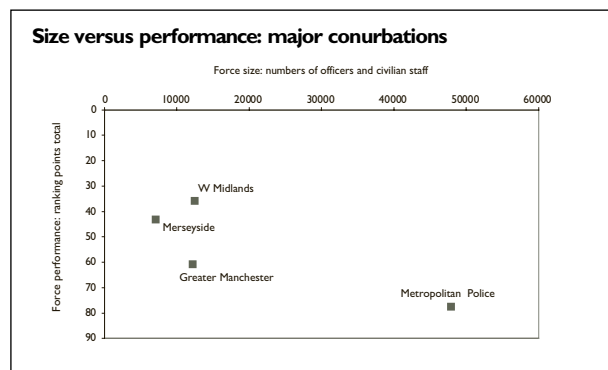
- (ii) **Sanction Detection Rates:** Offences brought to justice rate; overall sanction detection rate; burglary sanction detection rate; violent crime sanction detection rate; robbery sanction detection rate; vehicle crime sanction detection rate.
- (iii) **Public satisfaction with the police:** satisfaction with making contact; satisfaction with action taken; satisfaction with progress updates; satisfaction with treatment by staff; satisfaction with overall service; satisfaction of victims of racism; comparative satisfaction of minority ethnic groups.

Within each group the forces were rated for each performance indicator. The number 1 was assigned to the best performing force on a PI, with the second best being assigned the number 2 and so on. As mentioned above, only PIs that we felt were fair and useful comparators were used. Each force's 21 PI rankings were then combined to give a final score. The force with the lowest total of ranking points within each group was, therefore, the best performing.

Force sizes were established by totalling numbers of officers and civilian staff employed. Forces vary widely in the extent to which they use civilian staff and Community Support Officers, with the result that comparing officer numbers alone would not give fair comparisons of actual force capacities. (See Barry Loveday's 'Workforce Modernisation', forthcoming in the *Police Journal*.)

For each force group, a graph was plotted comparing overall performance ranking and size. X-axes record force sizes (ie total numbers of sworn and non-sworn staff). Y-axes record performance rankings, and were inverted so as to make clear that the forces with the smallest numbers of ranking points are the best performing.

The two graphs not included in the main text are included below.



The relative performance of the four forces covering major conurbations is commented on on p19 above; within the 'rich rural' group the worst performer is Avon and Somerset, also by far the largest force in this category with nearly 6,000 staff. On the other hand the smallest force, Warwickshire did not perform well either, coming seventh in a group of ten, and it should be noted in Avon and Somerset's extenuation that it covers the city of Bristol. The best performers in the group are Suffolk and West Mercia, with fewer than 2,500 and over 4,000 members of staff respectively. As with the other groups, overall no correlation whatsoever is apparent between performance and size.

The obvious conclusion of this analysis is that the size of a force has no direct bearing on how well it prevents crime, detects crime or pleases the public.

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The Home Secretary wants to cut the number of police forces in England and Wales from today's 43 to around 13. Since small forces perform at least as well as big ones, and since amalgamation would reduce accountability and take resources from neighbourhood policing, the Government should abandon this misguided move to introduce regional government by the back door.

It should increase accountability by giving locally-elected representatives the power to hire and fire their Chief Constables and/or Commanders, and add capacity by allowing forces jointly to set up dedicated specialist units where they see fit. In policing as elsewhere, size isn't everything.

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Policy Exchange  
Clutha House  
10 Storey's Gate  
London SW1P 3AY  
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