



Home Affairs Committee

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From the Committee Chair

Rt Hon James Cleverly MP
Home Secretary
Via email

14 March 2024

Dear James,

Home Affairs Committee inquiry on *Police and Crime Commissioners: 10 years on*

As you will be aware, the Home Affairs Committee has recently carried out a short inquiry into *Police and Crime Commissioners: 10 years on*.¹ Our predecessor Committee last examined this topic in detail in [2016](#), concluding that “the introduction of PCCs has worked well to date and has had some beneficial effect on public accountability and clarity of leadership.” At this point, understanding its impact was “still a work in progress.” We felt that it would be timely to revisit the area ahead of the Police and Crime Commissioner (PCC) elections due to take place in May 2024.

Although our inquiry was relatively brief, we explored a number of areas with stakeholders. We heard that PCCs were making good progress in a number of areas, that the role itself had developed significantly since its creation, and that individual PCCs had been able to unlock innovation and drive cultural change. However, we also heard about a number of challenges facing the model, which we outline briefly below.

PCCs and awareness of their functions

During the inquiry, it was clear to the Committee that public awareness of and engagement with PCCs has grown. Minister Philip [told us that](#) “something like 60% of the public know what PCCs are.” In his letter to the Committee after the session, he [described](#) an “increase in the total number of items of correspondence, of all types and dealing with all topics, received by PCCs each year compared to the old Police Authorities.”

At the same time, turnout at PCC elections [has grown](#) from an average of 15.1% in 2012 to an average of 33.2% in 2021. However, awareness of a role does not equate to understanding of the functions and purpose of that role.

The Government would like to see all combined authority mayors “exercise Police and Crime Commissioner functions, where feasible”, with the transfer to West Midlands and South Yorkshire mayors [recently announced](#). We already have a plurality of models across England and Wales with regards to which elected figure exercises PCC-type powers, and which services are included within their remit. This

¹ When using the phrase Police and Crime Commissioner, we also refer to Police, Fire and Crime Commissioners and those Mayors who hold equivalent powers to PCCs.

poses a challenge for clear and consistent messaging to the public at large about who is accountable for the delivery of local police, fire and rescue services. Should PCC roles further increase their reach into the rest of the criminal justice system, the level of that challenge is likely to grow.

While there may well be benefits to developing a patchwork of diverse models, this must be accompanied by properly resourced work to support public awareness of the function as well as the presence of PCCs in their local area.

Below we describe the growth of the PCC role with regards to the wider criminal justice system. We also note that PCCs have increasingly played national as well as local roles. For Donna Jones, Chair of the Association of Police and Crime Commissioners (APCC), this meant that [around 80% to 85%](#) of her time was spent on local priorities, with the remainder on national work.

Dr Rick Muir [told the Committee](#) that the role of PCCs in the national system needed “further thought.” Currently, “unanimity between all the chief constables and all the PCCs” [was needed](#) to proceed with national programmes. “Some form of voting system” [would ensure that](#) clear and binding decisions could be made. The APCC [played](#) a “very positive role”, and its role should be “be strengthened and perhaps formalised”, maybe by being put on a “statutory footing.”

We have heard evidence of the increasing national role that PCCs play. We recommend that the Home Office, together with the Association of Police and Crime Commissioners, National Police Chiefs’ Council and other key stakeholders, consider the feasibility of a national-decision-making process that would facilitate more effective collaboration between PCCs and forces.

Relationships between PCCs and Chief Officers.

We heard that the relationship between PCCs and Chief Officers was crucial to the success of the model. When that relationship deteriorates, the consequences can be considerable. The National Police Chiefs’ Council (NPCC) [said that](#) Chief Officers were still concerned about dismissal when relationships broke down – with some PCCs and Mayors making “public announcements of their lack of confidence [...], leading to resignation rather than going through the formal process as set out in legislation.” In turn, this made it “difficult for a chief to challenge the PCC where they believe it is right to do so, knowing that any attempted removal may happen outside of the formal process.”

In March 2022 the then Home Secretary [appointed](#) Sir Thomas Winsor, former Chief Inspector of Constabulary and Fire and Rescue Services, to “review the circumstances and implications of the stepping aside” of Dame Cressida Dick DBE QPM as Met Commissioner. He [concluded that](#) the Mayor of London and his Office for Policing and Crime had not followed “due process”, with Dame Cressida “in effect constructively dismissed.” Sir Thomas [told us](#) that if “so much power” was to be invested in one person “you better be sure that you have somebody who is going to exercise those powers lawfully, rationally, procedurally, fairly and proportionately, and sometimes that has not happened.” For him, the London case was the “high watermark of where things went very badly wrong.”

Sir Thomas delivered his recommendations in August 2022, over a year before he gave evidence to the Committee. When we asked him what was happening with regards to moving those recommendations forward, we were shocked to hear that his answer was “nothing”, as far as he knew. In the final session of our inquiry, we raised this with Minister Philp, who [told us](#) that he did not recall this major report crossing his desk in his current role. Following the session, Minister Philp [clarified that](#) Sir Thomas’s recommendations had been “fully considered” on receipt, and had “fed into work to strengthen the accountability and transparency of police

governance” further to the Police and Crime Commissioner Review. Minister Philp also retained “the option to implement changes to improve accountability arrangements for the Metropolitan Police Commissioner, including the recommendations made in Sir Tom’s report.”

The Committee understands that the Home Office had no statutory obligation to respond to the report it had commissioned, and that the then Home Secretary left office shortly after its delivery. Minister Philp has [now committed](#) to write to Sir Thomas. However, common courtesy demanded that such a major piece of work be acknowledged in a more timely fashion. Moreover, a formal response to the specific recommendations made by Sir Thomas would have been more transparent for members of the public, who ultimately funded his review.

This is not the first time that the Committee has been told about key reports, commissioned by the Home Office, going apparently unacknowledged. We are concerned that this apparent lack of responsiveness may start to have a chilling effect in the number and calibre of subject experts willing to take on these challenging and high-profile roles - ultimately resulting in less well-informed policy decisions and poorer outcomes for the public.

Variability, standards and conduct

Witnesses frequently referred to the variability of the manner in which PCCs execute their functions. We agree that the model must be capable of adapting to the needs of local populations. However, it must also be robust enough that it does not rely entirely on positive relationships between individual Chief Officers and their Commissioners to succeed.

Chief Constable Gavin Stephens, Chair of the NPCC, [noted that](#) the rules holding PCCs to account are “less clear” than those applying to Chief Constables or MPs. We have observed an understandable emphasis on the PCC as a single visible figurehead. Without robust national standards in place, this emphasis increases the risk that poor behaviour by individual PCCs undermines the good work of their peers.

We suggest that the Association of Police and Crime Commissioners (APCC) work with the Home Office to create a single national, statutory Code of Conduct to which all PCCs must adhere. This befits their growing stature and powers, and will be especially important as they seek to increase their role across the wider criminal justice system.

We understand that PCCs are subject to disqualification from holding office on a number of grounds. However, our [predecessor Committee](#) was concerned at the lack of a mechanism to suspend or remove a PCC for behaviour which falls short of criminal. We share that concern. Minister Philp [acknowledged](#) that, while there had been occasions where PCCs had resigned following votes of no confidence from their Police and Crime Panel (PCP)², “they were not compelled to.” The [Local Government Association](#) (LGA) and [NPCC](#) both suggested that recall powers might be applied to PCCs, as they are to MPs.

We suggest that the Home Office, together with key stakeholders such as the Association of Police and Crime Commissioners and National Association of Police, Fire and Crime Panels (NAPFCP), explore whether and how a recall process could be put in place for PCCs, and the role Police and Crime Panels should play in this.

In 2014, our predecessor Committee had [recommended](#) a “transition period for new commissioners of one month between election and taking office” to allow for

² When we refer to Police and Crime Panels, we include Police, Fire and Crime Panels.

“intensive training”. In our inquiry, we heard that PCCs might gain from more training to support them in their role. The NAPFCP [suggested that](#) PCCs and PCP members would benefit from mandated training, with standardised content. PCCs are responsible for large sums of public money, and make crucial decisions about local crime and justice priorities. In our opinion it is absolutely right that they are provided with consistent, high quality training about their role and its powers.

Officials [told us that](#) the Home Office have funded the APCC to “put together a package of support for newly elected PCCs to help ensure that they can maximise their impact and effectiveness from the off.”

We would appreciate further detail on the content and delivery of the Home Office funded package of support for new PCCs, and how its effectiveness and impact will be evaluated.

PCC accountability: Police and Crime Panels (PCPs) and beyond

We [heard that](#) “the nature of the relationship between the panel and the PCC, alongside the receptiveness of the PCC to the role of the panel to provide support and scrutiny” was the key determinant of the scrutinising panel’s influence on a PCC.

That relationship was “not always as robust as it could be”, with Councillor Sue Woolley, Deputy Chairman of the LGA’s Safer and Stronger Communities Board, [telling us](#) that PCPs could feel like “a bit of a toothless tiger”. For example, they are able to exercise the power of veto on their PCC’s budget only once. Lincolnshire Police and Crime Panel [told us](#) that PCPs were expressly prohibited from “investigating” non-criminal complaints about PCCs, and had no powers to sanction them. NAPFCP [noted that](#) the negative publicity produced by the wielding of a veto could itself be seen as an exercise of “soft power.”

The Home Office, together with the Association of Police and Crime Commissioners, National Association of Police Fire and Crime Panels, National Police Chiefs’ Council and other key stakeholders, should explore the extent to which the role and powers of Police and Crime Panels are sufficient in light of the growing reach and stature of the PCC role. This work should be completed so that any changes can be made in time for the 2028 PCC elections.

We [heard that](#) it can take “some time” for PCP members to understand their role, and that [member churn](#) could impede scrutiny – with it “[not uncommon](#) for more than a third of elected members to be replaced” at local elections. Limited dedicated resource for PCPs will likely restrict their ability to provide robust scrutiny.

We would welcome an update on the [information hubs](#) that we understand are being considered by the Home Office, as well as any other ongoing work to support training and knowledge retention among Police and Crime Panels.

In their evidence, NAPFCP [told us that](#) the opportunity for PCPs to challenge decisions made by a PCC was “largely suspended”, should the PCC be unable to undertake their responsibilities. Appointing a deputy would both safeguard against this, and reflect the “additional workload added to PCC remit since 2012.” Part One of the Government’s Police and Crime Commissioner Review concluded in [March 2021](#). The then Home Secretary said the Home Office would bring forward measures including to mandate that each PCC must appoint a deputy.

We recognise the importance of appointing deputy Police and Crime Commissioners in a transparent manner. The Home Office is yet to bring

forward measures to mandate deputy PCCs despite committing to this in 2021. The Home Office must update this Committee on its plans for doing so.

We heard that PCCs can and do drive significant systemic improvement. However, we are concerned that voters may lack the information needed to decide whether their local PCC is doing a good job, and to understand where ultimate accountability lies should police forces fail or charging rates decline.

The NAPFCP told [us that an](#) “annual independently commissioned report should be commissioned by the Home Office (or the HMICFRS) to record the effectiveness of each PCC against their police and, where applicable, fire and rescue plans.” They also suggested that “consideration” be given to HMICFRS inspection of PCCs and their offices.

In our report on [Policing priorities](#), we called for increased responsibility upon PCCs to update HMICFRS on the impact of its recommendations, supporting HMICFRS’s call for Police and Crime Commissioners to be required to provide follow-up comments, at least annually, where HMICFRS have not yet confirmed that recommendations pertaining to them and their local force have been sufficiently addressed. We repeat that recommendation here, and look forward to seeing the Government’s response to HMCI Cooke’s recommendations in this area.

Collaboration and commissioning of services

The Policing Minister [told the Committee](#) that “PCCs have an important role to play [...] in pulling other parts of the system together.” We heard that Project Pegasus – an initiative tackling retail crime – was an example of an occasion where a PCC had innovated to bring partners together in tackling crime.

We heard that one benefit of the PCC role was its power in convening and commissioning services in the wider criminal justice system outside policing – and that there was appetite to take this further. For example, Roger Hirst, Police, Fire and Crime Commissioner for Essex, [told us that](#) he would like to take on youth justice, and that there was “undoubtedly a case for more local direct accountability of probation.” Dr Rick Muir of the Police Foundation [felt that](#) it would be positive if other parts of the criminal justice system were “more locally accountable and more linked in with local public services” and thought “PCCs could play a positive role in that.”

Donna Jones [acknowledged that](#) the PCC role had “massively developed over the last 11 years”, which she saw as a “very good thing.” For her, the wider criminal justice element had “very much grown and morphed.” However, there are some areas here that merit further exploration.

We heard that PCCs were “ideally placed to be effective in the support of victims and providing they are prepared to resource the OPCC [office of the Police and Crime Commissioner] appropriately.” Our report on *Policing priorities* recommended that when commissioning victim services, Police and Crime Commissioners should be mindful that not all victims will want to report crime or have trust and confidence in the police. “By and for” services may provide a more tailored approach and ensure that all victims and survivors have equitable access to crucial support.

There may also be some challenges in attempting to pull disparate criminal justice threads together. Transform Justice [told us that](#) criminal justice services currently each work to their own “objectives and performance indicators which often do not reflect local priorities.” For Transform Justice, PCCs “have no power over these elements of the system.” Furthermore, many “levers to prevent crime and reoffending” lie outside the criminal justice system, in areas such as health, employment and housing.

If PCCs are to take on a wider remit nationally, this must not be achieved by mission creep. Instead, it should be transparent and properly thought-through, with the right arrangements in place to ensure accountability and transparency. This includes consideration of appropriate accountability arrangements including support for Police and Crime Panels, and ensuring that operational independence is protected in other services as it is within policing.

Police, Fire and Crime Commissioners

When launching the inquiry, we had asked why few PCCs had so far taken on responsibility for fire and rescue services.³ The NAPFCP [stated that](#) one important consideration as to why there had not been more take-up of the PFCC role was that “not all Fire and Rescue Services are co-terminus within one specific PCCs geographic area”, “making it unclear as to which PCC would produce the required business case and how the required consultation with various parties would take place.” Furthermore, the PCC role was “extremely demanding even without the additional governance responsibilities that stem from fire and rescue”, with “little if any financial incentive for PCCs to take on the PFCC role in addition to the additional responsibilities they are now expected to meet” such as “engagement within the criminal justice system.”

We [heard that](#), for example in Essex, a Police, Fire and Crime Commissioner (PFCC) had effected crucial cultural change and improved performance. Roger Hirst [told us that](#) while PFCCs were not the only solution, “the single accountable person model—whether that is a county council cabinet member or a PFCC, or a Mayor or Deputy Mayor—is quite important.” Mark Hardingham, Chair of the National Fire Chiefs Council, [felt that](#) both the PFCC and fire authority models could work, “provided that you have the appropriate system in place [...]”

The APCC [told us that](#) PFCCs “enhance public safety by enabling greater collaboration across blue light services.” However, the Fire Brigades Union (FBU) [said that](#) PFCCs were “unnecessary”, as this collaboration already took place, and “undemocratic” as they had a “weak, appointed scrutiny panel.” The FBU also raised concerns that the PFCC model might be a “stepping stone” to “single-employer” model for police and fire and rescue services – with the latter “subordinate” to policing. They stressed the humanitarian role of fire and rescue services, compared with the law enforcement role of policing. Roger Hirst [emphasised that](#) the two professions had “different skillsets and [...] a different perception by the public.”

The Policing Minister told us that the Government did not like to “impose” local government reorganisation on local areas. Based on the evidence we heard, if the Government would like more areas to adopt the Police, Fire and Crime Commissioner model, they may have to provide more incentives to do so.

Complaints

The Independent Office for Police Conduct (IOPC) [told us that](#) the police complaints system is “complex”, with concerns about the lack of a “single training model” and the negative impact when knowledge was lacking. From his perspective, CC Stephens [told us that](#) in those areas adopting models 2 or 3 “confidence is growing”. APCC members [faced barriers](#) in implementing those models including cost, the need to recruit extra staff, training, and access to the right data and IT systems.

The Independent Office for Police Conduct (IOPC) [identified](#) “significant tension” between the responsibility to consider “serious complaints” about PCCs and the

³ The model does not apply in Wales.

responsibility to work with them on oversight of police forces, which can “serve to complicate the IOPC’s relationship with LPBs.”

The APCC [added that](#) “there is a variance in how Panels deal with complaints against PCCs.” Having identified a lack of understanding among PCPs around the process for referral of such complaints, the IOPC had issued [guidance](#). The NAPFCP [told the Committee](#) that such cases can be “extremely time consuming and expensive”, a position exacerbated where multiple complaints are made against the PCC or Deputy.

We heard that there are resource constraints facing those PCCs who may wish to take on Model 2 or 3 complaint handling, and PCPs where they deal with complaints against PCCs and their Deputies. To maintain public confidence in policing – and in the PCC model – it is crucial that these barriers are addressed.

I look forward to receiving your response to this letter by Monday 15 April 2024.

Yours sincerely,

A handwritten signature in black ink that reads "Diana Johnson". The signature is written in a cursive style with a large initial 'D' and a long horizontal stroke extending from the 'n'.

**Dame Diana Johnson MP
Chair of the Home Affairs Committee**