

# Chapter 9

## Enhancing Police Accountability in England and Wales: What Differences are Police and Crime Commissioners Making?

John W. Raine

### Introduction

The election across England and Wales on November 15th 2012 of 41 Police and Crime Commissioners (PCCs)—one for each police force area outside London (where the equivalent functions had already been vested in the Mayor of London)—marked the launch of an intriguingly novel approach to police governance at the local level. Replacing the tradition of committee-style governance, originally of council-led ‘police committees’, and subsequently (from 1964) of separate ‘police authorities’ (comprising a mix of nominated councillors and other local appointees), the new PCCs are directly-elected individual office-holders whose role it is to provide the strategic leadership and democratic governance for police and crime-related activity, including the key role of holding the chief constable and the local police force to account on behalf of the public (Raine and Keasey 2012).

The idea for PCCs arose amidst general disappointment with the apparent dearth of impact of police authorities and in particular, with their very low public profile. The New Labour government considered various options for strengthening police governance as part of its wider plans for policing reform (Home Office 2008) but failed to identify a satisfactory way forward. So it fell to the incoming Conservative/Liberal-Democrat Coalition government in 2010 to take up the challenge. The idea of directly-elected police and crime commissioners had been proposed some 8 years earlier by the Conservative Member of Parliament, Douglas Carswell. A

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J. W. Raine (✉)

Institute of Local Government Studies, University of Birmingham, Birmingham, UK  
e-mail: j.w.raine@bham.ac.uk

strong advocate of localism and of direct democracy, Carswell was keen to replicate in this country the kind of police governance arrangements he understood to operate well in US cities. In fact, however, the model of police and crime commissioners that he proposed to his political party was rather different from that of US city police commissioners—who are either professional police officers (equivalent to chief constables in the UK) or experienced administrators, rather than elected politicians.

But three other factors were influential in ensuring that the new Coalition Government's initial policy prospectus included a commitment to: *'introduce measures to make the police more accountable through oversight by a directly elected individual, who will be subject to strict checks and balances by locally elected representatives'* (H M Government 2010, p. 13). First, was the growing enthusiasm in both national and local political circles for the idea of 'commissioning' public services, and for greater plurality in the pattern of provision as a result of contracting with private and third sector organisations as an alternative to the traditional dominance of 'in-house' public provision (Bovaird et al. 2013). Second, was strong interest of the Coalition Government in the polity of 'new localism' and the desire to end the extent of centralisation that had come to be seen as a defining hallmark of the preceding New Labour government, although, as Lowndes and Pratchett (2012) noted, the roots of 'new localism' were already well established in Labour's developing 'communities agenda'. Third, was the Government's enthusiasm (as indeed that of New Labour) for directly-elected leaders at local level, particularly for the more decisive and efficient form of decision-making that they were presumed to invoke. While the efforts to persuade councils and local public opinion in favour of the concept of directly elected mayors had proved largely in vain, with very few local authorities taking up the option, the reform of police governance was seen by the Coalition Government as an opportunity to introduce across the country the essential elements of the model—of directly-elected individual office-holders—albeit specifically for policing.

Unfortunately, the Government's enthusiasm for the new model was hardly matched in wider circles. The relevant clauses of the Police Reform and Social Responsibility Bill 2012, introducing PCCs were opposed by a number of Conservative and Liberal-Democrats as well as by the formal opposition parties in both the House of Commons and Lords; there was outspoken criticism of the proposals by several chief constables and much scepticism among the wider policing and criminal justice practitioner community, and the turn-out of voters at the first elections on 15th November 2012 averaged just 14.7%—a record low for a nation-wide ballot, reflecting a mix of ignorance, confusion and disinterest in the idea of PCCs on the part of the eligible voting public. For a while afterwards, moreover, matters seemed to get worse for the Government as a succession of negative media headlines added to the embarrassment about the elections. Such headlines included allegations of cronyism, as several PCCs sought to appoint their election assistants to leading roles within their offices; unexpected costs to the public purse associated with recruitment of teams of staff; and tensions and disagreements with chief constables, in more than one case, involving attempts at dismissal (Laville 2013).

It all amounted to a particularly inauspicious start for England and Wales’ new police governance model, and while after just 1 year, it seemed unreasonably premature of the Independent Police Commission to describe the PCC model as ‘*systemically flawed as a method of democratic governance*’ and to recommend its abolition (IPC 2013, p. 81), such a conclusion was symptomatic of the on-going doubts about the Coalition’s bold initiative.

This chapter does not set out to conclude one way or the other about the case for PCCs, nor indeed to offer any definitive assessment of the model and of its overall effectiveness. Instead it focuses on one particular aspect; one which was especially prominent in the minds of the early advocates—that of the impact of accountability in policing. In so doing, the chapter seeks to take stock of what the introduction of PCCs has thus far meant in this respect, and in relation to various potentially significant accountability relationships. In fact five such relationships are examined: accountability of PCCs to the public; accountability in relation to the Police and Crime Panels (established in each police area as a scrutiny body to hold the Commissioner to account on behalf of the public); accountability to central government and the Home Secretary in particular (given that the relevant legislation also refers to each PCC’s responsibility to provide for the national ‘strategic policing requirement’); accountability of PCCs towards their sponsoring political parties (where such sponsorship is provided); and, conversely, accountability of chief constables towards their PCCs<sup>1</sup>.

These five accountability relationships are highlighted in Fig. 9.1 with the shaded arrows, though, as can be seen, the diagram also indicates other relationships of potential significance albeit without the element of direct accountability, notably in relation to community safety partnerships, local criminal justice boards and providers of criminal justice services.

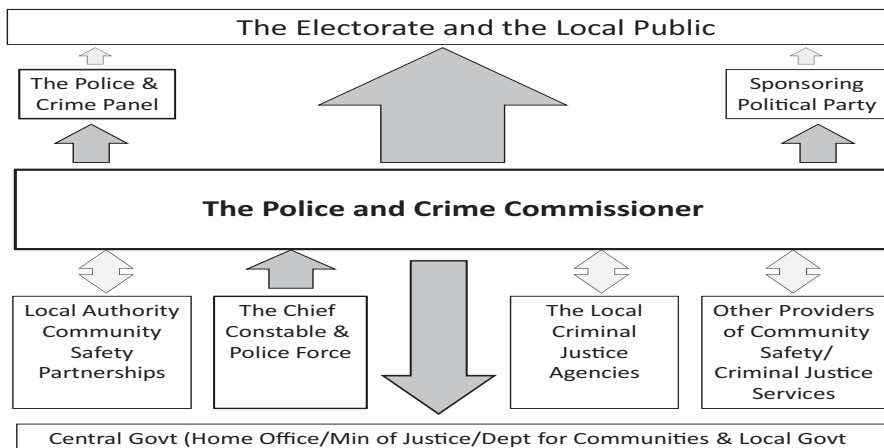


Fig. 9.1 PCC relationships and accountabilities

<sup>1</sup> Space here does not permit inclusion here, but several additional accountability relationships for PCCs are further explored in Raine (2014).

## Principal-Agent Theory and Research on PCC Accountability Relationships

In examining such accountability relationships, it is helpful to draw on Principal-Agent Theory from the discipline of economics, and which has been much discussed and applied in seeking to understand motivation and behaviour in inter-relational settings (see for example: Mayston 1993; Wood and Waterman 1994; Waterman and Meier 1998; Besley 2006; Bertelli 2012). This is theory that focuses, in its most simple form, on the relationship between the ‘commissioner’ of a task (or service provision activity)—‘the principal’- and the ‘contractor’ who undertakes the work—‘the agent’. A familiar problem in such situations, however, is that the agent (as contractor) will often know rather more about the tasks involved than the ‘principal’—the problem of ‘information asymmetry’ as it is usually described (Ferris and Graddy 1998; Bandyopadhyay 2013)—and may well seek to exploit that superior knowledge to their own advantage, for instance, by suggesting a larger-scale job than is really needed, and/or by charging more than is reasonable. The key challenge, then, for the ‘principal’ is to ensure that appropriate checking processes and incentive arrangements are in place to ensure that the interests of the commissioner are protected and the contractor does not exploit the situation. Carrying this general line of thinking into police governance, then, for example, a key question might concern the means by which a directly-elected PCC can be confident that their chief constable and police force (as agent) is indeed addressing each of the locally-decided policing priorities to the best of their abilities, and not just focusing on those to which, as professional officers, they happen also to be committed.

Moreover, the situation with police governance, (as indeed, in many public service contexts) can often prove more complex still because of the problem of ‘multiple principals’ (Knott and Miller 2006) or of competing principal-agent relationships. Thus, for example, while a PCC may be the ‘principal’ in relation to their chief constable, they must also be regarded as ‘agent’ to the public, and indeed also to the Police and Crime Panel that exists to scrutinise their work on behalf of the public. A PCC may also be regarded as ‘agent’ to their sponsoring political party, and also ‘agent’ to the Home Secretary too, at least with regard to national policing responsibilities. Taken as a whole, then, the PCC governance framework can be understood as comprising a number of different, potentially competing, principal-agent relationships, the interplay between, and implications of, which could have potentially profound and varied impacts on the nature of policing policy and practice around the country.

In the succeeding sections of this chapter we will consider in turn the five key accountability relationships of PCCs, doing so by drawing on findings from a round of interviews conducted with a sample of 9 of the 41 PCCs across England and Wales. The nine were selected as follows: three from the north of the country; three from the midlands, and three from southern counties, and with the sample was further stratified by selecting from each such region one PCC sponsored by the Conservative party; one sponsored by the Labour party, and one independent PCC

(i.e. without affiliation to a formally-recognised political party). At the same time, care was taken in the selection process to ensure a reasonable cross-section of urban and rural of police force areas (the final sample comprising PCCs for two metropolitan force areas; four for more mixed urban/rural force areas; and three for force areas that were more rural in character).

While no strong claims are made about the overall representativeness of this sample, or indeed, of the pattern of responses derived from it<sup>2</sup>, the key findings and general messages at least are probably not untypical of the wider picture across the country. The interviews were conducted (by the author) on a one-to-one basis and in a semi-structured format<sup>3</sup> between July and October 2013 (i.e. between 8 and 12 months after the elections). In preparation for the interviews, a range of documentary information published on each PCC's website was also reviewed (including Annual Reports, Police and Crime Plans, budgetary and commissioning reports, policy statements, minutes of meetings, formal decisions, blogs, and other such communications).

## Accountability to the Public

Probably the most significant finding from the nine interviews concerned the large commitment of time and effort that, since the elections, each PCC had been devoting to building their profiles with the public and local communities. Perhaps, in part, a reaction to the very poor turnout at the polls and the very low level of public understanding of the new role, all nine PCCs had made it their first priority to pursue as many opportunities as possible for public engagement and for building relationships with local institutions and groups across their areas as well as with officers and staff at each of the police stations.

Interestingly, one of the nine who had previously served as a member of the (former) police authority for the area, suggested that '*police authorities hadn't thought of themselves as having a public profile*'—a viewpoint that, if fair, would possibly go some way towards accounting for the very low level of public awareness of their existence. Yet within a matter of days of taking office, all nine PCCs had begun a circuit of public appearances, making presentations and answering questions at public meetings, arranging regular 'surgeries' in local communities, and 'pitching up' in market squares on Saturday mornings to meet shoppers, just as they had done during their election campaigns. Each had also begun a round of attendances at county, district and parish/town council meetings and had accepted a variety of invi-

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<sup>2</sup> For example, the sample did not include a PCC who had previously served as a police officer, although nationally, about 1 in 5 of the 41 who were elected had done so. Just two of the nine PCCs were female while, as far as ethnicity was concerned, all were white.

<sup>3</sup> In three of the nine cases, a senior assistant to the commissioner was also present for the interview. To protect and respect confidentiality, the nine PCCs and their areas are cited in this chapter simply as numbers (1–9 respectively).

tations to speak at meetings of other community bodies such as Women's Institutes, Rotary, and Volunteer Centres.

They were also spending much time visiting different policing and criminal justice-related projects, including many community-based and volunteer-run initiatives undertaking community safety work or supporting criminal justice, for example, victim support groups, domestic abuse projects, drug-treatment centres and various offender management projects. Indeed, all nine indicated spending at least a day per week away from their offices meeting community-based, staff and volunteers involved in criminal justice-related project work of one kind or another or addressing open meetings, community councils and the like. Many of their evenings were also taken up with speaking engagements and each was frequently writing articles for local magazines, community newsletters and bulletins. All were also making extensive use of social media—with near daily tweets and regular blogs on policing and crime issues arising from their work.

Clearly, then, the new PCCs have, without exception prioritised their relationships with their local public(s) and sought to provide a significantly more outward-facing governance profile than had been the case with police authorities. Moreover, and no doubt a consequence of such profile-raising efforts, each confirmed having seen the volume of direct communications from members of the public (via email, letter or phone calls) increase significantly. One commented that *“PCCs are set to become some of the most recognised public leaders in the country—more so than most local councillors and many members of parliament”*, while another pointed out that *“the police themselves are amazed at what this is all producing by way of complaints from public.”*

Several interviewees also emphasised the importance they attached to hearing from all sections of the community, not just those who had made contact to complain about something or who had spoken up at a public meeting or other event. One, for example, talked at length about actively seeking out the perspectives of those who were perhaps unlikely to attend such meetings or to initiate contact—*“the quiet ones; the NEETs, ethnic groups and others below the radar”*. And such pro-activity certainly suggested a further positive dimension to the *“listening and learning”* approach to which all nine referred. Also highlighted was the contact with front-line policing teams; each having already visited, or being in the process of visiting, every police station within their areas, and from which they similarly indicated gaining highly valuable learning, not least about the issues and problems of most concern locally. *“Only by listening and talking to front-line police and the public do you get a sense of whether or not resources are being satisfactorily deployed within the Force...being out and about and listening is how you learn about how the force is working”*. As another summed the discussion up, *“...listening is what this job is all about—people say things to you in the street that they wouldn't say to you in a booked appointment or if they were come into the building”*.

Evidently, then, ‘listening and learning’, has clearly formed a highly significant dimension of PCC work. And while this of course would not by itself necessarily amount to strong accountability, it would at least form a key element of such a process. Indeed, in so far as all the interviewees talked about the lively exchanges in which they were frequently engaged in public meetings, it seemed that the twin

processes of ‘giving account’ and ‘being held to account’ were, indeed, very much a part of this on-going public engagement process.

## Accountability to the Police and Crime Panels

As indicated, the same legislation instituting PCCs also introduced Police and Crime Panels to undertake a scrutiny role and hold commissioners to account on behalf of the public. Indeed, such Panels were established to provide an on-going check on the work of the PCC between elections when the voting public would have their say on the office-holder’s performance, and as a means to address the ‘information asymmetry problem’ of the principal-agent relationship between the public and the PCC.

That said, the legitimate roles of the Police and Crime Panel are quite tightly defined in the relevant statutes and relate particularly to scrutinising the annual budget, approval of the Police and Crime Plan (a 5-year strategy document that each PCC is required to prepare and publish) and approval of the appointment of the chief constable. Such scrutiny roles are also balanced by a more general ‘supportive’ role that, as Lister (2014, p. 24) has pointed out “*must be exercised with a view to supporting the effective exercise of the functions of the police and crime commissioner*”. This, as Lister has also suggested, implies some tension at the heart of the legislation, although, to be fair, this was also inherent in the role (and behaviour) of the former police authorities which similarly could be understood as ‘critical friends’ (in their case to the chief constable). But whereas the former police authorities had a clear oversight and scrutiny role in relation to policing performance, the focus of the Police and Crime Panels is much more narrowly drawn in relation to the work of the PCC, who, in turn, is solely responsible for holding the chief constable to account.

From the interviews the evidence as to the nature of accountability at work here seemed quite mixed. All nine acknowledged the difficulties that both the limited statutory powers and the tight (Government-imposed) timetable had created in the first year for panel members in their consideration of the budgets and the Police and Crime Plans and more generally in the process of holding to account. Two PCCs specifically commented on the shift they had observed in the outlook of their panels—from initial scepticism and negativity to becoming generally supportive once they had heard the Commissioner’s explanations and had understood better the thinking behind the choices and decisions. Two others observed that panel members with previous experience on their respective police authorities had seemed to struggle to come to terms with their new role as ‘scrutineers’ of the Commissioner’s (personally-taken) decisions. Others again recognised the difficulties in this regard for panels of part-time councillors (from across the area) in scrutinising the decisions of a full-time PCC (and with considerably greater officer support and informational resources to call upon)—in other words, the ‘principal-agent’ problem of ‘information asymmetry’.



Even so, three PCCs were quite critical of the quality of scrutiny offered by their panels; one describing the process as “*a bit tokenistic*”, another as “*without real teeth*” and “*not very dynamic*”, and a third, more bluntly still, as “*a wholly inadequate way of holding you to account*”. Indeed, none felt the holding to account process to have been particularly onerous, and none had been asked by their Panels to provide additional information or to consider particular actions (as the statutes allow). On the contrary, in three instances, it had been the PCCs who had taken the initiative and invited the panels to assist them by undertaking additional work—of a supportive nature. In one instance, the panel had been in two minds about whether or not to accept such an invitation although in the other two instances, there had been willingness to assist and become more actively engaged with their PCCs as a result.

It would have been helpful in this context to have been able to compare the perspectives of PCCs on the accountability provided by Police and Crime Panels with those of panellists themselves, though to do so was beyond the scope of the particular research project. But it was interesting that, from the commissioners’ viewpoints at least, the contribution of the panels was seen very much along the lines that Lister (2014) had predicted—with a somewhat uneasy tension between the respective roles of providing scrutiny on the one hand and support on the other, or what Coulson and Whiteman (2012) have summarised as a ‘critical friend’ relationship. Partly, it was suggested by one PCC, the difficulty here was compounded by the tendency in many areas for the constituent local authorities to prefer to nominate a senior political leader as their representative on the panel (in most instances, the council leader or a cabinet member for community safety) rather than a councillor with particular aptitude for scrutiny work and with the analytical skills by which to hold executive personnel to account. Worse, as pointed out by one PCC, because of diary congestion for many such senior political leaders, substitutes were often asked to attend the meetings in place of the official nominees with consequential discontinuity effects for the membership of the panels.

## **Accountability to Central Government**

A third accountability relationship for PCCs, also enshrined in legislation, and which again the PCC is in an ‘agent’ role, is in relation to central government, particularly regarding national strategic policing requirements. Besides this particular statutory responsibility on PCCs to support national policing needs, for example, in relation to serious organised crime, terrorism, cyber-crime and other criminal activity that exceeds local territorial boundaries, however, is a wider issue about the extent of influence by the Home Office and Home Secretary upon PCC discretion. From the outset with PCCs, this was always likely to be potentially significant issue, not just because of the strongly centralist culture that had long characterised the Home Office as a department of state, but also because of the high political stakes for the Coalition Government in relation to the launch of the new PCC governance model.



Particularly in light of the plethora of uncomfortable media headlines around the time of the first elections, it would have been surprising, indeed, had the inevitable anxieties in and around Whitehall and Westminster not prompted at least consideration of a more interventionist approach to stabilise matters. But then, as indicated, the PCC model had also been devised, promoted and launched within the context of the Coalition Government's policy commitment towards 'new localism' (Lowndes and Pratchett 2012). Indeed, the model had itself been much cited by ministers as a leading exemplar of the commitment to localism.

Despite such a context, the clear feedback from the nine PCCs who were interviewed was that they had each been left largely to get on with their roles at local level in the manner they individually considered most appropriate, and with minimal interference or imposition from the Home Office. Although recognising their obligations in support of the national 'strategic policing requirement', none saw this as presenting contentious pressures for them, or creating particular conflicts with their own commitments and priorities. On the contrary, all nine commented positively on the constructive balance they felt the Home Office had struck between providing support, if and when requested (including good access to the Home Secretary in person), and allowing each to go about their role in their own way, for example, organising and staffing their offices, determining their own policing priorities, and establishing working relations with chief constables as they felt most fitting.

Interestingly, however, several PCCs contrasted this state of affairs in relation to the Home Office—the lead department of government for policing—with what they saw as a very different stance of the other key department of state with which they had interactions—the Ministry of Justice. Of particular concern to PCCs at the time of the interviews in this respect was the Ministry's decision to implement its new commissioning framework for probation services not on the well-established territorial structure of local criminal justice (i.e. the 41 PCC areas) but instead on the basis of 21 regions. Two PCCs also aired concerns at the possible prospect of their legitimate discretion being compromised in future if HM Inspectorate of Constabulary reviews and reports were to cover strategic governance issues as well as operational policing matters.

## **Accountability to Political Sponsors**

A fourth accountability relationship affecting many PCCs applies to those who stood for election as candidates for a particular political party. Again, this casts the PCC in an 'agent' relationship to the sponsoring political party (as 'principal') and it was of interest to examine to what extent this imposed constraints and pressures upon the office-holders' decision-making and scope for action in practice—the issue of the potential introduction of partisan politics into policing being a key criticism of the model when first announced. In fact in the elections in 2012 some 138 candidates were sponsored by one or other of the political parties while a further 54 (less than 1 in 4) stood as 'independents' (i.e. without affiliation to a political party).

Of the 41 who were elected to office, 29 were sponsored by a political party (16 by the Conservative party and 13 by the Labour party), while the other 12 (nearly 1 in 3) were ‘independents’. As Lister and Rowe (2015) have suggested, this relatively strong showing by the ‘independent’ candidates in the ballot rather suggested that many voters also shared the concern about potential politicisation of policing (and indeed most of the ‘independent’ candidates had focused on this concern as part of their own election campaigns).

That said, the interviews with the sample of PCCs (three Conservative, three Labour and three Independents) revealed little clear evidence to support such concerns in practice. Perhaps unsurprisingly, all three Conservative PCCs and all three Labour PCCs (like their three independent counterparts) spoke of the importance they attached to serving all interests within their areas, and for pursuing priorities for policing that would be reflective of the needs and aspirations of all its communities. Indeed, as one (Conservative party-sponsored) PCC pointed out: “*a clear message from the [election] campaign was that the public don’t want politics in policing—so the rosettes are off*”.

On the other hand the interviews did reveal some interesting differences between the PCCs with regard to their overarching perspectives, outlooks and ambitions for their roles, and which could perhaps be understood in macro-political terms. The three Conservative PCCs, for instance, each conveyed a strong managerialist polity in expressing their determination to improve efficiency and value for money in policing. They also spoke at length about their ambitions to ‘*get upstream*’ by investing more strongly in crime prevention and in better support for families where there were risks of anti-social behaviour or involvement in crime. While such ambitions were probably shared by all the other PCCs, it was noteworthy that the three Labour PCCs talked much more about local issues in their areas; about some of the casework arising from their surgeries, and about their prioritisation of particular crime and anti-social behaviour problems in particular neighbourhoods or afflicting particular social groups. In short, here seemed to be a rather different polity from that of their Conservative counterparts—one much more about ‘*problem-solving*’ in the shorter-term.

Probably such contrasting polities would also reflect differences of geography—and particularly the socio-economic and criminogenic contrasts between the more suburban/rural police areas on the one hand (which had elected Conservative and Independent PCCs), and the more densely populated urban/metropolitan areas on the other (which had elected Labour candidates). At the same time, however, the respective career backgrounds of the PCCs seemed also to be a relevant factor here. It was noteworthy, for example, that the three Labour PCCs had each been active in politics for significant periods of their careers, and indeed, within much the same geographical area. All had served as councillors, and two had gravitated to national level as MPs for their local constituencies. Perhaps, then, the commitment they each articulated towards problem-solving on behalf of communities, groups and individuals had its roots in their previous experience as constituency and ward-level politicians.

In similar vein, those PCCs with background experience in the judiciary tended to articulate a particularly strong concern for issues of fairness and equity. One who had served as a magistrate, for instance, talked of concerns about the force's 'stop and search' policies and practices and spoke of the challenges in communicating with hard-to-reach groups and minorities. Another raised the subject of domestic and sexual abuse and violence and talked about prioritising responses to this in their Police and Crime Plan. A third, with a judicial experience in the Crown Court, spoke of the potential of restorative justice approaches in dealing with offenders of petty crime.

Meanwhile, it was noteworthy that all three Conservative PCCs not only had a business management background, but had also, more recently, all served in political leadership roles within their (Conservative-controlled) local authorities (settings where the strategic objectives of achieving better value for money through more integrated public service provision have been particularly strongly emphasised in the past few years). Two of the three such Conservative PCCs, talked of what they felt to be a stark contrast between the limited inter-agency collaboration and co-ordination within policing and criminal justice on the one hand and the more integrative developments now taking place in the local authorities with which they were familiar. *"The police talk endlessly about strategy but are not good at it. Most of their work is about meeting deadlines in minutes and hours, and they struggle to lift their sights towards the longer term"*, suggested one of them, while the other expressed particular frustration at what he saw as the huge scope for achieving greater efficiency through more neighbouring forces and other agencies working more closely together with other local public service providers and pooled budgets *"to prevent crime rather than having to react to it afterwards"*. Both spoke critically of what they regarded to be outdated practices in their police forces and highlighted some of the traditions that they felt to be *'self-serving'*. One commented that he *"hadn't prepared [myself] for the shambolic state of the business side of policing—not policing itself—but the systems and processes by which it is managed"*.

That said, more complex differences between the three groups (Conservative, Labour and Independent PCCs) were highlighted in an analysis of the priorities formally adopted by each of the nine PCCs in their Police and Crime Plans. In this respect, as can be seen in Table 9.1, beyond the fact that the three Labour-sponsored PCCs had each proposed a significantly larger number of priorities than those of either their Conservative or Independent counterparts (an average of 9 compared with one of less than 4 per PCC), there appeared little obvious group-based patterning in the chosen priorities. Indeed, rather than differences, the two most notable features from the analysis seemed to be, on the one hand, the degree of commonality across the three groups and, on the other, the shared commitment to very generalised pledges such as: 'reducing and preventing crime', 'protecting the public', 'customer care', and 'better value for money'.

**Table 9.1** Police and crime plan priorities of the nine PCCs

Sample of PCCs Priority	Labour-sponsored			Conservative-sponsored			Independent		
	1	2	3	4	5	6	7	8	9
Reducing and preventing crime (esp burglary)	X	X	X			X	X	X	X
Protecting people		X	X			X		X	
Customer care/quality of service	X	X			X			X	
Better value for money		X			X				X
Victims at the heart of criminal justice				X		X	X		
Violence against women (domestic violence)	X					X	X		
Making the public feel safer	X	X							X
Improving public confidence		X		X					
Effective partnerships	X	X							
Anti-social behaviour	X						X		
Youth offending and youth justice	X								
Restorative justice	X								
Working with the CJS	X								
Supporting stronger communities		X							
Action against hate crime			X						
Police standards and social responsibility		X							
Making offenders pay (for police services)					X				
Effective contribution to national policing		X							
Developing local identity		X							
Tackling serious and organised crime			X						
Providing visible neighbourhood policing			X						
Early interventions to tackle roots of crime				X					
Road safety	X								
Tackling on-line crime (including child abuse)	X								
A well-led and skilled workforce								X	

## Holding the Chief Constable to Account

Thus far the focus has been on four accountability relationships in which PCCs could be understood as the ‘agent’—respectively to the public and voters, to the police and crime panels, to the Home Office/central government, and to political sponsors. But in the relationship with the chief constable, as indicated earlier, the PCC acts as the ‘principal’ and faces the classic Principal-Agent problem of being formally in charge but with less knowledge of the subject in question than the ‘agent’ (in this case, the chief constable) who will undertake the work. So how can the PCC be sure that the police will do as expected of them, and how might the chief constable and the force be held to account? In fact the problem in the PCC context

is further complicated by the ‘operational independence’ that is afforded in statute to the chief constable and which denies the PCC authority to provide directions on matters of day-to-day policing work. Moreover, this is a complication that is not made any easier by the lack of formal guidance from the Home Office on what exactly constitutes ‘operational’ responsibility (Lister 2014).

The potential for tension in the PCC-chief constable relationship was recognised from the outset when several senior police officers were outspoken in their criticism of the model and then when a number retired early or failed to have their contracts renewed. On the other hand, it should be said that, in the context of accountability, tension between PCC and chief constable could of course be positive in ensuring that the agent performs as the principal would wish, while a working relationship that is too close and comfortable in nature could well be problematical if it masks under-performance.

Among the nine interviewees there was certainly keen awareness of the significance of the less-than-clearly-defined ‘boundary line’ between their own more strategic area of responsibility and that for operational policing of their chief constable. Indeed, from the comments and examples proffered it seemed that boundary line had been (gently) ‘tested’ on more than one occasion during the course of the first year. Mostly, however, relationships with chief constables were described in positive terms, with very few on-going disagreements highlighted over division of responsibilities. Two of the nine had in fact made their own new chief constable appointment since the election following the resignation or non-reappointment of a predecessor, so were (unsurprisingly) content with the relationship. Another also described their working relationship as ‘good’, but emphasised the importance of the ‘*keeping of distance*’ and ‘*retaining a certain formality*’. For two others again, ‘*very positive working relationships*’ were explained as having resulted from a working relationship at local level that had preceded the elections. Meanwhile, another, who similarly knew the chief well from having served on the former police authority, indicated having had some differences of opinion on a number of key strategic issues, and described the position somewhat diplomatically as ‘*an appropriate working relationship*’.

In the case of the other three commissioners, two described their relationships with their chief constables as ‘good’ although, in both instances, adding that it was still ‘*early days*’; both regarding it as ‘*an evolving relationship*’ with ‘*learning taking place on both sides as to the other’s expectations*’. Meanwhile, in the other instance, an initially ‘*difficult relationship*’ had, after several fraught months, begun to resolve itself to the extent that the chief constable had been awarded a new contract for a further term.

All nine interviewees reported holding regular formal meetings with their chief constables for the purpose of ‘holding to account’ (and with official minutes taken of such meetings). In most instances such meetings were held either weekly or fortnightly, though in one case, it was twice weekly and in another, every six weeks (having initially been monthly). In each case, however, it was emphasised that interactions with the chief constable of a less formal nature took place on a near daily

basis, either face-to-face or by telephone, and usually to discuss a particular issue that had arisen, or in the form of a briefing on a new development.

Such patterns of contact would undoubtedly be much facilitated by the choice made by six of the PCCs to establish their offices within the confines of police headquarters. However, particularly in light of all the comments about the importance of public profile and accountability to local people, it was perhaps a little surprising that most had prioritised proximity to the chief constable and senior officers over more publicly accessible locations (without the high levels of security control for visitors that characterise most police headquarters). But in each case, the reason for the decision was explained in terms of saving office costs by making use of available (and free) police accommodation. In fact, of the three PCCs who had located themselves away from their force headquarters, two had actually chosen to occupy part of a local police station (in one case a former one) within their areas, so again making use of available space. The third was occupying city centre accommodation that had previously provided the headquarters of the former police authority (although the PCC indicated a desire to sell the building and relocate to less expensive premises in a more centrally-positioned location within the police area as a whole).

## Conclusions

In this chapter the aim has been to take stock of the impacts of the introduction of police and crime commissioners particularly with regard to the different accountability relationships involved, doing so on the basis of a series of interviews with PCCs around the country. Above all the interviews highlighted the extent to which office holders have worked at building relationships with their local public and so fostering an on-going process of public accountability. In contrast, the interviews found that the three other accountability relationships in which the PCC was involved as ‘agent’ were much less significant in practice. The Police and Crime Panels, in the first year at least, were generally playing a fairly marginal role in holding the commissioners to account; the Home Office had resisted the centre’s usual controlling and standardising temptations and, for the most part, had left PCCs to develop the role as they individually felt best; and the political party sponsors were similarly, to date at least, unimportant in directing or pressuring ‘their’ PCCs. Meanwhile, with regard to the converse accountability relationships—those in which the PCC was ‘principal’ (to the chief constable, as ‘agent’) the interviews highlighted generally effective working relationships, with clear evidence of effective ‘holding to account’, and with signs of greater governance impact and influence on policing priorities and practices than had previously been the case under police authorities.

In identifying and highlighting the efforts of PCCs to build relationships and foster accountability with the public, it should of course be recognised that, in part at least such efforts might well be motivated by self-interest to ensure future re-electoral success. Even so, however, it was clear that each PCC was also driven by desire to acquire good personal understanding of public expectations about polic-

ing and crime reduction and to ensure that such understandings could be reflected in their own prioritisations of policing resources and in their approach to the role more generally. In this sense the interest in listening to the public and ‘taking [such viewpoint] into account’, could be understood as Ashworth and Skelcher (2005) have argued, as a key step in building accountability. And such listening and ‘taking into account’ was amply illustrated within the Police and Crime Plans published by PCCs in March 2013; some exemplary phrases of which are reproduced below in Table 9.2.

It is, as Newburn (2013) has suggested, too early yet to reach firm conclusions about the impacts of the new model of police governance through PCCs. But the

**Table 9.2** Statements from the Police and Crime Plans of the nine sampled PCCs

<p>“I will take an analytic, evidence-based approach to reducing crime and disorder and for creating healthy safe communities. It will be based on a sound foundation of understanding and engaging with the public...” (PCC 1)</p>
<p>“I am keen that this plan captures the voice of the public on how priorities are developed and set...” (PCC 2)</p>
<p>“In determining my priorities I have listened to the views that the public have expressed through engagement events and feedback questionnaires. I have also spoken to partner agencies, such as community safety partnerships and the Criminal Justice Board, as well as considering the professional judgement of the Chief Constable.” (PCC 3)</p>
<p>“The new agenda signals more focus and investment to prevent crime or anti-social behaviour before it happens, with the police, local authorities and other agencies joining up better to tackle what causes crime, not just the effects of it...I also want everyone involved to be honest and brave by stopping things that haven’t worked in the past, or don’t join up properly, in favour of starting things that do.” (PCC4)</p>
<p>“In every aspect of this plan I set out what I want to see from the police, from partner organisations and, critically, from the public.” (PCC 5)</p>
<p>“My vision of safer neighbourhoods, improved levels of public confidence, crime reduction, public protection and more responsive victim services can only become a reality if I can continue to harness the energy and enthusiasm of the public to become a key part of the solution.” (PCC 6)</p>
<p>“This plan sets out our Police and Crime priorities for 2013–2017 which are based on the issues you have raised. You have told me that your concerns are anti-social behaviour, burglary and domestic and sexual violence. I will ensure that wherever you live—rural, suburban, town or city—your police will work with you and have the flexibility to deliver these priorities.” (PCC 7)</p>
<p>“Although the chief constable and his officers are a primary audience for the Plan, my aim is to place stakeholders, users of the service, and beneficiaries at the heart of it. My intention is that it will provide the public, including partner agencies and victims of crime, a clear understanding of what they can expect from the police service and the Commissioner...” (PCC 8)</p>
<p>“I have listened to your experiences, concerns, and suggestions; I have met hundreds of you face-to-face and corresponded with hundreds more. It’s a continuing and essential dialogue that means you help to decide where money and manpower can do most good. So in a very real sense, this is your Police and Crime Plan. You are my co-authors because you know your communities better than anyone else. And together we can ensure that tax-payers’ money—YOUR money—is spent where it can genuinely benefit the public.” (PCC 9)</p>



story so far seems to be of police governance in England and Wales becoming more visible, more consultative and, by implication, more publicly accountable too.

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**John W. Raine BA PhD** is Professor of Management in Criminal Justice at the University of Birmingham, U.K. His research interests embrace governance, policy and management issues across the criminal justice sector, but particularly in policing, the courts, offender management and victim support work. As well as being a leading researcher and author in such fields, John also has strong research interests in relation to local authority regulation and enforcement. He frequently acts as a consultant to both national government and to local agencies and has served as a member of the Criminal Justice Council of England and Wales since its establishment in 2002.