



STRATEGIC POLICING AND CRIME BOARD 14 May 2013

The national policing landscape

PURPOSE OF REPORT

1. To provide an overview on the changes which have been made or are being made to the national policing landscape. The report is intended to provide background material to the work of the West Midlands Police and Crime Commissioner's (the Commissioner) newly formed Strategic Policing and Crime Board (the Board).

BACKGROUND

2. In June 2010 the present Government published its White Paper; Policing in the 21st Century: Reconnecting police and the people. This document set out the Government's ambition for policing reform including recommendations for a range of structural changes to the policing landscape. Much of this has come or is coming to fruition at the present time. The principal changes include :
 - the abolition of police authorities with the role for governance and accountability for policing to be placed in the hands of directly elected police and crime commissioners
 - the abolition of the National Policing Improvement (NPIA) and the Serious Organised Crime Agencies (SOCA)
 - the creation of a National Crime Agency (NCA)
 - the creation of a College of Policing (CoP)
 - the establishment of the Police ICT Company
 - a revised role for Her Majesty's Inspectorate of Constabulary (HMIC)
3. This paper does not cover the first of the above bullet points. The detail of the governance framework for policing can be found on the Commissioner's website www.westmidlands-pcc.gov.uk. However the Report does include an overview of the status of the other new structures created as a result of the Government's police reform agenda.

NATIONAL CRIME AGENCY (NCA)

4. On 25 April 2013, the Crime and Courts Bill received Royal Assent. The Act includes the creation of the National Crime Agency (NCA) and sees the abolition of the SOCA and the NPIA. The aims of the NCA are to prevent and detect serious organised crime - a function currently performed by SOCA. The plan is that the NCA will comprise four operational units:
 - the organised crime command will work with police forces and other agencies to fight organised crime groups operating across local, national and international borders
 - the border policing command will make sure that all law enforcement agencies operating in and around the UK's border are working to achieve the same priorities
 - the economic crime command is intended provide an innovative and improved capability to deal with fraud and economic crimes, including those carried out by organised criminals
 - the Child Exploitation and Online Protection Centre will work with industry, government, children's charities and law enforcement organisations to protect children from sexual abuse and bring offenders to account
5. The NCA will also house a National Cyber Crime Unit. The Agency will be launched on 1 October 2013 and will be fully operational by the end of the year.
6. The Act allows the Secretary of State to modify the functions of the NCA by statutory order to include counter-terrorism functions; a function that was not previously afforded to SOCA and a potential significant expansion of the NCA's powers. The Government has not given any indication of its intention to modify the functions of the NCA.
7. The NCA will have responsibility for the delivery of the Government's organised crime strategy 'Local to global: reducing the risk from organised crime' which was published in July 2011. The NCA is described as an operational crime agency which will:
 - pull together a single national intelligence picture on organised criminals and their activities
 - have the authority to coordinate and organise the national response to organised crime, prioritising resources according to threat
 - work with law enforcement partners to ensure that those who commit serious and organised crime are pursued and brought to justice, their groups and activities disrupted, and their criminal gains stripped away
8. The work of the NCA will need to link closely with work done by the Force both within the West Midlands, but also through the regional structures that operate across the four forces of the West Midlands. Staffordshire, Warwickshire, West Mercia and West Midlands work collaboratively in a number of areas which will link to the work of the NCA including the Regional Organised Crime Unit (ROCU), comprising the Regional Asset Recovery Team, the Regional Intelligence Unit, the Regional Confidential Unit and other functions. The region's use of the "Operation Viper" model for regional operational activity against organised crime is successful but at variance with the "standing army" model commonly in use elsewhere. There is a requirement for ongoing analysis and oversight relating to this approach, particularly as the required capabilities of ROCUs become more codified.

9. The Commissioner will seek to use regional structures that involve the four police and crime commissioners and chief constables to give oversight of the working relationship with the NCA, including the operation of their tasking powers. There will also be a requirement to ensure there is appropriate oversight of bilateral relationships between the Force and the NCA.
10. In addition the Commissioner will be monitoring any proposals for the extension of the NCA's functions, particularly in respect of counter-terrorism policing. The Commissioner has expressed the view that counter-terrorism policing is both more effective and accountable when it is embedded in a local policing framework, and so any proposals relating to this function would require very close scrutiny. Counter-terrorism is an area of policing where the Commissioner believes that there has been significant benefit from location of such resource in lead forces enabling effective linkages from local policing through to national and international structures.
11. The NCA, as an agency of the Home Office, is accountable to the Home Secretary and can be called before the Home Affairs Select Committee. The Commissioner will be seeking to ensure that the interests of both the Force and his office are met by the governance structures in place for the NCA. He has expressed concern that current proposals fail to give an adequate role to commissioners.
12. More generally, the introduction of the Strategic Policing Requirement and associated guidance impacts on how forces and commissioners develop and maintain capabilities that comprise part of a national need.

COLLEGE OF POLICING

13. The Home Secretary announced a new policing professional body in December 2011. The College of Policing has been created as a company limited by guarantee but is expected to be given statutory status in the future. It has been given the remit of setting standards for the police service on training, development, skills and qualifications. It does this, taking over from the NPIA who previously carried out this role. It will also take over some of the of the current doctrine and practice functions of the Association of Chief Police Officers.
14. Police and Crime Commissioners, alongside Chief Police Officers, the Police Federation and the Superintendents Association are represented on the Board of the College of Policing. The Commissioner is one of four police and crime commissioners who are a member of the Board. He was nominated by Commissioner colleagues through the Association of Police and Crime Commissioners. The Board is chaired by the former Vice Chancellor of Loughborough University, Professor Shirley Pearce with Chief Constable Alex Marshall in post as the College's Chief Executive. The Home Office has no formal role on the Board.
15. The College is still in its infancy but intends to meet the following objectives:
 - protect the public interest
 - set and enhance first-class national standards of professionalism to ensure excellence in operational policing
 - identify evidence of what works in policing and share best practice
 - support the education and professional development of police officers and staff
 - enable and motivate staff and partners to work together to achieve a shared purpose.

16. To deliver these objectives the College intends to strengthen the links between the police service and other organisations. It is working with universities to share and develop the underlying evidence base for policing practice, and with other organisations (including the private sector) to ensure that, where appropriate, the police service can access the very best training from outside policing.
17. The College has conducted some regional seminars for police and crime commissioners and sought views on its business plan. In addition to its objective the College has work to undertake including a review of its estates and its future funding model. The College for the time being is funded by the Home Office through top-slicing of the police fund. There is an expectation that the College will move to a more self-sufficient model, potentially involving some charging for services. The funding model will be an important consideration for both police and crime commissioners and chief constables as the College establishes itself in the new policing landscape.

THE POLICE ICT COMPANY

18. The Police ICT (Information and Communications Technology) Company was incorporated by the Home Office in June 2012. It is intended to help forces improve operational effectiveness and get better value for money and innovate ICT. The intention is for the company to be fully owned by police and crime commissioners with police forces and other law enforcement agencies as its customers. Currently the company, which is not operationally active, is owned by the Home Office and the Association of Police and Crime Commissioners.
19. The Company has the potential to take over a number of ICT roles previously undertaken by the NPIA. These functions have, for the time being, been transferred to the Home Office. These provide:
 - Essential front line ICT services, including the Police National Database
 - Procurement, implementation and management of complex ICT contracts and
 - Provision of strategic ICT advice.
20. There remains a lack of clarity at this time of writing this Report on the future role for the ICT Company which will be dependent its benefits being demonstrated, in particular to police and crime commissioner. The Commissioner will wish to be assured that the Company adds genuine value to the needs of West Midlands Police and does not result in disproportionate risk transferring to individual commissioners.

HER MAJESTY'S INSPECTORATE OF CONSTABULARY (HMIC)

21. The Police Reform and Social Responsibility 2013 made some changes in the statutory remit of the HMIC. The Act is intended to give HMIC greater independence from the Home Secretary with direct accountability through to Parliament rather than the Secretary of State. However the Home Secretary is still able to commission inspection work.
22. HMIC has no inspection powers in respect of police and crime commissioners with its statutory remit only extending to police forces. It is possible, should there be a wish to do so, for a police and crime commissioner to request HMIC to conduct an inspection on a particular part of the force or particular matters or activities within the Force. If such an inspection is undertaken then it is possible for HMIC to make a charge for the costs incurred. As yet no charging framework has been produced by HMIC.

23. The HMIC has recently issued a consultation on its proposed work programme for the forthcoming year. The Commissioner has responded questioning the ability of HMIC to conduct a number of its proposed activities where it has no statutory remit in respect of police and crime commissioners. He has asked for evidence that the inspectorate has the capacity and capabilities to conduct a number of the proposed inspections.

FINANCIAL IMPLICATIONS

24. There are no direct financial implications associated with this report. However the workings of the new police reform landscape will be monitored as the revised structures might see the transfer of financial burdens and risks transferring to police and crime commissioners. This will be considered as part of both the annual financial planning work and the work of the Board as and when appropriate throughout the year.

LEGAL IMPLICATIONS

25. The legal context to each of the agencies covered in this report is given in the main text.

EQUALITY IMPLICATIONS

26. There are no direct equality implications arising from this update report. However the work of the agencies covered will have a range of equality impacts. The Commissioner will ensure through his involvement in these structures as an individual or through the work of the Association of Police and Crime Commissioners that equalities issues are raised.

RECOMMENDATIONS

27. The Board is asked to note the contents of this report.

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