

4 Enhancing Patrol

- 4.1 The definition of the fundamental purpose of the police in ACPO's corporate mission statement quoted in paragraph 1.4 includes upholding the law, preventing crime, pursuing and bringing to justice those who break the law, keeping the peace, and protecting and reassuring the community. It is worth stressing here that information provided by the public is usually the crucial factor determining whether crimes are cleared up. Such information mostly comes either from victims or others at the scene. Consequently, the effectiveness of the police is fundamentally dependent upon establishing and maintaining high levels of public confidence and trust.
- 4.2 In principle, it might appear that more visible police patrolling would have a useful impact on crime. A number of experiments have in fact been undertaken – mainly in North America – to test the impact of differing levels of patrol coverage. An early British study found that provided that patrol was maintained at some level, the precise level at which it was provided seemed not to impact greatly on recorded crime rates.³⁶ The largest and best known of all the experiments was the Kansas City Preventive Patrol Experiment³⁷ which considered the effects of varying levels of mobile patrol in one part of Kansas City. What it showed was that simply increasing the level of vehicle patrol, even as much as two or three fold, had no discernible impact on crime levels, whether they were measured using police statistics or via victim surveys. Similarly, studies in Newark, New Jersey³⁸ and Flint, Michigan³⁹ also found that merely introducing or withdrawing patrols in particular areas did not appear to have a significant impact on crime rates.
- 4.3 The crime control limitations of patrol are further illustrated by studies of the impact of the speed with which calls for service are responded to by mobile patrols. This research suggests that increasing the speed with which patrols respond to calls from the public is unlikely to achieve a great deal because the vast majority of offenses are not discovered until some time has passed. Even a short delay in notifying the police means that an immediate response is unlikely to result in an arrest at or near the scene, and is unlikely to increase witness availability or help in assisting an injured citizen.⁴⁰ A managed response rather than blanket response to calls from the public is now the norm and the practice is based on the knowledge that those making non-emergency calls are more concerned with receiving an accurate indication of when a response can be expected than with how quickly it will actually arrive.
- 4.4 There is other evidence, however, that supports a more positive view of the potential of visible patrol. For example, some evidence that targeted patrol activity directed towards 'crime hotspots' may produce positive results in crime control terms. There is research, once again American, which suggests that intensive patrolling may reduce crime in settings as varied as shopping malls, housing estates, car parks and railway stations at least as long as the intensive patrol activity continues.⁴¹ As with much

work on the prevention of crime, what is less clear is the extent to which these measured reductions in crime simply mean that the offenses are now taking place outside the area where the experiment is taking place, ie the crime has been displaced rather than prevented. Though it is difficult to measure such an effect, the best conclusion seems to be that 'it is unlikely that intensive patrolling ever results in 100 per cent displacement. The challenge is to find the best trade-off between the duration (and thus cost) of intensive patrol, the geographical coverage of patrol and the extent of displacement'.⁴² That said, data-led, targeted patrolling appears to be one way in which much modern policing is going. Stimulated at least in part by the pressures for greater efficiency emanating from the Audit Commission, forces have attempted to identify best practices such as improving integration and definition of responsibilities between uniformed branch and CID, the setting up of crime desks and crime management units, and the targeting of repeat offenders. This approach – collectively referred to as 'crime management' in some quarters – is still in its infancy, though operations such as 'Bumblebee' appear to offer promise.⁴³

Public views of patrol

- 4.5 What do the public think about police patrol activities? In opinion surveys questions about public views of the priority that should be attached to police activities seem to produce a fairly consistent response. As Skogan put it when summarising the available material: 'the high affection the public has for foot patrol can be found in all the national and local surveys'. On occasion, foot patrol is even ranked above responding quickly to 999 calls in importance, and it is frequently ranked above investigating crime and arresting offenders.
- 4.6 Given what we have said about the crime control limitations of patrol as an activity, a problem clearly arises. The public appear to assume that increased foot patrols are likely to have a significant impact on crime, but the indications are that in practice the impact is likely to be less significant than hoped for. It is understandable that senior police officers, faced with increasing demands and limited resources, are forced to consider to what extent this form of activity can be continued at existing levels. On occasion, in various parts of the country, it appears that the consequence has been a decline in the number of foot patrols and hence in their visibility. Nevertheless, it remains the case that the public in general tend to view foot patrol as a, if not *the*, central policing priority. How public demand is to be met given the resource issues already alluded to is one of the key questions now faced by the police service.
- 4.7 The financial constraints that currently bear on police forces together with increasing demands on the police that come from other sources are likely to mean, in our opinion, that the ability of the police to meet public expectations for a visible patrol presence will continue to be tightly constrained and may in the long term diminish. This will almost certainly occur if, as seems likely, public demands for greater policing continue to rise. Careful thought therefore needs to be given to how, if at all, this unmet demand is to be satisfied. It is important to note here that it might reasonably be argued that public demand for visible patrol is so great that

it is unlikely that it could be satisfied under any circumstances and, moreover, that if it were met the negative impact of so obtrusive a police presence might outweigh any obvious benefits. There are clear dangers in an uncritical acceptance of public demands. That said, there is evidence that the police find it increasingly difficult to provide a level of visible patrol which inspires public confidence and that, as a result, some communities have been turning to other forms of provision.

- 4.8 Although criminologists are currently casting some doubt on the idea of fear of crime being 'a problem in its own right',⁴⁴ we believe that there are good reasons to keep fear-reduction and maintaining public confidence as key objectives of police patrol. First, the 'Broken Windows' thesis proposed by the American criminologists Wilson and Kelling⁴⁵ suggests that certain forms of often low-level public disorderliness may set off a spiral of neighbourhood decline which results first of all in rising fear of crime, subsequently in diminished local informal social control as the law-abiding 'migrate' or merely hide and, eventually, in increased levels of serious crime. Again, there is the point that the police are heavily dependent upon the public for information about crime. Police strategies, therefore, which increase confidence and trust in the police are likely to be important as part of a broader strategy to tackle local crime problems. Thus, **although in strict crime control terms it is clear that there are considerable limitations on the effectiveness of patrol, its popularity, its potential impact on insecurity and the likelihood that it may help sustain public confidence in the police all suggest that a visible uniformed presence must continue to play a significant part in modern policing.**
- 4.9 How is public demand for increased visible patrol to be satisfied given that there will need to be continued limits on public spending? One way forward is to explore ways of providing the basic patrol service in a more cost-effective manner – ones which free up resources for other policing activities, without undermining the positive relationships which exist between police and public.

Alternatives to current patrol arrangements

- 4.10 When thinking about current and possible future policing arrangements, it is important to recognise how large and complex the modern system of policing is. A brief overview of some of the organisations currently involved in providing a 'police patrol' function, gives a more balanced picture of the modern division of policing labour. The examples below vary by the type of organisation employing the patrol officer (they may be constabularies, municipalities or private companies) and in terms of the nature of the work undertaken, the powers available to them, and the ways in which they interpret and use their powers. Most of the examples are drawn from the UK, though recent experience in Holland is drawn upon to illustrate two possibilities that so far have not been explored in the UK.
- i) *Sedgefield Community Force*
- 4.11 For many years local councils have employed in-house security operations to protect council property and employees. The Sedgefield Community

Force, which is a local authority police force, became operational in January 1994. The force provides a 24-hour patrolling service within the geographical confines of the District – an area of 85 sq miles and a population of 90,000 people. The patrol officers wear uniforms similar to those worn by police officers. They travel mainly in cars, though they are encouraged to leave them to patrol on foot. They received 1,284 calls from the public in the first year. Although they provide a visible patrol, they were set up as a non-confrontational force and have a policy of ‘observe and report’, with a presumption that they will not use their citizen’s powers of arrest.

ii) *Wandsworth Parks Constabulary*

4.12 Under the Public Health (Amendment) Act 1907, all local authorities in England and Wales can swear in park employees as special constables, though there are few examples of any doing so. Legislation, bearing upon London only, has however been used by several boroughs in the capital to set up Parks Constabularies. Under the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967, Wandsworth established its Parks Constabulary in 1985. There are 30 full-time uniformed officers and 25 part-timers in the Parks Constabulary. They patrol the parks and open spaces in Wandsworth – about 850 acres in all – and aim to act primarily as a deterrent rather than an enforcement body. The problems that they deal with include: dog control; truancy; problems with cyclists; and general criminal activity (gross indecency, drugs, drunkenness, low-level violence, traffic violations). Just over 100 arrests were made by Parks Constables in 1994. In addition, they also monitor the CCTV cameras that are positioned in the Parks, act as keyholder in relation to a large number of local authority buildings, provide a cash-in-transit service for some local authority functions, and escort some local authority employees. Similar though generally less wide-ranging Parks Police also operate in Kensington and Chelsea, and in Greenwich.

iii) *Private security patrols*

4.13 A great deal of publicity has been given in recent times to the apparently increasing number of examples of private security firms being hired to patrol the streets of a number of communities in England and Wales. There are no solid data on how many such patrols exist, and where they exist not much information about how long they have been in operation, or on what basis. In mid-1994 *The Times* estimated that there were over twenty private security patrols in operation. Two experiments with private security have been undertaken by local borough councils in London. One of these, Southwark, started in February 1994, with six men from Chubb Security employed to provide a visible presence on the streets of a local estate, to deter potential troublemakers, to reassure local residents, and to pass on information to the local Neighbourhood Office. The patrol operates seven days a week, for ten hours a day.

iv) *The Special Constabulary*

4.14 Established in 1831, and consolidated by the Police Act 1964, the Special Constabulary is a volunteer police force. Drawn from the local community, special constables undertake a variety of policing tasks, though routine

patrol is the most common. Such constables carry the full powers of a regular police constables whilst on duty, but are not able to exercise police powers when out of uniform. The strength of the Special Constabulary has varied over time and currently stands something slightly in excess of 20,000 across England and Wales. A number of attempts have been made to increase the number of special constables since clearly this is a potentially cheap and flexible way of adding to police patrol capabilities. Moreover, the Special Constabulary provides another route through which the numbers of women and ethnic minority recruits can be increased, as well as an opportunity for people generally to participate in crime prevention. Historically, however, it has proved fairly difficult not only to increase substantially the number of recruits, and also to reduce the high turnover of staff within the Special Constabulary.

v) *The Stadswacht in the Netherlands*

4.15 Stadswacht translates as 'city warden'. These city wardens – around 650 in all – patrol approximately 26 Dutch cities. They carry radios, but have no special powers over and above those enjoyed by Dutch citizens. Their most basic function is to provide a visible daytime patrol. The wardens are considered to be 'ambassadors of the city', are available to respond to public inquiries and, where possible, assist in preventing crime, controlling nuisance behaviour and providing public reassurance. They enjoy a reasonably close relationship with the police; some of the warden schemes are directly managed by the police, others are managed by a police officer on secondment. One of the major social functions of the Stadswacht is to provide employment for those who might otherwise be out of work. There are two basic models for this. In the first, wardens are appointed for one year, during which they attend a training course linked to the job. Many of the wardens trained in this way go on to find jobs in the private security industry. In the second model, the warden is employed permanently, though the levels of pay are such that turnover remains high. Wardens are expected to apply diplomatic skills in endeavouring to ensure that individuals cease to do what they are discovered doing. Their relationship with the police is as a series of extra 'eyes and ears' on the streets, not as a law enforcement auxiliary.⁴⁶

vi) *The Politie-surveillant in the Netherlands*

4.16 In the Netherlands, as in the UK, uniformed police foot patrol has been less and less common in recent years as other demands have risen. Patrol, where it occurs, tends to take place in vehicles. However, and once again in parallel with the situation in the UK, public demand for visible street presence remains undiminished. In order to respond to this, some Dutch forces have appointed officers with the title 'politie-surveillant', or 'police patroller'. This is a new rank of police officer, below that of the ordinary constable, but significantly higher than that of the stadswacht. There are fewer schemes employing politie-surveillant than there are stadswacht, but several of the largest Dutch cities do employ such officers.

4.17 The patrollers – for this is their primary task – are trained full-time for three months, and after a specific period of satisfactory service, patrollers become eligible to undertake further training in order to become full constables. They wear a full police uniform, the only difference being that

theirs has a special distinguishing shoulder badge. They carry a police radio, handcuffs and a truncheon, but are not allowed to carry a firearm. They are an official rank in the Dutch police, and have the same powers as a full constable, though in many cases such officers are managed and supervised in such a way as to minimise the likelihood that they will be called upon to use such powers.

Conclusion

- 4.18 All of these examples suggest various ways in which current police patrol provision might conceivably be augmented. In our final chapter we emphasise the advantages that will come as police forces develop as learning organisations. With such developments will come a greater readiness to welcome new solutions and adopt new approaches which offer realistic hope of improving the safety of communities and the effectiveness of policing. We consider here what opportunities the examples which we describe above may have to offer. They fall broadly into four categories.
- 4.19 **First, there is the possibility of augmenting the reach of police patrols by forms of ‘eyes and ears’ patrol provided by local authorities, as in the case of Sedgefield. We believe that local authorities should continue to be free to take advantage of this kind of possibility.** The scheme in Sedgefield appears to be well received locally and to be proving of benefit. Further experiments along the same lines would provide a better basis for forming general conclusions about their long-term potential and the extent to which they should be actively encouraged.
- 4.20 Secondly, there is the possibility of local patrols provided by private security firms. The powers available to the patrollers would be those of the ordinary citizen, and their activities would be confined in the main to providing ‘eyes and ears’. If private security firms are to be used in this way, the case for regulation as developed in our next chapter will be stronger and we would expect some form of co-ordination with the police to be established to ensure that the patrols in question fit in with local police activities and local priorities. We presume that funding of these patrols will normally be provided by local authorities; there are obvious difficulties about *ad hoc* groups of residents or local organisations clubbing together to buy this service. **We consider that, if local authorities wish to experiment with the use of private patrols, they should be free to do so.** As with patrols provided directly, experimentation on a wider scale would provide a better basis for reaching general conclusions about their long-term potential and the extent to which they should be actively encouraged.
- 4.21 A third possibility would be to establish municipal patrol forces with powers of arrest greater than those of citizens. A proposal to this effect was made in 1994 by Wandsworth Borough Council, which sought to allow its Parks Constabulary to operate in local housing estates. **We do not believe that there is sufficient evidence at present to warrant the establishment of patrols in public places generally with powers that go beyond those of the private citizen if they are not under the direct control of the Chief Constable.**

- 4.22 Finally, there is the possibility of a greater degree of experimentation within police forces themselves. The two Dutch examples quoted above are relevant here. **We would wish to emphasise at once that we would not favour any development which could justifiably be stigmatised as introducing a 'two-tier' element into the police service because some police officers would be expected to operate with powers inferior to those available to the police generally.**
- 4.23 What is readily apparent is that flexibility in the deployment of police officers is a great aid to providing effective patrol because it enables officers to be available when and where the need for them is likely to arise. Flexibility is already made possible in various ways. Shift systems are operated so as to enable cover to be provided round the clock. Overtime can be used when necessary – but can be very expensive and is open to abuse if it is overused. Officers – as already commonly happens with women police officers with young children – may be employed on a part-time basis. 'Specials' – unpaid volunteers who are trained and sworn in as police constables – are widely used on patrol work, especially for example to help to police special events and rural localities.
- 4.24 **We consider that wider experimentation with ways of enabling more public patrolling to be provided by police forces would be valuable and we recommend that the Home Office, police authorities and Chief Constables should be alert to the need to initiate and to encourage such experimentation.** Among the possibilities to be considered is whether the existing designation of ranks of police officer and the terms on which they are employed might be opened up to a degree of variation going beyond what is currently practised or permitted. We do not assert that the particular examples of innovation adopted in the Netherlands could simply be transplanted here. They do however suggest that it would be unwise to close minds against the possibility of introducing fresh thinking into areas such as this where it is easy to regard the familiar as being unchangeable.

5 Involving the Private Security Industry

- 5.1 An increasingly significant contribution to everyday policing is now being made by the private security industry, and efficient use of the private sector provides an important way in which routine policing can be further enhanced. In our view, however, this will be possible only if a degree of public regulation of the private sector is introduced, as we now argue.
- 5.2 As the industry has grown and, perhaps more importantly, as it has increasingly undertaken work more traditionally associated with the police, so greater attention has been paid to the conduct of private security personnel. Concern has been expressed in a number of quarters⁴⁷ about the backgrounds of some of those employed in the private security sector, the extent to which it is possible for those with criminal records to gain employment in the industry, and about some of the functions now carried out by the private security sector. Indeed, there has been a growing feeling both within and outside the industry in recent years that some type of formal regulation of part or all of the industry ought to be considered.

Current arrangements for regulating private security

- 5.3 No licensing system (or other formal system of government regulation) currently exists for the private security system in the UK as a whole. This contrasts with most other European countries. Britain stands virtually alone in having no admission requirements to performing the types of activities associated with private security and, together with Germany, is alone in not setting performance requirements. Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Netherlands, Norway, Portugal, Spain, Sweden and Switzerland all have some form of legislative control of their private security industries.⁴⁸
- 5.4 The system of control in Britain remains one of self-regulation by the various trade associations covering the industry. The largest of these is the *British Security Industry Association* (BSIA). Its membership is small in terms of total numbers of firms (124 firms covering about 70,000 employees by the end of the 1980s according to Johnston (1992)), though it can claim to include among its members some of the largest and most influential of companies. Since the 1970s, the BSIA has worked to develop standards and other criteria to regulate the conduct of member companies. They introduced Codes of Practice which cover various activities of member firms. The BSIA has introduced a number of initiatives in the field of self-regulation. For example, its attempts to regulate the intruder alarm sector lead eventually to the establishment of a *National Supervisory Council for Intruder Alarms* (NSCIA).
- 5.5 The *Manned Services Inspectorate* (MSI) was formed by the BSIA in 1982 as a quality control body for the manned (sic) sector. In 1992, the MSI was merged into a new 'independent' inspectorate, set up jointly by the BSIA and the *International Professional Security Association* (IPSA). This

new *Inspectorate for the Security Industry* (ISI) included representatives of the industry, insurers, customers, the police and government departments. The ISI inspects guarding and cash-in-transit companies against British Standard BS 7499 and industry codes of practice. This joint venture led to speculation that the two main associations in the private security industry were considering a merger but this diminished when IPSA withdrew from the ISI.

- 5.6 IPSA represents both organisations and individuals concerned with security, membership being open to all employers of, or employees engaged in, private security work on a full-time basis. In March 1990, IPSA established the British Security Register, which was intended to record CV-type information on a database for individuals working within the security industry. There are a number of other specialist representative organisations working in the field. The main body representing the lockmaking industry is the *Master Locksmiths Association* (MLA). The alarm industry is covered by two main bodies, the *National Approval Council for Security Systems* (NACOSS) and the smaller *Security Systems and Alarms Inspections Board* (SSAIB).
- 5.7 The private investigation industry has two main representative bodies. The main industry body is the *Association of British Investigators* (ABI), and the other trade association is the *Institute of Professional Investigators* (IPI). The ABI has openly criticised the standards of conduct of some parts of the private investigation industry, and contrasts this with its code of ethics and the use of its membership list by the Law Society; the IPI requires members to hold either a vocational qualification at management level or an academic qualification of 'appropriate standing', and is strongly in favour of formal regulation of the industry.
- 5.8 **Clearly there need to be important reasons of public interest to introduce statutory regulation into a sector of activity which has hitherto been free of it. Here, as throughout employment, the labour market should be allowed to function with the minimum of regulation compatible with the public interest.** The reasons in this case can be grouped under three broad headings – standards of conduct; reliability of staff; and standards of product and service. The degree to which any of these are relevant varies depending upon which section of the industry is being considered.
- 5.9 The police staff associations have contended over the years that it is too easy for people with inappropriate criminal histories to gain employment in the security industry. In 1988, a report by the Association of Chief Police Officers⁴⁹ attracted considerable attention, as it claimed to highlight a number of deficiencies within the private security industry, the largest among which was 'employer/employee having a criminal record'. More recently, evidence was provided by ACPO to the Home Affairs Committee of the House of Commons (HAC) once again alleging the relatively widespread presence of employees in the industry with criminal records.
- 5.10 There are currently two major blocks on the effective vetting of security staff. First, companies cannot submit names for checking on the Police

National Computer, ie they do not have access to the criminal histories of applicants without the applicant's permission. Secondly, the provisions of the Rehabilitation of Offenders Act 1974 restrict the checks that companies can make on employees. The Act allows for convictions for offenses which have resulted in sentences of up to two and a half years in prison to be 'ignored' if the offender stays out of trouble for a specified time after the first conviction. Some of the private security trade associations have argued that, although it is important to protect the rights of ex-prisoners in respect of most avenues of potential employment, an exemption should be introduced for jobs in the private security industry because of the specific circumstances associated with such jobs. After its consideration of the current situation the HAC concluded that: 'vetting procedures for the industry as they currently stand are, in our opinion, inadequate'.⁵⁰

- 5.11 Providing a poor standard of service is a criticism that has most often been levelled at the intruder alarm sector, despite the application of British Standards for some years.⁵¹ It is certainly true that the vast majority of activations are false alarms. This has, over the years, been a huge drain on police resources and led in 1990 to the introduction of a national burglar alarm policy by ACPO. This involved the withdrawal of response for a set period to frequently problematic devices. The number of false activations of intruder alarms reported in the 1990 National Intruder Alarm Statistics published by the ACPO intruder alarms sub-committee showed only a 3 per cent decline on the previous year; the proportion of false alarms is still very high.
- 5.12 For a variety of reasons the private security industry is playing an increasingly major role in the 'policing' of our society. In part this stems from the fact that members of the public spend increasing amounts of time in what have been referred to as 'mass private spaces', such as shopping malls, where policing is undertaken by private organisations. In addition, as demands on the police have expanded, so they have increasingly taken advantage of the skills available in the private sector. This is to be welcomed. The overall consequence of both these processes is that the public are increasingly policed by private organisations. **Because the public should feel assured that those responsible for their safety and security in 'private' locations are suitable for the job and, furthermore, because the police should be able to feel confident that the private security agencies which they work in partnership are credible and trustworthy, we consider that official or statutory regulation should be introduced.**
- 5.13 In fact, the case for introducing some form of statutory regulation and control of the private security sector has very widespread support. Earlier this year the HAC recommended that an agency be created that would be empowered to licence both individuals and companies in the manned guarding sector. The Independent Committee concurs with the general consensus of opinion that some form of statutory regulation is necessary. There are several important questions which follow from this. First, who is to be regulated? There needs to be clarity of definition when describing the private security industry. Secondly, will the same system of regulation be appropriate for each element of the private security sector? Thirdly,

what will regulation involve? Finally, what exactly will be the nature of the regulatory body?

The powers available to private security personnel

- 5.14 Before moving on to our response to these questions, there is one further issue which needs to be clarified: what powers should be available to private security personnel? More specifically, should staff employed by private companies that are engaged in street patrols, the guarding of shops and other sites, have greater powers of arrest, search and detention than those available to the ordinary citizen? **The Committee has heard no convincing arguments, or found any convincing evidence, to suggest that private security personnel require powers greater than those of the ordinary citizen for dealing with the types of situation with which they are likely to be confronted when guarding or even when on patrol. Indeed given the concerns that exist about private security guards patrolling public streets, the fact that only citizen's powers are available should itself provide a check on the actions of such personnel.**

Regulating private security

- 5.15 In considering the nature and extent of possible future regulation, the Committee's view is that the key area is where private security staff are involved in the policing of space which the public considers to be *public*, even though it is actually *private*, ie places like shopping malls, football grounds and so on. Consequently, **any new form of regulation should certainly cover the work of private security guards (including contract and in-house guards).** The HAC excluded in-house staff from its recommendations. However, although there are clearly fewer complaints about the in-house sector, the fact that there is significant movement between the contract and the in-house sectors leads us to believe that any new system of licensing should cover both. **Given their role in relation to either private property or private space to which the public have access, both nightclub door staff and installers of electronic surveillance/security equipment ought also to come within a new system of regulation.**
- 5.16 **As to how the licensing should be done, the Committee agrees with the recommendation of the HAC that an independent licensing authority should be established.** This body would be responsible for managing and implementing a system of accreditation for those companies working in the areas of private security identified above. **Licensing would be of the firm rather than the individual employee. However, the issuing of a licence would be dependent on compliance with a set of standards which would include vetting of staff, the provision of adequate training, the holding of appropriate insurance, and the investigation of complaints against staff.** The licensing system, and in particular the standards set, would need to be flexible, taking account of the differing functions and responsibilities in various parts of the industry. **A system of independent and rigorous inspection would also need to be instituted,**

as would the establishment of an independent complaints mechanism – though the latter could also be an arm of the licensing authority itself.

Conclusion

- 5.17 For the reasons set out above, we consider that the introduction of official or statutory regulation of the private security industry should be introduced. This should cover the work of private security guards (including contract and in-house guards), nightclub door staff and installers of electronic surveillance/security equipment. In line with the HAC, we recommend the establishment of an independent licensing authority responsible for managing and implementing a system of accreditation for those companies working in the areas of private security identified above. Firms should be licensed. Licence holders should be required to comply with a set of standards relating to the vetting of staff, the provision of training, the holding of appropriate insurance, and the independent investigation of complaints. Finally, in relation to the functions that the industry performs, the Committee has heard no convincing evidence to support any increase in citizen's powers. Accordingly, we recommend be no change in this area.

6 The Organisation of the Police Service

- 6.1 In this chapter we address two key issues. First, because the police are themselves one part of the wider criminal justice system – and indeed are the ‘gatekeepers’ to it – the organisation and functioning of the police service is profoundly affected by the criminal justice system. It is necessary to consider how well-coordinated that system is. Secondly, policing is organised at a variety of different levels – not just at the local level – and it is important to consider whether the current structure of local, regional, national and international policing is the right one.

The police and the criminal justice system

- 6.2 One of the consequences of the efforts to improve the use of public resources and introduce performance indicators has been to throw into sharp relief the fact that agencies in the criminal justice system do not always work to the same agenda and indeed on occasion may develop practices that run counter to the goals of other agencies. An example of this can be seen in the consequences of the rationalisation of the number of magistrates’ courts across the country. The aim of this process was to use court facilities better, but as a result prosecution and defence witnesses as well as prisoners now need to travel greater distances in order to attend cases listed for trial. Moreover, because of the high number of listed trials in which guilty pleas are entered on the day of the trial and the number of trial adjournments – on average 3.5 hearings for each case⁵² – the cost in terms of expenditure and annoyance is considerable. A large percentage of the witnesses, of course, will be police officers. Home Office research suggests that the wasted costs to the police alone is nearly £10 million a year.⁵³
- 6.3 A further example of a lack of uniformity within the system is the fact that there exists no unique reference number that identifies the offender, the case or the file across the criminal justice agencies. Admittedly, identifying a number that would be genuinely unique through the life of a case, as well as operationally usable, is not easy. The Committee for the Coordination of Computerisation in the Criminal Justice System has suggested how it may be achieved, but progress toward accomplishing this has been slow. If there is to be effective management of cases from charge to disposal this must be made a criminal justice system priority.
- 6.4 Some of the dissonance between agencies is exacerbated by the fact that the geographical areas into which the various agencies are organised are not coterminous. Thus, as Lord Justice Woolf noted, the areas into which the prison service was reorganised a few years ago do not match the organisation of the probation service, the Court Service, the Crown Prosecution Service or the police. The consequences of this are gaps in communication, a lack of coordination, failures of cooperation, and a tendency not to consider the wider goals of the criminal justice system.

These charges can be levelled equally at all the main agencies in the system.

- 6.5 One of Woolf's proposals was the creation of a Criminal Justice Consultative Council (CJCC). He did not propose that such a body should have any executive authority or collective voice, but rather that it should be 'able to make a practical and immediate contribution to improving mutual understanding and the necessary degree of cooperation and coordination within the criminal justice system'. It would achieve this 'by identifying issues and areas which need to be examined ... it would receive reports ... encourage the identification and collection of information ... oversee the development of (Home Office) Special Conferences ... (and) be responsible for overseeing Local Committees'. These Local Committees – of which there are 24 – were to be 'primarily concerned with practical problems thrown up because of the interfaces between the various services involved in dealing with crime'.⁵⁴
- 6.6 Whilst there is little hard evidence that either the CJCC or its local committees have, as yet, achieved much, they are in place and judges, among others, are involved in discussions about the practical problems of implementation in a way that would have been inconceivable a few years ago. Given that much policing is highly localised and that there is a need for close cooperation between the police and other agencies, there is also the fact that many of the most significant changes in criminal justice policy in recent years have been the product of local decision-makers. It is clear that, despite their current limitations, the CJCC and its local committees may provide an increasingly useful means of improving efficiency and removing obstacles to close working in the future. It is, at the very least, one example of the ways in which the different participants in the system can be brought together.
- 6.7 Nevertheless, as the recently published Efficiency Scrutiny on Administrative Burdens on the Police points out, it remains the case that 'no published objectives or performance indicators are shared across the criminal justice system. Nor do the current national policing objectives include the prosecution process.'⁵⁵ Or as the scrutiny team more succinctly stated it: 'the cogs do not mesh'. Therefore **we endorse the conclusions of the scrutiny team that what is required is a greater recognition of the interdependence of the individual agencies, both nationally and locally, and a greater willingness to work together, both bilaterally and across the criminal justice system. Our own view is that without closer congruence between the geographical areas into which the major agencies are organised, attempts to establish common goals will probably be poorly rewarded.**

National and international policing

- 6.8 In outlining a number of key issues confronting the police at the outset of this report, we argue that, although the majority of crime remains steadfastly local in character, there is growing evidence that relatively highly organised criminal networks which cut across local, regional and national boundaries are becoming more common. Thus, although the

primary focus of this report is on local policing, and in our work we have concentrated almost exclusively on that, we cannot ignore the development of wider policing problems and the organisational response to those that may be required.

- 6.9 In considering what balance needs to be struck between local, regional, national and international policing bodies it is worth, first, briefly noting what structures currently exist outside the 43 constabularies in England and Wales. The past 35 years have seen not only the amalgamation of a large number of constabularies – and proposals to take the process significantly further – but also the development of such bodies as regional crime squads and the National Criminal Intelligence Service (NCIS).
- 6.10 The Police Act 1964 provided the basis upon which Regional Crime Squads (RCSs) were first established. There are currently six RCSs in England and Wales, each of which has responsibilities for an area covered by several forces, and which is staffed by officers on secondment from those forces. The central functions of the RCSs are: to identify and arrest those responsible for serious criminal offenses which transcend force and regional boundaries; to cooperate with regional criminal intelligence offices in generating intelligence; and, where appropriate, to assist in the investigation of serious crime.
- 6.11 There has recently been increasing pressure to establish specialist national organisations to combat various forms of criminal activity which, it is argued, cannot be effectively or efficiently dealt with within existing force or regional structures. There has also been pressure for increasing international cooperation as a result of the developing European Union. The 1989 Home Affairs Committee investigation into drug trafficking and related serious crime heard from several senior police officers that there was a need for greater national coordination of certain policing activities. Plans for a national criminal intelligence unit got underway in 1990, the intention being that it should integrate the work of the already existing National Football Intelligence Unit, the National Drugs Intelligence Unit, the Art and Antiques Squad, the regional criminal intelligence offices and a variety of other bodies. At the most recent Conservative Party conference the Home Secretary announced the establishment of an operational national force to deal with serious crimes.
- 6.12 In addition to these developments at regional and national level, recent years have also seen new developments in international policing arrangements. The oldest and largest of these, Interpol, is a communications network which passes criminal intelligence and other messages and requests between national police authorities. Interpol has become international rather than European in its ambit, and has over 150 members.
- 6.13 The second of the major international policing organisations is the Trevi Group. It was set up in 1975 and was originally intended as a platform for EC Ministers of Justice and Home Affairs to develop counter-terrorist measures. Its remit has, however, gradually extended and now covers police training and technology, serious crime and public order and disaster

prevention. A third international structure is the Schengen Group, established after the abolition of border controls between France and Germany in 1984, and these two nations were joined by the Benelux countries as part of the Schengen Agreement of 1985. A second implementation in 1990 brought all but three EC countries – the UK, Ireland and Denmark – into the agreement. In addition to the removal of border checks the agreements provide for increased police cooperation between the countries within this new ‘border’. Key to this is a common information system – the Schengen Information System – and, potentially, the possibility of the right of ‘hot pursuit’, entailing the use of police powers by officers outside their own jurisdictions.

- 6.14 Finally, there is Europol. The Maastricht Treaty, signed in 1991 and in force since November 1993, brought policing and criminal justice policy under the umbrella of the European Community. This was the beginnings of what was known as the ‘third pillar’ of what became the European Union in late 1993. More specifically, under Articles K.1.9 and K.4 the Maastricht Treaty established new structures – to replace Trevi – which were to form the basis for Europol. The intention was to develop an information exchange system which could be used to help prevent and combat terrorism, drug-trafficking and other serious crime. It would also help coordinate international investigations and encourage other forms of international cooperation.
- 6.15 The emergence of these organisations raises a number of issues one of which, that of accountability and control, is of particular relevance to this inquiry. Most importantly, it has been suggested by a number of commentators⁵⁶ that there exists at best a flimsy statutory basis for most of these international or supranational policing arrangements. In addition, questions also arise in relation to the accountability of Regional Crime Squads and national policing structures. There are two reasons why the question of accountability arises in relation to RCSs. First, they cover areas significantly larger than those covered by normal lines of police accountability. Secondly, the squads have no formal statutory basis – they are set up under s.13 of the 1964 Act, which enables voluntary collaborative agreements between forces.
- 6.16 The focus of this committee’s considerations has overwhelmingly been on the organisation and functioning of local policing. It is evidently the case, however, that new policing structures are emerging both nationally and internationally and that there are some pressures for the expansion of these or, indeed, for the creation of new bodies. Article K.1.9 of the Maastricht Treaty provides a basis for further police cooperation in Europe, though questions certainly remain about how such organisations are to be held accountable. **We welcome the fact that further thought is being given to the establishment of an operational national crime squad. Such a squad should have its responsibilities clearly articulated and have proper lines of accountability (all the more so if this is to involve MI5). We favour direct accountability to Parliament through the Home Secretary.**

Conclusion

- 6.17 The Committee takes the view that greater attention needs to be paid by all involved to interdependence of the individual agencies in both local and national systems of criminal justice. In addition there needs to be a greater willingness to work together, both bilaterally and across the system. Closer congruence between the geographical areas into which the major agencies are organised is the necessary basis for these developments.
- 6.18 The main focus of the Committee's work has been on local as opposed to national or international policing developments. We nevertheless support moves to establish an operational national crime squad. It is vital, however, that the responsibilities of such a squad are clearly set out and that proper lines of accountability are created.