**Title: *Grey areas and fine lines: Negotiating Operational Independence in the Era of the Police and Crime Commissioner***

**Structured Abstract:**

This paper explores the negotiation of boundaries of strategic versus operational responsibility between Chief Constables and Police and Crime Commissioners (PCCs).

The discussion reflects on interviews with Chief Constables (n=11) and PCCs (n=11) in matched pairs, exploring the relationship between the two figures, specifically in relation to the issue of the operational independence of the Chief Constable in the new accountability structure.

The findings demonstrate that experiences vary and depend on the particular personalities and experience of the individuals involved. PCCs were particularly likely to test the boundary of operational versus strategic responsibility in relation to issues which had been brought to their attention by members of their electorate.

Future research could seek a larger sample as it is possible that those areas where real tensions existed declined to participate. Given the findings, it would also be informative to revisit the topic in the run-up to the next PCC elections.

The (re)negotiation of boundaries may become the norm given that both roles are subject to reassignment at short notice, and may become particularly salient in the run-up to future PCC elections. Crucial policing decisions which affect everyone are inevitably influenced by these background negotiations.

Previous research has not been based on interviews with *both* PCCs and their respective Chief Constables, and hence there is dearth of material which reflects on the relationships between these two powerful individuals and their ongoing negotiations of issues with real practical and conceptual implications.

**Introduction**

Many academic discussions relating to the introduction of elected Police and Crime Commissioners (PCCs) have foregrounded the importance of the relationship between PCCs and their respective Chief Constables (for example Caless 2011, Davies and Chambers 2013, Lister 2013, Raine 2015 forthcoming). Of particular concern has been the unclear distinction between what constitutes an operational issue (about which the Chief Constable should have control) as opposed to a strategic matter (about which the PCC has a legitimate say). Given that ‘majoritarianism’ has been noted by some as a potential danger associated with elected policing decision-makers (Lister and Rowe 2014: 14) and that the public may operate with a range of motives for determining the policing it wishes to receive (Wells 2015, Lister and Rowe 2014), this paper considers how, where, and why, the line between operational and strategic policing is drawn by those charged with resolving this issue.

The Home Office consultation paper *Policing in the 21st Century: Reconnecting police and the people* (2010) made it clear that it did not wish to see tensions arising about who dictated the ‘what’ and who dictated the ‘how’ of policing, but recognised that the issues of accountability and operational independence were to be closely related concepts in the new system the Government was considering:

Giving chief constables a clear line of accountability to directly elected Police and Crime Commissioners will not cut across their operational independence and duty to act without fear or favour. (Home Office 2010, para. 2.13)

The Home Affairs Select Committee on Police and Crime Commissioners’ neat summary, below, of the relationship between PCCs and chief constables, as set out in the Policing Protocol Order 2011, also stresses the significance of operational independence in the light of the (considerable) other powers being given to PCCs:

[T]he commissioner has “a statutory duty and electoral mandate to hold the police to account on behalf of the public”. The Order also empowers PCCs to “scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Police and Crime Plan”, and to “hold the Chief Constable to account for the performance of the force’s officers and staff”. However, it also states that commissioners “must not fetter the operational independence of the police force and the Chief Constable who leads it”. (2014: 21)

Whilst both statements are clear in stating an intention that the two issues ‘will not’ and ‘must not’ mean that the operational independence is threatened, it is not clear how this is to be achieved. The Government, whilst insisting that operational independence be respected as ‘a fundamental principle of British policing’ (Home Office 2011:6) has also argued that the concept is necessarily ‘fluid and context-driven’ (ibid: 7) and thus cannot be precisely defined. However, the Chief Constable should retain control over:

decisions taken with the purpose of balancing competing operational needs within the framework of objectives and priorities set by the PCC; operational decisions to reallocate resources to meet immediate demand; and the allocation of officers’ specific duties and responsibilities within the force area to meet the strategic objectives set by the PCC. (ibid, p.7)

However, the ‘framework of objectives and priorities set by the PCC’ reminds us of the PCCs own accountability to the public, and therefore that they are likely to have a close interest in the ongoing policing decisions that may impact on the likelihood that promises made by the PCC will be fulfilled. As a result, Lister has suggested that ‘a key empirical question concerning PCCs, therefore, is whether they will seek to interfere in the delivery of local policing in order to try to secure on-going public support at the ballot box’ (Lister, 2013: 239). This article takes up the empirical challenge contained in this observation by drawing on data sourced from 22 interviews with Chief Constables and PCCs[[1]](#footnote-1) across England which explored, amongst other things, the negotiations around the issue of operational independence between these two policing figureheads. Opinions may differ about what constitutes the ‘interference’ forecast by Lister and the research therefore involved engaging *both* PCCs and Chief Constables from the same area in discussions about each other (something that previous research in this area has not done (Raine 2015 forthcoming, Davies and Chambers 2013, Home Affairs Select Committee 2014, Davies 2014)). The potentially contested topic of roads policing, via which the potential electorate is both potential victim *and* potential offender (Wells 2015) was chosen as a focus for discussions about the nature of relationships between these key policing figureheads and the ways in which broader strategic, and day to day operational, concerns are negotiated in the era of the PCC.

**Reflecting on Operational Independence**

Despite the much discussed shortcomings of the previous tripartite system (Brain, 2014, McLaughlin, 2005, Raine and Keasey, 2012, Lister and Rowe, 2014), it seems safe to say that much academic work did not predict particularly positive outcomes for the first four years of the PCC, and that the distinction between strategy and operations was identified as a significant source of disagreement. Mawby and Smith, for example, flagged up the issue of ‘the involvement of the elected “manager” in operational matters’ as one of three sources of ‘potential conflict between the police chief and their locally elected “manager”’ (2013: 146), whilst Lister also identifies the potential conflicts that could be generated by the combination of electoral accountability and resource distribution:

Despite appeals to constabulary independence being writ large in the Protocol, as PCCs grow accustomed to their new role and the electoral imperatives implicit within the ‘political business cycle’ of their 4 yearly term of office, the question(s) in many force areas may not be ‘whether’ PCCs seek to influence the use of police resources but ‘how’, ‘how much’, and ‘with what effect’, they actually do this. (2013:245)

Although the concept of operational independence is ‘deeply embedded’ in British policing folklore, it is also ‘enduringly opaque’ (Newburn, 2012: 42). This imprecision is, it has been suggested, a likely source of disagreement and conflict between two individuals attempting to negotiate a relationship in a radically new accountability structure that placed the PCC as ‘principle’ to the Chief Constable as ‘agent’, but also positioned the PCC as ‘agent’ to the public (Raine, 2015 forthcoming).

Potentially, as Lister has suggested, the accountability to the public may encourage PCCs to get involved in operational matters (Lister 2013, p. 239), whilst the accountability of the Chief to the PCC may mean that diplomatically resisting any involvement in order to maintain operational independence may be a difficult task. Furthermore, Lister has observed:

[I]dentifying the boundaries of these responsibilities may prove to be the site of protracted and on-going negotiation, dialogue, and potential conflict between both parties. Indeed, the quality of working relations between PCCs and Chief Constables is likely to be determined, at least partly, by how each understands, interprets, and acts out this slippery distinction. (2013: 244)

Clearly, then, there is potential for considerable and ongoing debate about where the line of responsibility falls to reflect the ever-changing circumstances experienced by any police force. Raine’s (2015, forthcoming) review of the new system one year in to its operation highlights a number of events that give cause of concern and could certainly be taken as evidence of ‘tensions’[[2]](#footnote-2). This research takes these issues forward by asking a sample of *both* the PCC *and* their counterpart Chief Constable to reflect on the same series of questions from their individual perspectives, as described below.

**Methodology**

The data considered here is drawn from interviews conducted with Chief Constables and PCCs (n=22)[[3]](#footnote-3), who were interviewed separately but in matched pairs over the autumn of 2014 by the author[[4]](#footnote-4). All PCCS and Chief Constables in England and Wales were invited to participate in the research, and the areas where both individuals responded positively became the sample. Of the 41 potential pairings, it was possible to conduct ‘paired’ interviews in 11 locations. In a further 14 areas, one individual agreed but the other did not (or did not respond). In one area, both refused. Reasons for refusal included; a Chief Constable new to their force, or about to retire; an individual who was too busy to take part; and illness or suspension of either potential participant. No response was received from the remaining forces. All participants gave their consent for their comments to be labelled in a way that linked them to those of their counterpart, and appreciated that this would mean that they would see the comments of their equivalent and vice versa. A reference to (for example) CC3 and PCC3 therefore indicates the two representatives of force area 3. Interviews, which were recorded, covered a range of topics broadly related to experiences of working within the PCC framework, with roads policing used as the inroad to discussions. Interviews lasted between 50 and 90 minutes. In-person interviews took place at the office or one or both participants (some PCCs and Chief Constables were co-located and some arranged to be at the same venue for the purposes of the interview). The gender of the respective participants has been randomly assigned in the quotes reproduced here. Whilst the sampling strategy raises issues of self-selection, it was considered to be the only realistic method of securing participants. It may be that those areas where relationships were not particularly good were those that declined to take part, but participants were reasonably candid in discussing problems as well as positives so it cannot be assumed that only those with the best relationships opted to take part. However, it must be noted that this is a sample and that there may be bias due to self-selection.

**Drawing the line**

Lister has suggested that ‘the question(s) in many force areas may not be “whether” PCCs seek to influence the use of police resources but “how”, “how much”, and “with what effect”, they actually do this.’ (Lister, 2013: 245). The interviews conducted suggest that there was certainly evidence of this issue surfacing, and of a range of strategies being used by both PCCs and Chief Constables to establish what each could and could not do. Whilst all participants agreed, in theory, that there should be some distinction between the PCC’s (strategic) and the Chief’s (operational) role, not all ‘drew the line’ at the same point. Nor did they appear to necessarily understand the terms ‘strategic’ and ‘operational’ in the same way. The following sections explore various approaches to the respective roles, but firstly the months immediately post-election are briefly considered from both perspectives.

*Establishing boundaries*

The first few months post-election were, understandably, described by interviewees as presenting the most challenges in terms of understanding and implementing a workable definition of operational versus strategic responsibility. For many Chiefs there had been, a process of ‘feeling of the way’ between themselves and the PCC, where both had to get used to the new arrangements. The following quotes are illustrative of some early tussles that were, apparently, typical:

It was tense for the first six to eight – don’t misunderstand me – the first few months of the relationship was really difficult; Establishing the boundaries; Understanding what you mean by operational independence; understanding and respecting the role of the Commissioner – what their priorities were and their views of policing; having somebody else there that had the money. (CC11)

There was an interesting negotiation with her as the Commissioner and me as the Chief, with her telling me what she wants to do and me changing the question to ‘what do you want to achieve?’. ’Don’t tell me *how* to do it. I am the Chief. You want to do this, you stop there, don’t tell me how to do it’. (CC5)

When asked if this message had been well received, the latter Chief Constable noted:

It was fine. I spoke to her a few months later and I said “in boxing terms that was your opening round jab to see how I responded”, and she got the answer “don’t tell me what to do, tell me what you want to achieve and I’ll do it if I can” and it settled right down from there. (CC5)

Indeed, from the interview with the office of the PCC concerned[[5]](#footnote-5), it seems that the PCC had taken on board the message:

[PCC5] is very respectful of [CC5] and his operational independence. So something like the ticket aspect [issuing of fixed penalties to motorists], that is somewhere where [PCC] would raise that with [CC], say “do you think this is important?” and if [CC5] said “no”, well he has the right to say “no”. I would say that [PCC] is very aware that [CC5] has got the right to say “no”. (CE5)

For others, there appeared to be an ongoing tussle, unhelped by the lack of a clear and definitive set of rules:

It’s a really hard line to draw. We’ve had private debates about whether [PCC4] could and couldn’t dictate certain things. And I’ve said, “No, you can’t. That oversteps the line”, and he says, “I’m not sure it does”, but that’s a healthy debate between the two of us. (CC4)

Sometimes the line is a bit blurred, and it is sometimes difficult because I have sworn this oath that I won’t get involved in operational matters, but sometimes it is very difficult to say what is operational and what is not. (PCC9)

For some PCCs the line that represented the extent of their legitimate involvement fell (as appears to have been intended) towards the strategic end of a kind of metaphorical pendulum. Indeed some claimed to have brought a strong sense of a line-that-should-not-be-crossed with them to the role:

It’s not just a question of expertise, but of proprietessness [sic]. Even if I knew how to deal with a spate of burglaries in [town], there's no way that I'd be saying to [CC3], "I think you should do this and that, and more of this." There is no way. (A) I don't have the knowledge, and (B) that's not by job. (PCC3)

How I explain this to the public and other people is, it's politically up to me, putting up that Police and Crime Plan. I've then given that to [CC6], and said, "Go and deliver that for me," and let him get on with it. (PCC6)

Even amongst those who claimed to be comfortable with a broader strategic role, however, ‘strategy’ could be understood in different ways, as explored below.

*Day-to-day strategising*

In some areas, Chief Constables noted that their PCC was involved beyond the level of broad strategy-setting via their Police and Crime Plan, and would raise issues as and when they presented. Rather than adopt PCC6’s stated approach (above) of handing over a Plan at the start of their tenure for the Chief Constable to implement, they would respond to emerging priorities and operational issues – strategizing on a day-to-day rather than four-yearly basis. They did not, however, stray into the specific territory of deployment:

Has he [PCC4] commented on operational issues? Yes, but not on what we deploy, don’t deploy, how many dogs we’ve got, more on what the public would ask. But it’s a really fine line. (CC4)

He will come to me and say “how are we doing on this priority?” or “that priority” or “what’s your thoughts on PCSOs or police officers” and we have a discussion about that but no he doesn’t walk into my office and say “I want 10 more roads policing officers”. (CC11)

Whilst there was an appreciation that this approach could not be described as entirely strategic, there was clearly an appreciation that commenting on, or asking about, operational issues was something PCCs were prepared to do and that Chief Constables were prepared to accept, up to a point. Deliberate boundary testing was identified as occurring in Area 8, though for both sides it appears this occurred in a fairly gentle fashion:

I’ve been lucky. With our team it’s very straightforward. They don’t come onto my territory and if they do they do it very gently and they know they are doing it and give me the opportunity to push back or not. (CC8)

Seemingly, PCC8 was prepared to attempt to stray into operational territory, or at least to attempt to propose what they felt were operational solutions, even if they were also prepared to be told that that was not acceptable.

The following quotes offer more detail about the two ‘sides’ of the relationship in area 4 and suggest broad agreement – that the PCC is entitled to keep an eye on emerging issues (that would, by definition, not have appeared in the Police and Crime Plan produced at the start of the PCCs tenure) and to ask that they be considered, but not to dictate what specific response is pursued:

I think the operational blue water… it would never occur to me – one because it was wrong - to say ‘x, y, z’s been up to no good again. Go and arrest him’. THAT is interference with operational policing. It is not interference with operational policing to say ‘you know, there’s a spike in burglaries, provide an action plan to [deal with it]’. (PCC4)

I would argue he has never operationally crossed the line. That would be like saying, “to that incident, you ought to send six police officers with guns”. He’s never, ever done that. (CC4)

The ‘blue water’ mentioned by the PCC is, however, a pretty expansive stretch of water if it only excludes the specific tasking and deployment of officers.

In some areas, inevitably, participants suggested a slightly different understanding of the same relationship.

I don’t know of any cases really where Commissioners have said, “I want you to focus in and arrest those people there”. The closest I will come to it is saying “You’ve got a bit of a problem with burglaries,” and she says, “Yes, I know that”. No, it seems to work quite well. (PCC7)

PCC7’s own Chief Constable, however, felt that at times there had been a little too much operational direction in her PCCs input:

There are occasions where [PCC7] will say “I want you to do this” and I have to say “It’s an operational matter, I’m not going to do it because I don’t think it is appropriate.” (CC7)

Of course, the nature of policing means that, what one individual understands as a strategic approach to, say, burglary (a strategy of deterrence achieved via increasing numbers of arrests, strategically targeted at a particular hot-spot) will be understood by another as interference in operational decisions (being instructed to arrest specific individuals suspected of burglaries in a particular area).

Although PCC7 (above) claimed to be unaware of occasions when PCCs had become involved in the policing of specific events, some clearly did feel that they had a role in interpreting ‘strategic’ in a more immediate sense as reactive, responsive setting of more specific objectives in line with emerging incidents. Often these incidents had come to the PCCs specific attention in the course of their ongoing engagement with the public to whom they were accountable.

**The Pressure of Public Accountability**

Given the PCCs accountability to the public, it is unsurprising that, at times, they might be tempted to push - as Raine and Keasey (2012) have suggested - for a particular issue to be considered (in a more immediate, responsive, rather than longer-term strategic sense), or even for a particular policing approach to be utilised where, for example, that is what the public have specifically demanded. As such, involvement in operational decisions may be re-imagined as a legitimate response given a PCCs public accountability. As the following Chief Constables noted, their PCCs were more likely to stray closer to operational territory when they felt that action was required to represent public opinion:

[T]his ‘operational’ versus ‘what he does’, it isn’t that clear cut because he is the voice of the public. He’s never actually crossed the line over an operational policing issue, but we have private debates about where that line is, because actually it’s never been defined and it is actually quite difficult. (CC4)

I would say the pushback that we do sometimes have is about police stations where we’re having to close police station X.…Occasionally someone will get at the PCC and say, “I really want to see someone in your front office.” And occasionally we have to push back against that. (CC2)

The issue of police accessibility and visibility (as raised by PCC and CC2) had, for example, been one that many PCCs had campaigned on during the election and which, therefore, formed the basis of some of their electoral promises. They may thus have felt compelled to bring this issue to the table, regardless of the fact that it perhaps more appropriately fell within the Chief Constable’s ‘operational’ remit. It is also, of course, possible to construe the closure of police stations as both an operational and a strategic decision, and (as the Home Affairs Select Committee have suggested) as a neat example of a situation in which ‘commissioner and chief constable may have a legitimate locus’:

[O]n the one hand, the decision to keep these open is an operational one as part of the allocation of scarce resources. But the Commissioner will also have an interest because of the community effects and because they may have a priority to maintain front-line policing. (Home Affairs Select Committee 2014, p. 23)

PCCs that operated on what might be described as a more ‘involved’ basis often described instances where they had taken a specific, emerging issue of public concern that had been brought to their attention, to the Chief Constable. PCC3 was particularly keen on this approach:

I leave it to the Chief to get the balance right. But quite often, the time I know is when somebody says something to me out there, and then I come back in here, and say, "Hey, Chief, look, I was out at [town] last night, and they said this. Is there any truth in this?" and if the answer is, "Yes," or, "I didn't know that. I'll look into it," then that happens in a formal sense. (PCC3)

I've had it said to me "How come we have the same bloody drug dealer on the same bloody street corner night after night ? What are you doing about it?" So I'll say to [CC3], "They're telling me that there are drug dealers, they know who they are, and they can point them out to you. So what are we doing about that?" And once he's agreed, "I'll do something about it," then I step right back. The ‘what’ is not my business. (PCC3)

‘Once he has agreed’ the Chief Constable can then decide what gets done about the issue, but neither the task, or (seemingly) its prioritisation, are his decision. In this sense, the setting of strategic objectives is more heavily emphasised in terms of the latter ‘objectives’ than it is in favour of the former ‘strategy’. It is clear, for example, that the Chief above is not just required to identify some broad intentions about tackling drug dealing across Area 3, but is being tasked to respond to a specific, emerging, local issue and to do so immediately. This did not mean, however, that the relationship was considered poor by the Chief Constable concerned:

He knows what he’s like. Our relationship is actually very good. He sees himself as the voice of the public. If the public are saying “I’m fed up with the speeding here” he will tell me. I don’t mean to be critical. He will respond to the public’s demands as well as have an overall sort of strategic view. (CC3)

Whilst PCC6 had previously claimed to operate on a ‘hands-off’ basis (above) and maintained that the appropriate approach was to hand over a strategy for a Chief to implement, this intention could clearly be challenged by events that come to their attention and appear to require immediate action:

When I first came into office, one of the first conversations I had with the Chief - where I live…people just dump their cars on the zigzag lines, and the cops just drive past. I said, "[CC6], it's not good enough." He went and started briefing his officers, saying, "Look, you're not going out on a campaign on this, but if you see it, it's your job. Deal with it." (PCC6)

Whilst the instruction to ‘deal with it’ does not verbalise a specific recommendation as to a response, neither can it be seen as directly driven by the strategic priorities of the Police and Crime Plan. It is perhaps significant that PCC6s police equivalent preferred to characterise the split in responsibility along the lines of operations versus *scrutiny and accountability* rather than operations versus *strategy*.

We are very fortunate in that there is a very clear distinction between the operational stuff [which] belongs to the Chief Constable and people like me, the holding to account is the remit of the PCC. We’ve got a clear distinction in [Area 6] around how that works. The sense I get when you look nationally is that perhaps there is some blurring of the operational boundary in some forces. We’ve been very clear in [Area 6] around how that works. I think once you’ve got that understanding with PCCs about the operational versus the scrutiny then it works very well. (ACC6)

If the PCC is thinking in terms of their public accountability, then demanding action in particular areas of public concern does fall within their remit, and makes operational ‘interference’ legitimate. Likewise, wrapping up an operational matter within the language of accountability contained with the PCCs job description is another way of relocating it within the PCC’s legitimate remit:

Now there was a slight debate with the previous Chief (who was great) about “do you know what, is this not a bit operational? You telling us we’ve got to have [specific piece of equipment]?” and I said “well, ok, we can turn it around and I can make it really clear around ethics and transparency…”. It was just a bit of a non-conversation. He was like “fair point”….If we want something to happen, broadly speaking, unless it’s completely ludicrous, it’s going to happen! [PCC4]

This link between public accountability and operations is made even more clearly by PCC3 when he notes:

My concern was to reflect public views, and it's quite simple. I go about a lot…and people say, "Hey, what are you doing about the fact that every bloody day, I see people breaking the law - flouting it?" So I reflect that to the Chief, and say, "Hey, Chief, do you think we're doing all we can to dissuade people. Is a gentle warning enough? Let's get it on the front page of [local paper] that you do this in [Area 3], you're going to pick up three points and £60. No ifs, no buts." (PCC3)

This approach could be described as towards the ‘interference’ (Lister, 2013) end of the spectrum, in that the PCC felt it appropriate to suggest both the target for *and* method of enforcement. This is couched in terms of public accountability, and justified on the grounds that it is what the public is asking for and therefore what the PCC should be asking the Chief to provide. However, the comments of the public, as relayed in the conversation above, evidence some confusion on the part of the public as to what the PCC’s role is in that they ask him what ‘you’ are doing about the issue. By responding by less than subtly raising the problem (and proffering the solution) with the Chief Constable, the PCC does nothing to reinforce the distinction between Chief Constable and PCC in the minds of the public. Presumably, if the public believes the PCC is accountable for action in this area, then he is keen to ensure that they see he is taking that action.

It may, of course, be desirable that PCCs are responsive to emerging issues (not just devising a plan and handing it over at the start of their period of office as in the case of PCC6’s understanding of his approach) in that ‘electocracy’ (Raine 2015 forthcoming) is more likely to be avoided. However, it seems that some tensions could be explained in terms of the PCC’s awareness of their need to maintain public support and, to use the words of CC2, their being ‘got at’ by members of the public. This could either be interpreted in a slightly sinister fashion as reflecting their need for votes, or perhaps more kindly, as indicating their desire to genuinely reflect public priorities for policing to their Chief.

**Do ‘former police officers make the best PCCs’?[[6]](#footnote-6)**

Whilst nearly 60% of the public apparently think that ex-police officers would make the best PCCs, the Home Affairs Select Committee reports concerns that interference in operational issues was more likely from ‘commissioners who had prior experience in policing’ (2014: 23)[[7]](#footnote-7). It is therefore worth noting that several references were made to the prior experience of PCCs who were ex-police officers and the particular skills set that they brought to the role:

I was always, and still am, firmly of the view that no PCC should ever be an ex-copper, because the last bloody thing that a Chief needs is some bloke [sic] that retired (normally, at a significantly lower rank than he or she) over them, but tempted to get into that operational level of delivery. (PCC3)

[I]n some areas they do interfere with operational policing. There’s a colleague not too far away from here who is an ex-police officer and *I know* that that Chief has much more difficulty because ex-police officers think they know how to run a police force. (CC11)

Whilst the two quotes above suggest the dangers of a PCC who has direct experience of the operational policing role, a PCC with just such a background expressed no interest in carrying on his policing career in the guise of the PCC:

On the interfaces between our two roles there’s grey areas. She can influence the strategic side and I can influence the operational side but I have no interest whatsoever in ever investigating a murder, rape, driving a police car. I just don’t want to do that. (PCC7)

Another felt it was a positive background to bring to the role:

So let’s get one thing straight, and this is not – and I’ve got to be careful here – I don’t trust the police all the time. I’m a poacher turned gamekeeper and I know the games they play. (PCC1)

Here, clearly, this was not because of operational policing knowledge, but because of the benefits of apparently knowing how policing is ‘really’ done. Area 1’s Chief Constable, however, was not particularly negative in relation to her PCCs approach and did not see his police background as an issue, at least in terms of roads policing issues:

CC1: So I haven't seen a marked difference in our approach as a result of the PCCs, not here, in [Area 1] anyway. Now, that could be for lots of reasons, not least that [PCC1] and I, in many areas, think very similarly.

Interviewer: Is that an advantage of having an ex-Police PCC, do you think?

CC1: …Potentially, although probably not in this circumstance, particularly, because I think [PCC1] would probably say actually, of all the elements of policing he knows least, it is roads policing.

Therefore, rather being simply the case that all of these individuals ‘found it difficult to let go of the reins of previous roles’ (Home Affairs Select Committee, 2014: 23), it may be that previous experience is more noticeably brought to bear on current situations where it relates to a particular past specialism of an ex-police PCC – a particular ‘role’ in policing rather than the policing ‘role’ per se. Of course it is equally feasible that a background in the military, in business, in HR, in politics, or in the Police Authority could motivate a PCC to become more involved in specific issues, but this was not raised by participants to the degree that an ex-police background was.

What is clear is the fact that the preoccupations, methods, and experience of a single individual can, in the new structure, have significant influence over the policing priorities identified and policing methods pursued in an area. For example, a PCC with a prior interest in roads policing could be expected to particularly aware of roads policing demands amongst their electorate (ACC9), and several Chiefs commented that their PCC had a particular interest in issues affecting the local (in some cases to the point of being parochial) area in which they lived, highlighting incidents that they had personally seen, or raising concerns about specific, named roads they used. Whilst the foregrounding of issues close to the PCCs heart was seen as ‘human nature’ (CC5), it does draw attention to the centralisation of power in one individual – something that inevitably plays out in combination with the types of priorities that the PCC acknowledges from their electorate.

**Conclusions**

The frequent references to the operational/strategic distinction made by participants in this research suggest that Lister was correct to flag this up as ‘an empirical question of constitutional importance’ (2013: 245) in the new era. The references also support Raine’s observation that ‘from the comments and examples proffered it seemed that boundary line had been (gently) “tested” on more than one occasion’ (2015, forthcoming), and the anecdotal evidence from the Police Federation that some PCCs were ‘interfering in operational matters outside their remit’ (Home Affairs Select Committee 2014: 23).

In-keeping with observations about the role of individual personalities in the new structure, it is not possible to generalise significantly about the relationships between PCCs and Chief Constables within this sample, and certainly not beyond. What can be said is that, overall, most pairings seem to have arrived at a situation where the business of policing was being conducted without serious disagreement. Lister has suggested that “the mutually contingent relationship of PCCs and Chief Constables is likely to foster pragmatic if potentially fragile alliances that seek to compromise on substantive disagreements” (2013: 246). While there was certainly evidence of compromise and conflict, this would appear to be an overly negative characterisation of what were, it appears, largely positive and (to use one participant’s words) ‘healthy’ relationships.

For some, the PCC role was about identifying broad areas of strategy which the Chief Constable (utilising their specific expertise) was responsible for achieving. For others, strategizing had clear operational implications and was more responsive to emerging public concerns as they became known to the PCC. Others felt comfortable highlighting both the priorities as they saw them *and* the preferred solutions they would support, though these did appear to be in a minority.

It is the electoral accountability of PCCs that seems to present the most significant potential for conflict, for two reasons. Firstly, PCCs seem to have been most likely to seek to influence operational policing on occasions where specific issues (and preferred solutions) had been identified by their electorate, or related to issues that they had made electoral pledges about. As such, it was the democratic accountability of the PCC that, in many cases, seemed to motivate them to test the line with regards to strategic versus operational responsibility – and which gave them the confidence to do so. Given the evidence presented here, about the importance of a PCC being seen to be responsive to the needs of their electorate, we might expect that the second two years of a PCCs tenure – in the run up to any re-election - might see a rise in attempts by PCCs to promote policing actions that they believe have a particular public resonance.

Elected status is further suggested to be significant in that each four-year cycle of the PCC tenure brings with it the potential for a new individual to take on the role, possibly replacing the Chief Constable when they do. Therefore the familiarisation and compromise, negotiation and re-negotiation that accompanies any new relationship may, unfortunately, become the norm for those involved. Whilst this is an antidote to the ‘cosiness’ that some have noted in relation to Police Authorities (Damian Green, cited in Davies and Chambers 2013), it is not clear that constant flux (or the potential for it) will be the most productive of states in which hugely significant decisions about policing and police resources can be made.

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1. Or in some cases their most appropriate designate. [↑](#footnote-ref-1)
2. Including attempts by PCCs to suspend Chief Constables; reports that others had been pressured into resigning; controversies about how PCCs sought to establish their offices and appoint others. [↑](#footnote-ref-2)
3. In three cases, a nominated deputy was interviewed for either the Chief Constable (DCC or ACC) or Police and Crime Commissioner (DPCC). One Chief Executive (PCCCE) for a PCC also stepped in at the last minute when the PCC was called away. [↑](#footnote-ref-3)
4. 19 interviews were conducted face-to-face. Three were conducted via telephone out of necessity. [↑](#footnote-ref-4)
5. Although an interview had been arranged with the PCC for area 5, on the day, it was the PCC’s Chief Executive that attended the interview. [↑](#footnote-ref-5)
6. A 2012 YouGov/policy exchange poll found that 59% of the public thought an ex-police officer would make the best PCC: poll http://www.policyexchange.org.uk/component/zoo/item/new-poll-on-police-commissioners [↑](#footnote-ref-6)
7. Eight serving PCCs have prior police experience, with a further 12 having served on Police Authorities (Brain 2014, p. 43). [↑](#footnote-ref-7)