Chief Constables, Democratic Legitimacy and the New Landscape of Policing

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91842 Words

Michaelmas 2024

Abstract

This thesis examines changes in the professional status of chief constables following the Police Reform and Social Responsibility Act 2011. It explores factors that legitimise policing, provides a historical overview and traces the evolution of the chief constable role. Since the early nineteenth century, policing has become increasingly centralised in response to social and technological shifts. However, this trend was checked by the 2011 Act, which introduced local democratic oversight of chief constables and reduced the Home Office's involvement in everyday police governance. This research considers how changes in the operating context and concepts of democratic policing have affected the disposition, role and status of chief constables.

The study uses thirty-seven interviews with chief constables, PCCs, and HMIs, a survey of chief officers eligible to become chief constables, document analysis, and an examination of the careers of 302 chief constables from 1995 to 2022. I found that the status and influence of chief constables have shifted since 2011. Legitimacy may have been enhanced through local democratic controls but at the risk of compromising police operational independence. Additionally, the 2011 reforms changed the composition of chief constables and their teams, creating more provincial than cosmopolitan executive groups (Reiner 1991: 80) and contributing to a sustained reduction in the average tenure of chief constables. This change is attributed to the removal of the national shortlisting process and the appointment of chief constables by PCCs. The thesis argues the 2011 Act's reinforcement of the 1974 organisational structures has constrained the police's ability to adapt to contemporary law enforcement challenges. Structural rigidity prompted legitimacy-maintaining responses, including national collaborations and alternative law enforcement entities outside the police institution. The 'new localism' of the 2011 Act may, thus, represent a temporary break from the centralising trend in policing, one that could be reversed by the need for effective and transparent responses to twenty-first-century crime necessitating less geographically constrained approaches.

CONTENTS

Chapter 1: Introduction 1

1.1. Why Chief Constables? 1

1.2. Positional Statement 8

1.3. Methods 11

Chapter 2: Democratic Policing 18

2.1. The Police and State 18

2.2. Democratic Policing and the Institution 29

2.3. Police Cultures and 'The Chief' 43

Chapter 3: Emergence of the Chief Constable 64

3.1. Roots of Policing 65

3.2. Modern Police 71

3.3. Professionalisation and Consolidation 84

Chapter 4: The Institution Challenged 108

4.1. Globalisation and Discontent 109

4.2. Corpocracy and Crisis 127

4.3. New Labour, New Localism 147

Chapter 5: Coalition and Reform 168

5.1. New Localism, Austerity and the 'Crimefighters' 169

5.2. Institutional Counter-narratives 187

5.3. ACPO Closure 198

Chapter 6: Becoming 'The Chief' 215

6.1. Progression 215

6.2. Becoming a Chief Officer 225

6.3. Chief Constable Appointment 233

Chapter 7: Being the Chief 258

7.1. Leading Locally 258

7.2. Leading Nationally 288

7.3. Exit 297

Chapter 8: Pursuing Legitimacy 322

8.1. Forward-looking: Democratic Accountability 323

8.2. Backward-looking: Legally Regulated Direct Accountability 352

8.3. Institutionalising Distrust: Indirect Transparent Accountability 362

Chapter 9: The 2011-2024 Chief Constable 381

9.1. Disposition 383

9.2. Status 387

9.3. Role 393

Appendix A: Ethics approval 396

Appendix B: Interview questions 397

Appendix C: Chief officer survey 400

Bibliography 403

TABLE

Table 1: Factors influencing applications for chief constable posts. 242

FIGURES

Figure 1: 'Vulnerability' in HMIC Annual Assessments & total police officer numbers.. 194

Figure 2: Chief constables promoted from DCC within their force 2002-2024 (excluding CoLP and MPS). 244

Figure 3: Female chief constables in England and Wales 1995-2024. 254

Figure 4: Chief constable average 'experience in rank' 2002-2024 all Home Office forces. 301

Figure 5: Average chief constable 'experience in rank' 2002-2024 without MPS, CoLP & ACPO/NPCC. 303

Figure 6: Average chief constable 'experience in rank' 2002-2022 in high and low PCC turnover forces. 307

Figure 7: Chief constable 'experience in rank' 2012-2024. PCC forces & non-PCC forces. 311

Figure 8: PCC election outcomes 2012-2024. 326

CASES

Fisher-v-Oldham ([1930] 2 K.B. 364) 86

Mitchell-v-News Group Newspapers Ltd [2014] EWHC 4014 205

Rhodes-v-PCC Lincolnshire [2013] EWHC 1009 360

R-v-PCC South Yorkshire [2017] EWHC 1349 360

R-v-Police Complaints Board ex parte Madden and Rhone [1983] 2 All E.R. 353 120

STATUTES

1252 Assize of Arms 66

1285 Statute of Winchester 66

1361 Justice of the Peace Act 66

1715 Riot Act 68

1835 Municipal Corporations Act 78

1856 County and Borough Act 75

1856 County and Borough Police Act 76

1888 Local Government Act 76

1919 Police Act 84, 106, 224, 385

1919, 1964, and 1996 Police Acts 188

1928 Representation of the People Act 85

1946 Police Act 88

1964 Act 97, 102, 210, 389

1964 Act (s.49 118

1964 Police Act ..... passim

1964 Police Act' 98

1972 Local Government Act 97

1976 Police Act 119

1984 Police and Criminal Evidence Act (PACE 120

1994 Police and Magistrates Court Act 132

1996 Police Act 333

1996 Police Act. 132

1997 Police Act 152

1998 Freedom of Information Act 363

1998 Human Rights Act 192

1999 Local Government Act 148

2002 Police Reform Act 153, 185, 237, 342

2011 4

2011 Act ..... passim

2011 Act (s.38[3 334

2011 Act's 10, 169, 375

2013 Crime and Courts Act 211

2016 Policing and Crime Bill 363

39 of the 2011 Act 238

Act 99, 256

An Act for improving the Police in and near the Metropolis was passed in 1828. 74

Anti-Social Behaviour, Police and Crime Act 2014 178

by s.14 of the 2011 Act 324

Cities and Local Government Devolution Act 2016 325

Crime and Courts Act 2013 186

Freedom of Information Act 2000 362

Municipal Corporations Act 1835 79

Official Secrets Act 145

Ordinance of 1233 66

Police Act 1964 166

Police and Criminal Evidence Act 1984 166

Police and Justice Act 2006 153

Police Reform Act 2002 148

Police Reform and Social Responsibility Act 2

Police Superannuation Act 1865 77

Policing and Crime Act 2017 326

s.28 of the 2011 Act 234

s.38 of the 2011 Act 172

s.38 of the Act 238

Schedule 8 to the 2011 Act 307

Section 38 of the Police Reform and Social Responsibility Act 2011 343

Serious Organised Crime and Police Act 2005 152

ABBREVIATIONS

AC – Assistant Commissioner (Metropolitan rank equivalent to chief constable)

ACC – Assistant Chief Constable (Commander in London) the first chief officer rank

ACPO – Association of Chief Police Officers (replaced by NPCC in 2015)

ACSO - Assistant Commissioner Specialist Operations

APCC - Association of Police and Crime Commissioners

APS – Accelerated Promotion Scheme

APSG – Accelerated Promotion Scheme for Graduates

CC – Chief Constable (Assistant Commissioner/Deputy Commissioner/Commissioner in London)

CoP – College of Policing (replaced NPIA in 2012)

CoLP – City of London Police

CPD – Continuous Professional Development

CPOSA – Chief Police Officer's Staff Association

CVF - Competency and values framework

DAC – Deputy Assistant Commissioner (DCC outside London) the second chief officer rank

DCC – Deputy Chief Constable (DAC in London) the second chief officer rank

HMI – Her/His Majesty's Inspector of Constabulary

HMIC – Her/His Majesty's Inspectorate of Constabulary. Changed to HMICFRS in 2017

IOPC – Independent Office for Police Conduct (replaced IPCC in 2018)

IPCC - Independent Police Complaints Commission (replaced by IOPC in 2018)

MPS – Metropolitan Police Service

NPB – National Policing Board

NPCC – National Police Chiefs' Council (replaced ACPO in 2015)

NPIA – National Police Improvement Agency

NPM – New Public Management

OPCC - Office of the Police and Crime Commissioner

PCA – Police Complaints Authority

PCC – Police and Crime Commissioner

SAP – Senior Appointments Pannel

SCC – Strategic Command Course

SPR – Strategic Policing Requirement

Chapter 1: Introduction

> 'Chief constables should be subject to more effective supervision'
>
> The Royal Commission on the Police, Recommendation five (1962: 140)

1.1. Why Chief Constables?

Within police culture, chief constables hold an almost omnipotent status as the most senior leaders who commenced their careers at the street level and moved through the eight ranks between constable and chief constable. In September 2024, there were 149,566 (Home Office 2023a) police officers and 51[1] established chief constable posts in the forty-three English and Welsh Home Office-funded police forces. Chief constables comprise 0.03% of the policing establishment but have overall responsibility for the operational direction and control of policing with implications for public order, civil liberties and the protection of citizens (Brodeur 2010: 263). The state's legitimacy is supported by a social contract with citizens that permits the police to employ power and coercive force in return for security (Loader and Walker 2007). Chief constables exercise considerable authority and 'enjoy a unique degree of autonomy in how they work and the decisions they make' (Reiner 1991: 3). Their conduct, perspectives and self-understandings of their role not only effects police legitimacy but also the legitimacy of the democratic state (Beetham 2013). Therefore, chief constables represent a powerful

[1] Forty-three forces, four Assistant Commissioners, Deputy Commissioner, Commissioner, NPCC Chair and Chief Constable Serious and Organised Crime.

elite group worthy of accademic exploration (Loader 2020).

Previous studies have noted the influence of chief constables. The Royal Commission on the Police (1962: 34) acknowledged: 'The problem of controlling the police can, therefore, be restated as the problem of controlling chief constables'. Savage *et al.* (2000: 6) described the Association of Chief Police Officers (ACPO) as 'a somewhat enigmatic organisation which seems to be an extremely important part of the British policing scene'. The right-leaning think tank Reform described ACPO as 'the power behind the throne' (Bassett *et al.* 2009: 12), and Reiner (1991: 8) observed: 'The major obstacle to any sort of reform is the shadowy and secretive way in which they [chief constables] are controlled and organised.'

In 2011, the Conservative-led Coalition's Police Reform and Social Responsibility Act (hereafter the 2011 Act) sought to check the power of chief constables and halt the police institution's post 1851 centralising trajectory. It introduced new police governance structures underpinned by local democratic accountability and dismantled national institutional structures that had bolstered chief constable authority, including ACPO. The reforms were accompanied by significant reductions in police budgets (HMIC 2013a) and 'allowed for the Home Office to withdraw from day-to-day policing matters' (Home Office 2011a), delegating an essential legitimising function of the state to locally elected individuals. The reform agenda, which proposed greater local accountability and changes to conditions of service and remuneration, was justified by the then Conservative leader, David Cameron (2006) who stated 'we won't deal with crime until we reform the police… You can't be tough on crime unless you're tough on police reform.'

This thesis answers the following research question: How have changes in the operating context and conceptions of democratic policing impacted the role and status of

chief constables? The purpose of the thesis is to explore the effect of the 2011 Act on the office of chief constable and broader police legitimacy. In doing so, I have invested in understanding the historical context. Within policing little time is given to understanding institutional or local force history. This allows for the establishment and deployment of institutional myths which perform a legitimising role and shape cultures. Investment in understanding the origins of policing in England and Wales, the themes that helped legitimise the institution and the evolution of the office of chief constable felt of considerable value to frame the research. Similarly, consideration of the impact of the reforms over the first four PCC terms (2012-2024) offered a perspective and reduced the risks associated with drawing conclusions informed by the disruptive experiences of the first PCC term (2012-2016).

A significant and original academic contribution is made by this thesis to the existing body of research by adopting a longer historical lens that explores the development of the office of chief constable and considers its evolution over the decade following the 2011 Act. In doing so I have drawn on new empirical material including interviews, survey responses and quantitative career data. In answering its central question - How have changes in the operating context and post-2010 conceptions of democratic policing impacted the disposition, status and role of chief constables? - the research primarily explores how chief constables view themselves as actors within a new ecosystem of democratic police governance rather than offering commentary on the efficacy of existing governance arrangements. The first, and central, research finding is that the status and influence of chief constables appreciably shifted since the 2011 Act in a manner which enhances legitimacy through localism but could undermine police operational independence. Secondly, the 2011 reforms changed the profile of chief

constables and wider chief officer teams. They are likely to be more provincial, rather than cosmopolitan, in character and led by chief constables with less experience in the rank. These changes are attributed to the removal of national shortlisting process, the local PCC appointment of chief constables and the local chief constable appointment of their deputies and ACCs. Thirdly, the thesis proposes the 2011 Act's further reinforcement of the, already deeply established organisational structures dating from 1974 constrained the police's ability to adapt to convincingly address twenty-first century threats arising from digitisation and globalisation. The resultant 'iron cage' (DiMaggio and Powell 1983) compelled legitimacy retaining responses including the development of creative 'workarounds' by chief officers and the state's establishment of alternative law enforcement entities outside the police institution.

The thesis is structured around eight further chapters. Chapter 2 considers relevant theoretical perspectives and existing literature on policing within liberal-democratic states. It establishes a foundation for analysing the current disposition of police professional elites in England and Wales by recognising legitimacy is a fluid concept and describing the relationship between state legitimacy and police legitimacy. The chapter then considers policing through the lens of institutional theory. It argues that policing embodies cultural and institutional characteristics, including professional discourse, secrecy, myth, hierarchy, and resistance to external scrutiny. The chapter introduces the central proposition to the thesis that democratically legitimate policing must be, responsive, legally regulated, transparent and effective. However, there is tension between the requirements to secure public legitimacy and adapt to changing public expectations and the institutional characteristics of secrecy, defensiveness and exclusivity. Chapter 2 concludes with a brief synopsis of research on police culture and

critically engages with the small body of literature that focuses on the role of chief constables and describes how this thesis complements preceding work.

Chapter 3 explores the origins of policing in England and Wales, the factors that contributed to its legitimacy, particularly the concept of policing by consent, and the evolution of the constitutional powers of the office of chief constable through to the 1964 Police Act. The chapter proposes professional policing emerged to sustain social order which enabled the economic productivity critical to the development of the successful modern nation state. Between the early nineteenth century and 1964, three principles of police leadership and governance had been established: equitable funding distribution between local and national government, professional chief constables derived from the 'ideology of internal recruitment' (Wall 1998: 303), and the doctrine of constabulary independence to shield policing from partisan politics. This chapter suggests that, following a century and a half of evolution, the 1964-74 reforms established the conditions that institutionalised policing within a forty-three force structure that has endured for the last 50 years.

The period from 1974, when the forty-three force model was complete, to the election of the 2010 Conservative and Liberal Democratic Coalition Government is covered in Chapter 4. Between 1974 and 2010, technological and socio-economic developments, described by Castells (1997) as the 'Information Age', limited the ability to appeal to shared values. Cultural changes reduced deference, resulting in increased scrutiny and distrust of claims to professional legitimacy. Globalisation and digitisation presented further operational difficulties for locally organised policing, encouraging greater centralisation. The period was also distinguished by the emergence of polarised politics, which made policing a fiercely debated issue. The chapter considers the changing

political response to policing, the transformation of the chief constable role resulting from the 1964-74 reforms, their collective organisation through ACPO and the utilisation of 'collaboration' to deliver national responses to terrorism while retaining the structural status quo. It bridges the historical summary of the preceding chapter and the subsequent research chapters. This section utilises media reports and new documentary material to describe events that compelled greater police accountability whilst bringing ACPO into an increasingly confrontational position with the Conservative Party. However, reform attempts were only partially successful owing to institutional resistance. When delivered, change typically failed to enhance police legitimacy due to rising crime levels, the exposure of police misconduct and increased Home Office direction, which constrained legitimising opportunities to respond to local concerns.

Chapter 5 examines the implications of the 2011 Act. This section considers the focus of the reforms, the reaction of chief constables, and the environmental conditions that enabled its enactment, particularly the 2007-8 global financial crisis and mobilisation of elements of the right-leaning print media. The chapter opens with an overview of the 2011 Act's underlying principles, which introduced local, democratic, and lay oversight of policing. It explores the institutional discourses that emerged alongside the 2011 Act, highlighting the application of professional expertise to tackle contemporary policing challenges to counterbalance political narratives. The chapter concludes by examining various individual and institutional controversies that eroded confidence in police leadership, reinforcing the necessity for reform and culminating in the 2015 dissolution of ACPO. This section of the thesis suggests the pursuit of legitimacy through localism failed to build legitimacy derived from effectively addressing the emergent, and unbounded, law enforcement challenges created by digitisation and globalisation.

Chapter 6 uses the research material from interviews with chief constables, and a survey of Assistant Chief Constables (ACCs) and Deputy Chief Constables (DCCs) to understand how police officers become chief constables. In doing so, the chapter considers interviewees' motivations for joining policing, their paths to becoming chief constables and the impact of the 2011 Act. The research attributes the 2011 reforms as reducing the 'cosmopolitan' (Reiner 1991: 80) character of chief officer groups.

In Chapter 7, the experiences of chief constables performing the role between 2012-18 are analysed using interviewee accounts, quantitative data, contemporary print media and formal published reports. This part of the thesis considers the tensions between the role of chief constables as a national professional elite, with national leadership responsibilities, and their responsibilities to deliver against local Police and Crime Plan commitments and working with new PCCs. The chapter explores how the 2011 Act changed the local chief constable's role, national leadership functions, and how chief constables end their careers. The section highlights some consensus across chief constables, PCCs and HMIs regarding the characteristics of a successful chief constable. The question of structural reform is considered but identified as being considerably more difficult to achieve through post 2011 governance structured around local oversight and funding models. The research also identifies that, following the reforms, the average, chief constable remained in post for a shorter period than their pre 2011 colleagues but suggests this cannot solely be attributed to the introduction of PCCs.

The penultimate chapter considers the delivery of democratic policing following the 2011 Act using the categories identified in Chapter 2; responsiveness, legal regulation, transparency and effectiveness. I argue the reforms enhanced public participation through forward-looking PCC electoral pledges, improved legal accountability with

enhanced backward-looking regulation, and aimed to address wider public distrust and scepticism by promoting greater institutional transparency. However, in appealing to the legitimising potential of localism, the reforms failed to enhance the ability of the police institution to address emergent Information Age threats. I draw attention to the risks of transparency to institutional legitimacy and suggest that rather than Peelian policing by consent, chief constables now oversee organisations that police in distrust. The chapter also explores the changed status of chief constables and offers insights into their evolving role within the context of the 2011 Act.

The last chapter reviews the thesis and summarises its contribution. It commences with a re-examination of the historical context and reflects on the overall contribution of chief constables to the democratic legitimacy of the policing institution. The final chapter explores the implications of this research by considering how chief constables can continue to adapt and respond to changing societal needs and expectations. I end by contemplating potential areas for future research.

1.2. Positional Statement

Interactions between citizens and the police sculpt police legitimacy (Bottoms and Tankebe 2012). As the most senior leaders in policing, chief constables are a visible professional elite owing to their authority and influence (Reiner 1991: 39, Wall 1998, Shannon 2018/2021, Loader 2020). Institutional elites harness secrecy to sustain and develop power (Weber and Kalberg 2013: 233). The disposition of chief constables helps inform the exercise of coercive force in pursuit of the 'valuable human good' of security (Loader and Walker 2007: 116). The 2011 Act introduced new democratic scrutiny and oversight requirements and compelled greater organisational transparency. This section

of the thesis offers reflections on undertaking the work as a police officer 'insider' (Greene 2014) before outlining the research methodology, data collection and analytical approach adopted to address the subject.

In contrast to positivist objectivity, interpretivist research considers knowledge is generated by interpersonal interactions. The researcher is therefore key within the interpretive process (Cohen *et al.* 2007) and must acknowledge the effect their position and background have in shaping subsequent conclusions. Critics of 'positionality' (Finlay 2002a) have highlighted risks arising from self-absorbed research that eclipses participant contributions. Nevertheless, Finlay (2002b) also recognised the requirement for personal reflexion to ensure researchers are self-aware when engaging in fieldwork. Thus, positionality and reflexivity are intertwined and sculpt the interpretative research process.

'Insider' and 'outsider' positionalities describe the researcher and participant relationship. According to Braun and Clarke (2013), a researcher is an 'insider' when they share certain attributes with the study participants, while an 'outsider' does not belong to the same group as the participants. I joined the police service in 1995, began this work as a Superintendent and completed it as a chief officer. I have served in four police forces working in a range of roles at the local force, regional, national and international levels. I also brought broader perspectives to the work from military service and previous accademic study. Working full-time as an ACC whilst undertaking the research was a challenging but rewarding experience.

There are advantages and disadvantages to being either an insider or an outsider. Research participants may be inclined to greater candour when engaged by someone who is not part of their group and may feel more at ease in sharing personal information

(Britton 2019). Moreover, outsider researchers are less likely to experience the blurring of professional relationships and the (miss)assumption of shared perspectives and knowledge. Young (1991: 28) described how his 1980s insider analysis within policing, an institution characterised by 'an all-encompassing paternalism', was considered 'espionage' and 'sedition'. He detailed an occupational culture that dismissed and obstructed academic research in a career-limiting manner for those choosing to pursue it. This was not my experience. Senior officers kindly gave me their time and were supportive. However, forty years after Young's research, there are different risks to the insider police researcher, largely flowing from the 2011 reforms. Policing became further politicised following the introduction of PCCs, and the publication of research material, particularly if it achieves media interest, can create tensions for the insider especially if they occupy a senior role. Insider research of this type, therefore, presents challenges, albeit they are different to those experienced by Young. This may be why much internal research undertaken within policing often focuses on managerial issues rather than applying critical attention to broader and potentially more contentious and fundamental matters (Loader *et al.* 2016: 8).

Considering myself an 'insider' I was conscious of the risks of subjectivity and inevitable hierarchical dynamics. I sought to remain an objective and reflective researcher and was assisted in doing so by my academic supervisors. Nevertheless, impartiality, particularly at the beginning of the research, was difficult to maintain owing to my proximity to, and professional empathy with, some chief constables who found themselves in exacting situations following the 2011 Act's introduction. However, the benefits of being a police officer outweighed the disadvantages. As a Superintendent at the time of the interviews, I benefited from 'cultural credibility' (Adu-Among and Adams

2020) and was well-positioned organisationally to understand some of the strategic and political challenges facing chief constables whilst, at the time, sufficiently distanced from being a chief officer myself to avoid professional conflicts of interest. As a serving officer, I was familiar with the acronyms, internal politics and references employed by the research participants and found within the literature. This knowledge was beneficial during interviews, facilitating early rapport building, avoiding naive questions, identifying subtle references and candid disclosures and optimising an interviewee's time. Most importantly, my police officer status enabled an ease of access and cooperation that would have been harder to achieve for a full-time outsider researcher.

I commenced this thesis with the view I was doing so as an insider but, like Bukamal (2022), found that during interviews my positionality became fluid (Hertz 1997) owing to the nature of the conversation and the research participant. I gained a level of insider status as a member of the policing institution. However, I was not a chief officer, PCC or HMI and was neither a member of those specific organisations which were led by interviewees nor had worked for the HMIC, this reality reduced the impact of my subordinate hierarchical status. These dynamics transcended the binary construct of insider or outsider and presented a complex continuum that, at times, simultaneously facilitated degrees of institutional understanding and professional empathy whilst allowing some distance and objectivity.

1.3. Methods

I adopted a mixed-methods research methodology to generate rich data to inform the analytical process and answer the research question. This approach was assisted by Dewey's interdisciplinary pragmatism (Johnson *et al.* 2007: 70) and adopted dialectical

pluralism to build insight (Creamer 2018). The study was principally shaped by a qualitative approach to capture emotions and opinions and supplemented by quantitative data to test emerging hypotheses and enhance the research findings. My positionality also influenced certain methodological considerations.

The thesis primarily relies on semi-structured interviews with chief constables, PCCs, and HMIs. The interview material was enhanced by three other research data sets. Firstly, a survey of chief officers yielded qualitative and quantitative data. Secondly, an analysis of newspaper articles and publicly available reports, and thirdly a longitudinal quantitative analysis of chief constable tenure and characteristics between 1995 and 2022. The purpose of this methodological triangulation (Reeves *et al*.: 2008) was to overcome the weaknesses of utilising a single method and yield more detailed datasets for a balanced analysis (Denzin 2006).

Firstly, I utilised semi-structured qualitative elite interviews to capture key actors' personal and subjective perspectives (Mikecz 2012: 432). Preceding studies have demonstrated the effectiveness of this methodology in eliciting valuable perspectives from police leaders (Reiner 1991, Savage *et al.* 2000: Loader and Mulcahy 2003, Caless 2011, Roycroft 2017, Shannon 2018/2021, Watts 2019). The interviews were conducted between 2017 and 2018 using the question schedules presented at Appendix B. I prepared by researching the backgrounds of each interviewee and undertook interviews with chief constables that explored blame cultures within policing. These informed the article *Shifting the Blame* (Metcalfe 2017) and helped formulate and conduct later interviews for this research.

I intended to undertake over thirty interviews based on assessments of achievability, time constraints and access to interview subjects. Ultimately, I conducted

thirty-seven interviews between 2017 and 2018. The majority of the interviewees were serving or recently retired[2] chief constables: the remainder comprised PCCs and HMIs. These interviews support the thesis from Chapter 4 onwards. Unlike Reiner (1991: 43), the interview cohort was not consciously selected to be representative of serving chief constables. However, at least one chief constable represented each of the ten police regions in England and Wales. As with Shannon's (2021: 26) research there was some gender disproportionality, with female officers slightly overrepresented when compared to serving chief constables between 2017 and 2018.

The challenges of researchers securing access to elites can be significant, particularly for outsiders (Mikecz 2012: 483). However, I was fortunate to occupy a national role during the research, which afforded me regular contact with chief constables and ensured some pre-existing visibility, trust and rapport. Some interviewees volunteered, whilst others were contacted by email on the advice of their colleagues who acted as informal gatekeepers. No interviewees, whether chief constables, PCCs or HMIs, declined to be interviewed.

Strict assurances of anonymity were given to all interviewees (Baez 2002) in a manner consistent with the approaches adopted by Reiner (1991), Loader and Mulcahy (2001), Caless (2011), Roycroft (2017), Shannon (2018/2021) and Watts (2019). The interviews generated rich insights and frank accounts. However, care was taken to omit or disguise any comments that could identify interviewees from the body of this thesis and, consequently, much material was discarded. Each chief constable interviewee was arbitrarily awarded a number randomly reassigned for each chapter. To avoid the

[2] Within six months.

identification of individuals working in London, non-metropolitan ranks are employed throughout the thesis[3]. Owing to the research's smaller number of PCC and HMI participants, no numerical designation was given to further protect anonymity. Without an enduring commitment to confidentiality, it is unlikely research participants would have been so candid in their conversations.

Most interviews were conducted in person although three were by telephone. Interview locations included the subject's place of work, other forces' headquarters, home addresses, and universities. The interviews were performed on a one-to-one basis and lasted between ninety minutes and two hours. The ability to build rapport and demonstrate empathy was assisted by my insider status and opening questions, which focused on the interviewee's background and motivations for joining policing. Throughout the interviews, I was conscious of the risks associated with bias and the need for objectivity (Unluer 2012: 1-2). Participants appeared open, engaged and candid in sharing their experiences, reflections and thoughts. No interviewee declined to answer any of the questions. During a few interviews, there were examples of catharsis and strong emotions from chief constables when reflecting on their experiences. The interviews were not digitally recorded but transcribed contemporaneously before being coded using NVivo. The use of NVivo assisted in the identification of key themes and narratives. I refrained from recording the interviews to avoid any professional association with the evidential recording of interviews with persons suspected of a crime. The purpose of recoded police interviews is to ensure comments can be later used to prove, or disprove, guilt within a public criminal justice process. My concern was that recorded

[3] For example, assistant commissioners are referred to as chief constables.

interviews may have reduced the candour of participants, introduced a level of formality and undermined the commitment to anonymity.

The dynamic of the police hierarchy within interviews presented the potential for the focus to shift from the research questions. The semi-structured approach enabled discursive conversations and the ability to pose supplementary questions. On several occasions, precious insights were captured when the interview strayed from the intended format. However, the interview structure provided a framework for managing the conversation to ensure the necessary topics were covered within the available time. As Bukamal (2022: 336) identified clothing is important. The rank disparity between myself and those interviewed was made less explicit, in most cases, by the absence of uniforms. I wore business attire for the interviews, which helped 'balance my insider role and the researcher role' (*ibid.:* 2), and on only two occasions did the participating chief constable wear their uniform and rank insignia owing to other commitments. No interviewee placed any preconditions on the interview or its outcome.

The second methodological approach I adopted was a survey of ACCs and DCCs to understand the perspectives of chief officers regarding the 2011 reforms (Appendix C). Most preceding studies on chief police officers, except Caless (2011) and Shannon (2021), focused exclusively on chief constables. I developed a short survey to explore the attractiveness of the chief constable role following the 2011 Act and the new governance, appointment and dismissal arrangements for those eligible to apply for vacant positions. The speed and efficiency of the survey approach made it an attractive proposition. At the time, 196 ACCs and DCCs served in England and Wales, and I received 68 responses (35%). The survey gave respondents options for each question and the opportunity to expand on their answers using 'free text' boxes. In hindsight, the employment of options limited the

ability of participants to present different perspectives, constraining the value of the quantitative analysis. Consequently, the free text responses to the survey questions offered greatest value to the research. Chapter 7 uses the survey results to explore the considerations of officers qualified to seek promotion to chief constable roles.

Thirdly, I drew on various documents, including Hansard records, election manifestos, select committee evidence, legal judgements, newspapers, material disclosed through public inquiries and other reports, including those generated by HMIC(FRS), the IOPC/IPCC and the National Audit Office. These were collected iteratively as the thesis developed. The material supported Chapters 3 to 5 and provided relevant material to complement that generated by the interviews and survey. I avoided using documents that were not publicly available, such as meeting minutes and internal papers, to which I had access owing to my insider status.

The quantitative analysis offered a fourth methodological approach and was used to track changes in the chief constable cohort between 1995 and 2022, specifically relating to gender, previous roles and period in office by month. The start date of 1995 was chosen because it marks the appointment of the first female chief constable, Pauline Clare (Lancashire). The data was initially sourced online before being confirmed with the individual forces. My insider status assisted with capturing this information (Greene 2014) as knowledge of different forces assisted contact with local Human Resources teams. The careers of the 302 chief constables were analysed using Microsoft Excel. This data is presented in Chapters 6 and 7.

The research was not commissioned. It was self-funded and is the product of a personal and professional curiosity regarding the role of chief constables, police legitimacy and governance. This was borne out of a vague childhood awareness of

Alderson's high profile 'hero chiefs' of the 1980s (1984: 127), undergraduate and postgraduate study of history, criminology and political philosophy and further stoked by a policing career which, for the most part, viewed the distant and mystical office of chief constable with an uninformed professional reverence and deference.

Chapter 2: Democratic Policing

> 'The chief will always be the most important person in a force' –
>
> Assistant Chief Officer.

My substantive concern is to answer the question*:* How have changes in the operating context and conceptions of democratic policing impacted the role and status of chief constables? In so doing, it is essential to acknowledge the salient theoretical perspectives and existing literature relating to the construct of policing within the liberal-democratic state. To lay the foundations for my exploration of the contemporary situation of police professional elites within England and Wales, this chapter considers three foundational concepts informing this thesis. Firstly, the importance of legitimacy in the relationship between citizens, the state and the police. Secondly, the concept of democratic policing and the characteristics of the police institution, and thirdly police cultures and the office of chief constable.

2.1. The Police and State

State legitimacy underpins police legitimacy and the institution's ability to provide citizens with the common public good of internal security with minimal recourse to coercive force (Loader and Walker 2007). The chapter's first section offers a theoretical context to support the interpretation of the empirical data presented within this thesis. I will explore the structural and cultural preconditions for legitimacy, consider its dynamic and dialogic character within a democracy (Bottoms and Tankebe 2012) and the role of the police within the democratic state.

Legitimacy

Legitimacy necessitates the right to govern being acknowledged by those ruled (Beetham 2013) and justifies the exercise of rightful power and dutiful obedience by those subjected to it. Hobbes described the role of the sovereign state in *Leviathan* as being to protect the security of its subjects, their persons and property (Hobbes 1651/2010: 103-7). He identified security as a means of avoiding the 'war of all against all' (*ibid.:* 189-217) and a precondition of liberty and community. The state, or 'commonwealth', was presented as the abstract;

> '…biblical monster Leviathan, which alone retained the wolf-like potential of man's primaeval condition, and was the sole arbiter over peace and war, friend and foe, life and death' (Schulze 1996: 51-2).

In this impersonal form, the state is distinct from the sovereign and its citizens, drawing authority to define laws and punish transgression through recourse to the shared beliefs of dominant and subordinate members (Bottoms and Tankebe 2012). Legitimate state authority is, therefore, underpinned by a social contract with citizens that recognises the right to exercise power and coercive force in return for providing security within its territory.

Locke, also writing in the seventeenth century, believed people are naturally reasonable and tolerant but predisposed to selfishness (Monson 1958). Therefore, citizens required security to allow individual freedoms to flourish. Locke adopted the

contractarian metaphor by recognising public compliance with state laws was reliant on popular consent and legitimacy. He proposed a separation of powers between church and state to avoid Hobbesian absolutism. This strategy was reflected in Montesquieu's (1899: 151) *trias politica* distinction between the executive, legislature and judiciary.

Similarly, Bentham and Beccaria acknowledged the importance of the perceived fairness of state legal functions in creating a society in which its members are disposed to cooperation and self-regulation (Eisner and Nivette 2013: 4). In contrast with Hobbes and Locke, Rousseau considered the human condition naturally empathetic and compassionate, allowing the sovereignty underpinning the social contract to sit with the people (Rousseau 2018). Pursuing the Hobbesian ideal risks dictatorship, whilst in the absence of balances, Rousseau's model risked the tyranny of the majority (Mill 1859: 62). Unfettered democratisation has the potential to challenge legitimacy through the direction of disproportionate action against minority groups. Locke and Montesquieu mediated between the extremes of Hobbes' Leviathan and Rousseau's general will by proposing a separation of powers to establish a just political authority.

Weber (2009: 154) defined the state as 'that form of human community that (successfully) lays claim to the monopoly of legitimate physical violence over a particular territory'. The modern state is therefore identified as the source of the right to employ violence through the institutions of the military, for the protection of external borders, and the police to maintain internal order (*ibid.*: 78). Weber (2009) also outlined a typology of social authority comprised of charismatic, traditional and rational-legal power, concluding the modern state increasingly relied on the latter. Normative legitimacy is achieved in such circumstances by the proportionate use of force supported by non-arbitrary legal authority and the rationality of law. Weber argued that a state is legitimate

if people believe it so (Weber and Kalberg 2013: 294-6). He, like Hobbes, recognised the relationship between legitimacy and the exercise of power and emphasised the importance of bureaucratic controls to protect subjects.

Beetham (2013) proposed a legitimacy model comprising (i) expressed affirmation, (ii) legal validity of the exercise of power, and (iii) normative justifiability. Beetham's framework captured the themes that Hobbes, Weber and Durkheim identified regarding the right to exercise power, legislative justification and consent.

Shared values are a key element of procedural justice theories, which propose respectful and fair behaviour by criminal justice organisations and individuals as preconditions for establishing trust, legitimacy, and adherence to the law (Myhill and Beak 2008). Tyler (2006a) considered why people are motivated to be law-abiding for reasons other than to avoid penalties. The work focused on the situational deployment of police power when interacting with citizens. It concluded legitimacy is created by normative judgements arising from the justifications and mutual behaviours shaping the relationship between state actors and individuals. Tyler (2013) identified four components of procedural fairness: voice, neutrality, respect and trust. Each impacts perceptions of legitimacy and can be informed by law enforcement organisations and their members' organisational and individual behaviour. His procedural justice model suggested when state institutions and law enforcement organisations act procedurally fairly, perceptions of legitimacy increase, encouraging social conformity, compliance, and deference. Tyler (2003: 286) stated:

> 'To the degree that people do regard the police and courts as legitimate they are more willing to accept the directives and

> decisions of the police and courts, and the likelihood of defiance, hostility and resistance is diminished.'

This theoretical approach is complimented by compliance theories, which, building on Durkheim and Weber, recognise the importance of subjects acknowledging the just authority of those exercising power (Beetham 2013, Bottoms and Tankebe 2012).

Although research indicates how criminal justice institutions treat individuals can inform the degree of consent they have for the rule of law, it does not follow that procedural justice is always the dominant factor informing legitimacy as it is likely to pre-exist prior to an encounter. Firstly, significant challenges are associated with defining and measuring complex and subjective concepts such as 'trust' and 'fairness'. For example, when deciding whether treatment was fair, an individual's assessment is likely influenced by previous experiences, perceptions of the police or other factors. Secondly, reliance on self-reporting to measure adherence to the law can be problematic regarding validity, relevance, and representativeness. Thirdly, procedural justice studies focus on the perceptions of individuals who have direct experience with the police or court system. In contrast, legitimacy is a collective occurrence, and most citizens have limited interactions with policing. Therefore, factors enabling societal legitimacy may differ from those experienced individually (Smith 2007).

Notwithstanding the limitations of procedural justice research, individuals subjected to state authority through the criminal justice system feel strongly about the importance of fairness. Most people instinctively want to trust the police, as doing so offers a sense of security regarding day-to-day social life (*ibid.*). In recognition, the first chair of the National Police Chiefs' Council (NPCC) Chief Constable Sara Thornton (2015)

stated: ‘The police and criminal justice systems can be effective only to the extent that people trust them’. Smith (2007: 30) suggested there is a public assumption the police ‘are worthy of trust and ought to be obeyed’, which can be undermined if the experience of policing is considered unfair, but positive engagement reinforces the initial assumption as opposed to further increasing legitimacy. Internally, people need to view authorities as benevolent and caring and trust them. This view is directly tested during personal encounters with authorities, and views are shaped by whether the police and the criminal justice system meet expectations (Mesko and Klemenic 2007). Legitimacy is thus reliant upon trust in institutions and other citizens to enable human interaction. Locke asserted people 'live upon trust' (Dunn 1982: 81), and in its absence, democratic government flounders. Trust, described as ‘a hypothesis about future behaviour’ (Simmel 1999 in Rosanvallon 2008: 3), supports the temporal expansion of legitimacy. Rawls (2001: 42) argued in a liberal democracy, citizens should have reasonable and rational trust reciprocated by fellow citizens operating from within institutions. This establishes cooperation and a cyclical strengthening of the state to protect shared priorities, including justice and fundamental liberties. Trust is, therefore, essential to normative government and police legitimacy. Providing security as a collective good depends on citizens’ trust in state institutions and the ‘abstract solidarity that political communities depend upon’ (Loader and Walker 2007: 5).

Police authority is derived from the state’s claim on the monopoly of the use of force. It is effective when this symbolic power is acknowledged as legitimate by individuals subjected to it. However, legitimacy is neither an absolute nor a static phenomenon. Within a liberal democracy, state institutions' power and scope are shaped through local and national political processes by enduring principles that interact with changing popular

attitudes. Power holders must, therefore, re-establish and cultivate legitimacy whilst adapting and refining their claims through attention to their external and internal audiences (Hodgson 2013). Legitimacy is negotiated and dialogical 'like a perpetual discussion' (Bottoms and Tankebe 2012: 110). It is sustained by aligning the state's commitments to public expectations (Loader and Walker 2007: 5). To maintain authority, police organisations must be engaged in a continuous interactive process of establishing and reproducing legitimacy among citizens. Coicaud (2002: 10) observed:

> 'Legitimacy is the recognition of the right to govern. In this regard, it tries to offer a solution to a fundamental political problem, which consists in justifying simultaneously political power and obedience.'

The absence of state coercion in a thriving liberal democracy implies high levels of legitimacy enabled by a network of responsive relationships between state institutions and the diverse publics comprising civil society (Rosanvallon 2011).

Criminologists use police legitimacy theory to understand the relationship between cooperation, compliance, and offending behaviours. When police legitimacy is strong, the ability of officers to address issues of crime and disorder will be enhanced by public engagement and support. Conversely, a legitimacy deficit will result in fragile legal compliance and make citizens less disposed to cooperate with officers (Tyler 2006a, 2006b). Police legitimacy underpins the policing style and levels of force required to sustain order within communities, thereby influencing organisational structures, governance, accountability, accessibility and cost. Its importance also transcends policing,

impacting the broader criminal justice system and questions relating to social order and the state's role. Social control approaches, including law enforcement, criminalisation, and incarceration, are all shaped by broader governmental legitimacy. Therefore, the idea of police legitimacy is closely related to the concept of the effective state. State legitimacy supports police legitimacy, and police legitimacy reinforces state legitimacy.

The democratic state

As a bounded and self-governing territory, the state is a foundational concept within modern political theory. The origins of the sovereign nation-state are attributed to the Peace of Westphalia (1648), which articulated the principles of border inviolability, geographic integrity and the hegemony of state law (Gross 1948: 25). This was reconfirmed for the modern era by the 1933 Montevideo Convention, which defined a state as an entity possessing a defined territory, permanent population, capacity to form relations with other states and a government (Lauterpacht 2012: 419). Loader and Walker (2007: 38) identified government, nationhood and citizenship as key components underpinning the nation-state. A centralised government, supported by a legal and administrative system, is responsible for exercising its monopoly of legitimate force to protect the population from internal and external threats. A shared culture, language and history within the state's territory supports the establishment of national identity. Citizenship describes membership in a political community characterised by a social contract whereby the individual meets obligations to the state in exchange for the protection of rights and establishment of security. Rawls (1993: 1) highlighted the importance of the state exercising consistent and impartial justice in protecting citizens' rights and maintaining social order because justice connects citizens to political

institutions and legitimises the state. The modern state, therefore, plays an essential role in 'producing the forms of trust and solidarity between strangers that are essential ingredients of secure democratic societies' (Loader and Walker 2007: 25).

A democratic state is one where citizens elect a representative government and hold elected legislators to account. By participating in the democratic process, citizens help endorse the legitimacy of state institutions. A liberal democratic state is distinguished by the ability of its members to enjoy freedoms protected by rights in an environment unconstrained by an all-embracing ideological morality. Although the state does not impose a particular moral position on its subjects, the development of its legislation and its interpretation is rooted in commonly held values and popularly endorsed through an accepted electoral process. Equality, justice, and liberty are central to democracy and are described as procedural and substantive ideals (Cohen 2009: 225). Within a liberal democracy, political and judicial systems allow state authority to be contested in a manner that neither undermines nor threatens the rule of law and is recognised by civil society as appropriate in protecting and facilitating individual freedoms. This results in complex interactions between changing social norms and what are perceived to be enduring and core principles. Consequently, democracies are ever evolving through the ongoing reassessment of legitimate authority, institutional arrangements, and processes (Rosanvallon 2008).

Creating a single public interest generated by popular sovereignty supports a model of hierarchical accountability. The public will is articulated through the principle of electoral majority, constituted in legislation and delegated to state institutions for administrative action. A mechanism described as 'legitimacy gained through identification with the general interest' (Rosanvallon 2011: 59). However, firstly, electoral-

representative democracy can be subverted by populism, which proposes an essentialist sociology, by appealing to an image of a unified people and radically rejecting groups considered to threaten homogeneity. Secondly, the complex and dynamic nature of government means periodic elections are, in isolation, an insufficient public check on private interests. Thirdly, the reality of the democratic process is that the role of state institutions is not limited to bureaucratic administration, as they are central to policy formulation.

The police function

The conflation of the nation-state, requirement for internal security and codified law have manifested themselves in the concepts of police and policing. Hegel described the objective of the police as the provision of the welfare of citizens (Knowles 2003). The police role within a liberal democracy is complex and transcends mechanistic law enforcement. Much police activity is discretionary and informed by an understanding of popular sentiment and communal ethics, described by Rousseau (Swenson 2000: 162) as the 'general will' and by Durkheim (2023) as 'collective consciousness'. Consequently, policing should be influenced by ethical and moral considerations as well as statutes. Police within a liberal democracy are not only 'crimefighters' (May 2011) but also focus on the protection of individual rights aligned to widely held social standards (Patten 1999: 21) and enforcing compliance with legally enshrined norms, if necessary, using state-authorised coercion (Bittner 1970). In undertaking these formal and informal activities, the police connect citizens and the state. Manning (2015: 54) observed:

'The police represent the unstated sociality of society—that sense

> of collective obligation that binds people to each other in mutual and tacit obligation and cannot be reduced to rationality, perception, coercion, authority or threat.'

Police officers visibly personify the state (Rawls 2001: 10), are responsible for producing security as a shared social good (Loader and Walker 2007) and promoting a single moral order. Thus, the rhetoric and ideology of policing are linked to government, regardless of the latter's political position. The degree to which citizens regard the police as legitimate reflects confidence in the wider political and social order. However, policing is often directed against groups identified as posing a threat and, as such, can promote and perpetuate social exclusion (Zedner 2003). For this reason, the police application of coercive power is unevenly experienced across society and unlikely to achieve universal legitimacy across all citizens. The legitimating discourse of policing by consent can present an illusion of social consensus (Emsley 2014) that mistakes the absence of active resistance as support for the *status quo* (Shannon 2018: 142).

By focusing on populations considered to pose a threat to order, police work touches the socially marginalised and excluded. It is 'dirty work' (Hughes 1958: 122) which manages the boundaries between good and evil. Reiner (2010: x iii) described the exercise of state-legitimised force against citizens to sustain and reproduce order as 'morally dubious'. However, Manning (1977), drawing on Durkheim's (1976: 243) distinction between the sacred and the profane, argued that by acting as the representatives of moral force and security, the police have come to be awarded sacred status. Incorporating the police as a symbol of national identity, responsible for community values and informal social controls, creates a risk the institution will be considered profane by groups who feel

excluded by the sacred narrative (Manning 2015: 55).

The concentration of coercive power within policing presents society with a duality which protects and threatens the security upon which liberty depends (Berki 1986). Loader and Walker (2007: 190-1) highlighted:

> 'The danger that state officials may exploit the police to undermine rather than promote the security of those they are charged to protect [is] the deepest paradox of police power.'

To mitigate against abuse, mechanisms must be established to oversee the appropriate application of force. Therefore, oversight and accountability are critical to protecting civil society from the ever-present threat of excessive police power.

2.2. Democratic Policing and the Institution

The second part of this chapter considers the police role within a liberal democracy in anticipation of analysing the interview and survey material. Appreciating the abstract relationship between the state, police and citizens is arguably central to understanding democratic policing. However, in my thirty-year career no time has been devoted to this by my local or national police training. The low priority attached to the constitution of the policing within the state by policing syllabuses may explain 'the confused, conflicted and convenient understandings of the right of police to exercise power held by chief police officers in England and Wales' (Shannon 2018: 199). I propose a typology for democratic policing and, acknowledging the connectivity between the police and elected politicians, emphasise the importance of oversight mechanisms to constrain police power. The public

policing function in England and Wales is predominantly undertaken by forty-three territorially organised and independent police forces whilst identifying and being identified as a single institution (Giacomantonio 2010: 59). This section, therefore, also draws on institutional theory to understand the collective organisational mindsets, decisions and actions of police forces.

Democratic policing principles

Democratic policing envisions a governance model characterised by citizen participation and a balance of powers between the executive and judiciary (Jones *et al*. 1996). In recognition of the complexity of contemporary society, democratic policing relies less on appealing to a single unified value system and more on exhibiting restraint, impartiality and equanimity in its interactions with citizens. Rawls (2001) emphasised democratic policing is enabled by mutual trust between the police and the policed. Loader and Walker (2007) considered democratic policing to be underpinned by three factors: representation, responsiveness, and participation. Manning (2010: 250) presented democratic policing as legally bound, rights-focused, responsive to public concerns and subject to clear accountability processes. Jones *et al*. (1996) outlined seven principles for assessing police governance in a democratic system: equity, service delivery, responsiveness, power distribution, information, modes of redress and participation. Reiner's (2000: 80-94) democratic policing criteria also included seven elements:

- an efficient and effective bureaucratic organisation
- constrained by the rule of law and due process
- adhering minimal use of force and proportionality of action to the violation

- accountable for the use of powers and resources
- non-partisan
- providing a social service
- adopting crime prevention as a mission

Drawing on the above definitions, I will adopt a multidimensional understanding of democratic policing encapsulated by four connected but distinct elements: (i) responsive, (ii) legally regulated, (iii) transparent and, (iv) effective.

Firstly, any democracy should reflect citizens' priorities, and the theme of responsiveness is common to democratic policing definitions. The reassuring provision of rapid interventions to emergencies following citizen requests for assistance is one example of police responsiveness. In Bittner's formulation, the police are the agency citizens call, and to whose authority they submit, 'in any situation as long as it could be said that it involved something that ought not to be happening about which someone had better do something now!' (Bittner 1990: 249). The dialogic nature of legitimacy and the requirement for government and policing to reflect public sentiment within a democratic system also necessitates a second type of institutional responsiveness that makes appropriate adjustments to meet fluctuating public anxieties, expectations and concerns (Jones *et al.* 1996: 191). Consent is thus developed through the recognition of democratically negotiated priorities, attention to diverse minority interests and the protection of individual human rights (Loader and Mulcahy 2001). Policing bodies must engage with citizens regarding policy development and the deployment of coercive powers in communities. The opportunity for interested parties to meaningfully contribute to central decision-making is limited (Loader and Walker 2007). Nevertheless, delegated

decision-making procedures, locally organised consultative schemes and volunteer programmes allow participants to contribute to the co-production of security.

Democratic responsiveness is further fortified by the theoretical notion that the people's will is expressed through the ballot box. It assumes subsequent activity is derived from the voting process, and those voting represent the people. Rosanvallon (2011) highlighted the fragility of this hypothesis. Electoral representative democracy reflects a tension between the desire for consensus and acknowledging the validity of conflict within society. Democratic elections simultaneously articulate and expose social divisions whilst temporarily reducing the diversity of perspectives to secure majority status. Moreover, those seeking election within an adversarial system may be tempted to champion populist policies in pursuit of electoral advantage, regardless of their efficacy. The excessive democratisation of policing, therefore, has the potential to undermine state legitimacy, civil liberties, and trust in policing owing to a propensity to deploy disproportionate and simplistic tactics to secure social order (Sanders *et al*. 2010).

Public policing operating within an environment of social, religious, and ethnic plurality cannot be beholden to unmediated majoritarianism or to those who are well-organised and articulate (Loader 2006). Police should be perceived as public servants dedicated to sustaining the conditions that allow civil society to flourish. Therefore, police leaders must refrain from responding uncritically and expediently to the will of elected powerholders by ensuring institutional relationships with insecure, marginalised, and disadvantaged groups are considered and reviewed through the lens of legality, consent and justification (Beetham 2013). It is dangerous for those who are elected by the majority to make law to be the same as those charged with its enforcement. Security is a state-generated public good (Loader and Walker 2007), and as the link between government

and civil society, the political role of the police must be acknowledged. The extent and moderation of crime-control powers are informed by political ideology interwoven with concepts such as justice, freedom, rights, order, liberty, authority and citizenship (Loader and Sparks 2016: 7). Accordingly, policing cannot be stripped of ideology and is politically contested owing to competing visions of what constitutes a good society. Cohen (1996: 9) stated that 'crime is politicised', and Young (1991: 253) emphasised how any crime analysis requires a broader consideration of political and social order. The policing governance is thus intrinsically political and subject to competing ideological perspectives.

The tension between the avoidance of majoritarianism and acknowledging the political nature of policing reflects a paradox within democratic policing relating to appropriate levels of political influence (Newburn 2012: 42). How can policing governance be democratised without being seized by factional interests? The longstanding desire of chief police officers to emphasise their obligation to civil society and independence from party politics reflects a response to this conundrum (Mark 1978). The legitimacy of majority rule, in isolation, is inadequate and must be strengthened by other legitimisation strategies to ensure policing is impartial in its provision of a non-partisan, efficient, and effective service to all, including those from disadvantaged and minority groups.

Secondly, democratic policing must be legally regulated (Beetham 2013: 15-16). Independent adjudication within the judicial system ensures police power is constrained, delineated and subject to the normative rule of law as opposed to political expediency (Chakrabarti 2008, Marx 2001). Weber (2013) emphasised the importance of robust legal accountability and the legitimising effects of bureaucracy. However, Cassese (2012: 493) noted legality and legitimacy are not synonymous: '[a]n action is always either legal or

illegal: it cannot be partly legal. In contrast, legitimacy is fluid and changing – it depends on perceptions and outcomes.' Justice, like legality, is a distinct but related concept to legitimacy. In *A Theory of Justice* Rawls (2009) highlighted the importance of mutual trust within a democracy. Rational and reasonable trust attaches citizens to government institutions and ensures compliance. He proposed policing is a mechanism that distributes and redistributes social benefits within society and, in so doing, has the potential to influence the life chances of citizens. Therefore, police activity should benefit the less advantaged and be measured by the procedural fairness of its practices and civility of its interactions, as opposed to quantitative outcomes. Tyler and Wakslak (2004) highlighted the importance of procedural justice, operating through individual-level exchanges, to developing police legitimacy.

I propose that the third criterion supporting democratic policing is transparency. Although policing requires substantial independence from the government, police leaders must be held to account for this independence to sustain legitimacy. A democratic policing institution should be answerable to the public and, being responsible for the state's use of coercive power against its citizens, should also be able to justify curtailing individual freedoms. Marenin (1998: 170) stated police;

> '…must accept that they have to explain themselves… to outsiders who pay for their salaries, supply their resources and suffer the consequences of their work'.

Accountability, in this sense, is proactive and reactive. Pre-emptive disclosure allows police organisations to expose their processes and priorities and invite informed public

comment and feedback (Jones *et al.* 1996: 192). Post-incident accountability allows citizens and their representatives to seek redress, express dissatisfaction, solicit apologies, pursue compensation, and initiate change, thereby positively influencing the evolution of the democratic policing institution.

Fourth, it is proposed that, to be considered legitimate, public policing must be effective in delivering security for citizens and the society it operates within. Perceptions of police effectiveness in Ghana were identified by Tankebe (2009) as the key element contributing to public support. Similarly, Bradford (2014) found effectiveness and procedural fairness underpinned public cooperation with the Metropolitan Police. Therefore, regardless of high levels of responsiveness, legal regulation and transparency, a policing system that is not competent in delivering a level of acceptable security for citizens is unlikely to be considered legitimate by the society it serves (Bottoms and Tankebe 2012, Coicaud 2002).

In summary, democratic policing is more than a policing model that uncritically responds to majoritarian sentiment. It is a normative exercise informed by principles including due process and respect for minority and individual rights (Crawford 2007: 159). Democratic policing must be, responsive, legally regulated, transparent and effective. To ensure these criteria are met, arrangements and mechanisms have evolved to oversee and curtail police power to enable the delivery of public security within a liberal democracy. Institutions of consensus, referred to by Rosanvallon (2008) as 'counter-democratic' institutions, support the general interest by objectively offering procedural, consistent, and durable legitimacy to complement the episodic, subjective, and partisan nature of party-political electoral competition (Loader and Sparks 2014). Counter-democratic institutions exemplify the ideals of compassion, pluralism, and impartiality to

optimise public legitimacy by adopting the instruments of transparent oversight, public challenge and the testing of judgements to appeal to democratic society. Counter-democratic institutions, including local oversight, constitutional courts, and independent agencies, replace traditional command-and-control government with a dispersed inter-organisational governance network to supplement and stabilise the democratic process (Rhodes 1997). As such, counter-democratic institutions are indispensable to ensuring public oversight and securing approval for policing. They cannot be dismissed as subordinate to core police functions, as without them, a democratic policing model would lack the checks and balances to protect political freedoms and citizen rights (Loader and Mulcahy 2001).

Institutional theory

By considering the police as a series of different organisations, the significance of social and cultural aspects of constabularies using organisational theory can be explored. Elder-Vass (2010: 17) described an organisation as 'a persistent whole formed of a set of parts that is structured by the relations between these parts.' Different elements of an organisation interact through norm-based activities to achieve a desired causal impact (*ibid.:* 157). The notion of an organisation indicates an efficient and rationally constructed system comprised of coordinated activities to deliver specific outputs or outcomes. However, organisations are also shaped by their cultural and social environments, which, operating with internal norms, create dominant and adaptive situational logics which sculpt behaviours.

When similar organisations adopt analogous forms and customs, isomorphic homogenisation occurs, and structures become institutionalised (DiMaggio and Powell

1983: 148). Cooley (1927: 318) described an institution as ‘a continuous organic activity with a social heritage of its own and with methods of cooperation which imparts to the persons who enter into it’. Once established as an institution, the requirement to adapt is dissipated owing to the security offered by the long-term commitment of resources (Pedler *et al.* 1991). In such cases, conventions and logics become established, underpinning received wisdom regarding how organisations within the field should work (Friedland and Alford 1991). Greenwood *et al*. (2002) described how institutional structures and systems coalesce and align with dominant ideas, beliefs, and values to provide an organisational archetype or interpretive scheme. Over time, this results in the formalisation of procedures characterised by routine supervision, externalised discipline and institutional norms and rules (Van de Ven and Hargrave 2004). Institutions exhibit normative assumptions about their environment relating to social value and identity, which shape behaviours and promote a common-sense morality and perceptual bias. Members of institutions often believe in the moral correctness of their roles and operate within a bureaucracy that reinforces its worldview through conventions and rituals which protect them (Douglas 1986). In this manner, institutions become ‘infused with value’ (Selznick 2011), contributing to the establishment of strong group identities and internal social integration.

Weber *et al.* (2013) identified social authority using three categories: rational-legal, charismatic, and traditional. Rational-legal authority was enabled by modern bureaucratic state institutions. Although Weber articulated the importance of bureaucratic institutions to the modern state, he acknowledged they could become self-serving and risk constraining citizens' freedoms, trapping them in an ‘iron cage’ of bureaucratic, rule-based, rational control (DiMaggio and Powell 1983). Weberian

bureaucracies are typified by institutional thinking that values routinisation and abstraction, emphasising professionalism, secrecy and authority (Arendt 1958). The power of bureaucratic administration is augmented by knowledge wielded by officials with certified training and technical qualifications which conform to standards agreed upon by professional bodies. Weber emphasised effective bureaucracy is inherently prone to secrecy to sustain power:

> 'Every bureaucracy seeks to increase the superiority of the professionally informed by keeping their knowledge and intentions secret. Bureaucratic administration always tends to be an administration of 'secret sessions': in so far as it can, it hides its knowledge and action from criticism' (2013: 233).

The concept of the highly qualified professional leader, supported by secrecy, provides state institutions with authority and legitimacy. Weber (2009) described charismatic authority as legitimising a leader's exercise of power based on their motivations and abilities:

> '[A} certain quality of an individual personality, by virtue of which he is set apart from ordinary men and treated as endowed with… specifically exceptional powers or qualities. These are… regarded as... exemplary, and on the basis of them the individual concerned is treated as a leader'

Institutions display common traits relating to ordering, factors that drive change and shape expectations of strategic leaders. Douglas (1986: 63) highlighted the propensity for institutions to 'bestow sameness' through categorisation. The allocation of different phenomena to specific groupings and the subsequent attribution of moral and political qualities help make sense of a complex operating environment. Problems become viewed through entrenched categorisation that is simultaneously functional and rational to those within the institution. These systems of understanding 'become overdetermined, regenerative and self-justifying' (Young 1991: 15-16), creating self-validating doctrinal orthodoxies which build internal homogeneity and are mobilised to repulse external criticisms. The resultant institutional ideology distorts and constrains insights available to its members through default to standardised practices when responding to dynamic and novel occurrences (Foucault 1970). Douglas observed institutions;

> '…endow themselves with rightness and send their mutual corroboration cascading through all levels of our information systems. No wonder they easily recruit us into joining their narcissistic self-contemplation. Any problems we try to think about are automatically transformed into their own organisational problems. The solutions they proffer only come from the limited range of their own experience' (Douglas 1986: 92).

Categorisation thus lends itself to formalising procedures and routine supervision based on accepted organisational norms and values to reduce the need for leadership decision-

making. Despite masquerading as technical proficiency, formalisation is akin to entrained habits and behaviours that provide a consistent and internally legitimate framework to address organisational problems. Institutional success under these conditions validates the categorisation and formalisation approach, creating myths that further constrain the organisation's ability to adapt (Meyer and Rowan 1977).

Institutions are, therefore, reactive systems engrossed in policy delivery through well-established approaches. In such circumstances, internally driven change is challenging owing to long-term habituation to engrained processes and perspectives (Selznick 2011: 17). Ashworth *et al.* (2009) noted institutions typically change at the margins of organisational activity while the core remains unaffected. However, institutions adapt because of external destabilisation (Townley 2002) and in pursuit of broader organisational legitimacy. Coercive forces, applied by government or regulatory agencies, compel institutions to adopt favoured approaches. Often, these requirements are linked to resource availability and are politically inspired instead of motivated by a desire to improve organisational performance (DiMaggio and Powell 1983). A second stimulus for institutional change arises from the need to preserve organisational integrity, resources, and legitimacy by meeting societal expectations regarding competence (Meyer and Rowan 1977: 484). This process is assisted by ‘mimetic isomorphism’ (Dimaggio and Powell 1983), whereby the working practices of similar organisations are emulated to enhance legitimacy despite the absence of evidence demonstrating the approach's effectiveness. Over time, as organisations adopt analogous forms, a homogenised field emerges, resulting in established norms regarding how organisations should be structured and operate, further solidifying institutional identity (Thelen 1999, Van de Ven and Hargrave 2004).

In *Leadership and Administration* (2011), Selznick offered a pragmatist perspective to organisational theory in contrast to the Weberian approach. Whereas Weber focused on the importance of structure, impersonal command and oversight, Selznick emphasised the significance of developing professional and organisational competence and the role played by leadership in making work meaningful. Selznick argued authority is built within the organisation through the interactions of subordinates and leaders, 'which transform the organisation into something having sacred status to those within' (2011: 258). The ability of leaders to present a compelling organisational mission builds internal solidarity and stability around delivery. Selznick further proposed leaders of institutions must adapt the mission in response to external forces to ensure organisational survival. Institutional leadership is partly concerned with advancing and protecting the organisation's interests. Institutions develop elites through specialist schemes, academies, and recruitment processes to build the self-assurance of future and current senior leaders (*ibid*.: 130). The emphasis placed on administrative skills by institutions, Barnard suggests, is at the expense of leadership training focused on the;

> '…appropriate adjustment of ends and means to new environmental conditions, because it opposes change either of status in general or of established procedures and habitual routine' (Barnard 1948: 240 in Selznick 2011: 36).

The overvaluation of bureaucratic capability disadvantages innovation due to the premium of routine competence. Moreover, elites operating within institutions can become introverted and focused on self-preservation rather than organisational

requirements. In these circumstances, leadership failure occurs owing to inaction rather than action, rooted in an inability to identify and address institutional vulnerability. This results in drift and hubris (Dekker 2016).

Institutions thus emerge over time and present a standardised form buttressed by shared ideologies, structures, values, myths, and identities. Internal conventions are developed and embedded through processes of ordering and categorisation. They become repositories of knowledge overseen by professional, secretive and authoritative elites. Although resistant to change, institutions crave legitimacy and may mimic similar successful organisations or be subject to external coercive pressures to retain public confidence and resources. Senior leaders within institutions are often internally selected and developed, becoming simultaneously detached and defensively focused. These disparate phenomena collectively contribute to the institutional character.

The police institution

Criminal justice institutions should support state legitimacy by operating consistently and justly. The police institution has become formalised as the provider of specialist law enforcement functions, informed by bureaucratic expertise and knowledge, and is rationally tasked to address specific threats. Contemporary English and Welsh police forces have been shaped by their nineteenth-century military origins and twentieth-century theories of bureaucratic organisation. To address challenges regarding control and oversight, forces evolved into structured, hierarchical, and formalised entities projecting stability and operational independence. Policing has become constrained by myth, ritual, routinised tactics and standardised deployment methods (Manning 2015: 178). Police officers are subject to professional codes of practice and statutory regulations

governing misconduct and conditions of service to protect the institution's integrity. The standardisation of behaviours through rules enhances legitimacy and supports internal discipline, values and accountability to ensure the compliance of operationally independent officers working in low-visibility environments. The highly structured and traditional culture of the police institution provides stability but presents an enduring barrier to realising the adaptability required in a changing technological and social environment to sustain legitimacy.

2.3. Police Cultures and 'The Chief'

The police institution reflects cultural and institutional legitimacy-building traits, including harnessing professional discourse, secrecy, myth, hierarchy and resistance to external scrutiny. I conclude this chapter with a consideration of the characteristics of police culture and an overview of research relating to chief constables.

Police cultures

Culture refers to shared beliefs, practices and symbols. It is a collective product understood as the assemblage of values within the normative dialogues that sculpt an institution (Douglas 1986). Organisational cultures offer a collection of social remedies to understand and react to challenges (Van Maanen 1984). The role and powers of policing make it a unique institution that experiences a variety of distinct qualities, including conflict, danger, and the exercise of authority backed up by the potential use of state-sanctioned violence. Police work generates a culture which helps practitioners address situations characterised by perpetual novelty. Police culture offers an informal guide to navigating the complex, uncertain and risky scenarios necessitating the ability to operate

across different social groups, the discretionary use of legislation and the potential deployment of coercive power. Within the institution, police culture establishes norms, values, and beliefs that advance a common broad worldview and operate to regulate acceptable behaviour, language, and responses (Loftus 2009). It acts as a lubricant, reducing the friction between institutional categorisation, ritualised response and organisational expectation and the lived reality of social complexity experienced by frontline police officers. Although police culture is often generalised as a singular and homogenous entity, there are sub-cultures defined by professional perspective, geographies and rank (Loftus 2009: 15).

Similarly, it is neither a static nor hermetic entity but is subject to a dynamic interplay between the occupation and broader society. Nevertheless, police culture has exhibited a high degree of resilience and embeddedness with many themes, for example, the masculine ethos, action orientation and detached cynicism (Silvestri 2007), remaining constant despite reform efforts (Loftus 2010). Contemporary examples of toxic cultures involving racism, misogyny and homophobia within police teams have also been well evidenced (Macpherson 1999, Casey 2023).

Reiner (1992: 112) highlighted the importance of police work being considered by those undertaking it as the pursuit of a mission serving a more significant social cause. Police officers and staff derive self-identity from their occupations (Selznick 2011), making police organisations further resistant to reform. Westley (1955: 254-257) highlighted how solidarity amongst police officers, often working in conditions of high discretion and low visibility, can contribute to cultures of concealment:

‘This study of one police force has shown that the maintenance of

> secrecy is a fundamental rule… [The] successful policeman needs the full support of his partners in order to act in tricky situations… The norm of secrecy emerges from the common occupational needs, is collectively supported and is considered of such importance that policemen will break the law to support it.'

The characteristics of police work, particularly those of personal risk and ambiguity, encourage officers to unite in the face of perceived threats. This can contribute to defensive and insular occupational subcultures, which inhibit change and resist outside scrutiny (Bowling and Sheptycki 2012: 86). The danger and unpredictability inherent in policing also attracts individuals who value action and excitement (Holdaway 1983). Goode and Lumsden (2016) noted the limited ability of senior officers to adopt reflective leadership practices. They attributed this to leadership approaches formed earlier in their careers, necessitating dynamic decision-making in operational environments. Much of a police officer's professional development occurs whilst operationally deployed and is reinforced by informal localised narratives of good and bad work (Waddington 1999). Credibility is generated by length of service, demanding jobs, reputation as a 'thief-taker' and specialist postings. As Caless observed, 'police officers tend to have little time for abstract theory and seldom pursue knowledge for its own sake, in the sense of "pure" academic research' (2011: 177). The practical, long and ambiguous nature of police professional socialisation results in the institutional culture valuing lived experience over formal qualifications.

Thus, new ideas, particularly those from outside policing, are rarely well received. In their 2018 submission to the Home Affairs Select Committee (HASC) hearing on

'*Policing for the Future',* the NPCC acknowledged, 'We are afraid that to deviate from tried and tested practices will lead to failure' when, in fact, 'to continue without progression will lead to failure as the rest of the world is moving on' (Watch 2018: 71). Another contributor drew an analogy between Star Trek's 'Borg' and policing: 'everyone assimilates, and no longer has their own thought process' (*ibid*.). The College of Policing's *Leadership Review* (2015: 17) acknowledged; '…negative aspects of policing culture that may impede change, prevent internal challenge, restrict innovation and, at worst, damage individual and institutional legitimacy.' The review also highlighted the barriers presented by hierarchy (*ibid.:* 22), echoing the HASC description of an institution 'obsessed with hierarchy and governance, with innovation smothered by the 'permafrost' of middle management' (Watch 2018: 71). It is to the top of this hierarchy I now turn.

Chief constables

Hierarchy allows coordination through command. Effective command relies on those being led believing in the legitimacy of their leaders (Barker 2001). Legitimate authority thus derives from exercising power within a framework of shared norms and values. Iconic authority is deeply embedded in identity and underpinned by authenticity, and the chief constable rank occupies iconic status within English and Welsh policing. The role achieves authenticity within policing culture through the symbolism of each modern chief constable having entered the institution at the lowest rank, thereby experiencing operational police work, and moved through the hierarchy during their careers, demonstrating proficiency at each level. The College of Policing's *Chief Constable Professional Profile* (2016) stated:

> ‘The Chief Constable holds direct accountability for the operational delivery of policing services and the effective command and leadership of the policing response to crime, and significant and critical incidents.’

Despite their position within policing and broader influence, there is limited research examining the role of chief constables in comparison to other areas of policing. Over the last three decades, a small body of literature has explored chief officer perspectives. These studies include Reiner (1991), Wall (1998), Stallion and Wall (1999), Savage *et al.* (2000), Loader and Mulcahy (2001a and 2001b), Caless (2011), Roycroft (2016), Shannon (2018/2021), and Watts (2019).

Reiner’s *Chief Constables: Bobbies, Bosses, or Bureaucrats?* (1991) offered a ground-breaking overview of the collective culture of chief constables. The research, undertaken in 1986-7, encapsulates interviews with forty chief constables in post at the height of Thatcherism. Reiner observed that 'chief constables are a powerful elite group of growing importance’ (*ibid.:* 3) and explored their backgrounds, approach to policing and thoughts regarding accountability. Reiner described his subjects as ‘pure meritocrats’ (*ibid.:* 350) and ‘high-flying cosmopolitans’ who had ‘moved between forces a number of times’ (*ibid.:* 345) and exhibited ‘street wisdom with intellectual potential’ (*ibid.*: vii). The research described the ‘socially unrepresentative’ (*ibid.*: 351) nature of chief constables and identified that 43% came from police families: all were white males, and none possessed a degree on joining the police, although 25% obtained one whilst serving as a police officer (*ibid.*: 59). Despite their lack of diversity Reiner (*ibid.:* 303-340) concluded his chief constables were not a homogenous group and deployed four Weberian ideal

types (Weber 1949: 84): '*Barons, Bobbies, Bosses and Bureaucrats'*. This approach oversimplified the complexity of senior police leadership by deploying clichés that overlook the requirement for executive leaders to adapt their approaches situationally to be effective in complex leadership environments.

When exploring his subjects' views on police legitimacy Reiner described 'broadly conservative social views' and observed 'the majority (especially of county chiefs) share an ideal conception of a harmonious morally integrated society with a stable and accepted structure of authority' (*ibid.*: 97, 193). Many interviewees expressed concern regarding the threat posed by 'the permissive culture of modernity' (*ibid.*). Research participants also invoked the Peelian history of British policing, with one stating, 'The old objects of police remain pretty valid and good as set out in 1829' (*ibid.:* 109). The legitimising narrative of policing by consent was alluded to but lacked definition by either the interviewees or Reiner. Nevertheless, the concept appeared to have moved on from the commentary offered by preceding chief officers who perceived consent as derived from combining the acknowledgement of different public perspectives with the minimisation of coercive force (Mark 1977, Alderson 1984b, Oliver 1987). Some chief constables also alluded to the importance of recognising the importance of community engagement and support. One interviewee commented, 'policing by consent is no longer enough. It has got to be policing by co-operation, a partnership' (Reiner 1991: 109).

However, despite references to local communities and constabulary independence Reiner (*ibid.:* 345) noted 'a more overt centralisation and tighter co-ordination of police forces' and described chief constables 'as a unitary power elite, orientated towards the Home Office' (*ibid.*: 346). He concluded:

> ‘Attempts to re-localise control now are like pushing a stream uphill. As law and order becomes increasingly politicised it becomes more unlikely that any government would wish to relinquish control over it… the nationalising trend cannot really be reversed… What is certain to happen in any event is an accentuation of the trend to tighter central control’ (*ibid.:* 352-3)

Seven years after *Chief Constables* (Reiner 1991), Wall (1998) published *The Chief Constables of England and Wales: The socio-legal history of a criminal justice elite*. Wall’s historical research tracked the development of the office to offer ‘a genealogy of the chief constable’ (*ibid.*: 3) and described how ’the ideology of internal recruitment’ (*ibid.*: 303) of chief constables took hold in the early twentieth century and overtime established a ‘self-contained elite group’ that was ‘self-selecting and internally accountable’ (*ibid.*: 303-5). Wall detailed the appearance of chief constables within the ‘different and separate traditions’ (*ibid.:* 42) of the Metropolitan, county and borough forces and the establishment of localised governance arrangements within the different operating contexts. He illustrated the pre-1920s detachment of the Home Office before documenting moves towards greater centralisation. Wall’s *(ibid.:* 306) commentary supported Reiner’s assessment that the Home Office was the dominant governance body by the 1980s (Reiner 1991: 267-276). However, despite the research quality and historical narrative, the absence of a theoretical framework and generated insights limited substantive findings.

Stallion and Wall’s *The British Police: Police Forces and Chief officers: 1829-2000* (1999) offered further historical context regarding chief constables and the development

of the office. The work explored the development of accountability models for chief constables. The authors identified the application of New Public Management quantitative performance measures following Home Office Circular 114/1983 (Home Office, 1983) as reflecting a significant shift from local political oversight to greater central government authority over chief police officers, compelling their increased national organisation and coordination.

Savage, Charman and Cope's *Policing and the Powers of Persuasion* (2000;6-9) was the product of forty-one interviews with chief officers, ten of whom were chief constables, and thirty 'other parties' interviews, including ACCs and DCCs, undertaken during the 1990s. The research focused on the role of the Association of Chief Police Officers (ACPO) as a policy network (*ibid.:* 6). The analysis acknowledged:

> 'ACPO seems to be a somewhat enigmatic organisation which seems to be an extremely important part of the British policing scene ... but in a way and to an extent that is not clear' (*ibid.:* 1).

The authors described an increasingly corporate ACPO, which influenced and shaped national and local policing policy. This coincided with a decline in the effectiveness of local accountability structures and ascendancy of national regulation and oversight (*ibid.:* 199-202). The development of a national 'managerialist' body composed of chief officers raised the question: 'Given local constabulary independence, to what extent does or should national policy influence local policy?' (*ibid.*: 86). Savage *et al.* described the doctrine of constabulary independence as 'a central component of the constructed discourse of chief offices' (*ibid.:* 195), which alluded to 'unique knowledge and expertise'

to secure and defend 'the professional closure of policing' (*ibid.*: 197). However, the research suggested constabulary independence 'is a doctrine that is sailing against the wind' (*ibid.*: 207) and it's exclusivity likely to be subject to greater future critical scrutiny. The authors also challenged the accountability of ACPO: 'Apart from its accountability to its own members, to whom or what is ACPO required to account for its decisions and actions? The answer is no-one and nothing' (*ibid.*: 212). The study concluded ACPO was not a centralising body but one that engaged the doctrine of constabulary independence to maintain the decentralised status quo by harmonising policing across England and Wales (*ibid.*: 214).

Loader and Mulcahy's *Policing and the Condition of England* (2003: vii) is opened by quoting Durkheim: '… societies can have their pride, not in being the greatest or the wealthiest, but in being the most just, the best organised and in possessing the best moral constitution'. The work addressed;

> '…the pathologies and possibilities that attend the connection between police, state and nation [and] …arrive at a better understanding of the mutually conditioning relationship that exists between policing and the condition of England' (*ibid.*).

The authors harnessed various sources to realise this objective, including interviews with serving and retired chief police officers which, in contrast to Reiner's (1991) cohort, were described as 'a less authoritarian, somewhat more humble and pragmatically liberal, elite police voice' (*ibid.*: 306). The work presented a history of policing from 1945 and

described the second half of the twentieth century as representing a 'sharp rupture with the past' (*ibid.*: 307) owing to increasing levels of crime and disorder. Like Wall (1998), Stallion and Wall (1999) and Savage *et al.* (2000), Loader and Mulcahy (2003) noted greater central control over policing and the decline of constabulary independence. In particular, the work charted the changing role of chief constables, contrasting the individualistic social commentaries of the late seventies and eighties '*hero chiefs*' (*ibid.:* 234) with the more corporate and business-like nineties chief constables operating through ACPO.

Loader and Mulcahy also argued that following the Second World War, the police in England came to embody the positive traits of Englishness. However, the demographic changes in the latter decades of the century, combined with the growth of mass media, caused the institution to become 'desacralized' (*ibid.:* 3) despite greater professionalisation, resulting in reduced trust, a dominant 'culture of scrutiny and complaint' and 'the demise of the once untouchable doctrine of constabulary independence' (*ibid.*: 305-6). The authors concluded that the institution had become structured by 'managerialism, consumerism and multiculturalism' (*ibid.:* xiii) but recognised legitimising opportunities for a more democratic approach to demystify police power and better connect policing to 'questions of recognition, citizenship and political community'. These were identified as the institutionalisation of equitable policing, a human rights focus and reform of internal police cultures (*ibid*.: 317-9).

Twenty years after Reiner's (1991) *Chief Constables*, Caless published *Policing at the Top* (2011), which adopted a similar methodology but broadened the interviewee cohort to include not only chief constables but also Assistant Chief Constables (ACCs) and Deputy Chief Constables (DCCs). By engaging senior police leaders between 2008 and

2010, Caless updated Reiner's research by capturing the 'rich detail of chief officers' views' (Caless 2011: xv) by including the perspectives of ACCs and DCCs within the study. The work builds on interviews and questionnaires from 94 of the 218 (43%) chiefs, deputies and assistant chief police officers serving in England and Wales ahead of the significant governance reforms initiated by the 2010 Coalition government. The research offered an overview of promotion, retention, leadership and proposed new governance arrangements. As a previous Director of Human Resources for Kent Police, Caless had an 'insider-outsider' (Milligan 2016) status likely to have facilitated the forthright responses within the work.

In contrast to Reiner's (1991: 59) mostly working-class cohort in the late nineteen-eighties Caless (2011: 220) found the backgrounds of chief constables had changed commenting on the 'near ubiquity of degrees' held by chief officers and noted the exclusivity of the institution's senior leadership. Reiner's '*Baron, Bobby, Boss, Bureaucrat*' leadership typology is also rejected by Caless' chief officers. One interviewee commented: 'Police leadership does not lend itself to quaint one-word labels to typify an enormously complex process' (*ibid*.: 109). Recognising the limitations of Reiner's archetypes, the author concluded the chief officers were 'idiosyncratic people whose views are highly individualistic' (*ibid.:* 209). Descriptions of long working hours and selection to the chief officer ranks illustrated a competitive culture and the importance of operational experience to credibility (*ibid.:* 177). Caless' research resonated with Reiner's in describing interviewees' concerns regarding hostile media commentary, an ineffective criminal justice system and the challenge of securing public support (*ibid.:* 213-214). Importantly, *Policing at the Top* captured the thoughts of chief officers regarding their relationships with Police Authorities, the HMIC, the Independent Police Complaints Commission (IPCC)

and the Home Office. Interviewees explicitly articulated their frustration with greater political interference, encroachment on operational independence by the 'muddled amateurism' of oversight bodies and becoming 'disconnected from Peel's Principles' (*ibid.:* 220, 215). Of the officers surveyed, 70% expressed a negative view of their police authority. One participant described Police Authority encroachment into operational policing:

> 'Slowly the authority tries to take over the police operational and command structure and starts giving orders, telling us how to do policing. They are deliberately letting their role as an authority develop into something it was never designed to be. I'm not comfortable with my police authority at all' (*ibid.:* 120).

Caless examined how the IPCC's focus on chief officers created anxiety among interviewees regarding their vulnerability and outlined participant concerns regarding the investigative competence of the organisation (*ibid.*: 237). The Home Office was also criticised by Caless' chief officers, with 85% describing their relationship with the department as 'bad'. This sentiment contrasts the deference shown to the Home Office by Reiner's chief constables (1991) and presented by Savage *et al.* (2000). Short-term policy initiatives are offered as a rationale for the decline in the relationship by one of Caless' (2011: 168) chief officers:

> 'Policing in the last 10 years has been bedevilled by rank amateurs in the Home Office who think they know best but who change tack

> every few months, trade in old fads for new, pursue the [Will o' the] wisps of legal fashion and who seem surprised when they meet chief officers who are weary of change for its own sake.'

Caless captured the disposition of chief officers at a time of change. His work presented a cohort of cynical, defensive, and beleaguered senior police officers, suspicious and critical of oversight bodies, politicians, and the media. Recognising the implications within a democratic policing model, Caless observed 'such negativity needs to be addressed before it becomes corrosive' (2011: 175).

The research contained omissions. Firstly, without a theoretical framework, broader issues relating to New Public Management, legitimacy, and the application of state power in an increasingly complex society remained unexplored. Secondly, the inability to identify serving chief constables from their chief officer colleagues not only limits the opportunity to make further comparisons with Reiner's 1991 work but could assist in understanding variations in the perspectives of potential future chief constables. Thirdly, despite research by Savage *et al.* (2000) and ACPO's public opposition to the 2011 reforms, Caless does not ascertain participants' views on ACPO's value. Finally, there are some inaccuracies within the book. For example, Caless incorrectly presumed HMIC would inspect PCCs (2011: 129) and stated all HMIs are ex-chief constables, despite HMI Zoe Billingham being appointed in 2009 from the Audit Commission with no police background (2011: 145).

In the opening paragraphs of Roycroft's *Police Chiefs in the UK: Politicians, HR managers or Cops?* (2016), the author stated his work builds on Reiner's *Chief Constables: Bobbies, Bosses or Bureaucrats* (1991) and Caless' *Policing at the Top* (2011). Roycroft's

research is notable for this thesis for three reasons. Firstly, it followed the introduction of PCCs, and he incorporated the new role into his study, performing eighty-nine interviews. He stated 'only four chief constables and four PCCs declined to be interviewed'. Secondly, Roycroft (2016: 5) is a retired Metropolitan Police Chief Inspector, which, he claimed, 'allows for a greater insight into the matters raised by the interviewees'. Thirdly, the title indicated the study included Scotland and Northern Ireland and incorporated a Weberian ideal-type methodology like Reiner's. However, the book title's commitment to explore both a UK wide analysis and the 'Bobbies, Bosses or Bureaucrats' ideal-type categories are unrealised within the work.

The book's ambition is significant: Roycroft stated it 'will examine how the UK should be policed in the early twenty-first century' (*ibid.*: 23). At the time of his research, he struck a defensive tone redarding lack of BAME representation amongst chief constables stating 'we have had a black CC in Kent (Michael Fuller) and the figures while regrettable are reflected by a lack of BAME Chief officers in similar organisations' (*ibid.*: 30). He also identified 92.5% of chief constables possessed a first degree, with several also holding masters qualifications (*ibid.*: 111). Like Caless (2011: 208-34), Roycroft (2016: 37) invoked the Peelian principles, stating: '[T]he policing function in the UK originated with the Peelian principles introduced by Sir Robert Peel in 1829' before incorporating the unreferenced 'Peelian Principles 1829' within the appendix (*ibid.*: 274). Roycroft observed that the PCC and chief constable relationship had matured but contrasted the low levels of scrutiny experienced by PCCs with the 'over scrutiny and the drip of constant vilification' of chief constables. Roycroft's research (*ibid.*: 89-118, 169-190) echoes Caless' findings regarding the strained relationship between chief officers, HMIC, and the IPCC and PCCs and observed that this will undermine the legitimacy of the legislation.

Roycroft's success in interviewing 89 PCCs and chief constables established a promising basis for the research. However, the contribution of the work is constrained by several shortcomings. Firstly, the UK-wide scope of the study stated in the title means the interviewees do not add up without greater detail of what Roycroft considers a chief constable post. At the time of the research, there were forty-one PCCs (recognising different arrangements in the Metropolitan and City of London Police areas). Still, four declined, indicating thirty-seven PCCs and fifty-two chief constables participated in the research. It is unclear whether Roycroft interviewed chief constables outside the forty-three English and Welsh Home Office forces, all subject to different statutory and governance arrangements. Nor is it clear if the Metropolitan Police chief officers and the NPCC Chair, who also hold chief constable status, were interviewed. Table 1.2 summarises chief constables' restructuring preferences, yet only forty individuals were surveyed (*ibid.*: 14).

Secondly, beyond uncritical references to Reiner (1991) and Caless (2011), Roycroft chose to neither develop a theoretical framework nor engage wider literature examining the chief constable role and cited only thirty academic works in his bibliography. The Roycroft (2016: 15) stated his purpose was to 'allow practitioners to give their view on the policing world' but neither accessed the sociological literature on elites nor contextualised his subjects' comments. This is disappointing, considering Roycroft's assurance that 'the author's background as a professional police officer allows for a greater insight into the matters raised' (*ibid.*).

Thirdly, Roycroft's ex-police officer credibility is undermined by inaccuracies. The Serious and Organised Crime Agency (SOCA) is renamed the 'Serious and Organised Crime Organisation (SOCO)', the Independent Office for Police Conduct (IOPC) is described as

the ‘Office of Professional Conduct (OPC)’ and the National Counter Terrorism Policing Headquarters (NCTPHQ) is rebranded the ‘National Terrorism Policy HQ’. When describing police funding arrangements, Northamptonshire is confused with Northumbria (*ibid.*: 50). Despite a six-page Erratum, the reader is challenged by typographical errors. ‘*Civilisation*’ is twice confused with ‘*civilianisation*’ (*ibid.*: 114-5). Finally, the rationale behind Rycroft’s (*ibid.:* 14) description of Chief Constable Anderton (Greater Manchester Police 1976-1991), who remarked homosexuals, drug addicts and prostitutes with HIV/AIDs were ‘swirling in a human cesspit of their own making’ (BBC 16/10/2005), as a ‘policing god’ is unclear. Despite Roycroft’s (2016: 23) many interviews, the ambition to ‘examine how the UK should be policed in the early twenty-first century’ was unrealised.

Shannon’s doctoral thesis *Convenient Constructs: How chief police officers in England and Wales Understand the Right of Police to Exercise Power* (2018) utilised sixteen interviews with chief constables, ACCs and DCCs during early 2016. Shannon, a recently retired DCC, found his interviewees articulated ‘confused, conflicted and, above all, convenient’ (*ibid*.: 2, 287) understandings of police legitimacy. The research could identify no chief constables without a degree (*ibid.*: 58) and described legitimising narratives relating to complexity, vulnerability and operational independence as ‘grey and poorly defined’ (*ibid.*: 194) by interviewees. In keeping with Caless (2012) and Roycroft (2016), Shannon also highlighted the anxiety of participants relating to their professional vulnerability (*ibid.*: 89) arising from increased external scrutiny and challenge (*ibid.*: 87-88).

In *Chief Police Officers’ Stories of Legitimacy: Power, Protection, Consent and Control* (2021) Shannon built on his 2016 interviews with a further six interviews in 2020 to consider chief officers’ understanding of their legitimate use of power. He contrasted

the dispositions of his interviewees with those of Reiner's (1991) conservative, white, male and working-class chief constables:

> 'Contemporary chief officers have a quite different make-up, nearly a third are female, although few are not white, almost all are graduates and many have masters degrees… they mainly have middle class origins, and military backgrounds are now rare (Shannon 2021: 92).'

Despite the number of female chief constables Shannon (*ibid.:* 103) referenced the sustained presence of 'competitive masculinity', described by Silvestri (2019: 114), within police leadership culture. He suggested gendered cultural norms may have been 'reinforced by expectations held by those overseeing the police, including HMIC, and previously by police authorities, and now by PCCs' (*ibid.:* 305). The impact on police legitimacy of the lack of ethnic diversity amongst chief officers, and those within police governance structures, was not explored. However, reflecting Caless (2011: 233) and Roycroft's (2016: 89-118, 169-190) findings, Shannon (2021: 292-3) linked chief officer anxieties regarding their post 2012 vulnerability, and reduced operational independence, to the agendas of those occupying police governance and oversight functions.

Shannon (*ibid*.: 274) again concluded his interviewees considered police legitimacy as being derived from 'confused, conflicted and convenient' narratives relating to a moral duty to protect people, Peelian policing by consent and democratic direction within statutory frameworks. The fluid nature of the chief officers' conceptions of the ambiguous and 'obscure discourse of vulnerability' was highlighted as an opportunity for chief

officers 'to assert a privileged and expert standpoint' (*ibid*.: 292). His findings reinforced preceding research identifying chief officers' 'considerable resentment of the mechanisms and manner of oversight and apparent antipathy for some of their overseers' (*ibid.*:283) and emphasised the contested nature of the doctrine of operational independence (*Ibid.:* 252).

Watts' 2019 doctoral thesis, '*Yes Prime Minister' Early indications of the Impact of Change in Policing Governance and the Introduction of Police and Crime Commissioners Across England and Wales*, was informed by interviews with sixteen chief constables and fifteen PCCs. The author, a retired ACC and Independent PCC candidate in the 2016 elections, concluded the 2011 Act had accelerated decision-making, benefited partnership working and reduced bureaucracy. The research, echoing the preceding studies by Caless (2011), Roycroft (2016) and Shannon (2018/2021), identified concerns regarding reduced accountability, vulnerabilities associated with personal resilience, risks arising from the chief constable and PCC and the competency of some PCCs (Watts 2019: 179-182). Watts (*ibid.:* 55) also described the increased complexity of the post 2012 governance framework and reducing influence of chief constables within it when compared against the preceding Police Authority model.

Wall (1998: 13) adopted an approach that began with the origins of policing, Loader and Mulcahy (2001: 3) identified a start point for their work of 1945 and Watts considered the evolution of police governance (2019: 35). However, no recent research has considered the historical development of the office of chief constable in either the context of the four PCC election cycles that have occurred between 2012 and 2023. By doing so I intend to adopt a more longitudinal perspective of the lasting impact of the 2011 Act on the status of the office of chief constable than the post 2012 studies by

Roycroft (2016), Watts (2019) and Shannon (2018/21) were able to achieve.

Conclusion

To summarise, the social contract between the state and citizens permits using legitimate force to establish security. Security is a precondition of civil society supported by common values, a collective sense of shared obligation and trust in state institutions. The police are state agents charged with securing and maintaining internal security. Legitimacy underpins the validation and justification of power relations to the communities served, rationalising inequalities between dominant and subordinate by emphasising social interdependency and shared values to establish an order which enables society to function. However, legitimacy is not a static concept and requires ongoing negotiation and renegotiation between the state, its police and the population. A policing failure to align approaches to the values, norms and expectations of subjects will result in a credibility deficit and, ultimately, may reach;

> '…critical turning points in which the imperative to adapt is heightened by the immanent possibility of death, collapse, demise, disempowerment, or decline into irrelevance' (Reus-Smit 2007: 44).

A democratic policing system must respond to majority expectations while remaining attentive to minority concerns. Policing, as a state-resourced function, is political, but must be structured to avoid the dangers of majoritarianism and populism. To these ends, I proposed a definition of democratic policing that is responsive, legally regulated,

transparent and effective. Such a model is enabled by the involvement of popularly elected representatives and professional police leaders, operating alongside independent and impartial bodies to check abuses. I will use this concept of democratic policing as a framework to consider the impact of the 2011 Act on the office of chief constable.

Despite being composed of forty-three independent organisations, the Home Office police forces of England and Wales can be described as a single institutional entity. As an institution that has emerged to support the modern state, the police service reflects many Weberian bureaucratic characteristics, including hierarchy, myth, categorisation, routinised responses, secrecy and professional discourse. Police operational cultures mediate the disconnect between conceit created by entrained institutional ordering and the experience of complex front-line operational realities. Police cultures are shaped within an insular, defensive and exclusive occupational environment. There are consequently tensions between the legitimising requirements of transparency and responsiveness and the institutional character.

Within police cultures, the chief constable rank has assumed an elevated status. The importance and influence of chief constables was recognised in pre-2011 studies which described increasing centralisation and managerialism (Reiner 1991, Wall 1998, Savage *et al*. 2000, Loader and Mulcahy 2003). More recent research suggests a collective anxiety within chief constable cohorts arising from enhanced scrutiny, inspection and oversight institutions (Caless 2011, Roycroft 2015, Shannon 2018/2021, Watts 2019). The literature, which spans thirty years, illustrates the employment of historical concepts such as the Peelian Principles and 'constabulary Independence' as legitimising devices, indicates an increasing professionalism through reference to the educational qualifications of chief constables and suggests an increasingly middle-class disposition

when considered against Reiner's 1991 research.

Chapter 3: Emergence of the Chief Constable

> 'The problem of controlling the police can, therefore, be restated as the problem of controlling chief constables' – Royal Commission on the Police Final Report (1962: 34).

The police institution is central to the modern construct of the nation-state and its ability to provide the commonly consumed good of security for civil society to flourish (Loader and Walker 2007). To understand how policing and the office of chief constable evolved, this chapter reviews the development of policing in England and Wales. The history of policing is essential to appreciate the legitimising effects of responsiveness, legal regulation, transparency and effectiveness as well as the significance of localism within the occupational culture. It is critical to distinguish between history and the employment of myth to rationalise perspectives which perpetuate groupthink and fetter the institution's adaptive capacity (Meyer and Rowan 1977). The chapter answers three questions: How did the policing institution emerge in England and Wales? What were the conditions that made the new policing model legitimate? And how did the office of chief constable develop?

This chapter explores the emergence, the 'product of coupled, context-dependent interactions' (Lissack and Letiche 2002: 76), of chief constables and the origins of the modern police, which can be attributed to the need for social and economic stability within the industrialising British nation-state. I begin by summarising the medieval origins of policing in England and Wales before reviewing the development of the modern police and the notion of 'policing by consent', often attributed to Sir Robert Peel. I conclude with

an overview of the institution's evolution through the nineteenth and twentieth centuries, ending with the 1964 Police Act. By 1964, three principles of police leadership and governance had been established. Firstly, an equal split between local and central police funding: secondly, chief constables should be professional police officers and thirdly, the doctrine of constabulary independence[4] to insulate policing from partisan political interference. I propose that, whereas policing structures in England and Wales evolved to reflect macro socio-economic and technological changes from the late eighteenth century, the reforms introduced by the 1964 Police Act trapped the institution in a Weberian 'iron-cage' (DiMaggio and Powell 1983) from which it is yet to escape.

3.1. Roots of Policing

Traditional police histories presented the 1829 creation of the Metropolitan Police as the birth of modern policing which represented a step change from inefficient and amateur pre-modern approaches (Reith 1956). They emphasised Home Secretary Robert Peel's role in establishing the consensual unarmed local British policing model, in contrast to sinister armed and state-controlled continental approaches. Although the establishment of the Metropolitan Police was important, the development of policing was informed by preceding structures (Beattie 2012: 24), which can be traced back to the medieval frankpledge system (Hudson 2014: 63-4).

Frankpledge to watch and ward

Frankpledge was a social control model developed during the Middle Ages when

[4] Later 'operational independence'.

criminality was viewed as perpetrated against the wider community rather than the individual. It placed a responsibility on adult males within a community group to maintain the peace and address wrongdoing. Following the Norman invasion, the office of constable was established, reinforcing the frankpledge system by establishing a public office with higher authority. Subsequent centuries witnessed the formalisation of the roles of constables, justices of the peace and citizens in the maintenance of order through the Ordinance of 1233 (Rich 1977: 50), 1252 Assize of Arms, 1285 Statute of Winchester (Critchley 1978: 7) and the 1361 Justice of the Peace Act (McBain 2015: 158). By the late fourteenth century, a system had developed whereby justices were assisted by constables holding policing, administrative and judicial duties, reaffirming the principle of local responsibility for law and order (Emsley 2007: 69). This 'watch and ward' approach was inexpensive and shared discretion, decision-making and influence across the different roles. It was a model borne of small pre-industrial communities. By the late seventeenth century, the constables and justices' system exhibited signs of strain due to social, political and economic changes. In response to growing expectations placed on the office, wealthier individuals became reluctant to discharge their constable obligations and employed others to do so on their behalf (Critchley 1978: 18).

Frankpledge was typical of many pre-industrial policing structures in continental Europe. However, the British approach adopted a different course owing to four factors. Firstly, the deposition of James II by Mary II and William III of Orange ended James' attempts to create a powerful and centralised autocratic state like the French Catholic model (Pinctus 2009). The 1688 Glorious Revolution rejected absolutism in favour of an Anglo-Dutch model of governance rooted in principles of toleration, the rule of law, consent of the governed, free trade and open debate. The 1689 Bill of Rights established

Parliament's primacy over the Crown, creating a constitutional monarchy. The settlement recognised popular concepts of 'Englishness', 'independence' and 'liberty' which influenced the collective consciousness and contributed to a national identity (Wollstonecraft 1790/2008: 23, Locke 1689/2015: 94).

The second factor impacting the parish watch model was population growth. The English population doubled from 7.7 million in 1801 to 15.2 million in 1851, owing to agricultural improvements (Wigley and Schofield 1981: 208-9, Thompson 2016: 237). Surplus labour fuelled the Industrial Revolution as employment opportunities attracted migrants from rural communities into factories. Expanding commercial enterprises absorbed excess populations through precarious employment in mines, mills and factories, undermining and depersonalising established and deferential relationships between employer and labourer. Rapid urbanisation resulted in overcrowded slums and declining living standards for the new working classes (Engels 1844/2005: 17). Urbanisation also compromised transport networks, which were essential for transporting goods to the new suburbs. Volumes of traffic overwhelmed turnpike trusts and parish systems responsible for public spaces. Between 1748 and 1835, almost 300 Improvement Commissions were established in towns and cities to collect taxes from paving, illuminating and regulating roads within their jurisdiction through paid street watches (Webb and Webb 1963). In this context, policing was not explicitly focused on criminality but on the practical regulation and promotion of broader aspects of eighteenth-century communal existence (Foucault 1991: 214).

Thirdly, calls for reform to reflect the social, economic, and technological changes gathered momentum in the late eighteenth century. Internationally, 1776-1829 witnessed a spate of revolutions, including America (1776) and France (1789), and the

commitment of British forces in the Caribbean, Americas, India, Australia, Ireland, Spain and France. A strong economy and political stability were necessary to resource wars and sustain Britain's geo-political status.

The period was characterised by domestic unrest (Thomas 1996). Popular frustrations were aired in protests, resulting in the deployment of troops under the 1715 Riot Act. The Act was engaged on 10 May 1768 at St George's Fields, Southwark, resulting in fatalities and setting a precedent for the use of force by the military against citizens (Nippel 1985: 407-8). In June 1780, the Act was again used in London to quell anti-Catholic Gordon Riots using military units, resulting in 285 protesters killed and 173 wounded (Rude 1955: 99-101). The riot prompted calls for the establishment of a police force to address civil disorder (Lawrence *et al.* 2014). In 1785, the Pitt government unsuccessfully pursued a single policing model for London to replace the traditional watchman-magistrate system.

High prices, poor employment and political disaffection contributed to further disorder between 1800 and 1830 (Mathias 2013: 333). Demands for reform were made at marches and protests between 1816 and 1821, coinciding with economic depression, food shortages and high taxation following the Napoleonic Wars (Hussey 1971: 10-11). Demonstrations continued to be suppressed by the military, including the London Spa Fields riot (1816), the Manchester Blanketeers march (1817), the Derbyshire Pentrich rising (1817) and the Manchester Peterloo Massacre (1819), which resulted in eleven fatalities and hundreds injured. The Peterloo violence contributed to the Yorkshire West Riding Revolt (1820) and the Cato Street Conspiracy (1820) to murder the British cabinet. The government's response to the cumulative revolutionary threat was to introduce further coercive legislation (Hussey 1971: 12). The first two decades of the nineteenth

century demonstrated parish constables, night watchmen, and military force were inadequate to maintain order in an expanding and industrialising society experiencing social strain.

Fourthly, public perception of rising crime during the early nineteenth century, fuelled by the growing print media (Snell 2007), exposed the watch and ward system's shortcomings. Newspapers published details of court proceedings (Broomhall and Barrie 2014), focused on violent offences and investigators (Beattie 2012: 103). Advertisements also communicated suspect details to wider audiences. It is challenging to analyse nineteenth-century crime objectively: definitions of what constitutes crime change: there are no official crime statistics before 1804, and data is inconsistent and requires contextualising against contemporary population figures. Nevertheless, Critchley (1978: 21) observed, 'the breakdown in law and order marched in step with the progress of the Industrial Revolution', and Radzinowicz and King (1979: 15) concluded the growth of crime during this period was unprecedented. Gash (2011: 494) identified that between 1811-13 and 1825-27, the London and Middlesex populations grew by 16%, but convictions increased by 55%. Not all forms of crime increased at the same rate: industrialisation resulted in higher disposable income, more personal property and the standardisation of goods, creating new prospects for thieves (Allen and Barzel 2011). Canals and roads enhanced anonymity and facilitated the selling of stolen goods in distant markets. In contrast, homicide rates indicate violent crime declined between the late eighteenth and early nineteenth centuries (Pinker 2011).

Industrialisation and social control

The eighteenth century witnessed a shift from using civil law to fine offenders towards

the classification of crimes and associated punishments. New criminal legislation, known as the 'Bloody Code', related to property crime and replaced the civil tort of 'breach of trust'. The new laws reflected the philosophy that the severe and public punishment of the few would deter the many. Between 1688 and 1776, capital offences increased fourfold to just under 200 (Wilf 2010: 139), but executions reduced from 30 per 100,000 population to 1.3 by 1750 (Jenkins 1986: 52-56). The reluctance to pass death sentences suggests capital punishment was an ineffective deterrent and had lost legitimacy as a social control strategy. Indeed, capital violence ran contrary to Glorious Revolution freedoms and was inconsistent with new societal norms. The English state was evolving (Garland 2020) from projecting sovereign power through violence to adopting nuanced disciplinary power to achieve internal security. Emergent vehicles for social control included legislation, religion and the workplace.

Firstly, legislation was used to support economic growth. During a period of almost constant warfare, sustained economic success was vital to Britain's status when compared with its European neighbours. Neo-classical discourse relating to internal corruption of the body politic leading to the decline of empires was significant (Gibbon 1777/2015). Proposals for new police models emphasised the threat to the 'public economy' posed by declining civic virtue amongst citizens with increased disposable income and leisure time (Fielding 1989: 11). Recreational alcohol consumption was acknowledged as a source of immorality and violence. Fielding emphasised links between drunkenness and violent crime and proposed greater control of public houses (Parliamentary Papers 1812). Legislation passed between 1729 and 1751 regulated the manufacture and consumption of gin to prevent disorder and manage the urban environment (Valverde 2003). New legislation reflected the belief society, particularly its

wealthier members, was obliged to remove temptation from those who might succumb to it (Hochschild 2005: 126).

Secondly, social control was further exerted through religion, which, like direct statutory controls, tamed some of the urban poor's gin-fuelled excesses. Puritanism (Tawney 2015) and Calvinism (Weber and Kalberg 2013) inculcated growing middle-class freedoms, individualism and acquisitiveness. Methodist moral sobriety, self-restraint, communitarianism and millennialism appealed to many in the new industries and Methodist Sunday schools disciplined working-class children (Thompson 2016: 412-416).

Thirdly, enlightenment free-market ideology resulted in the criminalisation of previously tolerated practices, resulting in the reconstitution of the employer-worker relationship. In industrial centres, private police 'inspectors' prevented embezzlement to protect capitalism (Godfrey and Cox 2013). Dockland crime encouraged merchant traders to establish the Thames River Police in 1798 (Colquhoun 1800: 24). The development of policing initiatives to protect economic and moral interests introduced policing practices encouraging conformity and the surveillance of populations.

3.2. Modern Police

The modern police developed as an enabler of civic government in the eighteenth century. To support public acceptance, the new organisations were local, unarmed, consciously distanced from partisan politics and subject to legal oversight and restraints. Governance models differed between borough, county and Metropolitan forces. However, by 1888, all committees overseeing policing outside London included local elected councillors. Throughout the nineteenth century, the number of forces reduced, and central funding and oversight increased. The 1919 Desborough Committee,

established in the wake of the police strikes, introduced levels of national standardisation and, importantly for this thesis, the concept that chief constables should be professional police officers who had progressed through the ranks.

Early models

Statutory control, protestant morality and workplace discipline provided alternatives to military force and public execution. The first half of the eighteenth century witnessed the emergence of small experimental professional policing bodies in England, Ireland and Scotland. The Bow Street Runners - effective at preventing, detecting and prosecuting crime, demonstrated a deterrent-based alternative to exemplary punishment (Rawlings 2002) - became centrally funded in 1753 and were subsumed into the Metropolitan Police in 1839 (Beattie 2012: 24). In the 1760s, Fielding established police offices in Middlesex to resolve petty disputes and make justice more accessible to the masses. In other British urban centres and European cities, parallel processes were at work. In 1786, levels of crime and concerns regarding Irish nationalism in Dublin caused the parish watch to be replaced by a centralised, armed and publicly funded police force led locally but controlled from London (Henry 1993). The Glasgow City police were established in 1800 and the Edinburgh City force in 1805: both connected new notions of state policing and traditional watching provisions within an unarmed, disciplined and hierarchical organisation (Broomhall and Barrie 2014).

The concept of the police as an enabler of civic government reflected the continental Europe approach. Mildmay (1783: 61) described the Paris Police as 'promoting the peace and good order of the whole.' Alletz (1820) described the French '*police moderne*' as a system to regulate and administer populations. German

enlightenment thought influenced policing in Prussia in 1742 (Bayley 2017: 346) and Vienna in 1753, which was organised into state security, crime, and welfare sections (Axtmann 2017: 58). The notion of the police became underpinned by a need to augment national prosperity and state power by protecting the health and security of the population to create conditions favourable to industry and civil society.

Developing state-organised policing in eighteenth-century Britain and parts of continental Europe reflected Foucault's concept of state governmentality and the legitimate administration of populations (Dean 1991: 63-66) through a 'mandate to regulate interpersonal relations' that employed force and 'coercive sanctions authorised in the name of the community' (Bayley 2017: 47). This was not without tension. A fear of 'high' policing (Brodeur 1983), whereby police authority is directly derived from national government, was an obstacle to attempts to establish English police forces before 1829. The 1818 Select Committee on the Police of the Metropolis stated a police organisation;

> '…would of necessity be odious and repulsive… a plan which would make every servant of the house a spy on… his master, and all classes of society spies on each other' (Tobias 1967: 98).

Despite these concerns, social and economic change made reactionary objections to maintaining the status quo ineffective. Modern policing emerged nonlinearly through multiple discourses and practices (Denys 2010) as a governmental response to establish an authority to regulate growing urban populations in England and Wales, which was unachievable through the watch and ward system supplemented by violent military deployments.

After five government committees, spanning 1812 and 1828, and the creation of Irish and Scottish forces, *An Act for improving the Police in and near the Metropolis* was passed in 1828. It created a London police force led by two 'Commissioners of Police'. They were appointed by Home Secretary Peel and held responsibility for recruitment, training and discipline. It was meritocratic, politically independent, accountable, unarmed and proactive to enhance the new organisation's legitimacy. Applications received from men 'who had not the rank, habits or station of gentlemen' were preferred to those from commissioned officers or reduced gentlemen to develop a homogenous body without an officer class, where senior positions were populated internally (Gash 2011: 502). The Metropolitan Police would represent the broader community under the control of 'the people' rather than a class or political group. Non-partisanship was a central element in the construction of police public legitimacy (Reiner 2010: ch.3). A suspicion of centralised administration and power necessitated a separation from government to avoid perceptions of the new police as an arm of the state. The 1839 *Report of the Commissioners* (169) stated, 'the force should not only be, in fact, but be believed to be impartial in action, and should act on principle'. The prohibition on police officers voting, lifted in 1877, and the avoidance of patronage in the recruitment of constables acted as early legitimising devices which shaped an occupational culture and distanced policing from politics (Emsley 2007: 81). Moreover, to dissipate public distrust regarding police coercive authority, the new police were legally constrained and publicly accountable for their actions. Members of the new organisation were visible in uniforms, locally organised and unarmed, thereby signalling an emphasis on public cooperation rather than the threat of force (Hitchens 2015).

Reith (2017) suggested an emphasis on crime prevention and visible uniform

patrol work characterised the Metropolitan Police and differentiated it from continental police forces. However, in practice, it operated like its European counterparts (Emsley 2007). *General Instructions to New Officers* (1829) and other texts were summarised in 1943 by Reith (2017: 3–4, 1952: 154) as "'principles of police" …a collected and numbered tabulation compiled from references and definitions found in public records'. The nine-item list is popularly called the '*Peelian Principles'* (CoP 2014a: 5) and is comprised of vague democratic policing truisms (Loader 2016: 431) that are consistently misattributed to Peel in contemporary policing documents[5]. The Peelian myth is often used as a legitimising device to connect twenty-first-century policing with the 1829 formation of the Metropolitan Police (Lentz and Chaires 2007). Nevertheless, the *Peelian Principles* reflected a strategy to secure public security within the developing modern state through 'policing by consent' as an alternative to policing through force and fear (Jackson *et al.* 2012).

Governance

Following the Metropolitan Police's creation, police forces proliferated throughout England and Wales against the backdrop of the working-class Chartist reform movement (Chase 2007) and European revolutions (Jones 2013). By 1851, 13,000 forces (Taylor 1997) had been founded, establishing a hyper-localised policing model based on watch and ward traditions. The 1856 County and Borough Act amalgamated smaller forces and

[5] These include *Reshaping policing for the public* (2015: 26), *The Code of Ethics* (College of Policing 2014: v), *2025 Policing Vision* (NPCC 2015) and each *State of Policing* (HMICFRS: Appendix C) since 2012.

required towns and counties to establish police forces (Hart 2023). The 1888 Local Government Act further reduced the number of forces from 220 to 181 (Wall 1998: 47). During this period, the new police assimilated into British culture, and their legitimacy was enhanced by their multi-functional public protector role, upon which citizens could depend if they were in trouble (*ibid.*). Governance of the new police forces took three forms: municipal borough forces answered to watch committees, rural forces to police committees, and the Metropolitan Police was overseen by the Home Secretary. Accountability was achieved through elected borough councillors sitting on watch committees and, following 1888 local government reforms, the replacement of magistrate-only committees by standing joint committees in county forces comprised of justices of the peace and elected local councillors (Taylor 1997). Police actions were also subject to legal review (Reiner 2010: 74). The committees appointed, dismissed and set regulations for full-time professional police officers with common law constable powers. These approaches resulted in variations in salaries and working conditions between forces. However, all officers were prohibited from forming a union, joining a political party or taking strike action (Mark 1978: 257).

The 1853 Select Committee on Police concluded governance should remain local and not national. The 1856 County and Borough Police Act strengthened magistrates' powers by establishing petty sessional divisions as police units. The localism of the new police forces ensured officers continued to undertake civil administrative functions, thus becoming part of a wider expansion of rational bureaucracy (Philips and Storch 1999). The 1856 act also established Her Majesty's Inspectorate of Constabulary (HMIC), balancing local governance with central direction and consistency (Emsley 2007: 79). HMIC's purpose was to certify a force as efficient to qualify for a central grant to fund 25% of

clothing and pay costs. Central funds for policing supported national direction and influence. However, Home Secretary Grey recognised the importance of local governance and encouraged the first Inspectors (HMIs) to 'secure the goodwill and the cooperation of the local authorities' (Critchley 1978: 2). By 1864, HMIC had identified 59 inefficient forces out of 225 (26%), but the government was reluctant to drive efficiency and consolidation using legislation. Steedman (1984: 29) observed the absence of central intervention as 'a clear refusal to interfere in the financial and legal structure of local government'. Between 1856 and 1874, only ten questions were asked about rural policing in Parliament, and one policing act was passed (*ibid.:* 7)[6].

The 1874 Disraeli government signalled a move from Benthamite utilitarianism towards a collectivist state approach, illustrated by a flurry of Acts within the first sixteen years. The Police (Expenses) Act of 1874 doubled the exchequer grant to police forces to 50%. In 1877, legislation prevented the establishment of new borough police forces in areas with a population of less than 20,000: a year later, central funding for borough forces serving populations under 10,000 was withdrawn. The 1890 Police Act formalised the movement of resources across force boundaries through mutual aid (Emsley 2007: 81). Thus, central control was increased, larger forces incentivised, and the ability to coordinate cross-border deployments established. Reiner (2000) noted the police were vulnerable to such shifts in the ideological conception of the state's role. Changes to the balance between the powers of local government and a desire to consolidate and strengthen the state have continued to influence police governance in England and Wales.

[6] Police Superannuation Act 1865.

Professional leadership

Reiner (2010) suggested that by 1870, the new police had achieved public legitimacy and was accepted as a stabilising element within Victorian society. Meritocratic entry to, and progression within, policing attracted recruits seeking career security and social mobility (Shpayer-Makov 2002). The 1835 Municipal Corporations Act gave watch committees responsibility for organisational leadership. Committees met frequently and exerted considerable control and direction over their forces (Emsley 2007: 78). They delegated some duties to a 'chief officer', often called 'head constable', 'head officer' or 'superintendent', developing professional senior police leadership within urban areas outside London (Wall 1998: 13-44). In larger cities, senior constables became high-profile figures, whilst in smaller forces, there was little to distinguish them from other constables (Critchley 1978: 125). Owing to the absence of statutory provisions and the emergent nature of borough chief officer roles, most post holders progressed through the ranks from lower-middle class and working-class backgrounds. In 1908, 108 of the 123 borough chief officers started their careers as constables (Wall 1994).

The operational independence enjoyed by borough chief officers in the nineteenth century was limited. Lustgarten (1986: 36-37) described chief officers as subordinate to watch committees, and Mark (1978: 257) portrayed the Metropolitan Police Commissioner as a political appointee constrained by Civil Service traditions. In respect of the county and borough forces:

> 'The chief constable was only too often subservient to the wishes of the chairman of his police authority, the watch committee in a borough or the standing joint committee of elected

representatives and magistrates in a county.'

Critchley (1978: 131-2) demonstrated this tension citing an 1880 Birmingham incident whereby, following an unsuccessful prosecution of a music hall manager, the watch committee required the chief constable to make them aware of any proposed action against music hall performances. He refused referencing his duty as 'the guardian of public morality and order' (Jefferson and Grimshaw 2023: 40) unless instructed by the Home Secretary. Although the Home Secretary did not intervene, the watch committee were directed to the Municipal Corporations Act 1835, which empowered them to dismiss any constable 'whom they shall think negligent in the discharge of his duty or otherwise unfit or the same' (Archbold 2020: 18). The committee resolved to dismiss the chief constable if he was 'not subordinate to' its intentions (Reiner 1988: 139). The chief constable yielded. A decade later, Head Constable Nott-Bower objected to the Liverpool City Watch Committee's insistence brothel keepers be prosecuted. Nott-Bower argued prosecution would disperse brothels across the city, creating a greater problem. Nevertheless, he acknowledged the committee's authority and followed their direction. The order resulted in the predicted dispersal of prostitution into respectable neighbourhoods (Nott-Bower 1926: 139-146).

The control of county forces contrasted with the borough forces approach. County forces were led by a chief constable chosen by the police committee, or standing joint committee, and approved by the Home Secretary. The most senior roles in county forces were typically denied to professional police officers, as committees appointed senior officers 'who shared a similar social outlook to their own' (Wall 1998: 128). County chief constables were directly recruited from the landed gentry or military, and the positions

were much sought after. Wall (*ibid.*: 99-104) cited 61 applications for the 1896 Buckinghamshire chief constable, 182 for the Wiltshire post in 1908 and 80 for West Riding in the same year. Analysis of the Buckinghamshire chief constable applicants, advertised in 1896 after the retirement of Captain Drake, who had held office for the preceding twenty-nine years, showed 80% held a military commission and 5% were professional police officers. Often the remuneration indicated the need for a private income and age requirements prevented career police officers applying from the superintending ranks (*ibid.*). Wall further noted that in 1908 England three county chief constables were professional police officers who had progressed through the ranks: thirty-three were ex-military officers, and the remainder comprised colonial police officers and landed gentry. Unlike borough chief officers, county chief constables held responsibility for recruitment, discipline and policy, and county committees convened less frequently than borough watch committees (Emsley 2007: 78). Once appointed, therefore, county chief constables enjoyed significant autonomy, acting as;

> '…an autocrat over whom the justices had no power other than the ultimate sanction of dismissal. Thus, he fulfilled many of the duties which in the borough were assigned to the watch committee' (Critchley 1978: 124).

Chief constables began to organise as professional groups during the second half of the nineteenth century. The County Chief Constables' Club was formed in 1858, and the Chief Constables Association of England and Wales in 1896 for the borough chief constables. They existed in parallel and independently engaged with the Home Office (Johnson 1992:

193). However, some bodies had representation from county and borough chiefs: the Central Conference of Chief Constables first sat in 1918 under the chairmanship of the Home Secretary, involved county and borough chief officers, and coordinated eight District Conferences of Chief Constables.

During the early twentieth century, police leaders faced labour disputes relating to pay and conditions, culminating in a police strike in London on 30 August 1918. The Metropolitan Police Commissioner, who seemed unaware of the seriousness of the situation, resigned (Reynolds and Judge 1968: 39). A settlement was quickly reached which resulted in pay rises, widows' pensions and established a representative body to support conditions of service discussions. To avoid further strikes, similar concessions were awarded to forces outside London. Reflecting on the strike, *The London Evening Standard* (02/09/1918) criticised chief officers and supported the striking constables and sergeants:

> 'Either the Service might have been unconsciously influenced by anti-national influences or the "competent authority" must have been utterly incompetent. In this case, only one inference is possible. We all know the London police. They are generally speaking an extremely fine body of men, indefatigable, and trustworthy. They could not possibly be suspected of unpatriotic or revolutionary tendencies. How then are we to account for the disquieting spectacle of the Strike? Clearly there must be something very wrong somewhere in the management of these men.'

In March 1919, a Government Committee chaired by Lord Desborough was announced to review 'the method of recruiting for, the conditions of service of, and the rate of pay, pensions and allowances of the Police Forces in England, Wales and Scotland' (Cowley *et al.* 2006: 46). The Committee identified: 'materially different rates of pay and other conditions… these differences have very materially contributed to the unrest and dissatisfaction' (Desborough 1919: para.3). The first report considered recommending a national force but, echoing the sentiment of the Glorious Revolution, believed such a model 'foreign to the constitutional principle...*'* (*ibid.:* para.17) and concluded the:

> 'natural development by which police administration has come more and more to be a matter of national rather than purely local concern, makes it, as we have pointed out, desirable that there should be more uniformity in the conditions of service of the Police, and consequently increased supervision and control by the Central Government' (*ibid.*: 25).

The report proposed changes to national pay scales, provision of accommodation, pay increases and the establishment of the Police Federation (*ibid.*: 18-19). In an environment dominated by industrial unrest and concerns about Bolshevik revolution, the reforms were quickly incorporated into the August 1919 Police Bill (s.4.1). The second Desborough Report (1920) recommended increasing pensions, remuneration and the powers of the Home Secretary. These included the establishment of a Police Branch within the Home Office, the merger of borough forces with a population of less than 50,000 into county

forces, the requirement for approval for the creation of new forces, HMIC expansion and a standard disciplinary code and uniform (*ibid.:* 23-25). The report proposed an increase in the exchequer grant from 50% of pay and clothing to 50% of all costs, resulting in the central funding of policing increasing from £7m in 1914 to £18m in 1920 (Cowley *et al.* 2006: 47). The recommendations represented a shift in the understanding of the police role from one primarily locally administered and funded to a national model enabled by an equal funding split between local and central government and subject to HMIC inspection. Dixon (1966: 22) described;

> '…a new conception of the Police as a Service, an integrated system, rather than a collection of separate Forces each concerned with its merely local requirement and personnel.'

The Desborough Committee also heard evidence regarding chief constable appointments. One HMI expressed concern individuals were appointed 'not on their merits as policemen, especially in the smaller boroughs' (Desborough 1920: 88). The HMI was referencing the belief that freemasonry influenced many borough promotions (Wall 1994) and the difficulties faced by able officers seeking to progress beyond the superintending ranks. The committee also discussed the lack of empathy exhibited by upper-class directly appointed chief officers towards operational officers, contributing to the police strikes. The Committee concluded the professional qualities required to be a chief constable should be nationally prescribed:

> 'No person without previous police experience should be

> appointed as chief constable in any force unless he possesses some exceptional qualification or experience which specially fits him for the post' (Desborough 1920: para 139).

The recommendation, later Regulation 9 of the 1919 Police Act, allowed some flexibility. Several candidates were appointed chief constables directly from the Royal Irish Constabulary or the colonial police. ACC posts were not subject to the regulation, thereby permitting external recruitment at the level below the chief constable to qualify the individual to apply for future chief constable vacancies (Reiner 1988). Nevertheless, police authorities could no longer appoint whomever they wished to be the chief constable. The Desborough reforms solidified 'the ideology of internal recruitment' (Wall 1998: 303), enabling the development of a meritocratic professional elite that valued expertise and experience. Desborough also shifted the balance of power from local police committees towards chief constables and central government. The move also reflected the growing influence of the occupation's professionalisation, which embodied rational power underpinned by legitimacy derived from competence, administration and efficiency.

3.3. Professionalisation and Consolidation

The early legitimisation of organised policing in England and Wales was enabled by localism, the breadth of the policing role and its working-class/lower middle-class membership. Legitimacy was reinforced by the presentation of the constable as an exemplar of Victorian values and good citizenship. However, during the interwar and post-war periods, the legitimising foundations underpinning policing in England and Wales shifted from local oversight towards central coordination with the further structural

consolidation of local forces into larger entities. The status of chief constables evolved with the introduction of the Trenchard accelerated promotion scheme, the development of an elite voice in the form of ACPO, increased collaborative activity and the assertion of professional independence within the wider Peelian doctrine of policing by consent.

Constabulary independence and internal recruitment

During the inter-war period, the doctrine of constabulary independence, whereby operational police activity should not be subject to direct political control, became an established but contested principle (Morgan 1987). The notion coincided with the Depression and the 1928 Representation of the People Act. Economic hardship and universal enfranchisement contributed to trade unionism's growth and the election of radical labour councils. Following the 1918-19 police strikes, there was a reluctance to leave the police under local control (Walker 2000: 44–53). Three inter-war events helped establish the concept of independent chief constables: conflict between the St Helens Watch Committee and the Chief Constable, the Royal Commission on Police Powers and Procedure and Fisher-v-Oldham.

Firstly, a dispute between the St Helens Watch Committee and Chief Constable Ellerington, relating to allegations of incivility, resulted in his dismissal in 1927. Ellerington appealed, leading to a tribunal that ordered his reinstatement. The committee appealed, and a second tribunal identified the opposition to the chief constable as politically partisan and the complaints unsubstantiated. It questioned whether a chief constable should be vulnerable to a temporary majority on a watch committee acting on party lines (Police Journal 1965: 180). Ellerington returned to his post and died in office in 1939, serving thirty-five years as the St Helens Chief Constable.

The *Report of the Royal Commission on Police Powers and Procedure* (1929: 16) clarified the respective roles of the police authority and chief constable:

> 'The powers vested in the Watch Committees are mainly concerned with matters of policy and finance and interfere little, if at all, with the executive or technical control of the force.'

The Commission emphasised the independent nature of the office of constable, stating police ranks were: 'an administrative, as distinct from a legal, significance since duties are imposed upon every constable by law and they cannot be widened or restricted by a superior officer or administrative authority' (*ibid.:* 15). It also encouraged regular national and regional chief constable conferences. These conferences enabled contact with HMIs and Home Office officials, allowed chief constables to discuss common issues, and ensured consistency across forces (*ibid.:* 16).

Fisher-v-Oldham ([1930] 2 K.B. 364), an attempt to sue the Oldham watch committee following Fisher's wrongful arrest, found constables had no master-servant relationship with police authorities but exercised an original Crown authority. Justice McCardie concluded:

> 'If local authorities are to be liable in such a case as this for the acts of the police with respect to felons and misdemeanants, then it would entitle them to demand that they ought to secure a full measure of control over the arrest and prosecution of all offenders. To give any such control would, in my view, involve a

grave and most dangerous constitutional change'.

Constabulary independence was underpinned by Glorious Revolution libertarianism (Walker 2000: 53), which protected individuals from illegitimate political power through parliamentary legislation. The original crown authority of constables protected against police officers being directed to exercise their powers in a partisan manner. Police elites invoked their institution's primary, enduring accountability to the law to defend against transitory political interference. This legitimised the institution as the guardian of commonly held values anchoring a national identity during political and social change (Loader and Mulcahy 2001a).

The 1919 requirement for chief constables to have had relevant policing experience created concern for police authorities. It was feared the Peelian approach of not recruiting gentlemen, combined with unattractive conditions of service for constables, would not generate internal leaders of chief officer calibre. On being appointed Commissioner in 1931, Lord Trenchard employed his RAF experience to establish an accelerated promotion model within the Metropolitan Police, somewhat analogous to the military's commissioned officer structures. Selected recruits and serving officers attended Hendon Metropolitan Police College for fifteen months before promotion to Inspector: to facilitate their progress, the promotion of officers who joined the Metropolitan Police after 1933 was frozen. Because of its impact on the career development of most constables and sergeants, the Police Federation objected to the scheme, which closed in 1939. Mark (1978: 89), Metropolitan Police Commissioner 1972-77, highlighted the limitations of replicating military structures within policing:

> ‘The relations of the police to the public is determined by the acceptability of the law, the limitation of police powers and police accountability. It has nothing to do with the creation of a socially acceptable status designed to equate the police with the armed forces.’

However, Trenchard established a precedent for fast-tracking officers identified as potential future chief officers early in their careers. This strategy maintained a discourse of meritocracy but avoided a direct entry military-style officer class.

Consolidation and the ‘Golden Age’

Immediately before the Second World War, there were 181 forces with establishments varying between two and ten thousand officers. Many forces operated independently, with little movement of officers between forces (Hart 1951: 62). Police engagement in the war effort was centrally coordinated and established the concept of multiple forces comprising a single police service. This wartime response laid the foundations for post-war national reforms, including amalgamations, an increase in women police officers and the establishment of ‘Special Services’.

During the war, local policing priorities were subordinated to national policy, requiring the coordination of a civil defence function under Regional Commissioners. The Defence (Amalgamation of Police Forces) Regulations 1942 placed fourteen borough forces under the command of local county forces, reducing the number of forces in England and Wales from 181 to 131. The 1946 Police Act merged thirty-one borough forces with county forces: in 1960, there were six further voluntary amalgamations. The

conflict, therefore, further accelerated the reduction in local forces and the national standardisation of policing.

Before 1915, there were no women constables: Edith Smith, appointed in August 1915, was the first female police officer and worked in Grantham. By 1919, the Southampton, Hull, Liverpool and Salisbury forces employed female constables, and the Metropolitan Police employed 110 policewomen (without powers of arrest). Despite regulatory guidance supporting women's recruitment, numbers declined in the interwar period. By 1922, only twenty-four policewomen worked in London[7]. Wartime demands transcended prejudice, and the Women's Auxiliary Police Corps was established in 1939. At the war's end, the Corps employed 3,700 women, and there were 400 female police officers. Inspector Barbara de Vitrk became an HMIC staff officer in 1944 and was promoted to Assistant Inspector of Constabulary. In this position, she challenged opposition to the acceptance of policewomen, and in 1947, the Police Federation agreed to accept female members. Numbers of female officers rose steadily. By 1949, 1,148 policewomen were employed across England and Wales.

War efficiencies stimulated the establishment of cross-force capabilities such as forensic services and training facilities. These were catered for in a 1939 agreement for 'Special Service' provision whereby each police authority contributed proportionately to national functions. This approach funded shared recruit training centres (teaching a common curriculum), regional driving schools and national promotion examinations. A thirteen-week national training programme was delivered through eight 'district' training

[7] 1920 Baird Committee on the employment of women in policing (Doran 2001: 42) and Home Office guidelines (BAWP 2018).

schools staffed by seconded police officers. Between 1946 and 1948, 24,000 probationary officers were trained, and the model, initially conceived of as a temporary post-war measure, was adopted as a long-term solution to ensure cost-effective and consistent training. In 1949, a National Police College was established to train serving police officers in leadership skills. A national training syllabus, delivered through the eight chief constable districts and the National Police College, furthered the notion of a police service underpinned by a shared language and standards rather than independent and isolated forces. Special Services collaboration helped create a single police service identity and realised economies of scale without compromising the benefits of independent local forces.

The 1945-1960 period is described as policing's 'Golden Age' (Reiner 2000: 49), characterised by high levels of public consent, when police legitimacy reached its zenith. Gorer (1955: 314) claimed, 'the policeman has been for his peers not only an object of respect, but also a model of the ideal male character.' Young (1991: 14-15) described 1950s constables as 'secular priests' with 'sacred' status (Durkheim 1995: 35). However, post-war police legitimacy was less a policing outcome and more a product of social cohesion, economic prosperity and consensus. Sustained economic growth enabled high employment and investment in social housing, state education and universal healthcare, allowing Prime Minister Macmillan (1957) to observe that 'most of our people have never had it so good'.

Following the war, the 131 chief constables of England and Wales held a 'relative silence and low cultural profile' (Loader and Mulcahy 2001b: 259). Crime was not an issue of public concern, and its apparent 'non-existence was a metaphorical representation of the well-being and security which was prevalent across society' (Young 1991: 327).

Nevertheless, following the Desborough reforms, the authority of chief constables changed through collective organisation and recourse to the doctrine of constabulary independence. The last non-police officer directly appointed to a chief constable's post was Brigadier Cheney in East Riding in 1946. In 1957, the Metropolitan Police appointed its first Commissioner to join as a constable. He was a Trenchard graduate. The legacy of the scheme was considerable. Wall (1998: 217) noted that by 1965, the Commissioner, Deputy Commissioner, four Assistant Commissioners in the Metropolitan Police, nineteen county chief constables, six borough chief constables, the Chief Inspector of the Constabulary and three of his colleagues were all Trenchard graduates. Trenchard remained a source of tension for standard police entrants and Mark, Metropolitan Police Commissioner 1972-77, expressed concern at the Hendon graduate networks within senior police ranks. In his autobiography, Mark (1978: 83-93) suggested Home Secretary Roy Jenkins appointed him as Assistant Commissioner, against the Commissioner's wishes, because he was not a Trenchard alumnus.

The distinction between county and borough forces also shifted while the chief constable demographic changed. In 1948, the Association of Chief Police Officers (ACPO) was established following the amalgamation of the County Chief Constables' Club and the Chief Constables' Association. Its purpose was threefold: to act as a chief officer staff association, provide a structure for networking, and provide a forum for giving and receiving advice (Reiner 1991: 362-7). Constabulary independence, a regular ACPO focus, was legitimised by authoritative pronouncements during the late forties and fifties. The *Report of the Committee on Police Conditions of Service* (1949) stated:

'The police authority have no right to give the Chief Constable

> orders about the disposition of the force or the way in which police duties should be carried out and he cannot divest himself of responsibility by turning to them for guidance or instructions on matters of police duty.'

Similarly, Hart (2023) opined: 'The Watch Committee has no control over the action of the police in regard to criminal law and crime and may not call upon the chief constable to report to it upon any particular case of crime.' Lord Chesham further emphasised police operational independence:

> 'No police authority or anyone else has any authority to interfere in relation to the enforcement of the law by the police. Naturally, there is normally good co-operation between the police authority and their Chief Constable, but the full responsibility for enforcement [is his alone and] in the exercise of this responsibility he is answerable to the law alone, and not to any police authority' (Hansard 08/12/1958 Vol 213 H.L. Deb.5s, c 47).

In 1947, Home Secretary Chuter Ede withheld the police grant to prevent the Salford police authority from appointing an internal chief constable candidate, motivated by a belief chief officers should have experience of more than one force, and to promote an individual who did not would be detrimental to the organisation's 'efficiency' (Hart 2023: 74).

Low visibility Golden Age policing, combined with post-war deference to authority

and economic stability, disguised malpractice and corruption (Bradford and Jackson 2015: 16). Social change, media scrutiny and emergent countercultures exposed policing to challenge and highlighted incidents which compelled police reform. Between 1956 and 1957, the chief constables of Cardiganshire, Brighton and Worcester were subject to criminal or disciplinary proceedings (Stallion and Wall 1999: 20). In 1956, the Cardiganshire Chief Constable was disciplined following his appointment of a deputy. Ultimately, this led to an inquiry into the morals and efficiency of the force, resulting in an amalgamation with Cardiganshire in 1958 (Phillimore 1957: 13). In 1957, the Brighton Chief Constable was arrested for corruption. Although acquitted, he was dismissed after criticism by the presiding judge (1962 EWCA Civ J0130-2). In December 1957, the Worcester Chief Constable was suspended, convicted and imprisoned for fraud (Weinberger 2016).

In 1959, there was further conflict between a chief constable, a watch committee and the Home Secretary, which challenged different interpretations of the constitutional relationship between each party (Marshall 2023: 13–14). The Nottingham Chief Constable, Athelstan Popkess, initiated an investigation into council corruption. When the committee demanded to see the report, Popkess refused and was suspended. Home Secretary Butler threatened to withdraw the central grant if Popkess was not reinstated. The rationale for Home Office support for Popkess was based on the understanding a common law constable exercises discretionary authority in keeping the peace and could not be subject to control or instructions by a watch committee when enforcing the law. Popkess was reinstated and retired the following year after thirty years as chief constable. These examples undermined confidence in the ability of committees to hold chief constables to account. The Worcester, Brighton and Cardigan committees appeared

incapable of addressing corrupt behaviour, while the Nottingham committee, like its St Helens counterpart in 1928, sought to exert political pressure on the chief constable (*ibid.:* 12).

A further scandal occurred in December 1959 following a traffic incident when Constable Eastmond stopped the actor, later Lord Brian Rix, for speeding. Garratt, a passer-by, became involved and was arrested by Eastmond for assaulting a constable. Garratt sued PC Eastmond for assault and wrongful arrest, and the Metropolitan Police made a £300 settlement with no admission of liability or disciplinary action. When challenged in parliament regarding the Home Secretary's role as the Metropolitan Police Authority, Butler re-emphasised the Fisher v Oldham position:

> 'It will be well to remind ourselves of the constitutional position of the police officer. He is not the servant of any authority, local or central. Acting in the office of constable, he is answerable to the law and personally responsible for his actions' (Hansard 18/11/1959: 1247).

In the subsequent debate, the Home Secretary announced a Royal Commission into policing to examine 'the relationship of central and local authorities to the police and their relations to this House, and the relations of the police to the public' (*ibid.:* 1256). The commitment to establish a Royal Commission preceded further incidents causing public anxiety. The 1958 Notting Hill Race Riots exposed racial tensions, reduced confidence in the police's ability to protect minorities (Schofield and Jones 2019) and contributed to Afro-Caribbean community politicisation (Owusu 1986: 33). Concerns regarding the

policing of a 1961 anti-nuclear demonstration in Trafalgar Square were discussed in the Commons (HC Deb 17 October 1961 vol 646 cc155-66) and Lords (Hansard 19 October 1961 vol 234 cc627-54). Two examples of corrupt practice emerged in 1963: the Sheffield Police Appeal Inquiry (Cmmd. 2176) and the behaviour of Detective Sergeant Challenor. The Sheffield Police Appeal Inquiry detailed the routine beating of suspects and the planting of evidence by detectives. A public tribunal criticised complicit senior officers, and the Sheffield Chief Constable retired on the report's publication (Whitaker 1964: 136–7). A second example of corruption was also unearthed in 1963 when Sergeant Challenor planted evidence on a protestor in London. An investigation found that Challenor had planted false evidence on twenty-six suspects (Grigg 1965). He was unfit to plead at his trial, but three other detectives received prison terms for perverting the course of justice (Taylor 1988: 268). Malpractice highlighted the requirement for enhanced police governance and accountability.

Royal Commission and the 1964 Police Act

The 1960s heralded global technological, social and economic change, which impacted policing. Forces moved from operating models based on local beats towards developing specialist teams, enabled by new technology such as radios and vehicles, with outputs subject to managerial performance measures. The decade was also characterised by waning deference and the ascendancy of new forms of individualism and identity (Sutcliffe-Braithwaite 2018). The 1962 Royal Commission on the Police initiated structural change, formalised the tripartite governance model and the doctrine of constabulary independence. It examined:

> '(i) The constitution and functions of local police authorities; (ii) the status and accountability of members of police forces, including chief officers of police and (iii) the relationship between the police and the public and the means of ensuring complaints by the public against the police are effectively dealt with' (Royal Commission 1962: 1).

The inquiry did not propose radical change but clarified governance arrangements, causing Rolph (1962: 177) to describe it as 'an ultra-cautious essay in the art of the possible'. The recommendations were incorporated within the 1964 Police Act, which established the policing framework for the next half-century. In its opening pages, the Final Report (1962: 34) acknowledged, 'The problem of controlling the police can, therefore, be restated as the problem of controlling chief constables.'

The Commission's first element, 'the constitution and function of police authorities', considered policing structures. It received proposals ranging from the establishment of a national police force to the maintenance of the 123 independent force model. Although potentially jeopardising seventeenth-century principles of English libertarianism, the case for a national police force responsible to parliament was made by the Lancashire Chief Constable, the association of Conservative and Unionist Lawyers, the Law Society and the Oxford University Professor of Jurisprudence, A.L. Goodhart. The advantages of economies of scale underpinned arguments for larger forces. However, advocates for the *status quo* suggested efficiencies could be realised through greater use of Special Service arrangements and collaboration as an alternative to amalgamations.

The Commission recognised the legitimising role of 'the local character of the

constable' (*ibid.:* 9) and the 'long tradition of local responsibility for the maintenance of law and order' (*ibid.:* 10). Seeking the benefits of rationalisation, the Commission recommended amalgamations and the 1964 Police Act reduced forces in England and Wales from 123 to 47. In the wake of the 1972 Local Government Act, which reconfigured local authority arrangements, further consolidation occurred in 1974, decreasing the number of forces to forty-three. Wall (1987: 84) described this as a shift from 'a set of small local autocracies, to a series of large regional bureaucracies' with 'little local meaning'.

The Royal Commission addressed differences between borough watch committees and county joint standing committees by recommending a consistent governance model with the establishment of police authorities. Whereas borough watch committees comprised elected councillors and exercised considerable local control, the county joint standing committees held less influence and met rarely. The county model was preferred in the 1964 Act, and in London, the Home Secretary remained the police authority. The 1964 legislation required two-thirds of the authority to be councillors and one-third local magistrates (S2.1). Consequently, democratic police governance was diminished by reduced elected councillors on each police authority and 62% fewer watch committees and joint standing committees. Moreover, the Police Act imposed no expectation on authorities to undertake community consultation to enhance public legitimacy (Lister and Rowe 2015).

The Commission's recommendations 12, 40, 41 and 69 (1962: 141-6) strengthened the Home Secretary's legal responsibilities when dealing with policing outside London. The 1964 Act encouraged the Secretary of State to 'exercise his powers . . . in such manner and to such extent as appears to him to be best calculated to promote the efficiency of

the police' (s.28). These included the ability to require a chief constable to retire for efficiency reasons (s.29[1]), receive an annual report and request a report from a chief constable (s.30), make grants (s.31), establish special inquires (s.32), create regulations (s.33 and s.36) and provide Central Services (s.41). Although there had been a power to appoint a Chief Inspector of Constabulary since 1945, the first appointment was not made until after Royal Commission's (1962: 144) recommendation 43 that 'the post be filled without delay'. The Final Report encouraged a broader HMIC role, proposing that 'the Chief Inspector have a recognised role in the strategic planning of the Police Service' (*ibid.*:75).

The Royal Commission's fifth recommendation (1962: 140) stated 'chief constables should be subject to more effective supervision' informed the 1964 Police Act's articulation of police authority, chief constable and Home Secretary responsibilities. The resulting tripartite system split policing governance between police authorities, chief constables and the Home Secretary. Police authorities were required to maintain 'an adequate and efficient' force (s.4[1]), provide buildings, vehicles and other equipment, 'as may be required for police purposes' (ss.4[3], 4[4]), determine the force establishment (s.4[2]) and control revenue and expenditure (s.8[1], s.8[4]). The 1964 Act empowered the authority to appoint chief constables and dismiss chief officers, 'in the interests of efficiency', subject to Home Secretary approval (ss.4[2], 5[1], 5[4], 6[4], 6[5]). Thus, the Home Secretary could protect chief constables from dismissal without threatening central grant withdrawal. The Commission further recommended that 'chief constables should be appointed from another force, and this should be made a condition of appointment by regulation after seven years (recommendation 18).' Chief constables were required by the legislation to produce an annual report for the authority (S12 [1]) or on request (S12

[2]). However, s.12 also provided chief constables with the option of declining the request if they considered it 'not needed for the discharge of the functions of the police authority' before referring the matter to the Home Secretary.

The 1964 Act (s.5[1]) also formalised the responsibility of chief constables; 'the police force… shall be under the direction and control of the chief constable'. The risk of political partisanship impacting operational decisions was minimised by mixing local councillors and magistrates within police authorities, and chief constables were further safeguarded in local disputes by the Home Secretary's role as arbiter. Overall, the tripartite system of police governance strengthened the chief constable and Home Office position at the expense of police authorities. The Act failed to describe a hierarchical relationship between the chief constable and the police authority. It lacked clarity in critical areas and was unable to prevent future disputes. Crucially, the distinction between 'operational' chief constable responsibilities and 'policy' matters was ill-defined within the Act and artificial in practice (Lustgarten 1986: 36-7). The effect of the reforms was that many police authorities deferred to their chief constable's professional experience (Reiner 1991).

The Commission's second area of focus was 'to examine the status and accountability of members of police forces'. Policing is inescapably political. It utilises public funds, employs discretion and exercises power as a means of social control within a legal framework enabled by democratically elected politicians. Nevertheless, a police system directly extending local or national political power threatens individual liberty. Roach (1999: 18) described this tension; '[t]he idea that the police are a law unto themselves is unacceptable in a democracy', but a system of police 'directed by the government of the day [...] raises concerns about improper partisanship'. The Commission

recognised the desirability of separating routine police operational activity from democratically elected politicians and reinforced the doctrine of constabulary independence.

The Commission enhanced constabulary independence by identifying five contributing elements: the independent office of constable, professional expertise, case law, localism and non-partisanship. The Home Office submission to the Royal Commission stated constables were subjected to the 'control of the law' and required no further direction (Lustgarten 1986). ACPO also stressed the unique status and autonomy of the office of constable arising from 'original' and not 'delegated' powers (Mark 1978: 283). It was argued police authorities should not issue instructions and should be limited to administrative functions. The Birmingham Chief Constable, representing ACPO explained to the Royal Commission (1962: 28):

> 'The chief constable will listen to any opinions expressed by the police authority as to the manner in which police duties are being performed… but he would not accept instructions'.

Similarly, Commissioner Mark emphasised the importance of police officers avoiding partisan politics: 'We discharge the communal will, not that of any government minister, mayor or public official, or that of any political party' (1977: 12). Lustgarten (1986) and Walker (2000) highlighted the legal and constitutional flaws underpinning constabulary independence. Attempts to separate policing from representative political institutions limit the interpretation of 'the political' to partisan politics. Law enforcement involves discretion and is inherently political (Reiner 2010: 33). However, constabulary

independence established itself within police culture and was robustly defended by chief officers (Savage *et al.* 2000). The doctrine;

> '…embedded itself in the lore and learning of both judges and police, and it is inconceivable that, without parliamentary intervention, the courts would resile from the position they have reached' (Lustgarten 1986: 67).

The need to attract educated recruits to fill future senior posts as an alternative to directly appointing chief officers without policing experience was recognised. The Commission (1960: 28) found 'no recent instance of a university graduate entering the service', which led to the establishment of national programmes to attract and develop officers in a manner like the interwar Trenchard model (Savage *et al.* 2000: chap. 4). These early career programmes were supplemented in 1962 by a national senior selection process and training programme which seeded the most senior positions in policing.

The third focus for the Royal Commission was 'the means of ensuring that complaints by the public against the police are effectively dealt with' (HC Deb 16 December 1959, vol 615, cols 1452–55*).* Twenty-two recommendations regarding complaints were incorporated into the 1964 Police Act, including the ability of the Home Secretary to refer a complaint to another force for investigation and the opening of complaints to parliamentary questions. Subsequently, Commissioner Mark (1978: 210) suggested the police experienced a 'degree of accountability [which] exceeded that of any other public service'. Nevertheless, it was not until 1977 that the Independent Police Complaints Board (PCB) was established to scrutinise investigations arising from public

complaints.

The 1964 Police Act strengthened the Home Office and chief constable roles at the expense of local police authorities. Constabulary independence was reinforced to counter risks associated with the partisan political control of policing (Walker 2000: 53) and represented an understanding of legitimacy conferred through objective administrative power. Accountability to the law and 'the people' (Mark 1978: 171), as opposed to elected representatives, became a central tenant of the policing institution and validated a suspicion of politicians amongst many police professionals. By reducing the number of chief constables and concentrating their responsibilities through establishing larger forces, the 1964 Act also elevated their professional status as the impartial and expert representatives of a Weberian institution shielded from political interference. Thus, chief constables came to represent an elite professional bureaucracy defining the general interest and guarding against the expropriation of policing for selfish ends.

Although the Royal Commission restructured policing, it did not prevent further challenges to police legitimacy arising from the misdirection of police power in the late 1960s. In November 1965, the Southend Chief Constable received two years imprisonment for theft (Cooper 1966). The police response to the March 1968 anti-Vietnam war demonstration outside the American embassy was subject to parliamentary criticism (Hansard, 04/04/1968: 731-754). The chief officer overseeing the policing of the demonstration 'strongly refuted any charges of police acting with brutality' (Hansard, 04/04/1968, 735). Home Secretary Callaghan (1987 257-61) quoted a civil servant describing the demonstration as 'a distinct threat to the order of the body politic, exposing a vulnerability in policing which had to be mended, and pretty fast'.

Conclusion

In opening this chapter, I posed three questions: How did the policing institution emerge in England and Wales? What were the conditions that made it legitimate? And how did the office of chief constable develop? The history of policing, particularly the office of chief constable, is important because it shaped cultures, informed professional values and fashioned governance structures to navigate tensions between democratic oversight and institutional independence.

To answer the first question: The policing institution emerged through the medieval system of Frankpledge and was, following the Norman Conquest, enhanced by the office of constable. In pre-industrial England and Wales, maintaining order was a localised communal responsibility led by justices of the peace and constables. Following the Agricultural and Industrial Revolutions, socio-economic changes placed the watch and ward model under pressure. Population growth, urbanisation, the threat of revolution, and the need to sustain rapid industrialisation to maintain geopolitical status presented requirements for regulation and order maintenance that could be met neither by watch and ward nor military force and capital punishment. Glorious Revolution notions of toleration, rule of law and democratic consent precluded a centrally organised response. As the eighteenth century closed, small, localised and professional police forces emerged to protect, regulate and administer populations. The Metropolitan Police was established in 1829, and by 1851, there were over 13,000 local forces across England and Wales which had reduced to 123 by the early 1960s. The media's exposure of police misconduct and requirement to adapt to social and technological changes initiated the 1962 Royal Commission and, following the 1964 Police Act, voluntary amalgamations and national legislation consolidated this highly localised approach to forty-three forces. The Act's

elevation of the HMIC role (Royal Commission 1962: 144) contributed to further standardisation through the proceeding decades enabling the isomorphic homogenisation (DiMaggio and Powell 1983: 148) of policing organisations into an institution by reinforcing a series of self-validating principles, doctrines and norms that described how police forces should be structured, led and governed (Thelen 1999).

The second question asked was: What were the conditions that made the new policing model legitimate? Nineteenth and twentieth-century police legitimacy was supported by responsiveness to local concerns, legally accountable professional operational independence and growing institutional transparency. Firstly, local oversight arrangements supported the notion of policing by consent which were enhanced by the maintenance of Frankpledge concepts of community policing through the performance of a multi-functional public protection role. Elected councillors sat on police authorities after 1888. Desborough (1919) and the Royal Commission (1962) recognised the legitimacy localism but increased the central influence of policing by enhancing Home Office, ministerial and HMIC powers and funding arrangements. Following the 1964 Police Act, the legitimacy of proximity was diminished by amalgamating 123 forces into forty-three, resulting in fewer locally elected representatives engaged in police governance. The Act sought to protect the political neutrality of policing through a mixed membership of magistrates and councillors within police authorities and strengthened both the office of chief constable and the Home Secretary's mediation powers.

Secondly, the legitimising benefits of local governance arrangements were enhanced by the doctrine of constabulary independence to protect from political partisanship which emphasised responsibility 'to the law alone' (Hansard 08/12/1958 Vol 213 H.L. Deb.5s, c 47). The 1964 Police Act's distinction between operational professional

police responsibilities and policy matters lying with police authorities formalised the doctrine. Recruitment of working and lower-middle-class constables, supported by internal promotions, established the notion of a profession that came to be viewed as embodying commonly held national values rather than those of the ruling classes.

The importance of public transparency emerged during this period as a third, but underdeveloped, legitimising factor. The parallel development of print media supported the accountability of the new police. Eighteenth and nineteenth-century treatises advocated change, and growing print media raised collective awareness of criminality. Newspaper criticism of remote Metropolitan chief officers during the 1918 Police Strike contributed to the commissioner's resignation and the requirement for chief constables to have professional policing experience before appointment (Desborough 1920: para 139). Local media exposure of inappropriate political interference and police malpractice also enhanced accountability and highlighted the need for improved systems of redress and oversight. Consequently, the 1962 Royal Commission recognised the importance of legitimacy derived from redressing citizens' grievances following police action or inaction and the 1964 Police Act sought to strengthen police complaint mechanisms.

Question three asked: How did the office of chief constable develop? The leadership of police forces required a senior constable, who became known as a ‘chief constable’. Within the borough forces, this was typically a career officer who had progressed through the ranks, whereas county force standing joint committees typically appointed applicants drawn from the commissioned ranks of the military or landed gentry. County force chief constables enjoyed more independence than borough chief constables. As the role developed through the nineteenth and twentieth centuries, it was strengthened by five factors. Firstly, the amalgamation of forces, from 13,000 in 1851 to

forty-three by 1974, concentrated power in fewer chief constables overseeing larger forces whilst reducing the participation of locally elected councillors in police governance. Secondly, Police Acts between 1874 and 1964 resulted in greater standardisation, an increased proportion of overall police funding coming from the Home Office and the appointment and dismissal of chief constables by police authorities being subject to Home Secretary approval. This further reduced the power of local police authorities over chief constables. Thirdly, the 1919 Police Act requirement for chief constables to have policing experience before appointment supported the notion of policing as a profession informed by experience and professional competence. The 'ideology of internal recruitment' (Wall 1998: 303) created an obligation to identify and develop senior leaders from within the institution. This resulted in the pre-war Trenchard scheme, and subsequent national accelerated promotion programmes in the fifty years following the 1964 Police Act, which established the enduring collective professional socialisation of cohorts of future chief officers. Fourth, the coming together of the County Chief Constables' Club and Chief Constables' Association of England and Wales in 1947 to form ACPO created a single professional body that influenced the development of policing over the subsequent sixty-five years. Finally, the 1964 Act formalised the chief constables' direction and control responsibilities and the doctrine of constabulary, later operational, independence.

This thesis proposes that the 1964 Police Act put a brake on the post 1851 trajectory of the organisational consolidation of policing in England and Wales. The legislation did so by establishing the conditions for institutionalisation and the construction of an enduring Weberian 'iron cage' (DiMaggio and Powell 1983). The resultant homogenisation of structures, national chief officer selection processes and strengthening influence of collective professional organisation through ACPO constrained

the police service's ability to structurally adapt to wider environmental changes, including those presented by the 'Information Age' (Castelles 1996).

Chapter 4: The Institution Challenged

> 'Real "accountability" has little to do with Police Committees, County Councils, or even Parliament. It is a matter which lies directly between the police and the people' - Chief Constable Anderton (1982: 684).

Legitimate policing is an outcome of strategies which simultaneously support the objectives of the state while maintaining the consent of self-interested and independent citizens. The concept of professional policing emerged to maintain order within early nineteenth century societies transformed by rapid urbanisation and industrialisation. The 1964 Police Act, and subsequent police governance and structural reforms, sought to strengthen legitimacy in response to post-war social and economic change. However, the Royal Commission could not anticipate how late-twentieth-century social, economic and technological transformations would affect society. Between 1974, when the Commission's forty-three force policing model was established, and the 2010 general election, technological developments challenged established structures, and socio-economic shifts limited the ability to appeal to shared values. Neoliberalism and populist political responses reduced deference, resulting in greater scrutiny, a distrust of claims to professional legitimacy and the emergence of a more sharply partisan politics, which made policing a fiercely debated issue. Globalisation and digitisation, sometimes referred to as the 'Information Age' (Castells 1997), presented further operational difficulties for locally organised policing, compelling a reconsideration of the traditional legitimising activities of patrol, response and investigation (Manning 2015: 217) and placing a greater

emphasis on quantitative measures of 'effectiveness'.

To understand how these changes and concepts of democratic policing impacted chief constables, this chapter answers the questions: How did the political response to policing develop following the 1964-74 consolidation of forces? How did the chief constable's role change after the 1963-74 restructuring of policing? And how did chief constables organise themselves nationally in response to a changing socio-economic and political environment? I begin by describing the socio-economic changes of the late twentieth century and their influence on policing and consider how some chief constables adapted their professional and public postures in response. I then explore how chief constables organised themselves into an increasingly influential national body in the form of ACPO. The chapter concludes by utilising case studies to describe tensions between independent and professionally organised chief constables and politicians, resulting in calls from the Labour and Conservative parties for greater democratic oversight to restrict chief constable power and influence. I argue that from 1964 to 2010, several events compelled increased police transparency and accountability. However, these changes were externally imposed on the institution in the face of chief constable resistance. Reforms also failed to optimise police legitimacy due to rising crime levels, the exposure of misconduct and a centralising trajectory within the forty-three independent force model which simultaneously constrained opportunities for locally responsive policing and limited the institution's ability to structurally adapt to tackle new forms of criminality.

4.1. Globalisation and Discontent

This section describes how policing developed during the 1970s and 1980s to address civil disorder arising from trade union disputes, racial tensions, protest and counter-cultural

movements. As police tactics became more paramilitary and nationally organised, Conservative Party manifestos increasingly adopted a robust approach to law and order compared to Labour policies. The period also witnessed the further exposure, often by the media, of police malpractice and corruption. External chief constables investigating corruption in the Metropolitan Police found their inquiries obstructed by their London counterparts. The inability of police officers to effectively investigate serious complaints against the institution was recognised and led to the establishment of the Police Complaints Board in 1976, despite opposition from some chief constables who declared it an attack on constabulary independence. As chief constables adapted to the 1964-74 restructuring, several high-profile officers emerged as maverick or 'hero chiefs' (Alderson 1984a: 127) exercising a 'right of legitimate pronouncement' (Loader and Mulcahy 2003: 46) by professing a duty to enunciate the anxieties of the silent majority (Douglas 2013).

During the 1980s, chief constables consistently prevailed over police authorities owing to ministerial support often attributable to Conservative anxieties about left-wing police authorities and a requirement to increase central coordination in response to striking unions. COBR and ACPO oversaw national operational deployments, HMIC inspections increased national influence, and Home Office circulars, such as 114/83, encouraged measurable 'effectiveness'. These changes shifted the tripartite power balance, favouring chief constables and the Home Office.

Disorder, crime and politics

During the 1970s, English and Welsh communities experienced socioeconomic turmoil. Oil prices quadrupled in 1974, unemployment doubled from a post-war average of 1.9 to 4.3 million (Denman and McDonald 1996), and inflation, which between 1955 and 1968

never exceeded 5%, averaged 12.7% over the decade (ONS 2024). The resulting pressures presented challenges for police leaders in the form of industrial disputes, disorder, terrorism and fear of crime, leading to policing becoming a party-political issue.

The perceived inadequacy of the Conservative government's response to the 1972 miners' strike led to the establishment of the Cabinet Office Briefing Room (COBR) to coordinate national responses to crises. A decade later, the 1984-5 National Union of Mineworkers (NUM) strike sought to prevent the closure of collieries. The industrial action became a decisive confrontation between Thatcherite neoliberalism and trade union collective action. Determined to avoid repeating the defeats of 1972, Prime Minister Margret Thatcher mobilised police resources through ACPO's National Recording Centre (NRC) to prevent the picketing of collieries resulting in violent confrontations. After almost twelve months, the strike ended without concessions being granted to the miners. In 1985, future Metropolitan Commissioner Cressida Dick reflected:

> 'The government's seeming indifference to the effect of the dispute on police public relations [should entitle the police] to wonder whether it is being used to preserve law and order or to implement government policy… The miners' strike marks a setback for those who argue that police and politics don't mix… [and] has highlighted the presence of ACPO and the NRC as bodies, set up without the authority of Parliament, of apparently unquantified and unaccountable power' (Young 1991: 44).

Race-related disorders also intensified during the 1970s and 1980s. Football hooliganism

led to violence and the racial abuse of players (Dunning *et al.* 1986). Clashes between far-right groups and counter-fascists occurred in Red Lion Square (1974), Lewisham (1977) and Southall (1979). Disorder ensued when the Metropolitan Police closed the 1976 Notting Hill Carnival. Unemployment, racial tensions and heavy-handed policing contributed to rioting in St Pauls (1980) and Brixton (April 1981), followed by disturbances across thirty-five cities during July 1981. The Scarman Report (1981: 38) into the Brixton riots found 'complex political, social and economic factors' contributed to a 'disposition towards violent protest' and that racial disadvantage was an 'endemic, ineradicable disease threatening the very survival of our society' (*ibid.:* 135). Politically motivated violence further indicated social strain and challenged the post-1974 policing model. During the 1970s and 1980s, Irish Republican terrorists planted bombs on the UK mainland, murdering ninety people. Between 1970 and 1972, The Angry Brigade, a far-left militant group, undertook twenty-five bombings against banks, embassies, the BBC and Conservative MPs (Horspool 2009). The threat of terrorism necessitated the establishment of the Metropolitan Police's Anti-Terrorist Branch in 1971 and the strengthening of Special Branches within forces.

Economic pressures and social conflicts changed the post-war image of British policing. Disorder, protest and terrorism resulted in the mobilisation of police power by the state. The development and visible intensification of new police tactics resulted in the deployment of shields, the use of vehicles and horses to disperse crowds and the development of CS gas and baton gun tactics. The period witnessed tensions between the legal exercise of power and the notion of policing by consent, whereby police legitimacy was impacted by the robust enforcement of public order and employment of paramilitary techniques, more reminiscent of the Peterloo Yeomanry than Peel's citizens in uniform.

Anomie (Durkheim 2005) created by economic decline, political disruption and social dislocation proved criminogenic. The average year during the 1960s recorded a million offences, whereas during the 1970s, the average year experienced two million crimes, and violent crime tripled compared to the previous decade (Home Office 2016). Rising recorded crime and an increasingly pervasive mass media fuelled a fear of crime, which became a feature of 1970s popular culture (Hall *et al.* 2017). The police, judiciary and media commentary reflected a cultural hegemony legitimised by professional objectivity, expertise and experience. The resulting mediated narrative re-framed crime, poverty, youth and race as a wider urban crisis which threatened traditional values.

A mounting fear of crime and declining confidence in the professionally administered rehabilitative ideal (Loader 2006: 572) shaped late 1970s policymaking (Garland 2001: ch.3). The challenge to the liberal progressive notion of rehabilitation was initiated by research highlighting the failure of penal programmes to prevent recidivism and contributed to the pessimistic conclusion 'nothing works' (Fogel 1978). The perceived failure of the criminal justice state to deliver security encouraged neo-conservative demands for harsh punishments, supported by robust policing, as an alternative to welfare-based approaches. Applying a binary and causal logic reminiscent of the 17th Century Bloody Code, Conservatives proposed that increased enforcement would reduce crime. The Conservative Party Manifesto '*A Better Tomorrow*' (1970) suggested a state 'overloaded' (Hall *et al.* 1978) by crime: 'Urgent action is needed to check the serious rise in crime and violence… The best deterrent to crime is the likelihood of being caught. We will strengthen the police…' In contrast, the 1970 Labour Party Manifesto stated, '…the campaign for law and order must be linked to liberty and justice in a civilised society.'

The 1974 Labour Party Manifesto mentioned crime once as a by-product of

deprivation. However, the Conservative Party Manifesto '*Firm Action for a Fair Britain*' celebrated the 1970-74 Conservative government for increasing police numbers, court powers and penalties. The manifesto claimed 'the overall volume of crime in the country has been dropping for the first time for nearly 20 years', despite Home Office figures demonstrating a fourfold increase in recorded crime between 1954 (434,327 offences) and 1974 (1,963,360 offences). Moreover, the data indicated a steep rise in recorded crime between 1970 (1,555,995 offences) and 1974 (1,963,360 offences) (Home Office 2016).

The juxtaposition between the 1979 election manifestos was starker still. Labour devoted a single sentence to crime committing to 'attack the social deprivation which allows crime to flourish'. The Conservatives committed to a strong law and order focus, stating: 'The most disturbing threat to our freedom and security is the growing disrespect for the rule of law'. A retributive agenda was presented under the sub-heading 'the fight against crime', which promised greater control and expressive punishment through more police investment, harsher sentences and a free House of Commons vote on capital punishment. The manifesto stated, 'surer detection means surer deterrence'. Thus, the longstanding convention of politicians avoiding contentious public announcements about crime control and deferring to senior criminal justice professionals ended (Garland 2001: 145). Late 1970s Conservative 'authoritarian popularism' (Hall 1980) altered the relationship between professionals, politicians and the electorate as crime control became politicised.

Conservative 1979 electoral success initiated a shift from Fordist-Keynesianism to neoliberalism. The former's failure was attributed to oversized government, trade unionism and rising crime (Reiner 2007: chs.3-4). Free-market capitalism was proposed as

a solution to economic and social instability and encouraged citizens to view themselves as consumers of state-supplied services. The political mobilisation of the fear of crime resulted in the targeting of groups considered a risk to society and acted as a legitimisation device for a smaller neoliberal state (Wacquant 2009). Consequently, the police assumed a pre-eminent role in the early 1980s as a nationally directed crime control and order maintenance institution (Kinsey *et al.* 1986).

Violence, corruption and accountability

While policing was becoming more nationally organised and focused on addressing social disorder, the exposure of corruption continued to damage institutional legitimacy (Reiner 1992: 765). A failure to operate ethically and lawfully, combined with limited transparency, undermined consensual policing. The Metropolitan Police's Special Patrol Group (SPG) was used to police protests. It was responsible for several deaths, including the shooting of two protestors at a 1973 demonstration (Kennison and Squires 2010). A 1979 clash between far-right groups and counter-fascists in Southall resulted in the death of anti-racist demonstrator Blair Peach. An investigation concluded Peach was killed by an SPG officer, having been struck by an unauthorised cosh (Cass 12/07/1979: 16). Commander Cass 'recommended prosecutions not only for homicide, but for riot, affray and conspiracy to pervert the course of justice' (Hewitt 1982: 75). However, the Director of Public Prosecutions (DPP) declined to support prosecutions (Pallister 1979). The officers avoided criminal court and internal misconduct measures (Metropolitan Police 12/07/1979: 80).

In 1969, *The Times* exposed three detectives taking bribes (Lloyd and Mounter 1969). Home Secretary Callaghan asked HMI Frank Williamson to advise the internal

Metropolitan investigation. As 'provincial' officers, Williamson and Deputy Commissioner Robert Mark clashed with Trenchard graduates who dominated London's chief officer ranks and an occupational culture resistant to external scrutiny (Mark 1978: chs.7-10). Williamson complained of obstruction by senior officers (McLagan 2012: 3). Despite his investigation identifying numerous corrupt officers, only those named by *The Times* were convicted (Cox *et al.* 1977). Sergeant Pilcher was one of the jailed officers. He had notified tabloid journalists ahead of arresting pop stars on whom he had allegedly planted drugs (Travis 2005). In March 1969, *Oz Magazine* referred to Pilcher as 'London's deadliest male groupie' and, in 1970, published its infamous *Schoolkids* issue, leading to the prosecutions of three editors by the Metropolitan Police's Obscene Publications Squad. The prosecutions were overturned, resulting in a Home Secretary-commissioned investigation (Green 1999: 374-375). The inquiry found systematic bribery, corruption and the recycling of seized pornography (Reiner 2010), resulting in numerous convictions, including a chief officer, Commander Virgo, and the head of the unit, Detective Chief Superintendent Moody (Cox *et al*. 1977). Moody, who led the 1969 *Times*-initiated corruption investigation, was himself sentenced to twelve years in 1977 for corruption (McLagan 2012).

Following exposure by *The Sunday People,* Commander Ken Drury, the chief officer overseeing the elite Flying Squad, was convicted of corruption in 1977*,* receiving an eight-year custodial sentence. The following year, Operation Countryman was initiated to investigate City of London and Metropolitan Police corruption. Countryman was led by Dorset Chief Constable Arthur Hambleton, who, like Williamson, found endemic corruption but was obstructed by Metropolitan chief officers (World in Action 1982). He retired in frustration two years later, and responsibility for the investigation returned to

the Metropolitan Police, where it was closed (Cox *et al.* 1977). At the Operation's conclusion, Hambleton had identified as suspects: 78 officers from Scotland Yard and 18 from City of London, including the four commanders, four chief superintendents, eight superintendents, fifteen chief inspectors and six inspectors' (Guardian 21/07/82: 11). However, like Williamson's 1969 investigation, only two junior officers were prosecuted.

The Metropolitan Police's resistance to external investigation demonstrated a tacit acceptance of corrupt behaviour to protect the organisation's reputation (Punch 2013). Examples of corruption for personal gain occurred in parallel with corruption for organisational gain, resulting in wrongful convictions only identified years later. Unethical behaviour in pursuit of convictions can be considered a tactic to build (short-term) legitimacy by enhancing perceptions of police effectiveness. Many wrongful convictions were based on forced confessions following protracted interrogation without legal advice, often punctuated by beatings (Ewing and McCann 2006: 45-56). Several high-profile miscarriages of justice were for terrorism offences related to Irish Republicanism, including the Birmingham Six (1974), the Maguire Seven (1974) and the Guilford Four (1975).

1970s police malpractice highlighted the absence of institutional transparency, ineffective accountability and resistance to external chief officer scrutiny. The period also illustrated the media's role in exposing corruption. While media interest may have increased the likelihood of wrongful convictions in high-profile investigations (Savage *et al.* 2007), classical liberal theory argued journalism sustained democracy (Conboy 2004). In the 1970s and 1980s, investigative journalism exposed police shortcomings. In the short-term, public confidence in the criminal justice system was reduced, but its longer-term impact enhanced accountability. During this period, chief police officers were

compelled to engage with an increasingly 'inquisitive media which will demand answers from them if they engage in wrongdoing' (Coronel 2008: 14).

Declining deference to professionals, emerging counter cultures, and growing individualism complimented the notion that journalists have a social responsibility to uncover truths hidden by elites (Luckmann and Berger 2016). During the 1960s and 1970s, investigative journalism was principally a print media activity (Franklin *et al.* 2005) and exposed police wrongdoing, which, while serving a public good, also sold papers and advertising. However, 1980s and 1990s Public Service Broadcasting documentaries identified and helped overturn high-profile miscarriages of justice that occurred because of police misconduct (Murdock and Golding 1974: 233). *Panorama* (BBC), *Rough Justice* (BBC), *World in Action* (ITV) and *Trial and Error* (Channel 4) drew attention to wrongful convictions and campaigned for reform (Protess *et al.* 1991). Journalists worked with campaign groups to identify issues of concern and placed them in the political and public domain. Of the thirty-two *Rough Justice* cases between 1982 and 2007, eighteen were acquitted (Tryhorn 12/11/2007), and *Trial and Error* contributed to fifteen acquittals between 1992 and 1997. BBC and Granada documentaries influenced the release of the Guilford Four, Maguire Seven and Birmingham Six.

The media's role in exposing police malpractice partly compensated for an ineffective complaints process. A system through which police officers could be held accountable, individual grievances addressed and institutional responses to public concerns demonstrated was integral to legitimate policing. The 1964 Act (s.49) gave chief officers responsibility for recording and investigating complaints. It required HMIC and police authorities to 'keep themselves informed as to the manner in which complaints are dealt with'. This proved inadequate to ensure police officers could not behave with

impunity.

The 1974 Conservative Manifesto promised 'an independent element in the procedure for complaints against the police'. The 1976 Police Act established the independent Police Complaints Board (PCB), which became responsible for reviewing completed investigations and, in non-criminal cases, could direct a chief officer to initiate disciplinary proceedings to be heard by a tribunal composed of two PCB members. It had no investigatory powers. Nevertheless, independent oversight of police complaints met with chief officer opposition. Metropolitan Commissioner Mark (1978: 241) invoked the principle of constabulary independence to oppose the PCB, claiming it would result in 'chief constable status and independence being sadly diminished' and the 'surrender' of 'the ultimate responsibility for police discipline to political nominees'. Mark resigned following the establishment of the PCB in 1977 and predicted it would be an;

> '…unnecessary, cumbersome, expensive and potentially sinister machinery [leading to] …a lessening of democracy and a potential increase of political influence in a field from which it should be resolutely resisted' (*ibid.*).

Home Office research suggested minority communities lacked confidence in the police complaints system (Tuck and Southgate 1981). The Guardian (06/08/81) detailed solicitors' accounts of the regular failure of strong cases against the police, describing the PCB as '*hopeless*'. Between 1977 and 1980, the PCB reviewed 39,497 investigations and challenged 65 cases (Hewitt 1982: 9). Therefore, independent oversight endorsed chief officer decision-making in 99.8% of misconduct investigations. PCB data further

demonstrated limited tust in the system, with half of complaints being withdrawn before an investigation commenced. In London, 68% of complaints were investigated in 1970, but by 1979, this figure had fallen to 38%. The double jeopardy rule further impacted the PCB's effectiveness, which meant police officers could not face disciplinary action once investigated for a criminal offence following a substantiated complaint (Leigh 1977). PCB adherence to this principle was later found to breach its statutory duty (R-v-Police Complaints Board ex parte Madden and Rhone [1983] 2 All E.R. 353).

Moreover, the belief juries were reluctant to convict police officers raised the burden of proof for charging decisions. Consequently, officers avoided criminal sanctions in circumstances where members of the public would have been convicted. The complaints system failed to address police misconduct transparently. The Scarman Report emphasised the importance of independence and accountability (Hall 1982) when dealing with police complaints. The report and the Royal Commission on Criminal Procedure (1981) resulted in the 1984 Police and Criminal Evidence Act (PACE) replacing the PCB with the independent Police Complaints Authority (PCA) to increase police accountability.

Tripartism under strain

Social unrest and police misconduct placed the tripartite governance framework under increasing pressure. The use of policing to suppress industrial disputes and inner-city disorder created tensions with Labour-controlled police authorities. Labour politicians challenged constabulary independence and pursued arrangements to make chief constables more locally accountable (Hain 1979). In 1979, Labour MP Jack Straw introduced a Private Members Bill to establish democratically elected police authorities. Although unsuccessful, the Labour-dominated Greater London Council created

monitoring groups to oversee the Metropolitan Police during the 1980s.

The miners' strike intensified calls for greater local accountability from Labour police authorities who objected to the policing of the strike and the local impact of mutual aid requirements (McCabe and Waddington 1988). In Merseyside (Simey 1988), and Greater Manchester (McLaughlin 1994), police authorities clashed with chief constables regarding the deployment of local officers against picketing miners in other areas of the country. The South Yorkshire Police Authority sought to prevent using dogs and horses to control picket lines by requiring the chief constable to disband the units on efficiency grounds. However, the Home Secretary intervened and withdrew the requirement (Reiner 2010: 228). Derbyshire Chief Constable Alf Parish left office following a dispute with the left-wing police authority regarding the policing of the strike (Brain 2018: 247). The Derbyshire Police Authority also constrained the chief constable's financial decision-making, requiring committee approval for any purchase exceeding £3000.

Labour's (1965) pursuit of a locally 'subordinate and obedient' policing model conflicted with the doctrine of constabulary independence when individual chief constables publicly discussed crime and broader social concerns (Loader and Mulcahy 2001a). The 'right of legitimate pronouncement' (Loader and Mulcahy 2003: 46) arose from professional status and a self-appointed duty purporting to articulate the anxieties of a silent majority (Douglas 2013). Mark (Metropolitan Commissioner 1972-7) was at the vanguard of this phenomenon and offered the following rationale (1977: 118):

> 'We who alone see the reality and the whole of recorded crime should not be reluctant to speak about it. We who are the anvil on which society beats out its problems and abrasions of social

> inequality, racial prejudice, weak laws and ineffective legislation should not be inhibited from expressing our views, whether critical or constructive.'

Mark (*ibid.:* 171) described a 'perplexed society' lacking social cohesion in which the police, as 'guardians of freedom', were stymied by weak government, extremist politicians and a failing criminal justice system. His (*ibid*.: 260) pronouncements were underpinned by his interpretation of the chief constable role, which he saw as serving five masters:

> 'The first, the criminal law which he is sworn to uphold and enforce impartially. The second, his police authority, be it the Home Secretary in the case of the commissioner or a Police Committee if a chief constable. The third, the men and women he commands, whose interests may not always coincide with those of his police authority in financial matters, for example. The fourth, the people of the police district under his command, who look to him for security and tranquillity. The fifth – and the most important – his conscience.'

Mark engaged the media to voice his concerns. He attacked the criminal justice system, criticised the right to silence and defence barristers (*ibid.:* 39, 65). He railed against 'an excess of liberty which makes ordinary people fear to leave their homes is not freedom under the law as we know it' (*ibid.:* 8–9) and emphasised a chief constable 'must be strictly

non-political'. Nevertheless, he described the Labour Party as a 'mediocre crew… maintained in office only by the support of the extremist and authoritarian left' and its relationship with trade unions analogous to 'the way the National Socialist German Workers' Party achieved unrestricted control of the German state' (*ibid.*: 150, 139, 244, 259, 303, 317).

Mark was followed by several long-serving and idiosyncratic chief constables, including John Alderson (Devon and Cornwall 1973–82), James Anderton (Manchester 1976–91) and Kenneth Oxford (Merseyside 1976–89). Media-enabled 'hero chiefs' (Alderson 1984: 127) shifted the chief constable role from local bureaucrat to moralising national commentator (Loader and Mulcahy 2001a: 41-55). Chief constables of this period did not present a single narrative, but all championed constabulary independence and defended it from left-wing attacks. Chief Constable Alderson adopted an academic style to promote community policing (Alderson 1979, 1985, 1998), conflicting with his peers' tougher philosophies (NcNee 1983, Prince 1988). Many chief constables later accepted Alderson's philosophy (Reiner 1991: ch.6) and influenced progressive thinking overseas (Brogden and Nijhar 2005). Nevertheless, he remained a strong adherent to constabulary independence:

> 'When you're appointed chief constable, you are in a very privileged position. You're not a government servant, and you don't have to take orders from politicians, either local or central... There is nobody above you' (Alderson 05/02/99 in Loader and Mulcahy: 262).

Greater Manchester Chief Constable Anderton presented a contrasting character to Alderson, professing, 'there is simply no room in the management of the organisation of police operations for vague academic dissertations' (Police Review 1982: 4684). Anderton adopted a proselytising approach on a broad range of topics outlining the threat to society from 'seditionist… interested groups who do not have the well-being of this country at heart and who mean to undermine democracy' (Thompson 1979: 380). His relationship with his Labour Police Authority deteriorated as he protected his independence from its 'Marxist plot to gain political control of the police' (Anderton 1982: 584). As ACPO chair, he stated HIV-positive homosexuals, drug addicts, and prostitutes were 'swirling in a human cesspit of their own making' (BBC 2005). He suggested, on BBC Radio 4's Today Programme, that God used him to address immorality (Glasgow Herald 1987) and, in a Radio 4 Woman's Own interview, proposed the castration of rapists and reintroduction of corporal punishment, opining, 'they should be punished until they repent of their sins. I'd thrash some criminals myself, most surely' (*ibid.*). The Manchester Council leader asked the Home Secretary to reprimand Anderton, and the Police Authority threatened a vote of no confidence. HMI Byford criticised his 'extreme language and religious overtones' (Telegraph 2012). However, Anderton enjoyed Prime Minister Thatcher's support (*ibid.*). In response to proposals, he sought police authority clearance ahead of speaking engagements her private secretary responded: 'The Prime Minister has seen this and has commented that it would be outrageous if the Chief Constable were required to seek clearance for all his public speaking engagements' (*ibid.*).

Merseyside Chief Constable Kenneth Oxford defended his independence between 1976 and 1989 and ACPO chair 1982/3. He refused to discuss the 1979 death in custody of Jimmy Kelly and allegations of police brutality with the Police Authority. During the

1981 Toxteth riots, he authorised the deployment of CS gas and the use of vehicles to disperse crowds. It was the first time such tactics had been employed outside Northern Island and resulted in David Moore being fatally struck by a police van. Police Authority appeals to the Home Secretary to remove Oxford failed, and he used his annual report to dismiss the 'vituperative, misinformed comment made by members of the County Council, but more unfortunately by members of the Police Committee' (Hobbs 26/11/1998). He opposed the introduction of PACE 1984 on the grounds it would hinder the police's ability to investigate crime. In March 1985, Oxford failed to attend a Police Authority meeting, and the Authority requested he retire. He refused. The Authority appealed to the Home Secretary, who supported Oxford (Simey 1988).

Three factors contributed to the emergence of more vocal chief constables. Firstly, the politicisation of law and order during the 1970s and the broader sense of crisis (Reiner 2007: ch.5), combined with a belief in their independence and unique connections to communities (Loader and Mulcahy 2001a), compelled some to employ parrhesia to defend public interests (Mark 1978: 153-4, 170-1). The fusion of professional experience, the doctrine of constabulary independence and Peelian myth imbued chief constables with an 'almost divine status' (Reiner 1991: 10, 275), empowering them 'to legitimately 'name', diagnose and classify social problems' (Loader and Mulcahy 2001a: 41). This interpretation of the uniqueness of the chief constable role became an institutional orthodoxy informing the chief officer professional identity (Lustgarten 1986, Savage *et al*. 1999). Anderton affirmed:

> 'Real "accountability" has little to do with Police Committees, County Councils, or even Parliament. It is a matter which lies

directly between the police and the people' (Anderton 1982: 684).

The self-declared right to 'legitimate pronouncement' (Loader and Mulcahy 2001a: 41) was not met with legitimising transparency, with chief constables evoking constabulary independence to avoid scrutiny (Savage *et al.* 2000) and rejecting calls for greater oversight. The chief constables of the 1970s were neither graduates of the Trenchard scheme (1934-49) nor of the national Senior (later Strategic) Command Course (SCC), which commenced in 1962. These chief officers did not experience collective socialisation through national leadership training (Wall 1998: 301). This contributed to the absence of a cohesive senior police voice during this period. Yet, in the context of a burgeoning interest in law-and-order Police Federation and Superintendents' Association, spokespersons enthusiastically engaged with journalists (Reiner 1978: 46). Mark (1977: 262) stated:

> 'The gap left by the silence of chief offices of police has been filed by representatives of junior and intermediate ranks elected to negotiate pay and conditions of service and without the experience, resources or the intellectual capacity to discuss public issues for which they bear no responsibility.'

Further motivation for greater public engagement by chief constables can be described as 'promotionalism' (Schlesinger and Tumber 1994: ch.4) in response to reduced deference to authority and growing legitimacy challenges. The resistance to new legislation by Mark and Oxford, Anderton and Oxford's crusading morality, and the

rejection of independent oversight by Mark, Oxford and Anderton reflect a desire to resist change by appealing to traditional values (Loader and Mulcahy 2001a: 51). Thompson (1980: 201) observed there had been:

> 'No period in which the police have has such a loud and didactic public presence, [or] when they have offered themselves as a distinct interest as one of the great "institutions".'

On almost all occasions when chief constables and police authorities clashed during the 1980s, the former prevailed with ministerial support. The governing Conservatives emphasised the risks of left-wing police authorities subverting constabulary independence (Walker 2000: ch.3) whilst eroding it by increasing central coordination through three routes. Firstly, COBR and ACPO were used to oversee national operational deployments (Loader and Mulcahy 2001b: 258-9, Beckett and Hencke 2009). Secondly, HMIC inspection against national policy and the post-1988 publication of inspection reports increased the Home Office's influence over policing. The third lever was the employment of Home Office circulars (Weatheritt 1986). Home Office circular 114/83 emphasised the importance of *'*effectiveness and economy*'*. Applying private-sector business philosophies to ensure value for money and legitimacy derived from measurable 'effectiveness' compelled a different senior leadership style to the 1970s chief constables. Consequently, the tripartite structure became orientated around chief constables and the Home Office at the expense of local police authorities.

4.2. Corpocracy and Crisis

The experiences of public disorder in the 1970s and 1980s continued into the 1990s, which, combined with rising crime levels, contributed to an atmosphere of insecurity. This resulted in the Labour Party adopting the popularist Conservative position of being 'tough on crime' (Blair 1993). Police accountability became increasingly measured through national NPM strategies relating to value for money and national performance targets. These changes coincided with ACPO becoming more corporate to sustain the structural status quo (Savage *et al.* 2000: 214). In 1993, Conservative attempts to reform policing were opposed by the service, including chief officers, and were unsuccessful. From the late 1990s, publicised chief officer failures impacted police legitimacy. Despite claims to be apolitical, several chief constables were considered by some Conservatives as being closely linked with New Labour and representing a liberal elite. These tensions surfaced and were subject to considerable media coverage following the 2008 arrest of Damien Green MP. The Damien Green affair illustrated the limitations of constabulary independence and the difficulties of maintaining the Peelian aspiration of 'impartial service to the law' (Reith 1956: 287). The public conflict with Conservative MPs also indicated the future disposition of the opposition party to the police institution and ACPO.

Insecurity politics

The post-war liberal consensus that characterised policing governance in the 1950s and 1960s declined further during the 1990s. Disorder, rising crime and increased media interest generated public anxieties. In response to insecurity and reduced confidence in professional leadership, popularist law and order policies were initiated by Conservative and Labour administrations.

Disorder and confrontation with the police increased throughout the 1990s: 1990-

91 Poll Tax protests, 1991 attempts to address joyriding in Tyneside and Oxford led to rioting (Campbell 1993), a 1994 march against the Criminal Justice Bill turned violent, and there was further disorder in London after Germany beat England in a 1996 football match. Racial tension increased after teenager Stephen Lawrence was murdered in a racially motivated attack in Southeast London in April 1993. A public enquiry led by Sir William Macpherson (1998) found the Metropolitan Police to be 'institutionally racist'. In October 1993, an anti-racism march in Welling ended in violence and, following the 1995 death in police custody of Wayne Douglas, a 26-year-old black man, Brixton again suffered rioting. The decade also witnessed different forms of protest against animal exports and road building. New media, including rolling news, stoked 'moral panics' (Cohen 2011), including lager louts, new-age travellers and acid-house parties. The Crime Survey of England and Wales suggested crime rose from 14 million at the beginning of the decade to 19 million in 1995 (ONS 2020).

In response, the adoption of a Manichean perspective to identify 'suitable enemies' (Wacquant 1999) became a tactic illustrating the 'political uses of danger' (Douglas 1986: 10) whereby the criminal was identified as 'the Other' occupying the margins of society (Mountz 2009: 328). Loader and Walker (2007: 8) observed insecure citizens 'privilege the known over the unknown, us over them, here over there'. The apparent threat to public safety posed by a culturally deviant and dysfunctional 'criminal underclass' (Murray 1999) provided a neo-liberal rationale for a stronger criminal justice state (Downes and Morgan 2012). Consequently, mass-mediated insecurity discourse, coupled with 'nothing works' (Fogel 1975) narratives, created the conditions for the emergence of a crude punitive populism (Canovan 2005: 77-8) that vilified social difference (Rosanvallon 2008).

During the 1990s, robust enforcement responses offered a superficial impression of restoring order and the opportunity to recover public confidence following the discrediting of rehabilitative responses. A new cross-party consensus, underpinned by a shared toughness, asserted state legitimacy by 'governing through crime' (Simon 2020). However, rhetorically popular policies offered reassurance at the expense of practical effectiveness (Garland 20: 111) and the confidence of minority groups impacted by police activity.

In January 1993, Shadow Home Secretary Tony Blair announced Labour would 'be tough on crime and tough on the causes of crime'. This new posture initiated partisan conflict regarding the robustness of competing policies and their short-term impacts. In June, the Conservative government published a Police Reform White Paper that stated, 'the main job of the police is to catch criminals' (Home Office 1993: s.2.2). In September 1993, Home Secretary Michael Howard coined the slogan 'prison works' in support of the Conservative 'back to basics' campaign (Dunbar and Langdon 1998: 118). This approach signalled a socially divisive and instrumentalist crime-control strategy informed by a consumerist mentality that responded to public concerns with legislation and greater central oversight. Between 1997 and 2010, over 3,000 new criminal offences were enacted (Morgan 2011: 18). Legislative 'hyperactivity' (Loader 2010: 357), a product of increased insecurity and reduced trust in police discretion, extended police powers, sometimes at the expense of statutory safeguards (Zander 2007), in a quixotic quest for reduced risk and greater security. An 'authoritarian spiral' (Loader 2006: 216) rendered policing more accountable through an exponential increase in bureaucracy, which impacted organisational capacity (Malm *et al.* 2005). Nevertheless, a strategy built on greater codification and reduced discretion was a formula unlikely to secure trust and

legitimacy in an increasingly complex and diverse society.

Institutional fortification

Falling public confidence caused by rising crime and disorder contributed to the politicisation of policing and reduced legitimacy, undermining senior police officers as public interest guardians. Furthermore, local police authority influence had declined since the 1964 Police Act. Public accountability was increasingly pursued through New Public Management (NPM) to deliver more efficient and effective services (Stallion and Wall 1999: 25). These priorities signalled a shift from a social to an economic organisational logic (Hough 2010). NPM established performance cultures by creating competition within private and public sector markets, disaggregating public organisations into corporate units with devolved budgets and replicating private-sector management (Hood 1995: 94-97). However, Conservative attempts to reform police terms and conditions, many of which were introduced following the 1918 Police Strike, were unsuccessful due to institutional resistance. The decade thus witnessed a pivot from professional accountability, personified by individual chief constables, to a managerial focus on popularist 'criminal catching' to secure legitimacy (Home Office 1993: s.2.2) and a more powerful collective chief officer voice in the form of ACPO.

The *Inquiry into Police Responsibilities and Rewards* (Sheehy 1993) sought to develop a more business-like police workforce. Commissioned by Home Secretary Kenneth Clarke in 1992 to 'examine the rank structure, remuneration, and conditions of service of the police service' (*ibid.:* 1), Sheehy recommended flatter management structures, chief officer performance bonuses, pay and pension reform and ending employment security for police officers introduced by the Desborough reforms. The

police service resisted the proposals. The ACPO President stated, 'the recommendations will damage the ethos of the service and the morale of individual officers' (Kirby 1993). At a protest rally of 23,000 officers, the Police Federation chair claimed the recommendations would create:

> 'A force without shape or expectations… cynically hired and learning to cynically serve, semi-casualised, a force whose members expect to be used and turned over… Policemen under Sheehy will not be policemen they will be units of manpower' (*ibid.*).

Fifteen chief constables publicly supported the rally. Metropolitan Commissioner Paul Condon described the proposals as 'fundamentally wrong', and the South Yorkshire Chief Constable spoke against them at the rally (*ibid.*). The government rejected Sheehy's recommendations, highlighting ministerial vulnerability when challenging the policing institution. This was noted by Home Secretary Howard's special advisor, later Prime Minister, David Cameron (Cameron 2019: 45).

Despite the failure of Sheehy's proposals, new managerialism was given a statutory footing by the 1994 Police and Magistrates Court Act and the 1996 Police Act. The Acts strengthened the Home Secretary's role through powers to limit police budgets, establish national objectives and set performance indicators (Loveday 1996), and required police authorities to maintain 'an efficient and effective police force', amending the 1964 Act from 'appropriate' to 'effective' (s.6(1) 1996 Police Act). National objectives and an emphasis on effectiveness signalled the use of independent audits and inspections

to centralise governance. HMIC oversight and crime detection targets evidenced progress against popular concerns, re-orientated force objectives and constrained chief officers' ability to adopt locally nuanced strategies. Centrally steered managerial approaches further reduced police authority influence and weakened constabulary independence by connecting chief constables to the Home Office through ACPO.

The application of NPM to policing proved problematic. Narrow indicators and quantitative measures obscured the complex, heterogeneous and unpredictable nature of police work, viewing it as an uncontentious activity rather than one concerned with managing social conflict (Fioramonti 2014). Focusing on managerial 'effectiveness and efficiency' could compromise ethical and civil liberty considerations (Neyroud *et al*. 2001: 94-122). Moreover, effectiveness in isolation did not guarantee legitimacy. Central government priorities focused on property crime and reflected a neoliberal agenda, resulting in an asymmetry in the distribution of policing benefits. Between 1982 and 2001/2, public confidence in the police 'doing a very good or fairly good job' declined from 92% to 75% (Thompson 2010: ii), and recorded crime peaked at 19.6m offences in 1998 (Dodd *et al*. 2004: 14).

NPM managerialism increased scrutiny and contributed to the decline of maverick chief constables and the ascendancy of a more reserved and collegiate chief constable cohort (Loader and Mulcahy 2001b: 252). Generally, 1990s chiefs presented a less authoritarian, more left-liberal and diverse profile than their predecessors. Pauline Claire (Lancashire) became the first female chief constable in 1995, Keith Hellawell (Cleveland 1990-93 and West Yorkshire 1993-98) advocated a liberal drugs strategy, Charles Pollard (Thames Valley Police 1991-2002) supported restorative justice, and David Wilmot (Greater Manchester Police 1991-2002) focused on building positive relationships with

LGBT communities. This shift was marked in 1990 by the launch of ACPO's *Statement of Common Purpose and Values*, which espoused a consumerist and service-based policing philosophy.

ACPO was established in 1948 to advise the government on policing, support collective pay negotiations and connect chief officers (Savage *et al*. 2000: ch.2). Between its inception and the mid-1980s, ACPO wielded limited influence owing to its 'baronial' membership (Reiner 1991: 306) welded to constabulary independence. ACPO's inability to represent independently minded chief officers compelled individuals to speak out during the 1970s. However, the need to coordinate responses to industrial disputes and urban disorders necessitated a more lucid, collaborative and professional approach. Five factors enabled the movement from a partisan to corporate posture for chief constables: Firstly, the 1964 Police Act reforms had, by the late 1980s, established a cohesive professional elite with shared socialisation arising from fast-track schemes and the Strategic Command Course (SCC). Secondly, the government encouraged ACPO to become its principal interface with the police service (Savage *et al.* 2000: ch.6-7), enabled in 1989 by a Home Office-funded secretariat. New procedures requiring dissenting chief constables to formally derogate from collective decisions created a 'presumption in favour of compliance' (Savage and Charman 1996), enhancing national decision-making and operational harmonisation. The separation of ACPO's staff association responsibilities from its national leadership function, with the 1997 creation of the Chief Police Officers Staff Association (CPOSA), allowed it to challenge narratives presented by other police staff associations and interact with central government with greater impartiality. Thirdly, the increasing complexity of terrorism, public order and organised crime, coupled with higher public expectations, amplified the 'quantity and quality of the decisions that have

to be made by chief constables' (Stallion and Wall 1999: 26). This phenomenon incentivised collaboration and the development of national, part-time chief officer, business area leads within ACPO as an alternative to structural change. Fourthly, in 2002, the post of a full-time ACPO President, holding the chief constable rank, was established. Finally, growing corpocracy reduced the incidence of individual chief constables pursuing personal agendas, allowing a more consistent media narrative (Loader and Mulcahy 2003: ch.7). Consequently, ACPO transformed from a staff association into a powerful instrument of centralised police governance during the 1990s that reinforced the institutionalised 'localised and decentralised system of policing' (Savage *et al.* 2001: 214) established by the 1964 Police Act. However, the reduced visibility of senior police leadership and decision-making resulted in criticisms of opaque accountability and diminished legitimacy. Echoing Cressida Dick's earlier observation that ACPO exercised 'unquantified and unaccountable power' (Young 1991: 44) the commission for Racial Equality observed:

> 'The status of the Association of Chief Police Officers (ACPO) is an interesting one. It is a company limited by guarantee and governed by a board of directors. It was set up in the 1950s to develop policing policies centrally and has an influential role in policing generally. It is however only accountable to itself' (CRE 2005: 234).

Leadership crisis

Whereas the exposure of malpractice amongst senior officers in the preceding decades was presented as 'one bad apple' within an otherwise healthy barrel (Chibnall 2013: ch.5), several incidents during the first decade of the twenty-first century questioned the judgement, integrity, and competence of chief constables indicating a deeper systematic malaise. Failings indicated police leadership was misaligned with public expectations and struggled to meet diverse communities' needs. Moreover, some chief officers and ACPO found themselves at loggerheads with the opposition Conservative Party. Thus, notwithstanding the doctrine of constabulary independence, 1997-2010 witnessed increased government intervention, exposure of chief officer misconduct and perceptions of political partisanship.

The fatal shooting of James Ashley in 1998 and the murders of 10-year-old Holly Wells and Jessica Chapman in Soham, Cambridgeshire, in 2002 undermined public confidence in the competence of chief constables. Home Secretary powers were exercised in both cases to require chief constable resignations despite police authority opposition. Unarmed, Ashley was shot on 15 January 1998 when Sussex police officers sought to arrest him from a residential address. Sussex Chief Constable Paul Whitehouse claimed Ashley was armed at a press conference the following day. Whitehouse emphasised that 'the operation was properly and professionally planned' (Hopkins 2001). A PCA-commissioned investigation by Kent Police identified multiple operational failings, resulting in three officers being charged with misconduct in a public office. They were later found not guilty owing to 'corporate failings' (Punch 2011: 14). An investigation by Hampshire Chief Constable John Hoddinott found Whitehouse had 'wilfully failed to tell the truth as he knew it' (Hopkins and Davies 2001). Hoddinott identified 'collusion between some or all of the [Sussex] chief officers' to conceal they knew Ashley was

unarmed at the 16 January press conference, and a 'case of attempting to pervert the course of justice might be made out' (Davies 2001). Whitehouse was suspended but reinstated by the Sussex Police Authority. He resigned after Home Secretary David Blunkett required his dismissal 'in the interests of efficiency and effectiveness' (Hopkins 2001).

The response to the Soham murders further undermined confidence in senior police leadership. The offender, Huntley, was known to Humberside Police for sexual offences and moved to East Anglia in 2001. There were failings by the Cambridgeshire and Humberside forces, which resulted in Blunkett requiring the Humberside Chief Constable's suspension. Humberside Police Authority declined (McLaughlin 2007: 186), and Blunkett took the matter to the High Court. The judge concluded: 'It follows that the police authority is in default of its statutory duty in either refusing to suspend the chief constable or deferring any action on the instruction of the Home Secretary'. Westwood was suspended and retired the following March (Telegraph 13/09/04). The Ashley and Soham examples illustrated a stronger ministerial 'holding to account' of chief constables, contrasting with the support chief officers experienced during the 1980s.

Despite the importance of ethical and professional behaviour to sustain police legitimacy, several chief constables left their posts early following public criticism. The Devon and Cornwall Chief Constable retired early in 2006 following an Independent Police Complaints Commission (IPCC) investigation into an internal reorganisation. A year later, the North Yorkshire Chief Constable resigned after spending £24,000 on an office en-suite shower. The Dyfed-Powys Chief Constable resigned after an affair was disclosed involving the inappropriate use of a force credit card (Campbell and Morris 2007). In March 2008, Greater Manchester Chief Constable Todd was found dead in Snowdonia. The coronial

inquest found he died from exposure while 'his state of mind was affected by alcohol, a drug and confusion due to his personal situation' (Brown 07/10/08). An investigation by the West Midlands Police chief constable concluded:

> 'The failure of Michael Todd to fully disclose the extent of his extramarital affairs made him potentially vulnerable to compromise… [and] his lifestyle… adversely impacted upon the reputation of the Police Service' (Scott-Lee 2009: 11-12).

In 2008, Metropolitan Police Commander Dizaei was charged with perverting the course of justice and misconduct in a public office. He was found guilty and imprisoned for four years (Dodd 2010). He appealed but was re-convicted in 2013 (Dodd 2012, IPCC 2012).

In February 2005, Ian Blair became the Metropolitan Commissioner. On assuming office, he supported Labour's commitment to introduce identity cards before the May 2005 general election. Two months later, and after the failed 21 July 2005 London bombings, Jean Charles de Menezes was fatally shot by officers who believed him to be a suicide bomber. In a statement reminiscent of Whitehouse's comments following the Ashley shooting, Blair claimed de Menezes 'was challenged and refused to obey' (IPCC 2007b: 122). Tactics adopted to address suicide bombers understandably advised against the issuing of a warning, and seventeen non-police witnesses confirmed no challenge was issued (IPCC 2007a: 131, 136). Nevertheless, the Commissioner and the officers themselves insisted a warning had been given.

De Menezes was unconnected with terrorism. Rather than plead guilty to health and safety charges, the Metropolitan Police claimed he was using cocaine when shot and

manipulated an image of the suicide bomber to falsely demonstrate a likeness between the two men (Dodd 2007). In November 2007, the Metropolitan Police were convicted of endangering the public and criticised by Mr Justice Henriques (2007) for adopting 'an entrenched position'. Following the verdict, the leader of the Metropolitan Police Authority's (MPA) Conservative group proposed a no-confidence vote in the Commissioner, describing 'corporate failures on a gigantic scale' (Millar 2007). The vote was defeated, but the Liberal Democrat home affairs spokesman, Nick Clegg MP, demanded Blair's resignation (Brown 2007).

Similarly, Conservative David Davies MP described Blair's position as 'untenable' (Sturcke 2007). Conservative London Mayoral candidate Boris Johnson labelled the police officers as 'trigger happy' and added that it was 'hard to think of any other description of a catastrophe in which a completely innocent man ends up with seven bullets in his head' (Johnson 2007). However, Labour Home Secretary Jacqui Smith, Labour Metropolitan Police Authority chair Len Duvall and Labour London Mayor Ken Livingstone supported the commissioner, and he remained in post (BBC 01/11/2007).

Blair was appointed Commissioner by the Labour Mayor of London, Ken Livingstone. In May 2008, Conservative Boris Johnson was elected to the mayoralty. Johnson immediately announced he would chair the MPA once legislative changes took effect in October 2008. Johnson appointed Kit Malthouse as MPA deputy chair (Lander 2008). In July 2008, following a *Times* article (O'Neill 2008), the MPA announced an investigation into the granting of Metropolitan Police technology contracts to a company owned by a friend of Commissioner Blair, Andrew Miller. On 2 October 2008, the day after Johnson assumed the MPA chair, Commissioner Blair resigned and stated;

> '…the new Mayor made clear, in a very pleasant but determined way, that he wished there to be a change of leadership at the Met... Without the mayor's backing, I do not consider that I can continue in the job' (Blair 2009: 284).

Following the 2005 London bombings, new legislation was proposed containing a controversial provision for detention without charge to be increased from fourteen to ninety days. Although opposed by the Conservatives and Liberal Democrats, Assistant Commissioner Specialist Operations (ACSO) Hayman supported it and wrote to Home Secretary Charles Clarke emphasising the requirement for a ninety-day detention period (SO13 2005). Clarke responded by encouraging MPs to seek the views of their chief constables, and ACPO's chair of Terrorism and Allied Matters (ACPO TAM) requested all chief constables brief local MPs on the need for extended detention. Hayman and Commissioner Blair also lobbied MPs before the parliamentary vote (Wintour 2005). The proposal was defeated, but the mobilisation of ACPO to actively and publicly endorse a politically contentious policy which suspended *habeas corpus* further compromised claims of political impartiality.

Peelian principles and politics

This section illustrates the challenges faced by chief constables in meeting the Peelian ambition of impartial service to the law, emphasised by Mark (1978: 260) and Lord Denning (R v Metropolitan Police Commissioner ex p Blackburn 1968), within an adversarial political environment and partisan media narratives. I will use Assistant Commissioner Bob Quick's 2012 statement to the Leveson enquiry regarding the arrest of

Damien Green MP as a case study to explore themes relating to police legitimacy arising from tensions between chief officers, MPs and the print media.

Having failed to extend pre-charge terrorism detention to ninety days in 2005, the Labour government reduced the ambition to forty-two days. In May 2008, Hayman's successor, ACSO Bob Quick, met with Shadow Home Secretary David Davis MP, who alleged Quick supported the revised pre-charge detention proposal. Quick responded he had offered professional advice at the Home Secretary's request and that Chief Constables' Council had agreed 'in principle' support but felt it a parliamentary matter. The following day, a Financial Times (22/05/2008) article suggested Quick had briefed MPs and quoted Davis as stating: 'Serving officers should not be asked to make the government's case – particularly when it doesn't reflect the common view of chief constables'. Quick (2012: 11) 'found the misleading newspaper article to be a serious matter but [Davis] did not seem at all concerned'. On 11 June 2008, the government passed a Bill extending pre-charge detention to forty-two days. Davis resigned in protest, forcing a by-election, which he won.

In September 2008, the Cabinet Office Director of Security wrote to Quick asking for an investigation into a series of leaks (Committee on the Issue of Privilege 2010: 8). Quick (2012: 12) requested an initial review, which identified documents were being removed from a Home Office safe and shared with the media. CPS consultation identified potential criminal offences, and an investigation commenced. On 27 November 2008, a Home Office civil servant, Christopher Galley, was arrested with two years of correspondence with Shadow Immigration Minister Damien Green. Galley admitted leaking restricted Home Office documents. He stated he was a Conservative Party member and had approached David Davis MP in 2006 to offer him sensitive material.

Davis introduced Galley to Green, who, according to Galley, 'wanted as much dirt on the Labour Party, the Labour Government as possible' (Elliott 2009). In return, Green committed to finding Galley a Conservative Parliamentary role.

The seized material included further correspondence between Galley and Green, resulting in a decision to arrest Green for conspiring to commit Misconduct in a Public Office (Quick 2012: 16). Following legal consultation regarding parliamentary privilege, warrants were obtained for Green's constituency home, office and family home. Permission was obtained from the Serjeant at Arms to search Green's Parliamentary office as Parliamentary lawyers were clear no search warrant was required. Commissioner Blair's last day was 28 November, and Deputy Commissioner Paul Stephenson was briefed before Green's arrest on 27 November. The Conservative opposition leader, David Cameron, The Mayor of London and Chair of the MPA, Boris Johnson, were briefed immediately before Green's arrest (*ibid.: 18*). The Home Office Permanent Secretary and House of Commons Serjeant at Arms were notified ten minutes after the arrest. In a 27 November conversation, Stephenson recalled Johnson remarked:

> 'This thing would "go off like a rocket" and that we would need to have a pretty good reason to think that the arrest of an MP in the House of Commons was not a disproportionate response to a leak inquiry' (HASC 2009: Q178).

On arrest, Green told officers where the leaked documents could be found in his parliamentary office. Green refused to answer questions during interview and on release gave a press conference stating he was innocent and doing his duty as an MP (Swaine

2008). Although unsighted on the rationale behind the arrest, the Conservative response was highly critical. Cameron described the action as 'Stalinesque' (Watt 2008) and a 'worrying stage in our democracy' (Sparrow 2008). Douglas Carswell MP demanded the resignation of the Commons Speaker for permitting the parliamentary search, and Davis stated Green had 'been doing his job' (*ibid.*).

Johnson publicly stated, 'it's my hunch that it will not produce either a charge or a prosecution' (Standard 13/04/2012). Johnson called Green three days after his arrest as 'a friend and ex-colleague… to ascertain… where the facts seem to lie' (MPA 2009). When the Home Affairs Select Committee (2009: Q192) asked whether he spoke to Green as the Mayor of London, Chairman of the Policy Authority or friend and political ally, Johnson responded: 'It was difficult to make any meaningful distinction between my roles'. The committee's chair described Johnson as 'uncooperative and confused'. The previous MPA chair stated Johnson challenged the Metropolitan Police's operational independence by making public his views on an ongoing investigation, pre-judging its outcome and discussing the matter with the suspect. A subsequent review described Johnson's behaviour as 'extraordinary and unwise' but identified no misconduct (Goolden 2009: 170).

The right-leaning *Mail* (29/11/2008) immediately suggested the arrest was politically motivated, Green was a passive recipient of the documents, the parliamentary search was unlawful, and the arrest was heavy-handed (Quick 2012: 20). The investigation team believed the 'media were being fed stories which were simply untrue' (*ibid.*: 22). The reporting concerned Stephenson, who was conscious of tensions between his predecessor and Conservative politicians. Quick described a meeting on 1 December 2008 with Stephenson on his first day as Commissioner:

> ‘Stephenson was beginning to position himself against an investigation he had sanctioned and an arrest and searches he had supported. I reiterated my position that we had acted lawfully after taking careful legal advice and consulting all parties and that it was our duty to undertake this investigation regardless of whether it was unpopular with the media and some MPs’ (*ibid.*: 20).

AC Yates told Quick (*ibid.*) that ‘the inquiry was doomed, and the CPS would withdraw their support due to the outcry’. On 2 December, five days after Galley’s arrest, Stephenson asked Chief Constable Johnston (British Transport Police) to review the investigation, thereby undermining Quick. On 6 December, Stephenson asked Quick to stop the investigation, but he refused (*ibid.*: 23). Johnson’s review was completed on 16 December and endorsed the lawfulness of the arrests and subsequent searches. When provided with the report, the CPS ‘advised that it was in the public interest for the investigation to continue’ (*ibid.:* 27).

Five days after the completion of Chief Constable Johnson’s review, *The Mail* began a series of front-page articles regarding a wedding car business run by Quick’s wife from 21 December 2008 to 9 April 2009. The articles made several demonstrably false accusations while publicly identifying Quick’s wife, his private vehicle and house (Delgado 2008a, 2008b, Oborne 2008). Quick and his family moved home for security reasons and the business folded (Quick 2012: 27-32). In April 2009, Quick was photographed carrying documents into 10 Downing Street, protectively marked ‘secret’, relating to a counter-

terrorism investigation. Before Quick tendered his resignation, Johnson told the Radio 4 *Today Programme*:

> 'I have this morning with great reluctance and sadness as chairman of the Metropolitan Police Authority accepted Bob Quick's resignation as head of counter terrorism.' (Summers 2009).

As Yates had predicted in December 2008, the case was dropped a week after Quick's resignation on 16 April. The DPP concluded there was insufficient evidence to convict either Green or Galley. Galley was sacked for gross professional misconduct.

The Home Affairs Select Committee also published its findings on 16 April. The report failed to understand Green and Galley had been arrested on suspicion of committing the common law offence of Misconduct in a Public Office as opposed to Official Secrets Act breaches. It, therefore, wrongly concluded that leaking the material was not an offence (HASC 2009: 9). However, the Committee acknowledged that the search of Green's Parliamentary office was lawful. A subsequent HMIC review found the investigation was 'well motivated' (HMIC 2009: 19), and the police 'had a duty to pursue the evidence without fear or favour' (*ibid.*: 2). Nevertheless, it suggested: 'Such cases will always involve making difficult choices, and there must be an acceptance that by applying these tests, the police may decide not to investigate or arrest politicians' (*ibid.*). Quick disagreed:

> 'I applied a central policing principle that if the threshold for investigation is reached than a necessary, lawful, proportionate

> and accountable search for evidence must occur. When the police stray from this doctrine, particularly in serious cases, they risk undermining the rule of law' (Quick 2012: 46).

In retrospect, despite the HMIC's comments, it is hard to understand how the Metropolitan Police could not have investigated the Cabinet Office complaint. Green and Galley's arrests were lawful, and although no national security breaches were eventually identified, Galley accessed a ministerial safe and shared sensitive documents with opposition politicians. Nevertheless, protestations that Green 'was just doing his job' reflected the Government's acknowledgement of a 'political culture that tolerates low-level political leaking' (HMG 2010a:7). Thus, despite the DPP's conclusion 'the unauthorised leaking of restricted and/or confidential information is not beyond the reach of the criminal law' (Starmer 2009) such behaviour had become normalised to the extent the chief HMI suggested 'the police may decide not to investigate or arrest politicians' (HMIC 2009: 2) thereby compromising the notion of operational independence and Reith's (1956: 287) fifth Peelian Principle: 'Police seek and preserve public favour not by catering to public opinion but by constantly demonstrating absolute impartial service to the law'.

The perception that the police supported the Labour government in preventing politically embarrassing information from becoming public was widespread and encouraged by some right-leaning tabloids. It is hard to consider The Mail's intrusive approach as an altruistic act by the fourth estate motivated by public interest. The mediated response to Green's arrest offers an example of 'informational politics' (Castells 1997: 311), whereby influencing the media is key to mobilising public opinion. Similar

invasive print media commentary became an occupational reality for chief officers throughout the following decade. The responses to the arrest of a Conservative politician should also be viewed in the context of Blair's simultaneous exit from New Scotland Yard, having lost the support of a Conservative mayor and the apparent closeness between ACPO and the Labour Party.

4.3. New Labour, New Localism

Following success at the 1997 general election, New Labour accelerated the central control of policing, initiated by Thatcher, using enhanced ministerial powers, national plans and quantitative targets to establish a form of consumerist accountability through managerial accountancy. However, the 'effectiveness strategy' further distanced policing from local communities, leading to the realisation that greater investment was needed in community policing and more responsive police authorities. New Labour attempts to reform policing by creating 'strategic forces' (HASC 2005) failed owing to local opposition. Proposals to introduce elected police authority members were resisted by ACPO and not pursued. Meanwhile, the Conservative opposition became increasingly critical of the police institution, describing it as: 'Britain's last great unreformed public service' (Elliott 2006) and promising 'fundamental reforms that transform the police service top to bottom' (Letwin 2003: 31). Central to the proposed Conservative reforms were the introduction of locally elected police commissioners. The Metropolitan Commissioner and President of ACPO publicly opposed the Conservative manifesto commitment, citing the doctrine of constabulary independence.

Labour centralisation

In 2001, Labour Home Secretary David Blunkett published *Policing a New Century: A Blueprint for Reform* (Home Office). The resulting Police Reform Act 2002 extended Home Office influence at police authority and chief constable expense. The legislation gave the Home Secretary mechanisms to encourage effectiveness, including a National Policing Plan, the Police Performance Assessment Framework (PPAF), and ministerial powers to trigger remedial action in forces identified as underperforming by HMIC. The Act compelled police authorities to publish three-year strategies aligned with the national plan. It permitted a Home Secretary to instruct an authority to suspend or retire a chief constable not only for misconduct but also on efficiency, effectiveness and public confidence grounds. Thus, the Police Reform Act facilitated unprecedented central intervention in local operational policing (Sharp 2005), resulting in the concept of chief constable 'operational independence' shifting to 'operational responsibility' to meet central government targets.

Efficiency plans required police authorities to make 2% annual savings whilst demonstrating improved performance through HMIC inspections. The 1999 Local Government Act further compelled forces to demonstrate value through quantifiable targets (McLaughlin 2007: 184-85). In 2001, a Home Office Police Standards Unit (PSU) was established to support PPAF delivery. Bevan and Hood (2005: 517) described the top-down approach as 'the targets and terror system', which relentlessly pursued short-term results in response to crises at the expense of more reflective strategies.

For example, the government's 2002 *Street Crime Initiative*, managed through the fortnightly Street Crime Action Group (SCAG) and chaired by either the Prime Minister or Home Secretary, held underperforming chief constables directly to account. Notwithstanding, street robbery was not a local priority for some forces when considered

against other forms of crime (CJI 2003: 15). In April 2002, Blunkett warned the Metropolitan Commissioner he would send a PSU 'hit squad' to oversee local policing delivery if the force did not improve:

> 'We will give you the freedom to do the job but if you don't do it, I'll have to intervene. Because in the end the people of London, as with the rest of the country, will turn to me as Home Secretary and say, "What did you do about it?"' (Taylor 2012).

Central control through legislation, initiatives and targets represented a continuing shift from local governance to national direction and control. Acting as a conduit for majoritarian public concerns, New Labour pursued an agenda requiring chief officers to align their operational priorities to meet Westminster's interpretation of the public will (Loader 2010). Short-term, politically driven policing priorities required professional elasticity from chief officers. CC7 observed:

> 'There is a compliance culture which is good from a management perspective, but challenge is really important. I see compliance all the way through. The Policing pledge was an example - Ken Jones [ACPO President] worked hard to get us all to sign up to it. I saw chiefs at conferences stand up and say that the Pledge is the only game in town, but only a year ago, it was iQuanta [Home Office web-based data].'

Quantitative performance indicators encouraged occupational cultures that reduced legitimacy to one-dimensional measures instead of acknowledging a continuous interactive process between those with power and those subjected to it (Dunn 2014). The pursuit of crude targets to evidence effectiveness reflected a reductionist and short-term strategy for policing in a complex and changing society. The approach constrained the ability of police to respond to visible instances of low-level disorder and deprioritised low-profile complex crime, including online and high-harm offending. The detection focus arising from the 'tough on crime' (Blair 1993) rhetoric proved an ineffective deterrent and was possibly criminogenic (McCord *et al.* 2001). Furthermore, central targets demotivated frontline officers by failing to recognise what occupational cultures considered good police work. Pursuing performance gains resulted in unethical practices that, when exposed as unjust, further compromised police legitimacy (HMIC 2013b). An HMIC review of Kent Police's crime recording practices found:

> 'An historic culture of chasing targets in common with other forces… this target-driven culture had in the past directly led to some officers in Kent pursuing crimes on the basis of how easy they were to solve, rather than on their seriousness, or their impact on victims or communities' (*ibid*.: 5).

The inspectorate identified Kent Police, in 2010/11, no-crimed[8] 30% of recorded rape cases (the rate for England and Wales was 12%) and found 'an institutional bias in Kent

[8] When police decide there is no evidence a crime has taken place.

towards chasing numerical targets for solving crime'. Chief Constable Learmouth acknowledged that 'chasing numbers' to 'paint the force in the best light' created a 'distortion of activity'. He added, 'I don't think it's right to blame the chief constable. I think it dates back to a target-driven culture under the previous Labour government' (BBC 2013a). The pursuit of shoplifting and cannabis detections over harder-to-investigate crimes, such as sexual offences, burglary, and robbery, to achieve national targets was not limited to Kent. CC7 reflected: 'We gorged ourselves on performance culture. The culture was so embedded. Some were surfaced like in Kent, but we were all doing it.' NPM, introduced by the Thatcher government but reinforced by Labour, encouraged chief constables to exercise power in a manner that ultimately weakened institutional legitimacy.

Meanwhile, late twentieth-century global socioeconomic change generated the increased mobility of people, goods, and ideas. Moreover, the invention of the transistor in 1947 had initiated the Information Age (Castells 1997) which marked a swift transition from traditional industries of the Industrial Revolution to information technology-based economies. The impact of digitisation was profound. In 1990, only 0.25% of the global population were mobile phone subscribers (Worldmapper 1990a), a figure that had surged to 68% by 2010 (Statista 2020a). Similarly, internet usage rose from 0.05% of the global population in 1990 (Worldmapper 1990b) to 26.6% by 2010 (Statista 2020b). These technological shifts fostered networked global interdependencies, leading to what Castells (2016: 8) described as 'a new society in the making', and new law enforcement challenges enabled by global digitisation and unconstrained by physical geographies.

In recognition of the changing operational environment the Home Office white paper *Building Communities, Beating Crime* (2004: 115) proposed a structural review of

forces to enhance efficiency and effectiveness and the HMIC Annual Report (2004: 6) committed to a review of the forty-three-force model established by the 1964 Police Act. The findings were presented in '*Closing the Gap*' (HMIC 2005: 77) which recommended the establishment of between sixteen and eighteen larger 'strategic' forces with the resources to address emergent, significant and complex criminality without increasing funding. The proposals were strengthened by the experience of the 2002 Soham murders which illustrated the difficulties faced by smaller forces when responding to major incidents and the Chief Constable of Nottinghamshire, who stated to the Telegraph that the force was 'struggling to cope' with violent crime and 'in a long-standing crisis' (Foggo and Fellstrom 2005). However, despite the support of Home Secretary Charles Clarke, the proposed restructuring met with chief officer and local police authority opposition (Doward and Hinsliff 2005) thus preserving the 1974 structures. A Home Secretary supported merger of the Lancashire and Cumbria forces, initiated the following year, also failed due to the ability to harmonise local council tax across both areas (BBC 2006).

Attempts to create 'strategic forces' in 2005 were unsuccessful but the 2005 London Bombings led to the establishment of the Counter Terrorism (CT) Network to meet the requirement for a national response to international terrorism. The Network was created within the existing geographically defined institutional structure using s.22a of the 1997 Police Act collaboration provisions. However, the rigidity of institutional structures contributed to the state's development of new structures, external to policing, to meet national threats from crime. The Serious Organised Crime and Police Act 2005 established the Serious Organised Crime Agency (SOCA), a non-departmental government body comprised of civil servants with police powers focused on intelligence development, to replace the police led National Crime Squad (NCS) and National Criminal Intelligence

Service (NCIS). New supporting national entities were also established. A parliamentary report into *Police Disciplinary and Complaints Procedures* (HASC 1998) recommended an independent complaints body replace the PCA. The 2002 Police Reform Act established the Independent Police Complaints Commission (IPCC), which became responsible for investigating serious complaints against the police. The Police and Justice Act 2006 also amalgamated Centrex, the Police Information Technology Organisation (PITO) and the National Centre for Policing Excellence (NCPE) into the National Police Improvement Agency (NPIA). The creation of new 'high policing' entities (Brodeur 2007) in the form of the CT Network and SOCA reflected a shifting law enforcement requirement met either through the establishment of non-police agencies, or the creative use of collaborations to form pseudo-organisations within the confines of the 1974 institutional structure. New legislation between 1994 and 2006, combined with the establishment of the CT Network, increased the centralisation of policing, supporting Loveday and Reid's (2003: 7) contention that: 'The recent history of policing in Britain has been one of increasing central control and weakening links between police and local communities'.

ACPO resistance

Following a decade of legislative hyperactivity, increased budgets, quantitative performance regimes and multiple deterrence and enforcement strategies, there was recognition that increased central control of policing had compromised legitimacy. Remote, target-focused and unrepresentative bureaucracies constrained local delivery (*ibid*., Newburn and Reiner 2004). Constabulary independence rationalised the exercise of professional senior police influence through ACPO into the Home Office (Savage *et al*. 2000), thus limiting the police authority role to the selection of chief officers (after HMIC

shortlisting) and the production of strategic plans (to reflect the National Policing Plan). Despite 1996 requirements for police authorities to engage with local communities, there was minimal evidence of public consultation (Millen and Stephens 2012). Limited community engagement, coupled with a reluctance by police authorities to challenge chief officers, resulted in declining confidence in the tripartite model (Lister and Rowe 2015). Loader (2000: 323) attributed police authority impotence to 'the fragmentation and pluralisation of policing', which undermined local governance mechanisms and distanced the police from the public. Myhill *et al.* (2003: 16) commented the 'structure of accountability had no meaning for the public, as they had no or little understanding of the police authorities'. Chief HMI Ronnie Flanagan observed police authorities, as overseers of a critical public service, lacked public visibility, democratic legitimacy, and public participation (2008). Police authorities, unable to adapt to changing environments and expectations, increasingly resembled hard-to-kill 'zombie institutions' (Beck in Selchow 2016).

From 2003 onwards, the NPM approach softened, indicating a desire to rebalance target-driven crime enforcement with a focus on order maintenance and legitimacy. New localism was presented within *Policing: Building Safer Communities Together* (Home Office 2003) to invigorate police accountability. The report recognised nationally imposed audit and managerial reforms constrained locally responsive policing and proposed a reinvestment in local policing (Newburn and Reiner 2004). Home Secretary Blunkett (Guardian 2003) acknowledged weak local police governance, limited community involvement in setting local priorities and declining public legitimacy. Labour MP Hazel Blears, as Minister for Crime Reduction, Policing and Community Safety, advocated the democratisation of policing through radical localism. *Building Communities: Beating*

Crime (Home Office 2004: 20) proposed a shift from 'policing by consent' to policing by 'active cooperation'. Nevertheless, centrally prescribed public confidence targets and citizen engagement initiatives remained. The Neighbourhood Policing Programme also sought to bridge the 'reassurance gap' to improve responsiveness to local concerns and police accountability (McLaughlin 2007: 187–96).

During and after the 2005 general election, all parties pledged to enhance local accountability to deliver policing services more aligned with local context, expectations and diversity. Labour's 2008 Police and Crime Bill proposed directly elected police authority members but met with ACPO opposition. ACPO President Chris Fox described local democratic accountability as threatening operational independence and national standards (BBC 2008). Metropolitan Commissioner Condon wrote:

> 'I was brought up in my policing career on the inviolate principle of police operational independence. Sadly, in the past there have been a number of attempts to tinker with the phrase – I see no need' (*Standard* 15/09/2009).

The directly elected police authority proposal was withdrawn. Having listened to ACPO objections, Home Secretary Jacqui Smith explained to the BBC (2008):

> 'They said to me there is a real risk that something that is very important in British policing - about non-politicisation - is at risk of being undermined, and I think when you are faced with something that fundamental, it is quite important that you do take stock.'

The Conservative 0pposition adopted a more confrontational strategy. In a *Mini Manifesto,* the Conservative Party Leader, David Cameron, described the police as 'Britain's last great unreformed public service' and stated, 'We shouldn't treat them with kid gloves just because officers do a brave job: we need radical police reform to help cut crime' (Elliott 2006). Identifying the police institution as the barrier to reducing crime, rather than statutory shortcomings or particular social groups, was rooted in 1960s new-left American participatory democracy and the *Port Huron Statement* (SDS 1962). The solution to lowering central control of policing, improving local accountability and meeting diverse social expectations was proposed as the transition of state power from institutions to citizens. Thereby locating the democratic ideal not in the centralised state but within a decentralised civil society comprised of autonomous individuals (Rosanvallon 2008). The repositioning of Conservative policy was signalled by Shadow Home Secretary Oliver Letwin, who proposed a 'neighbourly society' resulting from the 'active co-operation of local inhabitants and voluntary agencies' (Letwin 2003: 18). Invoking the 'Golden Age of policing' (Reiner 1992: 761), Letwin advocated the importance of neighbourhood policing, stating: 'the cycle of responsibility [cannot] be re-established unless there is highly active community policing, providing a visible police presence, reassuring the law-abiding…' (Letwin 2003: 10). In a subsequent speech, Letwin proposed 'fundamental reforms that transform the police service top to bottom' (*ibid.:* 31) and acknowledged:

> 'We may need to look again at the internal structure of our Police Authorities to see how they can be provided with the means to hold chief constables to account… In the United States, there are

> about 20,000 police forces. We have less than 50. There is every reason to suppose that we shall see 50 different models emerging – and every reason to suppose that the virtual revolution will be best achieved in 50 different ways, each responsive to the differing configuration of the area and population served' (*ibid.*: 37).

The concept of locally elected police leaders gained momentum following right-leaning think-tank Policy Exchange's publication of *Going Local: Who Should Run Britain's Police?* (Loveday and Reid 2003). The authors criticised the centralisation of policing, the 'mysterious convention of constabulary independence' and described police authorities as 'powerless cyphers', 'invisible and irrelevant' (*ibid.*: 17, 56). Like Letwin, *Going Local* lauded the '*remarkable achievements*' of the US mayoral model of police governance *(ibid.*: 34-47). The paper argued police accountability was derived from:

> 'The power to appoint and dismiss senior police officers such as the chief constable (and possibly his or her deputies), as well as the power to set a force's priorities and determine its budget'.

The report dismissed the tripartite governance model and concluded:

> '…by sharing control of the police among a number of different officials or bodies tend to confuse the public, place conflicting demands on the police and create opportunities for irresponsible

police chiefs to evade responsibility for their performance' (*ibid.*: 56).

Going Local recommended that chief constables be directly accountable to locally elected leaders and engaged using short-term contracts, constabulary independence should be legally defined, and 'a National Crime Agency should be established for national policing priorities' (*ibid*.: 59-60). The Conservatives subsequently committed to 'introduce genuine local accountability through elected police commissioners' in their manifesto (2005: 15).

After the 2005 Labour election victory, David Cameron became leader of the Conservative Party. He outlined his commitment to police reform, advocating new governance structures and radical changes to officer remuneration and conditions of service. The proposals echoed the unsuccessful 1993 Sheehy Review by promising to be 'more aggressive in breaking down the barriers that stand in the way of a professional, 21st-century police force' (Edwards and Skidmore 2006: 5). Cameron also criticised unaccountable police authorities, stating, 'very few people know who they are, what they do, or how to influence them… the police aren't sufficiently accountable to the communities they serve' (Cameron 10/07/2006).

The 2005-2010 period witnessed police reform and enhanced accountability becoming established as key Conservative priorities, but similar left-wing critiques also emerged. The left-leaning think-tank the Institute for Public Policy Research encouraged the consideration of alternative governance models and concluded:

'Recent attempts by the Government to increase control from the centre through target setting and top-down initiatives have had

> limited success and have made policing even less responsive to local needs and circumstances. At the local level there is no real democratic accountability: police authorities are weak, unaccountable and remote, while elected local government has no effective say over local policing priorities' (Muir and Lodge 2008: 8).

HMIC and Audit Commission police authority inspections concurred with Muir and Lodge's findings. Authorities were found to be ill-prepared to oversee budget cuts, overwhelmed by demand, and only a third had long-term strategic plans (HMIC 2010a: 7). The 2010 Conservative Manifesto built on 2005 commitments by promising to give 'people democratic control over policing priorities', stating: 'We will replace police authorities and make the police accountable to a directly elected individual who will set policing priorities for local communities' (2010: 57).

Thus, left-wing ideas to democratise policing developed in the 1980s (Kinsey *et al.* 1986), while the Thatcher government was centralising policing, morphed into right-wing new localism via American neoliberalism. The election of individuals to oversee policing contributed to the Big Society Conservative strategy of engaging citizens in the governance of local public services to shift power from the state to civil society (Lowndes and Pratchett 2012). The manifesto pledge was radical and novel. Unlike other locally elected public offices that placed lay generalists in positions of responsibility across multi-functional organisations, such as councils, the proposal located a single individual without professional policing experience into a specialist strategic leadership position (Watts 2019; 27). Recognising the novelty of the proposal, a PCC interviewee described the

concept as 'being at the edge of democratic experimentalism'. The different approach adopted to policing when compared with other professions is referenced within Cameron's (2019: 122) autobiography. He dismissed the professional status and leadership of chief officers in favour of elected lay persons;

> '…to improve those services, we wanted to empower the people who delivered them – trusting teachers to run schools, doctors to run GP surgeries, new elected police and crime commissioners to run police forces, and so on. Bureaucracy and centralised control would be out, local, professional delivery would be in.'

The creation of locally elected police leaders contrasted with proposals to empower professionals within the education and health sectors. Chief constables, who had risen from a single-entry point at the bottom of the workforce hierarchy, held a different social status and were perceived as close to the Labour Party. Carswell and Hannan (2005: 117) observed:

> 'Direct Democracy and localism offer the British centre-right an answer to their greatest strategic problem: namely, the fact that a left-leaning liberal elite has successfully taken control of those institutions responsible for almost every aspect of life in Britain today.'

Days after becoming the Shadow Home Secretary, and weeks after Damian Green's arrest

and Commissioner Blair's resignation, Shadow Home Secretary Chris Grayling stated: 'Individual officers have been politically too close to the government. That is not the job of the police' (Oliver 2009). Referencing ACPO, he said, 'No particular representative organisation should have a privileged position' (*ibid.*). Right-leaning think-tank Reform's *A New Force* described ACPO as obstructing politicians from setting strategic priorities for policing, subject to blurred purpose and responsibility and shielded from scrutiny by private company status (Bassett *et al.* 2009: 9-12). Thus, in the years preceding the 2010 general election, there was a growing sense among Conservative politicians that the police, particularly chief officers, required reform, necessitating confrontation and institutional disempowerment to realise what Labour had described in 1965 as a more locally 'subordinate and obedient' police service.

Wielding the rod

The departure of Commissioner Blair, the absence of prosecutions arising from the 2008 Home Office leak investigation and the 2008 election of Conservative London Mayor Boris Johnson shifted the power balance within London's tripartite governance arrangements, allowing new localism to be tested. A year after Johnson became Metropolitan Police Authority Chair, his deputy, Kit Malthouse, declared he and Johnson 'have our hands on the tiller' of the Metropolitan Police and had 'elbowed the Home Office out of the picture' (Dodd 2009). Malthouse opined that chief officers should answer directly to elected politicians, undertake electorally popular activities and be subject to sanction if they failed to deliver. Malthouse's comments prompted retired DAC Roach to write to The Times (19/09/09) invoking the doctrine of constabulary independence:

> ‘Independence in policing means to apply the law fairly and impartially, free from any influence other than the decisions of the courts. The founders of modern policing were as concerned with protecting the public from government tyranny as they were to save the citizen from the partiality of local politics.’

The two most influential chief constables in England and Wales, the Metropolitan Police Commissioner and ACPO President, also asserted the sanctity of constabulary independence. Commissioner Stephenson stated, ‘There must be appropriate space between policing and politics. The principle of the operational independence of the police was set in stone and must not be compromised’ (O’Neill 2009). Similarly, ACPO President Hugh Orde, maintaining the 2008 position adopted by his predecessor Chris Fox, declared all chief constables were opposed to elected commissioners:

> ‘I find it entirely unacceptable from a professional police officer's point of view, and I know I can speak with absolute clarity for all chiefs that lead policing in this country… every professional bone in my body tells me this is a bad idea’ (Standard 2012).

A month later, and five months before the 2010 general election, Orde described the Conservative proposals for elected commissioners as undemocratic and likely to initiate chief officer resignations:

> ‘There will be no votes in protecting people from terrorism, from

> organised crime and from serial rapists that cross the country because they won't be local and they won't get votes… We should not be influenced by anyone who has any potential or suggestion for a political bias. I would not be surprised to see chief officers not want to be part of a system where they can be told how to deliver policing' (Dodd and Laville 2009).

The May 2010 general election delivered a hung parliament, resulting in a Conservative and Liberal Democrat Coalition government. In August 2010 Malthouse described the tripartite system of governance as 'dysfunctional' and chief constables holding 'extreme powers' and acting as 'mini governors of their own areas'. He reiterated the intention to pursue a democratic governance model for policing, enabling elected commissioners to 'wield the rod against these powerful individuals.' (Mulholland 2010). Thus, the environment was created to directly challenge the status and professional leadership of chief constables.

Conclusion

The 1964 Police Act reforms supported the institutionalisation of policing in England and Wales but came under strain almost immediately from socio-economic changes during the 1970s. This chapter offered an overview of the institutional and political responses to the challenges of the 1974-2010 period and answers three questions relating to the changing role of chief constables, their collective organisation and the political response: How did the political response to policing develop following the 1964-74 consolidation of forces and broader social change? How did the chief constable role change after the 1963-

74 restructuring of policing? And how did chief constables organise themselves nationally in response to a changing socioeconomic and political environment?

How did the political response to policing develop following the 1964-74 consolidation of forces and broader social change? Notwithstanding the Royal Commission's emphasis on constabulary independence and local accountability, between 1974 and 2010, the central government's role increased, while that of police authorities reduced. Socio-economic and technological changes, combined with perceived threats from local left-wing radicalism reminiscent of the early nineteenth and twentieth century watersheds elevated the maintenance of local order to a national political concern. Crime control became a politically contested area during the 1970s, resulting in the misrepresentation of crime figures, popular punitivism and legislative hyperactivity (Loader 2010: 357). The politicisation of policing generated divisive rhetoric, incentivised proactive central government interventions and favoured the 'crime fighting' police function over wider public protection responsibilities. From the mid-1980s onwards, national policies and initiatives compromised the doctrine of constabulary independence. Nationally driven NPM strategies and national performance targets unsuccessfully pursued greater legitimacy by seeking to demonstrate effectiveness. New Home Secretary powers retire chief constables and direct operational interventions through the Police Standards Unit and Street Crime Initiative further illustrated this centralising arc. Following the 2005 failure of central government reforms to further consolidate police structures into 'strategic forces' (HMIC 2005) to effectively tackle new forms of criminality national, centrally funded, operational law enforcement entities were created over the geographically defined 1974 force structures. Although the CT Network remained within policing, the national serious and organised crime response became the responsibility of

SOCA, a non-policing organisation subject to direct Home Office oversight. Thus, by 2010 policing had become a remote and nationally directed institution that failed to address the immediate but disparate reassurance and order-maintenance issues experienced by diverse local communities. By the late 2000s, systematic and individual failures, combined with escalating centralisation and managerialism, had a delegitimising effect resulting in renewed calls from both major parties for greater local democratic participation in policing governance. Within the opposition Conservative Party police accountability was presented as the barrier to addressing rising crime encouraging a growing momentum for reform in the build-up to the 2010 general election.

The second question asked: How did the chief constable role change following the 1964-74 restructuring of policing? The concentration of senior police leadership arising from police force amalgamations during the late 1960s, the absence of a national chief officer training regime and a pervasive sense of social, political, and economic crisis encouraged the emergence of high-profile chief constables personifying 'charismatic leadership' (Weber 2009) traits. Their national public profile as social and political commentators was enhanced by a growing mass media and illustrated institutional confidence. Conflicts between chief constables and left-wing police authorities were resolved by successive Home Secretaries in favour of chief constables. However, by the 1990s shared socialisation, selection and training, instituted by the 1962 Royal Commission, had established a more corporate chief constable cohort reflecting a Weberian (2013: 294-6) rational-legal authority. Throughout this period the 'ideology of internal recruitment' (Wall 1998: 303) continued and chief constables vigorously championed the doctrine of constabulary independence when challenged by local police authorities but displayed greater deference to national government.

Thirdly, how did chief constables organise themselves nationally in response to a changing socio-economic and political environment? The 1970s and 80s necessitated the increased national organisation of chief police officers. The power disparity within the tripartite system and the emergence of law and order as a party-political issue contributed to the ascendancy of collective senior professional influence through ACPO and into the Home Office. Despite repeated claims to be non-political and invoking the Peelian Principle of 'impartial service to the law' (Reith 1956: 287), chief constables, emboldened by belief in their moral correctness (Douglas 1986), publicly spoke on political issues and lobbied politicians. Chief constables also publicly resisted reforms to protect human rights (Police and Criminal Evidence Act 1984), organisational modernisation in response to the changing socio-economic and technological environment (Sheehy and 2005 structural reform), mechanisms for public redress (PCB and PCA) and democratic accountability (elected police authorities/commissioners). By the close of the century, ACPO, a publicly unaccountable but publicly funded private company, exercised its influence to preserve the 1974 structural status quo (Savage *et al.* 1996: 103) resulting in institutional hubris (Dekker 2011). This posture compelled either the deployment of creative collaboration arrangements by ACPO (CT Network), or the state's establishment of alternative law enforcement entities (SOCA), to address emergent twenty-first century threats. Reflecting the doctrine of independence, articulated by Alderson (1999) and Mark (1978), ACPO was 'only accountable to itself' (CRE 2005: 234), deploying a logic that constabulary independence meant accountability to democratically elected politicians would be undemocratic (Dodd and Laville 2009). Therefore, the degree to which the Police Act 1964 addressed 'the problem of controlling chief constables' (Royal Commission 1962: 34) is questionable. The resulting institutional inertia undermined the ability to respond

effectively to changing socio-economic and technological contexts thereby reducing public legitimacy.

Chapter 5: Coalition and Reform

> 'It is as though [chief constables] are part of some detached sect whose primary loyalty is to its own doctrines' – Stephen Glover (2015).

Twelve weeks after the May 2010 election, the new Conservative and Liberal Democratic Coalition government published *Policing in the 21st Century* (Home Office 2010), setting the scene for police reform. Operational failures and senior officer misjudgements over the preceding years created an environment receptive to calls for greater oversight, scrutiny, and transparency. The reforms, described by Jones *et al.* (2012: 219) as 'the most far-reaching for half a century', were underpinned by refreshed policing narratives and ambitions, framed within the 2011 Act, which resulted in new democratic governance structures. The changes represented a shift from the centralising trajectory of the preceding decades and re-emphasised the police's crime fighting role, changed police officer conditions of service and reduced central government police funding by 20%. However, unlike the major reforms of the nineteenth and twentieth centuries, there was no modification of the 1974 police force structures in response to the law enforcement challenges presented by wider socio-economic and technological changes.

This chapter considers the implications of these changes on chief officers. I explore the following questions: What was the focus of the reforms? How did chief constables respond? And what made institutional reform possible? The chapter begins with an overview of the reforms and the concepts underpinning them, which introduced local, democratic and lay oversight of policing. I then explore the institutional discourses that

emerged parallel to the 2011 Act's introduction and emphasise the application of professional experience to address contemporary policing challenges. The chapter ends by describing several individual and institutional controversies which further damaged confidence in police leadership, reinforced the requirement for change and concluded with the dissolution of ACPO.

5.1. New Localism, Austerity and the 'Crimefighters'

The Coalition Government acknowledged NPM-driven centralisation was ineffective and reflected an ambition to enhance police accountability and legitimacy using democratic structures. Policing Minister Nick Herbert (2011) commented: 'These reforms are essential to address the democratic deficit in policing, to end the era of central government bureaucratic control… and to drive value for money'. Three distinct but complementary meta-narratives (Ansell 2011: 47) buttressed and legitimised the Coalition Government's reform agenda: local democratic oversight of policing, an emphasis on the police as 'crimefighters' (May 2011) to refocus the institution and the imperative of savings in the context of public sector austerity.

Local democratic oversight

The 2011 Act replaced police authorities with locally elected Police and Crime Commissioners (PCCs), supported by Police and Crime Panels, in 41 of the forty-three police force areas in England and Wales.[9] PCCs were given the power to hire and dismiss

[9] Different governance arrangements remained in the City of London and Metropolitan forces.

chief constables, although the latter theoretically retained operational independence. The reforms reflected New Localism doctrines by presenting the local as an icon for political good and proximate representation tightly connected to community concerns. This initiated a shift from central to local control and the ascendancy of democratic leadership over professional leadership. Home Secretary Theresa May (2012) described PCCs as 'the most significant democratic reform of policing in our lifetime'. They would be responsible for 'the totality of policing in their area' (Home Office 2011a), transferring power from distant central government, ineffective police authorities (Reiner 2013), and detached professional chief officers to individuals directly accountable to local communities (Home Office 2010: 8).

The Policing Protocol (Home Office 2011a) outlined the roles of the Home Secretary, PCCs and chief constables within the new governance arrangements. The introduction of PCCs was driven by the intention to increase accountability by investing 'a statutory duty and electoral mandate' in an individual to 'scrutinise, support and challenge the overall performance of the force' and 'hold the Chief Constable to account' for delivering the PCC's local priorities presented in Police and Crime Plans (Home Office 2011a: 3). The legislation enabled a PCC to appoint a chief constable and require their removal. PCCs were elected using a preferential voting system and held office for four-year terms. It was anticipated they would come 'from a wide range of backgrounds, including both representatives of political parties and independents' (Home Office 2010: 5).

The 2011 Act also established Police and Crime Panels in each force. They were empowered to approve and review progress against the policing plan, seek public updates from the PCC, oversee complaints against the PCC, suspend the PCC if charged with an

offence carrying a maximum penalty of two years and appoint an acting PCC. Police and Crime Panels could also veto, with a two-thirds majority, a change to the precept level. However, a PCC could return with a revised proposal with minimal variation, and the panel could not exercise a second veto. Similarly, once a preferred chief constable candidate was identified by the PCC, the Police and Crime Panel had to hold a confirmation hearing and either endorse or, again with a two-thirds majority, veto the appointment. However, the veto power was a conditional request to the commissioner to return to the panel with an alternative nomination, which could not be refused. The panels, composed of elected councillors and two independent and lay members, could not remove a PCC: instead, the 'public at the ballot box will be the ultimate judge of the success or failure of each Commissioner' (*ibid*: 14-15).

The Protocol signalled an intention to reduce central oversight of policing reminiscent of the pre-1920 position (Chapter 2) and reflected a major departure from the centralising trend of the preceding ninety years: 'The establishment of PCCs has allowed for the Home Office to withdraw from day-to-day policing matters' (Home Office 2011a: 6). This emphasis on localism was balanced by the requirement for the Home Secretary to publish a Strategic Policing Requirement (SPR) (Home Office 2012c) which described national threats to which 'each PCC and the constables and staff of each police force are expected to have regard' (Home Office 2011a: 3-4). Thus, the Act recognised policing was more than a local endeavour and enabled limited Home Office governance at a distance (Garland 2001: 127). In relation to police force effectiveness and efficiency, the legislation retained the Home Secretary's backstop powers (NAO 2018: 28-29) to intervene in failing forces or if national security was threatened, to direct HMIC to report on specific matters and to enforce, or terminate, collaborative arrangements. However,

the Home Secretary was not empowered to remove a PCC. Therefore, PCCs enjoyed considerable influence and could only be unseated by a failure to be re-elected. All executive authority for the office of the PCC was vested in the individual PCC, creating a 'monocratic' system (CSPL 2015: 36-37).

Within the Policing Protocol (Home Office 2011a), the chief constable remained responsible for the direction and control of the force's officers and staff and was legally accountable for the exercise of police powers. The order sought to protect chief constables from direct political pressure by stating the 'PCC must not fetter the operational independence of the police force and the Chief Constable' (*ibid.*: 4), thus partially preserving the notion of constabulary independence. The Chief HMIC described the relationship between a PCC and chief constable as 'not a simple hierarchical arrangement':

> 'In making the chief constable accountable to a directly elected police and crime commissioner, Parliament did not intend to affect or diminish the operational independence of the police, which remains a fundamental principle of British policing. The concept of a chief constable being accountable to the police and crime commissioner does not mean that he or she is not independent' (Winsor 2013a: 12).

Nevertheless, with a PCC able to remove a chief constable under s.38 of the 2011 Act, it was difficult to see how the long-held doctrine of constabulary independence could survive the direct insertion of local electoral politics into police governance (Lister 2013).

Observers offered mixed reactions. Loader (2013: 48) described PCCs as a *'*radical recalibration of the relationship between citizens and... the police'. Others were sceptical. Reiner (2013: 162) described the PCC model as;

> '…misguided root and branch: both conceptually, and in its tacit empirical assumptions… [the] new system of police governance, with PCCs as the lynchpin, moves policing further away from democratic governance, disguised by a fig-leaf of populism'.

Loveday (2013: 22) acknowledged the radical nature of the model:

> 'PCCs are a new and entirely untested venture into popular election and represent a significant shift in the form of governance that has traditionally characterised public administration'.

A common criticism related to the potential for the model to compromise chief officer operational independence (Raine and Keaesy 2012, Lister 2013, Morgan 2012, Joyce 2011). The Association of Police Authorities (HASC 2010: 7.2) also expressed concern:

> 'PCCs will be seeking re-election within a specified geographic area and there is a danger that cross-border and national threats may be neglected. Placing a statutory duty on PCCs to have regard to serious and organised crime and protective services may not be sufficient without creating the right conditions for their

> engagement at a regional and national level, potentially through a national representative body for PCCs.'

Following the Coalition Government's election, ACPO President Orde continued to publicly oppose PCCs (Blackburn 2011). As he predicted in 2009, PCC elections triggered several chief constable resignations. Some interviewees described a toxic relationship between policing and the Coalition Government, partially attributed to ACPO's criticism of the reforms. CC11 reflected: 'Hugh Orde's tenure as the President of ACPO set us on a collision course with the government before the Tories were elected.' CC28 stated:

> 'When they [PCCs] were briefed by the Home Secretary after they were elected, she told them chief officers were bullies and arrogant. This was reinforced by the behaviour of some in ACPO and Sir Hugh Orde'.

The introduction of PCCs represented three shifts in the constitution of police governance: from central to local, from avowedly apolitical to party political, and from professional primacy to popular representation. Firstly, the move from centralisation towards localism reflected a change in police accountability from bureaucratic managerialism (Bevan and Hood 2006) to a democratic model (Raine and Keasey 2012). However, although PCCs were more accountable to specific localities than the Home Secretary, it is questionable whether they represented diverse communities across large police force areas, often incorporating multiple counties and constituencies.

Secondly, PCCs were unusual in their democratic status 'as single-issue politicians'

(Reiner 2013: 172) operating exclusively within the policing domain. Their establishment represented the politics of insecurity whereby civil society is 'governed through crime' (Simon 2007). Police and Crime Plans, shaped by the voters' choice of candidate and informed through local consultation, theoretically allowed police activities to be directed towards publicly defined goals supporting a public good rationality (Loader and Walker 2007). As directly elected individuals, PCCs had a one-to-one relationship with chief constables, which contrasted with the chief constable and police authority committee dynamic. Whereas before 2012, policing had one clear leader in a chief constable, and a seventeen-person committee that could moderate maverick members, the introduction of PCCs split this strategic leadership responsibility into a calculative and contractual principle-agent accountability model (Reiner and Spencer 1993: 177). There was an additional dynamic. PCC engaged nationally with politically like-minded PCCs which presented a new level of political organisation absent from tripartite governance.

Thirdly, the 2011 reforms privileged popular representation over professional expertise. The democratic deficit was addressed by a locally responsive model enabled by the legitimacy of participative democracy. Democracy is predicated on the notions that the will of the people is expressed through the ballot box, those who vote represent the people, and subsequent activity is derived from the vote. Rosanvallon (2011: 12) highlighted this hypothesis's unrealistic nature. Electoral representative democracy reflects a tension between the desire for consensus and acknowledging the validity of conflict within society. Elections thus simultaneously articulate social divisions whilst temporarily reducing diversity to establish majority status. Public policing and the exercise of coercive force, operating within an environment of social, religious, and ethnic plurality, cannot simply be beholden to the concerns expressed by well-organised and

articulate majorities (Reiner 2010: 210). Police relationships with marginalised and disadvantaged groups must also be considered through the prism of legality, consent, and justification (Beetham 2013). Therefore, in isolation, the election's legitimacy is an inadequate basis for effective democracy and must be fortified by other strategies. The local and single-issue nature of the PCC office created an opportunity for accessibility, transparency, participation and a theoretical capacity to consider diverse and individual anxieties with attentiveness, empathy, and compassion.

Crimefighting and 'transformation'

The Conservative Prime Minister's assertion that 'we won't deal with crime until we reform the police' (Cameron 2006) buttressed the local democratisation of policing oversight. To these ends, the Coalition Government developed a populist emphasis on the police crime fighting role, reformed police conditions of service and–initiated several symbolic measures that challenged the police institution's cultural identity. The new government revisited the 1993 Police Reform White Paper's assertion that 'the main job of the police is to catch criminals' (Home Office 1993: 4). The narrow presentation of the police role as 'crimefighters' was a reoccurring theme of the new Coalition Government. The 2010 White Paper stated the 'key priority for the police is to cut crime' (Home Office 2010: 9). Home Secretary Theresa May declared to the ACPO Conference, 'I couldn't be any clearer about your mission: it isn't a thirty-point plan: it is to cut crime. No more, and no less' (May 2010). However, the limitations of an explicit crime focus were acknowledged by the HMIC, chief constables and PCCs. In 2016-17, HMIC identified only 24% of incidents responded to by the police were crime-related (NAO 2018: 26), and a PCC interviewee reflected, 'mental health, youth services and safeguarding has become

what the police do every day rather than dealing with crime issues'. Similarly, CC16 expressed concerns that the framing of police officers as 'crimefighters' (May 2011) might negatively impact police legitimacy and community cohesion:

> 'Policing is more than just reducing crime. Work officers have historically done regarding cohesion, being the glue in the community, is important. This is at risk if neighbourhood policing is undermined.'

Nevertheless, as in the 1974 Conservative Manifesto, the Coalition Government misrepresented crime statistics for political ends (Chapter 4). Following the publication of Office for National Statistics (ONS) *Crime Statistics* (July 2013) suggesting there were 8.5 million offences in England and Wales in 2013 Home Secretary May claimed: 'Recorded crime is down by more than ten per cent under this government. These statistics show that our police reforms are continuing to deliver results…' However, the data explicitly omitted rising levels of fraud and computer misuse offences which it was estimated by the ONS (2016: 38) totalled a further 5.8 million in 2015-16 and 6.1 million in 2020 (ONS 2022). Therefore, in 2013 recorded crime could not be said to have fallen 'by more than ten per cent'.

The new government was also keen to revisit police pay and conditions. Police remuneration had last been reviewed by Sheehy in 1993, and his recommendations were rejected following police opposition. In October 2010, Theresa May asked Tom Winsor (lawyer and Rail Regulator 1999-2004) to consider short-term improvements and the longer-term reform of police terms and conditions. Winsor's report (2012) proposed

numerous recommendations, including the ability of forces to make officers redundant, changes to pension arrangements, direct entry at Inspector and Superintendent ranks and increased educational requirements for police recruits. However, the Police Federation received the recommendations with 'utter dismay, consternation and disillusion' and called for legislative change to enable police officers to take industrial action (Armstrong *et al.* 2016: 13). On 10 May 2012, 32,000 police officers marched past Parliament and the Home Office in opposition to the proposals: despite this, most of Winsor's recommendations were enacted within the Anti-Social Behaviour, Police and Crime Act 2014.

The government also demonstrated its strength and commitment to police reform by making several institutionally symbolic decisions. In June 2012, Home Secretary May selected Winsor over chief constable applicants as the new Chief HMI. Five HMIs supported him, but only one of them had been a professional police officer. Thus, chief officer influence was diminished within the inspectorate, presenting a more impartial profile distanced from ACPO authority. CC32 acknowledged 'recent appointments have given the clear direction of government'. Three months after Winsor's appointment and two months before the first PCC elections, Damien Green MP, arrested in 2008 for maleficence in public office, became Policing Minister.

In 2012, the iconic Bramshill Staff College site, gifted to policing in 1953, was sold representing a symbolic break with the past. CC6 reflected:

> 'The symbolism came home to me when I went to Bramshill to speak to the SCC. I went just before it closed when it was being run down. I watched a programme that week about Edward

> Longshanks moving the Stone of Scone to the Palace of Westminster and building Welsh castles. He understood the power of symbolism. That's what Theresa May did when she closed Bramshill and sought a very different leadership model for policing.'

Following Bramshill's closure, the SCC, the longest established and most senior leadership course in policing, moved from a listed Jacobean manor house, where it had existed for fifty years, to the Civil Service College in Sunningdale. When Sunningdale was sold in 2018, the SCC relocated to Coventry and was accommodated within adjoining porta-cabins.

Austerity restructuring

The 2007-2008 financial crisis triggered a recession in England and Wales. As Conservative Party leader, David Cameron held the New Labour government responsible for excessive public spending. He declared, 'the age of irresponsibility is giving way to the age of austerity' (Brady 2009). The Coalition Government subsequently initiated its austerity programme in 2010, which focused on reducing public expenditure whilst seeking a smaller state supported by the '*Big Society*' comprised of local organisations delivering more efficient public services (Mueller 2019). Austerity discourses rationalised a requirement for radical collective action. Over the following decade austerity measures resulted in a 19% reduction in policing budgets, simultaneously encouraging cross-force collaborations and increased HMIC oversight. Both further compromised the operational independence of chief constables.

Austerity pressures and the 2005 failure to amalgamate forces incentivised the

pursuit of collaboration to deliver savings (Conservative Manifesto 2010: 57). However, HMIC (2013a: 18) counted 543 inter-force, private sector, and public sector collaboration schemes yet concluded: 'The extent to which forces are collaborating in order to save money and transform efficiency is deeply disappointing'. CC38 described some of the challenges to collaboration:

> 'We should be clear regarding the scale of ambition at the national level. Our experience is that of different interpretations of employment law and levels of different spend highlight the need to be more consistent nationally. The experience is that despite consistent legislation and policy, different organisations interpret things differently, and this can be a real barrier.'

The 1964 Police Act encouraged localism and independence, establishing different cultures, priorities, and organisational identities across forty-three forces varying significantly in size, structure, and capability. Several collaboration arrangements initially hailed as successes collapsed, at considerable expense, when PCCs or chief constables changed. In 2013, West Mercia Police agreed to an extensive collaboration with Warwickshire Police. The Police Foundation (Flannery and Graham 2014: 4) concluded the alliance;

> '…is a beacon of collaboration that others can learn from, notably the integration of operational policing across force boundaries and the harmonisation of finance, HR and estate services.'

Five years later, the arrangement was acrimoniously terminated by the new West Mercia Chief Constable and new PCC, who jointly stated:

> '50:50 governance structure has created situations where one chief constable has been able to countermand the operational needs of another and actively prevent them from acting in the best interests of their communities. It has created situations where West Mercia has been blocked from achieving major benefits in efficiencies to reinvest in frontline services… we will not allow West Mercia to be held to ransom. We cannot simply accept the continuation of the current arrangement, which sees West Mercia significantly subsidising a neighbouring force, to the detriment of our police and our communities' (West Mercia Police 2019).

Multi-force collaborations were also used by chief constables to retain SPR capabilities which might have been diminished if subjected to local scrutiny and further budgetary pressures. In the absence of new organisational structures to realise economies of scale collaborations were locally driven by the short-term financial argument that delivering a particular capability across a cluster of forces through aggregated local governance was more cost-effective. Regional Organised Crime Units (ROCUs) were established in 2009 across each policing region and configured around thirteen specialist capabilities including cybercrime, advanced undercover and surveillance (HMIC 2015a: 60-61). The

development of ROCUS was led by the chief constable of Derbyshire, with the support of other chief constables (*ibid.:* 13), to address the national security threats presented by cybercrime and serious and organised crime (HMG 2010b). Unlike the CTP network, which was subject to ministerial oversight and a single national grant following the 2005 London bombings, all ROCU governance and 70% of funding was local. In 2015, HMIC found 'ROCUs have evolved in a piecemeal way… and they continue to develop inconsistently' (HMIC 2015a: 5). A subsequent inspection of ROCU effectiveness identified 'that local interest, rather than regional and national threat, risk and harm, affected prioritisation' (HMICFRS 2021: 3). *The Strategic Review of Policing in England and Wales* (Police Foundation 2022: 139) also found 'funding for ROCUs is too unstable, depending on myriad local decisions'. It concluded: 'The *ad hoc* nature of the Regional Organised Crime Units' funding is a major barrier to them operating effectively' (*ibid*.: 22).

In 2014-15 PCCs, HMIs and chief constables created 'an advisory group on the national debate on policing in austerity' which published its findings in *Reshaping Policing for the Public* (HMIC 2015b) and stated a commitment to:

> 'Enhance capabilities and achieve value for money by scaling up specialist capabilities and standardising functions where appropriate. This will help to maintain capability and resilience across policing but without losing agility when fighting crime.'

Therefore, following the introduction of PCCs, considerations regarding the re-configuration of police structures to meet new threats and public expectations shifted. The debate moved from continuing the historical consolidation of forces through

amalgamations to aggregating specialist functions at the supra-force level. This strategy echoed that of ACPO in its pursuit of creative 'workarounds' to preserve the 1974 geographically defined forty-three local force model (Savage *et al.* 2000) whilst seeking to address unbounded threats requiring costly and specialist responses. Driven by economic and institutional logics, the report proposed a new framework for policing where:

> 'Specialist capabilities and areas of operational and criminal justice support are consolidated into cross-force functions, strategically located and operating to national standards' (HMICb 2015: 7).

The NPCC Specialist Capabilities Programme was established in 2015 and overseen by the Police Reform and Transformation Board (PRTB). It developed proposals for a *Networked Policing Model* to brigade different specialist functions at the supra-force level. However, the anticipated further significant cuts to the police central grant did not materialise when, Chancellor George Osborne announced, twelve days after terrorist attacks in Paris: 'There will be real-terms protection for police funding' (Hansard 25/22/2015). Consequently, without external shock, the institutional momentum generated by the defensive need to preserve organisational integrity and resources through the Specialist Capabilities Programme (Meyer and Rowan 1977: 484) dissipated.

CC38 emphasised the role of austerity in encouraging police-private sector and police-to-police collaboration but concluded it was ultimately a personal choice by chief officers based on pre-existing relationships:

> ‘In austerity, necessity was the mother of invention. The financial challenge acted as a catalyst. All partnering arrangements are initially sensible and pragmatic, but the reality for most forces … comes down to who individual chief officers can work with on a personal level. The current model is dysfunctional in this respect.’

Collaboration may offer economies of scale but, as the West Mercia example illustrates, challenged local democratic policing principles. Opaque governance managing intra-organisational structures may have obscured legitimising transparency and accountability. Moreover, many policing functions subjected to cross force Counter Terrorism and ROCU collaboration arrangements — such as surveillance, undercover and armed policing potentially threaten liberal democratic values. This was exemplified in the Home Office funded National Public Order Intelligence Unit (NPIOU), formed in 1999 as a national collaboration to coordinate intelligence relating to domestic extremism. Ownership moved between the Metropolitan Police, Cambridgeshire Police and then ACPO (a private company). The NPIOU deployed long-term undercover officers to support forces. HMIC (2012b): 30) found:

> ‘Initial governance arrangements for the NPOIU included the creation of a Steering Group (established in 1999 and comprising chief officers, Home Office representatives and other stakeholders). This stopped meeting in 2007. In 2004 the NCDE [National Coordinator for Domestic Extremism] was appointed, but the role has not been filled by an individual with the seniority

> of a chief officer since 2009. Wherever the units have been located, they appear to have operated in isolation from the host organisation, and to have lacked effective governance.'

While shrinking budgets compelled forces to pursue new collaborative structures, investment in IPCC and HMIC oversight and new NCA powers acted as national checks on chief constable independence. The IPCC was established by the 2002 Police Reform Act, replacing the PCA to enhance public confidence. It published guidance regarding handling complaints for forces and independently investigated the most serious police complaints and complaints against PCCs and their deputies. Thus, the IPCC represented an independent and legitimising institution to respond to individual concerns relating to police actions and behaviours. The Coalition Government invested heavily in this function, expanding the IPCC budget by 37% to £54m between 2011-12 (IPCC 2012: 95) and 2014-15 (IPCC 2015a: 64).

In 2014, the HMIC budget also expanded by 35% from £13.9m to £21.4m, enabling the introduction of the PEEL (Police Effectiveness, Efficiency and Legitimacy) inspection regime to compare and scrutinise forces (HMIC 2014a: 231), widening its focus from value for money (Home Office Circular 114/83) to include legitimacy. The 2011 Act enabled the Home Secretary to commission reviews and PCCs to invite HMIC to inspect their forces. The legislation removed the inspectorate's involvement in chief officer appointments and the power to review PCCs as it had police authorities. HMIC was directly responsible to ministers and parliament, and its increased influence could be considered a means of indirect central direction over policing to counterbalance PCC localism.

The independent status and growth of the IPCC and HMIC offered greater capacity

to evaluate police legitimacy. Tyler (2006b) contends institutions considered to be impartial are most likely to serve the common good as a single interest cannot appropriate them. Thus, individual, thematic, and geographic approaches adopted by the HMIC and IPCC reflected, in ambition at least, a strategy responsive to the concerns of an increasingly diverse society instead of being limited to majority opinions and dominant or visible groups. The strengthening of the IPCC and HMIC's independent authority complemented the episodic electoral-representative democracy personified by PCCs and professional, rational-bureaucratic, chief constable leadership (Chapter 2). Their legitimacy stemmed from their efficacy, independence, and ability to address individual and minority group concerns. From this perspective, the legitimacy of impartiality superseded the tripartite governance model with a decentralised network of dispersed and multilevel controls 'without a fixed centre or underlying hierarchical pattern' (Robinson and McGuire 2010).

Despite Winsor's assertion that 'the operational integrity and independence of chief constables is sacrosanct' (2013: 9), the Coalition reforms also restrained the 'direction and control' (Home Office 2011a: 2) independence of chief constables. The Crime and Courts Act 2013 replaced the Serious and Organised Crime Agency (SOCA), which was focused on intelligence, with the National Crime Agency (NCA), which had an enforcement mandate and whose strategic priorities were set by the Home Secretary. The legislation gave the NCA Director General power task 'the chief officer of a UK police force… to perform a task' (s.5(1)). Moreover, at the request of the Home Secretary to whom the Director General is accountable, the NCA was empowered to investigate Home Office police forces.

PCCs, greater investment in the HMIC and IPCC, and the NCA legitimised and

constrained professional police power. The transition from tripartite governance to local democratic accountability, impartiality, transparency, and scrutiny involved substituting top-down targets for local objectives. NCA operational direction further diluted chief constable sovereign powers. Reinforced counter-democratic structures provided more checks, balances and controls, limiting the individual authority, command and leadership functions of chief constables with a more dispersed governmentality model (Foucault 2007).

5.2. Institutional Counter-narratives

The government's emphasis on democratic policing, police as crimefighters, collaboration and changing oversight structures was matched by countervailing chief constable narratives promoting policing as a profession, extolling evidence-based practice, risk-based prioritisation and public protection discourse based on expert vulnerability assessments. Chief Constable Neyroud's *Review of Police Leadership and Training* (2011) documented the resurgence of police thinking in these areas as the reform agenda emerged at the beginning of the Coalition Government. The review consolidated pre-existing legitimising themes by revisiting the concept of the police as a profession, adopting a scientific approach and introducing the idea of policing vulnerability.

Professionalism

The notion of policing as a profession was pursued through the newly created College of Policing to represent a legitimising break from the recent past. The College, by design, enjoyed less strategic direction from chief constables than its predecessors and absorbed several functions previously discharged by ACPO. The *Review of Police Leadership and*

Training (*ibid.*) renewed the conception of the police profession guided by elitist rationalism in contrast to ill-informed lay electorates. Professionalisation offered legitimacy not through elections but by evidence of competence supporting the collective interest. The notion of policing as a profession supported the development of the nineteenth-century modern police (Chapter 3). The Desborough Committee recommended chief constables be drawn from experienced police officers, and the 1919, 1964, and 1996 Police Acts further enhanced the professional standing of policing. The 1948 establishment of ACPO enabled the national organisation of chief officers into a professional elite, causing Commissioner Mark (1977: 267) to describe policing as achieving 'a status no less admirable than that of the most learned and distinguished professions'.

Following the 2010 election, the Coalition Government replaced the National Policing Improvement Agency (NPIA), itself only established in 2007, with the College of Policing. The NPIA and College of Policing were overseen by independently chaired governance boards comprising ten members. The three NPIA chief constable board members included the ACPO President, Metropolitan Police Commissioner and a chief constable (NPIA 2012: 36). In contrast, chief constable influence was diminished on the twelve member College of Policing board which had one chief constable seat.

The College of Policing focused on establishing policing as a profession, enabled by a *Code of Ethics* (CoP 2014b), a programme of Continuous Professional Development (CPD) and the licensing and accreditation of officers with long-term aims of achieving royal chartered status and becoming the independent professional body for policing. The *Code of Ethics* (CoP 2014b: 5) emphasised the importance of leadership, stating:

> ‘The more senior in rank, grade or role you are, the greater the potential for harm as a consequence of any misuse of your position or any failure to meet the standards required by the Code of Ethics.’

The *Code of Ethics* reflected a broader project to regulate police behaviour. The emphasis on professionalisation could be considered a counterbalance to increased democratic oversight and independent IOPC and HMIC moderation. Professions are autonomous, self-regulating and develop bureaucracies, ideologies, and identities to enhance their authority (Johnson 2016). Moreover, it is notable as policing pursued professional status the legitimacy conferred on professionals was in decline. The intention to (re)claim professional status for policing was not uncritically accepted by chief constables. CC6 asked: ‘Professionalising the police service’ – what does this mean? Does it mean accreditation? It’s offensive as it implies the police service isn’t professional.’ CC4 stated:

> ‘The College of Policing is irrelevant. It’s a dog’s dinner that, maybe, in a million years, might become credible. No one understands its priorities, and their priorities don’t seem to be shared by anyone else.’

CC10 also viewed the College and professionalisation with scepticism:

> ‘I worry about the professionalisation agenda. There’s a danger it’s a red herring. We need to recognise the artisan nature of

> policing. It is, and will always be, about people and communities. Finding our way through this will always be a challenge. The College doesn't feel like a professional body to me or Billy on the response team.'

A PCC research participant questioned the concept of a 'college' for policing:

> 'It doesn't have an academic standing - it doesn't feature on any academic radars. It should be aligned to an institution for credibility. The College isn't really in the right space. Is it a College or a producer of Authorised Professional Practice?'

The College absorbed several national ACPO functions, including responsibility for national standards and assumed the mantel of being the professional voice of policing (Holdaway 2017). The contested issue of national police leadership and the achievability of its ambition were highlighted by CC10, who expressed frustration:

> 'License to practice regarding PVP [Protecting Vulnerable People]? Are you having a laugh? We can't even get people to be detectives! There's a huge disconnect. The voice of chiefs must be stronger.'

Objective evidence bases

The application of professionally informed evidence-based decision-making, encouraged

by the College of Policing as a rational means of making the best use of scarce resources, did not always recognise public expectations and build legitimacy. The College's 'What Works' Centre reinvigorated the legitimising strategy of policing as a science (Sherman 2002), applied by the Home Office Police Research Group during the 1990s. The limitations of professionally applied police science as a rational legitimising device to inform operational policing and act as a counterbalance to popularist sentiment were illustrated by the response to a 2015 Leicestershire evidence-based policing pilot. The experiment saw police officers attending all domestic burglary scenes, but forensic specialists only attended half of the attempted burglaries. The study concluded the deployment of forensic teams to attempted burglaries was inefficient and tokenistic.

However, criticism of the scheme was widespread at the local and national levels. Jonathan Ashworth MP described it as 'ridiculous and haphazard' adding: 'Why should people who live in odd-numbered houses get a lesser service from their local police force?' (Mullen and Drury 2015) The Leicestershire head of Victim Support commented 'all victims of crime deserve their cases to be robustly investigated,' and the Leicestershire PCC stated: 'Had I been consulted, I would have advised against it' (*ibid*.). The BBC (2015a) reported 'Leicestershire police "ignore" attempted burglaries at odd-numbered houses' and ITV (05/08/2015) announced: 'Leicestershire Police trial downgrades investigating burglaries at odd-numbered houses'. Print media coverage was equally inaccurate and scathing with headlines including the Mail: 'Why the odds are the police won't investigate your burglary: Force says it will only attend break-ins at EVEN numbered houses' (Mullen and Drury 2015). The Mirror: 'Police slammed for only investigating burglaries at even-numbered houses' (Smith 2015) and, the Telegraph: 'Police only investigate attempted burglaries at even-numbered homes' (Ward 2015). A rational cost-benefit assessment of

resource deployment ignored the reassurance offered by providing a universal state service demonstrating a level of care and support beyond quantifiable criminal justice outcomes.

Risk and vulnerability

After policing as a profession and policing as a science, the policing of risk offered a third discourse adopted by senior police leaders, reflecting the Hobbesian (1968 [1651]) duty for the state to protect its citizens. Risk and vulnerability narratives present alternative strategies to punitive 'exceptional discipline' (Foucault 1975) reflected in the concept of police as 'crimefighters' (May 2011) but may also have failed to meet widespread expectations regarding the deployment of limited police resources (Shannon 2018: 109-120).

The professional management of risk reflected an evolution of NPM-based crime-control metrics to discretionary objectives associated with the monitoring, managing and anticipation of threats informed by professional reasoning and calculation (Fionda 2000: 110-11). Reminiscent of broader responsibilities articulated within Chapter 3, policing responded to the uncertainty and insecurity created by economic and social restructuring to discharge the state's responsibility to provide citizens with the common good of security (Douglas 2013). Heuristic-based legislation, such as the 1998 Human Rights Act, control orders and offender management schemes, presented alternatives to traditional criminal legislation that invited police decision-makers to balance individual rights against community well-being using risk-based methodologies. The approach reflected a move from conventional reactive punishment, legitimised by jurisprudence, towards discrete technocratic professional assessments of anticipated threats, resulting in proactive

mitigation only occasionally subject to retrospective legal oversight. National preventative risk management strategies emerged between 2010 and 2015 as budget cuts impacted policing. These included the development of the National Decision Model (CoP 2014c), MoRiLE[10] (Home Office 2018a), Risk Principles (CoP 2013) and THRIVE[11] (CoP 2021) methodologies to manage demand. The prioritisation frameworks can be considered a more efficient means of delivering twenty-first-century security than reactive responses based on victim complaints, evidential standards and due process (Zedner 2007).

The emergence of vulnerability and risk management strategies was catalysed by police failures to prevent child sexual exploitation (Mason-Jones and Loggie 2019) and the post-2010 impact of austerity measures (Shannon 2022). The use of vulnerability assessments to prioritise the deployment of scarce police resources was referenced in Carless' (2011) chief constable interviews. A chief constable interviewed by Roycroft stated the 'totality of the policing mission is based on the vulnerability of risk' (2016: 21). Chief HMI Winsor (2015) commented, 'the vulnerability of people to crime is at the very heart of what policing is all about'. Similarly, the *Policing Vision 2025* described protecting the vulnerable as a 'core policing priority' (NPCC 2016: 4). In 2018, the College of Policing received £2.5m from the Home Office to run a 'Vulnerability Programme'. Metropolitan Deputy Commissioner Craig Mackey acknowledged 'as demand grows you have to have a way of controlling and triaging' (Sheldrick 2017).

To test the relationship between vulnerability discourse and reduced police

[10] Management of Risk in Law Enforcement

[11] Threat, Harm, Risk, Investigation, Vulnerability And Engagement

resources, I analysed text within the seventeen HMIC *Annual Reports* and HMIC *Annual Assessments of Policing* published between 2002 and 2022 to assess the frequency of the use of the words 'vulnerable' and 'vulnerability' by page. Before 2011, the HMIC infrequently applied the concept of vulnerability. Its use peaked in 2016. The 123 pages of the *2004-5 Annual Assessment of Policing* made two references to vulnerability (HMIC 2005: 75-6), but in the 131-page 2016 document, there were seventy-six (0.6 references per page). Figure 1 suggests increased vulnerability discourse reflects reduced total police officer establishment between 2010 and 2019. However, HMIC's mention of vulnerability decreased as officer numbers increased from 2019 onwards.

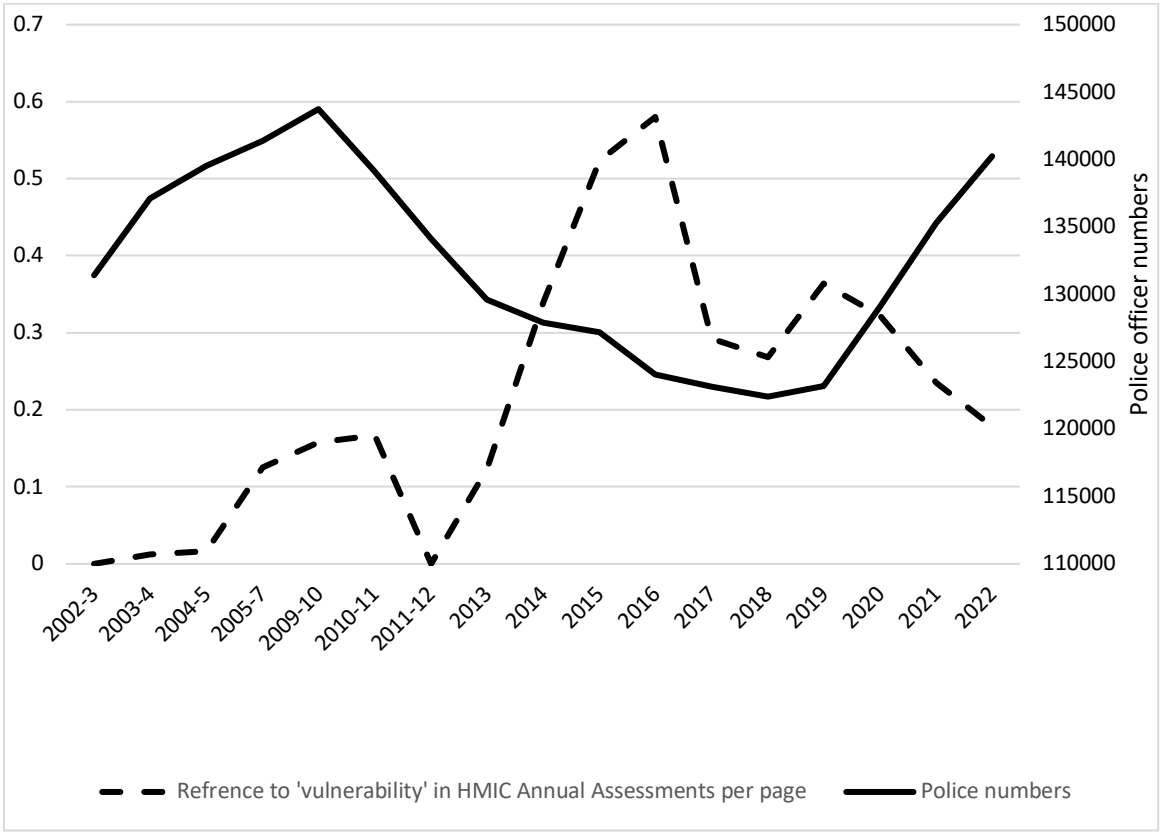


***Figure 1*: 'Vulnerability' in HMIC Annual Assessments & total police officer numbers.**

The traditional policing concerns of acquisitive property crime and public space violence

shifted towards forms of hidden harm. Pratt (2017) suggested 'advanced liberal democracies' developed a 'limited liability' approach to protect citizens from risks they cannot manage. Professional assessments to prioritise police interventions can be understood as a response to avoid institutional and individual criticism when deploying scarce resources. Although vulnerability is a construct employed within policing, the definition is broad:

> 'a person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation' (CoP 2020a).

This ambiguity was commented on by CC10, who stated: 'There has been mission creep regarding the definition of "vulnerability" – everyone's now vulnerable.' A PCC shared their misgivings regarding the focus on vulnerability:

> 'There's a need to try and operationally realign the role of the police service and be clear what its focus should be. We are in a position whereby we prioritise welfare and safeguarding at the expense of proactivity and enforcement activity.'

The policing of vulnerability linked the position afforded to the potential victim as a source of legitimacy (Garland 2011: 143), Peelian notions of prevention and the Coalition Governments' emphasis on 'cutting crime' (May 2010). Vulnerability discourses distilled the policing role into protecting the vulnerable from future exploitation, thus rationalising

the exercise of police power. However, vulnerability narratives failed to recognise the political choices implicit in the direction and control of police resources. It was also employed to justify punitive and liberty-constraining proactive measures informed by professional judgements and awarded statutory authority for popular political gain.

There was tension between the policing of vulnerability and the legitimising notion of policing by consent. Re-focusing police resources on hidden harms was unlikely to meet public expectations to address visible manifestations of crime and disorder. An emphasis on vulnerability, particularly during a period of declining resources, necessitated a partial withdrawal from traditional priorities, including vehicle crime and burglary (Pratt, 2017). Chief Constable Sara Thornton stated in a BBC interview:

> 'There are a lot less burglaries than there used to be, a lot less car crime, but the sorts of crimes that are on the increase - sexual offences, concerns about terrorism, cybercrime - that's where we really need to focus. We need to move from reacting to some of those traditional crimes to think about focusing on threat and harm and risk and protecting the public. If we're really serious about putting a lot of effort into protecting children, for example, it might mean if you've had a burglary, for example, and the burglar has fled, we won't get there as quickly as we have in the past' (Derbyshire 2015).

When asked if police officers might not attend burglaries, Thornton replied: 'It could be that' (Guardian 28/07/15). Like the Leicestershire burglary experiment, the interview

drew criticism from politicians. When the Home Affairs Committee asked if police should attend a burglary, Police Minister Mike Penning responded: 'They should attend, and a victim is a victim' (BBC 2015b). The shadow Policing Minister, Jack Dromey, said:

> 'The revelation that police officers may not be able to attend burglaries reveals a disturbing picture of the police's capability to protect the public and respond to serious crimes' (Guardian 28/07/15).

A failure of police leaders to direct police resources to address issues of concern to 'democratic audiences' (Jefferson and Grimshaw 1984: 64) reflected an inability to understand the needs and expectations of those over whom power is exercised (Bottoms and Tankebe 2012). This misalignment conflicted with democratic policing and the identification of policing priorities through PCC-led public consultation and had the potential to jeopardise police legitimacy (Beetham 2013). Mail columnist Steven Glover (2015) opined:

> 'Many modern police chiefs such as Sara Thornton are often strangely removed from those they are supposed to serve. It is as though they are part of some detached sect whose primary loyalty is to its own doctrines.'

CC10 acknowledged: 'There's a disconnect between what society wants and what we think we want.' A PCC interviewee concluded:

> ‘Paradigm shifts like vulnerability, CSE, and modern-day slavery are inevitable, but we should not change all our ways of working in response: we must understand the environment and not lose sight of the fact policing needs to be tough. It’s about proportionality and balance.’

A renewed emphasis on professionalisation and the requirement to recognise and meet democratic demands presented police leaders with an enduring challenge. The privileged status of professional chief officers, underpinned by assumptions regarding insight, expertise, and specialist knowledge, lent itself to a form of legitimacy eroding institutional paternalism (Loader and Walker 2007) by placing a lesser value on public sentiment. It is debatable whether policing strategies, shaped by professional assessments of risk and vulnerability to distribute reduced resources between 2011-19, satisfied the more immediate concerns, needs, and expectations of policing held by citizens.

5.3. ACPO Closure

The police service, particularly its senior leaders, received regular public criticism during the 2010-15 Coalition Government, further justifying the case for reform. This created the impression of an introverted and disconnected liberal self-serving elite that prioritised institutional protection over the duty to protect citizens, contributing to the closure of ACPO in 2015. CC6 observed: ‘If you are going to rip the heart out of public services, the best thing to do is rubbish them. This all started in 2010.’

Bad chiefs?

Chief officers were criticised and challenged for failing to enforce the law owing to liberal values, examples of individual unprofessional misbehaviour and exhibiting collective cultures of entitlement. The fatal shooting of Mark Duggan by Metropolitan Police officers on 4 August 2011, and subsequent incorrect IPCC reports Duggan had shot at officers, led to rioting across English towns and cities. The initial police response was perceived as slow. The Telegraph (Beckford *et al*. 2011) reported, 'Tottenham riots: police let gangs run riot and loot: Britain's biggest police force is facing criticism after it let looters run riot in north London for almost 12 hours...' The director of the right-leaning Civitas think-tank, David Green (2011), suggested 'police handled the rioters with kid gloves because they were paralysed by fear of being called racist' and described chief constables as 'donkeys who listened a bit too intently to the sociology lectures about ''hate crime'' at Bramshill police college.' Home Secretary Theresa May returned from holiday on 8 August and informed journalists she, in a call with chief constables:

> '…ordered that all special constables should be mobilised, all police leave should be cancelled and the robust tactics used on Tuesday by the Metropolitan Police adopted by all forces dealing with public disorder' (BBC 2011a).

Although ACPO President Hugh Orde (BBC 2011b) responded, 'she had no power whatsoever to do that - and decisions about staffing were a matter for force commanders,' the political intervention and operational direction coincided with a more robust policing response.

The reputation of chief officers was also negatively impacted by allegations of unprofessional and unethical behaviours. In March 2012, the Wiltshire DCC committed suicide following twenty-six separate allegations of sexual harassment. Two months later, the North Yorkshire Chief Constable retired after a finding of gross misconduct against him. On 5 October 2012, the Cleveland Chief Constable was found guilty of gross misconduct and sacked. In October, a Leicestershire ACC committed suicide whilst under investigation for perverting the course of justice and fraud, and the West Yorkshire Police Chief Constable resigned after Parliamentary Privilege was used to allege he had boasted about the cover-up of failings following the 1989 Hillsborough disaster.

In the buildup to the 2010 elections negative media coverage began to describe an institutional malaise within the police misaligned with national austerity measures. The Guardian (Jones 2009) questioned the legitimacy of ACPO operating as a private limited company, receiving £32m from central government. It criticised ACPO's commercial activities, led by retired senior officers, which generated a further £18m in revenue. Individual chief officer misconduct was complemented by a narrative critical of wider cultures of entitlement, as some chief constables had developed behaviours resembling those of private sector executives. In February 2010, the Mail highlighted the provision of free Westminster apartments to officers at an annual cost of £1.6m to the taxpayer (Lewis 2010). In November, it highlighted annual bonuses paid to serving chief constables of up to £33,000, quoting a TaxPayers Alliance spokeswoman: 'Money is tight and senior officers need to show leadership and not take big bonuses while lower ranking officers … face pay freezes' (Camber 2010). The following month, it exposed the practice of recently retired chief constables being rehired as consultants on £1,100 day rates by ACPO (Doyle 2012). The Mail continued to challenge chief constables' bonuses quoting Conservative MP David

Ruffley:

> ‘At a time of unparalleled squeezes on public service budgets it is quite incredible that senior police chiefs are getting five-figure bonuses for simply doing their job’ (*Ibid.*).

Perceived ACPO excesses were also discussed by Mayor Boris Johnson and Conservative Tony Arbour in the London Assembly (2013: Q155):

> **‘**This [chief constable] is an official. He is funded publicly: he is not answering to anybody and he comes along and says he does not like police policy. You told me just now that if ACPO did not exist it would have to be invented. I am not sure that I would want to invent a fat cat club, which provides private accommodation, drivers, and cars to its members.’

Therefore, following four years of public opposition to Conservative proposals to reform policing governance and three months after the election of the first PCCs, chief officers had come to be presented as a liberal self-serving elite and the legitimacy of ACPO was increasingly challenged.

Institutional corruption

Incidents indicating resistance to organisational candour reinforced the exposure of chief officer malfeasance and cultures of entitlement. These included the phone hacking

scandal (2007-2012), 'Plebgate' (2012-14), the Hillsborough disaster (1989-2021), and the murder of Daniel Morgan (1987-2023). The timespans involved indicate the degrees of institutional defensiveness and obfuscation employed to resist legitimising demands for transparency (Harper 2022).

In 2007, News of the World journalists were convicted of hacking the telephones of members of the Royal Family, and the editor resigned. Two years later, the Guardian suggested more high-profile individuals were victims of News of the World phone hacking. Metropolitan Commissioner Paul Stephenson asked AC John Yates to review the 2006 investigation. Yates spent a day assessing the material and, in July 2009, advised the Home Affairs Select Committee and the Culture, Media and Sport Committee no further action was necessary (CMSC 2009: Q1900-1919). Three months later, Stephenson engaged Paul Wallis, who had just left The News of the World as executive editor, as a part-time media consultant paid £1000 a day (Dodd 2011). In 2009, Yates forwarded Paul Wallis' daughter's CV to his Director of Human Resources, describing Wallis as 'a great friend…' (O'Carroll 2012). In 2011, the Commissioner accepted £12,000 in hospitality from a health spa company where Wallis worked (Sky 2011).

Despite Yates' assertions there was insufficient evidence to progress a wider phone hacking investigation, victims initiated litigation against the News of the World. Serious criminality was identified, and the matter referred again to the Metropolitan Police in 2011. The subsequent investigation cost £41.3m, and resulted in 154 arrests, including Wallis, and 45 convictions (Guardian 2015). Nine of those convicted were serving police officers at the time of the offences (BBC 2016a). The Culture, Media and Sport Committee concluded Yates failed to investigate the matter in 2006, stating there was no police 'interest or willingness to uncover the full extent of the phone-hacking'

(CMSC 2012: 78-81). *An Inquiry into the Culture, Practices and Ethics of the Press*, chaired by Lord Justice Leveson (2012: 418), found Yates' approach 'inappropriately dismissive, defensive and closed-minded'. On 17 July, Stephenson resigned like his predecessor three years previously. Yates followed the next day.

The police's relationship with the Coalition Government was further strained by 'Plebgate'. On 19 September 2012, frustrated at being asked to take his bicycle through the Downing Street pedestrian gate by PC Toby Rowland, chief whip Andrew Mitchell MP allegedly responded, 'best you learn your fucking place – you don't run this fucking government – you're fucking plebs' (Walker 2014). Son of Sir David Bower Mitchell, a government minister and long-serving Conservative MP, was educated at Rugby Public School and Jesus College Cambridge. He served as a British Army cavalry officer and was an investment banker before his election to Parliament in 1987. The following day, the Government's deputy Chief Whip received an email corroborating the exchange from a tourist. A Downing Street police officer sent text messages to her colleagues stating she could 'topple the Tory government' (Watt 2014), and another leaked the incident to *The Sun*. Mitchell, MP for Sutton Coalfield, met the West Midlands, West Mercia, and Warwickshire Police Federation chairmen. In the subsequent press conference, the officers offered an account of the meeting stating, 'Mitchell now has no option but to resign' (Sky 11/10/2012). Mitchell resigned as chief whip the following day, a month before the first PCC elections, maintaining he had not said '*pleb*' (Wintour and Sayal 2012). The officers' accounts were proven false by a covert recording made by Mitchell. Home Secretary May stated it would be 'wrong' to take no action against the officers (BBC 2014a), and Prime Minister Cameron observed Mitchell was 'owed an apology' (Hansard 16 Oct Col. 737). In December 2012, the author of the September email, purporting to be

from a tourist, was identified as PC Keith Wallis (Halliday 2014).

The police investigation resulted in findings of misconduct against six officers and Wallis' imprisonment. The matter was referred to the IPCC, which directed the forces to investigate it themselves, resulting in all three chief constables concluding the officers had 'no case to answer' (HASC 2013b: 10). The IPCC sought an independent re-investigation. The IPCC appeal failed, but the High Court Judges described the local force investigations into their Police Federation chairmen as 'a series of errors and irregularities that was simply lamentable' (BBC 2014b). The Home Affairs Select Committee (2013: 4) examined the three federation chairs, finding their evidence 'misleading, possibly deliberately so, and lacking in credibility'. The West Midlands, Warwickshire, and West Mercia chief constables were also called to the Committee, which described an 'absence of leadership at a critical time which could have, if exercised earlier, prevented reputational damage to the police service' (*ibid*.: 8). The Committee concluded decisions by the West Midlands and Warwickshire Chief Constables not to reinvestigate their officers for misconduct were incorrect.

Rowland sued Mitchell for libel. The matter was resolved in November 2014 when Mr Justice Mitting ruled Mitchell did say 'pleb' during the 2012 confrontation. The court heard Mitchell had been accused of behaving in a high-handed and insulting manner towards police officers on sixteen occasions between 2005 and 2011. Justice Mitting, educated at Downside Public School and Trinity Hall Cambridge, believed PC Rowland's account concluding:

> 'He is not the sort of man who would have had the wit, imagination or inclination to invent on the spur of the moment an

> account of what a senior politician had said to him in a temper' (Mitchell-v-News Group Newspapers Ltd [2014] EWHC 4014).

Institutional defensiveness and protectionism, at the expense of transparency and legitimacy, were further illustrated by the police response to the Hillsborough disaster. On 15 April 1989, 97 Liverpool supporters were killed and 766 injured at a football match. In the days following the disaster, multiple media reports graphically described Liverpool supporters as culpable owing to intoxication, a desire to enter the stadium and aggression towards the emergency services. The Hillsborough Independent Panel (2012: 341-358) later identified the sources of these stories as South Yorkshire Police officers.

West Midlands Police investigated the disaster to support a coronial inquest and judicial inquiry. Lord Justice Taylor (1989: 40) led the investigation and concluded it was caused primarily by a police 'blunder of the first magnitude'. Taylor (1989:49-50) described South Yorkshire Police witnesses as 'defensive and evasive' and stated:

> '65 police officers gave oral evidence at the Inquiry… for the most part the quality of their evidence was in inverse proportion to their rank… neither their handling of the problems on the day nor their account of it in evidence showed the qualities of leadership to be expected of their rank. South Yorkshire Police were not prepared to concede they were in any respect at fault in what occurred. ... [T]he police case was to blame the fans for being late and drunk, and to blame the Club for failing to monitor the pens.'

Following publication, Prime Minister Thatcher was told: 'The defensive – and at times close to deceitful – behaviour by the senior officers in South Yorkshire sounds depressingly familiar' (Hillsborough Independent Panel 2012: 17). However, the South Yorkshire Police Authority rejected Chief Constable Wright's resignation. In August 1990, the CPS advised the two commanding officers overseeing the match would not be prosecuted. The Coroner's inquest returned verdicts of accidental death in 1991. Misconduct proceedings against the match commanders were dropped when the senior officer retired in 1991 (*ibid.*: 46).

In 2009, the Hillsborough Independent Panel was established. The Panel (2012: 339) found '116 of the 164 statements identified for substantive amendment were amended to remove or alter comments unfavourable to South Yorkshire Police' by the force itself. As with the De Menezes inquest, the panel described police measures to 'impugn the reputations of the deceased' (*ibid.*: 178). In a subsequent Home Secretary-commissioned report, *The Patronising Disposition of Unaccountable Power*, Bishop James Jones (2017: 6) described;

> '…a cultural condition, a mindset which defines how organisations and people within them behave and which can act as an unwritten, even unspoken, connection between individuals in organisations. One of its core features is an instinctive prioritisation of the reputation of an organisation over the citizen's right to expect people to be held to account for their actions.'

A second coroner's hearing returned a verdict of unlawful killing (BBC 2016b). A parallel IPCC investigation resulted in a decision to charge six individuals, four of whom were senior police officers. All were acquitted, causing the Commons Leader to describe the absence of accountability as 'the greatest scandal of British policing in our lifetimes' (Rees-Mogg 2021). CC32 reflected:

> 'Hillsborough made me pause to think. The organisational defensiveness, or perceived organisational defensiveness, has happened ever since. [Operational] strategies often contain objectives relating to "the reputation of the force or confidence in the force" focused on protecting organisational reputation instead of ensuring confidence in the response. This rings alarm bells and indicates a sub-conscious [desire] to ensure we're not damaged as an organisation as opposed to delivering the best public outcome.'

NPCC Chair, Chief Constable Thornton (2016), also acknowledged the challenges of institutional defensiveness: *'*Hillsborough was not unique… the tendency to avoid straight answers at best, and to hide the truth at worst, can still be a problem for us.'

In May 2013, Home Secretary May established an independent panel to investigate the 1987 murder of Daniel Morgan, a south London private investigator. Despite four police investigations, no individual had been prosecuted, and the panel sought to explore potential corruption and connections between private investigators, police officers and journalists. Although scheduled for completion in 2013, the

investigation concluded in March 2022. It found that the retired Senior Investigating Officer was in unauthorised possession of large amounts of confidential material and intended to write a book (HMG 2021: 12). The review identified extensive police corruption in London during the 1980s and 1990s involving organised crime and the sale of sensitive material to private investigators and journalists. It concluded corrupt practices undermined the murder investigation (*ibid.*: 50). Beyond the criminality of individual officers, the panel described a leadership culture engaged in the;

> '…denial of the failings in investigation, including a failure to acknowledge professional incompetence, individual's venal behaviour, and managerial and organisational failures' (*ibid*.: 11)

The nine-year publication delay was attributed to the Metropolitan Police's reluctance to permit access to documents, the last of which was made available in March 2021 (*ibid.*: 1118). The panel concluded:

> 'The Metropolitan Police's culture of obfuscation and a lack of candour is unhealthy in any public service. Concealing or denying failings, for the sake of the organisation's public image, is dishonesty on the part of the organisation for reputational benefit. In the Panel's view, this constitutes a form of institutional corruption' (*ibid.*: 1060).

When faced with serious allegations, these high-profile incidents illustrated the

propensity of chief officers to seek to minimise reputational damage to the institution. CC19 remarked 'we're very organisationally defensive despite everything'. The desire to present an external and symbolic legitimising veneer of professionalism contrasted with the reality of the intrinsic unknowns and threats associated with policing.

End of ACPO

ACPO, the independent body representing chief officers, was replaced by the National Police Chiefs' Council (NPCC) in 2015. In 2011, most police authorities stopped funding ACPO 'partly due to a squeeze on their income' (BBC 2011c) owing to austerity measures and following the ACPO President's public criticism of plans to introduce PCCs. This forced ACPO to rely on revenue from commercial activities and central grants. A year after their creation, PCCs commissioned General Sir Nick Parker to review ACPO independently. Parker recognised 'the requirement for the senior police leadership to be represented in a collective body at the national level' but that it must be 'supported by PCCs' (Parker 2014: 16). Echoing the conclusions of the CRE (2005: 234, Chapter 4), Parker concluded that ACPO's status as a limited company was 'inconsistent with public accountability' and that any future organisation 'must be transparent and operate within the boundaries of government policy' (Parker 2014: 16). In 2015, ACPO was superseded by the NPCC, which was to focus on operational delivery and developing national policing approaches.

In contrast to ACPO's independence, the NPCC was legally hosted by the Metropolitan Police, subject to a collaboration agreement and governed by independent non-executive directors and PCCs. It was reliant on PCC funding. Thus, ACPO, the national collective voice of policing's professional elite established in 1946, was dismantled by the collation government and replaced by an organisation overseen by PCCs.

Conclusion

This chapter set out to answer the following questions: What was the focus of the reforms? How did chief constables respond? What made institutional reform possible? The 2010 Coalition Government's policing reforms reversed the centralising trend of police governance by introducing local democratic oversight invested in a single individual in the PCC role resulting in the chief constable no longer being the individual, and visible, leader of a police force. The risks of populism, undue political interference in operational policing and a focus on local policing at the expense of national requirements were offset by a networked governance model buttressed by greater HMIC and IPCC investment, the College of Policing and NCA, Strategic Policing Requirement (Home Office 2012c) and closure of ACPO. Although the new arrangements gave PCCs greater discretion regarding local taxation and allowed the Home Office to take a less directive role, the Home Secretary emphasised an overriding 'crimefighting' policing mission.

The first question asked was: What was the focus of the reforms? The reforms sought to enhance police legitimacy, transparency and accountability by introducing democratically elected, and usually politically affiliated, PCCs, reducing direct Home Office involvement in policing and constraining chief constables' status, power and influence. An issue the 1964 Act had failed to tackle. This manifested itself in multiple ways, but the most significant was the ability of a PCC to set strategic priorities, appoint and dismiss their chief constable, which indicated a hierarchical relationship. The closure of ACPO, initiated by the newly elected PCCs and its replacement by the NPCC (overseen by PCCs), limited the chief constables' ability to operate as an independent professional body and

demonstrated the influence of the new commissioners. Increased HMIC and IPCC investment further strengthened independent counter-democratic scrutiny and oversight mechanisms for chief constables. Following the 2011 Act, chief constable authority diminished over national training and accreditation standards, owing to the reduction of chief constables on the College of Policing's Board compared to preceding organisations. The June 2012 appointment of Tom Winsor, who was also not a chief constable, as HM Chief Inspector of Constabulary further challenged the hegemony of professional chief officer leadership. Finally, the 2011 Act did not address the requirement for policing to structurally adapt to meet Information Age challenges, but the 2013 Crime and Courts Act established the NCA, a non-policing law enforcement agency, to lead the national response to serious and organised crime. Chief constable recourse to the doctrine of constabulary, or operational independence, was subsequently compromised by the statutory power of the NCA Director General, who was not a police officer, to task forces.

Question two asked: How did chief constables respond? Chief constables interviewed for this thesis were a heterogeneous cohort and their responses to the reforms varied, often informed by their personal experiences of working with police authorities and PCCs. However, the ACPO President, elected by its membership, was publicly critical of introducing PCCs, and six chief constables resigned, citing opposition to the reforms. In the absence of structural changes to the forty-three-force model chief constables sought to meet operational, and financial, challenges arising from austerity, digitisation and globalisation by aggregating capabilities through multi-force collaboration arrangements subject to local PCC governance and funding arrangements. The ROCU collaborations, and the specialist capability proposals, reflected the endeavours of chief officers to overcome the constraints of the geographically organised

1974 institutional structures, reinforced by the 2011 Act, to effectively respond to new forms of complex and unbounded criminality. However, the inconsistent, fragile and *ad hoc* nature of these collaborations was highlighted by interviewees, HMIC and think-tanks.

In contrast to the popular crime fighting motif, the emergence of discourses relating to professionalisation, risk and vulnerability presented a more nuanced public protection policing mission regularly articulated by chief officers. A focus on vulnerability necessitated professional expertise to inform the deployment of scarce resources. The re-emergence of professionally constructed evidence-based methodologies to encourage a more scientific approach, in contrast to resourcing decisions being informed by emotive political and mass mediated concerns, also received chief constable endorsement. However, such initiatives proved open to criticism as they appeared to dismiss the legitimising value and reassurance offered by police attendance and investigation, regardless of objective returns on investment.

The third question asked: What made reform of the institution possible? The meta-narratives of new-localism, austerity and policing as an unreformed public service coalesced and created a sense of crisis conducive to large-scale institutional change. Economic pressures, social strain, and political ideology provided powerful external stimuli for reform that were analogous to the experiences of the 1820s, 1918-20, and early 1980s (Chapters 3 and 4). These pressures were absent during the unsuccessful Sheehy (1994) and Strategic Forces (2005) reforms. Perceptions of a failing institution intensified the momentum for change. Firstly, a succession of publicised failures by individual chief constables during the preceding decade indicated a systemic malaise. Secondly, public perceptions of a crisis within senior police leadership were reinforced by

a media narrative that presented an image of chief officer entitlement at a time of social tension and public-sector austerity reminiscent of reports relating to the 1918 police strike (Chapter 3). Thirdly, perceived cultures of privilege amongst chief constables were complemented by observations that some chief constables had assumed a disproportionately left-of-centre outlook that compromised not only crime fighting abilities but also claims of political independence. Fourthly, ACPO, and some chief constables, appeared resistant to change, protective of the institution and its short-term reputation at the expense of longer-term legitimacy. This can be understood as an attempt to protect institutional power and individual chief officer independence by avoiding enhanced local scrutiny and accountability. Resistance to independent oversight and transparency to prevent highlighting organisational failings was a recurring and self-serving institutional response sustained by chief officers.

Conservative neo-liberalism and the requirement for public sector austerity measures combined to create an environment conducive to police reform. The presentation of the policing institution as a barrier to delivering public security, initially reflected in the Conservative 2006 Mini Manifesto and enhanced by the right-leaning print media, further legitimised the changes. The 2011 Act marked a step change in police governance that embraced the legitimising potential of democratic localism and a single elected police leader for each force. They also increased investment in the institutions of mistrust (HMIC and IPCC), encouraged cross force collaboration rather than formal amalgamation, and established the College of Policing. As an alternative to disrupting the localised and institutionalised forty-three force structure, to adapt to globalisation and digitisation challenges, national law enforcement capabilities were further removed from policing and located in the NCA, a non-ministerial government department.

Chapter 6: Becoming 'The Chief'

> 'There was a sense that on passing [the SCC], we were all going to set foot into the golden uplands where people would scatter rose petals where we walked. The reality, we quickly discovered, was very different' – CC8.

Examining the mechanisms by which the most senior positions in policing are filled will illuminate how the role and status of chief constables has changed since 2011. In this chapter, I explore the routes taken through the six ranks between Constable and Chief Superintendent, chief officer selection and the process by which chief officers become chief constables. The chapter answers three questions: Why did interviewees join policing, and how did they become chief constables? How has the 2011 Act influenced who becomes a chief constable? And how did the 2011 reforms affect prospective candidates' perceptions of the chief constable's role?

6.1. Progression

This section explores chief constable interviewees' motivations for joining policing and their experiences of moving through the ranks to Chief Superintendent. Many, but not all, research participants benefited from national accelerated promotion schemes, However, these were supplemented in 2014 and 2016 by direct entry schemes at the Superintendent and Inspector levels. Direct entry was introduced as part of the 2010 Coalition Government's police reforms and the initiative's impact on seeding future chief constables is considered.

Early motivations

Most chief constables interviewed started their careers in the 1980s and attributed their decisions to join policing to a public service motivation. Some were drawn by the excitement policing offered compared to an office-based job. Interviewees idealistically described the allure of a career focused on 'doing good':

> 'It was about making a difference. When I go to heaven, Saint Peter will say, "We gave you this [life]: what did you do with it?" I wanted to make a difference, improve the world and not just focus on earning money' (CC11).

> 'It was the physical, intellectual and emotional challenge. We are now focused on protecting the vulnerable, but in old language, we talked about separating good from bad. I have been fortunate regarding my background and education. I felt there was a need to give things back to others' (CC5).

> 'I remember a wonderful team spirit and a sense of togetherness. At the heart of it was that we were a force for good, working for the public' (CC2).

CC8 added: 'I wasn't motivated by money, but by public service and a job I saw as worthwhile and of value to society'. Family history also influenced some to become police officers. Although only one interviewee referenced their father being a police officer,

others described family members working in the public sector. CC12 stated: 'I grew up with a strong public sector ethos within my family. I wanted to do something that was necessary and important in how it is done'. Similarly, CC8 reflected: 'Both of my parents were public servants. One of my friends joined the army, that didn't appeal to me, so I joined the police' (CC8). Other interviewees recalled:

> 'Our social circle was made up of people who worked in the emergency services which influenced me. I am bossy, like uniform jobs and grew up with my father always on call' (CC11).

> 'I had a strong sense of social justice from my parents and a sense of public service … my Mum and Dad were in the public sector. I wanted something that matters, something I could be proud of doing, that was good, could make a difference and make society a better place' (CC2).

CC12, CC9, CC11 and CC12 described being drawn to policing as the antithesis of office work, where they could be outside and active. CC21 stated:

> 'It was more about what I didn't want to do... After university, I didn't want to work in an office, and I didn't want to sell things. My mum was a teacher, dad was a salesman. I wanted to be neither of those… The police was one of my applications, so I went with it.'

Despite the general aversion to jobs perceived as dull, only two male chief constables explicitly highlighted the promise of excitement as an enticement into policing:

> 'I was drawn to action and team-based jobs, which could be described as exciting, [and] which offered a career structure. Something in the job made me feel viscerally - this is the job for me' (CC2).

CC18 offered a similar rationale:

> 'It attracted me because it is exciting, interesting and varied as an occupation. The ability to help people and put bad people away. A job worth doing. Certain jobs have a real sense of satisfaction... It is one of those.'

The motivations of chief constable interviewees for joining policing largely mirrored those interviewed by Reiner (1991: 62-70) in the late 1980s: helping people, family predispositions and the potential for an exciting career. However, unlike Reiner's all-male cohort, who had experienced national service, there were no references to job security or the attractiveness of joining a disciplined organisation. In contrast to Caless' interviews (2011: 49-51), these chief constables did not describe having had strong ambitions from the start to pursue promotion, although that can be inferred from their having applied for accelerated programmes and promotion exams. While none of Reiner's chief constables

entered policing as graduates (1991: 60), most of those I interviewed held degrees before commencing their police careers.

Interviewees had performed a range of uniform and detective roles before becoming chief officers, and several described misogyny, racism and unethical behaviour that made them question their career choice. CC9, a female officer, recalled:

> 'When I was a neighbourhood officer in the 1980s … I worked with a group of Sergeants who didn't like women or beat officers. I spent three months either answering the telephone or working on the front office … The Sergeants wouldn't listen when I challenged, and they made it hard for me. I uncovered a PC who was sexually harassing female special constables. I went to the Chief Inspector, and he sorted the PC, and my situation regarding the Sergeants'.

CC16 also experienced prejudice:

> 'I joined in 1985 at the back end of the miners' disputes. When my tutor was away, some of the old sweats were very clear regarding their opinions. They would say, "I don't like women and I don't like graduates"'.

Similar experiences were described by CC21: 'While I enjoyed being in the police, I also saw a huge amount of racism, violence and nepotism'. Following the exposure of racism at a police training centre by a Panorama television documentary (BBC Panorama 2003),

CC14 stated: 'The Secret Policeman really knocked me back. I had to ask myself: "Do I want to be in an organisation that is so horrid?"'

Promotions

Sergeant and Inspector promotions depended on passing a national written exam and meeting a common national standard. Individual forces independently managed progression to Chief Inspector, Superintendent and Chief Superintendent. Candidates undertook local selection processes, ranging from interviews to assessment centres and psychometric testing. Between 1962 and 2022, promotion from Chief Superintendent to ACC[12] required passing the Senior Police National Assessment Centre (PNAC) and the Strategic Command Course (SCC)[13]. Reflecting on this model, CC7 observed:

> 'We've created a national science of selection that constrains us from PC to Inspector, then introduces lots of local art to Chief Superintendent before introducing the national science again when selecting ACCs.'

Once promoted, limited leadership training was offered to officers. Some forces delivered a week's training on promotion to Sergeant and Inspector. The College of Policing and its

[12] Commander in the London forces.

[13] The PNAC requirement ended in 2022 and was replaced by a portfolio selection process called the Executive Leadership Programme (ELP), also overseen by the College of Policing.

predecessors provided optional national courses to the superintending ranks through the Senior Leadership Development Programme (total time commitment of 12 days). Attendance was voluntary, and limited spaces meant many senior operational police leaders did not attend. An HMI interviewee reflected:

> 'The police aren't good at training and preparing its leaders. It doesn't always select the right people or put them in the right jobs. Does policing reward ability or persistence?'

Fast-track

Although the concept of an 'officer class' was alien to the meritocratic Peelian ideal (Chapter 3) Wall (1998: 305) described 'a *de facto* officer class' formed by 'a cohort of officers who are from an early stage on their police careers destined for the more senior ranks'. Building on the 1933 Trenchard Scheme multiple national schemes were introduced following the 1962 Royal Commission to compensate for the long career path to chief officer rank. These occasionally existed in parallel but mostly replaced the preceding initiative and included the Special Course (1962), Graduate Entry Scheme (1968), Accelerated Promotion Scheme for Graduates (APSG) and Accelerated Promotion Scheme (APC) (1980s and 1990s), High Potential Development Scheme (2002) and Fast-track Programmes for Constables and Inspectors (2013)

Most chief constables interviewed for this research were Special Course or APS(G) alumni. The schemes followed a national selection process, training and quick progression to Inspector. In contrast to their more outspoken, individualistic 1970-80s predecessors (Loader and Mulcahy 2001a: 48) who did not participate in the programmes (Chapter 4),

shared socialisation through national schemes moulded a more corporate chief officer cohort (Savage *et al.* 2000). Interviewees who attended these courses were positive about their experiences but noted the resentment of local colleagues:

> 'I was lucky regarding opportunities – particularly going on the old Special Course for months at Bramshill. Looking back, a huge amount was invested in my professional and personal development' (CC3).

> 'There were people in my force who were out to get me when I was on the APC. People would say I was incompetent. I was very aware of being in policing as a minority and a graduate. People didn't know how to deal with it. Bramshill would be my touchstone regarding my values, which would be reset when I went back for APC events – they would then be knocked away when I returned to my day job' (CC9).

> 'A Sergeant who conducted my home visit encouraged me to apply for the Special Course scheme … It was a bizarre scheme, and graduates were very unusual and not really welcomed in my force. I went from being a slightly odd Sergeant to Superintendent quickly, but when I was more senior, it was more acceptable to be different, and they liked me. Diversity isn't just race or gender: it is about thinking differently… We need to promote more

difference' (CC7).

Interviewees who had not benefited from fast-track schemes saw risk in promotions with limited experience and a sense of privilege they generated, which made programme graduates vulnerable later in their careers. CC21 observed: 'It's of note the people who have dropped in it [trouble] have been from the Special Course.' CC20 commented:

> 'Selection at an early stage in their careers as "special", and the networking, is more important than anything actually taught – they are marked out from their peers and have an informal support group.'

Some interviewees remarked on the sense of destiny that fast-track schemes engendered, which could be enhanced and realised through relationships established on the courses. CC7 questioned the schemes' value:

> 'Any accelerated process is a subjective guesstimate for promotion beyond Inspector … I don't see why a rapid acceleration must be a formal process. I know people who have moved quickly at different times in their careers. The current system supports patronage, mediocrity and tenacity… I'm not a huge fan of the accelerated promotion system: it is a silver spoon and a self-perpetuating prophecy.'

Several chief constables who had not participated in a scheme saw benefits to doing so. CC20 reflected:

> 'There's benefit from being on the accelerated course because it exposes you to things. That would have helped me and prepared me for this role. There's something about appreciating being the lead of a force and what it means. It's a lonely place.'

The 1919 Police Act recognised the importance of chief constables being professional police leaders (Chapter 3). Accelerated promotion courses offered an alternative to the military approach of direct entry into leadership roles. However, the Coalition Government's reforms reintroduced direct entry at the Superintendent and Inspector ranks. In 2013, Policing Minister Damien Green sought to 'bring new ideas and a fresh approach to senior levels of the force' (Home Office 2013) through a new scheme covering Superintendent Direct Entry (2014) and Inspector Direct Entry (2016), which envisaged an annual intake of 80 Inspectors and 20 Superintendents (*ibid*.). Neither realised the 2013 ambitions as only fourteen of forty-three Home Office forces engaged with the scheme. Over the first five years, twenty-five Superintendents entered the police service by this route (constituting 2.5% of the superintending ranks). Similarly, only forty-five direct entry Inspectors joined the police (0.8% of the national Inspector establishment). An HMI reflected on the tension between this element of the 2010 reform agenda and the parallel narrative of professionalisation, asking:

> 'Is there a conflict between the notion of "a profession" and direct

entry? You cannot directly enter other professions … you can't directly join the legal profession as a judge.'

The schemes were 'paused' by the College of Policing in 2020. Despite this brief and unsuccessful initiative, unlike other areas of the public sector, the single point-of-entry British model for policing selected individuals on their potential as constables, as opposed to leadership ability. No officers interviewed in this research were direct entrants at leadership levels: all began their policing careers as constables and worked their way up to become chief officers experiencing protracted periods of institutional socialisation (Chapter 2).

6.2. Becoming a Chief Officer

There were two stages of assessment for superintendents seeking chief officer rank, PNAC and the SCC. Between 1962 and 2022, officers had to pass PNAC to become chief officers (Police Regulations 2003[11]). This was run annually at a residential assessment centre comprising five exercises over three days. The assessment was conducted by serving chief officers and external professionals. Between 2005 and 2008 the pass rate was 39.1% (NPIA 2008). Between 2015 and 2020, the pass rate averaged 46% (CoP 2020b), and success earned a place on the SCC. Passing the SCC was the second criterion for appointment to the chief officer ranks.

Police National Assessment Centre (PNAC)

College of Policing guidance stated Superintendents and Chief Superintendents were eligible to sit the PNAC assessment: however, many forces only endorsed Chief

Superintendent applications in practice. Between 2014 and 2019, 15 Superintendents, 12% of all candidates, attended PNAC (*ibid.*). This introduced local variability to a standardised national process. There were further variations in the approaches forces adopted to select officers to attend. Some developed internal programmes to identify candidates: some invited applications: in others, chief officers approached candidates they believed had potential. Reflecting on this inconsistency, an HMI interviewee wondered about the efficacy of the processes:

> 'The careers of those with potential to achieve high rank should be managed through deliberate planning rather than accident and happenstance. There is a need to work out… the personal and professional criteria for success. Policing should identify who has them and what you must do to measure success and failure in a senior cop. I have not seen a convincing attempt to do this beyond the Inspector rank.'

CC7 observed that PNAC itself was a disincentive and, more broadly, the prospect of becoming a chief officer was unattractive:

> 'We had a group of happy and content Superintendents. Not one wanted to go to the SCC. When I asked why, they said it was PNAC, the time out, the preparation, and the coaching. They preferred command as a Chief Superintendent rather than going to a new force. They consider the impact on their family and extended

> career terms as a chief officer… We've talented people who don't want to go through the factory because it doesn't grab them.'

Most successful candidates received specialist private coaching for the national assessment centre: in some cases, forces funded this (at the cost of thousands of pounds), while others self-funded. CC4 questioned the relevance of the PNAC exercises to being a chief officer, although acknowledged their experiences were historical: 'Although it was a while ago, I was a PNAC assessor within a year of passing. The exercises bore no resemblance to life as a chief officer.' CC6 felt the selection process was flawed:

> 'You can have all the degrees and maybe get away with some limited operational experience, but the key issue is judgement – becoming a chief officer should not depend on the individual's ability to get through PNAC after months of private coaching.'

Strategic Command Course (SCC)

Until 2022, passing the SCC was the second statutory requirement for officers seeking promotion to chief officer ranks in all Home Office forces (Police Regulations 2003[7]). The course's structure and length have changed since its introduction in 1962, reflecting evolving ideas regarding strategic police leadership. In 2003 it was reduced from six months to seven weeks following a Home Office review. In the subsequent years, the course grew to twelve weeks before being lowered again, this time to eight weeks by the Leadership Review (CoP 2015), which also aligned the training to the national Competencies and Values Framework (CVF). The SCC was led by Bramshill academic staff,

but following a 2001 review, serving chief officers, including a chief constable Course Director, oversaw, developed and delivered the course.

Most interviewees attended the SCC during the late 1990s and early 2000s (before it was shortened). Their recollections were positive, and several explicitly valued the reflection opportunities offered by the longer course:

> 'The SCC I did was good. We did stuff on leadership: I spent two weeks with a private company. That was a great experience… The SCC was an opportunity to reflect and think' (CC7).

CC12 stated, 'I was lucky. When I attended the SCC, it included a seven-month diploma at Cambridge and allowed for significant personal development and reflection.' Two interviewees recalled the optimism in their courses was unmet by the reality of becoming a chief officer. CC14 acknowledged: 'The SCC was good for professional and personal development [but] doesn't prepare you for the volume and weight of what comes across the desk.' CC8 recognised, for many attendees, the SCC was a career milestone, following multiple promotion processes and national selection centre success, which engendered feelings of achievement:

> 'There was a sense that on passing, we were all going to set foot into the golden uplands where people would scatter rose petals where we walked. The reality, we quickly discovered, was very different. What was not covered was the "Harry Potter - dark arts" piece that recognises sometimes things out there don't always go

> well. It would have been useful to have had strategies for when things go wrong organisationally and personally.'

All chief constables interviewed attended the SCC before the introduction of PCCs but recognised the need for the post-2012 SCCs to develop chief officers to lead in political environments:

> 'It would have been good to have given people political savvy to see where the pitfalls might occur and how to manage them. The need to be a player and protect the organisation has become more critical. In designing future SCCs, we need to be realistic regarding what might happen when government, media and politicians are after you. It shouldn't be on-the-job learning' (CC18).

The course's evolution reflected the importance of adapting training to reflect contemporary issues. CC8 stated: 'There have been attempts to modernise and make relevant. There have been opportunities to develop and feedback - this has been good and responsive.' A PCC interviewee observed:

> 'I was involved in syndicate sessions, but there's a disconnect between what the command course delivers and the realities when people land back at their respective forces in senior leadership roles. The course could contain more around the partnership agenda and national portfolios, the importance of not

operating in silos and offer a greater understanding of the PCC world without getting involved in the politics.'

Applying to be a chief officer

At the SCC's conclusion, candidates could apply for chief officer roles by responding to an annual flurry of adverts. Interviewees recalled conversations regarding job applications increasing in intensity and, as their SCCs progressed, distracting from the course and establishing a competitive atmosphere. Rivalry between forces to secure individuals led to behaviours unlikely to help fairly and objectively match individuals to vacancies. These included preordination, sponsorship, early adverts and offers and inconsistent selection processes.

The 2011 Act significantly changed the application process. It removed the HMI chaired Senior Appointments Pannel (SAP) to shortlist candidates and the subsequent Police Authority responsibility for chief officer selection. Chief constables became responsible for ACC appointments with no PCC veto power. Candidates wishing to progress to other chief officer ranks in their home force were no longer incentivised to apply to different forces. ACC selection was subject to less external oversight. Officers with temporary ACC status in their force in the months, sometimes years, before their SCC were, therefore, well placed to apply for the substantive role they had been performing. That their chief constable sponsored them to attend PNAC, and they had operated within the chief officer group for a protracted period created a perception that they were 'preordained', discouraging external candidates. Following the 2020 SCC, six officers (19%) fell into this category and were selected to fill the roles they had been temporarily occupying substantively. In five processes, they were the only candidate: in

the sixth case, there was one other applicant.

Many candidates targeted their preferred forces before the SCC ended to cultivate relationships with the chief officer group, particularly the chief constable, through force visits and observing key meetings. At the same time, chief constables proactively but informally contacted preferred candidates. CC22 emphasised, 'it is a big hire and all about "fit"'. The subjective and undeclared selection criteria of 'fit', referred to by several interviewees, was unlikely to have encouraged cognitively diverse and dynamic executive teams but formed part of the accepted lexicon of chief officer selection.

CC8 described the publication of adverts and job offers as 'unseemly, desperate, anarchic and dysfunctional'. The College of Policing sought to coordinate the process by agreeing on a single date after the SCC for vacancies to be advertised with interview dates. However, it was not unusual for forces to release their adverts early and informally share application packs with prospective candidates before formal advertisement to secure early commitments. Similarly, published interview dates were moved ahead of neighbouring forces to enable pre-emptive interviews and offers. Successful candidates were notified quickly and often expected to commit and withdraw from other selection processes immediately. CC21 reflected:

> 'It is not healthy to be competing all the time. We need to incentivise the right people to become chief officers instead of competing between forces for SCC-qualified individuals. I don't want to be playing that game.'

Finally, although PNAC offered a national gateway into the SCC, forces' assessment

criteria and selection methods to recruit ACCs following the SCC were inconsistent. Most forces employed the national CVF to assess ACC candidates, but several developed independent local standards. The role of PNAC in the process also varied: some forces accepted PNAC and interviewed a candidate, and others undertook multi-day assessment exercises locally mirroring PNAC. The variety of selection approaches limited the number of forces candidates applied for, and local assessment criteria and practices benefited local officers. The College of Policing's Leadership Review (2015: 20) noted following the 2011 reforms, 'chief officer selection tends to favour "safe" local candidates.' Similarly, echoing Desborough's (1920: 88) findings a century earlier (Chapter 3), HMICFRS (2019: 3) identified 'evidence that potential candidates' relationships with chief constables can matter more than their ability.'

The combination of the reluctance of some officers to relocate to take up new posts, the 2003 changes to Police Regulations and a sub-50% PNAC pass rate resulted in insufficient qualified officers to occupy vacancies created by promotions and retirements. Several chief constables expressed frustration that they had officers who they wanted as ACCs in their forces, yet they repeatedly failed the externally administered PNAC selection process and could not be substantively appointed. Thus, to fill vacancies and offer professional development to the officers concerned, many ACC posts were held by non-PNAC qualified officers with a 'temporary' promotion. In early 2022, my examination of the nine forces comprising the South East and West Midlands regions showed only 42% of ACC posts were held by substantive ACCs. Moreover, when PNAC and SCC qualified officers were locally available, several chief constables preferred to promote internal 'unqualified' candidates temporarily:

> ‘Some other chiefs, and I, ignore SCC qualified officers because there are good people who we recognise can, and should, be ACCs. It's annoying for those [chief constables] who invest in the process’ (CC7).

CC21, reflecting on their own experience, recalled:

> ‘I was pushed for the SCC by my deputy and chief, but I withdrew. The chief then made me temporary ACC ahead of people who’d been on the course. He said, “they are crap and you’re not”. He was an unofficial mentor.’

Two chief constables explained they had chosen not to advertise their vacancies for qualified SCC officers, instead retaining internal temporarily promoted candidates, pending a potential future PNAC pass. In late 2022, the College of Policing replaced PNAC with an assessment of a portfolio of evidence against a national standard and swapped the SCC with the modular twelve-month Executive Leadership Programme (ELP). However, in 2024 a national selection centre for chief officers was reintroduced.

6.3. Chief Constable Appointment

The 2011 reforms initiated three changes impacting chief constable selection: it made individuals from Fire and Rescue Services and overseas police forces eligible for appointment as chief constables: empowered PCCs to hire, suspend and remove chief constables: and removed the requirement for a chief constable to have served in another

force as a chief officer for at least two years (Home Office 2012b). Each of these changes reframed the office of chief constable. This section is used to consider how the reforms impacted who could become a chief constable, the considerations of officers qualified to apply for vacancies and whether the type of successful candidate has changed since 2012.

Legislative changes

The College of Policing outlined the contemporary chief constable role in a Professional Profile and drew on s.28 of the 2011 Act. To be eligible, a candidate must have served at either ACC or Commander rank, or at a similar level in an approved overseas force or Fire and Rescue Service (131 are listed in the 2014 *Appointment of Chief Officers of Police [Overseas Police Forces]* Regulation). The 2011 legislation also provided for a Fire and Rescue Service senior member to become a chief constable if they possessed the necessary experience and have 'undertaken training in policing matters'. Although several PCCs widened their recruitment wording to include 'suitably qualified external applicants', none had been appointed by the end of 2024.

Opening chief constable posts to external applications challenged the 'ideology of internal recruitment' (Wall 1998: 303) introduced by the 1921 Desborough reforms and underpinned by concepts of meritocracy and Weberian professional expertise. The notion only police officers could become chief constables had been questioned by the *Sheehy Report* (1993) and the *White Paper on Policing* (1993), which mooted filling vacancies with experienced leaders from either private or public sectors. CC7 sympathised with the government's desire to draw from a wider talent pool:

'The IPCC are investigating most chief constables. If you're the

> Home Secretary and consider how many have gone under a cloud, how many are under investigation, how many PCCs have got rid of, you realise a high proportion have gone, or must go, owing to conduct or perceived issues. Then consider how many are applying - virtually no one. These are top jobs in a mission-critical public service... Meanwhile, SPADS say policing is the last unreformed element of the public service. The Home Secretary's response is: "Right, we must do something". I can see why chief constable direct entry is attractive because of the current numbers because the current bunch aren't very good and have shown themselves to be unethical.'

However, most interviewees opposed the appointment of chief constables from outside the police services in England, Wales, Northern Ireland and Scotland. They argued business leaders were unsuited to lead police forces, owing to the complexity of public service that transcended simpler profit-based calculations. CC25 noted:

> 'You need to understand communities, and input versus output measures don't cut it. We've tried it with KPIs [Key Performance Indicators] and look what happened. Policing is not a business in that sense. It is more nuanced, political and subtle'.

Others highlighted the importance of the long socialisation process all chief constables had been through before leading their organisations: they argued that overcoming a

succession of challenges resulted in some assurance professional police leaders offered a safe pair of hands. However, as Wall (1998: 316) observed, 'safety also has its price because it is highly unlikely that the same system of checks and balances would also facilitate the appointment of a visionary.'

HMIs and PCC participants referenced the importance of chief officers demonstrating operational experience as institutionally and individually legitimate professional leaders. An HMI reflected:

> 'Planning, strategy, media, direction, can all be done by people who haven't experienced operational policing, but there's something else needed. I'd want chiefs to have credibility, and this is difficult if you've not been a career police officer.'

A PCC commented:

> 'I struggle with the notion of direct-entry chief constables. I find it strange that in England, you have a chief who could be responsible for police and fire. I'm welded to the notion that you should have operational credibility to be a chief officer.'

The solution to improving senior police leadership lay not with direct entry chief constables, interviewees suggested, but by professionally developing serving officers. An HMI stated:

> ‘Direct entry is a red herring. There may be a place for it in some specialist policing organisations, such as the Civil Nuclear Constabulary, but the answer is that the police service needs to be better at talent management.’

CC12, reflecting on direct entry and accelerated promotion schemes, reflected:

> ‘Direct entry to senior officer worries me. Similarly, pushing people through quickly into senior roles with complex decisions to make represents a risk. We must have people able to do this, but we should be slowing down their progression and giving them opportunities in other sectors and cultures abroad to develop.’

Secondly, the 1964 Police Act (ch.48 [s.5]) stipulated chief constables were to be appointed by the police authority subject to the Home Secretary’s approval. The 2002 Police Reform Act delegated this function to the Senior Appointments Panel (SAP), chaired by the chief HMI (Cowley *et al.* 2016: 9), which consisted of members appointed by the Home Secretary, Association of Police Authorities and ACPO. At the national level, SAP paper-sifted chief officer applications and provided police authorities with a list of approved candidates, and HMIs advised police authorities on chief constable selection. Thus, although the final decision regarding chief constable appointments sat with police authorities, candidates were nationally filtered.

The 2011 reforms shifted the balance of power from nationally organised professional bureaucrats represented by HMIC and ACPO, to the locally elected PCC.

Whereas s.39 of the 2011 Act permitted chief constables to appoint their DCC and ACCs s.38 of the Act stated PCCs are responsible for appointing chief constables. Several interviewees expressed concern regarding removing national oversight of chief constable appointments. It was felt that the close relationship between a PCC and a chief constable could undermine operational independence. A PCC interviewee reflected:

> 'It was a more structured process in the old days, with the HMIC playing a lead role in convening with ACPO when identifying potential chief constables. It was imperfect but probably produced better outcomes. It now feels less coordinated.'

The Committee on Standards in Public Life (2015: 78) concluded that not having a policing professional on the appointments panel was an oversight, stating: 'Without this expert input, the Committee doubts that a PCC can satisfy themselves as to the suitability and competence of the individual candidates.' Nevertheless, Chief HMI Winsor (2013: 3) adopted an alternative perspective;

> '…it is to be presumed that Parliament considered that if the Inspectorate had recommended the appointment of a chief constable who was subsequently appointed, the Inspectorate's objectivity in later criticising the performance of that force would be compromised.'

The third significant change in the 2011 Act was removing the 1995 (s.13) requirement

that a chief constable could only be appointed after having served two years as a chief officer in another force. This move away from chief constables being regarded 'as "cosmopolitans", part of a national pool of mobile senior officers' (Reiner 1991: 80), was a pragmatic recognition of familial and caring responsibilities, which increasingly limited the potential candidate pool. This change extended the right the Home Secretary had had since 2003 to waive the requirement in exceptional circumstances (i.e. 2005 Lancashire and 2007 Thames Valley Chief Constable appointments). The impact of this change quickly became visible: my analysis identified that in 2006, the average chief constable served in 3.3 different forces: by 2022, they had served in 2.4 forces. In April 2022, eight forces (19%) were led by chief constables who had performed every rank within their force. This reform reversed the precedent set by Recommendation 18 of the 1919 Desborough Commission (Chapter 3), Home Secretary Ede in 1947 and enshrined within the 1964 Police Act that chief constables should have served in more than one force as a chief officer (Chapter 3), thereby mirroring PCC localism.

At a time when law-enforcement demands were increasingly unbounded and reliant on partnerships and cross-force collaboration, experience working within different organisations was identified as a desirable chief constable requirement by some observers. Chief HMI Winsor (HASC 2016: 14) proposed all chief constables should serve as a chief officer in another force, recognising:

> 'When people go out and go back to the force where they spent most of their career having seen how policing is done somewhere else, they usually come in bursting with new ideas that are of great value.'

A chief officer noted to HMICFRS (2019: 3): 'At the top, policing looks uncomfortably parochial, with some chief officers having served in only one force.' An HMI participant noted:

> 'Chiefs don't seem to move around as much as they used to. There are examples where individuals have moved from ACC to chief constable in the same force, and I'm not sure it's healthy.'

HMIC (*ibid.*: 16) recommended the Home Secretary direct by September 2020;

> '…an officer would be eligible to apply for a chief constable position only if they had served for at least two years in another organisation at chief officer or equivalent level.'

By 2024, the recommendation had yet to progress. Reflecting on chief officer mobility, a PCC interviewee commented:

> 'There are arguments both ways in limiting promotions in forces to chiefs who've served outside the force as a chief officer. It would be difficult to roll back on this and tough to put the genie back in the box.'

Applying to be a chief constable

Chief HMI Winsor described the reforms as having a 'chilling effect' on chief constable recruitment (Ford and Hamilton 2016). He stated in his evidence to the Home Affairs Select Committee (2016: 14):

> 'There appears to be an assumption in the highest ranks of the police that, in some cases, PCCs may already have made up their minds. And, therefore, why put yourself through a selection process and show your existing force that you are looking for another job if the chances are very high that the existing deputy is going to get it anyway… and that may be happening rather more often than we would wish.'

To illustrate this, Winsor used the example of Greater Manchester Police: when Peter Fahy was selected as chief constable in 2008, there were 'six or eight' applications from existing chief constables. When he retired in 2015, he was replaced by his deputy, one of two applicants (HASC 2018b Q636). This trend was confirmed by the Chief Police Officer Staff Association (CPOSA) in its submission to the Review Body on Senior Salaries, which described five 2013 chief constable selection processes as attracting single applicants and 'that the average number of applicants for chief constable posts had fallen in recent years from four or five per vacancy to one or two' (Read 2015: 6). Between April and October 2015, five advertised chief constable vacancies attracted eleven applications, and two positions attracted single applications (HASC 2016: 13).

I surveyed substantive ACC and DCCs working in Home Office forces in England and Wales to understand the drivers behind the reduction in applications for chief

constable posts (Appendix C). The survey elicited sixty-eight returns, reflecting a 35% response rate from officers suitably qualified to apply for chief constable posts. Responses showed that security of tenure and the local PCC's reputation were the most significant factors influencing their decision to apply for a role. Other factors, including the requirement to relocate, perceived fairness of a selection process, high levels of scrutiny and financial issues, were also cited by survey respondents.

Consideration influencing application	**Weighted average**
Insecurity of role owing to PCC power to dismiss	3.62
Financial implications	3.47
Impact on 'work life balance'	3.44
Time before reaching pensionable service	3.03
Personal media intrusion and criticism	2.88
Proximity of PCC elections	2.68

Table 1: Factors influencing applications for chief constable posts.

Respondents identified perceptions of future relationships with PCCs as a critical consideration influencing their decision to apply for chief constable vacancies, for example:

> 'The character and values of the PCC would be a key influencing factor. If they were stepping into operational matters or seeking to assume roles traditionally the responsibility of chief constables,

it would reduce my likelihood of applying.'

Other responses contrasted the binary relationship between the chief constable and the PCC with the old tripartite model, highlighting the greater personal risks associated with disagreements. An officer commented 'the relationship with PCCs does affect my thinking, I remain concerned about colleagues' well-being in this regard.' A survey respondent reflected:

> 'Do you really want a chief's job in a force that has a PCC you would not want to work with? This is now a big selection consideration for people looking at chief constable jobs.'

An HMI interviewee stated: 'The perceived toxicity of some PCCs dissuades people putting their heads above the parapet' and applying for chief constable jobs. Variation in the distribution of PCC and chief constable responsibilities was also a factor:

> 'The structure of the Force against the OPCC is an issue. In some forces, the PCC controls the enabling services. The ability of the chief constable to deliver an effective service is severely hampered and wholly dependent on the relationship with the PCC. I would never apply to lead a force in such circumstances.'

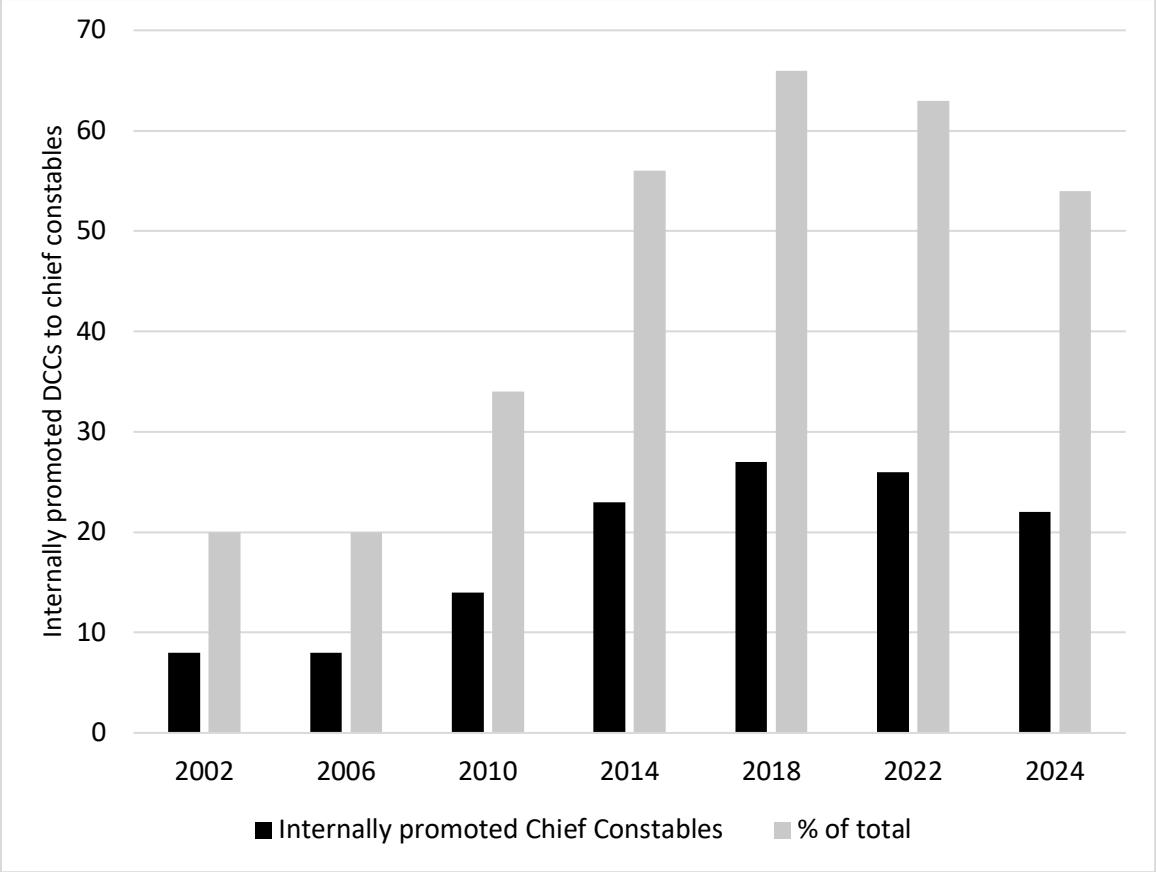


Figure 2: Chief constables promoted from DCC within their force 2002-2024 (excluding CoLP and MPS).

Roycroft (2016:97) identified concerns regarding parochialism and lack of competition in chief constable appointments. The College of Policing (2015: 20) observed the post-2012 selection of chief constables favoured 'safe local candidates', and HMIC (2019: 54) noted 'a distinct correlation between success as an applicant in a chief constable recruitment process and having served as the deputy in that force'. To test this hypothesis, I undertook a longitudinal review of the previous roles undertaken by chief constables immediately before their appointment, suggesting an increasing trend for internal promotion from DCC to chief constable (Figure 2). In 2002 and 2004, 20% of chief constables had been deputies in their force. In September 2018, this research found 27 (62%) chief constables outside London were DCCs in the same force. In March 2022, the position remained

unchanged, with 26 chief constables being internal appointments. However, by 2024 the number of internal chief constable promotions had reduced to 22 (54%).

Survey responses were marked by a cynicism towards chief constable selection owing to the lack of independent SAP oversight involving senior police professionals and local decision-making being vested in individual PCCs. One respondent commented:

> ‘The "one-to-one" nature of the PCC/chief constable relationship, and the absence of what used to be influence from the HMIC, has created a perception these jobs go to internal candidates and there is no point in applying.’

Seeking to address this, some PCCs actively encouraged external candidates to apply for their vacancies. A PCC interviewee recalled:

> ‘I went to great lengths to make it clear it was an open and transparent process. I had four applicants. I wrote personally to every eligible chief officer, there were 136, saying “it’s an interesting job at a time of change”. I had lots of enquiries. The feedback was it was a foregone conclusion. I said I’m looking for the best in the sector. When I had calls regarding the job I was often asked “have you got a person in mind?” The response was one of paranoia regarding the system being fiddled.’

Several officers participating in the survey remained sceptical. A respondent saw PCC

letters as a tactic to increase the number of applications to legitimise the selection of a preferred candidate: 'PCCs have tried to improve this by sending letters inviting people to apply, but now every PCC is doing it - it has become routine and adds no value.'

A consideration for potential external applicants was whether the sitting DCC was a candidate for the chief constable position. An officer commented: 'Whether correct or not, the assumption is the current DCC would always be in prime position to succeed a chief.' Survey respondents emphasised the importance of understanding the intentions of the DCC and the relationship between the DCC and PCC in a force advertising a vacancy: 'It is highly unlikely I would go against an internal candidate who already has a close relationship with the PCC.' Another commented: 'Most roles are given to the incumbent who has interest, and I do not believe processes are run to enable outside candidates any measure of success.' Another survey participant agreed:

> 'Many 'deals' are done before the advert even goes on. It's often a case of knowing when it's worth the ink on the paper and when to leave it well alone as the role is already earmarked for others.'

In a manner similar to the appointment of Temporary ACCs, when a chief constable leaves their post, the DCC will often 'act up' into the vacancy:

> 'The current trend is for internal candidates to be selected, which is a disincentive. I would have applied for a force, but the PCC appointed a temporary internal candidate for 12 months without a selection process. When its eventually advertised as a

permanent post, no one else will apply.'

Interviewees and survey respondents emphasised the high stakes relating to applying for a chief constable's role in another force, the commitment required to prepare for a selection process, the career-limiting impact in their force of applying for an external post, and the reputational risk of being unsuccessful resulting in perceptions of 'unappointability'. An HMI interviewee commented:

> 'There's a desire from some officers to show allegiance to their PCC, and it could be seen as being disloyal if you're applying for posts out of force as the DCC. These are very public processes'.

A consideration by some chief officers was the impact an application for a chief constable role in another force might have on their internal eligibility once their local chief constable post became vacant. A different HMI stated:

> 'A DCC won't apply for an external post to avoid jeopardising their relationship with their PCC. Why would you go for a job in another force that you might not get because the DCC in the other force has also been forging a relationship with their PCC and is well-placed to take over from the incumbent? You might as well stay where you are until the chief moves on. The relationships at the chief officer level with the PCC are very important.'

Survey respondents acknowledged why PCCs recruit known individuals rather than take a risk by appointing an external candidate. A DCC commented:

> 'The main factor would be whether the PCC supports the existing DCC to apply for the chief constable role. I would be put off running against a sitting DCC with PCC support... If the current DCC wasn't applying, I would apply otherwise, I would question whether it was worth jeopardising my existing position.'

Similarly, an HMI noted: 'In a force, the Deputy isn't going to upset the PCC if they want to be chief. They will be considered as a chief in waiting by many.' Without the bar on performing more than two chief officer roles in the same force, interviewees recognised that internal candidates would almost always be in a stronger position. Muir (2016) stated, 'PCCs had exhibited a tendency to make internal appointments and should be required by law to interview a wider range of candidates'. CC12 observed:

> 'One-on-one appointment is always tricky. There's also the risk a chief officer team which is opposed to a chief constable can undermine the chief to the PCC. People will line themselves up for jobs.'

However, senior roles are influential positions, and external appointments carry risks. A PCC interviewee stated:

> ‘I didn’t want a robust chief to come in from outside and challenge my new arrangements. Continuity was my priority. I thought a more compliant arrangement would strengthen my PCC office.’

The survey also found that younger officers were deterred from applying because of the insecurity of chief constable posts following the 2011 reforms. Key factors identified were the five-year fixed-term contracts, which could expire before a younger officer reached pensionable service, combined with the PCC's power to dismiss a chief constable. One chief officer said:

> ‘5-year contracts are a concern. Under the 2015 pension scheme, you could need at least two contracts to see you through. This is a big risk. Officers who’ve not reached pensionable service are concerned about their vulnerability to dismissal, and the isolation of the office.’

Another commented:

> ‘A fixed-term contract is very off-putting. I’ve worked with several PCCs since being a chief officer and found most difficult, unhelpful and, in some cases, unprofessional. Why would I want to work cheek-to-jowl with someone who could terminate my contract? The pay differential is not great enough for the pressure, personal accountability, spotlight and impact on family to be worth it.’

Other, younger 'high-flying' chief officers articulated similar concerns. One stated:

> 'I'm very concerned, having seen it in a force where the chief constable is made vulnerable by the actions and behaviour of PCC. The PCC's ability to almost arbitrarily remove the chief constable is extremely worrying, especially as I'm a DCC with many years to serve before achieving pensionable service under the new regulations.'

Another respondent reflected:

> 'The role of a chief is unattractive. Why would any sane person place their operational independence and financial security at the whim of a politician? I've worked too long to place my reputation at risk of being thrown under a bus for political expediency.'

Some officers considering applying for chief constable vacancies may wait until they reach pensionable service. This was thirty years for the cohort of chief constables I interviewed. However, following the 2006 and 2016 pension reforms, the period before officers could access their pensions was extended. CC10 commented:

> 'My PCC appointed me with a three-year contract. I was over 30 years so there wasn't much they could do to me. It would have

been difficult if it was someone under their pension age.'

A third category of disincentives impacting chief constable applications was different salaries and taxation arrangements. CC23 saw limited financial benefit to promotion, because as a DCC in a large force, they were paid more than many chief constables. Several interviewees described how, as chief constables, their annual pension tax bill was closer to, or greater than, their salary. A DCC explained the rationale behind not seeking further promotion:

> 'The difficulty with taking on the demands of a chief constable job, is the remuneration has been so significantly eroded with annual and lifetime allowance taxation, as well as the erosion of personal income tax code for earners over £100k. This pressure and challenge are not worth taking when set against the erosion of the financial incentive.'

CC18 noted the same disincentives before stating:

> 'Leaving and securing further employment offers a better work/life balance and less stress. Police leadership is suffering from a decade of political hostility and funding cuts. Life's too short.'

The potential need to relocate to take up a chief constable post elsewhere in the country

was a fourth issue cited by survey participants, of whom 65.7% said they would not move house and 73.5% said they would not stay away from home during the week. The regional variation in house prices was cited as significant, particularly by officers reflecting on moving to, or away from, the southeast, and relocation packages were viewed as insufficient when considered against a slight salary increase and relocation costs. Media scrutiny of allowances was also a disincentive: an HMI acknowledged:

> 'I've been told by officers they are happy being an ACC because if they go further, it costs them in terms of their pension. Relocation packages have also been stopped by PCCs following negative media scrutiny.'

Officers referred to critical Mail campaigns that scrutinised relocation allowances and published photographs of family homes (Osbourne *et al.* 2015, Mail 2016, Osbourne 2016, Osbourne and Bentley 2016, Kelly and Taylor 2018) as influencing relocation considerations and fears of family disruption. A chief officer reflected:

> 'Being a working mother, my chief officer career began when my children were at senior school. This makes it harder to consider relocation: I couldn't contemplate moving away from children when they need me most.'

PCCs understood these pressures and suggested comparisons with previous decades needed to recognise social change. A PCC interviewee stated: 'It's not just about PCCs but

also wider societal issues. People are less willing to uproot families and move across the country.' Another PCC observed:

> 'If you went back ten or twenty years, a chief would be married with children and would be the breadwinner. Now wives work, and relocation decisions are based on not just one breadwinner.'

The research found potential candidates for chief constable posts were dissuaded from applying to other forces by a constellation of factors: the perception the incumbent deputy would be the favoured candidate, the post-2011 insecurity associated with the chief constable role, limited financial incentives, and the family impacts of relocation. Two of these four disincentives for officers applying for chief constable posts arose directly from the 2011 Act.

Promoting difference?

The replacement of the SAP shortlist and Police Authority selection with direct PCC appointment had the potential to change the chief constable demographic. An HMI interviewee noted:

> 'The way the organisation looks is indicative of its culture and, for an organisation with a leadership which is not very diverse, it may not be a huge jump that it's not terribly inclusive.'

The first female chief constable, Pauline Clare, was appointed in 1995. By 2008, there

were four, and this increased following the 2011 reforms to eleven (outside London) before retreating to the 2008 level by the middle of the second PCC term. This decline can partly be attributed to conflict between some PCCs and their female chief constables (Chapter 7). However, since 2018, the number of female chief constables rose unprecedentedly. By 2021, 32% of all chief constables outside London were female, mirroring the proportion of female police officers in England and Wales (Figure 3) (Home Office 2021). Furthermore, in 2023, 56% (6 of 11) of the Metropolitan Police's Management Board and 45% of all chief constables outside London were female.

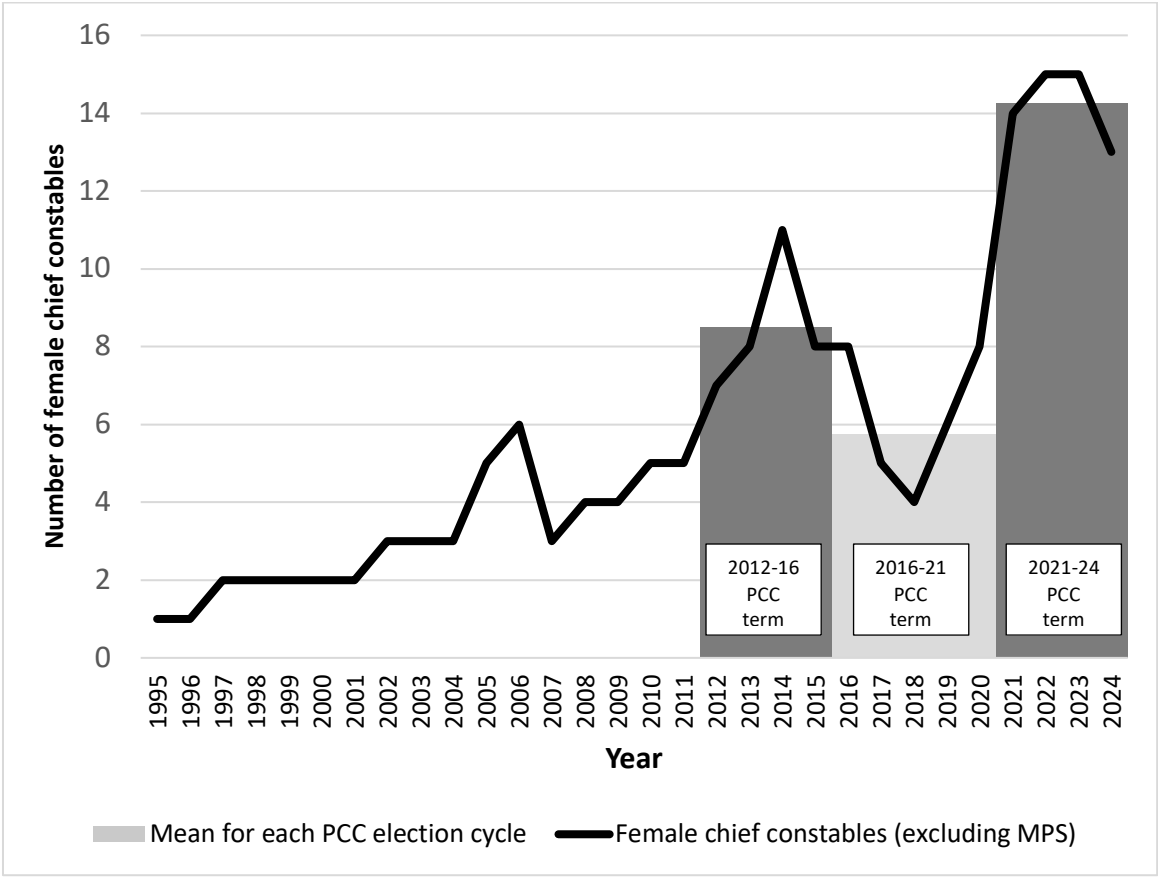


Figure 3: Female chief constables in England and Wales 1995-2024.

Nevertheless, the position regarding racial diversity across the chief constable cohort had

not progressed. There was an absolute underrepresentation of racial minority populations at the chief constable rank. The 2021 Census showed that 18% of the population of England and Wales belonged to a Black, Asian, mixed or another ethnic group. The only Black, Asian and Minority Ethnic (BAME) chief constable outside of London was Mike Fuller (Kent 2004-2010), and there have been three BAME Assistant Commissioners within the Metropolitan Police, Tarique Ghaffur (2001-2008), Pat Gallan (2015-2018) and Neil Basu (2018-2021). A PCC research participant recognised the implications for the legitimacy of police leadership and wider policing stating, 'given the emphasis on diversity and positive discrimination we need to do further work.'

Conclusion

This chapter answered three questions: Why did interviewees join policing, and what mechanisms enabled them to become chief constables? What impact has the 2011 Act had on who becomes a chief constable? And have the 2011 reforms made the chief constable role less or more attractive? To answer the first question, I used interviews to explore the experiences of chief constable interviewees, almost all of whom joined policing in the 1980s. They cited public service, family backgrounds and perceptions of policing being an active career as motivations for joining the service. Several interviewees described encountering toxic elements of police culture, including racism, misogyny, violence and nepotism. Some also recalled being negatively singled out because they were graduates or selected for accelerated promotion. Many chief constable interviewees were identified early in their careers through accelerated promotion schemes, but all had passed PNAC and the SCC. Their socio-professional identities developed over two decades within the policing institution which rewarded persistence, ambition and resilience.

Patronage played a crucial role in career advancement, particularly at the critical points of selection for accelerated promotion schemes, PNAC nomination and ACC appointments.

The second question asked: What impact has the 2011 Act had on who becomes a chief constable? Most forces declined to engage with the 2013 Inspector and Superintendent direct entry schemes which closed in 2020 and, by 2024, had not impacted the chief constable cohort. The 2011 Act made senior officers in some overseas law enforcement agencies, and the Fire and Rescue Service, eligible to become chief constables but, by 2024 no overseas or fire candidate had become a chief constable. However, the Act made chief constables responsible for ACC and DCC appointments in their force enabling patronage and temporary promotions which benefited local candidates. Moreover, the reforms removed national shortlisting of potential chief constables by HMIC through the Senior Appointments Pannel (SAP) and placed responsibility for appointment with individual PCCs. These changes, combined with the ending of the requirement to serve no more than two chief officer ranks in a single force, reduced the 'cosmopolitan' (Reiner 1991: 80) character of chief officer teams and resulted in most post 2014 chief constables being internally promoted.

Question three asked: Have the 2011 reforms made the chief constable role less, or more, attractive? The reforms, particularly the replacement of SAP shortlisting and Police Authority panel appointments with individual PCC appointments appear to have made the chief constable position less appealing. Although respondents cited issues including the role's demands, pension considerations, a reluctance to relocate, scrutiny, and limited financial benefits, PCCs were identified as a disincentive by many, particularly younger officers. Firstly, the binary relationship between a PCC and chief constable was

described as personal and presented risks absent from the tripartite model. The Policing Protocol's ambiguity, limited checks and balances on PCC decision-making, and the power to dismiss chief constables established potential working environments that some chief officers considered unattractive and precarious. Secondly, applications for vacancies were limited by the assumption that, in many cases, the sitting DCC would be successful. This perception was supported by the finding that in the decade preceding the 2011 reforms, 20% of chief constables had been deputies in their forces, whereas, between 2015 and 2022, this figure sat at over 60%. Thirdly, some respondents noted concerns about applying for external roles. The personal nature of PCC appointments and an emphasis on commitment to the local area meant applications to other forces could be considered disloyal.

Taken as a whole, the 2011 reforms made the selection and appointment of chief constables less transparent by reducing organisational mobility and privileging the local over the national. Some survey responses indicated this was detrimental to institutional procedural legitimacy when compared with the pre-2011 SAP national shortlisting process. A preference for local candidates may foster strong relationships but could constrain the PCC's ability to objectively hold a chief constable to account and discourage external applicants. Furthermore, the reduction in chief constables with experience of working within multiple organisations may limit their ability to lead and influence across an increasingly complex law-enforcement system, pivoting away from traditional, geographically defined, command-and-control approaches to address hidden, international and digital threats. Conversely, there may be a legitimacy dividend for chief constables who have spent their careers in one force, based on perceptions of loyalty and local knowledge engendering a greater ability to empathise with and respond to the

concerns of local communities.

Chapter 7: Being the Chief

> 'It's an indictment of PCCs, but the government has given them licence to think small.' – CC2

I now turn to examine chiefs constables' experiences of the tension between a national professional elite, with service-wide leadership obligations, and the local democratic mandate of lay PCCs by asking: How have the reforms impacted the local chief constable role? Have the reforms changed the national leadership functions of chief constables? And how have the reforms changed the way chief constables end their careers? To address the questions, I use interviewee accounts and an analysis of the careers of the 266 chief constables serving between January 2002 and September 2024. I also discuss the NPCC role, perceptions of chief constables by their peers and interactions with central government.

7.1. Leading Locally

This section is used to capture research participants' reflections on what makes a good chief constable. I then explore the local operational and organisational responsibilities of chief constables and the impact of the 2011 Act on their roles. Interviewees described the impact of negative media reporting, financial pressures, structural limitations and several referenced the isolation they experienced which, some suggested, was intensified by the 2011 reforms.

Leading the force

Chief constables 'set and ensure the implementation of organisational and operational strategy' and are 'responsible for fulfilling all statutory and legal obligations of the office' (CoP 2016). The role description details the purpose, accountabilities, behaviours and qualifications of the chief constable, who should:

> 'Lead the Force, communicating a clear direction, setting organisational culture and promoting values, ethics and high standards of professional conduct to enable an effective and professional service' (*ibid.*)

Interviewees were asked: 'What characteristics make a good chief constable?' In response, chief constables, PCCs, and HMIs were broadly consistent in describing a leadership style that is authentic, values-driven, reflective, consultative, self-aware, visible and positive:

> 'The most successful ones are values-driven and have a genuine commitment [to] doing the best for their communities… you've got to have the key ingredients yourself regarding values to be effective' (HMI).

A different HMI suggested successful chief constables inspired staff:

> 'A leader who can engage and motivate staff to provide a good

> service to the public, someone who is organisationally adept, able to change styles to achieve improvements in whatever guise required.'

Some chief constables agreed. CC17 stated: 'Every day, we must think about improving things. We should make it easy for staff to do the best thing for the public.' CC29 expressed concern that inspections and performance were a distraction, suggesting senior police leaders should;

> '…focus on delivering public value – we should want to do good as a core motivating principle. We should drive and push on the value of what we achieve to enthuse, encourage and celebrate staff commitment. Policing should be more about how and why we do things rather than what we do.'

Several interviewees identified authenticity as a key attribute. CC27 highlighted the risks of individual ambition being a compelling motivation: 'They will be risk-averse if it's about ego and prestige... They need to worry about the organisation, not individual kudos.' A PCC interviewee stated, 'a good chief constable should be open, authentic, honest, have integrity and place the code of ethics at the heart of things.' CC17 concurred: 'You need to show your personality to those you lead and not a veneer.' An HMI observed:

> 'Those who live and breathe [the Code of Ethics], who exude their values are in a different place regarding effectiveness. You can't

> fake it. You can get it intellectually, but that's not enough.'

In contrast to Goode and Lumsden's (2016) conclusions (Chapter 2), chief constables dismissed directive command-and-control leadership approaches in preference for more reflective and consultative styles. CC30 stated: 'We need to recognise we don't know the answers, be more empathetic and listen more. This doesn't sit well within command-and-control leadership.' CC15 agreed, commenting: 'The decline of the charismatic leader is good, as we become another partner in a complicated web of public services.' An HMI interviewee noted a shift in police leadership cultures:

> 'Chief constables need to make tough decisions but should do so with their staff. They need to be in touch and in tune with the organisation. There used to be a more detached leadership style in policing. We don't see that now.'

CC29 stressed the importance of reflection:

> 'There's an enduring challenge relating to our ability to break out of handling routine demand and create time to think and lead. We must make time - if we don't, we're abdicating leadership responsibility.'

An HMI emphasised the importance of chief constables being inclusive and self-aware:

> ‘Those that are effective know where they have gaps and how to fill them. Some flex out of their comfort zones when necessary, recognising when they have sufficient skill levels. Those who are inclusive tend to be effective.’

Visibility was also identified as important. CC17 advised using the front counter instead of the rear door to enter a police station. An HMI interviewee concurred, suggesting:

> ‘Leadership by blog or email is ineffective: in policing, people need to see and be with their leaders. Being out and visible, taking opportunities to sit down with staff and have a cup of tea with them is vital.’

Another HMI stressed the value of effective communication, noting:

> ‘They must be good communicators. But it depends on the audience. They must project an ethos, an approach their workforce can embrace and get behind. They also must be good communicators with partners...’

Similarly, a PCC highlighted the ability to interact with staff, partners and communities:

> ‘Someone who is good with people and can engage well publicly and with officers and staff. It’s important to understand

> accountability. A good chief constable is open to frank exchanges beyond operational decision-making which impact partnerships and engage the public.'

Chief constables emphasised the importance of positive communications in the context of financial, operational and organisational challenges. CC7 acknowledged an empathetic approach to staff concerns could result in negativity:

> 'We've got great people coming into the organisation, but the challenge is maintaining their enthusiasm and ensuring they don't get pushed into a complainer mentality. This is easy to feel when we are criticised so much.'

CC28 agreed:

> 'The leadership narrative can be defeatist and presented as a list of woes summarised "as we can't do it". Financial pressures are real and will continue to be a thing, but if you're the kind of leader who comes out with that kind of tripe, I wouldn't follow you, and the public won't have confidence in you. They are mood hoovers. Don't listen to them.'

CC10 also recognised the importance of effective communication:

> ‘Communicating to inspire is key. You've got to tell the story and invest in this. But when colleagues add it to “we are the downtrodden, and no one loves us”, it becomes difficult. You should always join fifteen years before you did: the job is always stuffed, always worse than it was. That’s police culture.’

CC17 agreed:

> ‘Leaders need to be friendly, consistent, firm and approachable. Tenacity, optimism and a sense of humour are key. Creativity and flexibility underpin this. If you don’t have relentless energy and are not meticulous about the detail, then you won't succeed.’

A PCC interviewee highlighted the requirement to enthuse and engage with specifics: ‘Chiefs must be inspirational leaders, connect with the front line who want the “rah-rah” but also close enough to the detail.’

Some interviewees expressed concerns the 2011 Act limited chief constables’ influence. CC13 commented: ‘Current structures diminish the ability of chiefs to make a difference. It feels much harder’. CC12 highlighted the speed at which chief officers achieve the chief constable rank because of low PNAC pass rates, austerity and retirements:

> ‘A people shortage means they are pushed through quickly. I feel for them because the world is now more complicated. Lots of chief

> officer roles have been removed because of austerity... I was given lots of opportunities and still found the job very challenging. People need to get the breadth and depth of experience.'

Despite the College of Policing's (2015: 21) exhortation, 'senior leaders of the police service must set an example and model professional development' before 2022, the SCC concluded the formal leadership training delivered to chief officers. There was no national training programme focused on developing strategic leadership skills for ACCs, DCCs or chief constables. CC29 commented: 'The only CPD for chief officers is the SCC. The requirements vary at the ACC, DCC and chief levels. It cannot be a "one size fits all"'. CC24 stated:

> 'Being a chief is a lonely position... As a service, we're not investing in people who are the most senior in their profession. This wouldn't happen in the military, NHS or civil service. In policing, you pass the SCC, and that's it. Even if you're good, you must manage yourself and the media. We need to reflect reality and avoid hubris.'

CC13 reflected on how their informal mentoring ended:

> 'I had a good and positive chief constable and a good network of chief officers who provided me with coaching and mentoring support. This stopped when I became a chief because of our

> hierarchical culture. Once you're there, you're there, and that's it.'

Some chief constables wanted to be proactive regarding their development. CC26 stated: 'CPD is important in terms of leadership and management… we should lead by example by taking personal ownership as opposed to waiting to be spoon fed.' A solution to addressing the CPD vacuum was identified as personal coaching, but CC27 recognised the risks:

> 'It may be more appropriate to encourage coaching. PCCs have a role to play - most chief constables have development needs. CPD is a missing link, and the cultural piece is important. But "what will it look like in the press?" is a constraint.'

A critical 2015-19 Mail campaign relating to chief constable allowances included the provision of 'perks' when policing was experiencing austerity cuts (Osbourne *et al.* 2015, Mail 2016, Osbourne 2016, Osbourne and Bentley 2016, Kelly and Taylor 2018)[14]. CC19 reflected: 'The Daily Mail will always find something to complain about. If it is chief officers sourcing their training, then so be it'. CC4 acknowledged:

[14] Daily Mail headlines included: The £70,000 gold-plated secret perks for police... and it's taxpayers who foot the bill; How YOU pay thousands for police chiefs' household bills and private healthcare; Chief claimed 'allowances' for food, internet, phone bills; Police chiefs enjoy a pay and pensions bonanza while council tax bills rise; Mail's probe force Police chiefs into a humiliating climb-down over their pay and perks.

> ‘It’s difficult to do anything in leadership terms as there is a need to be seen investing in the frontline. This fails to recognise that if you don't look after yourself, you can't look after those you lead.’

CC26 saw a role for the College of Policing to establish national chief officer CPD:

> ‘There should be a framework of development with mentoring. As the professional body, they need to do this to avoid the Freedom of Information request regarding “fat cats” spending public money on themselves.’

CC29 supported a national approach:

> ‘A framework supporting self-provision, which de-risks the threat of external challenge, would help. We’re talking about wholesale cultural change, and this would assist.’

CC27 was sceptical: ‘As things stand, there’s no time for development. It is difficult to get away from the day-to-day grind.’

This research coincided with an increasing awareness and recognition of the psychological impacts of police work. In 2015, a Police Federation *Seven Point Plan* was adopted to support officers assaulted at work. Three years later, research (Miller *et al*. 2018) identified a high prevalence of undiagnosed Post Traumatic Stress Disorder (PTSD)

among officers and, in 2019, 'Oscar Kilo', a national service to support police wellbeing, was launched. By having served at all ranks, chief constables are likely to have experienced operational trauma and, vicarious traumas following tragedies involving the public, and the police officers and staff for whom they are responsible. The introduction of vehicle and body-worn video and control room recordings may exacerbate this by giving senior leaders the opportunity to review first hand incidents for which they have assumed overall responsibility. HMICFRS (2019: 60) described chief officer welfare provision as 'underdeveloped'. CC8 commented:

> 'It's tough. On any given day, something catastrophic can emerge. If you're working long hours, this can be attritional: we need to do something about the risks and challenges to chief officer welfare... There are peer networks and friends but no formal structures as there are for other ranks.'

CC20 agreed:

> 'You become resilient, but support mechanisms around chief constables are poor. It depends on individuals taking the time to pick the phone up and check if people are alright. I feel chiefs are now there to take the punches.'

CC27 said: 'I can retire. My wife wants me to leave. But I've got to give it at least another year or two for consistency, but no one gives a shit about it when you fall over.' An HMI

interviewee was sympathetic:

> 'Chiefs need to consider their welfare. You can't walk in in the morning having a bad day … a chief constable must be steady and predictable... There is a responsibility to be at your best. The question is, "how do you maintain your welfare in the face of unsustainable expectations?"'

The HMI suggested these challenges were more acute for female chief constables:

> 'Women in senior positions are more prone to imposter syndrome and more likely to lack inherent confidence: they are much more likely to react positively to support. The absence of this for chiefs, especially female chiefs, may dissuade women from seeking top roles.'

Interviewees identified four categories of professional assistance: internal, peer, HMIC and ministerial. Some interviewees acknowledged that they would build a mutually supportive senior team in an ideal world, but this was rarely practical as teams were typically inherited. CC10 observed that when moving to a new force as the chief constable, the help of the senior team could not be guaranteed, adding: 'What upset me was the lack of support from the rest of the service'. She felt left to 'sink or swim' with 'unsupportive' or 'too busy to mentor' peers. She 'formed the impression that they thought if it all goes wrong, they won't be involved' and concluded: 'You should have the

people in the most problematic jobs being supported and offering support to each other.' CC29, another female chief, echoed these sentiments: 'Nothing supports you. I experienced a challenging environment - was the service just watching?' CC16, a third female chief constable, echoed her colleague's comments, reflecting: 'There's no formal support. The stuff around PCCs is hard, and chiefs are busy. The culture is that you get on with it.' Reflecting on the experience of some female chief constables, an HMI stated: 'There is something to be said for setting up a senior women's network for chief officers.'

The NPCC and CPOSA were not considered sources of assistance 'because they all have day jobs' (CC11). The ability to rely on informal networks was likely to diminish, according to CC10, owing to the reduction of the SCC from twelve months to three: 'with the short [SCC] course, it's difficult to forge relationships because you don't see the highs and lows you do when you are together for longer.' Replacing the SCC with short residential modules in 2023 reduced this further. Historically, HMIC performed a support function for chief constables, but CC11 reflected 'HMIC has changed. The support bit is missing now'. CC18 agreed: 'HMIC have adopted a different stance and are more Ofsted-like. I was regularly on my own as opposed to being with friends.' CC8 stated:

> 'The former HMIC might have supported the welfare of chief officers, and possibly the police authority chair would be supportive. The politics, money and media scrutiny can be attritional. We could be better at providing support.'

An HMI interviewee recognised the gap created by the post-2011 change in the inspectorate's focus and sought to compensate:

> ‘I’ve made more of a point of checking on my chiefs and building up the pastoral side. Initially, there was suspicion, and they took a while to realise it was well-intentioned.’

A different HMI commented: ‘Some support comes from HMIC - some chief constables have no one else to talk to.’ Another HMI acknowledged: ‘HMIC has a greater role to play… The service itself, NPCC and CPOSA should provide better support.’

Some interviewees expected assistance from PCCs and ministers but were disappointed. CC8 observed ‘PCCs don't see this as their responsibility’, and CC11 said: ‘You hit the PCC barrier of localism. How do we engage government and say this is important?’ However, chiefs expressed limited confidence in ministerial help. CC10 stated: ‘I felt isolated. The Minister didn’t seem interested in discussing the issues’. Many chief constable interviewees therefore described feelings of isolation, vulnerability and fatigue, much of which could be attributed to the 2011 reforms relating to the changed role of HMIC, replacement of police authorities by a single PCC and the Home Office’s (2011: 6) intent to ‘withdraw from day-to-day policing matters’.

Operational priorities

Three of the fourteen ‘accountabilities’ within the chief constable role description relate to operational responsibilities. These include setting operational strategy, authorising surveillance and commanding ‘the most high risk and high profile’ operations (CoP 2016). Operational competence was identified by the Chief Constable, PCC and HMI interviewees as important: ‘It helps if staff respect you as an individual who knows what they are doing’

(CC6). An HMI noted, ‘a good chief must be a chief executive and a competent chief officer’, and a PCC interviewee stated, ‘a good chief must have operational credibility’.

Chief constables hold a statutory responsibility for the authorisation of intrusive surveillance to prevent or detect serious crime. This is non-discretionary operational activity, as authorisations require detailed understanding of the circumstances and clearly articulated rationales to support decisions. Chief constables recognised the importance of these duties and the need to be fully briefed. CC12 estimated ‘10-15% of my time was spent being briefed, perhaps more if historical work is involved. Operational understanding is critical.’ CC6, an urban chief, stated: ‘I was doing lots of authorities. I’d sit down and get briefed. I knew the details of every job.’ A county force chief, CC4, commented: ‘There was a huge amount of work regarding authorities. It probably averaged half a day a week.’ Beyond surveillance authorisations, interviewees described much operational involvement as discretionary. CC27 reflected: ‘There can be a desire to clear the desk of business stuff and get on with things we grew up with like the operational work.’ CC6 acknowledged being attracted to operational activity:

> ‘How much operational work you do directly correlates to how much time you want to spend doing it! For me, it was a lot. Every month, I held a meeting for an afternoon to ensure I knew all the investigations. Particularly the murders and the anti-corruption jobs. I liked that work, and the challenge was keeping my fingers out of it.’

CC7 distanced themselves from force operations but remained engaged in national

investigations:

> 'I didn't get operationally involved a lot - the job is to set clear direction, get good people around you and let them get on with it. I'd do force authorities. However, I would get involved in managing external operations. If you're not careful, you can send the wrong messages. The chief is about setting the standard and ethos and driving it forward whilst letting others deliver.'

Many chief officers felt compelled to become operationally involved in challenging demand shunted to policing from other public sector organisations. Although interviewees acknowledged this had existed before the 2007-8 financial crisis and subsequent public sector austerity measures, there was consensus non-policing demand had increased during a period when the Home Secretary was exhorting the police to 'be the tough, no-nonsense crimefighters they signed up to become' (May 2011a). CC36 stated 'there are over 90,000 people on the sex offenders' register. This is a probation responsibility, yet policing manages it.' CC32 offered other examples:

> 'Time spent looking for missing children is enormous. Two-thirds are missing from local authority care. Policing pays the price for children's services being unable to look after kids for whom they are responsible. In [force], there are 24,000 welfare checks generated by hospitals falling to policing annually.'

Demand for policing to become more involved with supporting those suffering from mental ill health was frequently raised. HMIC (2018: 37) found:

> 'Other organisations rely on the police to "pick up the pieces" after they've gone home. At the end of each working day, there's a shift in responsibilities for mental health from partner organisations onto policing because the police are a 24/7 organisation.'

To understand interviewees' operational priorities, they were asked: 'if you were given an extra 500 officers, where in the organisation would you place them?'. CC18, CC9 and CC7 emphasised they would seek a mixture of officers and police staff. CC9 responded: 'The big question would be whether I'd want officers only. It's important to create a balanced organisation.' CC7 viewed rapid recruitment as an opportunity to enhance organisational diversity:

> 'I would want a more diverse workforce with foreign nationals, volunteers and police staff members from different backgrounds. We should not get hooked up on police officer figures. The test is to consider the whole organisation and not just officers.'

Another challenge came from CC18, who felt this would not only be a chief constable operational decision, as PCCs are responsible for effectively using resources to meet organisational objectives. They also emphasised the political resonance of police officer numbers:

> ‘More resources mean additional precept and tax: PCCs would want extra staff to be police officers. The political classes are fixated on police numbers. They will say, “I'm recruiting extra officers to put back on the beat”. This is an example of where things have changed since police authorities.’

A PCC interviewee agreed the distribution of force resources was a shared responsibility: ‘That’s a joint endeavour with the PCC. Getting the best out of our resources and putting the right people in the right jobs is the main challenge.’ CC8 acknowledged: ‘There would be a need to bolster what is perceived as the public as the “frontline” this is the political and public reality.’ Some chief constables acknowledged this and prioritised visible neighbourhood policing and response policing functions. CC30 emphasised the democratic policing benefits of investing in local policing: ‘I’d recruit officers to undertake Neighbourhood Policing and response work. I would be public about this. They want to see more officers on the streets.’ CC14 said: ‘Neighbourhood Policing is important, but they’ll get abstracted to deal with urgent work. [Because] the workload for response officers is considerable.’ Other chief constables prioritised Protecting Vulnerable People[15] (PVP) functions. CC9 stated:

> ‘PVP DCs deal with disclosure in a digital world. It’s difficult, and [legislation is] not fit for purpose. The complexity of what they do,

[15] Domestic abuse and child abuse.

> with multiple families, cultures, languages and accountability, make things really challenging.'

CC12 agreed: 'If they were fully trained and competent, I would put them into PVP roles and train them as detectives. Politically, this isn't a big win, but it is where the pressure is.'

While participants acknowledged frontline operational pressures and the political attraction of further investment in these areas (Loader and Mulcahy 2003: 313), several preferred more radical approaches. CC12 observed: 'If you pour more resources into response policing, you just get more of it.' CC8 suggested, 'it's important to be strategic and forward-thinking rather than just responding to the tidal wave of crime.' Investment in analysis, online skills and prevention were areas proposed for prioritisation. CC33 opined:

> 'A sensible chief would invest in delivering the biggest bang for the buck, i.e. analytical intelligence capability at force or macro level, capability regarding futures and trends, and online capability.'

CC34 concurred: 'I'd place a proportion into cyber roles.' CC21 pessimistically responded:

> 'I believe in the Neighbourhood Policing emphasis on visibility, but it's oversimplified. Physical presence is important, but more so in the virtual world. Serious and Organised Crime is under-invested in. But if you doubled resources you'd still be firing darts at the

elephant.'

Support for Neighbourhood Policing may implicitly assume a Peelian prevention focus, but only CC12 explicitly stated they would invest in crime prevention: 'I'd use a quarter of them where they can have a preventative effect. We must get 'upstream' and move away from blue light reactions.'

Organisational responsibilities

Chief constables 'hold accountability for force financial management and determine functional budgets' and must 'maintain governance arrangements and processes within the force' (CoP 2016). Chief constable and PCC responsibilities relating to governance schemes, financial management, transparency and collaboration were detailed within *The Revised Financial Management Code of Practice* (Home Office 2018b). Financial management was at the forefront of many interviewees' thoughts owing to austerity measures and the neoliberal ambition of a smaller state. In 2018-19, the police budget was £12.3bn, and PCCs received £7.7bn from central government, 30% less than in 2010-11. Since 2018-19, commissioners have been able to raise council tax contributions (NAO 2018: 7). This increased funding by £280 million and shifted the tax base from the national towards the local, resulting in a 19% real-terms reduction in total funding between 2010-11 and 2018-19. However, budget cuts fell unevenly. Owing to council tax differences, some forces relied more on government funding than others: 57% of Surrey's budget was raised through council tax, compared with 19% in Northumbria. Consequently, forces' funding cuts varied from 11% to 25%. Forces reduced their workforces, and between 2010 and 2018, there was a 40% fall in Police and Community Support Officers (PCSOs), a 21%

fall in police staff and a 15% fall in officers (*ibid.*: 8). Chief constables rationalised and prioritised services in an environment characterised by risk adversity, diminishing capacity and increasing demand in the form of personal crimes, sometimes 'non-recent' and often committed in private or online, requiring intensive specialist investigative resources (CoP 2015). CC29 stated:

> 'The increased challenges, demands and complexities officers face confuse the mission. It's always shifting - how do you take 30% out of the budget when what you do is undefined?'

CC14 agreed: 'I don't fall out with a philosophical position regarding a small state, but when it happens so quickly, it's problematic.' Interviewees cited making financial savings as the primary leadership challenge of their tenure. CC18 reflected on public legitimacy: 'Providing an acceptable service within the funding is difficult. We'd had a settled structure for policing for decades. This changed suddenly in 2012.' CC14 was conscious of the effect on the workforce and communities:

> 'My biggest challenge was saving the money. There is ensuring service delivery against the here and now and positioning the organisation for the future. It was important to motivate and enthuse people by saying, "this is going to work" when you know it's not going to.'

CC8 concurred: 'The big thing was sustaining staff and public morale against the backdrop

of significant cuts.' Austerity required an expanded skill set and financial astuteness within an occupational elite denied formal professional development and grounded in the delivery of operational policing, growth and value for money since Home Office Circular 114/83:

> 'Easier ways of saving money had been tackled, and we had to look at more controversial savings that came with finger-pointing and battles. It was clear that after a time of plenty, leaders had no skills in organisational downsizing.' (CC35).

Not all interviewees presented a bleak outlook. Some considered austerity an opportunity for fresh thinking and change. CC18 asked, 'Would we have had the motivation to look at these issues if we were not under financial pressure?' CC19 acknowledged the imperative of addressing internal inefficiencies before complaining:

> 'Language is critical. We can't be seen as shroud-waving. We should improve our understanding of demand. It comes in many forms, and one is avoidable self-generated demand.'

However, while recognising the potential for austerity to drive reform, CC4 recognised cultural, institutional and political obstacles: 'The barriers are the egos of chief constables, PCCs and the government's ideological localism doctrine.'

The inadequacy of the police funding formula, used to calculate the distribution of central funds to forces, was raised by interviewees as failing to reflect policing demand.

The formula uses 2008 data and does not account for force efficiency, financial reserves or local council tax funding. The Coalition Government committed to review police funding in 2012 (Home Office 2012a), resulting in a July 2015 consultation (Home Office 2015) ahead of planned implementation in 2016/17. However, a revised formula would create an equal number of forces who could be described as 'winners' and 'losers', the latter likely to fall into Conservative areas with higher council tax returns owing to property values. A politicised, partisan and contentious consultation process followed. After the release of revised proposals, seven PCCs representing forces anticipating reductions in government grant, wrote to the Policing Minister describing the refreshed formula as 'unfair, unjustified and deeply flawed' (Kirby 2015) and proposed a judicial review (HASC 2015: 16). The work restarted, and assurance was given that the review would be complete before the 2025 General Election however this was not achieved (Hales 2024). Regarding the discussions' divisive impact, An HMI interviewee reflected: 'The police service should be able to come together objectively to agree the formula.'

The requirement to deliver efficiencies at scale without restructuring, according to CC19, limited options to deliver savings: 'The Home Office focus is on funding not structures. A more efficient layered approach is therefore challenging.' CC13 agreed, describing structural limitations as an impediment:

> 'Current funding and governance are key challenges. Our models prohibit the level of change required. The governance and inspection approach pulls us to the local. There's no ability to move money around the system to reinvest in shared technology.'

CC33 reflected: ‘Money bewitched us and was a massive distraction. We were missing bigger narratives such as globalisation, digitisation and technology.’

Chief constables repeatedly articulated the inability to harness technology nationally in a consistent and interoperable manner due to the need to achieve consensus across forty-three independent organisations. CC21 stated: ‘ICT needs more investment. We’ll never keep pace with our current approach‘. CC4 agreed: ‘ICT is chronically poor. Nothing speaks to each other. The operational opportunities are enormous if we got this right.’ An HMI interviewee acknowledged these difficulties:

> ‘Meeting digitalisation challenges is difficult. PCCs and chiefs struggle. They’re working in an entrenched system that makes it harder. This is unlikely to change in the foreseeable future.’

Some interviewees recognised the inability of policing to keep pace with the social and technical change arising from globalisation and digitisation (Castells 2011) as a risk to institutional legitimacy. CC9 reflected:

> ‘Policing is here to do what it’s done for years, but macro shifts impact our ability to do this: public to private crime changes, concepts of vulnerability and the digital world. We need a conversation about what policing is here for. We should ask: “What do you want us to do?” Morally and ethically, we step into space and do our best. The more we withdraw, the more the public falls out of love with us. You then end up in an environment

> characterised by adversarial relationships requiring more firearms officers, more Taser officers, etc. We don't want to be there. It will lead to a system like the US.'

Local collaboration offered an alternative strategy to realise efficiencies without lengthy, costly and politically challenging nationally driven structural reorganisation. Central government encouraged forces to collaborate with each other, local authorities, other emergency services and private industry to pursue savings. Forces were legally required to consider opportunities to improve effectiveness and efficiency by working with different organisations (NAO 2018). This activity was undertaken through national boards and incentivised by the Police Innovation Fund (2013-2016), the Police Transformation Fund (2016-2020) and HMIC(FRS) inspections. These included *A Better Deal for the Public through joint working* (HMIC 2010b), *Increasing Efficiency in the Police Service: The Role of Collaboration,* which concluded 'further work is needed' (HMIC 2012a: 4), *Policing in Austerity: Rising to the Challenge* which declared 'the picture on collaboration is deeply disappointing' (HMIC 2013a: 81) and *Policing in Austerity: Meeting the Challenge* which found 'an improvement in the extent to which collaboration is supporting forces' savings plans' (HMIC 2014b: 38). However, despite annual collaboration investment rising from £32m in 2010-11 (NAO 2018) to £250m in 2020, HMICFRS' *The Hard Yards* (2020: 7,12,14) found many problems identified in 2012 remained unresolved, the benefits to the public were unclear, many collaborations lacked clear objectives beyond savings and 'some chief officers were reluctant to devolve responsibility to other force leads'.

CC8 stated 'collaboration was a subset of the austerity debate' and CC16 commented: 'Collaboration is presented as the golden bullet for austerity.' Ashworth *et*

al. (2009: 165) proposed:

> 'The primary objective of organisational change is not better substantive performance but greater legitimacy. In other words, organisations adapt their internal characteristics in order to conform to the expectations of key stakeholders in their environment.'

Thus, to satisfy Home Office expectations, chief constables and PCCs pursued collaborative arrangements with limited evaluation of the incurred financial or public benefits (HMIC 2020: 13). CC38, responsible for an urban force, reflected: 'Collaboration should identify the benefits before deciding whether it's the vehicle to obtain them. There's a danger collaboration is an end in itself.' CC9 agreed: 'We want to reduce cost and be resilient, but we're seeing collaboration for collaboration's sake.'

CC5 reflected, 'accountability is important.' Owing to the attractiveness of efficiencies derived from economies of scale, many specialist policing functions collaborated, including armed policing, counterterrorism, covert policing, technical surveillance, source handling and undercover policing. Without appropriate oversight, these activities had the potential to impact citizens' human rights, yet collaborative arrangements blurred and obfuscated accountability. Joint PCC and chief constable boards offered tenuous and diluted scrutiny 'working to arrangements which lack quality and detail' (HMICFRS 2020: 10) and compromised the Policing Protocol*'s* notion of 'PCC responsibility for the totality of policing within their force area' (Home Office 2011a: 2). An HMI interviewee observed:

> ‘There’s ambiguity. Forces must work together and be able to do this, but it’s a challenge. There’s tension between localism, PCCs and working across boundaries. Many will prioritise local concerns.’

A PCC interviewee commented: ‘There’s a big issue regarding collaboration and specialist capabilities, with taxpayers in one area funding capability in another.’ CC13 reflected: ‘Competitive PCCs can prevent us operating together to protect the public.’

The 2011 reforms allowed PCCs to pursue collaboration, resulting in different business models as some invested further and others reversed arrangements based on political philosophy or benefits assessments. Following the 2012 elections, West Midlands PCC Bob Jones cancelled a business partnering scheme that promised substantial savings through private sector collaboration;

> ‘…on the basis that core services involving the exercise of police powers and staff supporting such services are carried out by officers and staff under the direction and control of the chief constable’ (WMOPCC 2012).

Chief constables described difficulties securing agreement from new peers and PCCs to continue collaborations. CC39 reflected on staff churn:

> ‘Collaboration reflects a cultural challenge. It was fashionable, but

> Chiefs and PCCs change. All but one in my region have changed in the last year. Shared values and ways of working have gone. It's unravelled. Different philosophies are problematic. Resistance is about power and status.'

CC13 observed, 'everyone believes in collaboration, but only if it is done their way'. HMICFRS (2020: 25) identified forces that failed to understand set-up costs, collaboration costs and withdrawal costs against derived benefits. CC9 agreed, stating: 'The money we've wasted through collaboration is significant. Multiple corporate soles trying to agree but with different priorities.' CC37, in contrast to PCC Jones' position, saw collaboration opportunities within supporting services rather than operational capabilities but expressed frustration at the lack of national structures to drive the approach.

> 'We should look at outsourcing functions generic to large organisations which don't quintessentially form part of policing. These represent the "day job" or "frontline" of somebody else's business but not ours.'

CC40 stated:

> 'We must convince colleagues nationally to invest in shared capability. This should include technical solutions and national IT systems. The absence of a collaborative framework across forces is a barrier.'

CC37 proposed a mandated approach:

> ‘Forces act independently and in an uncoordinated way on the biggest non-operational issue of our generation. We’re missing three opportunities at least: (i) Sharing good practice at a strategic level, (ii) spotting partnership opportunities less reliant on geography or past personal associations, and (iii) being smarter, more aggressive and better together in negotiations with global businesses.’

Creating a shared support services platform to underpin operational policing is attractive and would facilitate further operational collaboration supported by standard technologies, systems and processes. However, such an approach is not a panacea. The Emergency Services Mobile Communications Programme (ESMCP) was formed in 2011 to replace the national Airwave radio system by 2017 (House of Commons Committee of Public Accounts 2019: 8). After extensive and complex delays, by 2022, the programme had cost £2bn and is projected to replace the Airwave system sometime in the 2030s (NAO 2023: 25).

Since Home Office Circular 114/83, forces have been assessed on their ability to deliver value for money. Austerity measures, combined with the 2011 reforms, reduced national police funding and awarded PCCs greater financial control, giving the Home Office less influence over the use of central funding. Other national levers, such as HMIC thematic reviews, NCA taskings and the Strategic Policing Requirement (SPR) (Home

Office 2012c), indirectly impacted force priorities. CC13 suggested: 'We should reconsider funding allocation and what HMIC inspects. Current arrangements result in inefficient responses in a structure where chief constables can't make the necessary changes.'

Collaboration was not an effective alternative to restructuring, nor could it deliver the savings to compensate for austerity measures. *Ad hoc*, locally driven arrangements diluted local accountability and, at best, delivered inconsistent public benefits (HMICFRS 2020). Collaboration also reduced chief constables' ability to exercise operational direction and control. CC30 described chief constable candidates 'withdrawing from selection process when they understood the degree of collaboration in [region].' The interviews and a decade of HMIC(FRS) Inspections support Huxham and Vangen's (2013: 80) conclusion:

> 'Making collaboration work effectively is highly resource consuming and often painful... [U]nless potential for real collaborative advantage is clear it is generally best to avoid collaboration if there is a choice.'

In the context of the centralising trajectory of policing and the impact of globalisation and digitisation, several chief constables described new localism as counter-intuitive to their preceding professional experiences and expectations. No participants mentioned the legitimising benefits of locally elected PCCs, preferring instead to compare their relationship with their PCC against their experiences of working with police authorities. However, many emphasised the importance of meeting diverse local communities' expectations and needs and a more joined-up, less geographically constrained, approach

to public service delivery. CC40 concluded:

> 'Locally based governance draws chief constables into narrow solutions through outdated and nonsensical structures which, in many cases, are not coterminous with other public sector partner organisations.'

Reflecting on the macro challenges faced by policing, CC2 stated, 'It's an indictment of PCCs, but the government has given them licence to think small.'

7.2. Leading Nationally

Debates regarding the national versus local locus of policing have existed since the establishment of the modern police (Chapter 3). The trend towards centralisation and organisational consolidation was checked by the 2011 reforms, which shifted power to the local. Having considered the experiences of chief constables when leading their forces with PCCs I will use this section to explore tensions between national and local responsibilities. Although the police service in England and Wales is comprised of forty-three forces it must also acts as a single entity (Giacomantonio 2010: 59). To these ends the post 2011 reforms, while strengthening local structures, also established functions to ensure some national interoperability and focus in the form of the Strategic Policing requirement (SPR) (Home Office 2012c) and National Police Chiefs Council (NPCC).

Strategic Policing Requirement

The 2011 Act emphasised the legitimising benefits of democratic localism but also

introduced the Strategic Policing Requirement (SPR) (Home Office 2012c) to meet national policing priorities. Interviewees emphasised that an operational and financial draw to the national, or at least the supra-force level, would enhance efficiency and effectiveness. The chief constable role profile recognised chief constables operate nationally by advising COBR[16] during national emergencies, sustaining strategic partner relationships and representing their force. The job description also expects chief constables to lead on behalf of the police service by requiring office holders 'to enable the effective co-ordination of operations, reform and improvements in policing and the provision of value for money' (CoP 2016). These activities are delivered through leadership of national NPCC portfolios, chairing Coordination Committees, and the quarterly Chief Constables' Council.

The 2011 Act required chief constables to deliver against local the Police and Crime Plans of local PCCs. Chief constables must also respond to other priorities identified by the NCA, HMIC and College of Policing. Ministerial agendas directly influence each body. Chiefs and PCCs must also 'have regard' (Home Office 2011a: 3-4) to the SPR, which outlined the Home Secretary's view of national threats and the policing capabilities needed to counter them (Home Office 2023b: 4). CC11 suggested 'chiefs and PCCs are aware of the SPR, but it is not talked about a great deal', indicating HMIC inspections are more influential in steering the focus of forces. However, an overly mandated national approach seeking consistency could undermine local legitimacy and the ability of PCCs and chief constables to tailor policing services to meet local expectations. The APCC stated

[16] Cabinet Office Briefing Room – used to coordinate government bodies responding to crises.

PCC accountabilities were locally based, and national approaches inhibited 'their relationship with local people and reduce their ability to respond to local wishes' (CSPL 2015: 29). CC7 agreed, stating:

> 'The absence of national uniformity is a strength. There's a dilemma. Why should we want and demand corpocracy in the service when one of the strengths are the differences?'

However, there comes a point where the absence of uniformity impacts operational effectiveness, legitimacy and the ability to understand public value. Firstly, several chief constables (CCs 2, 4, 9, 13, 21, 33, 39 and 33) highlighted the tension between a devolved policing model, sustained through locally calculated funding, and the geographically unbounded nature of much twenty-first-century criminality. Secondly, CCs 2, 13 and 37 noted the institutional fragmentation of policing power did not protect citizens like the constitutional separation of political powers. Instead, for a highly mobile population, the absence of consistency in the interpretation and application of legislation may undermine legitimacy (for example, inefficient procurement methods or geographically different approaches to cannabis possession). Thirdly, chief constables 35 and 28 highlighted that local autonomy increased the range of objectives, working practices and structures across forces: this made it harder for the College of Policing to find and share best practice and for HMIC to assess and benchmark efficiency and effectiveness. Finally, CCs 33 and 11 noted that increasingly divergent approaches to data capture constrained the Home Office's ability to understand policing demand to refresh the funding formula.

While the Policing Protocol stated: 'The establishment of PCCs has allowed for the

Home Office to withdraw from day-to-day policing matters' it also added: 'The Home Secretary retains the legal accountability for national security and the role that the police service plays within the delivery of any national response' (Home Office 2011a: 6). The *National Security Strategy* (HMG 2010b) describes terrorism, cybercrime and serious and organised crime as national security threats. While the CT Network was subject to ministerial oversight the policing response to the national risks presented by cybercrime and serious and organised crime, predominantly discharged through ROCUs, remained subject to local PCC governance. Some chief constables felt the 2011 reforms allowed central government to abrogate its policing responsibilities to the public detriment. CC39 reflected:

> 'There's involvement regarding terrorism, but everything else is local. Where is courageous leadership from politicians? It's not there. Localism means national politicians are not accountable for anything beyond Counter Terrorism.'

Structural reform?

Interviewees described contemporary organisational structures as constraining and fragmented. The number of police forces fell steadily through the nineteenth and twentieth centuries from 13,000 in 1851 to forty-three by 1974 (Chapters 3 and 4). The *Sheehy Report* (1993), the *White Paper on Policing* (1993) and *Closing the Gap* (HMIC 2005) reignited the debate over the number of police forces but did not initiate amalgamations. Twenty-five years later, CC39 commented:

> ‘The police service finds it difficult to define itself, change itself and grow to do what it needs to do. One of the barriers is its cultures and structures are painful and suboptimal. The speed of change is paralysing.’

Research participants supporting a reduction in forces emphasised the benefits of greater operational resilience, reduced management overheads and economies of scale. They argued larger ‘strategic’ forces need not be at the cost of local, democratically accountable policing. However, others considered current structures, although imperfect, had evolved over time and operated effectively. CC29 challenged the assumption economies of scale were always beneficial: ‘Given the legitimacy and confidence challenges the Metropolitan Police have experienced, I’m unconvinced bigger is better.’

Interviewees who raised structural concerns recognised the political realities of large-scale reform. CC30 commented, referencing the SNP’s 2013 amalgamation of eight Scottish forces into Police Scotland, ‘restructuring is high risk and takes a generation to bear fruit: it doesn’t sit well with electoral cycles’. The need to reconcile local funding arrangements to enable amalgamations impedes voluntary restructuring. This will become increasingly so in an environment where locally sourced funding is subject to individual PCC discretion. An attempt to amalgamate the Devon and Cornwall and Dorset forces was unsuccessful because, as with the 2006 proposed Cumbria and Lancashire merger (Chapter 4), local councillors opposed the requirement to align council taxes (BBC 2019). CC40 dismissed amalgamation discussions: ‘It’s not worth investing time and effort in the structure debate. It will go nowhere.’ CC2 reflected on how difficult it was for the policing institution to structurally adapt to meet the requirements of an ever-changing

operational environment and concluded:

> 'Local operational independence is important, but we're delivering a poorer public service. We've hardwired localism into policing. This may hurt our long-term credibility and legitimacy.'

The NPCC

Although large-scale organisational reform appears unlikely, chief officers have established governance structures to support new working practices and capabilities to overcome some of the forty-three force model's limitations. Initially developed as ACPO Business Areas, which enabled national alignment whilst preserving decentralisation (Savage *et al.* 2000: 214), the twelve forums were rebranded as NPCC Coordination Committees in 2014[17]. Each was chaired by a chief constable and adopted national responsibilities for operational policing issues. In 2022, they oversaw just under 300 portfolios, each led by chief officers, and reported to Chief Constables' Council. The ownership of national portfolios absorbed chief officer time but enabled professional thematic leadership to transcend force boundaries through peer influence rather than formal direction. CC19 reflected: 'national leadership comes from the NPCC.' CC39 felt;

> '…national work is vital. I always had portfolio responsibilities but

[17]Coordination Committees: Counterterrorism, Crime Operations, Criminal Justice, Digital, Data and Technology, Diversity, Equality and Inclusion, Finance, International, Local Policing, Operations, Performance Management, Prevention and Workforce.

had to justify them to myself. [My PCC] was supportive, but not all PCCs and chiefs have this view regarding chief officers and national responsibilities.'

A PCC interviewee supported chief officers taking NPCC portfolios: 'There's a need to play a national role in respect of the big issues we are grappling with that impact the local.' Although Chief Constables' Council met every quarter, several research participants described a competitive and tense atmosphere rather than a collaborative and supportive one. Distrust, unease, suspicion and rivalry made collective decision-making challenging. Chief Constables' Council decisions were not binding, and members could derogate. CC7 stated: 'I didn't jump to anyone's tune and enjoyed the ability to say no'. In evidence to the Home Affairs Select Committee (2018: Q482), Chief Constable Sara Thornton, NPCC Chair, and Lynne Owens, NCA Director General, discussed the difficulties of securing agreement across Chief Constables' Council and the Association of Police and Crime Commissioners (APCC):

'Thornton: …there are 86[18] people who want to make decisions and other agencies, we are constantly trying to get people to collaborate, to co-operate in the public interest. We are making progress. Sometimes, the progress is glacial.

Owens: …If you look at the threat from serious organised crime, if you read the National Strategic Assessment, it is changing at pace.

[18] Forty-three chief constables and forty-three PCCs (or mayoral equivalents).

> If we can see that we need a very good local policing capacity to be visible, to give reassurance, to provide the intelligence that needs to be supported by cyber capabilities and fraud capabilities and CSA capabilities, if every single one of them has to be negotiated in slow time over months through 86, I am concerned that we are going to get left behind.'

Apart from operational independence, interviews identified two further drivers for the lack of corpocracy: ongoing investigations and competitiveness. Referencing the fact several chief constables were charged with leading investigations into the decision-making of behaviour of their peers, CC6 stated: 'The elephant in the room was people were under investigation, and it was impossible to have a proper conversation at Council.' CC13 suggested post-2012 force rivalries, encouraged by HMIC reorientation and PCCs, created a difficult collaboration environment:

> *'*Culture is now more combative and competitive from a force against force perspective. This has been created by HMIC and the PCC's political need to prove they're helping to run an organisation that's top of the tree. We should avoid the combative culture and focus on the common good. PCCs can be problematic, but some chiefs don't operate collaboratively.'

Interviewees described a reluctance to challenge and express their thoughts in front of their peers, all of whom are responsible for different-sized organisations with different

operational, financial and political challenges. CC39 recalled:

> 'At Council it can be difficult to say the obvious and speak up. I asked myself: "Is it just that my organisation is so shit, or are others just not speaking out?" Lots of conversations seem to relate to a nirvana – it was a million miles from where my organisation was. People don't say things because they may sound like a Luddite and expose their force.'

Echoing the *Sheehy Report* (1993), the College of Policing's *Leadership Review* (2015: 14) proposed 'reducing hierarchy and bureaucracy by adopting flatter structures and increasing the span of command'. When presented at Chief Constables' Council, CC6 stated:

> 'People didn't want to speak and discuss the issue. Eventually [Chief Constable] did and said, "I don't support this", and then half the room chipped in and supported her.'

A PCC interviewee, while recognising the challenges of local governance, considered a more collaborative Chief Constables' Council to be essential following the 2011 reforms:

> 'There's a different national role for chief constables now. They must collaborate. There's a need to understand future demand and crime trends that don't respect geographical boundaries.

They need to coral forces and find solutions. This is hard with some PCCs and could work better than it does now.'

7.3. Exit

The third question for this chapter is: Have the reforms changed how chief constables end their careers? This section is informed by the qualitative interviewees and a quantitative analysis of chief constable tenures covering the decade before and after the 2011 Act. The information is used to explore two hypotheses: Firstly, that chief constable tenures may mirror the election cycles of PCCs as new PCCs and secondly, that the introduction of PCCs has resulted in shorter chief constable tenures. The chapter ends with the reflections of recently retired chief constable interviewees on their careers.

Chief Constable time in rank

To understand the 2011 Act's impact, HMIs and PCCs offered their perspectives on why chief constables leave the service, and retired chief constables described their personal experiences. This was supported by an analysis of 266 chief constables' careers between January 2002 and September 2024. Chief constable tenures were identified using force records, local and national media reports, Chief Constables' Council minutes and Hansard. To avoid distorting the data, short-term 'temporary' chief constables, often DCCs, filling gaps between full post holders, were excluded from the analysis unless they were selected for the permanent role. When chief constables left a force to take up another chief constable post immediately, it was counted as a continuation of tenure. Several chief constables resigned from policing to undertake roles outside the forty-three-force structure before re-joining as a chief constable. In these cases, the period of experience

was paused during their absence but recommenced on their return[19].

Arrangements for appointing chief constables and renewing their contracts changed in 2012 with the establishment of PCCs. Before this, chief constables were awarded fixed-term contracts for up to five years, which could be extended indefinitely. Post-2012, PCCs set contract length, approved extensions, and could require a chief constable to resign or retire. A PCC observed: 'A short tenure is not necessarily bad in terms of fresh perspectives and new ideas. PCCs need to have a choice regarding who runs the force.' HMICFRS (2019: 12) stated:

> 'It is unclear what an ideal tenure for a chief police officer should be. It is likely to vary depending on the job and the person. Our evidence suggested that very short tenures present unsettling churn in forces. It also suggested, for different reasons, that very long tenures can be inadvisable, too.'

PCCs and HMIs articulated risks associated with high chief constable turnover. A PCC commented:

> 'Instability is not good... I wouldn't want to see it fall to less than four years. Four years is a minimum, but things happen when behaviour needs to be challenged and people move. Hopefully,

[19] Examples include Norman Bettison (Centrex), Stephen House (Police Scotland), Lord Bernard Hogan-Howe (HMIC) and Cressida Dick (Foreign and Commonwealth Office).

this is the exception rather than the rule.'

An HMI interviewee agreed:

> 'It takes time for the individual to get to grips with the role and force... It takes a while to grow into the role. It takes longer than just a year or two to get motoring.'

As Figure 4 shows, there was an overall downward trend in the average time in rank of all chief constables in England and Wales between January 2002 and September 2024. In April 2008, the average time in office peaked at 4.11 years, followed by a decline ahead of the 2010 General Election and a further reduction from 3.9 years around the first round of PCC elections in November 2012 to a low of 3 in March 2013. The lowest average time in office was 2.61 years in May 2019. Between 2006 and the 2010 election of the Coalition Government the average time in rank for chief constables was 3.73 years. In the thirty months between the general election and the first PCC elections the mean tenure of chief constables fell slightly to 3.69. However during the first PCC term the mean tenue fell to 3.15 years but this has increased slightly during the second term (3.2 years) and the third (3.24 years) . Reflecting on the reduction in average time in the chief constable rank, an HMI interviewee stated: 'We are losing some of our brightest and best too early, and this cannot be good.' A different HMI participant agreed, commenting:

> 'If you look at the senior leadership cadre, more younger and inexperienced leaders are coming through to chief constable.

Many have lots to offer, but it can be initially at the expense of effectiveness and leadership. It takes time to acquire the necessary competence.'

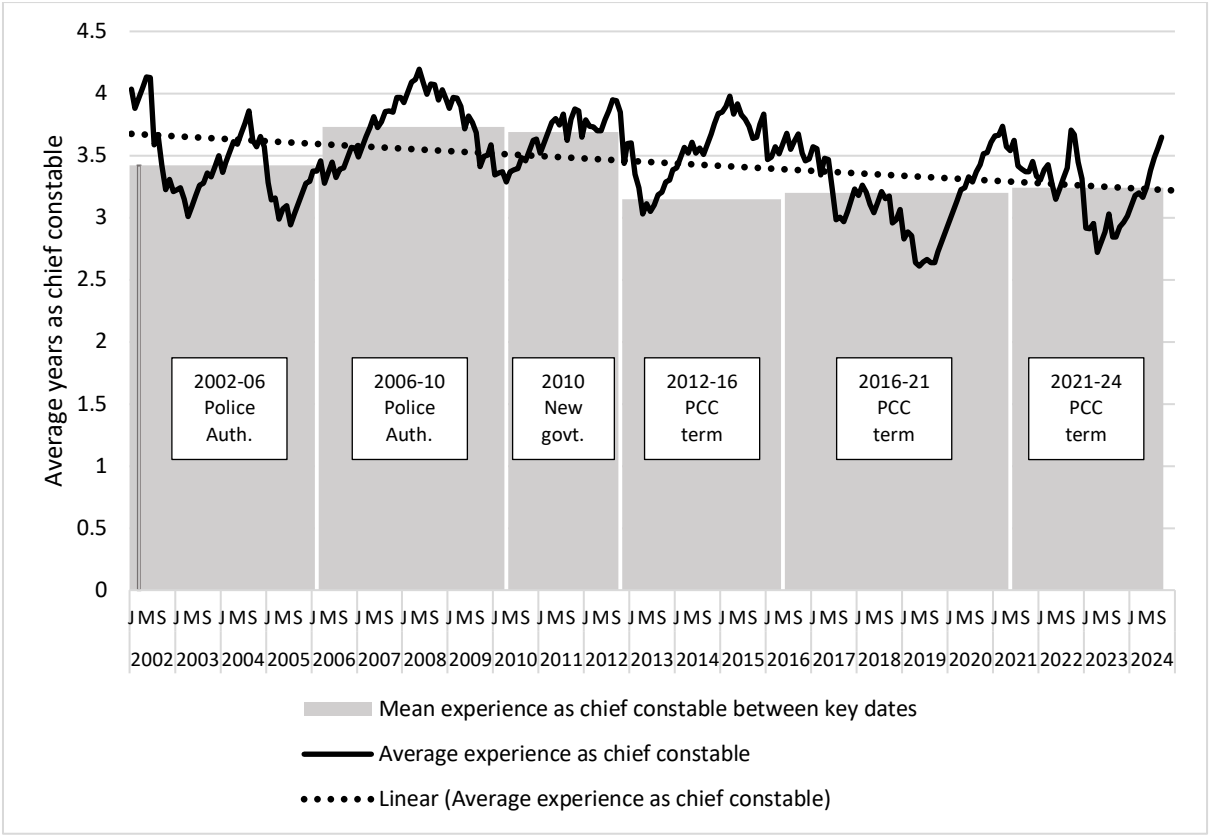


Figure 4: Chief constable average 'experience in rank' 2002-2024 all Home Office forces.

Not all chief constables operated within a structure where they were directly accountable to PCCs or Police Authorities, presenting a category distinct from their colleagues. Between January 2002 and December 2022, as few as seven and as many as eleven chief constables fell into this category. These officers were Metropolitan Police Assistant Commissioners, Deputy Commissioners or Commissioners, Commissioners of the City of London Police, ACPO President (to 2014), NPCC Chair (2014 onwards) and Serious and Organised Crime Chief Constable (2022 onwards). The posts reflected between 13% (October-November 2002) and 23% (September–November 2021) of England and Wales's total chief constable establishment. Once removed from the data, the reduction in tenure experienced by chief constables subject to PCC appointment is greater. In the decade

before PCCs, the average length of service in the chief constable rank was 3.36 years. In the decade following the reforms, this fell to 2.96 years. However, correlation is not causation, and there is a need to understand what mechanisms and contexts link the introduction of PCCs and the reduction in tenure. A PCC interviewee suggested chief constables appointments outside London may mirror election cycles: 'I think chief constable tenures will be increasingly aligned to a 4-5yr term in office for PCCs.' CC17 echoed this expectation: 'The PCC wanted a more long-term appointment, to align to elections, so the time felt right to go'. CC21 had a similar experience:

> 'When [my PCC] made the appointment, it was four years. This is the fixed period of the PCC to mirror the election cycle. This approach avoids chief constables being sacked but compromises operational independence. It's more accountable but could be deeply unconstitutional.'

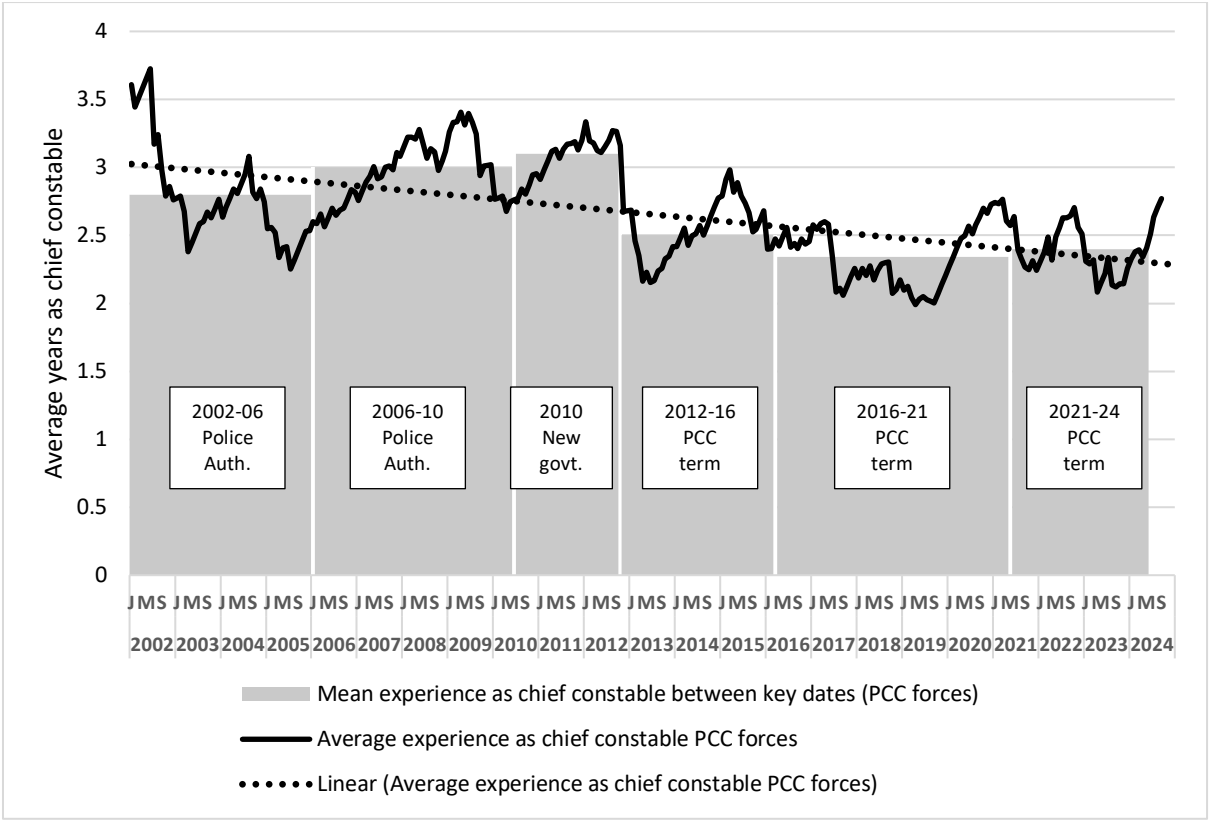


Figure 5: Average chief constable 'experience in rank' 2002-2024 without MPS, CoLP & ACPO/NPCC.

I tested this hypothesis by reviewing the average length of chief constable tenure in PCC forces against the 2012, 2016, 2021 and 2024 PCC elections (Figure 5). In the decade before first PCC election the average time in rank for a chief constable was 2.9 years, this fell to 2.5 years during the first PCC term. In some forces, vacancies remained unfilled, pending the outcome of the 2012 PCC elections, whilst others retired due to the new arrangements. CC11 recalled: 'Some chiefs felt the PCC model didn't work for them.' A PCC interviewee stated: 'It was a comfortable world with little scrutiny before 2012. It changed, and some couldn't cope. They decided it wasn't for them and left in 2012.' Referring to a colleague, CC20 commented: 'He did not embrace the establishment of PCCs. He never spoke to the first PCC. He was not a supporter and voted with his feet.'

Eight (20%) of chief constables outside London left six months before the PCC elections and five (13%) in the six months following the elections. The chief constables of Gloucestershire, Suffolk, Avon and Somerset and West Yorkshire all retired in 2012, citing the introduction of PCCs as their motivation to end their policing careers. PCC interviewees attributed the 2012 chief constable churn to governance and oversight improvements. A PCC stated:

> 'It's around competence and higher expectations. PCCs found people did not have a grip. It was those who couldn't hack it that went. It's healthy because those who were not "battle-ready" have gone. Those stuck in the old days of little scrutiny suffered in a dynamic governance environment and left.'

A different PCC concurred:

> 'It was the government's intention to have more direct accountability... That's led to a robust holding to account regarding behaviours that needed challenge and have been challenged. PCC scrutiny is more challenging than police authorities. Although police authorities had powers, PCCs are faster owing to quicker decisions as opposed to relying on seventeen-person committees.'

PCCs expressed the opinion that, in some cases, some chiefs were reluctant to recognise

the new governance arrangements and adapt. A PCC participant commented: 'some elements of the service needed to get to grips with democratically elected police and crime commissioners.' In May 2013, the Gwent PCC, Ian Johnson, required Chief Constable Carmel Napier to retire two years into her five-year contract, or he would dismiss her (Napier 2013). Johnston stated: 'The main reason I decided to take the action I did was that the Chief Constable from day one—now looking back—just did not accept the role of the Police and Crime Commissioner' (HASC 2013a: 13). The Select Committee (*ibid.*: 5) found no evidence to justify Johnson's statement.

A PCC interviewee considered the 2012 reduction in chief constable experience a short-lived consequence of the 2011 reforms:

> 'It is an expected by-product of change and realignment. It's proportional to a change in governance and accountability. We came out of the transition after five years. In early 2017, the second PCC cohort clearly represented a changed dynamic and a great sense of appropriate joint enterprise.'

CC35 agreed, describing 'a 2012 blip regarding chief constables'. However, the second PCC term witnessed a further fall in mean chief constable tenure from 2.5 years to 2.3 years, but a small increase in the third term to 2.4 years (Figure 5). The shortening of chief constable tenure can be described as 'punctuated equilibrium' (Ansell 2011: 43) whereby policing was subject to an external shock through the 2011 reforms. Democratically elected PCCs resulted in the reorganisation of the institutional ecology that had remained largely inert and successfully resisted significant change since the 1964 Police Act. Figure

5 indicates in collective chief constable experience around the 2012, 2016 and 2021 elections. Furthermore, the average length of time in office for chief constables outside London has remained consistently shorter in the decade following the 2011 Act during both the second and third PCC terms (2.4 years) indicating that, rather than 'a blip' shorter chief constable tenures may be an enduring unanticipated outcome of the reforms.

The suggestion chief constable tenure may mirror the PCC election cycle was tested by contrasting the nine forces with a new PCC at each election with the six forces that retained the same PCC[20]. A relationship between chief constable retirements and newly elected PCCs would be indicated by a fall in the average tenure before and after the elections and a higher volume of chief constables within those forces who have experienced three different PCCs. Figure 6 illustrates forces with a single PCC in office between 2012 and 2022 have experienced a higher turnover of chief constables (average tenure of 2.79 years and falling) than forces who have experienced three different PCCs in the same period (average tenure of 3.37 years and stable). Therefore, the hypothesis that new PCCs are keen to select their own chief constable and that chief constable tenure mirrors election cycles is not proven based on the available data. Instead, lower PCC continuity results in more chief constable stability.

[20] Hertfordshire, Northamptonshire, South Wales, South Yorkshire (since 2014), Suffolk and Sussex.

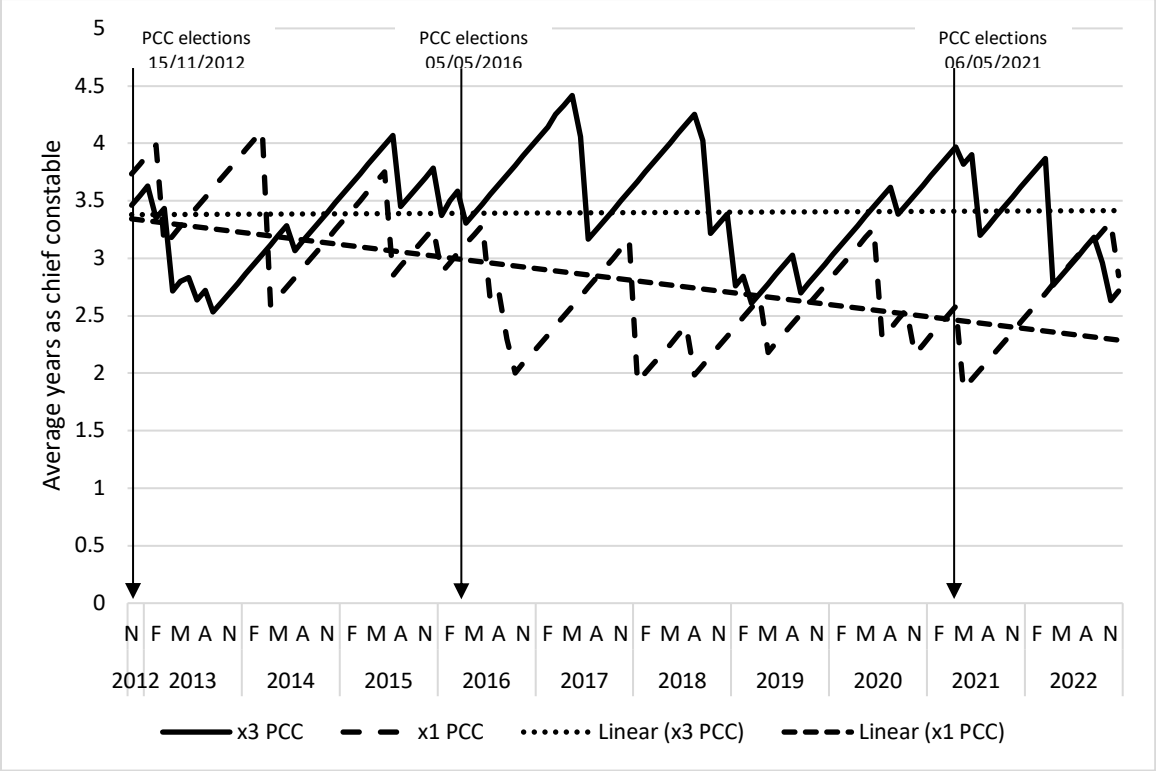


Figure 6: Average chief constable 'experience in rank' 2002-2022 in high and low PCC turnover forces.

Reasons for retirement

Interviewees emphasised a greater level of insecurity for chief constables after introducing PCCs. Schedule 8 to the 2011 Act, supplemented by Regulation 11A of the Police Regulations 2003, stated if a PCC requires a chief constable to retire or resign, the written views of the Chief HMI must be obtained. The chief constable must also be offered a written explanation for their proposed removal. CC33 expressed concerns the s.38 power would disincentivise future chief officers:

> 'My worry is protection for police leaders. Why are we so singled out in employment law that allows us to be treated this way? People think you get a payoff! What will it do for the quality of

future leadership?'

However, a PCC interviewee stated:

> 'It was the government's intention to bring about more direct accountability. That has led to a robust holding to account regarding behaviours that needed to be challenged and have now been challenged.'

On examining the s.38 power, the Home Affairs Select Committee stated (2013: 5):

> 'The reasons given by commissioners who have suspended or dismissed chief constables so far have been unpersuasive, in the case of Avon and Somerset where the Commissioner cited contractual issues: "irrational and perverse", in Lincolnshire (according to the High Court): and unsubstantiated by any concrete examples in the case of Gwent.'

An HMI interviewee felt the s.38 process needed review:

> 'There is an element now that if your face doesn't fit, then "thank you very much". It may be as simple as that, owing to the dynamics of one-on-one relationships. There needs to be a shift in the power balance between chiefs and PCCs that emphasises

> operational independence and removes the ability of an individual to hire and fire.'

However, shorter tenures cannot be attributed to the 2011 reforms in isolation and may be associated with broader pressures on policing and pension arrangements. In 2012 0.8% of police officers voluntarily resigned before the conclusion of their pensionable service but by 2013 this number had increased to 3.2% reflecting an unprecedented level of attrition attributed to the growing demands placed on policing (Graham *et al.* 2023). Interviewees also described how financial arrangements compelled chief constables to retire. Tax restrictions on lifetime pension earnings and annual pension allowances were introduced in April 2006, disincentivising officers from remaining in the police service beyond an optimal retirement date. An HMI interviewee expressed their frustration:

> 'The pension scheme makes it attractive to go at a certain time whether you've finished your job or not. The pay and remuneration system runs against policing's interests. It should be focused on keeping the best people in policing, but it does the opposite. You should create and incentivise with pay and rewards to encourage people to do what you want them to do, not what you don't want!'

A PCC also recognised the disadvantages of chief constables working past pensionable service periods: 'Lifetime allowances and pensions are a barrier. People don't want to leave but can sit at home and do nothing for two-thirds of the benefits. This encourages

retirements.' CC21 did not want to retire, but the pension considerations were compelling:

> 'Financially, I should have gone earlier but I didn't want to. I loved being a cop. If the pension had changed and I'd had to do five more years, I would have thought "great".'

Pensions also prevented some chief constables from retiring as they were locked in until they reached a certain level of service. CC18 described their position:

> 'I never thought seriously about leaving the police until I became a chief constable. While I was at this rank, the thought went through my mind many times. However, the pension meant it was not viable to leave. It crossed my mind often when things got very difficult.'

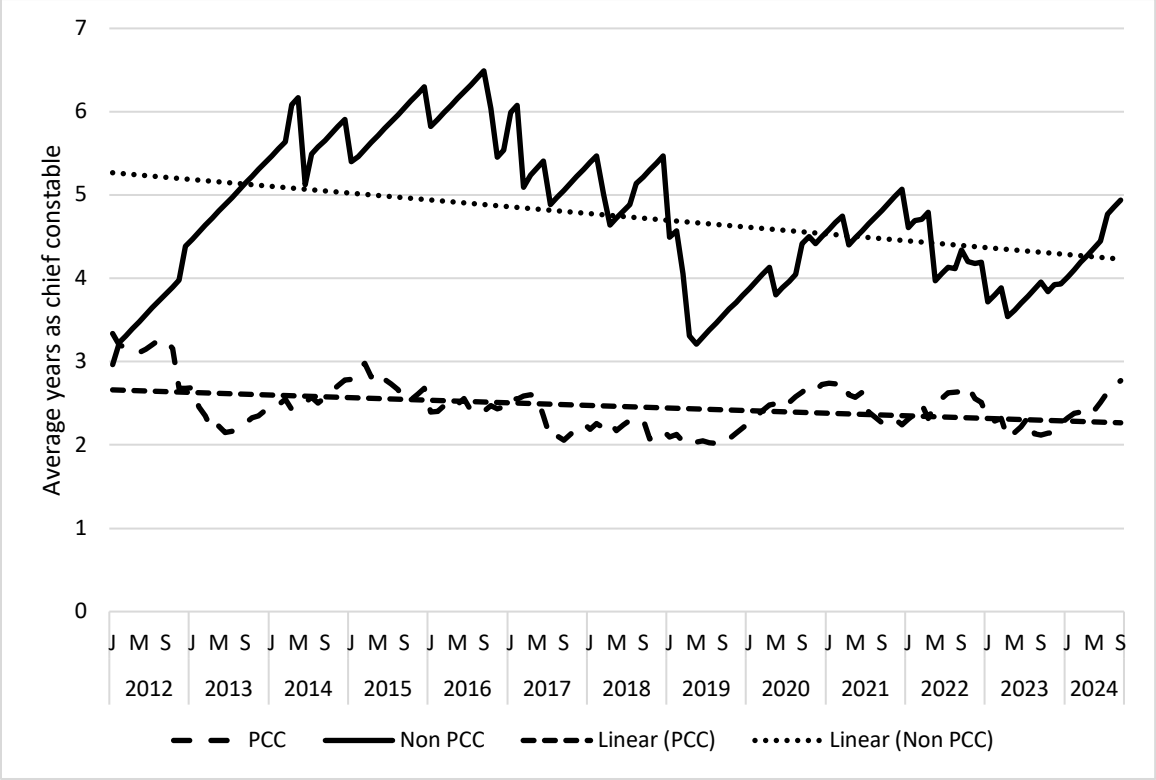


Figure 7: Chief constable 'experience in rank' 2012-2024. PCC forces & non-PCC forces.

Pension arrangements for PCC-appointed chief constables and chief constables appointed through other processes[21] are the same. I analysed non-PCC-appointed chief constable tenure[22] against their PCC-appointed colleagues to identify any differences regarding tenure. Broadly parallel trend lines in Figure 7 suggest financial considerations and other issues common to both groups weigh equally on each cohort and that different

[21] The Commissioner of the City of London, head of ACPO or the NPCC and Metropolitan Commissioner, Deputy Commissioner and Assistant Commissioner ranks.

[22] Non-PCC appointed chief constables can be expected to have longer tenures as there are three chief constable ranks in the Metropolitan Police. Moreover, ACPO Presidents and NPCC Chairs will have been chief constables before taking up their national roles.

governance arrangements may only play a limited role on decisions to exit policing. However, it is of note that the experience of chief constables not subject to PCC governance, while greater, is declining at a faster pace than that of their colleagues outside of London.

Career reflections

The interviews and quantitative analysis indicate various issues arising from the 2011 Act and longer-standing financial considerations contributing to the reduction in chief constable tenure over the preceding decade. Many interviewees, although not the majority, articulated their disillusionment with the chief constable role and its impact on family life, feelings intensified by institutional cultures, financial disincentives and new governance arrangements. An HMI stated: 'Chief constables feel undervalued. A combination of tax arrangements and challenging relationships with some PCCs made some feel under fire.' A different HMI interviewee reflected: 'The system has created incentives unconducive to chiefs staying for the optimum tenure period. It's not the day job but associated issues.' A third HMI agreed:

> 'I've spoken to a few, and they've said it is because it is too hard. In terms of the benefits of the role against the personal cost, they feel it's too big a price to pay. Many leave if they have the luxury of thirty years' service.'

CC29 stated:

> ‘I worry about where we’re going around the vocation of policing – it’s stresses and strains. We’re downtrodden, and the diminution of terms and conditions adds to this. The service is at a difficult point, and the commitment to public service can be fragile. Add complexity, challenge and stress. Why would people become chiefs?’

CC18 agreed reflecting:

> ‘It was uniquely difficult and not an enjoyable experience. When you balance out the profit and loss of your job at the time... I felt I was asking myself, “ok, I'm doing this, but is it worth it?” I'd never previously felt the downsides outweighed the rewards until I was chief constable, and multiple problems arose. Of course, there were other things in the background, like the pension.’

The toll on officer’s families was also highlighted. CC20 commented:

> ‘It’s an unattractive role. It’s non-stop. With family pressures as well, why would you do it? There’s something around looking at the environmental factors regarding the pressures, pensions, unfairness of the role, it’s hardly surprising so many leave.’

CC35 recalled: ‘It became a thankless task. I was worn out. When your family asks, “Is it

worth it?" and you're asking the same thing, it's difficult to keep going.' CC30 stated:

> 'The impact of being a Chief is you're never off duty or on holiday. There's now an extra layer created by direct accountability to a PCC, which makes a profound difference.'

CC35 regretted becoming a chief constable:

> 'I wouldn't apply to be a chief constable in the current climate. If you ask, "would you want your chief constable job back for three times as much pay?" The answer would be "no". I wouldn't want to enter a deeply damaging relationship with a PCC, and there is too much luck in it. My values were tested daily, and my livelihood and my family's livelihood were at risk of being thrown away because I could not compromise my values. This cannot be right, based on one individual with no checks and balances.'

Three female chief constables described the cultural and institutional barriers they experienced. CC9 said: 'The challenge is getting the system to help instead of being an inhibitor. I wouldn't join again given what I know now and PCC changes.' CC12 stated: 'If I was 21 now, I wonder if I would be up to it.' CC29 described her experience of institutional misogyny:

> 'I wouldn't join again and would tell my daughter not to join. I feel

> that particularly on the gender thing. For women, it's a harder place. It's challenging for female leaders and how they're presented in communications and criticised. It takes on a different language and approach. There's a tendency to focus on things like what we are wearing. It's still tough.'

CC10 reflected on their experience and decision to leave policing:

> 'The chief constable role is a job to aspire to. When you get there, it has so many things that are nothing to do with being the chief you think "sod it" and go.'

CC32 stated: 'For me, the psychological contract and my commitment to work was broken.' CC10 did not want to become a negative voice within Chief Constables' Council: 'I saw no place in the hierarchy for someone passionate about things. I was going to be problematic. It was time to leave.' CC39 expressed similar thoughts:

> 'Some colleagues have considered it a badge of pride being referred to as 'silverbacks', but they become dinosaurs. I didn't want to be part of an old guard that wasn't part of the solution. I left because I didn't think I could realise my vision for policing. There was a danger of becoming grumpy and being a problem.'

Others were more positive about their experiences and decisions to leave:

> ‘There is something around a shelf life for a chief. I'd always had in mind I wouldn't stay beyond five years. Different factors come into play - politicians, staff, partners think you’re likely to be moving on when you get to a certain point. PCCs also start to want difference and change’ (CC8).

CC21 disagreed with the five-year timeframe:

> ‘That some colleagues leave after five years feels strange. If you’ve aspired to the role, why jump so quickly? I genuinely fell in love with my force. It meant the world to me. It was hard to leave.’

CC30 stated:

> ‘I decided to leave at 30 yrs. As an individual, I don’t feel defined as a chief officer in terms of ego. Some colleagues' self-identities are defined solely as chief officers. I always thought I’d go on and do other things.’

CC15 felt the perspective of those in policing had shifted: ‘Policing is less of a vocation now. When it was someone's entire life, they died quickly. Now, it's not the only part of an individual's life. That’s healthy.’ They also adopted a laissez-faire career approach:

> ‘I felt lucky about feeling relaxed about how far I’d get in my career. I wasn't driven in the same way as some others and didn't have the weight of expectation. This allowed me to enjoy what I was doing as I was doing it. My philosophy was to enjoy it and do my best but not try to progress beyond my limits. I worked hard, but it was never my life's work. I didn’t sacrifice my values. I arrived in the role and was comfortable being me. I didn't feel I'd overreached.’

Several interviewees were positive about their time as a chief constable but acknowledged the challenges. CC39 stated: ’I have sleepless nights from good and bad decisions, but they’ve made me who I am today, and I'm comfortable with that. It’s wonderful and a real privilege but hard work.’ CC7 commented: ‘I never planned it. It was great… I wouldn’t hesitate to do it again but would do some things differently.’

Chief constables typically focused on how much they enjoyed working with colleagues, the value they delivered to the public and their pride in having been police officers. CC12 said: ‘I’ve had the opportunity to work alongside remarkable people.’ CC2 agreed:

> ‘There’s nothing else I would do knowing what I know now. I never bored of it. The chance to influence the way you deliver a public service is great. It’s great to head an organisation comprised of fantastic people.’

The importance of public service was a recurring theme. CC14 said: 'It's a great job, and I'd encourage others to do it. To help people at their lowest point is one of the most rewarding things to do.' CC33 concurred:

> 'I enjoyed it. I left wanting more, feeling it was a valuable job. I'd set out to work for the public, working with people and protecting people from the bullies in society. Although we hadn't always achieved as much as we'd liked, I felt I contributed positively. I'd join again. It was a good career.'

Some retired chief constables also expressed a deep pride in their careers. CC13 reflected: 'I loved my policing career. Our mission is deeply worthy, and I am proud of what most police officers produce.' CC34 agreed: 'I'm proud of my career. You find yourself in the middle of such important events. We make life-changing and life-saving decisions'.

Conclusion

This chapter answered three questions: How have the reforms impacted the local chief constable role? Have the reforms changed the national leadership functions of chief constables? And how have the reforms changed the way chief constables end their careers? In answer to the first question interviewees indicated that the reforms changed the chief constable role in several ways. The one-to-one chief constable and PCC relationship created an environment whereby visible leadership and key decisions were no longer the sole responsibility of the chief constable. The changed HMIC role simultaneously reduced the support offered to chief constables and generated greater

levels of competition between forces, and PCCs, based on PEEL inspection assessments. The Coalition Government's 'crimefighters' (May 2011) rhetoric encouraged a 'back to basics' refocusing of the police function which jarred with the realities of public sector austerity, and an ideological commitment to a smaller state, that shifted demand from contracting public services into policing. Thus, a shrinking state widened the police role whilst ministers described a narrowing police mission. This not only created dissonance between professional police leaders and ministers but also failed to recognise the legitimising benefits of the wider police public protection role (Chapter 3). New localism also reinforced the 1974 structural stasis. Interviewees recognised the need for structural change to effectively address Information Age law enforcement challenges but dismissed the likelihood of change following the 2011-13 reforms owing to the emphasis on localism and Home Office (2011: 6) retreat from 'day-to-day' police governance. However, participants also noted PCCs, as democratically legitimate and lay spokespersons for policing, were in some circumstances better positioned to comment publicly, offer perspectives and intervene politically than chief officers. Interviewees demonstrated also considerable consensus as to the characteristics of a good chief constable.

The second question asked: Have the reforms changed the national leadership functions of chief officers? Post-2011 accountability was more grounded in the local than the national. The resulting organisational diversity exalted by Letwin (2002: 37) exacerbated challenges associated with cross-border criminality and the consistent application of legislation which made achieving a national understanding of contemporary policing demand and developing an appropriate response difficult. PCC involvement in NPCC governance represented a significant shift from ACPO's independent status and some national policing roles, previously performed by ACPO, were transferred

to either the NCA or the College of Policing removing them from chief constable leadership. Interviewees described how the reduced Home Office role, and replacement of ACPO with the NPCC, limited future opportunities for centrally driven institutional change owing to the need to build consensus across multiple political and professional stakeholders. Nevertheless, the voluntary thematic national 'portfolio' leadership responsibilities of chief officers, developed as ACPO Business Areas, were retained as NPCC Coordination Committees to deliver national coherence through the local force structures and disparate collaborations. The 1974 organisational structures were reinforced by the 2011 Act thereby offsetting the legitimising benefits of localism with inefficient responses to new forms of unbounded criminality. National chief constable leadership therefore became further focused on developing pragmatic workarounds to address Information Age criminality and overcome macro-level structural inertia.

Thirdly, how have the reforms changed the way chief constables end their careers? The research demonstrated that the experience of the average chief constable declined in the decade following the 2011-12 reforms when compared with the preceding decade. The proposition that chief constable careers increasingly aligned with those of PCCs was explored. Although the sample size is small, the work suggested the opposite of the hypothesis may be true indicating that inexperienced PCCs valued chief constable continuity more than their experienced counterparts. The extent to which the 2011 Act impacted how chief constables end their careers was further considered by contrasting the average tenure of PCC-appointed chief constables against those appointed by other processes. The decline in tenures is equal in both groups, challenging the proposition the 2011 reforms contributed to shortening the careers of chief constables. Interviewees suggested that work pressures, combined with pension and taxation arrangements,

common to both groups, appear more likely to have had a greater effect on incentivising retirements.

Chapter 8: Pursuing Legitimacy

> 'We should be pointing in the same direction but not standing in the same shoes' – PCC.

Chief constables, operating within democratic governance structures, straddle the fault lines of twenty-first-century social diversity and the hegemony of the majority. This penultimate chapter explores the impact of the 2011 Act using the four democratic policing ingredients identified in Chapter 2 as responsive, legally regulated, transparent and effective. The oversight of chief constables by elected PCCs was enhanced by strengthening independent governance entities in the form of the HMIC and IOPC. These counter-democratic institutions (Rosanvallon 2008: 51) facilitated society's surveillance of chief constables' discretionary power through open constructive scrutiny, censure and inspection. Therefore, the 1964 tripartite structure was replaced by a multi-faceted model that engaged professional chief constables, locally elected politicians, augmented independent oversight and greater public transparency whilst reducing the Home Office role. The reforms sought to boost public participation through forward-looking PCC electoral pledges, improved legal accountability with enhanced backwards-looking regulation, and address wider public distrust through greater transparency. This chapter uses the comments of research participants regarding these fortified external controls to answer two questions: How have the reforms impacted chief constables? And, have the reforms enhanced democratic policing?

8.1. Forward-looking: Democratic Accountability

This section considers the changes to the accountability of chief constables to democratically elected politicians in the form of PCCs and the Home Secretary, which required the police to deliver against PCC manifesto commitments and the national SPR. The political legitimacy of the PCC model was derived from local '*monocratic*' (CSPL 2015: 36) accountability, vested in an individual and tested through periodic elections. The success of the one-to-one relationship between a chief constable and PCC was often dependent on interpersonal fit and presented risks relating to individual resilience (Chapter 7). Although chief constables were theoretically shielded from direct electoral pressures, PCC powers of selection and dismissal impacted their operational independence. Beyond the electoral cycle, there were limited checks and balances through Police and Crime Panels to hold PCCs accountable.

While the 2011 Act strengthened local accountability, the reforms explicitly reduced the Home Secretary's influence (Home Office 2011a: 6), reversed the centralising course of the preceding century and a half, and placed an expectation on local forces and PCCs to 'self-reform' (Lewis 2016) resulting in inconsistent and fragile locally brokered collaboration arrangements. Between 2019 and 2022, the government reasserted its national role by introducing the National Police Board (NPB) and national targets and redrafting the Policing Protocol. However, attempts to (re)strengthen the Home Secretary's responsibilities were resisted by PCCs.

The continuity and legitimacy of professional leadership are important in policing. The 2011 reforms impacted chief constables by disrupting the institutional equilibrium established over the preceding fifty years. Following the November 2012 PCC elections, chief constable posts became less secure, subject to greater scrutiny and required greater

political awareness. The impact of 2012 had settled by the 2024 elections as the new arrangements matured. Chief constables with decades of professional experience continued to exercise administrative power, albeit with shorter tenures, transcending fluid politics and complementing the principle of democratic legitimacy.

Police and Crime Commissioners

PCCs replaced police authorities, in which limited power had resided in anonymous bureaucratic committees (Loveday and Reid 2003), with democratised and embodied individuals operating within a local and participatory accountability model. Post holders were charged by s.14 of the 2011 Act with 'obtaining the views of the community on policing' to improve local service delivery. Supported by a democratic mandate to connect the public and policing, PCCs had a role in legitimising the exercise of police power: however, their democratic authority was contingent on public support and outlined within the Policing Protocol (Home Office 2011a/2023). Their pursuit of popular legitimacy challenged the principle of operational independence and, in some areas, strained relationships between PCCs and chief constables which exposed the 2011 Act's limitations.

The first PCC elections in November 2012 were blighted by a 15.1% turnout, compared with 65% in the 2010 General Election, but voter participation increased (HASC 2016: 9). In 2016, it rose to 27.3% (Electoral Commission 2016) and in 2021 to 34.1% (Electoral Commission 2021), indicating greater public awareness. However, turnout reduced in 2024 to 23.2% (Allen and Buchanan 2024). In 2012, 14.6% of PCCs were female and none were from ethnic minorities but following the 2024 elections, there were three (8%) ethnic minority PCCs and thirteen (36%) PCCs were female. Given the challenges of

increasing ethnic minority diversity within the chief officer cohort (Chapter 6), elected PCCs presented an opportunity for strategic, and publicly visible, police leaders to reflect contemporary society better and enhance the institution's democratic legitimacy through greater inclusivity.

In the decade following the 2011 Act electoral success favoured Conservative candidates at the cost of the Labour Party and independents however the 2024 elections returned nineteen Conservative and seventeen Labour PCCs (Figure 8). In England, Labour PCCs and mayors were typically found in urban areas with higher populations and crime, while many Conservative PCCs oversaw more sparsely populated rural areas. Different ideological approaches to policing, aligned to party policies, will likely develop contrasting policing styles and structures, particularly around the police as 'crimefighters' (May 2011), preventative policing, partnership working and private sector collaboration. Within several large conurbations, the PCC function has been subsumed within generalist mayoral arrangements. The Cities and Local Government Devolution Act 2016 (s.4) enabled mayors of combined authorities to exercise PCC functions. Elected mayors typically appointed an unelected deputy to undertake the PCC function contrary to the notion of a 'monocratic' individual overseeing policing and crime (CSPL 2015: 36). In 2021, PCC powers were held by the Labour mayors of London, Greater Manchester and West Yorkshire. This expanded under the *Levelling-Up Agenda* (HMG 2022: 142):

> 'Where there are existing or planned mayoral combined authorities with coterminous boundaries to PCCs and Fire and Rescue Authorities, the UK Government will look to transfer these functions to the Mayor.'

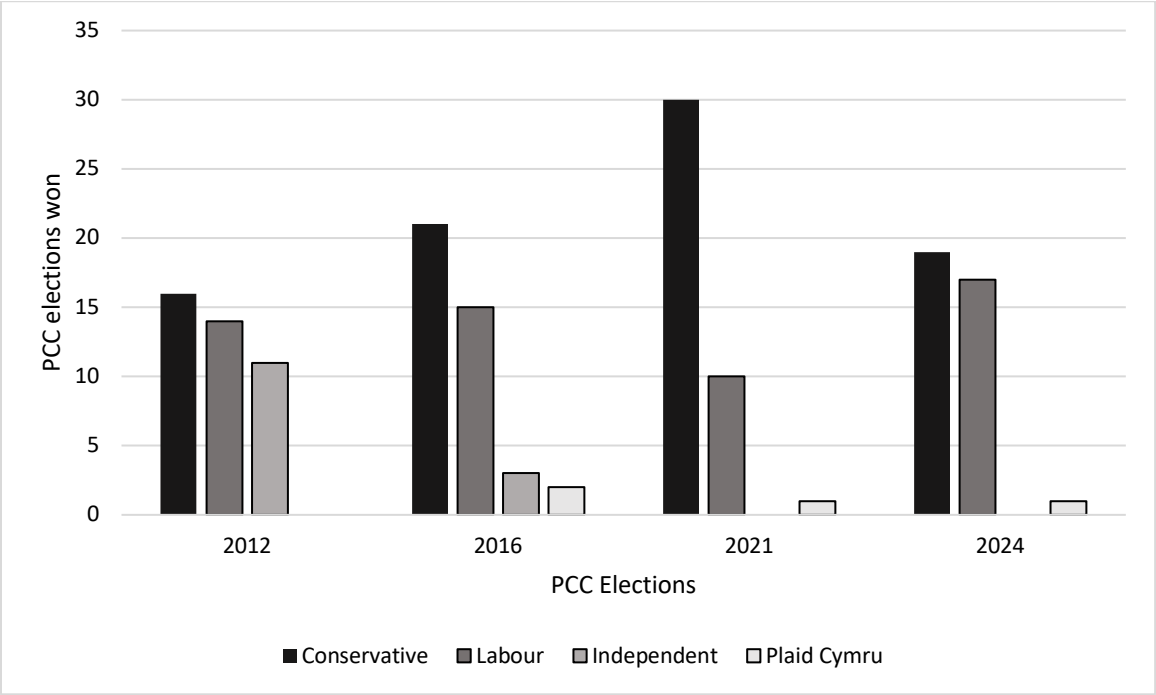


Figure 8: PCC election outcomes 2012-2024.

In 2024, PCC responsibilities in South Yorkshire and York and North Yorkshire were transferred to the two new mayors whilst in West Midlands the mayor and PCC co-existed. The Policing and Crime Act 2017 introduced opportunities for PCCs to take responsibility for local Fire and Rescue Services in their areas this model was adopted in the Essex, Staffordshire, West Mercia and Northamptonshire areas creating Police, Fire and Crime Commissioners (PFCCs). Therefore, the diversity of police governance arrangements increased following the 2011 Act resulting in PCC, PFCC, Mayoral and Metropolitan models. Consequently, in May 2024 30% of the English population (ONS 2024) were not covered by a PCC/PFCC and 39% of police officers (Home Office 2024) were not subject to directly elected PCC/PFCC governance. Over time, the 2016 legislation could result in contrasting urban and rural governance arrangements, analogous to the

distinction between the urban borough forces and county forces terminated by the 1964 Police Act (Chapter 3). Different governance structures and changing political affiliations are likely to make sustained cross force specialist capability collaborations to address emergent crime types and SPR requirements increasingly difficult.

The National Audit Office (2014: 6) found that, PCCs enabled 'a significant increase in engagement with the public engagement compared with police authorities' but also 'increased the potential for local tensions.'. The nature of the engagement broadened, as consultation (to inform local Police and Crime Plans) through meetings, social media, and walkabouts is likely to solicit feedback regarding visible and directly experienced quality-of-life concerns rather than ones relating to serious criminality which citizens may assume always receive a police response (Jackson and Bradford 2009: 510). A greater focus on lower-level behaviours could divert finite resources from other forms of highly damaging, albeit less visible, criminality, such as domestic abuse, child sexual exploitation, fraud, drug markets and other manifestations of national, and transnational, serious and organised crime (Dodd and Laville 2009).

The democratising of policing carried the risk of individual PCCs pursuing popularist agendas and the compromise of civil liberties by a disproportionate focus of coercive policing powers directed towards outside 'others'. For example, Surrey PCC Kevin Hurley, representing the 'Zero Tolerance Policing ex-Chief Party', used social media to comment on a recently released prisoner stating: 'I wanted to go and see the stabber and batter him. I wanted to break his legs'. When challenged the PCC was unapologetic claiming he was 'speaking out for victims' and had received 'thousands of likes' (BBC 2016c). The Policing Protocol's (HMG 2011) opacity regarding operational independence contrasted with the PCC's power to dismiss a chief constable. It may make chief officers

reluctant to challenge their commissioners on such issues. An HMI interviewee commented:

> 'PCCs are the sharp end of democracy, and there are not many checks and balances apart from an election every four years. Media power is potentially huge to challenge bad decision-making by PCCs, but there are not many campaigns focused on keeping chief constables.'

Many of the PCC system's strengths were derived from the authority vested in a single elected individual. However, interviewees suggested the model may need more resilience. A PCC may become overloaded undertaking work previously performed by a police authority, with additional emphasis on public engagement and consultation.

Local democratic accountability further challenged professional defences established to protect police decision-making, particularly the doctrine of constabulary independence and the fifth Peelian Principle, which stated police legitimacy was derived 'not by catering to public opinion but by constantly demonstrating absolute impartial service to the law' (CoP 2014a: 5). Adlam and Villers (2003: 40) noted police cultures exhibited an;

> '…antipathy towards "government" and the wider "administration", within which "the peculiar and sacred" doctrine of constabulary independence… seems to help sustain a generalised negative attitude towards the institutions and

processes of government.'

Although independence had been eroded by the exercise of central government authority since the 1980s (Chapter 4), the concept had insulated chief constable decision-making from local political influence. However, PCC responsibilities for establishing strategic priorities, budgets and scrutiny of performance (Home Office 2011a) demonstrated the professional deployment of police resources could not escape local democratic oversight. The 2011 reforms thus reined in the professional autonomy developed and celebrated by chief constables since the early twentieth century.

The Policing Protocol (Home Office 2011a: 7) sought to preserve professional chief constable operational independence while enabling local democratic oversight. However, an HMI interviewee noted this was a superficial distinction:

> 'The lines between scrutiny, oversight and operational independence have blurred further. Chiefs are less assertive than they were in emphasising operational independence under police authorities. I don't think this was what parliament intended.'

Several interviewees described PCCs engaging with operational issues. CC26 recalled: 'The PCC was increasingly involved in operational policing, undermining me.' Political, strategic and operational responsibilities are complex and interconnected, requiring chief constables and PCCs to acknowledge their diffuse and shared responsibilities. This conceptual ambiguity (CSPL 2015: 56, NAO 2014: 19-20), also experienced under the preceding police authorities (Caless 2011: 120), compelled a collaborative relationship

between PCC and chief constable that recognised and navigated tensions pragmatically and cooperatively. The reality was acknowledged by the Policing Protocol (Home Office 2011a/2023: 7):

> 'The PCC and Chief Constable must work together to safeguard the principle of operational independence while ensuring that the PCC is not fettered in fulfilling their statutory role. The concept of operational independence is not defined in the statute, and as HMIC has stated, by its nature, is fluid and context driven.'

However, HMICFRS (2024b: 6) found senior officers and staff 'had recognised attempts to inappropriately influence policing' and reflected 'it could be that chief constables are reluctant to criticise PCCs while they, to an extent, rely on them for employment' (*ibid.*: 50). The inspection

> '…heard from local police commanders, officers and staff who regularly receive operational tasks from their PCC. Some said the level of intrusion by the PCC affects their ability to carry out their role and to remain impartial' (*ibid*.: 6).

Given the absence of effective arbitration mechanisms, a failure could result in either the initiation of the chief constable dismissal process or a refusal to renew their contract with a detrimental impact of on policing services (Lister 2013: 245). A PCC interviewee stated:

> 'Relationships between PCCs and chief constables are very important. If things break down, trust and confidence break down. Much of it boils down to personal relationships. On the flipside, things are strengthened where there are good relationships.'

An HMI reinforced this point, noting police authorities required chief constables to forge multiple relationships but:

> 'Now it's based on one individual who doesn't have to broker support from others around the table. They're elected officials whose mandate is unquestionable and lasts for their tenure. Whatever their outlook, approach, and make-up, the Chief must work effectively with the PCC. It's the most important working relationship the chief constable will have.'

Most interviewees described positive and maturing relationships with their PCCs, forged through collaborative working to address austerity challenges. CC23 stated, 'when we complain, it's seen as whinging, but PCCs can say things publicly that chiefs can't.' CC13 valued PCC interactions with stakeholders: 'There is huge value added by the ability of a PCC to talk things through with partners.' CC35 positively described their experience of the governance reforms: 'Moving from a dysfunctional police authority to [PCC] has been a joy for me'. Chief constable interviewees also welcomed the ability of PCCs to raise local precept levels, the removal of national targets in 2012, and accelerated decision-making through regular engagement with a full-time individual, as opposed to a committee of

seventeen part-time members. The motivation of individual PCCs and local organisational context influenced working relationships. CC29 commented: 'I was lucky. PCCs are personality-driven, and mine had lots of experience, nothing to prove and no ambitions beyond the role of PCC'. CC27 stated:

> 'I was fortunate in my PCC... He came to a well-run force in a benign political environment, and we were well-funded. Any one or two of these factors makes a big difference. For us, it was luck - some colleagues had a really difficult time.'

CC4 preferred working with a single PCC instead of a larger police authority but reflected: 'the electoral cycle gets in the way. The first year is spent briefing, and the third is spent building towards re-election.' A PCC interviewee cautioned against the relationship becoming too close with chief constables:

> 'The only thing I'd change would be to ensure a healthy space between commissioners and the police, rather than being seen to be in one bed by the Home Office. We all need a "PCC view" and not necessarily a "joint view". I fear that sometimes, from a government perspective, it could seem too cosy. We should be pointing in the same direction but not standing in the same shoes.'

The effectiveness of post-2012 governance arrangements depended on the personalities of chief constables and PCCs. Lord Wasserman told the Home Affairs Select Committee

(2016: 41) he was ‘disappointed by the relationship sometimes’ and expressed concerns regarding some forces' lack of teamwork and partnership. In the five years following the introduction of PCCs, there were public examples of tensions between chief constables and PCCs (Chapter 7). CC34 noted ‘ego can be a real barrier’. CC14 described the response in one force to a new 2012 PCC:

> ‘It was clear the force was set up badly, and [previous chief constable] didn’t do them any favours regarding the new PCC. They wouldn't give the new PCC a door entry swipe card when elected.’

In contrast to the vocal chief constables of the 1980s and 1990s (Chapter 4), some interviewees described PCCs successfully prohibiting them from speaking publicly on contentious issues. CC38 believed their force needed to be bigger to be operationally and financially viable. They stated, ‘I agreed with the PCC. I wouldn’t say this when sharing a stage with him, but he banned me from saying it.’ CC39 was told by a PCC they could not speak to members of the Police and Crime Panel. CC19 stated:

> ‘I was told anything I wanted to write in the future had to go through the PCC’s office. This stuff is going on behind the scenes, making things very pressurised.’

The power to retire a chief constable on ‘efficiency’ grounds was given to the Home Secretary by the 1964 Police Act (Chapter 3). The 1996 Police Act widened this power to

'efficiency and effectiveness' and permitted police authorities to build a case for a tribunal. The 2011 Act (s.38[3]) removed these safeguards, awarding local PCCs the ability to 'call upon the chief constable… to resign or retire' (Chapter 7). Between 2012 and 2017, PCCs publicly threatened to use the s.38 power to dismiss chief constables in the Avon and Somerset, Lincolnshire, South Yorkshire, Humberside, Surrey and Gwent forces. Although the Police and Crime Panel and HMIC could make recommendations to a PCC, they were not obligated to accept them. The 2011 Act also devolved authority to extend the contracts of chief constables to PCCs. Chief constables yet to reach a pensionable level of service could find themselves in a precarious employment position, susceptible to PCC pressure and potentially jeopardising their operational independence. CC27 stated:

> 'I had 30 years' service when I became chief constable. I was financially secure. It's different if you're a 24-year officer with a mortgage, kids at university and other financial responsibilities. It would be a different dynamic with the PCC if you couldn't afford to leave. I worry about aggressive PCCs in challenging forces with preconditions about what you, as chief constable, are expected to do.'

CC30 was less sympathetic: 'There's a need for chiefs to look beyond their pensions and do the right thing. The long-term benefit of doing this for the service would be huge.' CC39 also referenced chief constables' vulnerability under the 2011 arrangements: 'In difficult situations, the PCC will sacrifice the chief constable rather than themselves. It's part of the tension between PCCs and chiefs.' A PCC interviewee acknowledged some

2012 PCCs may have failed to accept liability but felt the model was maturing:

> 'It strikes me there is a responsibility as far as oversight is concerned. This has settled since the first tranche of PCCs. Those weak individuals who, as PCCs, stepped back and said "it's not me" have gone. There's now a better understanding that whatever happens, the PCC is responsible.'

Several interviewees were uncomfortable with ex-police officers becoming PCCs, citing the value of different perspectives and professional skills. Retired police officers simultaneously claimed professional knowledge and a democratic mandate, resulting in increased confidence to influence operational activity, often without political or strategic leadership experience. In a rank-conscious institution, ex-police PCCs, who had not served as chief officers, sometimes challenged to chief constables. CC14 recalled:

> '[PCC] had never been a senior officer and lacked the skills and nuance. Part of my job was helping him operate in the organisation. There were occasions when he got things badly wrong. If it were me, I'd have been disciplined.'

Moreover, ex-police PCCs may have needed more professional distance and independence to objectively hold to account the organisation within which most had spent their policing careers. Consequently, there was a risk of de-legitimising accountability structures through a lack of independence reminiscent of the period before

the 1976 establishment of the Police Complaints Board (PCB) (Chapter 4).

In 2012, eight retired police officers became PCCs. Four were elected to forces with female chief constables. In 2012, Surrey, Gloucestershire and Gwent were led by each force's first female chief constable, each of whom was working with recently retired male Superintendents elected as independent PCCs. Chief Constable Carmel Napier was forced to resign by ex-Chief Superintendent PCC Ian Johnstone in Gwent. Surrey Chief Constable Lynne Owens was threatened with s.38 dismissal by ex-Chief Superintendent PCC Kevin Hurley before being appointed NCA Director General and then Deputy Commissioner of the Metropolitan Police. In Gloucestershire, Chief Constable Suzette Davenport publicly acknowledged her challenging relationship with ex-Superintendent PCC Martin Surl (Hamilton 2017). The 2016 PCC elections witnessed greater party-political involvement and a reduction in successful independent candidates, with only three ex-police officers re-elected to PCC roles and one new ex-officer appointed. Within ten months of being elected, ex-Humberside Police Chief Superintendent PCC Keith Hunter required Humberside's first female Chief Constable, Justine Curran, to resign. Conflict between retired Superintendent PCCs and female chief constables contributed to reducing female chief constables outside London from eight (20%) in 2013 to four (10%) in 2018. Reflecting on the difference between the first 2012 PCC cohort and the outcomes of the 2016 elections, an HMI interviewee acknowledged:

> 'That there are now fewer lower-ranking ex-police officers with a sense of thwarted ambition means we are probably in a better place. Some ex-police officer PCCs were particularly difficult.'

Two ex-police officer PCCs were elected in 2021 and three in 2024. All were aligned to major parties.

The 2013 dispute between Gwent Chief Constable Napier and independent PCC Ian Johnston provides an early case study of the perceptions and impact of the new governance arrangements for chief officers. Johnston, who retired from Gwent Police as a Chief Superintendent in 2010, was elected PCC in 2012, pledging to 'Keep Politics out of Policing' (BBC 2012). In January 2013, Johnston appointed a retired Detective Chief Inspector as his deputy PCC and Napier expressed concern regarding the absence of an open selection process (HASC 2013a: 31). The PCC detailed a series of complaints relating to Napier's managerial style and her hostility to the PCC concept. A week after Napier became eligible for her full pension, Johnston demanded she 'retire or resign' (BBC 2013b). She retired, explaining to the Home Affairs Select Committee (2013: 4): 'no matter what process I went through with the Police and Crime Panel, the outcome could be the same because the PCC is the ultimate decision-maker.' Napier stated:

> 'The government must consider whether the legislation governing the PCCs' power to call for chiefs to retire or resign adequately protects the independence of operational policing' (Peachey 2013).

Labour MP and Home Affairs Committee member Chris Ruane concluded Napier 'was treated unfairly' and 'the law was poorly drafted – I think he (Johnston) has been given too much power' (BBC 2013c). Nevertheless, within months of their creation, the clash illustrated the authority of PCCs over chiefs.

Police and Crime Panels scrutinised the exercise of the PCC's statutory functions. The Home Affairs Select Committee (2016: 18) acknowledged: 'Police and Crime Panels are the only effective means of holding PCCs to account between elections', having declared 'the checks and balances on police and crime commissioners are too weak' (HASC 2013a: 5). The Policing Protocol (2011: 3) stated PCCs were 'held to account' by the electorate. The powers of panels have been described as 'purely advisory' (HASC 2013a: 3) and 'a crocodile with rubber teeth' (HASC 2016: 17). Chief Constable Owens (Surrey) stated 'there are no sanctions that the panel can bring to bear on the PCC which limits their impact' (Owens 2014). An HMI interviewee agreed: 'they're too detached and don't moderate PCC behaviour'. In the decade since the introduction of PCCs, the only chief constable nomination to be challenged by a Police and Crime Panel occurred in September 2020, when Lincolnshire PCC Marc Jones proposed a new chief constable to the Lincolnshire Police and Crime Panel. The Panel challenged the selection process and referred the matter to the IOPC. Although the IOPC found no misconduct by the PCC, the preferred candidate removed himself from the process, and another officer was appointed.

The principle of PCC accountability to the electorate was weakened by low voter turnout and light-touch Police and Crime Panel scrutiny, creating a risk that unethical behaviour could go unchecked. CC26 stated:

> 'My PCC doesn't understand governance. The system is flawed - how can you put so much power in the hands of one person? Police and Crime Panels are a waste of time.'

PCC David Jamieson (2015: 112) (West Midlands) acknowledged 'the reality is that the panels have very little in the way of real power to hold PCCs in check', and the Home Affairs Select Committee noted:

> 'PCPs were a late-stage response to concerns that once elected, commissioners would not be subject to sufficient scrutiny for their actions and decisions. The government intended Police and Crime Panels to provide "light-touch" scrutiny and funded them accordingly' (HASC 2014: 12).

A PCC interviewee commented: 'it was a sop to the Coalition and not properly thought through'. The South Wales Police and Crime Panel agreed: 'There appears to have been a lot of thought regarding the Commissioner's role but very little regarding public scrutiny and the role of the Panel' (Jones 2015: 11). PCCs were explicitly established as directly elected figures to strengthen local democratic accountability within police governance, and their accountability is to the electorate. The late addition of Police and Crime Panels into the 2011 Act and their limited powers meant their role was, according to a member of the Suffolk Police and Crime Panel (2015: 42), 'indirect' and 'largely symbolic'. A PCC reflected:

> 'There is the chief constable, an elected PCC and another level of bureaucracy in the Police and Crime Panel. With the police authority, there was a body that held the force to account without that extra layer.'

The light level of support and checks for PCCs caused some chief constable interviewees concerns. CC34 stated 'some are twits, but we need to work with them'. CC15 described their experience: 'Working with my PCC was like working for my Nana. They didn't read papers but had lots of opinions and lacked depth.' An HMI interviewee reflected:

> 'PCCs are not top-flight politicians who have earned their spurs and become ministers or Secretaries of State. If you look at their backgrounds, some are young and have not cut their teeth professionally or politically. The question is: to what extent are they equipped to deal with the job's complexities?'

A PCC interviewee acknowledged some 2012 PCCs were unsuited to the role:

> 'The PCC and chief must be capable and adept at giving and taking ground. If there's conflict and disagreement, it's not going to work. It's about respecting views. In the first cohort, there were about twenty-three PCCs in the wrong place and the wrong job. They had no idea about politics and diplomacy.'

HMIs work with multiple forces and are well-positioned to offer an overview. An HMI interviewee emphasised the variety of PCCs:

> 'I've had PCCs who have unlawfully suspended chiefs, bullied

> them to mental ill-health crisis. Some PCCs have defamed chief constables and irrationally sought to undermine and remove chiefs without good cause. I've had others who have unreasonably resolved to take little to no action to hold chiefs to account effectively and in a timely manner. I've also had very good PCCs who have fulfilled their role effectively, held people accountable, and undertaken their governance responsibilities effectively.'

A different HMI agreed, stating without stronger governance, the relationship: 'At its worst can be destructive: I've seen it, and it is unhealthy for that responsibility to be vested in one person without any checks and balances.' A third HMI concurred: 'I've seen people made ill because of the PCC's bullying behaviour and other things that have never been properly addressed.' The Committee on Standards in Public Life found insufficient challenge, scrutiny and routes of redress regarding the office of PCC but no statutory measures were introduced in the proceeding decade to address these concerns (CSPL 2015: 5).

Home Secretary

The Home Secretary offered a second potential democratically fortified check on PCC behaviour. State legitimacy is underpinned by providing security for its citizens through legislation and the ability to coordinate law-enforcement functions appropriately (Chapter 2). The Home Secretary possessed a central authority and parliamentary legitimacy, which was exercised in protecting chief constables from police authorities during the early 1980s and employed to pressurise the chief constables of Sussex (1998)

and Humberside (2004) to step down (Chapter 2). The Policing Protocol empowered ministerial intervention 'as a last resort' (Home Office 2011a: 6). However, unlike the 2002 Police Reform Act, which gave the Home Secretary powers to set a national policing plan and performance targets, the 2011 Policing Protocol expressly distanced Whitehall 'from day-to-day policing matters' (*ibid.*). Thus, central government explicitly decreased its remit to perform a steering and checking role within police governance.

However, reliance on local democratic processes, with low public participation, to govern policing carried risks. It also constrained Home Office oversight of central grant spending and limited strategic approaches to policing (NAO 2018: 6). The Home Affairs Select Committee observed: 'policing is suffering from a complete failure of leadership from the Home Office' (HASC 2018a: 7). A PCC interviewee commented: 'The government's philosophy has been to delegate more things to policing. It has stepped away too much'. CC39 described the effect of this shift after decades of close working with central government: 'The changing attitude of government resulting in using policing as a political football, made people feel undervalued and demotivated.'

In September 2016, the Policing Minister stated, 'to really thrive, policing needs to become a self-reforming sector' (Lewis 2016), and the Home Office (2017) informed the Home Affairs Select Committee that it 'does not run policing but is supporting the sector to become self-reforming'. In 2017, the Home Office established a £175m Police Transformation Fund against which forces could bid. Responsibility for reform was delegated to the Police Reform and Transformation Board (PRTB), a voluntary entity comprised of representatives from the NPCC, APCC and Home Office. This was problematic: the NAO (2018: 10) observed the board's:

> ‘role as a national coordinator of the transformation of police services is limited as it has no budget, formal powers or levers to make transformational change happen across all forces’.

Moreover, the review found delays in releasing funds limited ‘self-reform’, causing a PCC interviewee to state ‘the biggest risk to policing is the incoherence of the government department we work with’.

In 2019, the Conservative government sought to reassert national influence by establishing a quarterly National Policing Board (NPB). Chaired by the Home Secretary, the board was to ‘set the long-term vision and direction’ and ‘provide strategic oversight’ (Home Office 2019: 1). The Board’s permanent membership included four ministers, three chief constables and one PCC. This was complemented by the introduction of National Crime and Policing Measures and a government-commissioned review of the PCC role. The review recommended measures to improve PCC accountability, transparency and governance checks. Home Secretary Priti Patel (March 2021) announced:

> ‘Guidance… to promote and embed a positive relationship between Chief Constables and PCCs… consult on potential changes to the Policing Protocol Order 2011 to provide a “brighter line” on the boundaries of operational independence and reflect changes in the relationship between the parties to the Protocol… [And] Legislate to amend Section 38 of the Police Reform and Social Responsibility Act 2011, to make the chief constable dismissal process more rigorous and transparent.’

The government's proposed changes to the 2011 Policing Protocol focused on enhancing Home Secretary powers within the 2011 Act's governance arrangements, based on 'Ministers taking a keener interest in and "leaning in" on policing matters and a desire for a stronger strategic grip' (Home Office 2022: 6). The suggested revisions were shared with stakeholders, resulting in fifty-six responses, 64% (36) representing PCCs, 11% (6) from Police and Crime Panels and 9% (5) from chief constables. National policing bodies and staff associations submitted the remaining feedback. The suggested Home Secretary-related changes concerned holding chief constables and PCCs to ministerial account, lowering the threshold for ministerial intervention and explicitly referencing the central setting of strategic direction. Chief constables and PCCs jointly challenged the proposals.

Firstly, the consultation suggested enhancing national oversight of policing by replacing the phrase: 'The establishment of PCCs has allowed for the Home Office to withdraw from day-to-day policing matters' (Home Office 2011a: 6) with:

> 'The Home Secretary… has a legitimate role in holding PCCs and CCs to account. As Chair of the National Policing Board, the Home Secretary convenes senior policing leaders to hold PCCs and CCs to account for their respective roles and responsibilities…' (Home Office 2022: 6).

Most consultees (85%) objected to this proposal because the NPB had no statutory status, and PCCs were accountable to the electorate, not the Home Secretary (Home Office 2023c: 6). In response, the government committed to clarifying the Home Secretary's

responsibility to Parliament and the required relationship with PCCs and Chief Constables (*ibid.*). The Policing Protocol 2023 removed references to the Home Office 'withdraw[ing] from day-to-day policing' (Home Office 2011a: 6) and replaced it with: 'The Home Secretary… has an important role in working with PCCs and Chief Constables to ensure the policing system works effectively' (Home Office 2023c: 6).

Secondly, the redrafted Policing Protocol sought to lower the threshold for Home Secretary intervention from 'a last resort' (Home Office 2011a: 6) to 'if it is determined by the Home Secretary that such action is necessary' (Home Office 2023c: 7). Most (85%) respondents disagreed with this proposal (Home Office 2023c: 6). The 2023 Policing Protocol substituted 'last resort' for 'exceptional circumstances when it is determined by the Home Secretary that such action is necessary' (Home Office 2023c: 6), thus lowering the bar for ministerial intervention.

Thirdly, the consultation document proposed to strengthen the Home Secretary's role in setting the national strategic direction for policing by substituting the phrase: 'The Home Secretary retains the legal accountability for national security and the role that the police service plays within the delivery of any national response' (Home Office 2011a: 6) with:

> 'The Home Secretary is responsible for setting the national, long-term strategic direction of policing and holding the policing sector to account for the delivery of the government's policing commitments. This includes but is not limited to, chairing the National Policing Board and any related governance to ensure all parts of the policing system work together to deliver the best

> possible outcomes for the public. It is the responsibility of PCCs and Chief Constables to reflect on and implement national policy at a local level…' (Home Office 2022: 8)

Again, 86% of respondents disagreed with this proposal claiming the SPR performed this function, and the NPB had no legal status. Consequently, references to the NPB were abandoned, and the 2023 Protocol refreshed to state: 'The Home Secretary may invite PCCs and Chief Constables and their representative bodies to attend national policing governance and oversight boards.'

The *Beating Crime Plan* (UK Government 2021) introduced six national priorities and a series of measures overseen by the Crime and Policing Performance Board, chaired by the Minister for Crime and Policing. The plan required PCCs and chief constables to adopt a data-driven approach to centralised performance management to demonstrate value for money. National Crime and Policing Measures were reminiscent of the NPM approach (Chapter 4) and reflected a move away from Home Secretary May's (2010) assertion that national 'targets don't fight crime: targets hinder the fight against crime'. Therefore, a decade after ceding national control of policing to the local level, Conservative central government sought to reassert national influence through national direction, governance and performance measures.

Impact on Chiefs

The 2011 reforms disrupted the post-1964 Police Act institutional equilibrium which had considered police administration a national concern and fortified professional police leadership, constabulary independence and the Home Secretary's role in police

governance (Chapter 3). Some interviewees felt exposed by the lack of checks relating to the PCC role and noted a new requirement for improved political awareness. However, other participants thought the model matured in the second PCC term.

The introduction of PCCs compelled chief constables to quickly adapt to a new power dynamic defined by a one-to-one relationship, described as a 'principal/agent' association (Davies and Johnson 2016), as opposed to engagement with multiple members of a police authority. Having progressed through an occupational culture that privileged professional operational effectiveness over public accountability, the reforms required chief constables to reorientate their focus. CC39 reflected:

> 'PCCs were the biggest change in my service. No one could have envisioned the impact. It's not the same as it was. We're trying to find our way and grapple with the changes'.

CC32 also commented that since the introduction of PCCs, some colleagues' 'careers have taken an unexpected turn for the worse. It was a really tough job getting tougher.' A PCC interviewee described the 2011 Act as disrupting the previous governance arrangements:

> 'Chief constables weren't subject to governance under the old model. There is now scrutiny beyond a meeting every few months and the chief taking the police authority chair to dinner. We now benefit from more professional and closer arrangements. Holes in some leadership teams have been exposed. This isn't a bad thing. We'll look back and say there was a step up in the quality of chief

constables.'

The light-touch Police and Crime Panel scrutiny arrangements for PCCs were considered insufficient by several interviewees to support the new office, particularly in the absence of mutual trust within the relationship. CC33 reflected:

> 'With my PCC, the relationship was so negative and so low trust it was impossible to manage without decent governance. It was always a challenge. I felt very vulnerable without proper scrutiny.'

CC38 stated: 'There was no support from my PCC. Trust must be there for the system to work. Police authorities wouldn't have behaved in that way.' CC19 commented:

> 'I worked with two PCCs. The first was the most difficult person I've ever worked with in my public service. It got me thinking that there must be a different life out there. I realised life outside of policing was probably better.'

CC15 recognised the abilities of chief constables, and PCCs, varied but also highlighted shortcomings of reliance on the ballot box as the primary check within the new governance arrangements:

> 'Policing is subject to the vagaries of elected individuals who could be great but could also be awful. The PCC model lacks the depth

> and quality of governance that used to be there. The public is not interested in PCCs. The governance has been weakened, but no one cares. The argument was people were not interested in police authorities, but those at least had balance.'

Most chief constable interviewees emphasised the introduction of PCCs obliged them to become more politically astute, when compared with interactions with police authorities. CC39 recalled:

> 'My PCC said I wasn't allocating enough police officers to [city]. The PCC's political allegiances were there, and they wanted more police there and were pressurising me to do it.'

CC30 referenced more subtle examples regarding popularist commitments to visible local policing, which blurred the distinction between operations and oversight: 'It's important chiefs make operational decisions and not PCCs. In some forces, PCCs commit to numbers and remove the chief's ability to manage risk.' CC32 described the 2012 requirement for chief officers to shift their approach:

> 'When I joined, I didn't see the day-to-day, party-political interest around policing [that] I saw as chief. Policing is [now] more open and transparent with PCCs and more centre-ground politically. Chiefs have had to adapt and develop new ways of working.'

CC19 described the need to tailor business cases aligned to political pledges and benefits: ‘We have a system whereby an individual has to sell decisions as opposed to making a decision based on a rational assessment of organisational need.’ CC38 emphasised the broader understanding required to remain neutral within a politicised arena:

> ‘You can’t operate as a chief now unless you know individuals' political backgrounds and motivations. To be apolitical, you must be knowledgeable about the politics to tread the right path.’

CC33 described the risks to chief constables who failed to understand the broader milieu, indicating an acceptance of potentially adversarial relationships:

> ‘What’s changed is how political we must be. If you’re not careful, the PCC’s office will have you over. You must understand the environment and can't afford to get dragged into things.’

A PCC interviewee was sympathetic to the predicament chief constables were presented with following the 2011 reforms, stating: ‘Chief constables have difficulties navigating the political landscape. Politically, chiefs have a minefield to walk through.’ The reduction in independent PCCs and a corresponding increase in Labour and Conservative-affiliated PCCs following the 2016 and 2021 elections were cited as enhancing the new office. A Conservative PCC interviewee suggested:

> ‘Parties have better selection processes that are tighter and more

> rigorous. We have better individuals, there will always be crap ones, but they now come from substantive backgrounds and have business experience.'

A Labour PCC described their party's approach to PCC-candidate selection: 'It's not a position you can put anyone into because of the damage that can be done. There's careful consideration in respect of selection.' A Conservative PCC interviewee described a similar process: 'Selection is now tougher than in 2012. It's recognised there's a need for additional skills regarding running large organisations, beyond those required by MPs.'

Party political affiliation also facilitated the ability to access learning, expertise and support through the PCC political group, enabling the development of a more experienced, organised PCC cohort. Contrasting the first PCC term with the second, a PCC interviewee reflected the reforms;

> '…bound politicians and police officers towards a common goal reinforcing the relationship. We're more professional regarding managing complex issues, and the corporate relationship between PCCs and senior officers has matured. There's a mutual understanding about what needs to be done and greater respect between chiefs and PCCs. This change has been palpable.'

In several forces, including South Wales (2022), Dorset (2018) and Surrey (2016), the ambiguity of the 2011 Policing Protocol (Home Office) was addressed by local agreements publicly describing the relationship, roles and expectations of the PCC and chief constable.

A different PCC interviewee illustrated how the new governance arrangements were maturing:

> 'Chiefs are better at involving PCCs. We've moved into a more business-like environment. It's starting to gel. We're heading towards a more capable sector as the people who are being governed are finding their feet.'

8.2. Backward-looking: Legally Regulated Direct Accountability

This section considers the impact of PCCs performing the Appropriate Authority function, independent investigation of serious complaints against the police, and the judiciary's role. The backwards-looking legal regulation of policing buttressed forward-facing democratic promises by establishing a legitimacy of reflection and redress (Arendt 2009). While egalitarian democracy articulates the general will, legal judgement considers the rights of individuals to recognise social pluralism and avoid democratic leaders mistaking an electoral majority for the totality of society. Legal process offers a contiguous form of legitimating representation that coexists with democracy and represents a type of direct accountability.

PCC as Appropriate Authority

PCCs held 'Appropriate Authority' (IOPC 2020: 147) responsibilities for overseeing misconduct allegations against chief constables. Research participants described how PCCs defended chief officers from independent investigations and the risks of PCCs misapplying police misconduct procedures to demonstrate challenge and scrutiny

publicly.

Operation Kalmia offers an example of a protracted independent investigation and the role of PCCs. The 2011 IPCC investigation was launched following the quashing of five 2008 convictions for the 2002 murder of Kevin Nunes in Staffordshire. Kalmia considered the alleged misconduct of three chief constables and an ACC. The allegations related to managing a protected witness and legal disclosure during the 2002–2008 investigation. In November 2014, the CPS decided no criminal charges should be brought against any officers. However, the IPCC recommended all four chief officers face disciplinary hearings (IPCC 2015b). The PCCs, acting as Appropriate Authorities for the serving chief constables, did not accept the IPCC's recommendations (Ellis 2015). In March 2016, the IPCC acknowledged the PCC's position and did not direct disciplinary proceedings against the officers (IPCC Ethics Panel 2015). CC27 stated: 'Some PCCs have been a stalwart defence, but there is also a fear of being hounded out when you've done nothing wrong.'

However, minor and unfounded allegations have been publicised and escalated by PCCs (Hales *et al.* 2015: 46). A relentless pursuit of transparency could be damaging to individual reputations. CC29 stated: 'Too many PCCs feel they appear strong by a manufactured and theatrical "holding to account" of chief officers, to give an impression of a good job.' Recourse to misconduct proceedings offered an alternative to s.38 to compel a chief constable to leave the organisation. Following complaints from staff members, Chief Constable Simon Byrne was suspended by Cheshire PCC David Keane in March 2017. An independent North Yorkshire Police review suggested there may be questions to answer regarding misconduct but advised Keane the allegations did not meet the gross misconduct threshold. Nevertheless, Byrne was suspended, and despite the North Yorkshire Police advice, gross misconduct proceedings were initiated by Keane

citing 74 allegations. In November 2018, an independent panel found no misconduct or gross misconduct and concluded:

> 'This misconduct panel has been an unfortunate experience for all concerned … it could – and should – have been avoided. We have reflected at length on the circumstances which led to such a time-consuming (and costly) process being used to try and resolve what was essentially a clash of cultures, personalities and attitudes' (Cransow *et al.* 2018: 20).

The panel chair held the PCC's actions were '…an affront to natural justice' and had 'the potential to discredit public confidence in the police misconduct regulations' (BBC 2018). Five months after the ruling, Byrne was appointed Chief Constable of the Police Service of Northern Ireland.

Independent investigations

A key legitimising element for policing is the independent investigation of public complaints to ensure individuals conform to ethical and legal standards, demonstrate compassion and empathy for individual situations, and offer individual redress. Independent monitoring indirectly contributes to the legitimacy of transparency by providing an alternative to the institution investigating itself (Chapter 3). Following the 2011 reforms, the Coalition Government invested heavily in this function, expanding the IPCC budget by 37% between 2011 and 2015 (Chapter 5). However, despite this investment, an annual IOPC survey found 42% of demographic groups were not confident

in the fairness of the police complaints process in 2017 but this figure had increased to an unprecedented high of 57% in 2033 (IOPC 2023). This section explores the effect of greater independent oversight of alleged misconduct on chief constables, highlighting perceptions of procedural injustice and unwarranted blame. Interviewees recognised the importance of the IPCC/IOPC role. CC17 stated:

> 'I've encountered some pretty obnoxious people in service at different ranks and grades. We need to do a lot more to identify them and act. We should be doing more to get rid of the people causing the problems.'

Policing and police forces are complex organisations that sometimes make it hard to attribute individual responsibility, which, in practice, can be diffuse. However, liability is a critical ingredient of police legitimacy. Douglas (2013: 16) observed contemporary society

> '…is almost ready to treat every death as chargeable to someone's account, every accident as caused by someone's criminal negligence, every sickness a threatened prosecution. Whose fault? Is the first question. Then, what action? Which means, what damages? What compensation? What restitution?'

The challenges of identifying responsibility and a desire for censure encourage *post hoc* punitive strategies to ascribe culpability for failure. CC29 commented: 'There's a worry

every time something goes wrong it's someone's fault and an agency to blame.' External reviews can produce avoidance behaviours, scapegoating, and blame shifting (Sagan 1993). CC27 reflected:

> 'The IPCC is designed to find individual wrongdoing. The way they investigate leads to defensiveness, back covering and a genuine feeling across the service that a situationally well-intentioned decision with direct negative consequences will get you into trouble.'

Policing routinely exposes staff to threats and associates failure with incompetence. CC37 stated:

> 'A malign decision with consequences should be dealt with harshly. But people make fraught and difficult decisions under pressure daily, and sometimes it goes wrong. I see the IPCC going out to get them.'

Several interviewees questioned the impartiality of some investigations. CC29 remarked: 'The IPCC has lost the plot. They're not objective and haven't achieved a true balance regarding independence'. CC23 described the impact that perceptions of procedural injustice had on their organisation:

> 'The morale and vocational approach are eroding. It's the

> apparent unfairness of it all. Many feel the process is against the police officers being investigated, as opposed to seeking to understand what's happened in a neutral manner. It can be difficult to keep the organisation moving forward and retain positivity.'

CC14 commented: 'What we're asking people to do is massive, and when they don't quite get it right, they are hoisted on their petard. It's unjust and unfair.'

The *Policing Vision 2025* (NPCC 2016: 9) recognised that misconduct findings do not disincentivise failure but contribute to risk adversity, defensive practices and mistrust. It emphasised the need for 'a better balance between personal accountability and a bureaucratic fear of making mistakes'. In March 2017, the Home Affairs Select Committee (Q80: 41) noted 'quite a few of the submissions that the Committee has received… refer to a culture of blame in the police'. The President of the Police Superintendents' Association observed within policing, 'blame, suspicion and finger-pointing pervade' (Thomas 2017). These activities impeded organisational learning and often expeditiously and ceremonially diagnosed ultimate responsibility as lying with senior leaders, allowing the organisation to move on instead of addressing underpinning and systemic issues.

As the most senior operational leaders in policing, chief constables shape their workforces' culture and behaviours: a 'good example set by the chief constable is vital in maintaining high standards' (HMIC 1999: 66). Chief constables operate across multiple and complex environments that engage criminal, procurement and employment law. They rely on specialist advice but remain personally liable for their decisions. Hales *et al.* (2015: 46) noted an increase in formal investigations of chief officers since 2012, owing

to the emphasis on scrutiny, transparency and objectivity. Interviewees described the initiation of investigations as motivated by inappropriate expectations of legal responsibility. CC24 regretted the 'adversarial nature of the IPCC/IOPC relationship'.

The College of Policing (2015: 28) acknowledged the 'vulnerability of chief officers to allegations of misconduct and disproportionate investigative processes'. The impact on individuals and their families was noted by CC22, who described:

> 'The IOPC's disproportionate [approach to] chief officers through poorly considered facts, resulting in extensive investigations which, in turn, create enormous stress on chief officers and families and in many cases have proved completely inappropriate.'

CC26 made a similar point: 'I worry about the IPCC's approach. Personal accountability generates huge pressure. It feels like we're all culpable until proved otherwise.' Reflecting on decisions made through a thirty-year career, CC29 described an enduring sense of vulnerability: 'We all reflect on our careers and consider which jobs we can remember. I don't know which ones I'll be held to account for some time in the future.' In 2024 thirty-six chief officers were subject to new independent investigations, six of whom had retired.

Chief constables also highlighted the length of independent misconduct investigations. CC32 stated: 'I was subject to IPCC investigation as a chief officer - they go on too long. If you've got a tough job, you can feel beleaguered.' Similarly, CC23 commented in 2017: 'I was served with papers in 2014 but not interviewed yet'. Some interviewees contrasted what they considered a zealous approach to the investigation of

chief officers with the competence of independent investigators, often with no police experience. CC11 recalled: 'It was a very poor investigation. I heard through national media the IPCC wouldn't prosecute me.' CC29 agreed: 'The competence is not within the organisation, but there are some good individuals.' A conduct panel's report into complaints made against Avon and Somerset Chief Constable Nick Gargan expressed concerns regarding the IPCC investigator's 'lack of grasp of the disclosure process and issues surrounding it' (Lovell-Pank 2015: 30), which 'turned out to be woefully insufficient and wholly inadequate compliance by the IPCC with its duties and obligations' (*ibid*.: 31).

As highlighted in Chapters 6 and 7, the post-2012 emphasis on transparency, responsibility, and independent scrutiny impacted the chief constable's role. Several interviewees expressed concern these changes would further disincentivise potential future chief constables. CC37 reflected:

> 'I worry that people say, "I'd love to be a chief, but I don't want to put myself and my family through this." Good people won't put themselves forward. The IPCC bear some responsibility for this.'

An HMI expressed a similar concern: 'The atmosphere created by the vulnerability of chief constables to misconduct allegations is having a chilling effect on applications.'

The Judiciary

The notion that PCC power was only constrained by the democratic process was demonstrably incorrect: PCC decision-making was challenged successfully through judicial reviews. Following her resignation after the Gwent PCC threatened to initiate the s.38

process, Chief Constable Napier told the HASC that PCCs possessed 'unfettered powers to appoint, suspend, and remove Chief Constables' (HASC 2013a: 21). Chief HMI Tom Winsor (2013a: Q30) disagreed and suggested Napier;

> '…proceeded in a misapprehension that the power of the Police and Crime Commissioner to dismiss the chief constable was an unfettered power… There is no power conferred upon a public authority that is unfettered.'

Winsor alluded to the requirement for the PCC to seek the advice of the Police and Crime Panel and HMIC before exercising the s.38 power. However, the advice is not binding, and judicial review is the only mechanism to overrule a PCC intent on dismissing a chief constable.

Chief Constable Neil Rhodes initiated a judicial review following his suspension by the Lincolnshire PCC in February 2013. He appealed to the High Court, which found in his favour, describing the PCC's decision as 'irrational and perverse' and reinstated him in April 2014 (Rhodes-v-PCC Lincolnshire [2013] EWHC 1009). Similarly, the dismissal of Chief Constable David Crompton by South Yorkshire PCC Alan Billings in April 2016 was described by the Chief HMI as 'conspicuously unfair, disproportionate and so unreasonable that I cannot understand how the PCC has reached this view' (Winsor 2016: 25). A year later, the high court ruled in Crompton's favour, also describing Billings' decision s.38 as 'irrational' (R-v-PCC South Yorkshire [2017] EWHC 1349). However, unlike Rhodes, by the time of the judgement, Crompton had retired. While possible, interviewees considered recourse to the courts undesirable. CC29 recalled:

> ‘My PCC sent me a letter saying, “I want you to retire, or I will undertake s.38 proceedings”. I decided to go. To have a public spat would be bad for the force. My only recourse was judicial review. Even if I won, we couldn’t work together.’

Several interviewees referenced similar private conversations between chief constables and PCCs where the s.38 power was threatened prompting an accelerated retirement in preference to the initiation of a formal, and public, process. PCCs who adopted this approach therefore bypassed the s.38 safeguards contained within the 2011 Act relating to HMIC and Police and Crime Pannel engagement.

CC13 reflected: ‘It cannot be right that the only check is judicial review. What a waste of public money.’ The research suggested some chief constables did not feel legal redress was a reasonable option for them based on their circumstances. Greater investment in the capacity for independent investigation of policing, coupled with the emphasis on accountability, enhanced the ability to publicly attribute blame to individuals, particularly those in highly visible leadership roles. Chief constables questioned the independence, quality and timeliness of some investigations. Independent investigations were a source of strain and anxiety for some interviewees, who consequently felt beleaguered and besieged.

The introduction of PCCs, combined with the strengthening of independent investigative functions, augmented the ability to focus on the conduct and behaviour of chief constables. The reforms compelled and enhanced responsibility through external standards emphasising personal liability. An increasing focus on backwards-looking

accountability may have obscured responsibility, constrained discretion and risk appetites, and reduced the attraction of senior leadership roles in policing. Furthermore, the over-application of personal responsibility as a legitimising strategy could be considered internally de-legitimising and procedurally unjust within complex policing environments whilst simultaneously fuelling public distrust.

8.3. Institutionalising Distrust: Indirect Transparent Accountability

Transparency and openness bolster accountability by affording vigilant citizens oversight structures to examine decision-making and challenge behaviours (De Fine Licht *et al.* 2014). As neither citizens nor higher authorities can shape all decision-making, this form of accountability is indirect. Contemporary liberalism encourages an 'open society' (Bergson 1977) to expose public services to popular scrutiny to mitigate against the risks of 'professional paternalism' (Loader and Walker 2007). The 2011 reforms recognised the importance of transparency by increasing the HMIC's 2014 budget by 35% and created the *Elected Local Policing Bodies Specified Information Order* (Home Office 2011b), which outlined the information each force must publish. This was complemented by Freedom of Information Act 2000 provisions. The reforms challenged long-standing cultures of institutional secrecy and defensiveness (Weber and Kalberg 2013: 233, Westley 1955: 254-257), exposing organisations that failed to recognise the legitimising benefits of candour and changed public expectations. However, an overemphasis on transparency had the potential to engender risk-averse behaviours, institutional superficiality and concealed debate.

Institutional transparency

Recognition of the legitimising function exercised by public transparency did not begin with the 2011 Act. From 1988 onwards, forces began to publish community safety, crime and financial data and HMIC publicly published inspection reports and in the mid-1990s (Chapter 4). Considerable volumes of data were made available to satisfy nationally established NPM targets during the late 1990s and early 2000s based on the principle that public access to information would improve police accountability and performance. The statistics, increasingly available on the internet, measured delivery against ministerial objectives rather than local issues, reflecting a form of Weberian upward accountability (Lægreid and Rykkja 2022: 690). The 2000 Freedom of Information Act created a general right of access for citizens to access material held by public authorities. From 2005, police forces were obliged, subject to some exemptions, to share requested information within statutory timescales.

The doctrine of new localism and the realities of public sector austerity led the 2010 Coalition Government to enhance 'downward' accountability to empower local decision-making regarding the use of scarce public funds. At the same time, New Labour's national accountability structures, including the regional Government Offices and Audit Commission, were disassembled. Policing Minister Brandon Lewis stated the reform's objective was: 'to assess the performance of their local service [and] unleash armchair auditors to scrutinise and do their work on how their service is operating' (Lewis 2017). This strategy was enabled by greater public access to local policing data under the new government's 'Transparency Agenda' (Prime Minister's Office 2011, Home Office 2011b). Clause 47 of the 2016 Policing and Crime Bill went further and made the Police Federation subject to the 2000 Freedom of Information Act, with the NPCC subject to the same measures in 2018.

Increased transparency of local policing arrangements following the 2011 Act enhanced downward accountability, visibility and engagement compared to the preceding police authorities (Lister and Rowe 2015, Caless and Owens 2016). However, the legitimising value of published data depended on the intended audiences' understanding, capacity and appetite to use the information as a basis for informed challenge (Ferry *et al.* 2015). CC8 commented on the importance of openness but recognised the concept was tricky in practice:

> 'the service needs to… help people understand the complexity of the issues more. One of the things that surprised me coming out of the service is most people know very little about policing and don't know what to ask.'

Consequently, the availability of raw organisational data made an insufficient contribution to legitimacy. Counter-democratic institutions in the form of the HMIC, as independent functional specialists and journalists offering social context, therefore had a critical role in translating complex and nuanced institutional data into material that a sceptical public could utilise to hold police leaders to account.

Functional transparency

Police forces in England and Wales are subject to inspections from numerous organisations, including the National Audit Office (NAO), the Investigatory Powers Commissioner's Office (IPCO), the Office for Standards in Education, Children's Services and Skills (Ofsted) and the Care Quality Commission (CQC). However, the main policing

inspection regime is undertaken by His Majesty's Inspectorate of Constabulary and Fire Services (HMICFRS) which reported on 'how well the police do their job' on behalf of PCCs and the public. HMICFRS' (2024a) 'purpose is to promote improvements in policing and keep everyone safe' by providing 'authoritative information to allow the public to compare the performance of their police force against others'.

On being appointed Chief HMI by Home Secretary Theresa May, Tom Winsor described HMIC 'in the New Dynamic Environment' as protecting the public interest from local PCC politicisation. He stated: 'accountability needs to be informed by expert professional judgment, arrived at according to objective and publicly promulgated apolitical criteria' (Winsor 2013b: 9). Thus, HMIC offered a professional national bulwark against popular localism.

HMIC was empowered to inspect police authorities before 2011 but could not inspect PCCs. Therefore, the ability of HMIC to encourage collaboration and interoperability was limited if individual PCCs wished to pursue local strategies to satisfy their electorates (Winsor 2013b: 10). Moreover, the 2010 removal of national performance measures and central targets in favour of local objectives compromised the ability to undertake meaningful cross-force comparisons. HMIC's pursuit of numerical data for this purpose appeared to contradict the political narrative of new localism. CC14 observed: 'The whole transactional league table targets culture is unhelpful. I thought we'd moved away from this. It's very focused on the short-term.' CC33 agreed:

> 'All the current system does is put people under pressure to be incredibly short-term. You hit the target and miss the point by trying to do the things just for the inspection.'

CC9 commented on the unintended consequences of continuing to pursue an NPM approach and its negative impact on longer-term legitimacy:

> 'People are constrained by an emphasis on audit and inspection, which undermines the ability to deliver public value. There is a need for greater balance and an ability to demonstrate the quality of things. We're currently losing that to satisfy growth in regulatory bodies.'

The intensity of intrusive inspection regimes was highlighted by several chief constables. CC21 commented:

> 'The demands of the HMIC are never-ending. Focusing on compliance and action plans can achieve only short-term things. People become disenfranchised and burnt out. People must be committed and do things for the public - not just to comply.'

CC37 agreed, 'there are too many inspections. If you've twenty inspections, none are of very much value'. CC15 asked: 'How do you change in June following the publication of a report for a September inspection? What actual difference does it make?' Similarly, CC5 observed: 'The reality is when the last report lands, they're arriving for another inspection - this doesn't help.' CC35 described 'a muddled landscape with different internal agendas. HMIC can't answer the question "what to prioritise?"' The disruption created by preparing

for and responding to inspections was described as ‘stifling innovation’ by CC15.

Some chief constables felt the inspection approach was procedurally unjust and unconstructive in its methodologies and findings, particularly in an environment struggling with austerity and an outdated funding formula. CC33 stated exasperatedly:

> ‘HMIC is an inspection model that doesn’t improve anything. They pop up and say your force is shit again and again. You can't do anything about it because there’s no money. It doesn't connect to anything. The forces that were struggling ten years ago are struggling now. It’s a cycle that keeps repeating itself. What’s the point?’

CC11 agreed: ‘There’s a situation of halos and horns. Forces identified as “poor” get poorer, and the gaps widen.’ Some participants questioned the credibility of the review methodology:

> ‘HMIC says they can tell us what is good, but where they invent standards, they don't use them consistently across forces. As a result, the leadership challenge gets bigger because of HMIC’s poor systems and methods that are not scientifically validated and have little substance’ (CC35).

CC28 opined: ‘For seconded officers, HMIC is no longer a place for high-flyers and is populated by old farts who were crap and have never worked in austerity.’ However,

some chief constables recognised the value of the post-2011 HMIC. CC27 reflected:

> 'My experience of two HMIs was very positive without reservations. They were professional and diligent in trying to understand policing and its challenges. They genuinely wanted to improve policing and reluctantly wielded a big stick.'

CC37 emphasised the legitimising benefits of appointing the first Chief HMI who was not a retired chief constable:

> 'The HMIC have raised their game. This is to the credit of Tom Winsor and linked to him not being a cop. The appointment avoided the unfortunate perception of an old-boy network in government circles, historically devaluing the inspectorate's findings… They can be viewed as free consultancy and a force for good.'

CC24 agreed:

> 'The HMIC found failings that were invisible to the force. HMIC are a key partner. We should want them at the table. There's a wider level of influence and knowledge of policing compared to the narrow IPCC focus.'

The HMIC's 'ability to inspect the efficiency and effectiveness' (Home Office 2015: 15) created a potential tension with the 'PCCs responsibility for the totality of policing within their force area' (Home Office 2011a: 2). Moreover, HMIC's national focus may conflict with the more parochial PCC responsibility. CC28 commented:

> 'I was lucky to have a supportive PCC. He understood what was happening. It was important to protect the organisation as staff don't like being told they are crap consistently by the HMIC.'

PCCs came into conflict with HMIC when exercising the s.38 power to dismiss or retire a chief constable. Regulation 11A of the Police Regulations 2003 required the PCC to obtain and have regard to the views of the Chief HMI. The Policing Protocol (Home Office 2011a: 5) gave Police and Crime Panels the power to ask HMIC for a professional view on the use of s.38. This process was followed by the South Yorkshire PCC in 2016, and the Chief HMI concluded the proposal to dismiss Chief Constable Crompton was unjustified. Nevertheless, required Crompton to resign, illustrating HMIC's limited ability to check PCC decision-making.

The democratic mandate and proximity of PCC scrutiny, combined with their responsibility to ensure efficient and effective policing in their area (Home Office 2011a: 3), was contrasted with the inability of HMIC to inspect PCCs and the inspectorate's withdrawal from its pre-2011 mentoring function. Interviewees questioned the HMIC's role within the new governance framework: 'HMIC has not been a threat. People are inclined to ignore it. After 2012 they became less relevant' (CC18). CC21 agreed:

> ‘HMIC is on the verge of being easy to ignore. Its decisions are increasingly politically expedient and politically motivated. Because of this, we could get to a point where HMIC becomes irrelevant to chiefs and PCCs.’

CC28 stated:

> ‘They’ve no credibility but have a public platform. The service wastes a ridiculous amount of time and effort for something with no equity or value to the PCC or the organisation. The money should be spent on frontline services.’

Recognising the inspectorate’s reduced influence following the 2011 reforms, the Chief HMI, ex-Merseyside Chief Constable Andy Cooke, proposed legislation to require forces to act on HMICFRS recommendations, for PCCs to formally respond to them and re-establish the pre-2011 inspectorate’s role in chief constable selection (HMICFRS 2023: 31-35). The he acknowledged: ‘From discussions with the APCC and PCCs, it is fair to say they weren’t as supportive of the need for legislative change or a stronger inspectorate as others were’ (HMICFRS 2024c: 61).

Social transparency

The presentation of policing by journalists informs popular perceptions of police legitimacy (Chermak *et al.* 2006) and shapes political and public debate. The power of the contemporary media is rooted in Benthamite surveillance, underpinned by the philosophy

that the more people are watched, the better they behave (Foucault 1975). The strategy of public denunciation (Durkheim 2023: 63), enabled by transparency, allowed the media to demonstrate connectivity to citizens by affirming collective social norms. Organic representation through the articulation of public opinion, scrutiny and denunciation established journalistic distrust as a key element of democratic politics (Rosanvallon 2008: 45). However, absolutist popular conceptions that demanded maximum punishments for the guilty and the uncompromising upholding of the rule of law neglected the realities of constrained resources, legislative complexities and legal compromises. Therefore, popularist 'common sense' expectations were frustrated through filtered reporting, resulting in scepticism and distrust of institutions and professions (Garland 2011: 112).

Media oversight was more intrusive and less responsible in pursuing stories than that of formal governance functions. Chapter 3 described newspapers' role in exposing individual corruption in the two decades following the Second World War. Chapter 4 summarised how investigative journalism highlighted the need for institutional reform from the 1970s to the 2000s. However, several interviewees noted the post-2008 emergence of an aggressive and persistent media narrative of institutional failure targeted at senior police leaders. Examples cited included the unsubstantiated personal attacks against Quick, resulting in the closure of his wife's business and the relocation of his family (Chapter 4), the paper's 2015-19 criticisms of chief constable remuneration involving the publishing of family addresses and offensive references to chief officers such the Mail's repeated references to '*Fat Pat*' when writing about Assistant Commissioner Patricia Gallan (Littlejohn 2016a, 2016b, 2016c, 2018, 2019a, 2019b, 2021). CC11 reflected:

> ‘Misogynistic media reporting is rife. Chief constables are in public life and have always been fair game, but partners and family are not, but they are impacted. Intrusion is a real issue and a disincentive for those considering performing the role.’

CC35 stated: ‘Perceived “perks” like a car and medical insurance are about getting every ounce out of you. There is very venal media coverage of the service.’ An HMI interviewee acknowledged: ‘The media scrutiny is intense and relentless. They like sticking it to senior cops.’ Several chief constables felt the service was unfairly criticised, particularly by the right-leaning print media. CC19 stated:

> ‘We’re under siege due to the negative media and the government’s attitude. We’ve been worn down by austerity. Many people want to do a good job but find it more difficult and feel less appreciated. There are still committed people who see it as a vocation, but it’s becoming harder.’

CC24 was resigned to the situation:

> ‘We should recognise we've almost lost the media for this generation. We’re a long way from getting them back to a conversation. We should focus on doing the right thing. The print media is still influential and won't go away. It's what people react to, from PCCs to ministers to the Today programme. We need to

recognise we'll be kicked and kicked.'

CC8 attributed the hostility of some newspapers to a political desire to justify police reform and a response to police investigations into the leaking of political material by politicians and illegal practices undertaken by journalists between 1999 and 2011 (Chapter 5)[23]. Chief constables wanted to engage positively with media outlets to highlight police successes and enhance community confidence. CC6 said: 'It is the fourth estate and hugely important in a liberal democracy.' CC21 commented:

> 'We need to think wider and not so introspectively around this. Resetting our relationship with the media by being more thoughtful about how we drive our content would be a good starting place.'

CC29 recognised the media's hunger for operational police stories and proposed greater objective transparency through more 'documentaries and ride-along schemes'. CC6 agreed:

> '[My predecessor] suggested a "fly on the wall" TV programme. The decision came on the back of a series of critical incidents.

[23] Operations Nigeria (1999), Glade (2003), Weeting (2011), Tuleta (2011), and Elveden (2011) investigated the purchase of confidential information from corrupt police officers, phone and computer hacking and bribery involving tabloid journalists.

> Many thought it either crazy or brilliant. I thought it was brilliant. It was like having the HMIC in every day. We talk about legitimacy. What is more legitimate than having your force subject to a documentary about how they work and behave?'

CC34 also recognised the symbiotic relationship between the media and policing, reflecting: 'You need to be more desirable for the press than they are for you. I use the press as much as they use me.'

Mediated transparency may eclipse legitimacy derived from effectiveness. I proposed effectiveness is a normative component of police legitimacy that demonstrates policing is competent at serving the interests of society (Chapter 2) and it has been an enduring feature of central policing governance since the early 1980s (Chapter 4). The first *Peelian Principle* stated; 'the basic mission for which the police exist is to prevent crime and disorder', and the last professed; 'the test of police efficiency is the absence of crime and disorder…' (CoP 2014a: 5). Echoing these Peelian sentiments Home Secretary Theresa May described effectiveness as the single measure of success when outlining the Coalition Government's ambition for police reform.

> 'The test of the effectiveness of the police, the sole objective against which they will be judged, the way in which communities should be able to hold them to account, is their success in cutting crime… We need police forces to be as effective as possible in fighting crime… Well-led by single-minded crimefighters' (May 2011).

Application of the 'sole objective' of crime volumes as a measure of police effectiveness indicates chief constables successfully led the police service following the 2011 Act's introduction. In March 2011 the Crime Survey of England and Wales) estimated total crime (excluding fraud and computer misuse) to be 9.7m offences. This figure followed a declining trajectory over the lives of the Coalition and subsequent Conservative Governments to 4.6m offences in March 2024 representing a fall of 53%. Similarly, although the CSEW only began capturing fraud and computer misuse offences in 2017 this category of crime also fell by 19% from 5.2m to 4.2m offences between March 2017 and March 2024. However, reductions in overall crime as measured by the CSEW predate the 2011 reforms. The CSEW detailed a reduction of 77% from the December 1995 peak of 19.8m to 4.6m offences in March 2024 (excluding fraud and computer crime) (CSEW 2024: 8).

Despite apparent crimefighting effectiveness, the introduction of local PCC oversight and increased transparency confidence in the policing institution declined. YouGov polling suggested in December 2019 77% of those polled felt the police did a good job and 17% a bad job. Over the proceeding five years the poll illustrated a gradual convergence arising from a reduction in those who thought policing does a good job and those who thought policing does a bad job. In September 2025 52% of respondents believed the police did a good job in comparison with 40% who believed they did a bad job. Similar IOPC (Yonder 2023: 8) commissioned polling suggested that 45% of respondents felt positive about their local police force and 20% felt negative. However, only 25% of respondents felt positive about the Metropolitan Police with 44% stating they felt negative about the capital's police force. The report attributed stronger negativity

towards policing to 'news stories about police failings, misconduct and criminality' (Yonder :3). Crimefighting effectiveness, therefore, cannot be the single measure of success against which to judge the degree to which policing is popularly regarded as legitimate and 'by consent'.

When discussing the importance of effectiveness interviewees raised the requirement for structural change to address modern criminality and realise economies of scale but acknowledged this was unlikely within post-2011 governance arrangements. CC17 stated 'our structures are archaic, and we are struck with them.' A PCC also commented: 'The police are being asked to operate in structures that are suboptimal and difficult to get the best out of.' CC29 similarly observed:

> 'The way we do business is as good as it's going to get with the structure because we're always going to get what we get. Forty-three is far too many and the optimal number of forces lies somewhere between one and forty-three. We desperately need structural change but with PCCs there's no confidence to say this.'

Twenty-first century policing must pursue public legitimacy within an Information Age operating environment comprised of pluralised interests where geographically unbounded fraud and computer misuse offences comprise 48% of total crime (CSEW 2024: 8). Chief constables lead forces culturally shaped by mid-twentieth century Peelian notions of consensual policing delivered through a locally funded, structured and governed model, constructed between 1964 and 1974 to meet the needs of a more socially homogenous society. As highlighted in Chapter 7 interviewees identified NPCC

Coordination Committees and collaboration as comprinise solutions to overcome structural constraints and improve effectiveness when responding to new manifestations of criminality.

Conclusion

This chapter answers the questions: How have the reforms impacted chief constables? And have the reforms enhanced democratic policing? In response to the first question the 2011 Act made the office of chief constable more locally scrutinised, locally political and locally subordinate. Post-2011 governance was transformed by the introduction of locally politically affiliated PCCs which 'allowed for the Home Office to withdraw from day-to-day policing matters' (Home Office 2011a: 6) thereby removing the national check on local partisanship exercised centrally during the 1980s and 1990s (Chapters 3-4). The reforms also changed the leadership status of chief constables. No longer were they the single leader for their force. They had to share this with their PCC, or mayoral equivalent, who actively sought a more visitable, and political, public profile in contrast to the preceding discrete, diffuse and faceless police authorities. The introduction of single-issue direct local democracy required a greater political awareness amongst chief constables, constrained their professional autonomy and potentially jeopardised operational independence. The PCC's power of dismissal (sometimes effective when simply threatened), combined with greater HMICFRS, IOPC and media scrutiny was described by chief constable interviewees as creating further anxieties and professional vulnerabilities. Perceptions of fragility could focus attention and activity towards maintaining organisational reputation and away from lower profile but high-risk areas necessitating a policing response. Conversely, PCCs could challenge HMICFRS and IOPC decision-making.

Therefore, a close and mutually supportive one-to-one relationship between chief constable and PCC might lead to reduced scrutiny, leading the failure of appropriate checks on police power. The reforms therefore reduced the status of chief constables by establishing greater, potentially harder to anticipate, and hidden controls on the office.

The second question to be answered was: Have the reforms enhanced democratic policing? In Chapter 2, I proposed a legitimate democratic policing model must meet four requirements, responsive, legally accountable, transparent and effective. The 2011 Act introduced a local democratic process to expressly support police governance and respond to popular concerns regarding well understood, but declining, geographically limited traditional crime types. However, consistently low voter participation over four PCC elections limited claims to a convincing mandate. Diverse local oversight models arising from the subsequent introduction of mayoral and police and fire responsibilities also compromised assertions regarding direct democratic accountability for policing and crime responses. Moreover, outside of election cycles, there were no mechanisms to hold PCCs accountable beyond judicial review. Although the reforms initially presented a risk of police governance being subverted by popularism the increasing dominance of established political parties within the PCC cohort, and their selection procedures, reduced the chances of a radical or maverick PCC being elected. The 2011 reforms therefore provided periodic direct democratic accountability for the local policing delivery to address some visible crime types in some geographically defined areas as understood by some citizens (a significant minority) inclined, and able, to vote in local elections. The 2011 Act did not provide any substantive mechanisms, or incentives, through local governance structures to develop agile responses to unbounded forms of Information Age criminality where the offender may not be physically proximate to the victim. Such

criminality increasingly threatens the state's citizens and, in 2024, represents half of all crime (CSEW 2024: 8).

The ability of independent counter-democratic institutions to legally regulate policing developed through judicial process and the independent investigation of complaints (Chapter 4). Following the 2011 reforms policing became more legally accountable because of the significant investment in the IPCC/IOPC and the PCC appropriate authority function. However, the increase in resources to oversee policing has not been mirrored by increased public trust. Interviewees suggested the concept of constabulary independence and the *Peelian Principle* of police officers 'constantly demonstrating absolute impartial service to the law' (CoP 2014a: 5) was placed under strain by the introduction of PCCs. Interviewees indicated that the professional vulnerabilities associated with the s.38 provision, and the lack of checks on PCC authority, contributed in some forces to risk aversion and subordination within the chief constable and PCC relationship unlikely to impartially serve the broader public interest.

The 2011 reforms built on the 2000 Freedom of Information act and compelled greater functional transparency through increased HMICFRS investment and the publication of data. Several interviewees expressed frustration with HMICFRS inspection regimes and indicated a tension with the oversight function of PCCs. However, a minority were positive regarding the inspectorate's refreshed role and a non-police Chief HMI. Greater social transparency through the media, and the resultant negative coverage, simultaneously surfaced historical examples of organisational obfuscation (Chapter 5) and undermined the institution's ability to protect itself by claiming a requirement for secrecy (Weber and Kalberg 2013: 233). Rather than increasing the ability to police by consent, enhanced transparency and critical media coverage was de-legitimising (Yonder 2023: 8),

resulting in some interviewees' pessimistic acceptance of censorious reporting.

I proposed effectiveness as the fourth legitimate democratic criteria. By applying the measure of crime volumes, and the post 2011 conception of police as 'crimefighters' (May 2011), policing has been effective based on a 53% fall in crime between 2011 and 2024 (CSEW 2024: 8). However, reductions in crime have not been mirrored by enhanced confidence in policing (Yonder 2023: 8). Some research participants described the limitations of a post 2011 policing model entirely constructed around local structures when seeking to address Information Age criminality. Attempts to further enhance police effectiveness by reasserting Home Secretary governance through the redrafting of the Policing Protocol (2023), and HMICFRS proposals to hold PCCs to account for progressing its recommendations, were strongly resisted by PCCs. Considering local opposition to strengthening national police governance the realisation of structural change, identified by interviewees as key to effectively address new and emergent crime types, seems a more challenging task than it might have been before 2011. In conclusion, it is difficult not to conclude the reforms have enhanced democratic policing in England and Wales. Accountability to local electorates, augmented legal oversight, greater transparency and reduced crime all meet the multi-faceted criteria proposed in Chapter 2. However, the reforms have not had the desired effect of improving overall confidence and institutional legitimacy.

Chapter 9: The 2011-2024 Chief Constable

> 'We'd had a settled structure for policing for decades. This changed suddenly in 2012.' – CC18

This thesis responds to the question: How have changes in the operating context and post-2010 conceptions of democratic policing impacted the disposition, status and role of chief constables? I will use the conclusion to consider my research findings against preceding research on chief constables.

Key findings

The first, and central, research finding is that the status and influence of chief constables appreciably shifted since the 2011 Act in a manner which enhanced legitimacy through localism but could undermine police operational independence and the ability to respond to some unbounded and hidden crime types. Because of the changes chief constables are subject to an enhanced level of direct control and oversight when compared against the preceding 1964 Police Act tripartite governance model. Secondly, the 2011 reforms also changed the profile of chief constables and wider chief officer teams. They are likely to be more provincial, rather than cosmopolitan, in character. This change is attributable to the removal of national shortlisting process, the local PCC appointment of chief constables and the local chief constable appointment of their deputies and ACCs. Thirdly, the thesis proposes the 2011 Act's further reinforcement of the, already deeply established, 1974 organisational structures constrained the police's ability to adapt to convincingly address twenty-first century threats arising from digitisation and globalisation. The resultant 'iron

cage' (Weber 1904) compelled legitimacy retaining responses including the development of creative 'workarounds' by chief officers and the state's establishment of alternative law enforcement entities outside the police institution. A protracted inability by chief police officers to adapt and refashion a policing institution forged in the mid-twentieth century to meet Information Age demands is likely to result in decline and the establishment of alternative law enforcement structures better suited to addressing contemporary challenges.

Several of the key police reforms introduced by the 2010 Coalition Government remain unrealised or have since been abandoned. Direct entry at the Inspector and Superintendent ranks ceased in 2020 and no chief constables have been recruited either from the Fire and Rescue Service or form overseas police forces. The 2016 requirement for new police officers to hold degrees ended in 2023. The Home Office retreat from day-to-day policing was reversed with the 2019 establishment of the National Policing Board (NPB), national targets and the redrafting of the Policing Protocol (Home Office 2023d) which omitted the commitment of withdrawal from police governance. HMICFRS (2024c: 60) have also proposed the ability to hold PCCs to account regarding the progression of inspection recommendations and the inspectorate's reinvolvement in chief officer selection. The 2024 election of the first Labour government since the introduction of PCCs may support further national interventions in policing that serve to establish a governance structure more aligned to that articulated within the 1964 Police Act. Enhanced ministerial interest in policing will compel a further reorientation, and reframing, of the chief constable role.

9.1. Disposition

Chief constables now have worked in fewer forces, hold less experience in the chief constable rank, possess greater levels of formal education and display greater levels of gender diversity than they did prior to the 2011 Act. Reforms introducing direct entry at the Inspector, Superintendent and chief constable ranks are, at the end of 2024, yet to alter the chief constable cohort. The expectation that chief officers had served in one or more forces was emphasised by Home Secretary Chuter Ede in 1947, reinforced by the 1962 Royal Commission (recommendation 18) and legally established within Police Regulations (Chapter 3). The 1964 Police Act (ch.48 [3.5]) also required the Home Secretary approval of the police authority's preferred candidate before appointment. This process was later replaced by the HMIC led Senior Appointments Panel (SAP) shortlisting of eligible chief constable candidates prior to interview by police authorities. Consequently, Reiner (1991: 345) noted the chief constables of the late 1980s had 'usually moved between forces several times'. He described them as 'high-flying "cosmopolitans"' who orientate themselves more to each other as a national police elite than to their forces'. The cosmopolitan character of chief constables began to change following the post-2003 ability of the Home Secretary to waive the cross-force requirement as an exception (Chapter 6). However, the 2012 reforms removed national HMIC shortlisting and the need for chief officers to have served in other forces, instead conferring PCCs with the sole responsibility of selecting suitably qualified chief constables. Roycroft (2016: 231) noted the average number of forces that chief constables had worked in at the time of his research was 2.7 and that two chief constables had served at all ranks within a single force. This thesis identified that in 2006 the average chief constable had served in 3.3. different forces but by 2022, a decade after the introduction of PCCs, this figure had fallen

to 2.4 and eight chief constables had performed every rank in the same force. Furthermore, in 2002 only 20% of chief constables had been deputies in their force, but by 2022 this had tripled. Consequently, the absence of national oversight and direct PCC selection resulted in more internal candidates being successful in securing chief constable roles. This research also identified that the removal of the senior Police National Selection Centre (PNAC) for chief officers, introduced following the 1962 Royal Commission, is also likely to further benefit internal Superintendents applying for ACC posts. The 2011 Act therefore not only changed Reiner's (1991: 345) nationally mobile 'cosmopolitan' 1980s chief constable cohort to a more provincial elite in the 2020s, but subsequent changes to ACC selection may also contribute to reinforcing the local experience of chief officer groups which seed the chief constable rank.

Reiner (1991: vii) described his chief constable interviewees as conservatives with 'working class origins' who displayed a 'combination of street wisdom with intellectual potential'. None possessed degrees when they joined policing but 25% had graduated from universities having studied whilst in service (*ibid.* 59-60). Wall (1998) noted that by 1996 71% of chief constables held degrees echoing Savage *et al.*'s (2000; 87) findings. Loader and Mulcahy (2006) found a liberal outlook among early twenty-first century chief constables and Caless (2011) referenced the 'near ubiquity' of degrees. Roycoft (2016: 134) found that, at the time of his research, 93% of chief constables held higher education qualifications and cited 'intellectual firepower, resilience, political acumen and humour' (*ibid.:* 141) as important chief constable attributes. My findings mirrored those of Caless and Roycroft with first degrees being the norm and many chief constables also holding post-graduate awards. This observation reflected wider changes in educational attainment in England and Wales since the late 1980s and aligned to the Coalition

Government's police reform aspirations that, as members of a 'policing profession', all police officers should hold degrees. However, although chief constables, PCCs and HMIs contributing to this thesis demonstrated consensus regarding the characteristics of good chief constables no references were made to either intellectual or accademic ability. Most chief constables interviewees expressed a strong commitment to social justice and articulated concerns regarding the impact of neo-liberalism on the state's ability to support vulnerable individuals and communities. The working-class elite illustrated by Reiner has clearly changed in a manner that has been well illustrated by the post 1991 work, mirrors wider educational trends and is uncontroversially reinforced by this research.

Wall's (1998: 303) 'ideology of internal recruitment', formalised by the 1919 Police Act, helped establish a cohort of chief constables that were 'clearly meritocrats' (Reiner 1991: 60) and benefited from neither the Trenchard scheme nor the post 1962 accelerated promotion schemes. However, Caless' (2001: 43) research involved chief constables who had participated in the accelerated courses, and he identified the importance of patronage and the 'golden finger' in helping officers navigate their way from the single-entry point of constable through the multiple ranks to become chief officers. Shannon (2018: 88) similarly described the illusion of meritocracy within the contemporary policing institution. This research found that application, and subsequent selection, for various accelerated, 'special' or 'high potential' promotion schemes at an early stage in chief constable's careers was a common phenomenon among interviewees. Support from senior colleagues, combined with the networks established through regular attendance on the national courses, were identified as factors which several chief constables interviewed for this work found valuable.

The establishment of a single-entry point for police officers, supported by accelerated promotion schemes was an alternative to direct entry into leadership positions. Reiner (1991: 349-351) was dismissive of a direct entry 'officer class' in policing, Wall (1998: 310-314) expressed similar concerns regarding the appointment of chief constables from outside the policing institution. However, Both Caless' (2011: 186) and Roycrofts' (2016: 136) chief constables were evenly split regarding the value of entry into the police officer ranks at different levels. The post-2011 reforms challenged the 'ideology of internal recruitment' (Wall 1998: 303) by briefly introducing direct entry at the Inspector and Superintendent levels and permitted overseas police officers and senior personnel from Fire and Rescue Services to apply for chief constable posts. However, to date, neither initiative has materially altered the disposition of the chief constable cohort as all Home Office chief constables between 1957 and September 2024 entered the service as constables. However, a direct entry Superintendent was appointed the Gloucestershire temporary chief constable in October 2024.

Long socialisation periods, early identification of 'high potential' and informal sponsorship by senior gatekeepers are likely to have collectively contributed to a lack of visible diversity among chief constables. Reiner (1991:151) and Wall (1998) both noted the all-male constitution of their research cohorts and Caless (2011: 55) commented the low numbers of female chief constables. Roycroft (2016: 30) concluded 'it is tough being a minority in policing'. Shannon (2018: 93) identified examples of 'competitive masculinity' (Silvestri 2009) but found gendered approaches to power to be declining. Chief constables participating in this study described frequently encountering racist, misogynistic and homophobic behaviours within policing earlier in their careers when working at a less elevated level. This research found that in the six years following the

introduction of PCCs the number of female chief constables sharply declined, in some part due to conflict with ex-Superintendent PCCs. However, since 2018 PCCs have appointed more female chief constables than police authorities with fifteen female chief constables (37%) in non-Metropolitan forces in 2023 (see Chapter 6).

9.2. Status

The 2011 Act and subsequent reforms altered the status of chief constables by exerting greater governance and external challenge. These changes established direct one-to-one scrutiny from PCCs within ill-defined, 'fluid and context driven' (Home Office 2011a: 7), definitions of each office holder's responsibilities resulting in unique personality driven working relationships at the local level. Enhanced HMICFRS and IOPC funding simultaneously reinforced national oversight mechanisms for chief constables. The independence and discretion historically enjoyed by the office of chief constable was thus constrained by a series of checks, that included mass media commentary fuelled by greater transparency, which increased the personal vulnerability of highly visible leaders to public censure and criticism.

The Peelian concept of policing by consent, and the connected doctrine of chief constable operational independence outlined in the fifth Peelian Principle, was regularly cited in the preceding literature by chief officers as a key element of the British policing tradition to defend against political direction. Reiner (1991: 344) described how: 'The constitutional doctrine of independence lays unfettered chief constable control over operations.' Reiner's (1991: 114) chief constables, interviewed following the publication

of the Scarman Report (1981), also adopted a dominant Peelian philosophy of a broadly defined community orientated policing mission where: 'The old objects of police remain pretty valid and good as set out in 1829' (Reiner 1991: 109).

A decade later Savage *et al.* (2000: 207) suggested constabulary independence provided a potential shield to protect chief constables from scrutiny but was 'a doctrine which is sailing against the wind'. Caless (2011: 215) documented chief constable concern regarding an increasing disconnect from Peel's Principles and the erosion of the concept of operational independence because of police authority pressures (*ibid.:* 124). Writing during the first PCC term, Roycroft (2016: 24) found PCCs and chief constables wanted to maintain the Peelian concepts and agreed operational independence 'was a fundamental tenet of local policing governance' but described it as 'a very grey area' (*ibid.:* 170). Shannon (2023: 201) concurred describing the concept of operational independence as 'indistinct' despite frequent references by his chief constable interviewees to the importance of the 'Peelian Principles as a corner stone of consent' (2018: 129). Shannon's research participants described a decline in operational independence that commenced with the introduction of central targets and subsequently replaced with the introduction of PCCs and their direct financial and s.38 dismissal powers (*ibid.:* 174, Shannon 2023: 193). Watts (2018: 172) also 'found a lack of definitional clarity around operational independence' and described the 'vulnerability of chief constables in terms of their ability to make unbiased professional judgements dependent upon their contractual position' (*ibid.:* 187).

This research did not capture explicit references to the Peelian Principles within any interviews. Nevertheless, my findings for the most part echoed those of the preceding research. Chief constables expressed concerns regarding the blurred distinction between

operational independence and PCC scrutiny, felt their professional independence was undermined by the PCC ability to hire and dismiss and that independence could be compromised by a PCC pursuing electoral success by encouraging popularist operational activity. Their operational independence was further challenged by the ability of the NCA Director General to directly task chief constables. Although several interviewees described declining operational independence others expressed frustration that internal adherence to the concept acted as a barrier to achieving consensus through Chief Constables' Council thereby contributing to institutional inertia.

As outlined in Chapter 2, oversight of policing is an important feature of democratic legitimacy. The literature illustrates mounting chief constable concern regarding oversight arrangements. Reiner (1991: 300) described his chief constables being 'satisfied' with the post-1964 Act tripartite governance arrangements where police authorities provided a 'sounding board for local opinion' (*ibid.:* 251) and were 'junior partners in the process of decision-making' (ibid.: 285). Loader and Mulcahy (2006: 252) identified a more complex landscape with 'more scrutiny, multi-tiered and overlapping networks'. Caless (2011: 120) found a 'scarcely veiled antagonism between the police and their local oversight mechanism'. Shannon (2018: 189) highlighted the greater influence of the newly introduced PCCs, when compared against the Home Office, because of their ability to appoint and dismiss chief constables. Watts (2019: 132) also articulated chief constables' sense of professional vulnerably arising from the direct personal relationship with the PCC, the lack of checks on PCC decision-making (*ibid.:* 137) and, in some cases, PCC competence (*ibid.:* 136).

My research highlighted the importance of the chief constable and PCC personal relationship and suggested the model has steadily matured, enhanced by the party-

political selection and endorsement of candidates. The growing dominance of PCCs representing the Labour and Conservative parties reduced the opportunity for mavericks to be successfully elected and established some external influence around the role. Several interviewees commented on the lack of effective checks on PCC powers which appeared to participants to be limited to judicial review whilst citing examples where the private threat of the exercise of the s.38 power by a PCC was sufficient to encourage a chief constable to resign. Whereas in 1987 Prime Minister Thatcher thought it 'outrageous if the Chief Constable were required to seek [police authority] clearance for all his public speaking engagements' (Telegraph 04/01/2012) (Chapter 4), this research identified examples where PCCs sought to censor chief constables' public comments. The 2011-2023 Home Office (2011: 6) withdrawal 'from day-to-day policing matters' meant recourse to ministerial appeals based on operational independence ceased as an option.

Caless (2011: 174) identified chief officer resentment of Home Office influence in the period before the introduction of PCCs such interventions could be responded to with professional solidarity through ACPO. However, collective objections to isolated local tensions were less legitimate. Consequently, the diversity of PCC relationships, associated personal career jeopardy and absence of support mechanisms resulted in many interviewees expressing feelings of professional isolation, precariousness and exposure. Although some chief constables ended their policing careers early following conflict with their PCCs my research indicates that overall declining periods of chief constable tenure were more attributable to pension rules although the 2011 reforms are likely to have had some limited impact.

Chief constable perceptions of the counter-democratic institutions supporting policing also appeared to have shifted. Reiner's (1991: 277-8) chief constables described

their relationship with HMIC as 'collegial and supportive', Wall's (1998: 136) chief constables expressed some concern regarding the introduction of lay HMIs and Loader and Mulcahy (2003: 295) were told the inspectorate was 'a tool for centralisation'. Caless (2011: 155) found that 80% of chief constables 'held negative opinions' of HMIC. However, Watts' (2019: 155) interviewees lamented the national contribution made by the HMIC chaired SAP to the selection of chief constables. Chief constables participating in this research expressed mixed views. The majority were frustrated at the volume and methodologies of inspections which were cited as a distraction, offering limited value and in tension with the PCC mandate. Others welcomed the inspection regime and noted that non police HMIs offered considerable advantages to proceeding cohorts which had been predominantly comprised of retired chief constables. No interviewees referenced the potential role of HMICFRS in checking and assuring PCC decision-making as outlined within s.38 of the 2011 Act.

The 1977 introduction of the independent Police Complaints Board (PCB) was contentious and publicly resisted by several high-profile chief constables (Chapter 3). Reiner's (1991: 287) chief constables were 52% opposed to an independent complaints system. Similarly, Roycroft's (2016: 222) interviewees expressed disquiet regarding the IPCC's objectivity, timeliness and investitive competence. Shannon's (2018: 251) research participants articulated similar concerns regarding the IPCC's successor organisation, the IOPC. This study, spanning a similar timeframe to that covered by both Roycroft and Shannon, found similar sentiments expressed by chief constables. While chief constables acknowledged the importance of robust independent investigations, they expressed frustrations regarding the generation of risk adverse and blame cultures, perceptions of procedural injustice and the timeliness of investigations.

Media scrutiny appears to have become more of a concern for chief constables. Reiner's (1991) and Wall's (1998) chief constables did not highlight anxieties regarding the media. Loader and Mulcahy (2006: 18), writing a decade later, noted 'a mediated environment that is much more attuned to organisational scandal, misconduct, and poor performance'. Chapter 5 described increasing right-leaning print media criticism of chief constables ahead of the 2011 Act. Caless' (2011: 224, 63) interviewees referenced a 'hostile', 'intrusive and querulous media'. Shannon's (2018: 179) interviewees also described media commentary forming an element of 'disproportionate' and 'relentless' scrutiny. This study also captured the exasperation of some chief constables arising from an intensive negativity and personal criticism that misrepresented and, at times, ridiculed their professional leadership. Several research participants stated they were resigned to print media criticism and considered it a product of greater transparency which, although well intentioned, could result in de-legitimising outcomes.

The Royal Commission on the Police's Final Report concluded: 'The problem of controlling the police can, therefore, be restated as the problem of controlling chief constables' (1962: 34). In hindsight, the controls imposed on chief constables by the subsequent 1964 Police Act were limited when contrasted with those of the 2011 Act. Whereas the 1964 Act assumed a policing context enabled by consent the 2011 Act established a framework regulated by distrust. The resulting reforms placed far greater limitations on the professional discretion that could be exercised by those holding the office of chief constable.

9.3. Role

The second chapter of this thesis described the tension between the need for policing to adapt to maintain legitimacy in an ever-changing environment and the restrictive nature of its institutional status, forms and cultures. Following a century and a half of the consolidation of police forces the 1964 Police Act contributed to the isomorphic homogenisation (DiMaggio and Powell 1983: 148) of policing into an institution comprised of forty-three independent and locally defined organisations (Chapter 3). Despite the rigidity of the post 1964 structures the preceding literature illustrated the increasingly central orientation of chief constables. Reiner (1991: 345) observed 'overt centralisation' and concluded that the 'nationalising trend cannot really be reversed' (*ibid.:* 352). Wall (1998: 311) noted chief constables having 'more of an obedient and subordinate relationship with the Home Office'. The chief constables interviewed by Savage *et al.* (2000: 78-9) explained how ACPO enabled policing to act nationally while protecting local independence from Home Office direction. Increasing centralisation reflected the wider crime trends arising from globalisation and digitisation necessitating specialist, and costly, law enforcement capabilities that could not be independently sustained by many police forces. Although two-thirds of Reiner's (1991: 164) chief constables opposed the formation of a national police force Wall (1998: 315) concluded: 'We now have a *de facto* and effectively a *de jure* national police force that is run by an elite of professional police managers, the chief constables.' Nevertheless, an inability to escape the Weberian institutional 'iron cage' (DiMaggio and Powell 1983) caused central government to establish non-police law-enforcement agencies (Serious and Organised Crime Agency in 2005 and the National Crime Agency in 2013) and chief constables to utilise s.22a collaboration agreements to establish regional and national pseudo-

organisations sitting above force structures to meet twenty-first century law enforcement challenges (National Counter Terrorism Network in 2006 and Regional Organised Crime Units in 2012).

In 1991 Reiner (352) opined 'attempts to re-localise control now are like pushing a stream uphill'. However, the 2011 Act required chief constables to quickly pivot from the national to the local when the Home Office (2011: 6) committed to 'withdraw from day-to-day policing matters' once PCCs were introduced. This sudden reframing of the chief constable role was supported by a popularist emphasis on the police as 'crimefighters'. The reforms were further enabled by the degradation of the institution's legitimacy arising from the inability to appeal to a communal zeitgeist in an increasingly pluralised society, an economic crisis that rationalised radical change and a disparaging right-leaning tabloid media narrative. These elements were not present to the same extent at the time of either the unsuccessful 1992 Conservative Sheehy reforms or the Labour Party's failed proposals to restructure the institution through the establishment of 'strategic forces' (Chapter 4).

The chief constables interviewed for this work were primarily focused on their local accountability to PCCs and could no longer be 'understood as a unitary power elite, orientated towards the Home Office' (Reiner 1991: 346). The one-to-one relationship between a PCC and chief constable established a level of isolation and unpredictability for senior police leaders making some forces more attractive than others for applicants based on an assessment of the character of individual commissioners. The medium-term nature of PCC electoral cycles created a level of instability and fragility in respect not only the chief constable and PCC relationship but also formal collaborative relationships with other forces. Larger scale s.22a collaborations were nationally encouraged to address threats

from terrorism and organised crime. However, cross force collaborations were described by interviewees, and HMICFRS (2020: 25), as often sustained by personal relationships and ideological perspectives rather than clearly articulated benefits and diluted local democratic accountability (Chapter 7).

The 2011 Act failed to meet Information Age law enforcement requirements by hardening the 1964 structures. PCC democratic accountability, competition between forces and greater divergence arising from local autonomy made it harder for chief constables to work together. The challenges of trying to address twenty-first century criminality from within a system shaped by nineteenth century logics was articulated within the more recent literature. Caless (2011: 202) identified a consensus within his interviewees that the 1964 policing structure required reform. The chief constables interviewed by Watts (2019: 177, 186) concurred suggesting that there was a case for change. Chief constables interviewed for this research recognised the need for structural reform but were dismissive of it being achievable within PCC governance model. (Chapter 7). Therefore, although the 2011 Act may have yielded populist legitimacy benefits arising from local democratic accountability and responsiveness there is a risk that an inability to convincingly address emerging crime types and forms of less visible criminality may result in a longer-term decline in legitimacy without some institutional restructuring. The 2011 Act's 'new localism' may thus be a temporary departure from the centralising trend in policing, likely to be corrected by the need for effective responses to twenty-first-century crime requiring less geographically bounded approaches.

Appendix A: Ethics approval

SOCIAL SCIENCES & HUMANITIES
INTERDIVISIONAL RESEARCH ETHICS COMMITTEE

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17 April 2019

Mr Tim Metcalfe
Criminological Research Centre
University of Oxford

Dear Mr Metcalfe,

Research Ethics Approval (CUREC 1A)
Ref No: R61696/RE001

Title: Chief Constables, Democratic Legitimacy and the New Landscape of Policing

The above application has been considered on behalf of the Social Sciences and Humanities Interdivisional Research Ethics Committee (IDREC) in accordance with the procedures laid down by the University for ethical approval of all research involving human participants.

I am pleased to inform you that, on the basis of the information provided to the IDREC, the proposed research has been judged as meeting appropriate ethical standards, and accordingly approval has been granted.

Should there be any subsequent changes to the project, which raise ethical issues not covered in the original application, you should submit details to the IDREC for consideration.

Yours sincerely,

Claudia Kozeny-Pelling
Research Ethics Manager and Secretary SSH IDREC

cc: Professor Ian Loader, Charlotte Vinnicombe

Appendix B: Interview questions

Serving and retired chief constables

1. WORK HISTORY

a. What was the attraction to policing?

b. Before joining had you previously worked outside policing?

c. What other forces have you worked in?

d. What are you doing now/what are your future plans?

2. BEING A CHIEF CONSTABLE

a. [IF RETIRED] What were the reasons for your leaving?

b. How would you describe the culture or 'feel' of the organisation?

c. How were you developed/inducted for the chief officer role?

d. What makes a good chief constable?

3. LEADERSHIP

a. If you were given (1000) new recruits tomorrow would it make much difference?

b. As chief constable how much of your time was/is spent dealing with operational issues?

c. What were the main leadership challenges facing you as a chief constable?

4. CHANGING CONTEXT

a. Is the operating environment for policing changing and if so how?

b. What do you anticipate will be the three key challenges for policing over the next decade?

c. Britain used to be regarded as a harmonious society – is this still the case?

5. REFLECTIONS

a. Overall are you satisfied with your career in the police service?

b. Would you re-join if you had your life over?

c. Do you have any further comments you would like to add?

HMIs and PCCs

1. WORKING WITH THE POLICE

a. What are your impressions of police culture and leadership

b. Does policing need to be 'professionalised'?

c. How can senior police leadership be improved?

2. CHIEF CONSTABLES

a. What makes a good chief constable?

b. What are the main challenges currently facing chief constables.

c. Recent adverts to fill chief constable posts have seen interest from only a limited number of applicants. Why do you think this is?

d. The tenure of chief constables seems to be getting shorter – an average chief constable in the 1980s had 5.2 years in the rank whereas during the 2010s it is 3 years. Does this matter?

3. CHANGING CONTEXT

a. Britain used to be regarded as a harmonious society – is this still the case?

b. Is the operating environment for policing changing and if so how?

c. What do you anticipate will be the three key challenges for policing over the next decade?

4. POLICE REFORMS

a. What needs to change in policing and why?

b. How do you see the role of the College of Policing, IOPC and HMIC evolving?

c. How do you see the Office of PCC developing?

5. REFLECTIONS

a. Do you have any further comments you would like to add

Appendix C: Chief officer survey

Q1 **Are you interested/considering applying for a chief constable's post in the next five years?**

Yes/No

Free text box for comments

Q2 **To what degree would the following factors influence your thinking when considering an application for a chief constable's post?**

	Not a consideration	Low	Medium	High	V. high	Total	Weighted Average
Financial implications (i.e. pension, taxation and lifetime allowances)							
Impact on 'work life balance'							
Insecurity of role owing to s.38 Police Reform & Social Responsibility Act (PCC power to remove a chief constable)							
Time before reaching pensionable service							
Proximity of PCC elections							
Personal media intrusion and criticism							

Free text box for comments

Q3 **Would you move house and relocate family to take up a chief constable role?**

Yes/No

Free text box for comments

Q4 **Would you stay away from family during the week to take up a chief constable role?**

Yes/No

Free text box for comments

Q5 **To what degree would the following factors influence your thinking when applying for a chief constable role in another force?**

	Not a consideration	**Low**	**Medium**	**High**	**V. high**	**Total**	**Weighted Average**
HMIC PEEL assessments of force performance							
Reputation of the PCC							
Proximity of PCC elections							
Relocation package							
Distance from current home							
Salary							
Internal applicant(s)							

	Not a consideration	Low	Medium	High	V. high	Total	Weighted Average
Financial position of the force							

Free text box for comments

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