ANALYSIS:

Learning the lessons: What previous PCC elections can tell us about this year's contest

PCC Elections

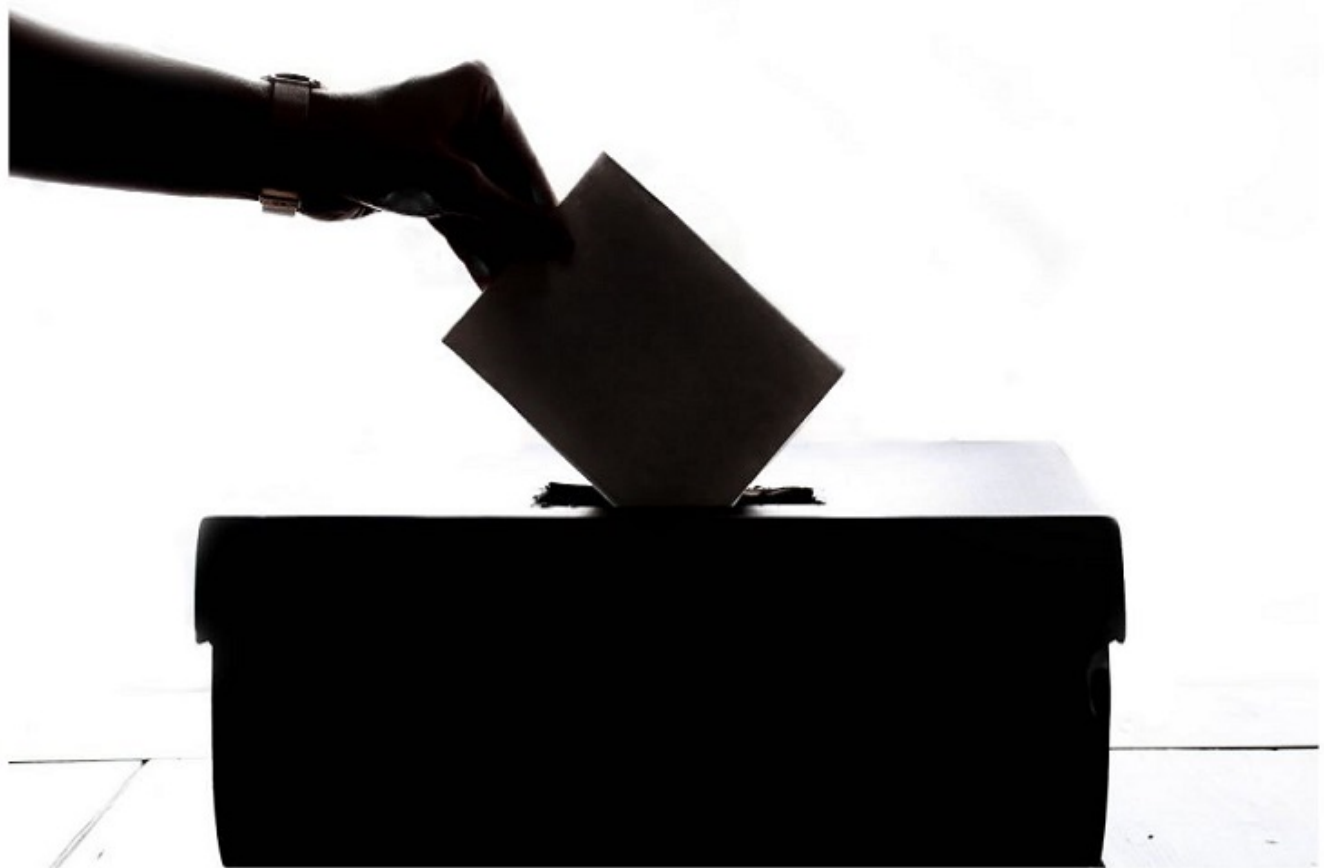OPEN

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This May, in England and Wales, the public will go to the polls to elect their local Police and Crime Commissioner. Professor Peter Joyce and Dr Wendy Laverick examine the lessons to be learnt from the previous two elections in 2012 and 2016 and what prospective candidates are likely to focus on in 2020.

Elections for Police and Crime Commissioners will take place in 40 of the police areas in England and Wales on 7 May 2020. Separate governance arrangements apply to the Metropolitan Police, the City of London Police and the Greater Manchester Police and these areas are thus not involved in these election contests.

This article draws upon previous research associated with the PCC election contests in 2012 and 2016 (conducted by Peter Joyce and Neil Wain, 2013 and Peter Joyce, 2017 and published in the journal *Safer Communities)* and aims to identify a number of issues that are relevant to the 2020 contests. These issues relate to public interest in the role of PCC's, the candidates, the election process and the issues that are likely to be put forward next May.

Public interest in the office

During the 1980s, tussles took place in Greater Manchester and Merseyside that related to the power relationships between chief constables and their police authorities. It might thus have been assumed that providing the public with what the Conservative election manifesto for the 2010 general election referred to as 'democratic control over policing priorities' would have been a popular move which built upon previous initiatives associated with Labour governments, especially David Blunkett's Civil Renewal agenda. Central to this was the objective of empowerment which aimed to enhance 'the ability of individuals and families to have greater control over their lives'.

However, the first elections for the office of PCC suggested public indifference to this new initiative affecting the governance of policing. These contests secured an overall voter turnout of 14.7% across England and Wales which was the lowest figure ever recorded for elections conducted on a national basis. Various reasons were put forward to explain the situation which included the novelty of the office, which relatively few electors understood, and the timing of the elections which constituted one-off elections held in November 2012.

The situation improved somewhat in 2016. The elections were held in May, coinciding with the timing of local elections in England and Wales. On this occasion, 26.6% of the registered electorate in these two countries voted – statistically a triumph in that it almost doubled the turnout compared to 2012. However, this figure meant that over 7 out of 10 registered voters still failed to exercise their right to vote, perhaps suggesting continued public scepticism in the

office.

The one by-election that has taken place for PCC's since 2016* does not suggest that 2020 will see any vast increase in voter participation. In July 2019, the by-election in Northumberland (which took place when the incumbent PCC stood down in order to take up the post of Victims' Commissioner) had a turnout of a mere 15%. One ballot box in Newcastle was reportedly empty when transported to the count.

Thus the omens are not good for a large turnout in May 2020. Three general elections have taken place since May 2015 and the turnout for the most recent in December 2019) was 67.3 (a reduction of 1.5% compared to the previous general election in June 2017). This might suggest that the public is getting bored with elections (and perhaps with conventional political activity in general) – a perception which, if accurate, does not bode well for the level of voter participation in May 2020.

One way through which this situation might be improved is by central government providing funding to publicise the election contests. In 2016, no free mail shot was provided to PCC candidates, even though 98% of candidates who stood in 2012 urged that this course of action should be adopted. A study by the Electoral Reform Society in 2012 indicated that an estimated 13.5 million people failed to vote as they felt they had insufficient information to enable them to take part.

Centrally-funded publicity of this nature may be helpful in increasing public involvement in the election contests as the geographic size of police force areas makes it difficult for candidates to deliver election addresses to individual households or to conduct the more traditional forms of electioneering (such as convening public meetings).

Although, as in 2012, facilities by the Home Office were made available for brief election manifestos to be posted online, there remain many households without access to the internet and many households that do have access are likely to be unaware of the existence of PCC election material.

Candidates – background

Initially, the office of PCC was attractive to persons who had prior service in policing: in 2012, 28 candidates had served as a police officer, eight of whom were elected. Although it could be argued that prior knowledge of professional policing is a desirable attribute for a PCC, it could lead to friction between the PCC and his or her chief constable, as arose in Gwent in 2013 where the PCC (Ian Johnston) had served as a police officer in the County for over 30 years before being elected as PCC. This situation also underpinned suggestions that police and crime panels should be provided with a more influential role in policing and holding the local PCC to account.

In 2016, 30 candidates claimed prior experience as a police officer although only four were elected, perhaps indicating that voters agreed with the sentiments expressed by one candidate who argued that 'the Police and Crime Commissioner role is not about appointing another policeman to oversee the police....The role is about electing a public representative to champion public priorities for policing'.

Independent candidates

An important feature of the 2012 PCC elections was that 11 of the 41 contests that took place in that year were won by independent candidates. In 2016, only three Independents were elected in the 40 contests that took place. The success of Plaid Cymru (which won two of the four PCC contests in Wales) to some extent reduced the dominance of the major parties in 2016, but they nonetheless secured victory in 35 police force areas (Conservative 20 and Labour 15).

Independents may, nonetheless, fare better in 2020. This is so for several reasons: studies of voting behaviour leading up to the December 2019 general election revealed a high level of voter volatility – that is, the reduction in the number of voters who consistently identify with, and vote for, one political party. This does not mean that they will not vote for a party with which they were once closely identified – but this outcome cannot be guaranteed as was the case in previous election contests after 1945 when, as was famously argued by Peter Pulzer in 1967, 'class is the basis of British party politics; all else is embellishment and detail'.

At national level, voter volatility is often to the electoral advantage of minor political parties (who secured 24.2% of the national vote in the December 2019 general election) but in PCC elections may favour independents. The PCC by-election in Northumbria in July 2019 was

retained by the Labour Party, but the victor had to hold off a very stiff challenge mounted by an Independent candidate. The desertion of Labour supporters in Northern England and the Midlands in the December 2019 general election may, if repeated in May 2020, aid the Independent cause in these areas and perhaps beyond.

However, incumbency may mitigate the impact of a looser sense of voter attachment to the main political parties. As is the case with American elections to both Houses of Congress, incumbency has so far been an important feature of PCC election contests.

In 2016, 20 of the 27 incumbent PCC's (74%) who stood for election were able to secure victory. It remains to be seen whether this pattern is repeated in May 2020. However, suggestions that a significant number of incumbent PCC's will not be seeking re-election in 2020 will potentially aid independent candidates.

Diversity

In 1981, Lord Scarman observed that 'the composition of our police forces must reflect the make-up of the society they serve'. By this, he meant that police forces ought to be socially representative and he drew particular attention to the dearth of officers from Black and Minority Ethic (BAME) Communities. He pointed out that only 326 officers across England and Wales (0.3% of the total strength of the service) were from black communities.

A similar comment might be made regarding the desirability of PCCs representing the composition of communities they served. In both 2012 and 2016, they were socially unrepresentative.

- In 2012, 35 of the 41 PCC's (85.4%) who were elected were male and only 6 (14.6%) were female.
- In 2016, 32 of the 40 PCC's (80%) who were elected were male and 8 (20%) were female.

Although this situation constituted an improvement in the gender representativeness of PCC's, it was a very minor one.

The situation regarding the representation of BAME communities displays an almost complete absence of racial diversity. Only one person from a BAME community has been elected in either

set of contests (Hardyal Dhindsa in Derbyshire in 2016).

Legitimacy, constructed on consent, is the cornerstone of policing in England and Wales. The social unrepresentativeness of PCCs is a hindrance to this office being accorded legitimacy by those sections of society who are marginalised in the social composition of this office.

It is, of course, difficult to achieve this objective when only one person is in charge of policing, perhaps making the case for a different governance arrangement in which a committee or panel of persons (termed a 'Police Board' in the 2019 Liberal Democrat election manifesto) superintend local policing – a mechanism which could permit a greater degree of diversity being achieved in influencing how local policing is delivered.

The election process

In police force areas where more than two candidates offer themselves for election (in which case, the first-past-the-post system applies) the supplementary vote system is used to determine the winner. This is not a form of proportional representation, but is instead a variant of the voting system known as the Alternative Vote.

Under this system, voters indicate their first and second choice of candidates (numbering them 1 and 2). If no candidate obtains an overall majority (50 per cent + 1 of the votes cast) in the first round of the election, the top two candidates remain in the contest and the votes of all of those who are eliminated are redistributed (constituting the second round of the election) to the candidate marked as number '2' on the eliminated candidates' ballot papers.

The candidate with most votes obtained from the first preference votes cast for him or her added to the redistributed votes from eliminated candidates wins the election.

It is not, however, a system of voting without its critics, the chief one being that it can lead to a situation in which the candidate who is least disliked by electors wins the contest rather than the one who is most popular.

In the 2012 PCC elections, the supplementary vote system made a difference in five contests, in the sense that the candidate who was ahead on the first round of voting ended up in second place after the votes of the eliminated candidates had been re-distributed. The best known 'casualty' of this process was the former Deputy Prime Minister, John Prescott, who was

standing for election in Humberside.

In the 2016 contests, the supplementary vote system made no difference to the outcome of any contests in that all candidates who were ahead in the first round of voting ended up as victors following the redistribution of the votes of eliminated candidates.

Similarly, in the one PCC by-election held in Northumbria in 2019, the Labour candidate was ahead in the first round of the contest and ended up as victor following the redistribution of votes in the second round. However, her margin of victory was substantially reduced from around 25,000 in the first round to below 6,000 in the second round.

Although this situation might lend itself to suggestions that the system used to elect PCCs might be altered to the first-past-the-post system of voting with which people in England and Wales are traditionally more familiar, it is arguably a fairer voting system.

The supplementary vote ensures that PCC's have secured over 50% of the vote cast in an election contest even when this figure is derived from votes cast for them added to votes secured through redistribution. This outcome should be viewed in the context that in the December 2019 general election, 229 MPs (35.2% of the total) were elected on minority votes (that is, less than 50% of the votes cast for them in their constituencies) and 5 MP's secured below 36% of the vote cast for them locally.

Additionally, it is a system that benefited Independent candidates in 2012, who would have secured the election of six candidates had the first-past-the-post system of voting been used rather than the 11 who were elected. In a period of enhanced electoral volatility that has been referred to above, Independents may benefit in 2020 from the redistribution aspects of the supplementary vote system.

Key issues

An important task of a Police and Crime Commissioner is to draw up a police and crime plan for their police force area which can then be used as a mechanism to hold chief officers accountable for their success (or otherwise) in delivering it.

Studies of the election manifestos of candidates for the office in 2012 and 2016 indicated that the intentions of those standing for election fell into three broad categories which would inform

both the intentions and content of their police and crime plan.

First was their statements regarding their perception of the role of PCCs. This issue did not figure significantly in the 2012 contests but was a key matter raised in 2016 when 106 candidates stated that their view that the purpose of the office was to articulate local concerns regarding policing issues, which would then be incorporated into the police and crime plan. Many candidates provided details as to how they would achieve this purpose, for example, by mechanisms such as surgeries and public meetings.

Peter Joyce further observed in 2016 that some candidates referred to the potential of the office to act as a lobby for reform. There are two aspects to this role which derives from the authority of the office rather than the formal powers with which it is associated.

PCCs are in a powerful position to float ideas relating to the reform of policing and criminal justice policy in general. In the 2016 PCC elections, the main issue raised (by 19 candidates) was to challenge the government's funding of policing while 7 candidates referred to the need to challenge drug laws, especially in connection with cannabis. The lobbying role is an important one and one that is likely to be developed in future years – the PCC for North Wales having gone on record that it was a 'national scandal' that people were 'dying needlessly' because governments had not recognised the need to initiate a new approach to drug policy.

Further, PCCs can use their office to spearhead initiatives – typically entailing the use of partnership work – to deal with local crime and disorder issues. This was referred to in [Nina Champion's recent article in](#) *Policing Insight* which spoke of the appreciation of some PCCs to support initiatives that went beyond the traditional policing remit and to use their convening power to tackle a broad range of issues, using a 'whole systems' approach. Again, this is a role that is capable of future development under the broad PCC remit of community safety.

A second intention of candidates standing for election as PCCs were their views as to the overall role of policing in their localities. Here, the desire to promote feelings of safety and security within communities (referred to by 61 of the 192 candidates in 2016) and to superintend a police force that commanded the trust and confidence of local communities (referred to by 22 of the 188 candidates in 2016) were viewed to be of particular importance in the 2016 contests.

The final aspect of the arguments put forward by PCC candidates to justify them standing for office was to advocate specific policies that candidates wished to prioritise in the police and crime plan. Inevitably, what NIM categorises as Level 1 criminality dominated the minds of candidates and in both sets of elections there was a considerable degree of similarity in the crime and disorder issues that were highlighted.

In both 2012 and 2016, the intention to ensure that the concerns of victims were placed at the heart of policing was the most-mentioned issue – referred to by 113 candidates in 2012 and 101 in 2016. Tackling anti-social behaviour (referred to by 99 candidates in 2012 and 59 in 2016) and tackling domestic violence (mentioned by 28 candidates in 2012 and 59 candidates in 2016) were also prominent issues raised in both contests. Combating drug-related crime was mentioned by 44 candidates in 2012 and by 43 candidates in 2016 while tackling rural crime was an issue mentioned by 12 candidates in 2012 and 48 candidates in 2016.

Many of these specific policies figure in the briefing for PCC candidates which was prepared by the Criminal Justice Alliance and Centre for Criminal Justice Intervention, which was discussed recently in *Policing Insight* by Nina Champion. This briefing also referred to tackling violent crime (which in 2012 was referred to by 12 candidates) but which in 2016 tended to be broken down by candidates into more discrete areas of activity (such as tackling sexual violence, domestic violence and terrorism and extremism). This briefing also referred to breaking the cycle of re-offending, which was referred to by 36 candidates in 2016.

There are, additionally, several Issues that are likely to receive prominence in the 2020 elections that have not been referred to above. These include tackling hate crime which was referred to by 16 candidates in both 2012 and 2016. The enhanced importance of this issue post Brexit make it likely that this issue will receive greater prominence in candidates' election addresses in 2020.

Additionally, tackling cyber crime was referred to by only two candidates in 2012 but in 2016 was raised more frequently with 52 candidates putting this forward as an objective. Given the overall scale of cyber crime (as revealed in police recorded crime statistics which initially recorded the scale of the problem in 2015) and the fact that many of its victims experience relatively small financial losses (often derived from online shopping accounts being hacked into) which they may not even report to the police, it is likely that proposing the need for a more effective remedy to the problem will enter into the policies put forward by PCC candidates

in 2020. It is also an issue that requires the development of partnership approaches in order to combat the problem.

The 2020 elections and financial austerity

The 2012 and 2016 PCC elections took place in an era of financial austerity when the resources provided by central government diminished – a context within which the police service lost 20,600 officers between March 2010 and March 2019.

In 2016, 78 candidates acknowledged the impact of spending cuts on the police service and a further 19 stated their intention to challenge them in order to get a fairer level of funding for their police force area. In 2016, especially, a number of candidates argued that the ability (and in some cases, their personal experience) to cope with austerity added to their credentials to fulfil the role.

In September 2019, the Chancellor of the Exchequer, Sajid Javid officially announced the end of austerity. The Prime Minister delivered a personal pledge to increase the number of police officers by 20,000 over three years. In theory, this may shift the focus of PCCs' attention away from managing the consequences of austerity.

Although some aspects of the initiatives that were undertaken to deal with austerity (which includes investing in technology, wishing to cut waste and reduce bureaucracy and endorsing partnership work) will continue, other aspects of the responses that were put forward – in particular privatisation in the form of outsourcing services – may be pursued less vigorously. In 2012, 48 candidates expressed their opposition to the privatisation of police functions and only 2 endorsed this approach. In 2016, although only 14 candidates opposed the privatisation of police functions, it remains a highly controversial approach in professional police circles.

This situation may also lead to a reduced level of commitment by PCCs to collaboration (in particular when conducted within the framework of strategic alliances) especially if such arrangements lead to a questioning of force structures and implicitly endorse proposals for amalgamations, as was the case affecting Devon and Cornwall and Dorset police in recent times.

The additional resources that the government has promised to policing may be used in a number of areas of activity. A key priority in most police force areas will be to address the decline of neighbourhood policing, which in many places has become overly reactive. The desire to maintain or enhance police visibility was referred to by 102 candidates in 2012 and by 72 in 2016 and is thus likely to remain an important aspect of PCC intentions in 2020.

Furthering the diversity agenda is also a key issue that needs to be addressed, important aspects of which have withered on the vine during the years of austerity. Evidence of this is that in 2019 there has been a reduction of female officers in senior ranks despite women comprising 30% of the total police service strength.

However, perceptions that police budgets will be brimming with additional cash in future years must be treated with caution. Welcome though increased resources for policing will be in police circles, the intention to more or less restore the number of police officers to the police strength in 2010 should be viewed in the context of the increased demands made upon policing, especially in the form of new and emerging forms of criminality which includes tackling terrorism and extremism, combating human trafficking and people smuggling and ensuring an adequate response to the wide range of abuses subsumed under the title of 'violence against women and girls'. These issues will need to be tackled by police forces relying on resources that were deemed appropriate to responding to crime and disorder problems in the form in which they existed a decade ago.

Additionally, the impact of the UK leaving the EU (especially if this entails a 'no deal' departure) is unknown. Police work conducted in cooperation with our present EU partners may have to be tackled unilaterally (with obvious consequences for spending) and economic difficulties – if experienced – may undermine current public expenditure pledges made by the government.

The 'blue light' services

A further issue that PCCs may grapple with concerns the integration of blue light services, most notably fire and rescue services. In the 2016 PCC elections, candidates who raised this issue were divided on its desirability – eight favoured collaboration of this nature while six expressed their opposition to fire and rescue coming under the remit of the PCC.

Under the provisions of the 2017 Police and Crime Act, police, ambulance and fire and rescue services were provided with a statutory obligation to collaborate and fire and rescue services

were allowed to be transferred from a local authority to the PCC where a local case was made.

Although there have been important initiatives relating to enhanced collaboration between police and fire and rescue services, relatively limited progress has been made regarding the latter being taken over by PCCs. But this may enter onto future PCCs' agendas as a way through which to deliver important aspects of the community safety agenda.

Local issues

Peter Joyce noted that in the 2016 PCC elections, the manifestos of some candidates that were posted on the Home Office web site emphasised local concerns – four of the six candidates in Kent were critical of what was termed 'Operation Stack' (which entailed parking large numbers of lorries on the M20 motorway when cross-Channel services through the Channel Tunnel or Port of Dover were disrupted) and in South Yorkshire a concern (raised by two candidates) was re-building trust in the police in the wake of the continued concerns regarding the police operation at Orgreave in June 1984, the Rotherham sexual exploitation scandal and the Hillsborough inquests.

The issue of rebuilding trust was also raised by one candidate in Cleveland who promised to clean up the force's 'tarnished reputation' while, in Lincolnshire, one candidate criticised the cost inflicted on the ratepayers arising from the 'unnecessary' suspension of the chief constable.

Candidates also expressed opposition to enforced police force mergers where these seemed to then be a possibility (affecting Somerset and Devon and Cornwall and Lancashire and Merseyside or Greater Manchester) and opposition was also voiced in Nottingham to the internal mergers of police divisions covering the City and County of Nottingham.

Local issues of the type referred to above may well be raised in 2020 – one issue perhaps being the cost arising from the PCC's decision to suspend the chief constable of Cheshire who two years later, following an enquiry that cost an estimated £450,000, was totally exonerated of any wrongdoing.

The raising of local issues may be to the aid of Independent candidates. One factor affecting candidates nominated by mainstream political parties is that they fight their campaigns on a

platform prepared by their party, which is applicable across England and Wales. Independent candidates, especially, are able to forcibly project purely local concerns regarding policing into their campaigns which may rebound to their electoral advantage.

Relations with central government

In a recent article in *Policing Insight*, Peter Joyce and Wendy Laverick (2019) commented on the penal populist aspects of the Conservative Party's election manifesto for the December general election in which a tough response to crime and disorder was advocated. Following the victory of this Party in that contest, this atmosphere will provide the context within which policing is delivered in the immediate future. And it is one that has some support within professional police circles.

The delivery of a penal populist agenda requires that all elements of the criminal justice process in England and Wales pull in the same direction. Peter Joyce and Wendy Laverick commented that the 2019 Conservative Party manifesto implied a relationship with policing that existed in the 1980s and 1990s when the government was able communicate directly with the police service either informally (as was evidenced in the tactics used to police the 1984/5 miners' dispute) or formally (through the use of Ministerial priorities when the 1994 Police and Magistrates Courts Act was enacted). Direct communication of this nature enabled Conservative governments to move policing into the areas that the Home Office viewed to be of cardinal importance. But the existence of Police and Crime Commissioners whose mandate is derived from local electors may complicate the government's stated intentions regarding crime, law and order.

Therefore, the adoption of a penal populist framework presents the potential for clashes between central government and some PCC's, for example, in areas of police activity that include the government's stated desire to expand the use of stop and search powers.

Although this is an operational issue (and thus outside of a PCC's formal powers), it is an area in which PCC candidates in previous contests have sometimes put forward a view and in which elected PCCs' have expressed an interest. The continued evidence of disproportionality in the usage of such powers threatens to undermine public confidence in local policing, which PCCs may feel the need to challenge even when this follows the lead of Home Office law and order policies.

Conclusion

The Home Office's initial assessment of PCCs hailed the initiative as 'the most significant democratic reform of policing ever'. If the turnout in the 2020 elections remains as low as in previous contests, it may suggest the need to re-think this development. One issue affecting public interest in the office is the extent to which the public feel themselves to be adequately involved in determining police priorities for their locality.

Despite the introduction of PCCs, a range of central bodies play a significant role in shaping the character and delivery of local policing across England and Wales. This situation was most clearly articulated in the National Police Chiefs' Council's Policing *Vision 2025* whose objective was 'to make transformative change across the whole of policing'. The centralising philosophy underpinning this document was indicated by the statement that: *"The Policing Vision 2025* can only be delivered by the whole of policing working together collaboratively in the public interest. PCC's and chief constables, national bodies like the College of Policing, National Crime Agency and staff associations, our officers, staff and volunteers at every level and our many partners across the public sector have a vital role to play in delivering these reforms. The Police Reform and Transformation Board, with membership from across policing, will oversee and support the changes."

Additionally, the Association of Police and Crime Commissioners exerts considerable influence upon local policing, for example, through its role in securing more effective and harmonised working practices. Other factors also constrain local democratic priority setting. These include the reliance on various streams of funding from central government, the need to deliver on central priorities and the requirement to adopt priorities laid down in the Strategic Police Requirement.

Developments such as these led Trevor Jones and Stuart Lister to conclude that 'over the last three decades the central state has configured a sizeable institutional architecture, designed to steer the role and functions of "police forces"'. It may not thus be surprising that public interest in PCC elections remains low in 2020 which may be a catalyst to reversing these centralising trends, perhaps by the introduction of alternative (or additional) governance mechanisms that involves decentralisation to provide neighbourhoods with greater control over policing.

Footnotes

*A further resignation of a PCC elected in 2016 took place in Cambridgeshire and Peterborough in relation to an investigation being conducted into his use of social media. As the resignation occurred in November 2019, within 6 months of the 2020 contests, the Police and Crime Panel was able to make an interim appointment. This led to the deputy PCC assuming the role until May 2020.

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This article can be found here:

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