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The Governance Challenges of 21st Century Policing

The introduction of Police and Crime Commissioners (PCC) by the Conservative and Liberal Democrat Coalition Government in 2012 was conceived as the panacea for improving police accountability and localism (GOV.UK, 2010). Emulating directly accountable models of police leadership in large US cities, the Police and Social Responsibility Act 2011 (the 2011 Act) dismantled seemingly bureaucratic and invisible Police Authorities through the appointment of a directly elected individual charged with giving the public a direct say on how their streets are policed (Newburn, 2011). In doing so, numerous academics have cited the emergence of a powerful principal-agent relationship between PCCs and Chief Constables (Davies & Johnson 2016).

Whilst the 2011 Act introduced a truncated approach to holding policing to account, the PCC construct does not exemplify the totality of the governance landscape affecting the service. Other actors play a critical role in ensuring an effective policing function, suggesting the role of PCCs may be overstated.

Drawing on network governance theory, this paper will argue British policing is operating in a multi-dimensional and, at times, amorphous governance network that far extends beyond the directly elected representatives who replaced Police Authorities.

A resurging Home Office under the leadership of the Home Secretary, Priti Patel MP, is redressing the balance of power between Central Government and PCCs. The creation of the National Policing Board (NPB) and a forthcoming suite of national performance outcomes counters the distanced approach of Patel's predecessors marking a return to Whitehall interventionism.

In Wales, devolution adds an additional layer of complexity to police governance arrangements. Although a reserved matter, an aspirant Welsh Government has forged interdependencies with Welsh policing through a trinity of shadow governance arrangements, investment in local policing and legislative

competence in areas aligned to policing and criminal justice. The deliberate inclusion of policing into the Wellbeing of Future Generations (Wales) Act 2015 (2015 Act) has been unilaterally accepted by Welsh Chief Constables and PCCs, drawing the service into the Welsh Government's "One Welsh Public Service" concept.

Whilst this paper will argue that the 2011 Act was a proxy assault on the role of local government, the connection between policing and local Councillors remains. The deliberate inclusion of Councillors in Police and Crime Panels (PCP) by the Coalition Government sustained a role, albeit a lesser one, for local politicians in police accountability structures. Forces across England and Wales also continue to submit to local scrutiny and partnership governance arrangements – a reflection of the intrinsic value senior police leaders believe they hold.

However, the police governance network extends beyond national and local politics and this paper will describe the dominant role played by other actors.

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), the Independent Office of Police Conduct (IOPC) and the National Crime Agency (NCA) are capable of determining the trajectory of British policing and, in some cases, 'making or breaking' the careers of Chief Constables. Their influence varies and can be situational and intermittent, contributing to the amorphous landscape that police leaders need to negotiate.

Before developing these arguments further, it is important to examine underpinning concepts. Walsh and Conway describe governance as encompassing the procedures and methods aimed at ensuring the efficient discharge of policing function (Walsh & Conway, 2011). This definition will be employed throughout the paper along with the application of network governance theory. The latter posits that policy and service delivery is formed and implemented in a network of independent actors, although substantial interdependencies exist (Klijn & Koppenjan 2012). The network governance approach stresses that the outcome of policy and public services are a consequence of the interaction of many actors rather than of the action of one single actor (Mandell, 2001)(Agranoff and McGuire, 2003)(Kickert et al 1997). Furthermore, policing operates within an institutionalised framework with social relations being

complemented by a highly regulated environment of legislation, regulations and policing protocols that strongly determines the way the service operates (Klijn & Koppenjan 2012). In this context, modern police leaders need to be able to successfully interact and satisfy a diverse range of network actors beyond PCCs. The first component of policing's governance network, PCCs, have become an accepted component of the governance landscape despite facing less than flattering assessments of their performance (McDaniel, 2018).

The Conservative Party's flirtation with a directly elected model of police governance can be traced back to 2008 to the centre right think tank, Policy Exchange (Newburn 2011). Attracted to the successes of the New York crime revolution achieved by the Mayor Rudi Giuliani and New York Police Department Commissioner, Bill Bratton, a political appointee was advanced by senior Conservatives as promoting accountability and localism whilst driving performance improvement in a far more visible way (Newburn 2011).

The *Policing in the 21st Century: Reconnecting police and the people* white paper set out the Government's aspirations. PCC's would make forces truly accountable to the communities they serve, ensuring resources are properly targeted to where they are needed and giving the public a greater say in measures to reduce crime and improve community safety (GOV.UK, 2010). Whilst democratic accountability was enthusiastically advanced as a causal factor by the Home Secretary, Theresa May MP, PCCs were also an act of political expediency.

By 2010, the crushing effect of austerity had reached the Home Office leading to staggering disinvestment in policing with over 21,000 officers being lost (GOV.UK, 2019). With central government funding reducing by 30 percent between 2011 and 2019 (Institute of Government, 2019), shifting governance and accountability to locally elected representatives of all political persuasions afforded the Home Office political distance ahead of the harmful consequences of austerity fully materialising, most notably escalating levels of crime and disorder.

The 2011 Act received Royal Assent on the 15th September 2012 with the first elections for PCCs taking place in November 2012. Trailed as improving connectivity between the police and its citizens, the

elections failed to captivate the public's imagination. The turnout across all 41 police areas averaged a dismissal 14.7% (Coleman, Berman and Taylor, 2021) creating, from the outset, a democratic deficit in a new office of state.

Following their appointment, the 16 Conservative, 13 Labour and 12 Independent PCCs and their respective Chief Constables would turn to the Policing Protocol Order 2011 to comprehend their future relationship. Intended to “flesh out” the Act, the Order articulates the responsibilities of both offices and corporation soles and reflects the institutional features of governance network theory.

Enjoying both a statutory duty and electoral mandate, the Order charged PCCs with holding their Chief Constable to account on behalf of the public, setting the force's strategic direction through the publication of a Police and Crime Plan, deciding the force's budget, allocating assets and funds to the Chief Constable and setting the precept for the force area (HMSO, 2011). ‘Hiring and firing’ their Chief Constable and providing a local link between police and local communities are also set out in later stages of the Order.

Section 21 to 23 of the statutory instrument attend to the office of the Chief Constable. Whilst various provisions reinforce the accountability of Chief Constables to their PCC for delivery, the Order seeks to describe the operational and political independence of the Chief Constable and their right to be the ‘operational voice of policing in the force area’. Finally, the Order articulates the ‘checks and balances’ relating to the performance of the PCC, most notably the responsibilities of a PCP to challenge and scrutinise the office holder in the exercise of their statutory functions.

There is broad acceptance in academic circles that the 2011 Act marks a fundamental shift in the constitutional settlement of policing in England and Wales (Newburn, 2011) (Mawby & Smith, 2013) (Bowling, Iyer, Reiner and Sheptycki, 2016) (Loveday 2018). As Joyce notes, PCCs gained substantial powers and collectively assumed control of £8 billion of police force expenditure when they took office in 2012 (Joyce, 2017). Others describe the new arrangements as the triumph of localism and a rejection of the assumed precedence of national priorities and targets (Loveday, 2018).

It is accepted that the duality of the 2011 Act and the Order created a new dynamic in police governance arrangements that can be analysed through the lens of principal-agent theory (Davies & Johnson 2016).

Drawing on Pratt and Zeckhauser's 1985 definition, Davies and Johnson identify PCCs as the *principal* given their statutory responsibility to oversee the Chief Constable and their dependence on that individual for operational delivery. The latter is considered to have *agent* status, in part, due to their constitutional independence under the 2011 Act and Order.

The ability to determine a force's strategic direction, to allocate funds and resources and ultimately appoint and dismiss the operational head of a force evidences significant parameters in which Chief Constables now need to operate. Challenging or prescriptive objectives within Police and Crime Plans or a limited will on the part of PCCs to provide adequate resources or increase precept funding can subjugate Chief Constables' ambitions and determine the course of careers.

For example, in 2015, the early and unexpected retirement of the Chief Constable of Bedfordshire Police, Colette Paul, immediately followed an unsuccessful local referendum called by the PCC Olly Martins to agree an increase in precept funding, fuelling speculation the electorate's decision placed Paul in a near impossible situation (BBC, 2015).

The effect of these constraints can be amplified where personal and professional differences cannot be reconciled. The Chief Constables in Avon and Somerset, Gwent and South Yorkshire Police during the first term of PCCs were early casualties following well publicised 'falling outs' with their PCCs.

Whilst these examples support the existence of a *principal-agent* relationship between Chief Constables and their elected overseers, the effectiveness of the governance arrangements brought about by the Coalition Government's reforms is less clear.

Since their introduction, both academics and independent commissions have cited the individual and structural failings of PCCs.

Intended to reconnect the public with their police, there is limited evidence that community engagement and local participation has followed. The 2011 Act placed clear duties on the PCC and Chief Constables to engage in community consultation, although it remains silent on the forms, frequency and methods of engagement that should be employed (McDaniel 2018). McDaniel notes that in the absence of Home Office prescription, the extent a PCC engages in local consultation remains a largely discretionary decision,

unique to each individual PCC. Evidencing this claim, the existence of bland community orientated themes in Police and Crime Plans are cited with PCCs allegedly paying greater attention to image work and self-publicity (McDaniel, 2018).

Joyce offers a more sympathetic assessment. Acknowledging innovative approaches to engage with the public, such as online engagement exercises and resident panels, the limitations of the new arrangements stem from the “impossible ask” placed on individual PCCs to represent the diverse demands of a vast range of communities policed by forces (Joyce 2011).

The effective scrutiny of Chief Constables under current arrangements has also been questioned. The diversity of Police and Crime Plans and the frequent recourse to vague and rhetorical objectives that lack specific detail to guide police officers and the public undermine the prospect of effective scrutiny (McDaniel 2018). Allied to this, there is significant variance in accountability structures used by PCCs to hold their Chief Constable to account which can range from daily to quarterly scrutiny sessions to the involvement of delegated bodies – all dependent on the will of each PCC. For example, South Wales PCC operates three scrutiny boards meeting on a quarterly basis, whilst Dyfed Powys Police PCC operates seven with the principle structure, the Policing Board, meeting fortnightly (SWPCC, 2021)(DPPCC, 2021). The advocacy of localism has also created perverse consequences in policing complex or transnational threats.

As Joyce identifies, manifestos of prospective PCCs in the 2016 election continued to prioritise lower level criminality with little cognisance of ‘high harm’ threats that form the basis of the Strategic Policing Requirement (SPR). Of the 103 candidates contesting the 2016 election, only 21 mentioned counter-terrorism in their manifestos (Joyce, 2016). Reference to serious and organised crime and human trafficking were even scarcer. Despite the statutory requirement placed on PCCs, evidence of their “regard” to these threats appears lacking, creating a residual risk the Home Office has sought to counter through the creation of the NCA and an updated SPR.

Whilst PCCs are now an accepted political orthodoxy (Caless 2011), the totality of the deficiencies that have been described has arguably led to the emancipation of other actors and the growing dominance of network governance over principal-agent theory.

A resurging Home Office is one such actor.

Under the direction the of Home Secretary, Priti Patel MP, 2 Marsham Street in London is playing a far greater role in determining the priorities of the service – a volte-face from the localism and neoliberal agenda advanced by Theresa May in *Policing in the 21st Century: Reconnecting police and the people* (GOV.UK, 2010).

The creation of the NPB in July 2019 was the opening salvo in this new approach.

The NPB, with expressed responsibilities for setting the strategic direction for policing and for holding the service to account on published priorities, represents a divergence from the non-interventionist approach of earlier administrations (GOV.UK, 2019). Comprising Ministers, the Senior Civil Service and senior police and law enforcement leaders, the board has a broad gambit of responsibilities, including a formal programme of work.

An analysis of meeting minutes (GOV.UK, 2020) illustrates strategic challenge by Ministers and officials in a range of areas, from representative workforce to hidden crimes, including child sexual exploitation and domestic abuse.

Further evidence of a renaissance by Whitehall to hold policing to account was signalled in March 2020. During her key note address to the joint conference of the Association of Police and Crime Commissioners (APCC) and the NPCC, the Home Secretary was unapologetic about her willingness to challenge the service and introduce measures to secure national accountability and collective responsibility to ensure community safety (GOV.UK, 2020). Although acknowledging a continuing role for PCCs, Patel described a revised governance landscape responsible for delivering ‘non-negotiable outcomes’.

Complementing the NPB, Patel announced the creation of a Crime and Policing Performance Board (CPPB) charged with driving national policing outcomes with an initial focus on reducing murder, serious violence and neighbourhood crime (GOV.UK, 2019). The new approach provoked a lukewarm, if not

hostile, response from several senior police officers and PCCs. Responding to the Home Secretary's announcement, Paddy Tipping, the Labour PCC for Nottinghamshire inferred the Home Secretary was acting ultra vires, whilst anonymous police sources warned the Government's plans could lead to perverse incentives and the inappropriate prioritisation of certain crime types (The Guardian, 2020).

Further evidence of a changing relationship followed in June 2020, with the Minister of State for Crime, Policing and the Fire Service, Kit Malthouse MP, announcing a two-part review of PCCs (Hansard, 2020). Despite ruling out fundamental reforms to police governance arrangements, the Minister's statement to the House of Commons introduced the prospect of reform aimed at holding PCCs accountable for performance and giving the public a stronger voice in matters of crime and justice (GOV.UK, 2020). Nine months later, the first tranche of recommendations were announced by the Home Secretary.

Despite mirroring the language of Theresa May in promoting localism and delivering the public's priorities, Patel's attention was firmly directed towards the performance of PCCs and improving their accountability to the public (Hansard, 2021). References to Chief Constables were few and far between.

Through a revised statutory instrument, the Home Secretary committed to requiring PCCs to provide a narrative on their force's performance against Government's crime measures and HMICFRS force performance reports. Other recommendations intend to enhance the Policing Protocol Order by providing a 'brighter-line' on the boundaries of operational independence and improve the consistency and professional competence of PCCs. Lastly, the introduction of 'checks and balances' over PCC's powers of dismissal of Chief Constables were trailed.

Whilst the review ostensibly commits to PCCs as a long-term model of governance, the recommendations suggest the tethering of a Conservative Party-political orthodoxy. The use of a seemingly benign statutory instrument will 'lock in' PCC's into national performance frameworks. Coupled with the CPPB, it is likely that PCCs will be less able to pursue exclusive agendas and more vulnerable to direct challenge when their forces fail to realise Home Office expectations.

Although the Government's policies remain in their infancy, recent developments suggests a rebalancing of accountability in favour of the Home Office and its importance within the service's governance network.

Aside from these recent innovations, the Home Office continues to exert influence over policing financially. As Newburn identifies, providing the bulk of police expenditure (Newburn, 2011) and the increasing use of conditional grant funding over the last decade has enabled the Home Office to determine the service's shape and trajectory. The creation of niche capabilities, such as Violence Reduction Units and the Regional Organised Crime Unit network, are a direct consequence of a targeted funding model enabling the Home Office to ensure the realisation of its policy objectives (House of Commons Library, 2021).

In Wales, policing is also caught up in a 'jagged edge' constitutional settlement (Thomas Commission, 2019) that has broadened the number of actors who seek to shape the direction of policing and hold the service to account.

Despite the support of several political parties and the endorsement of successive public commissions - Silk, Williams and Thomas - over the last decade, the Welsh Government's aspirations to secure policing as part of its constitutional settlement continue to be parried by Westminster.

The current ascendancy of the Conservative party in British politics and their growing advocacy of unionism following the United Kingdom's departure from the European Union makes the prospect of an alternative governance settlement for policing highly unlikely. Indeed, the most recent and, arguably, most credible attempt at securing the devolution of policing, the Thomas Commission, was immediately dismissed without a formal response from the UK Government (Hansard, 2020). Excessive cost coupled with jurisdictional incongruence - exacerbating the existing "jagged edge" settlement - were sufficient to allow the Under-Secretary of State for Justice, Chris Philp MP to kill off Lord Thomas of Cwmgiedd's findings despite the objections of Labour and Plaid Cymru Members of Parliament (Hansard, 2020).

Nevertheless, Welsh legislation in policy areas allied to, or which interface with, policing has placed political and operational accountability on Welsh forces. The Children (Abolition of Defence of

Reasonable Punishment) (Wales) Act 2020 will remove the statutory defence to battery under the Children Act 2004 relating to the physical chastisement of children from 2022 drawing Welsh policing into responsibilities distinct from their English counterparts. Enforcing lower road speeds by April 2023 is another policy expectation of the Welsh Government with the sponsor Deputy Minister, Lee Waters MS, expressing an explicit requirement for a devolved enforcement strategy in a Written Statement to the Senedd (Welsh Government, 2021).

The Coronavirus pandemic has also forged an unprecedented political relationship between Welsh Policing and the Senedd. The Health Protection (Coronavirus) (Wales) Regulations 2020 introduced a suite of civil restrictions and offences aimed at reducing viral transmission, thereby, placing Welsh policing and local government on the frontline of the public health response to COVID-19. Later iterations extended police powers, including creating a power to “stop and account” and impose road checks (Welsh Government 2020) – a settlement unique to Wales.

Although intended as “non-pharmaceutical interventions”, the 2020 Regulations have extended the political reach of the Welsh Government over policing and created a requirement to enforce the most significant civil restrictions since the 1939 Emergency Powers (Defence) Act.

At times, the operational independence of Welsh policing has been challenged with the Welsh Health and Social Care Minister, Vaughan Gethin MS, calling for an “enforcement first” approach in December (BBC,2020) – an antithesis to the proportionate and sequential principles of the NPCC’s 4 E’s strategy (NPCC, 2020).

With the easing of restrictions and onset of recovery, the political connection developed with the Welsh Government during the course of the pandemic will ebb, although it is unlikely to be broken completely. Over the past decade, shadow or parallel governance arrangements between the Welsh Government and policing in Wales have emerged.

Following an acceptance of PCCs, structures such as the Policing Board for Wales and the All Wales Criminal Justice Board have been established involving senior Ministers, Chief Constables and PCCs. Within Government, there has been an alignment of a Deputy Minister, Jane Hutt MS and officials within

a Community Safety Division. Policing has reciprocated through the creation of a Police Liaison Unit within Cathays Park led by a pan-Wales Assistant Chief Constable and senior Police Staff. Although the mandate of these structures is constrained by the current devolved statement, they are resulting in distinctive policies that have changed the delivery of policing in Wales.

Since 2016, the Welsh Government has funded 500 Police Community Support Officers across Wales. The use of conditional grant funding communicated an expectation the resources would be used predominantly within a neighbourhood policing context (Welsh Government Social Research, 2015). Many commentators would consider this an uncontroversial ask, however, the use of conditional arrangements and follow up evaluations, conducted by the University Police Science Institutes, demonstrates the ability of Welsh Government to shape the design and delivery of a non-devolved service. Whilst the Welsh Government has grown in its influence over policing, local government's reach has arguably been depleted as a consequence of the 2011 Act.

The abolition of Police Authorities, whose membership was largely drawn from local Councillors, removed a large nucleus of elected representatives from the tri-partite governance arrangements in effect since 1964. This was a deliberate act by the Coalition Government and penance for Police Authorities' perceived ineffectiveness and invisibility.

With their former responsibilities transferring to PCCs, a smaller number of locally elected representatives would gain a place on another construct of the new governance arrangements – PCPs. These bodies are charged with challenging, scrutinising and supporting PCCs including ratifying precept decisions, Police and Crime Plans and the appointment of the Chief Constable (LGA, 2019).

The responsibilities discharged by PCPs are narrower and less potent than Police Authorities with most powers limited to non-binding vetoes or recommendations to the PCC. Indeed, PCPs have no statutory responsibility for scrutinising the Chief Constable as the head of operational policing, their remit is limited to holding their PCC to account.

In England, there has been further redistribution of powers from local government to PCCs. The Policing and Crime Act 2017 enabled PCCs to assume responsibility for fire and rescue services whilst the 2011

Act empowered PCCs as funding authorities for community safety and criminal justice services. The ability to hold Community Safety Partnerships (CSP) – a key partnership structure - to account should a PCC consider they are not discharging their crime reduction responsibilities efficiently was recognised by local government as a substantial redistribution of power (LGA, 2011).

The introduction of PCCs represents the ascendancy of a new form of political localism that has been at the expense of locally elected representatives. Nevertheless, the role of local government in holding policing to account has not been entirely depleted.

Ongoing challenge continues to exist through a combination of formal scrutiny sessions and bilateral engagement with police commanders on issues affecting their constituents. Whilst arguably a voluntary arrangement, the continued participation of policing in these forums reflects the legitimacy and value the service places in local government.

In Wales, the connection between local government and policing has fared better through the development of collaborative governance structures involving local authorities and other public services. The 2015 Act introduced regional Public Services Boards (PSB) charged with improving the social, cultural, environmental and economic well-being of Welsh communities through an assessment of needs and the development of collaborative Wellbeing plans (FGCW, 2021).

Although not a statutory party to the 2015 Act, Welsh Chief Constables and PCCs were included as “invitees” and have actively participated in the new arrangements since their inception. Guided by a series of Wellbeing principles, PSBs represent a sub-regional form of governance with an expectation from the legislation’s Commissioner, Sophie Howe, that public bodies will develop integrated approaches and services to achieve sustainable development (FGCW, 2017). Lauded as unique legislation, the 2015 Act seeks to corral public services into working towards longer term solutions. However, in the words of the Act’s own Commissioner, progress to date has been mixed (FGCW, 2020).

Whilst the 2015 Act has prompted integrated approaches to tackling Adverse Childhood Experiences – an area of allied interest to policing – progress has been sporadic and not sufficiently transformational. In

her 2020 annual report, Howe also cites concerns some wellbeing goals are less understood, and clarity is lacking on how public bodies are meeting them.

Taking account of this, the medium to long term impact of the 2015 Act on Welsh policing is unclear. The Coronavirus pandemic has significantly disrupted Welsh public services meaning social and economic realities have yet to fully materialise. Despite the Act's laudable aspirations, shorter term policy responses, especially within the sphere of economic recovery, are foreseeable. As a service that deals with immediate social harms, Welsh policing's ability - and critically that of its partners - to commit to long term preventative approaches will be challenging in the face of acute needs. Furthermore, the continuing dominance of the Conservative Party at Westminster and their commitment to the Union will continue to frustrate the Senedd's aspirations to control policing and its ability to subjugate the service's priorities within the framework of the 2015 Act.

In the final analysis, the collaborative arrangements introduced by PSBs are maturing actors in Welsh policing's governance network, whose impact has yet to be fully seen.

More established partnership arrangements remain another area where local politicians and partner agencies exert accountability over policing.

The creation of CSPs by virtue of the Crime and Disorder Act 1997 broadened statutory responsibility for crime reduction to a number of actors, including local authorities. With corresponding governance arrangements, policing has been an answerable partner to over 300 CSPs with local Councillors providing a key source of scrutiny. With time, the integrated approach to preventing crime brought about by the 1997 Act has transitioned into other policing disciplines, adding to the complex governance network in which modern policing operates.

The Criminal Justice and Court Services Act 2000, the Criminal Justice Act 2003 and devolved and non-devolved safeguarding legislation have introduced Multi Agency Public Protection Arrangements, substance misuse Area Planning Boards (Wales) and Adult and Children Safeguarding Boards. As statutory arrangements managing high levels of societal risk, the existence of effective oversight arrangements is accepted canon.

In contrast to other governance structures, the role of elected representatives is less pronounced with greater emphasis on inter-agency challenge or involvement from professional lay persons, such as independent Chairs of Adult and Children Safeguarding Boards and lay representatives on MAPPA Strategic Management Boards.

Although publicly less visible, these arrangements provide critical scrutiny and have proven capable of highlighting significant failings by police and partner agencies. In 2015, the Serious Case Review into Child Sexual Exploitation in Oxfordshire commissioned by the regional safeguarding board issued damning criticism of Oxfordshire County Council and Thames Valley Police's failure to protect seven young men (OCSB, 2015) prompting Chief Constable Sara Thornton to publicly acknowledge her force's shame (The Express, 2015).

The influence and interplay of national actors, mostly non-departmental government bodies such as HMICFRS, the NCA, and the IOPC, are the final components of policing's governance network.

The policing inspectorate is one of the most significant. Benefitting from Theresa May MP's commitment to reforming policing, an uplifted HMICFRS launched annual Integrated Peel Assessments (IPA) in 2014 as a comprehensive framework for assessing the *effectiveness*, *efficiency* and *legitimacy* of all Home Office forces. The IPA comprises of three elements; a programme of annual inspections, Force Managements Statements – a written self-assessment of capacity, capability and performance, and ongoing monitoring (HMIC, 2021). The combined findings result in forces receiving gradings ranging from outstanding to inadequate and are a matter of public record.

The matrix approach utilised by the HMIC is robust and assesses individual forces in their totality. Organisational culture, public engagement and workforce representation are considered as important as a force's ability to fight crime and bring offenders to justice. Consequently, the inspectorate's narrative of individual forces is comprehensive and well regarded and can have serious consequences where deficiencies are identified. Forces assessed as requiring improvement will attract 'engaged status' and generate a heightened level of monitoring coupled with a requirement for a force improvement plan (HMICFRS, 2021).

The intensity and industry created by engaged status is significant and frequently leads to the immersion of the IPA into force' delivery plans. For example, Cleveland Police's annual governance statement is dominated by priorities and programmes aligned to the inspectorate's framework – a direct consequence of receiving universal inadequate gradings (Cleveland Police, 2020).

For some Chief Constables, the inspectorate's findings can have toxic consequences for their careers. Those leading forces considered inadequate rarely have the opportunity to respond to the inspectorate's concerns. The resignation of the Greater Manchester Police Chief Constable, Ian Hopkins, was intrinsically linked to the force's failure to respond to inspectorate recommendations spanning four years leading to a damning inadequate assessment (The Times, 2020). Despite being at pains to stress they are not a regulator, the level of scrutiny exerted by HMICFRS, particularly for poorer performing forces, translates into a potent form of external governance Chief Constables choose to ignore at their peril.

The NCA is also becoming an increasingly important actor in policing's governance landscape.

Erroneously dubbed "Britain's FBI" by sections of the media (Daily Mail 2019), the NCA has a unique constitutional settlement by virtue of the Crime and Courts Act 2013. Along with its officers being 'triple warranted' (NCA, 2021), the successor to the maligned Serious and Organised Crime Agency (SOCA), has unique powers of direction.

Under Section 5 of the 2013 Act, the NCA's Director General has the ability to direct Chief Constables in England and Wales and the British Transport Police to perform tasks considered expedient in the exercise of its functions (HMSO, 2013).

Whilst extremis powers, they have been used with growing frequency. In December 2019, the current NCA Director General, Dame Lynne Owens, directed all police forces and Regional Organised Crime Units in England and Wales, Police Scotland, the Police Service of Northern Ireland, the Serious Fraud Office, Her Majesty's Revenue and Customs and the Financial Conduct Authority to immediately improve the national response to fraud (Police Professional, 2019). Whilst only the fourth time such powers have been employed, the ability to task and direct territorial police forces and other law enforcement agencies presents an alternative, albeit intermittent form of governance – one not even PCCs can counter by law.

The IOPC are another critical actor in the efficient discharge of the policing function. As Walsh and Conway identify, complete or substantial independence in the handling of citizens' complaints against the police is key to maintaining public confidence (Walsh and Conway, 2011).

The IOPC and its forerunner, the Independent Police Complaints Commission (IPCC) reflect this ideal with both organisations enjoying substantial powers to investigate public complaints and police misconduct independently of the service. Whilst reserved for the most serious allegations, the IOPC can provide substantial direction and control over investigations conducted by force Professional Standards Departments.

As well as providing individual citizens with a mechanism for redress, the IOPC, and its counterparts in Scotland and Northern Ireland, contribute to the strategic oversight of the service. Thematic analyses of complaints and conducts investigations has enabled the IOPC's leadership to publicly challenge individual forces and the wider service, provoking reform. For example, in 2020, the IOPC offered stinging criticism of the Metropolitan Police's approach to stop and search having identified evidence of disproportionality against black communities in five separate investigations (The Guardian, 2020). The MPS accepted the IOPC's eleven recommendations, which will have diverse implications ranging from the use of Body Worn Video to monitoring arrangements, supervision and training. As this example illustrates, the IOPC is a capable external actor that can directly impact a force's internal management and future operations – an assessment in keeping with Walsh and Conway's 2011 analysis.

This paper has sought to illustrate the complex governance landscape in which modern policing is now operating. The introduction of PCCs was a fundamental recalibration of police oversight arrangements borne out of political expediency and the Coalition Government's advancement of localism. Despite a turbulent start, PCCs have become an established political orthodoxy resulting in the creation of potent *principal-agent* relationships with Chief Constables across England and Wales. For some Chief Constables, this has had toxic consequences, whilst others have thrived under the new settlement with contract extensions.

However, the novelty and, at times, controversy of PCCs has led to an overstatement of their role in holding the service to account. Other actors play a critical role in ensuring an efficient policing function. A resurging Home Office appears set to rebalance the strategic direction of the service in favour of national priorities, whilst non-departmental government bodies such as HMICFRS and the IOPC continue to provide robust scrutiny of forces influencing the design and delivery of policing services.

The situation in Wales is further complicated by an aspirant devolved administration. Whilst its ambitions to take control of policing have been parried for some time, the Welsh Government has demonstrated its ability to use shadow governance arrangements, investment in local policing and legislative competence in areas aligned to policing and criminal justice as levers of control.

As such, policing in England and Wales now operates in complex governance network involving a diverse range of actors with varying degrees of reach, power and visibility. Their influence can be structural and long term or temporal and intermittent presenting a substantial and enduring challenge for senior police leaders.

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