

Summary and Recommendations



A Cityforum People and Policing Round Table

Policing the Nation

- meeting the digital & societal changes

A report following the Policing the Nation Round Table held on Tuesday 5 February 2019 at BT Tower, 45 Maple Street, London



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Foreword

Cityforum works closely with the police service and each year devotes one of its round tables to People and Policing. In early February this year we were fortunate to be able to develop a discussion involving the Commissioner of the Metropolitan Police, the Chair of the National Police Chiefs' Council and the Director General of the National Crime Agency.

The forum centred upon the utility of the Peelian Principles to the performance of the Service, given the hugely altered societal and technological environment of 2019 – almost 200 years since the Principles were enunciated and delivered. Cityforum has produced a short report on a fascinating day of discussion and hopes it may have some value as the Home Office, Chiefs, Police and Crime Commissioners and officials from other government departments prepare for the 2019 Comprehensive Spending Review, which is to be held in a period that sees the risk of greater public expenditure challenges than is traditionally the case.

The Peel Principles focus first and last on prevention. After attending the Policing the Nation discussion on February 5 this review is concerned that the current pressures on the police to deal with crime and disorder (real world and virtual) are making it impossible for the Service to concentrate on prevention strategies that require people, time and capabilities that are not currently available to PCCs and Chiefs. Is there a future round table theme here?

We are grateful for the support of BMT in helping us publish this particular report which has been prepared by our staff and associates. The event itself was made possible by the generous sponsorship of a number of organisations listed at the end of this document.



Marc Lee
Chairman, Cityforum

Introduction

BMT is pleased to have sponsored this report to help inform the submission to the next Comprehensive Spending Review and the wider debate on meeting the costs of delivering innovative but ethical policing as we look ahead to 2030 and beyond. As we seek to influence those that determine the shape of policing now and in the future, it is clear that the local, regional and national response to the opportunities and risks presented by digital and societal challenges needs to be intelligence-led but data-driven and carefully considered in line with Sir Robert Peel's nine Principles of Policing, which are as true and necessary today as they ever were.

Today, probing questions are being asked about the demand the police service is likely to face; the full extent and reach of our policing capabilities; whether capacity is sufficient, appropriately configured and funded; and what the service's plans are to improve efficiency and deliver effective performance in response to a changing population, growing demand, increasing complexity and rising crime.

We welcome the fact that the round table discussions and the report acknowledged the need for a whole-system approach to managing serious organised crime with increased collaboration and information sharing between all stakeholders and partners. We recognise we all have a critical role in building engagement, retaining the trust and confidence of all our communities; and connecting, enabling, empowering and supporting a much reduced workforce to continue to do extraordinary things every day in protecting the most vulnerable people and places and responding to demands which are growing in number, size and complexity.

BMT is an established and trusted supplier to the police service and other multi-domain, complex security environments. The scope of our involvement has seen us working across the whole criminal justice lifecycle, from first contact through investigation, the court systems and the prison service through to reform and rehabilitation. Our staff are passionate about the work we do to improve lives and increase public safety.

We are committed to helping police forces, first responders and the wider criminal justice system transform, and become more agile by preparing them for a digital and automated future. By strategically aligning ourselves with the NPCC's Policing Vision 2025 Priorities and its National Enabling Programmes, we've already enabled several positive policing outcomes for the Metropolitan Police Service and the National Crime Agency.

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Alan Hodgson
Strategic Advisor – Policing & Justice, BMT

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Policing the Nation - meeting the digital and societal changes

Peel and consent in the digital age

'the dilemma of legitimacy plagues no state institutions more doggedly than the police'*

The nine principles set out in the name of Sir Robert Peel* have shaped and differentiated British policing for nearly 200 years; and they resonate still. They asserted the basic mission of the police as the prevention of crime and disorder; and noted that the ability to do so is dependent on the trust and support of the public. They negotiate the tricky balance between regard for liberty and effective policing. The first Commissioners of the Metropolitan Police set about winning public consent through principles of prevention, public cooperation, minimum use of force, fairness and restraint. They established legitimacy through negotiation in each neighbourhood, sometimes street by street. And they evolved a uniquely British arrangement where the police are not the agents of the state, are not spies and are not military. The contract of consent was painfully constructed, and the challenge is to carry it through into the digital age. New methods of crime prevention, investigation and evidence gathering are being developed to tackle physical and on-line crime; and many depend on the collection and analysis of data including sensitive personal data.

The public expect the police to adopt changing technology including the use of data. They also expect their personal data to be kept safe and to be used proportionately in the achievement of legitimate policing purposes. And it must be done fairly, impartially and in an accountable manner. But technology is fast moving, data does not respect national boundaries, and attitudes to the use and protection of data for commercial and national advantage and for social control are not uniform across the globe. These differences compound the problem for policing at all levels not just in counter-terrorism and transnational crime. Social norms are being disrupted and public attitudes to privacy and intrusion are shifting and uncertain. The distinction between public and private is personal and hard to define. The dark web has democratised the tools and means of crime; and in contrast to 1829 a great deal of crime takes place in private places or in the virtual world.

Artificial Intelligence (AI) is a case in point. It is neither mature nor well-understood. It may be uncontentious where it improves efficiency or the management of resources, but it becomes more intrusive and disturbing if used to predict when, where, how or by whom offences are going to be committed. Whilst proportionality in the use of force is well understood by

* Herbert S (2006) Tangled up in blue: conflicting paths to police legitimacy; Theoretical Criminology, November 2006

* See end of report

Ethical behaviour and justice

the public and underpinned by law, it is more difficult to explain proportionality in relation to intrusion into privacy. Since the public debate generated by the Investigatory Powers Act [2016] there has been little public policy attention or political leadership applied to the ethical and legal problems arising from changing technologies and their impact on privacy and intrusion. Policing must contribute to this debate but should not be setting the rules. A strong and publicly endorsed ethical framework is needed to enable policing to operate effectively, with confidence, and within public trust. In its absence policing faces twin risks of failing to exploit technology to keep the public safe; and the potentially disastrous impact (however good the intentions) of being judged retrospectively to have gone beyond what is acceptable and to have misused technology and data. Facial recognition can bring benefits but is currently facing legal challenge and scrutiny from the Information Commissioner. Data sharing across agencies and departments is another example of the challenge of navigating between these twin risks in the absence of a statutory framework.

Peel's principles speak of the commitment to ethical behaviour and organisational justice. All police officers swear an oath to discharge their duties with fairness, integrity, diligence and impartiality. The importance of procedural justice, and of treating people with dignity and respect, is now more than ever engrained in policing. There is a code of ethics, challenge is encouraged, and there is a commitment to learning from mistakes. But the public, particularly the young, have changing attitudes and expect even more. They look for greater accountability, better treatment as employees, and will speak out against behavior which should not be tolerated. And if the police are the public they must reflect it in full measure of gender, ethnicity and sexual orientation. Gender balance has much improved, not least at the most senior level. But the numbers from Black, Asian and minority ethnic (BAME) background remain a cause for concern. Some communities continue to feel that police powers are disproportionately focused on them.

There are checks and balances around restorative justice, cautions and fixed penalties but these processes strain Peel's injunction against appearing to usurp the power of the judiciary by judging or punishing guilt. Use of AI for predictive purposes could strain the principle further and undermine the presumption of innocence. The issue would be compounded if AI was applied to historic police data in isolation which would inevitably lead to a focus on previous suspects and offenders.

However if applied to wider data sets AI could offer enormous benefits in the search for different sets of offenders, possibly those causing greater harm in areas such as fraud and illicit finance, but who have never attracted police attention.

Peel's principles relate also to effectiveness and to workforce. Over the last three years crime is up by a third, and charges and summonses down by a quarter. Homicide and knife crime were both up last year. The Home Affairs Committee has warned that without local neighbourhood engagement, policing is at risk of becoming irrelevant to most people because of low rates of investigation for many crimes. The bold experiment of reducing resources by 25% since 2010 may undermine the relationship between the public and the police through the erosion of effectiveness. It appears that the public want and expect the police to do more, but trust it less to deliver. But equally there is also a risk of responding to those who shout loudest rather than to the impact on the most vulnerable who are sometimes both victim and perpetrator.

The complexity, nature and impact of serious and organised crime is changing and the national response needs strengthening. The rising trend of statistics suggests prevention is failing. Despite extraordinary efforts against child sexual exploitation, 400 arrests a year for child sexual abuse four years ago has become 400 arrests a month. This is not a matter for national pride and needs new approaches, greater agility and a different relationship with the private sector. There is a degree of public complicity in modern slavery because of the trade-offs of a cheap carwash or a nail bar. And a significant proportion of cyber-crime involves hostile states. Peelian principles have to be extended to criminality that knows no national boundaries and where crime and hostile state activity may run together. Neighbourhood policing has to be reimagined to fit this digital and connected world. A whole system response is needed that provides clarity of the capability required at local, regional and national levels of policing, underpins a strategic approach to investment across the three levels, and binds them together more effectively. Parochiality is not affordable.

The justice system meanwhile is beset with people with a huge burden of adverse childhood experience and filled with the poorest and most disadvantaged. People are tired of being let down, of services that do not meet their needs and which don't make their lives better. The criminal justice system can appear stacked against those who have the least power and who are the most vulnerable. Increasingly science and evidence

shows that prevention works, but it is still hard to do. There are institutional barriers and performance indicators rarely capture prevention adequately. But this cannot be acceptable. Peel's aspiration must be renewed. It will not be enough to retrain or to reorganise. Effective prevention requires political will and close collective working among key actors in health, social care and criminal justice to break into the vicious cycle of adverse childhood experiences, domestic abuse, parental imprisonment, neglect and addiction.

Policing has an almost existential need for the trust of the public but is not the most trusted of public services according to surveys. Nursing is at the top of the league table with the police ranking at number 9 in recent Ipsos Mori surveys. 96% of people trust nurses to tell the truth; but whilst the figures are improving over 20% of people do not trust the police to do so. In looking to nursing for ideas to correct the deficit, policing will however discover frustrations within the nursing profession that it is poorly understood by the public, that its motives in moving to an all graduate entry profession have been misrepresented, and that judgements (both positive and negative) are made on out-dated perceptions. And perception is important because prolonged incongruence between expectations and experience will lead to dissatisfaction and the withdrawal of trust. Expectations of the police set a very high bar, reinforced by the extent to which Peelian principles including the 'ready offering of individual sacrifice in protecting and preserving life' have been absorbed into social memory.

The speed of technological change makes it difficult to predict what the technological possibilities may be over the next two years, let alone ten or twenty. Computation speeds and volumes of data are changing at an almost unimaginable rate. Drones can be multiplied into swarms. Autonomous vehicles are appearing on our streets. These sorts of developments make ever stronger the case for underlying principles and ethical reference points, to distinguish clearly what is possible and what is acceptable, desirable, legal and ethical from what technology makes possible. Not what we can do, but what should we do. Moreover data and algorithms that manipulate it are not neutral. Gender, race and other forms of bias are present reflecting the cultures and values of developers. Technology can bring enormous benefits but can only be adopted where there is trust and where it is used with humanity, oversight and controls. This suggests the need for independent testing as well as monitoring and oversight. It may be that in time technology itself can help in balancing benefits and morality

Design resourcing, crime and prevention

without sacrifice of either. Ethical considerations and diversity must be built in by design, not retro-fitted. Over-reliance by policing on technology will undermine trust, as will failing to exploit its opportunities. Policing must adapt, adopt and lead in technology; and reflect in its use the norms and values of the public it serves. To do so it will need to build a more diverse workforce and particularly to attract young and digitally fluent recruits to its ranks. A values driven public service and the challenges it offers on a daily basis are attractive to those seeking purpose and the opportunity to improve lives. Since it cannot match private sector salaries, policing must capitalise on its public service ethos whilst also looking for ways of working with the private sector to allow individuals over their working lifetime to achieve a more satisfying balance of financial and non-material reward.

There is a growing mismatch between demand and resourcing in policing. Crime is increasing while public finances are constrained by domestic commitments and external economic shocks. Uncertainty over public finances and spending rounds is compounded by Britain's impending departure from the European Union. It is not enough for the police to say what they can no longer do. The principle of consent means policing must tell the public what they can do for them with the resources and capabilities available and what they are doing to make their lives better. Prevention remains the key. Policing and the agencies with which it must work need to improve their ability to capture its cost effectiveness and to demonstrate the societal benefits it brings. Early evidence suggests that pressure on specialist services is shifting demand on to core local policing functions and that this is limiting the time and resource available for prevention. Spending round negotiations are not just with the Treasury or the Home Office, but also with the public. A strong evidence base is essential on which to base the case for resources and to explain what works and why. The National Police Chiefs Council (NPCC) and Association of Police and Crime Commissioners (APCC) have been working together in an unprecedented way to build a more compelling evidence base around demand and resilience. But the fragmented and distributed nature of policing in England and Wales and the absence of reliable activity-based costings makes this a difficult and complex task. Some think different organisational or funding models are necessary.

Peel principles and the vision for the future

Policing has made good progress in setting out its vision* under

* Policing Vision 2025

strong leadership from the NPCC, and in the development of capability and workforce through the Police Reform and Transformation board. But it envies the ability of the National Health Service to use insight and evidence to build a 10-year plan focused on prevention, and to engage the public in debate about outcomes. And it does not have the capabilities that the military apply to thinking ahead to prepare for future challenges. There is limited capacity in policing to do similar long-term strategic planning and it is complicated by the 43-force structure in England and Wales. There is a strengthening case for bringing strategic planning and coordination functions into a new body (probably a Non-Departmental Public Body (NDPB)). This would build on the work done by the NPCC to develop a vision for policing by driving strategy development and its execution. It would spearhead the building of capacity and capability including national capabilities and programmes in a planned, consistent and co-ordinated way across local, regional and national policing using insight and evidence to build long-term plans and to work out and balance who contributes what.

In conclusion, the legacy of Peel is profound and enduring. In modern circumstances and under resource pressures policing still aspires to deliver his focus on prevention, consent, fairness and regard to liberty. The 379 words of the principles are a thing of beauty and though they might be improved or modified to fit better with modern reality they are probably best left untouched. New language, new concepts and new insights are however needed to meet the sharp ethical and policing challenges brought by the digital age. Investment is needed not just in technology and capability but in the ethical and legal frameworks to allow policing to operate effectively, within public consent and in harmonious balance with liberty. This will require strong political leadership and commitment, and informed public debate at local and national level, if we are to re-commit ourselves to Peel's elevating ambition to deliver as perfect a system of policing as is consistent with the character of a free country.

A Cityforum People and Policing Round Table

Policing the Nation – meeting the digital and societal challenges

Tuesday 5 February 2019

BT Tower, 45 Maple St, London W1T 4JZ

Agenda

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Hosted by  

Opened by: Mr David Darch *Head of Police Services* BT
Ms Veronica Scott *CEO* Cityforum

Chaired by: Mr Stephen Otter *Senior Associate* Cityforum and former HMI **(Morning)**
Ms Amanda Cooper *CIO* Hampshire Constabulary & Thames Valley Police **(Session Three)**
Ms Sara Thornton *Chair* National Police Chiefs' Council **(Sessions Four & Five)**

0900-1115 Session One: Revisiting the Peel principles in a digital environment and in today's stressed society. Are they still valid?

Chairman's introductory remarks: *Peelian principles in the context of 2019*
Mr Stephen Otter

How do we use advancements in technology to fight crime and protect the public whilst maintaining the confidence and support of the people we serve? Do we have sufficient ethical and legal frameworks in place to support us?

Ms Cressida Dick *Commissioner* Metropolitan Police

The relationship between the public and the police
Ms Sara Thornton *Chair* National Police Chiefs' Council

The challenges for the NCA
Ms Lynne Owens *Director General* National Crime Agency

Confidence and trust – have they been eroded in ways that weaken the Peel Principles and what can be done about it?

Dr Stephanie Aiken *Deputy Director of Nursing* Royal College of Nursing

With the justice system under such stress, what chance for the Peel Principles?
Ms Karyn McCluskey *Chief Executive* Community Justice Scotland

A view from industry
Mr Robert Vassoyan *Senior Executive Vice-President; Group Chief Commercial Officer* ATOS

Followed by a round table discussion

1115 COFFEE

1130-1300 Session Two: The future – technology innovation, ethics and integrity – balancing opportunities and risks

Professor Noel Sharkey *Emeritus Professor; Department of Computer Science* University of Sheffield
Ms Kriti Sharma *VP of AI Sage; Board Member* Centre for Data Ethics and Innovation
Mr Matt Jukes *Chief Constable* South Wales Police
Mr Jamie Bartlett *Author* The Dark Net

Followed by a round table discussion

1400-1600 **Session Three: Implications for policing of societal changes and the technological revolution**

Syndicated session introduced by: **Ms Veronica Scott**

Opened (and chaired) by: **Ms Amanda Cooper** *CIO Hampshire Constabulary & Thames Valley Police*

Following the introductory speeches, attendees will be split into groups. Each group will be allocated the same three questions, with each group asked to examine them in relation to a different scenario/circumstance. The questions will relate to '*under what circumstances would the public be happy for the police to monitor and act on their personal data*'

Each table will have a pre-nominated 'table-lead' who will have been briefed in advance. The table lead will chair the group and provide the feedback to the plenary session after which a panel discussion will take place with all in the room. The extended discussion will be opened by comment from the above speakers and additional panellists, including:

Professor Charles Raab *Co-Chair IDEPP, Professorial Fellow, Politics and International Relations University of Edinburgh; Turing Fellow Alan Turing Institute*

Ms Kriti Sharma *VP of AI Sage; Board Member Centre for Data Ethics and Innovation (CDEI)*

Ms Janet Hills *Chair Metropolitan Black Police Association*

Mr Paddy Tipping *Police & Crime Commissioner Nottinghamshire (stfc)*

Mr Matt Jukes

1600 **TEA**

1615-1730 **Session Four: The economy, transformation, managing demand, Comprehensive Spending Review and the long-term economic outlook**

Chaired by: **Ms Sara Thornton**

An assessment of the economy, the next Comprehensive Spending Review and the long-term public expenditure challenges.

What is the actual demand for policing? Where is time/cost being spent?

To what extent are we meeting the demand? What are other organisations contributing?

How can we make policing affordable in the next 4-5 years?

Mr Roger Hirst *PFCC Essex; Lead for Finance APCC*

Ms Rebecca Lawrence *CEO MOPAC*

Dr Karen Mellodew *Demand and Resilience Lead for the Spending Review*

Mr William Keegan *Senior Economics Commentator The Observer*

Followed by a round table discussion

1730-1750 **Conclusions: What and who should determine the future of policing? How and to what extent do the Peelian Principles need revisiting?**

Chairman's opening remarks: **Ms Sara Thornton**

Followed by comments from:

Sir Denis O'Connor *Radzinowicz Fellow at Institute of Criminology University of Cambridge*

1750 **End**

1800-1930 **Followed by a reception on level 34 BT Tower**

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Cityforum has been contributing to public policy debate since 1990. The organisation comprises a small, trusted, independent group of experienced individuals, respected for their intellectual honesty, knowledge and extensive contacts spanning the private, public and not-for-profit sectors at all levels. In addition, it works closely with a large network of associates, providing depth, breadth and genuine expertise and practical experience. They include a former Cabinet Minister, a retired Member of the Episcopal Bench, public service officials, military, police, intelligence and security specialists, senior medical figures and business executives, academics, journalists and publishers. They contribute in London and elsewhere to Cityforum events and to the studies we undertake, including interviewing at all levels in organisations and sectors of interest.

From its inception working with the Bank of England on the Basel Accords; with the Reserve Bank of South Africa on the transition from apartheid; hosting and planning with the Scottish Government the Adam Smith Bicentenary; Cityforum has been active in an increasing number of areas that now include collaborations in security, policing, crime and justice, emergency services, critical national infrastructure, cyber, privacy, health and social care, transport, financial services, regulation and energy.

It researches and publishes reports and develops and hosts events in the UK and, where invited, around the world. As part of its bespoke advisory and strategic guidance service the organisation also acts as a 'candid friend' to senior public-sector executives, and undertakes studies and reviews, providing sound impartial advice and specialist judgement to assist in meeting the enormous challenges faced by the public service today.

With over 25 years shaping strategic thinking, building understanding and adding value within and between diverse groups, the organisation has a proven track record. Its highly regarded round table discussions and smaller conclaves are well known both for bringing together an enviable mix of decision makers and practitioners and for stimulating new thinking in response to some of the most difficult contemporary public policy challenges.

Cityforum has a particular interest in working with the police and holds three or four Round Tables a year on strategic, technological, human resources, value for money and strategic communication questions affecting the service. It also undertakes specialist advisory and monitoring work for individual Police and Crime Commissioners, and Chief Officers. This has been particularly useful when PCCs - Police and crime commissioners and Chiefs require studies to be undertaken by a seasoned group of specialists who operate methodically and quickly, and have particular skills in interviewing at every level in the organisations requesting assistance. Its reports are succinct and written in readable English rather than in management speak loaded with acronyms.



BMT provides independent technical expertise and consultancy. We offer design solutions, asset management, programme delivery and technology services to customers in the defence, security, government and critical infrastructure markets. Our team tackle the most complex engineering and programme challenges, blending capabilities from the entire spectrum of engineering disciplines to deliver enduring and value-adding benefits. We can adopt agile practices to rapidly tailor solutions to meet customers' needs.

From working with the Metropolitan Police Service on business transformation, the National Crime Agency in building the National Cyber Crime Unit's cyber data platform and analysis tools, supporting the Ministry of Justice with technology enabled change within Her Majesty's Prison and Probation Service, to designing the Queen Elizabeth Class Aircraft Carrier and maintaining the Royal Navy's in-service nuclear submarines — whatever the project, we help our customers to engineer the right outcomes, optimise their assets, improve performance and increase efficiency.

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Cityforum Limited
Clifford Farm, Bath Road
Beckington, Nr Frome BA11 6SH
tel +44 (0) 1373 831900
email info@cityforum.co.uk
www.cityforum.co.uk