

Upcoming changes to policing in London – a briefing (14th December 2011)



The context

The Police Reform and Social Responsibility Act 2011 became law on the 15th September 2011, and makes provision for some changes in the administration of the Metropolitan Police Service (MPS), London's police force. The changes being made will not affect the day-to-day operational running of the Metropolitan Police Service, but it will mean that the responsibility for the overall running of the police will be transferred from one body to another. There are significant implications for policing and crime reduction in London.

The current arrangements

The UK is divided up into different police areas. Each area has its own police force which is organised and held to account by a police authority, with each police authority comprising some local councillors appointed by the council, and some independent members appointed following local advertisements and interviews. Greater London is a single police area which is currently administered by the Metropolitan Police Authority (MPA). Under the current arrangements, the MPA is composed of some members of the London Assembly and some independent members who are appointed through an interview process.

The new arrangements

Under the Act, from 2012 each police area and force will instead be administered by an elected Police and Crime Commissioner, who will be held to account by an associated Police and Crime Panel (with one Panel for each Commissioner and police area). The Mayor of London will assume the role of Police and Crime Commissioner, although the responsibility will be held under the name of 'The Mayor's Office of Policing and Crime,' (MOPC) in order to reduce confusion, as the operational head of the Metropolitan Police is already known as the Commissioner.

The MOPC is a 'corporation sole,' meaning that it has a separate legal status from the office holder. The Mayor may appoint a Deputy Mayor for Policing and Crime, in which case they will together exercise executive oversight of policing; otherwise, the Mayor will act alone in this role. Besides the Mayor and Deputy Mayor, the MOPC is required to employ a head of staff and any other necessary staff. The staff are employees of the MOPC, not of the Mayor or the GLA; that is to say that they are employees of the office, rather than the office-holder. Although it is not a direct replacement of the MPA, the MOPC will still be responsible for setting the strategic direction and objectives of the Metropolitan Police, monitoring the performance of the police and deciding the police budget and allocating funds; the MOPC receives all central government funding related to policing and crime reduction. As with all Police and Crime Commissioners, the MOPC will publish a police and crime plan within the financial year in which the office-holder is elected (2012-13 in London), detailing the police and crime reduction objectives, and the policing which the Commissioner of the Metropolitan Police Service is to provide for London.

The MOPC will itself be scrutinised by the Police and Crime Panel (PCP) which is to be convened by the London Assembly; the PCP will exist as a committee of the London Assembly, alongside the Assembly's other established committees. The London Assembly may decide the composition of the PCP, and it may contain members who are not members of the London Assembly. The Act clarifies the division of responsibilities as regards the oversight of the Metropolitan Police Service - the MOPC has a duty to secure the maintenance of an efficient and effective police service and holds the Metropolitan Police Commissioner to account, while the

PCP holds the MOPC to account. Because London already has a directly elected government, there is no need to hold separate elections for a Police and Crime Commissioner and a Police and Crime Panel, and so the changes are anticipated to come into force on the 1st January 2012, earlier than in the rest of the country.

Accountability

The Police and Social Responsibility Act is intended partly to improve the democratic accountability of the police. In London, the Mayor's Office of Policing and Crime will be accountable to the public because the Mayor is an elected politician. The Police and Crime Panel will be accountable because it will exist as a committee of the London Assembly, the Assembly being made up of elected politicians. The Metropolitan Police Commissioner (the operational head of the police) is appointed as before, by the Queen upon recommendation by the Secretary of State, though with regard to any recommendations made by the MOPC. The Metropolitan Police Commissioner is accountable through the Independent Police Complaints Commission.

Implications

These changes mean that the Mayor of London will take on new responsibilities for administering the Metropolitan Police Service, and will have more direct power over policing and crime reduction policies in the capital. As a directly elected politician, the Mayor of London was already mandated to influence and provide leadership to the London's police force. However, the new responsibilities mean that policing and crime strategies are likely to become more important as a means for Mayoral candidates to differentiate themselves, and will probably feature more strongly in election campaigns. Outside of London, elected Police and Crime Commissioners will attend to this role only, whereas in London these duties will sit alongside everything else for which the mayor is responsible. This may mean that, in London in particular, the role of Police and Crime Commissioner becomes more politicised than previous police authorities have previously been. An imaginable scenario is that Mayoral campaigns are fought partly on a platform of policing and crime, given that the transition from the MPA to the MOPC gives the Mayor more direct control over policing and crime in the capital. This could allow a greater strategic integration of Mayoral policies across the areas of responsibility. Equally, it could mean that, relative to other areas of the country, less attention is focused on the Police and Crime Commissioner in London.

Regarding civic participation, the Act allows for an advisory board to be established, if the Mayor wishes to do so. In practice, given that the transition from the MPA to the MOPC is to happen only shortly before the 2012 London elections, and noting the likelihood of flux at City Hall (whether the election of a new Mayor, or any shifting and reorganisation by the incumbent) any developments will occur after the election. We expect the MOPC to conduct a programme of consultation around community participation following the transition.

Queries and concerns

It is as yet unclear to what extent independent, non-political oversight will be central to the functioning of the MOPC and the London Assembly's Police and Crime Panel. Given that the Police Reform and Social Responsibility Act only provides for the *option* of an advisory board to the MOPC, and for the *option* that the Assembly's PCP includes non-Assembly members, there are concerns that the apparently increased accountability of the police will not be matched by the opening up of concrete opportunities for civic input into priority setting for, and oversight of, the police.

Further resources

The Police Reform and Social Responsibility Act 2011 -

<http://www.legislation.gov.uk/ukpga/2011/13/contents/enacted/data.htm>

The Metropolitan Police Authority's information on the Mayor's Office of Policing and Crime -

<http://www.mpa.gov.uk/mopc/>

Deirdre McGrath, Head of Civic Engagement at London Civic Forum – Deirdre@londoncivicforum.org.uk / 020 8709 9774