

Commission on Justice in Wales

An Overview and Assessment of Police Reform in Scotland

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Context: the contours of reform

The 2012 Police and Fire Reform (Scotland) Act set out 3 major changes to policing in Scotland:

- it merged the 8 regional police forces to create a national police force under the direction and control of a chief constable with responsibility for the administration, allocation and deployment of resources and the provision of information
- it replaced the locally elected police authorities and replaced these with an unelected national body, the Scottish Police Authority (SPA), with responsibility for resourcing the police service, supporting continuous improvement, and holding the chief constable to account;
- it made 'local policing' a statutory requirement at the level of the 32 council areas. Although local policing is not specifically defined in the legislation and has therefore become a highly contested area, the Act requires the chief constable to nominate an identified local commander responsible for preparing a local policing plan in consultation with the local authority. The local authority must also establish arrangements for the scrutiny of local policing, but the Act does not prescribe what form this scrutiny should take. Underpinning this commitment to localism, the Act sets out a normative vision for policing in the form of a set of 'principles' which offer a narrative of local policing based on partnership working, community well-being and harm reduction:

the main purpose of policing is to improve the safety and well-being of persons, localities and communities in Scotland, and that the Police Service, working in collaboration with

others where appropriate, should seek to achieve that main purpose by policing in a way which (i) is accessible to, and engaged with, local communities, and (ii) promotes measures to prevent crime, harm and disorder’ (Police and Fire Reform (Scotland) Act, 2012, para.32).

In addition to these key elements of the legislation, the Scottish Government also articulated three strategic aims for its reform of policing which reinforce this commitment to localism.

- reform aims to ‘protect and improve local services despite financial cuts, by stopping duplication of support services eight times over and not cutting front line services’;
- the reform should create more equal local access to specialist support and national capacity ‘where and when they are needed’, so ending the uneven availability of resources which characterised the old regional policing arrangements;
- the reform should ‘strengthen the connection between services and the communities they serve by providing an opportunity for more local councillors to be involved in shaping local services’ through the local scrutiny arrangements which are referred to in the legislation

Evaluating the impacts and implications of reform

In 2014 the Scottish Government commissioned a four year evaluation of police and fire reform (the fire service became a national organisations through the merger of the 8 legacy fire and rescue services at the same time as police reform) in Scotland and this work began in February 2015 undertaken by a consortium of researchers drawn from the Scottish Institute for Policing Research (SIPR), ScotCen Social Research and What Works Scotland.

The three main aims of the evaluation specified by the Scottish Government are to:

1. Assess the extent to which the three aims of police and fire reform appear to have been met (reduced duplication, greater access to specialist expertise, and strengthening connections with communities);
2. Identify lessons from the implementation of reform that might inform the process of future public service reform;
3. Evaluate the impacts of the reforms on the justice system and the wider public sector

The evaluation is now in the fourth and final year and is due to complete in February 2019. The following section will draw on the findings from the published reports from years 1-3 of the evaluation (see Annex 1 for a link to each report), focusing on police reform. Annex 2 provides a bibliography of academic articles relating to police reform in Scotland.

It should also be noted that Scotland is not alone in undertaking major structural reform of policing. Over the last 10 years, Denmark, Finland, Norway, the Netherlands and Sweden have all embarked on significant re-organisation of their police forces, typically involving the merging of police districts to create more centralized structures. As part of the evaluation of police and fire reform in Scotland, an international network of researchers and practitioners involved with reform has been established, creating significant opportunities for international learning and knowledge exchange.

What have been the main benefits and challenges of reform?

The evaluation has found plausible and credible evidence of progress being made towards the three long terms aims of reform but the picture is complex. There is strong evidence of the establishment of new structures and processes designed to enhance efficiency, effectiveness and engagement with communities. Specific benefits include:

- Aspects of local service provision have been enhanced in ways which would have been difficult to achieve without reform, particularly in terms of maintaining 'business as usual' when faced with spikes in demand associated with major investigations or responding to major incidents;
- The removal of legacy boundaries has led to improvements in accessing national capacity and specialist expertise, with responses to major incidents and the quality of investigations both being enhanced and the capacity to maintain local level service provision during periods of high demand also being improved. The establishment of specialist units bring high levels of expertise to deal with complex incidents, such as high risk missing persons and homicides.
- Informed by the publication of a ten year strategy for policing Scotland, *Policing 2026*, there is evidence of growing momentum around a stronger focus on localism, preventative activity, partnership working and innovation. Partner organisations are positive about the strategic importance now given to partnership activity and the presence of senior officers at local meetings.

However, the evaluation has highlighted a range of challenges associated with reform. These include:

- An imbalance between centralisation and localism: there have been concerns since the outset of reform about the ability of local communities and, in particular, local scrutiny committees, to discuss and challenge decisions taken nationally that impact locally (as exemplified by debates around the arming of officers and the increased use of stop and search). Furthermore, the speed at which decisions were taken by Police Scotland in the early stages of reform led to a poor assessment of Police Scotland's approach to engagement;
- The cumulative consequences of decisions taken at a national level to restructure and refocus the organisation have had several unintended consequences for local policing: In particular the redeployment of officers to specialist teams, reductions in civilian staff and restructuring of resource provision and geographical responsibilities have resulted in concerns among local officers, shared by the public and local councillors, that resources are increasingly stretched relative to demand and a strong perceptions of those involved in the routine delivery of local services that they are operating with diminishing resources, that work to strengthen connections with communities was often hampered by other organisational pressures;
- Insufficient attention given to the cultural aspects of reform and the 'Policing Principles' set out in the Reform Act: while much of the focus during the reform has been on structural changes to 'back office' functions and service delivery, the process of reform also involves significant cultural adaptations. The vision, values, ideas and practices which are the basis of organisational culture take much longer to establish than administrative structure and processes. Although aspects of the vision and values of Police Scotland are now being addressed (particularly through the Policing 2026 document), in the early phases of reform there was evidence that a dominant approach to policing, centred around enforcement and rigid performance management practices, was rolled out across the organisation. In addition the 'Policing Principles' set out in the Reform Act, which focus on issues of well-being, collaboration, harm reduction, and local engagement, were also given less priority in the early phases of reform.
- A strong perception among frontline officers of poor internal communication: This has been manifest in a number of different ways, including confusion about status of targets, the desire among local officers to understand not just the 'what' and 'how' of organisational change but

also the 'why', and the lack of clarity around career development and training opportunities for local officers in the new national organisation, contributing to low morale. There was also a wish for more open and honest communication around the challenges of implementing reform.

Have the policy intentions of the 2012 Act in relation to the police service been met?

- Progress towards achieving the policy intentions of the 2012 Act is uneven. Of the 3 strategic aims of reform, that relating to more equal access to national capacity and specialist expertise has the strongest evidence of progress being made to achieve this. Progress has also been achieved in terms of reduced duplication but while local service delivery has been maintained there is a strong sense among local officers of diminishing local resources are increasingly stretched relative to demand.
- The third policy intention regarding strengthening connections with local communities remains an area where progress is still required. Evidence from both the Scottish Social Attitudes Survey and the Scottish Crime and Justice Survey has indicated declining levels of public confidence in local policing. The case study evidence from the analysis of 4 communities across Scotland found a more mixed picture. In all 4 areas, the public and local councillors were generally very positive about their interactions with local policing teams, particularly in rural areas. Nevertheless, local officers, councillors, third sector organisations and the public were aware that community engagement and locally based joint initiatives were under pressures from other demands on policing. Dissatisfaction with the use of the 101 number was expressed by some members of the public as well as the closure and limited opening times of some police stations. With respect to partnership working, there was clear evidence that this was viewed positively by police, councillors, council staff and third sector organisations, and that it was of strategic importance and well supported by the attendance of senior officers at partnership meetings.
- The realisation of the 'Principles of Policing' set out in the 2012 Act remains a work in progress. In the initial stages of reform, there was little evidence that the Principles strongly informed the policy and practice of policing but with the publication of Policing 2026 that a more visible and strategic commitment to these principles has emerged. Police Scotland is developing a discourse around the transformation of service delivery focused around key pillars of Prevention, Protection, Localism, Innovation and Knowledge.

What are the wider lessons and conclusions that can be drawn from police reform in Scotland?

Over the course of the evaluation of police reform, several wider lessons and strategic conclusions have emerged:

- The complexity of the task of integrating the legacy organisations has been underestimated and the timescales for realising the benefits of reform have been unrealistic. The experience of Scotland, like other countries, has highlighted the ways in which reform is a journey involving phases of 'integration', 'consolidation' and 'transformation' and while the first two phases are now nearing completion, the transformational stage is only just beginning which means there needs to be careful management of public and workforce expectation about the time needed to bring about transformational change;
- Additional knowledge, skills and expertise are required to bring about the scale of organisational changes needed by reform which complement the professional experience of practitioners but which offer specialist expertise in areas of strategic importance, including financial planning, ICT, communications, and project management;
- Change of this complexity and scale requires a strong commitment to evaluation and to services being 'learning organisations' in which critical reflection on 'what works' (and what doesn't) is encouraged along with a theory of change which sets out the causal connections between pre-conditions needed to achieve long-term outcomes;
- Different views were articulated regarding the leadership qualities required to achieve the aims of reform. Some thought that a very directive approach was needed initially to achieve change in the timescale required, with a different style orientated towards collaboration and engagement required at later stages of the process. Others believed that communication and relationship building were key qualities required for effective leadership from the outset of reform.
- Effective internal communication between leadership and wider workforce: officers want to know not just the 'What' and 'How' of organisational change but also the 'Why'
- The relationship between centralism and localism needs to be regularly reviewed so that an appropriate balance is struck between the centralization of decision-making and the need for local flexibility and discretion, and ensuring that the cumulative impacts of decisions taken centrally are assessed in terms of their impacts locally.

Annex 1

Police and Fire Reform in Scotland reports

Year 1

National key informants report <http://www.gov.scot/Resource/0050/00502138.pdf>

Evidence review <http://www.gov.scot/Resource/0050/00502122.pdf>

Year 2

Local geographical case studies <http://www.gov.scot/Resource/0052/00523031.pdf>

Evidence review and perspectives from four case study areas

<http://www.gov.scot/Resource/0052/00523139.pdf>

Year 3

Thematic Case Study – Partnership, Innovation and Prevention

<http://www.gov.scot/Resource/0053/00530947.pdf>

Annex 2

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