



Home Affairs Committee

Oral evidence: Police and Crime Commissioners, HC 844

Tuesday 23 February 2016

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Members present: Mr Keith Vaz (Chair); Victoria Atkins, James Berry, Mr David Burrowes, Nusrat Ghani, Mr Ranil Jayawardena, Tim Loughton, Stuart C. McDonald, Naz Shah, Mr Chuka Umunna, Mr David Winnick.

Questions 1 - 79

Examination of Witness

Witnesses: **Ron Ball**, Police and Crime Commissioner for Warwickshire, **Alan Charles**, Police and Crime Commissioner for Derbyshire, and **Sir Clive Loader**, Police and Crime Commissioner for Leicestershire gave evidence.

Q1 Chair: Thank you for coming, Commissioners Charles, Loader and Ball. My apologies for keeping you waiting. Whenever we have the Commissioner in it always overruns, we should know this, but we are extremely grateful. We were keen to hear from you all, first of all because of course you are all retiring from your positions so we want the benefit of you being free from the shackles of running for election to tell us what you really think is going to happen to the role of PCCs, but also we want to produce a report in time for the elections based on previous reports that we have produced.

Now the Home Secretary very surprisingly described you all as monsters. Not individually as monsters of course but the PCCs. She said she feared she was creating a monster. However, by 4 February she said that this was the pioneering first generation. So I am not sure, Mr Ball, do you regard yourself as a monster or someone who is a pioneer?

Ron Ball: Very definitely a pioneer and I was at the meeting where the Home Secretary said that, it was to the Policy Exchange and she only said that at times she wondered whether she had created monsters. So I would definitely put myself in the pioneer category.

Q2 Chair: Good. Sir Clive, if you had the top three issues that would have made your life easier as police and crime commissioner—apart from money, money, money, which of course you would like to have more of—organisational, constitutionally, what would they have been?

Sir Clive Loader: First of all can I just say that I can be a monster sometimes when I really need to be, and I think it is important. To do this job properly there has to be that steel there on occasion.

But back to your question. The top three things that would make my life easier. First of all, if I had known a lot of things that I know now three years ago, that would have been a great help. I am the first to admit that my understanding of partnership working, both statutory and other partners, was not what it is now or anything like it and I probably would have done some things slightly more quickly and with a higher fidelity touch if I had known some things that I know now.

I think the only other thing that I would say—and perhaps we will come on to this later, Mr Chair—is about police and crime panels, about their nature, their current powers whether they shall be more, less or stay the same. I know as well that other police and crime commissioners have had extremely supportive relationships throughout with their panels, for me that has not quite been the case.

Q3 Chair: Mr Berry is going to ask you more specifically but one thing you would change about the panels?

Sir Clive Loader: I do not think you can. In my case there were four or five ex-members of the police authority who frankly did not want to see it go and about the same number of want-to-be PCCs, and that makes for a pretty interesting mixture right at the beginning of your time. I think there is a real issue with what their powers are and they find it frustrating at times but they are not elected to do what we are elected to do.

Chair: Yes. Mr Berry will pick up on this in a moment.

Sir Clive Loader: I cannot really give you a third thing at the moment but I will think about it in the next 30 minutes.

Q4 Chair: Okay. Commissioner Charles, only one term, why?

Alan Charles: When I first stood for election back in 2012 it was not my intention only to serve one term, I was going to see how it goes. I reached the grand old age of 65 last month. Overall I think my colleagues will agree, this is a very big job. You become totally subsumed and immersed in it. It overtakes your life to be honest. I am quite tired and for me to serve another four years, it would not be fair on me but more importantly it would not be fair on the people that I would be representing. I do not think I could give them everything that I have done over the last three years.

Q5 Chair: Mr Charles, on the Police Funding Formula—a question I put to the Commissioner—has anyone been in touch with Derbyshire to begin the process of consultation because you stand to lose, under the last settlement, quite a lot of money, don't you?

Alan Charles: No, we were going to gain under the last settlement.

Q6 Chair: Was that before it was all changed by Government?

Alan Charles: No, under both.

Q7 Chair: Under both?

Alan Charles: Yes.

Q8 Chair: So you do not want the formula, you are quite happy with what you have?

Alan Charles: No, we want the formula changing because at the moment we are losing quite significantly. One area of criticism, and this goes back to the Labour Government when the 2005 formula was instigated, is that it has never been fully implemented. In my previous role I was in education where there was always a three year transition period when formulas were changed so there was time for winners and losers to manage that.

Q9 Chair: Sure, but no one has been in touch with you as yet?

Alan Charles: Nobody has been in touch with us, no.

Q10 Chair: Commissioner Loader?

Sir Clive Loader: No, ditto, Mr Chair.

Q11 Chair: How soon would you like to hear from the Home Office about this issue because presumably you will be setting your last budget, you will be setting a budget for a successor?

Sir Clive Loader: Well the budget is set. I have done it for financial year 2016-17, as all of us I think have, so incoming PCCs in our case will inherit both a plan that is valid to the back end of financial year 2016-17 and a budget to go with it. It will give them some time to think and to make the judgments that they will need to. The same goes with a lot of the commissioning that all three of us do, that also is set for them. In the pre-set decision that I made, very specifically I did what I did in order to allow some wriggle room for the incoming PCC to make the difference that they want to in year one as well and that particularly lies in the commissioning area.

Q12 Chair: How much is that wriggle room in terms of money?

Sir Clive Loader: Well, it is difficult because you can make different choices but let us put it this way, there is money—not exorbitant amounts of money before you say anything, Mr Chair—in the reserves. We sit at the bottom edge of where our reserves are meant to be, where we are advised to be by the Home Office, but there is enough there, for example, to invest to save in change programmes and so on, further investment in IT or new buildings, more efficient buildings and that sort of stuff.

Q13 Chair: We will come on to collaboration later. Commissioner Ball, you are a frequent visitor to this Committee, I think you have been before, have you not?

Ron Ball: Just the once I think, Chair.

Chair: Yes, well that is frequent for us.

Ron Ball: Right. Yes, okay.

Q14 Chair: That is far more than usual, you do not want to come more than once. I think you gave evidence on the issue of the formula to this Committee, is that right?

Ron Ball: What I gave evidence on—

Q15 Chair: Nobody is in touch with you on this?

Ron Ball: No, they are not and the changes that were being proposed had very marginal effects on Warwickshire in fact. I do have some views on what they should be doing with the funding formula if the Committee would be interested. There is so much change going on that my personal view is that should be allowed to work its way through before you can come up with what is a sensible funding formula.

I think the Home Secretary has the view, and I sort of share this, that policing will go into three tiers, what should be done nationally, what should be done regionally and what should be done locally. I think that process ought to be sorted out before working out how the funding formula works.

Chair: Thank you. James Berry on panels.

Q16 James Berry: Yes. I am going to start with a question to Sir Clive. Something you said struck me. You have had an extremely distinguished career in public life as an Air Chief Marshall. No disrespect to the other PCCs and the ones whom we are to hear afterwards, but I think the polling done before the PCC election said the public would like to see as PCCs either former police officers or former military men or women. It strikes me that you said you did not feel you were equipped to deal with some of the challenges. So what do you think would be the best background for someone applying for the role?

Sir Clive Loader: Gosh, I don't think there is any prescription about what makes a good potential PCC beyond a certain amount of intelligence, a certain amount of willingness to learn and a certain amount, as I have already said, of steel. I think that I am a much better man than I was three years ago, Mr Berry.

I was the son of middle class professionals, I went to a grammar school, a brief period at university then the RAF as an officer and, to be frank, I did not know much about the likes of places like the middle of Leicester city and some of the difficult estates there, the troubled families that exist there and indeed elsewhere in Leicestershire and Rutland. I am a much better person as a result—I understand now, and we may not have time to discuss it here but I think, Mr Chair, you know the sort of things where I commission—getting at

youngsters and turning their lives around thereby reducing the load on the police in the years to come. It is the critical thing that we do that is different to police authorities. There are other things as well but to me that is the main thing.

Chair: Commissioner Charles?

Alan Charles: I am not making any party political points here. I am a politician, I was 10 years cabinet member for education at the county council. I do not see this as being dissimilar to Government Ministers where you move portfolio and move role. This is nothing against Clive at all—Clive and I get on very well, we are both from the East Midlands, we work closely together—but I think sometimes it is wrong to think you need to have worked in the police service to be able set policy and strategy because this is about policy, strategy, budget making, finance. It is not about operational policing and I think if you have ex-operational police officers coming in there can be a danger there where they want to run and operate what is happening.

Chair: Commissioner Ball?

Ron Ball: Yes, I would certainly agree with that last point. It seems to me that what you need is common sense, the ability to listen and the ability to work in teams and I think there are lots of people out there who can do that. That has certainly worked for me and those to me seem to be the most important characteristics.

Q17 James Berry: Thank you. I will now come on to the question I want to ask about, which is police and crime panels. The panel is there to hold you to account within the terms of the Act and the National Audit Office found in 2014 that the panels lack the power to act on some information that they receive. My own experience has been that the panels lack an understanding of what their powers are under the legislation. Could you each tell the Committee how many times you have appeared before your police and crime panels, please?

Ron Ball: When you say appeared before them, do you mean how often do I see them? We have regular two monthly meetings.

Q18 James Berry: That is helpful in itself but beyond that how many times have you appeared before the panel? How many times have you been summoned?

Ron Ball: Never.

James Berry: Never?

Ron Ball: No.

Q19 James Berry: Okay. Sir Clive?

Sir Clive Loader: The same. I would say probably about between 14 and 18 times, something like that in my time as PCC. They have all been, as it were, pre-arranged either triggered by statutory events like setting the precepts or the end of year annual report. So, for me, that has been the nature of those meetings in broad terms. There is some other stuff that we will come on to I am sure.

James Berry: Commissioner Charles?

Alan Charles: My meetings are the same, they are all two monthly. I go to every one and if I cannot my deputy will go for me instead. The Chief does not go because they are holding me to account. We do have a clear performance programme where we look at the six clear objectives in my police and crime plan and at each meeting, so it fits nicely into a yearly cycle, I will give performance data on what we are doing from my office on each of those objectives.

Q20 James Berry: Thank you. My next question is in what ways do you think that the police and crime panels' powers should be extended or indeed reduced? I will start with you, Commissioner Ball, if I may.

Ron Ball: I think they are more or less right. There was a power I gave to my police and crime panel that I would not necessarily advocate being a general power, and this arose during the Shaun Wright issues in Rotherham and it looked to me as though the whole system was being brought into disrepute at that point. I wrote to Shaun Wright personally and said I thought he should resign and I gave considerable thought to under what circumstances I think PCCs should be able to be removed. This is only because I knew the individuals, shortly after that I said to my police and crime panel, "If you unanimously wanted me to go, I will go" and so to an extent I gave them that power.

Now would I suggest that generally? Perhaps not. The caveat I added to that eventually was that if the Home Secretary and the shadow Home Secretary agreed with that, which would take the political element out of it, then that could be a way of dealing with that.

Sir Clive Loader: Definitely not give them further power. For me that would be a move back towards the old police authorities where they were unelected to that job, unaccountable, uncontactable and frankly unknown. Some 94% of people in this country did not even know there was a police authority. If you believe the stats, and I think I do, 70% of people know they have a police and crime commissioner now. So I would not give them more. This comes to the nature of different panels. Their job is meant to be to support and challenge. I have said to the chair of my panel I have seen far too much of the latter and far too little of the former in my time as police and crime commissioner. Given their current ability, stopping the chief constable being nominated by the PCC, raising or lowering of the precept but it does not say by how much so it is almost miniscule, and have regard to their views when writing the police and crime plan, give or take, those are their powers. It is quite difficult to find out how much money it costs to doing those.

Here I am speaking to MPs, when you are elected there is not some local body that sits over you, the people who hold you to account are the electorate and I think that is a pretty good model.

Alan Charles: On the issue of recall that Ron touched on, there does need to be a situation of recall but I think it needs to be for Members of Parliament and police and crime commissioners with the same system and that is for you to look at as parliamentarians. I think it would be wrong to have a separate system for police and crime commissioners. From a democratic point of view—I know there was a very low turnout last time, but our electorate is far larger than any single MP—that is how it should go.

I have been very fortunate, my relationship with my panel has been excellent. We do work very closely together. The only time there has been any difference is at precept setting

time, which you would expect. It has split on party political lines, except interestingly this year when indeed one of the Conservative members—I increased the precept by 1.99% as most have—was only to go up by 1% but he said I had persuaded him with my presentation, and having known him for many years I saw that as quite a good victory.

Just on the support element here that Sir Clive was talking about. One of the areas I wanted to develop—and I think the reason we have not managed this is because the amount of resource the police and crime panel has is very miniscule as I am sure you know—I did this when I was cabinet member for education in Derbyshire, was to get the scrutiny panel to work with me on some detailed policy development work and if there are areas of detailed policy that I want to go into where I have not got the resources in my office, I think that would be very inclusive for the panel to look at that at my bequest. It would not be for the panel to say, “We want to look in detail at this” unless they wanted to do it as part of the scrutiny role but I am talking going beyond that. In fact next week I have a meeting arranged with the chair and the scrutiny officer from Derbyshire County Council to start looking at how we can do that and I am hoping that I am laying foundations for a new Commissioner post me.

James Berry: Thank you very much.

Chair: Thank you. **Stuart McDonald.**

Q21 Stuart C. McDonald: Thank you, Chair. Just a couple of questions from me about the recent PEEL report. In summary, we have had two, “Goods” and one “Requires improvement”. So, Commissioner Ball, how do you respond to the PEEL report and what steps can be taken to try to gain a good report next time round?

Ron Ball: Well we obviously take reports seriously, you would not expect me to say anything else, but we do and when it comes to the recommendations I straight away see the chief constable—I see the chief constable on a weekly basis anyway— and ask him how we are going to deal with the areas that have been highlighted.

I do have a bit of an issue with HMIC reports, particularly, and in some ways this is a good example in that if a member of the public was given the entire report for Warwickshire they would see that overall there is quite a lot of good stuff in there but there are some areas, and I absolutely accept this, that need improvement and we will address. The message that goes out to the public as a result of that report is that Warwickshire police requires improvement as though that is a general assessment of the whole of Warwickshire police. I think it is a real issue and that needs to be dealt with. I can deal with some of the individual issues for our report, if you like.

Stuart C. McDonald: Sure, but you are one of 18 so it is not as if you have been singled out for anything special.

Ron Ball: No, but there have been a couple of others where there has. There are things like stop and search where we did poorly. We have been withdrawn from the Home Secretary’s sort of gold standard scheme, quite rightly. As I said, we take it seriously and there is an action plan to deal with it.

Q22 Stuart C. McDonald: For the three of you, another finding from the PEEL report was that cuts to neighbourhood policing are a risk undermining force effectiveness generally. Is that something that you agree with and what steps can you take with the resources at your disposal to protect neighbourhood policing?

Alan Charles: If I can say generally on the HMIC first, I think the big dangers were over-inspected but I always view HMIC inspections as a positive and I see it as free consultation. In Derbyshire's case we were good in every area with one exception and that is requiring improvement on stop and search and on taser use, which is only one element of that, and that was on officers' recording. I have said to Mick Creedon, the Chief Constable—in fact he was at my board meeting yesterday—my expectation is there should be 100% compliance with recording by officers. It was not the fact that they were stop and searching inappropriately, they were not recording it properly as they should do. One area of course we were outstanding and that is in organised crime groups, which is very pleasing for everybody working in that.

Sorry, I have just lost the second part of your question, "Is there"?

Stuart C. McDonald: Neighbourhood policing.

Alan Charles: Neighbourhood policing, yes. It is very interesting, there is an analogy I used here, the public expectation is the invisible policing. Had the budget cuts gone ahead in Derbyshire—that were being threatened before the CSR—it would have decimated neighbourhood policing because there was nowhere else we could make the cuts. Now we are on that level flight path we will maintain neighbourhood policing but what we are going to do is focus that resource on where the crime is, where the need is. So areas where there is low crime, and there will be an outcry from members of the public saying, "We never see a cop", if there is no crime there we are going to put that where it is needed.

Here is an analogy for you, and it is one that one of my assistant chief constables uses, there is mum and dad sat at home watching television, young daughter, 12-year-old, upstairs in her bedroom on the computer who is being groomed and abused by someone, they know nothing about it. They see a uniformed police officer walk past the front window and they say, "Look, that's good, isn't it", who can do absolutely nothing whatsoever to protect their child who is being abused at that time, so there has got to be a change. Crime is changing, it is moving away from on the street, crime is moving into bedrooms whether it is financial, sexual or other sorts, and I think for all of us involved in police and crime we have to try to change that public perception on what good policing is.

Sir Clive Loader: There is no doubt that neighbourhood policing still lies, and must lie, at the core of the relationship between police and the communities that they serve, I serve, we all serve. Just as it happens there is no better way than making sure you can do that than by threatening 25% to 40% cuts in the policing grant over four years because it really sharpens the, "Let us make ourselves lean everywhere else" nerves, and then when it does not happen guess what? In our case this year I have raised the precept as you know, Mr Vaz, by 1.99% and we are going to increase the number of officers in the neighbourhood, PCSOs and so on, which is great, now taken into core funding. The point that I would make though is you have to make different choices in order to enable that. That is why, for example, we have just embarked with Northamptonshire, Nottinghamshire and Leicestershire in a strategic alliance. We already work as a five-ship together with Lincolnshire and Derbyshire as well, thickening and deepening that relationship at what I

call the waistline, chief constables, police and crime commissioners, and local and neighbourhood policing. Then the waistline—W-A-I-S-T, not S-T-E—where those things that you can do together, forensics, firearms and dogs, procurement, estate management, IT and HR; all those other things that you do together, which frankly are invisible to most people out there but have to be done, of course, and that do catch criminals. But if you make that as lean and mean as you can, you provide resource for neighbourhood policing.

Q23 Chair: Thank you. Both Leicestershire and Warwickshire have been suspended by the Home Secretary from their stop and search list. Leicestershire, obviously because that is my county, may feel it is unfair, given that the number of occasions you have used stop and search has gone down from 28,000 in 2010 to just 3,000 in 2015. But Warwickshire is in the same position; you have also been taken off. Were you given notice of this?

Alan Charles: We have not been taken off.

Chair: You have not?

Alan Charles: No, no, I have to respond to them in three months.

Chair: You have in Warwickshire. Thank you.

Sir Clive Loader: I did not know, Chair. The chief constable will know if we have. I was just speaking to the head of governance.

Q24 Chair: No, the Home Secretary had not warned everyone that this was happening? You are not citing this?

Sir Clive Loader: I do not even know about the mechanism, Mr Vaz, so I am not sure. For what it is worth, can I just say that when we have the report I clearly hold Chief Constable Simon Cole to account? I agree, by the way, with HMIC inspections very much. They are a third-party independent, and I can use that as a tool with the chief constables to make them better. There is an issue with the media always picking up on the “requires improvement”, and they characterise it as the whole thing, even when you are “excellent” in many areas.

Ron Ball: Very quickly, Chair, we have been, in my view, absolutely properly suspended from that scheme. We cannot complain that we were not given notice of it. I am not here able to tell you whether those stop and searches have been done properly or not, because it is recording issue.

Sir Clive Loader: I am sure it is quite an important one in the case of the other forces as well. We have quartered the number of stop and searches. They are now between six and nine a day, typically, in the whole force area of 1.1 million people. The number of arrests as a result of them has gone up fourfold, I think. That is 16 times better in terms of intelligence-based actions where you stop and search somebody, which is great.

One of the main criticisms, I think, is the public accountability of it, and this desire to have people out with patrols, for example, and seeing stop and searches. The problem is this: when you have so many that happen, as I call it, “naturally”, there would be a tendency when people are out there to observe to go back to the “bad old days”, and doing it when you should not. That is the last thing that we need. That is where body-worn video comes

in, and we are doing it. You can take body-worn video, and I have said to the chief constable, “Every single stop and search we do always, always is to be videoed”. Then people can have a look at them afterwards, they can choose which one, the innocent can be protected by pixelation or whatever it may, and that is the way ahead.

Q25 Tim Loughton: Can we talk about the dynamics with the chief constables? Can I ask you all if you get on with your chief constables?

Ron Ball: Extremely well, I would say. But I appointed him, so—

Sir Clive Loader: I think if Chief Constable Cole were here he would be the first to admit that the first year was quite interesting, because—

Tim Loughton: Qualify “interesting”.

Sir Clive Loader: I do not think the police were properly held to account before. That does not feel nice, probably, when it starts to happen. But that does not mean that we are not friends, and we are. We see each other several times a day, but we see each other socially, as I did when I was a four-star and I socialised and dinner partied with my three-stars, and so on. There is nothing wrong with that. It does not stop it from being an accountable relationship. We have matured into, I think, a very powerful combination now, and the results are starting to tell.

Alan Charles: Our relationship is excellent. I was on the police authority prior to becoming the PCC, so I knew Mick Creedon then. I think we are very fortunate, our thinking runs parallel, and so there have never been any major disagreements on any policy area at all. I see the chief probably only once a week. I do not see him on a daily basis. If I need to see him, I can do at any time, or any of his senior staff. I do not socialise at all with any of the officers.

Tim Loughton: It is not a requirement.

Alan Charles: It is not at all, no.

Q26 Tim Loughton: Do you agree with Sir Clive that it was something of a sharp learning curve for chief constables, not having been held to account in that way before, and that they have adapted to it? Do you think there is still some difficulty with it? Specifically, is the dynamic of the fact that you have the power to dismiss the chief constable a positive or a negative one?

Alan Charles: I think in Derbyshire you would find that the chief officer team very much welcome the PCC role, it cuts through masses of bureaucracy. An example is the budget report. There were very strict legal time limits on when we can take that before the police and crime panel. I was notified of what was in my budget on 17 December. I had to take it to my strategic governance board in January, then to the police and crime panel. Normally I would take decisions like that in my strategic governance board, but because of the urgency of this I took it privately in my office, which is reported on the website and everything to the next board. That decision I can take immediately in my office when I think the reasons are there to do that, so it speeds up that whole process. If we had still been under police authorities it would have been bureaucracy getting that back into an

authority meeting. From that it works very well, and I think we both have professional respect for each other.

Q27 Tim Loughton: Okay. The steep learning curve and the dismissal power, Mr Ball in particular?

Ron Ball: It did not feel like it. Andy Parker was the Chief Constable when I was elected. I got a very warm welcome from him. I think I was very conscious of the fact that I was coming into the role with no background in policing or local politics. The other thing is I have a background as an airline pilot, which is really useful because I could tell the difference quite clearly between what was operational and what is not operational. If we are talking about chief constables, could we just make one point that I think is really a problem, and that is an appointment of chief constables. The number of applicants is really low, and I think that is an issue that ought to be addressed.

Q28 Tim Loughton: That is a very pertinent point. In terms of how you rate your chief constable, you obviously have very good working relationships, and you have quite good social relationships as well. You can sack him or her, so how do you rate how good a job he or she is doing? Not just based on an HMIC report, but you have the power so how do you rate them, because there are not clear targets or things like that? Should it just be on the basis of the amount of crime? You have to make a decision on whether you think he or she is doing a good job or not.

Ron Ball: I think it was quite useful very early on, as far as I am concerned, that the powers were clarified, in that although, yes, I did have the power, but only if the chief strayed from the Police and Crime Plan. That is a really important document, so if he or she decides to go off and do their own thing, obviously that is why the power needs to be there, to ensure that the chief constable sticks to the Police and Crime Plan, or if it falls apart. If the force is not doing the job that we are expecting it to do, then under those circumstances. But it has never really figured in my thinking at all. The power is there, but I cannot say I have bothered about it.

Sir Clive Loader: If I may, two things, efficient and effective force. That is what we are required to do by law, to assure. “Efficient” means living within the realities of the budget as we set with the precept and that which comes from the police grant. That, as we all know, has been going down, so you have to make changes to do that. Secondly, “effective” is delivering the Police and Crime Plan. If Simon Cole was here and you asked him to say in one sentence what his job was, he would say, “I deliver the Police and Crime Plan”. That is your definition of whether or not they are doing an okay job. Of course, there are legalities to be gone through, so power to be used wisely, humanely, properly, and so on, and there are other checks and balances above us. We know that, but I would argue very powerfully that if you do not have the power to dismiss as a police and crime commissioner, at the end of the day you have no power.

Q29 Tim Loughton: If the crime figures were going up, Mr Charles, but your chief constable was delivering that schedule, it would not be a problem?

Alan Charles: Crime figures are going up now, I think, across the country. In Derbyshire probably slightly less than most other areas, but there is an increase in the basket of figures

that the Government use, and there is an issue there we probably do not have time to explore. I hold my chief to account through a formal strategic governance board meeting every month, which is fully open to the public. We have a forward plan throughout the 12 months where the chief knows what areas I am going to be probing each month. Two months before the meeting I will meet with the chief and his senior officers, along with my team, to tell them which areas we are going to drill down into in those areas of performance at the next meeting, and we really drill down greatly into that. That is how I measure performance and I hold him to account.

Q30 Mr Ranil Jayawardena: In the interest of time, my first question is a yes/no, if I may. Are you satisfied with the current level of public awareness of PCCs, yes or no?

Ron Ball: Awareness of the role of PCCs, yes.

Sir Clive Loader: No.

Alan Charles: Yes and no.

Q31 Mr Ranil Jayawardena: We will be removing splinters from you later. Maybe starting with you then, Mr Charles, what are the implications of that public accountability for PCCs if the turnout in the elections in May is as low as it was in 2012? It was 15%, I understand.

Alan Charles: It is about 14.3% in Derbyshire, 15% overall. There are many reasons for that. With elections in November, you are a politician, you know trying to get people to go out 5.00 pm on a November evening is exceptionally difficult. On a nice, spring, May day you may have a chance. I think one of the big issues, and I am really sorry the Government have not conceded to this in the electoral reform review, is a free mailshot for every police and crime commissioner candidate.

Q32 Mr Ranil Jayawardena: We might come on to those points, but the question I was asking was: what are the implications for public accountability if the turnout is as low as it was?

Alan Charles: I suppose the simple answer is that some democratic mandate is better than none at all, and if it is low, it is low. I suspect it will be significantly different in May.

Q33 Mr Ranil Jayawardena: Do the two of you agree with that? Sir Clive?

Sir Clive Loader: I stood on hustings because the Electoral Commission were forecasting that, which happened last time around. I said, "If six people vote and four of them are for me, I will do this job with the same gusto and enthusiasm as I would if it were an 80% turnout", and I have done. I have done. I do think it is interesting, I am sure it is the same with my colleagues here, that when I go out on the many evenings and days that I do and speak to public bodies, and you tell them that the dearth of knowledge is horrendous, it really is. Even if you ask them, "What do you think are the five basic roles of a PCC", they do not know. But when you tell them, they get it. They do get it, and they do understand it, and generally speaking they are very supportive, particularly when you couple it with what we do as commissioners.

Q34 Mr Ranil Jayawardena: Mr Ball, do you have any comments to add?

Ron Ball: Just very quickly, the question I answered was knowledge of the role of PCC. An awful lot more people know about PCCs than knew about police authorities, about 10 times as many. Do they understand what the role is? No, they do not. It is a very easy job to describe. You can do it very easily on a sheet of A4.

Q35 Mr Ranil Jayawardena: It is true, is it not, that the public fundamentally rejected alternative voting systems in 2011, such as AV. The SV system that you were elected on could be seen to be equally confusing to voters and disengaging for them. Would it be better to have the straightforward first-past-the-post that everyone understands, and give everyone a clear mandate?

Alan Charles: That is possible, but without going into the intricacies of the voting system, I think the issue why people did not come out was not because they did not understand how the voting was taking place, they did not know what the role of PCCs was. This is the first term. We have been going for three years. I do regular on-the-street surveys, and last year we asked the question, “Do you know your local MP, PCC and MEP?” I think MEPs were about 10%. MPs straight after the general election last year, where it should have been up here, were about 52%. For me, the recognition had moved up to 35% from 26% the year before. There is that gradual knowledge, and it is going to take time. You cannot bring out something like this and expect people to know straight away.

Sir Clive Loader: I do not think I am clever enough to answer your question in the voting choices sense. All I would say is this: it was by no means unusual in the days of the police authority—and I know this because the lady sat behind me and my chief executive were there in those days—they would have fewer than 10 contacts in a six month period from the public who we serve. In just over three years, as you know, we are up at over 8,500 contacts to my office, and I have carried out in excess of 430 external engagements. The chief and I often go out and we do a “What Matters to You?” event. We go and stand in the middle of a shopping centre for a day. 5,000 people will walk past us, and maybe 200 will stop and talk with us. You make yourself available, and if you deeply believe in democracy, and I do—sorry, this is the only way I can answer your question, Mr Jayawardena—I think we are stepping in the right direction. But there is, without doubt, a hell of a lot of education still to go.

Ron Ball: I can say something because I am not standing that probably I could not if I was standing. I blame the public to a certain extent. They expect to be spoon fed everything—spoon fed. Spoon fed? That is not an expression at all, is it?

Chair: It is a spoonerism, I believe.

Ron Ball: Spoon fed, they expect to be spoon fed everything, and the easier you make it the more they will expect it.

Q36 Mr Ranil Jayawardena: So the easier the system was the better it would be in terms of engaging the public?

Ron Ball: No, the easier the—there is talk about—

Mr Ranil Jayawardena: Whether you agree with that or not, by logic—

Ron Ball: Yes, but if you are talking about putting voting machines in Tesco and things like that, I think—

Mr Ranil Jayawardena: No. First-past-the-post, a simple voting system, would make it easier?

Ron Ball: I do not think it would have made any difference to the turnout, personally. That is just a personal opinion.

Chair: Thank you. We need to move on, Mr Jayawardena.

Q37 Mr Ranil Jayawardena: One very quick question, if I may, which picks up on Mr Charles' point earlier, because I cut him off rather rudely, and that was you would recommend a postal mailshot to everyone?

Alan Charles: Absolutely, same as you get as parliamentary candidates.

Q38 Mr Ranil Jayawardena: Would the two of you agree?

Ron Ball: I absolutely agree with that, yes.

Q39 Mr Ranil Jayawardena: Sir Clive, you would not necessarily agree?

Sir Clive Loader: About postal mailshots? Can we have a discussion afterwards?

Chair: Naz Shah has a very quick point to make, and then we must move on to the next set of witnesses.

Q40 Naz Shah: Thank you, Chair. The MEND report looked at hate crime and Islamophobia. Out of 43 forces, 11 have no mention of hate crime, and of the 32 forces who did mention it, only five had training. One of them was my constituency, West Yorkshire, Warwickshire, Thames Valley, Durham and Leicestershire. Only one of them mentioned right-wing extremism. In light of this, how are your forces tackling Islamophobia, and also are you sufficiently addressing far-right extremism, especially with the new Pegida, and EDL, and Britain First?

Ron Ball: We have a hate crime action group. We are one of the forces that you mentioned there. It is not a significant issue in Warwickshire. I am not saying that it is not an issue, but we do not get a lot of reports of it. I would have to be absolutely honest, it has not figured really prominently during my time as commissioner.

Sir Clive Loader: It is an issue, of course, and in some communities, for example the Jewish community, with whom I was spending some time last week, they will say it is a rising issue. Although numerically it is not enormous, for the size of the population it is significant. It is still there as an issue, without doubt. I think one of the problems is capturing, because sometimes things are a hate crime but they are captured just as an assault, or whatever it may be, or antisocial behaviour. I think there is an issue there of quality of recording, to understand the nature of the beast before we then get on to it. But we have various forums and relationships with, for example, the Policy Advisory Group

on Racial Equality, PAGRE, and we have a youth PAGRE. We have very close relationships with the LBGBT communities, and so on, and we have officers who are specifically focused in on them in order to increase the knowledge, and understanding, and the reporting of those sorts of things.

Alan Charles: It is an area we take very seriously, and we have done a lot of work recently. I am going to split this between my office and operational policing to start with. In my office, as you will be aware, we have taken on responsibility for commissioning services for victims, and we have a clear strategy now for victims of hate crime. The point I would make is hate crime is not just the police's responsibility, it is everybody's responsibility, I think. From my experience, many victims of hate crime do not want to report to the police, what they want is for the harassment and abuse to stop. Sometimes that can be through a community group or another association that they are linked with to give them that support.

With learning difficulties you can look at the MacIntyre group. We have done a lot of work with them trying to protect people with learning difficulties when they are out and about in communities. We have now set up a specialist worker along with Derby Homes, the social housing landlord in Derby City. We have had workers training people within Derby Homes to recognise hate crime and support people, and once we get that established we want to spread that across all the social landlords throughout the whole county, and we think that is a really key area. From the policing perspective on this, Derbyshire Police will treat any report of hate crime seriously and deal with it. I thought your point on extreme-right groups is very interesting, and to be honest I do not know what work we have done on it, but I am going to look at it now.

Naz Shah: Thank you for that.

Q41 Chair: Thank you very much. Last question, a quick answer from each of you: what will you miss most about this job, apart from the salary, of course, as we all would? Commissioner Charles?

Alan Charles: I think it is interesting you mention the salary. One thing I have found is you do not have time to enjoy it. When I retire I am looking to put my feet up, and not have the salary, and get on and enjoy my life. What I will miss are the people. Police officers, police staff, day in and day out work solidly to protect every one of us sat in this room. They do a fantastic job. I think in Derbyshire I have been very fortunate with the team working there, and I will miss that day-to-day contact, but specifically my own team as well, who do a brilliant job.

Sir Clive Loader: I will miss the ability to turn around the lives of young people who are on the edge of or are already in trouble, who frankly have not had much of a chance in life. That makes a big difference.

Ron Ball: I would like to echo Alan's answer mostly. They have been some great people to work with; I have really enjoyed it. I was terrified when I was elected, and it turned out much better than I expected. I have remembered when I was here last time, Chairman, it was your birthday, so I wished you a happy birthday.

Q42 Chair: Thank you. That is in November. Thank you very much for coming. On behalf of the Committee, may I thank you all for the work you have done in being one of the pioneers, rather than one of the monsters, and wish you the very best for the future. If we have missed out anything and you would like to write to us, please let us know further thoughts, especially on the issue of panels, because we are keen to produce a report that is going to be of relevance to Parliament. Thank you very much indeed.

Ron Ball: Thank you.

Alan Charles: Thank you.

Sir Clive Loader: Thank you.

Examination of Witnesses

Witnesses: **Katy Bourne**, Police and Crime Commissioner for Sussex, **Jane Kennedy**, Police and Crime Commissioner for Merseyside, and **Lord Wasserman**, gave evidence.

Q43 Chair: Commissioner Kennedy, Commissioner Bourne, and Lord Wasserman, thank you very much for coming. I am sorry we are running late, because we had a long session with the Commissioner, but we are very keen to hear from you as those who are staying on, apart from Lord Wasserman, of course, about the way in which this role has developed. Lord Wasserman, if the Home Secretary was the mother of this idea of police and crime commissioners, then you were clearly the father of the idea, and you have produced either a monster or a pioneer. Are you happy with the way in which police and crime commissioners have developed as a concept, or are there things you would like to change?

Lord Wasserman: I am very happy, and I think the evidence you have just heard from the three commissioners who are retiring bear out why I answer, because I think they have shown deep interest in dealing with the public order and public safety in their communities and have shown determination to work together with other agencies, which I think is very important, and I think they have shown the interest in innovation that we were missing before. I think altogether there is innovation, and a much more holistic approach to crime prevention, and much closer communications with the community. You heard what Sir Clive Loader said about how often he gets out. Finally, I think there is better value for money. I do not like focusing on the value for money part because I want to focus on public safety much more than the value for money, but the way these three commissioners and the others who are contesting the election have gone about looking for value for money in their forces—

Q44 Chair: There is nothing you would change in terms of the relationships with chief constables or the structure of police and crime commissioners?

Lord Wasserman: Very interesting you say that. I have some views about that, Chairman, very much.

Chair: Give us the essence, and write to us with the rest.

Lord Wasserman: Okay. I will. I had hoped that PCCs would work much more closely with their chief constables. I see this much more as a partnership. I do not think there has been enough of it. I would like to see chiefs who are in charge after all of all the operations being left alone to do that empowered, while being held accountable, to run the operations, where the PCCs job is to set strategic direction, provide support, provide political direction and guidance, and generally leadership. I see this working very much as a team, and I have been a bit disappointed by the relationship sometimes between the chiefs—

Q45 Chair: One area that has concerned me on anecdotal evidence given to me has been the difference that it has made to career prospects for chief constables. There was one particular appointment, I think in the West Midlands, where only two people applied. There was another appointment, the Chief Constable of Greater Manchester, which—I was going to say “the olden days”—before PCCs lots of chief constables would have seen that as a way up in terms of a career structure. Nowadays people feel that if the deputy is very close to the commissioner there is no point in applying. It is strange, is it not, a job like the Chief Constable of West Midlands should only attract two applicants?

Lord Wasserman: I agree about that, there is something that needs a little looking at. I think opening it to the rest of the world will do something with that. I think an appointment or two—

Q46 Chair: You are keen on that, because of your background in America and in Canada.

Lord Wasserman: I am very keen on that.

Chair: But what about the rest of Britain? Why were there only two people applying to be the Chief Constable of the Midlands? Because the message went out that the Commissioner for the West Midlands liked the deputy and, therefore, was going to appoint the deputy, so there is no point in applying.

Lord Wasserman: I think that it is silly for anyone not to apply, put themselves forward and tell their story. You never know on the day who might be chosen. I am keen on opening it up. There is another problem, Chairman, which I hope you will mention in your report. That is the regulations that set the scale for chief constables. I do not know why a smaller force, Sussex, for example, cannot pay more than the salary paid now to the deputy in West Midlands. There is a real problem now. If you are a deputy in the West Midlands, or a deputy in Manchester, or an assistant commissioner, you take a big cut in salary to come to Warwickshire or Sussex, and I do not see why that should be the case. If the PCC is prepared to pay the going rate to get the best chief in the country to his or her force, I do not see why that should not happen. I think it is a holdover from the old days. Just one other thing, if I am allowed to mention it—and I will write to you about it—the ICT situation. When I first—

Chair: This is your company.

Lord Wasserman: This is my company.

Q47 Chair: Are you not the only shareholder of this company?

Lord Wasserman: I am not only the shareholder; I am extremely disappointed in the company. In November 2010, some long time ago, the Home Secretary announced that I had been appointed to develop a company. Since that day a lot of public money has been spent on developing the company, but once PCCs were elected the Home Secretary quite rightly handed responsibility for the company over to the PCCs, and they have not seized that challenge. I am very sorry about that. Nick Holstein at Essex has. He is not standing, sadly. There is a problem. Katy will talk about that, because she is taking an interest in it. But on the whole, an opportunity to develop the company and to have much more effective ICT support, with many fewer data centres and many fewer professionals—

Q48 Chair: Yes, but, Lord Wasserman, you refused for many, many years to come before this Committee. We asked you to come when you were running this company to tell us all about it, and now you are lamenting the fact that nobody is doing anything about it. How much public money has been spent on it so far?

Lord Wasserman: On setting up the company the Home Secretary, when we were working on it, provided almost £2 million-worth of consultancy support to get it off the ground, to develop a framework, and develop a business case. She was very enthusiastic. She provided public money and support. But once the elections took place in November 2012, once PCCs were elected, it never went anywhere. It is beginning now. Little shoots are being seen.

Q49 Chair: Okay. You have given us a very good background. I am going to come specifically to Commissioner Bourne, lavished with praise in the House of Commons yesterday by the Home Secretary as an outstanding Police and Crime Commissioner. Let me put that question to you: why are you not paying enough to get the best chief constable for the job, and why are you not getting involved in this company?

Katy Bourne: The chief constable jobs, is that what you are referring to, the first question that you asked Lord Wasserman? I think if you look at Sussex it is a struggle, because if you look at the salary of a deputy assistant commissioner in Sussex it is equivalent to the salary of a chief constable in our area. We do have that issue with the London weighting, which is quite difficult. Also, if you are asking chief constables to come from north down to south, there is the cost of living as well. In Brighton alone I think the cost of a two-bed flat there is fairly comparable to some of the prices in Chelsea and Clapham now. When you are offering a set salary it is quite difficult to attract. Having said that, I had the privilege of running that process 18 months ago to find a new chief constable for Sussex.

Q50 Chair: How many applied, Commissioner?

Katy Bourne: In the final round we had three very good candidates, so I had a good choice to choose from. So I think it really depends on how you set out that message as well, and I was quite clear from the start that the process was very transparent, very robust, and there was no favouritism on my part whatsoever, except I wanted the best candidate for Sussex.

Q51 Chair: Yes. Commissioner Kennedy, you have not had to appoint since you were there, is that right? Or did you appoint one?

Jane Kennedy: No, I inherited the chief constable.

Q52 Chair: You inherited?

Jane Kennedy: Yes.

Chair: I should say welcome back to Parliament first.

Jane Kennedy: Thank you very much. Thank you.

Q53 Chair: Do you think recruitment and retention of chief constables and moving them around the country are a problem? I mentioned only two had applied for the West Midlands.

Jane Kennedy: I think there is something going on that we need to look at. Whether it is salary levels, I am not necessarily convinced. They tend to be set around the competencies and requirements of the particular post, and the size of the force, and the challenges that the force faces. There is clearly a big change with the introduction of PCCs. If you are a chief officer and you have a good working relationship with your PCC, then you ought to be able to apply for advancement across British policing, to bigger forces, more challenging jobs, with the support and backing of a PCC, in my opinion. If that is not happening, that ought to be something that we as PCCs should be looking at to see why it is not happening. Why are there so many of these posts that are not getting the attention and the interest that one would hope? Yes, that would be my answer on that.

Q54 Nusrat Ghani: First of all, I have to declare that Commissioner Bourne is my Police and Crime Commissioner, and we are incredibly proud of her work in Sussex. My first question is to both Commissioner Kennedy and Commissioner Bourne. The latest HMIC PEEL report on police effectiveness was published last week, and both of your forces were graded “good”. Do you find these studies helpful?

Jane Kennedy: In general, yes. I might have comments about how HMIC sometimes present them, but Merseyside Police have been judged by HMIC to be the best performing Metropolitan police force in the country. They are the best performing police force in the north-west of England. Both of those factors, I think, are worthy of applause. It is interesting to note that Merseyside Police have been one of the hardest hit over the last five to eight years in terms of budget cuts and yet have achieved so much success in terms of performance. It might be worth considering that some of the forces that have been least hard hit in cash terms, in terms of budget cuts, are amongst the worst performing. It is down to leadership, it is down to challenge, and I am really impressed and proud of the performance of Merseyside as a result of the findings.

Katy Bourne: Yes, I find HMIC reports really useful. They are part of the armoury that I have to hold the chief constable and Sussex Police to account, so I use them quite effectively, I think, in Sussex. Certainly the last few HMIC reports have all been at “good” level, which means there is always room for improvement, because there is another level to go up. But the most recent one around vulnerability was particularly important, because the challenge that I have been able to give over the last three and a half years with HMIC at my monthly performance meetings, where I look through the recommendations made and see how the work has been ticked off against it, was really stark with the last one,

because looking at the vulnerability and how the police forces safeguard our most vulnerable, that is what the effectiveness report was about. Eighteen months before that it had been run as a joint unit across both Surrey and Sussex Police. Through constant challenge from my office and a very good professional working relationship with the chief constable and his senior team, we were not convinced that how it was being run was right for Sussex. We took it back, or the chief constable made that decision to take it back in force. Sussex was rated as “good”, but Surrey unfortunately came out as one of the worst.

Q55 Nusrat Ghani: The issue of the most vulnerable people, as you touched on, was in the report. But do you think that is because crime has changed, the most vulnerable people being the youngest and the oldest? The youngest will probably come across a criminal activity at home online, and the oldest possibly might be scammed out of some sort of finance, so they are not necessarily going to come across crime out and about, even though everyone is always worried. Especially in my more rural constituency where I am seeing more neighbourhood policing.

Katy Bourne: No, you are right. Theft and fraud has always been with us. There will always be criminality, but the way in which it is delivered, the arena in which it happens, the geographical boundaries, are no longer there because a lot of it has moved online, I know particularly the scams. You are right, we are all getting older. By 2050 one in six of us will live to be 100, so there is hope for all of us in this room, or maybe not. But it is a real worry, as you get older you are more open to these sort of scams and frauds.

Q56 Nusrat Ghani: There was a conversation earlier on with the commissioners about legitimacy and awareness of what police and crime commissioners do. I must say that in Sussex we are all aware of what Commissioner Bourne is up to because of the level of public meetings that you hold. Do you think that possibly police and crime commissioners, before they were elected, probably were not aware of the amount of public engagement that they have to get involved in on top of everything else that you do, the fact that you have to hold public meetings and have public consultations? What advice do you give to new people coming onboard, trying to become police and crime commissioners?

Katy Bourne: It is not a part-time job. You should expect to put in 70-plus hours per week, because you are accountable to the population across your county, and in Sussex it is 1.6 million people. You cannot underestimate that. You are available to people 24 hours a day, seven days a week, if necessary. You cannot go into this as a part-time job.

Q57 Chair: Commissioner Kennedy, you are nodding. Are you more or less than 70 hours a week?

Jane Kennedy: I do not agree with the 24/7 comment. I think that we are in a strategic, high-level role. However, I do agree with the level of community and public engagement. I have had face-to-face meetings since I was elected with over 20,000 members of the public in Merseyside. Last night I was at Rainford Parish Council. It is ongoing, we can all cite many examples of when we—

Q58 Chair: Is it more or less than being an MP?

Jane Kennedy: More.

Chair: More?

Jane Kennedy: On a much greater scale. When we do consultations we all do it differently. I have inherited a community engagement team who would have gone out on behalf of the police authority to stand in shopping precincts like you heard Sir Clive Loader describe. I now go with them, because I do not want my staff out. It is me that needs the profile. I go and stand with them, and so we will meet hundreds of people while I consult about the precinct.

Q59 Chair: Yes. Very helpful. I will come to you in one second, Lord Wasserman. I am just going to bring in the other Sussex MP so he can also lavish praise on Katy Bourne.

Jane Kennedy: Is there anybody here from Merseyside?

Chair: There is nobody here from Merseyside, I am afraid.

Tim Loughton: No, of course I lavish praise on our excellent police commissioner.

Katy Bourne: Hear, hear. Hear, hear.

Tim Loughton: I wonder, and it is very unfair to our former colleague Commissioner Kennedy as well, but one of the things that has been notable—because I think the public awareness is still quite low, however many parish councils and one-woman-and-her-dog local neighbourhood policing meetings that many police commissioners go to—is the awareness among young people is absolutely key to that. I know something that has happened in Sussex is the setting up of the youth forums and real interaction. Lord Wasserman, first of all, is that something that you would like to see and envisaged, to try to reinforce the trust in a relationship between the police and young people that has been sorely lacking? Do you think that was the job of the PCC? How does it manifest itself in other parts of the country, like Merseyside?

Lord Wasserman: I think that is a very important point, and it relates to the point I want to make about why I think there is not enough communication. I think there is a real problem about PCCs not having enough support. There were great attacks in the popular press about how large their offices were. Every time a PCC wanted to hire a communications officer, someone to deal with newsletters or social media, there was always an attack, there was another increase in salary. I think that is a mistake. We should not be thinking about the inputs or the cost, but the output. What is this PCC achieving? I regard communications as key to the job, and a strong communications office making use of social media, and newsletters, and webcasts, and all that, essentially cannot be done in spare time or by the commissioners wandering about the streets. They cannot. There are only 24 hours a day. But they can with a strong communications team, otherwise derided as spin doctors. These communication people are getting the public to know what the force is doing, why they are interested, asking for feedback, and asking for meetings, I think that is very important. With youth you cannot simply do it by sending a newsletter, you have to tailor it to the audience. That is very important. That costs money, and I think we should encourage the money to be spent on that aspect of the job.

Q60 Tim Loughton: Had they done that in Merseyside, can I ask?

Chair: Very quickly because I want to bring Ms Atkins in before she has to go.

Jane Kennedy: I agree with Lord Wasserman on the youth element. In Merseyside we have a youth advisory group that I established. I considered whether I should have a youth commissioner asking young people—there were more of them who wanted to be involved than just one person, but very, very importantly for me, they told me they wanted to meet as a group, and meet regularly with me, but much more interestingly, although they are my group, they meet the force. They are really keen to meet police officers and question them, and query tactics, procedure and policy. Sorry, very quickly, they wanted to be private. They want to be members of the group, and they are from a wide social spectrum, but they do not want their names out there as members of this group. We work with them behind the scenes. I do not agree, however, with the idea that we should all have big budgets around promotion of ourselves. The force, in my view, promotes their work, and when they do a good job they are the ones that get the credit for it. It should not need me to say they have done something worth doing.

Chair: Thank you. Vicky Atkins has a quick point to make.

Q61 Victoria Atkins: It is a question about the future and the development of the role. What more would you like to be responsible for? Would you like any responsibility for the Crown Prosecution Service?

Jane Kennedy: In terms of oversight and governance, there is a real danger that we confuse the role of a PCC, that we are responsible for running things when actually we have to be really clear we are not responsible for running the police. We should not be responsible for running some of these really important, independent elements of the justice system. I chair a Criminal Justice Board in Merseyside. It is really effective, not because I chair it, because it has been going for a long time and relationships are really strong. Under that umbrella the leader of the Crown Prosecution Service and the leader of the court service meet every month and we scrutinise the work of the courts and we discuss how those are changing under the budget changes. My one ask would be greater power over the precept. I am an elected politician; I ought to be given a greater opportunity to consult the public over a broader range of precepts than the ones that I am given at the moment. I have a lot of responsibility and very few powers.

Katy Bourne: I think there are some proposals in the Bill going through at the moment around increasing our responsibilities, particularly with regard to collaboration with fire and rescue services. I would be quite interested in looking at further governance around youth offending. At the moment I think the majority of that comes under the local authority's budget, and with the cuts that they are making, some of them are cutting back, certainly in our area, and that will have an impact on policing. I think having that governance under one person would be really helpful. Like Commissioner Kennedy, I chair the Criminal Justice Board in Sussex as well, and have found that an incredibly useful area to bring people together. More oversight would be helpful.

Q62 Chair: Can I just ask, before Mr Winnick, about the issue of the panels raised by Commissioner Loader? You do not choose the panels, in a sense the personalities on those panels. Would you like to change the mechanism of how people get on those panels or the construction of panels? Have you had any run-ins with yours, Commissioner Bourne?

Katy Bourne: I think we have talked about that before, Chairman, here.

Chair: We have.

Katy Bourne: For me it is more about professionalising their secretariat. I think the panels themselves are very representative of the areas they come from, because they are taken from districts, and boroughs, and top tier authorities. I would also like to see probably a few more independents on there, some with magistrates experience and so on. I also would like to see more mandatory training for panels, because I think that would help. There is a churn on the panels with different elections that come on. But the secretariat, they get a set amount from Government and it is divided. Certainly in the south-east there are five panels across the five south-east regions. If you used some of that to perhaps professionalise the secretariat, they could have more support around proper scrutiny process. I think sometimes they get confused.

Chair: Commissioner Kennedy?

Jane Kennedy: It is something you have to work really hard at, and I have learnt a lot over the last three and a half years. My relationship was strained at the beginning, but we have worked really hard. My chief of staff and I have invested a lot of effort in doing exactly what Katy was suggesting, which is offering the opportunity for new panel members to come in and see how the office works. We have restructured the way that we present work to the panel, to fit more with what they expect, rather than me dictate what they should be seeing. We also go out of our way now to involve the panel. If, for example, we are doing a budget, we will consult them well in advance about the direction of travel, the medium-term financial strategy, the thinking around potential pre-set rises, and we take their feedback and we reflect it in the final consultation. We then go back to them. So it has, I think, vastly improved their trust and confidence in me, and my ability to work with them in a much more open and frank way.

Q63 Mr David Winnick: First of all, Lord Wasserman, without going into the details of what the Chair asked you when you were previously concerned with some company, I take it that you are not longer involved in any way, you have nothing to declare as far as that is concerned?

Lord Wasserman: No. I have not.

Q64 Mr David Winnick: I did not expect that that would be otherwise. Can I put to you, Lord Wasserman, since the Chair described you as the “father of the conception of the Police and Crime Commissioners”, the Home Secretary said last week that it showed so far, and she was pleased to announce it, that there has been no evidence of Police Commissioners interfering with the operations of the police. That of course has always been the position, has it not, that there should be a clear, sharp divide about the police carrying out their duties, and the different duties, obviously very much allied to the police but not as far as operations are concerned? So that is quite clear.

Earlier in the day we heard evidence from the Metropolitan Police Commissioner about historical abuse cases. I will refer to one or two of the other type of historical cases. The delay, the lengthy delay, in catching the notorious murderer of women, Sutcliffe. It was actually a police constable using his intelligence that finally brought him to justice. Also in

part of my region, first of all the wrong people convicted for the Birmingham pub killings, which murdered 21 people, and now the ongoing desire that the real culprit should be brought to justice. It would not have made the slightest difference, am I not right, if there had been police and crime commissioners around?

Lord Wasserman: I think you are probably right. I was involved with the Birmingham case, because I was responsible for the—

Mr David Winnick: Which case, sorry?

Lord Wasserman: The Birmingham case, because I was responsible for the forensic science service, and you remember it was a forensic scientist, Frank Skuse, who found positive evidence and it turned out to be there was no positive evidence on their hands of explosives. That was a case of a professional scientist, and employee of the Home Office, who, in his enthusiasm to find culprits, gave false evidence, and that certainly would not have been any different. No, I think those are issues that relate to a code of issues for police officers, and a sense of integrity both by the chief constable, who sets the tone for the operations for the force, and of course by the PCC, who makes it clear on day one that integrity is absolutely essential if there is to be a relationship between a PCC and a chief constable. But having said that, there will be individuals who will go beyond the lawful operations of their job. In this case, as I say, I feel very strongly about the forensic scientist, because he was not a police officer, and yet he was the man who swore in court that these people were guilty. So it is an individual—rogue—who decides to be very much keener than he need be.

Q65 Mr David Winnick: My final question, Lord Wasserman—I will not ask the two distinguished Police Commissioners because of lack of time—would you accept that constituents—certainly my constituents, and I am sure it is the same up and down the country, I would be surprised if there is any difference—when they are concerned about criminality, when they are concerned currently about the reduced police numbers, police stations being closed and the rest, what they really want to see is the police constable—“the bobby” to use the expression—on the streets, they want to feel that if they phone the police they will get a response pretty quickly, it will not be automated calls being received and not responded to and the rest of it? That is basically the concern the constituents, and that the issue of police and crime commissioners is not first and foremost in their minds, and it would be rather surprising if it was, am I not right?

Lord Wasserman: No, that is where I want to disagree with you Mr Winnick, I think you if your constituent has a problem, is unhappy with the service he is getting, or she is getting, from the local constabulary, he or she should get in touch with the Police Commissioner. The Police Commissioner is there to make sure that the needs of individual constituents are met, and that their demands for service and their particular problems are addressed by the force. That is exactly what they are there for.

Q66 Mr David Winnick: More than likely it is a constituent writing to me and I write to the police and crime commissioner, whose existence may or may not be known to the constituent. I have great respect for the person in the West Midlands who is the police and crime commissioner, all the more so since he is also a former Parliamentary colleague of mine, but the reply would be along the lines—and if it was a different political party, it would

not have made any difference—that due to the reduction in expenditure, the cuts that are taking place generally, the explanation is “A, B, C”. Therefore at the end of it all, there is no difference to the situation.

Lord Wasserman: Well, I am sorry to hear that. There is a certain amount of cutting and pasting in these replies, but I spoke earlier about communications, and that is why I feel it is absolutely essential that PCCs should have strong communications departments, to ensure by letter, by meeting or by individual face-to-face sessions, that they are listening to the issues raised by your constituents and their constituents. It is the only way around it. This is their job; they were in there in order to make it clear to them and to the Chief, that there is someone who cares about their needs.

Q67 Nusrat Ghani: Commissioner Kennedy and Commissioner Bourne, you are pioneers in the jobs that you are doing, and the Home Secretary has suggested that police and crime commissioners might get involved with setting up free schools to help deal with troubled children. Do you regard this as an interesting innovation, or a step too far? Commissioner Bourne.

Katy Bourne: I come from a commercial background, so innovation for me is something that I do not shy away from. So I do not think that you should ever stop somebody from giving you their ideas. I am not sure that it is something I would want to embrace immediately in Sussex, but certainly if any of my colleagues wanted to explore that, I would watch with interest.

Jane Kennedy: My first reaction when I heard it was, “Oh no, I do not want to be responsible for approved schools”. But I have to say, as chair of the Criminal Justice Board, I would be really concerned about the numbers of young people—and they are not in their hundreds, 30 or so at any one time—in Merseyside who are needing to be held in custody. There is very limited scope across the whole of the north-west of England for children to be held in custody. They have to go to Wetherby. The other nearest place is Stafford. Now if it would be possible to discuss across Merseyside, with local authorities who may also need secure accommodation for children needing protection or whatever, from social services’ point of view, I would be very happy to discuss that kind of innovation. We have facilities that were only recently refurbished at quite considerable cost. The Ministry of Justice, without any real consultation, made a decision to no longer fund them. It meant that the young people, I believe, are getting a very poor service. So I would be interested in developing something along those lines, but please no borstals.

Q68 Tim Loughton: Finally, as general interest, you are both political electees, the commissioners that we have here. What has been the upside and the downside of that, rather than being independents, or not political at all?

Jane Kennedy: Okay, I first of all feel that having had experience in Parliament and the benefit of serving in Government it has enabled me to come into the post already experienced in partnership working—for example, Clive Loader referred to that earlier—but with a greater confidence in decision making. Also, you are used to public scrutiny, including the rudeness that the public can often display when they disagree with what you are doing.

Q69 Tim Loughton: Also Select Committees. But you could have stood as an independent though, with all that experience?

Jane Kennedy: But I never would have done that. I am a Labour politician, always have been, and I hope always will be. One thing that being a party politician brought was a groundswell of support for the campaign, an immediate platform, and the public know where you come from and what you stand for. I feel that is quite important for this post, because it is almost a hindrance to be somebody from a professional police background, because the public already make confusions over who is the Chief of Police. If you come into the post and you have been a Chief of Police, I think that makes the confusion worse.

Q70 Tim Loughton: Just to query on that, of course it did not stop a lot of independents still being elected, without having a party political background?

Jane Kennedy: No, and the independents did well. Yes. The independents did well in the last election. It is going to be an interesting election this time. The first proper, in my view, election. First set at a normal election time of year. We are fortunate in Merseyside, I am very grateful for whoever set the timetable, we have elections, metropolitan elections, all over my area, so I am hoping turnout will be considerably higher for the PCC than it was before. But I do think judgments need to be made based upon what is happening in each area. It is going to be more challenging for those areas that do not have district or metropolitan elections. I hope that answers the point; there is loads more we could say on it.

Q71 Tim Loughton: Commissioner Bourne, we have spent many wet Saturday mornings standing on street corners together, has that been an advantage or disadvantage?

Katy Bourne: I wondered what you were going to say for a minute there. Well, first of all, I am too long in the tooth to believe anybody that says they are independent of politics, because I have yet to meet anybody that is independent of politics. They are just independent of the political parties on offer at the time. Everybody is political. This role is political by virtue of the fact that you are elected, you are there to represent the people, whether they vote for you or not, as indeed, Members of Parliament are, as indeed local councillors are. So it is a political role. The upside I think for policing is that we do the politics, and allow the chief constables to get on and do policing.

Jane Kennedy: Exactly. Exactly.

Q72 Chair: Let me ask you this, Lord Wasserman, you were not here for the earlier part of the session, when we were discussing Operation Midland, but you are aware of it, because obviously it is in the public domain. We find it very strange that when the police generally, not necessarily the Metropolitan Police, get things wrong, there isn't an apology. They do not come out and say, "Look, we got it wrong, we are human beings, we are not robots. We will do better next time." What is it that is within policing culture, and you have been a Minister, you have worked in America, you have worked in Canada, all over the world, and of course adviser to the Prime Minister and the Home Secretary, that stops this happening? When sometimes it is the easiest thing in the world to say that you got it wrong and you are sorry.

Lord Wasserman: I could not agree more. I do not know. This is to do with British policing culture, it is a fear of being criticised. When I worked in Philadelphia as the Chief of Staff, John Timoney was then the Police Commissioner. His first rule was, get out in front of the issue. As soon as something goes wrong, get out in front of it, and explain exactly what has happened, apologise, and there is suddenly no more story. It is only when the press start hounding one, that there is trouble. Yes, I could not agree more, get out in front of the story as soon as you know something has gone wrong, and make everything clear.

Q73 Chair: Is this why you think that maybe it is better to have more chief constables from America than it is from England?

Lord Wasserman: No, these are individuals. I am sure there are plenty of American chief constables who never like admitting mistakes, hope to cover them up. No, I think it is a matter of real leadership, and people who are real leaders, who want to show moral courage, which is essential for leadership, will get out in front of the issue.

Q74 Chair: Sure. Jane Kennedy, when things go wrong, and the chief constable doesn't really want to say sorry because the morale of the force is going to be affected—I am not sure whether it has happened during your term—do you feel it is your responsibility as the Commissioner to stand up and say, “We got it wrong, I am sorry”, or do you leave it for the chief constable?

Jane Kennedy: It would signal to me that culture within the force was really wrong if a chief constable made a decision around an apology on that basis. What we are trying to do, and what I am encouraging Merseyside Police, and the Chief is clearly in support of this, is to extend discretion right the way down the force, to the constables and PCSOs on the beat. If they have the discretion to make decisions, and they make those decisions based on the right policy and procedure, they will be supported in those decisions even if they acknowledge they get it wrong, and make an immediate apology. That, for me, indicates that the force is willing to stand up and say, “We got that wrong, we apologise”. Where they do not have it wrong, and sometimes that happens, but the person on the receiving end of the decision is aggrieved, then if they feel they have it right, they have to demonstrate why they have it right. But that requires a high degree of openness and confidence at the lower ranks that they will be supported and not hung out to dry by the senior ranks.

Q75 Chair: Commissioner Bourne, have you had to apologise at all in the last four years, for things that may have gone wrong in your area? Do you think it is your job to do that, or the chief constable's?

Katy Bourne: I think it would depend on the circumstances. If it was an operational matter that the police had definitely got wrong, and they have—there have been instances while I have been in office where they have behaved below the standard that one would expect—he has gone himself personally, or the Deputy has gone. I know of one occasion around a very serious domestic abuse incident, where the Deputy went, literally within the hour of hearing. So I think, as Commissioner Kennedy said, it is about supporting your staff to feel confident that they will get that top cover. Because it is one thing saying, “Ethics are important to us”, but it is another thing really putting it into practice. It is human nature,

nobody likes to admit they have things wrong but they need to have the confidence to be able to stand up.

Q76 Chair: Jane Kennedy, you are staying on?

Jane Kennedy: Yes. Well, I hope I am.

Chair: Well, you are standing again for election—of course your party would have abolished the experiment, so you would not have been staying on if there was a Labour Government and you would not be the candidate, because there would be no police and crime commissioners. Do you think your party has now learnt to love PCCs and it is going to stay?

Jane Kennedy: I would not go so far as to say that we are now beloved of the Labour party. I think the Labour party acknowledges that there has been good work, and that there have been good changes as a result of PCCs. For example, in my own case, I have cut the cost of the oversight of the police in half. The police authority used to cost £2.4 million. The cost of my office is £1.2 million, and we come in below that every year; we underspend. So for me, if I did nothing else, that has released to the police budget year-on-year major savings to the force that they can then spend on frontline policing.

Q77 Chair: Commissioner Bourne, what about you? You are going to stand again?

Katy Bourne: I am.

Chair: You have the support of two of your Members. We did not ask you whether you—what you thought of them, by the way, but never mind.

Katy Bourne: Very esteemed.

Q78 Chair: Yes—but do you agree with Jane Kennedy, that this is here to stay now, we are going to have police and crime commissioners in our daily lives for a long time to come?

Katy Bourne: I do. I was very proud that police and crime commissioners were a flagship Conservative policy, and for all the angst that came with us, I think as you have heard said, where it has worked, it has worked well. The police are more transparent than they have ever been, and actually I think if you were to ask chief constables now, do they feel that under PCCs their job is more effective, and they can be more efficient than they were under police authorities, I think the majority would definitely agree now. As I said to my Chief, you know PCCs are for life, not just for Christmas.

Q79 Chair: Indeed, Lord Wasserman, you must be very pleased, not just about the result of the election that keeps your PCCs, but the fact that the experiment that you began is going to continue. But you have told this Committee that there are a number of issues that you would like to see addressed, and we would be very keen to hear from you if there are other issues that you have not covered. I know we have not covered the IT company in the detail that you would have liked. We will pursue this. But if you could write to us as soon as possible, we would be most grateful. But congratulations, they are here to stay.

Lord Wasserman: I am very pleased.

Chair: Commissioner Kennedy, Commissioner Bourne, Lord Wasserman, thank you very much. Thank you.