Accountability and Transparency: Police Forces in England and Wales.

Abstract:

Between 2010 and 2015 the UK's Coalition Government introduced directly-elected Police and Crime Commissioners (PCCs) to oversee English and Welsh police forces, and also required every force to publish a range of performance and financial information online. Together with the fact that front-line policing services have not been outsourced or privatised, this suggests that strong 'downwards' mechanisms exist through which residents can hold their local force to account. However, the new arrangements are significantly more complex than their predecessors, because many more actors are involved – several of which assume the role of both 'principal' and 'agent' in different accountability relationships. As a result, there is a substantial risk that the public do not have a clear understanding of roles and responsibilities, which makes it more difficult to hold officials to account for their actions. Such findings highlight how direct elections do not necessarily make public officials more accountable, and therefore have implications for other jurisdictions and sectors.

Key words: Accountability; Transparency; Police Forces; England; Wales

1. Introduction

England and Wales, like most advanced democratic countries, have a combination of territorial or locally based police forces and more specialised forces. The latter specialise in more complex and serious levels of crime and predominantly operate on a national basis. They include the National Crime Agency, which deals with serious and organised crime, and the National Counter Terrorist Security Office, as well as forces such as the British Transport Police and the Civil Nuclear Constabulary, which operate in particular areas, sectors or services. This article focuses on how recent reforms have changed the nature of accountability arrangements for the 43 territorial police forces in England and Wales that are controlled locally and deal with the vast majority of crimes, such as robbery, burglary, arson, theft, and assault. It does not relate to the special police forces, nor to Scotland or Northern Ireland, where similar, but different, public assurance regimes have developed.

The article begins by exploring the conceptual nature of accountability, before analysing the evolution of various regimes that aimed to monitor financial and operational performance and provide public assurance in the police service. These regimes expanded under the New Labour administrations from 1997 to 2010, but were radically reformed by the Conservative-led coalition government that held office between May 2010 and May 2015. It shows how these reforms sought to improve 'downwards' accountability to citizens by introducing elected Police and Crime Commissioners (PCCs) and giving the public greater access to data about the activities of their local force as part of the government's 'transparency' agenda. Crucially, however, the changes have resulted in police accountability arrangements becoming significantly more complex and opaque. Indeed, the article will discuss two recent cases that highlighted how both residents and local policing organisations have struggled to understand how roles and powers are distributed within the new system. This suggests that accountability *principals* may not be sufficiently informed to hold *agents* to account effectively. By extension, it increases

the risk of 'mistaken identity', in which one actor is held responsible for the actions of another.

2. Accountability and transparency in public services

Whilst recognising that excessive monitoring can harm decision-making and operational performance, it has been argued that accountability helps to ensure 'good governance' and democratic control (Mayston, 1993; De Fine Licht et al., 2014). Traditionally, accountability has been associated with a 'higher authority' calling an individual or organisation 'to account' for their actions and having the power to levy sanctions for misdemeanours or malpractice (Jones, 1992). This model is based on the idea of a two-way relationship between the *agent* (which acts) and the *principal* (on whose behalf the agent is supposed to act), and which theoretically can hold the agent to account for its activity (Mayston, 1993; Mulgan, 2000). The identity of the principal influences the direction in which accountability is exercised: it may be *upwards* (to a higher authority), *downwards* (to citizens or a community), or *horizontally* (as part of a contract or partnership that has been agreed for mutual benefit).

Traditional Weberian bureaucracies have relied primarily on upwards accountability, because hierarchical management structures help senior decision-makers to control service delivery – and Parliament, the media and voters can then ultimately hold ministers to account for policy and performance. However, New Public Management (NPM) reforms have transformed these arrangements in many developed countries, by separating policy-making from delivery and fragmenting departmental structures. Proponents of these initiatives argued that, amongst other things, they would enhance accountability by clarifying responsibilities and encouraging a greater reliance on performance and financial management (Talbot, 2004). In reality, however, they have meant that politicians no longer have direct control over a range of public services and therefore do not always consider themselves accountable for their performance

(Considine, 2002). Instead, outsourcing and privatisation have resulted in accountability being exercised increasingly 'horizontally' through contractual relationships with suppliers and partners – rather than 'upwards' through departmental bureaucracies to ministers or 'downwards' to the public (Bovens, 2005).

Most countries have shied away from the explicit outsourcing and/or privatisation of front-line policing (although South Africa is a notable exception, see Schönteich et al., 2004). For example, although the UK is often held up as a trailblazer in NPM reforms, public forces are (still) the monopoly provider of state-funded policing and crime prevention services in England and Wales. Nonetheless, in recent decades they have been subjected to managerial reforms that sought to improve performance and deliver operational 'efficiencies' (Gilling, 2014). For example, forces were required to measure and publish a range of data related to crime statistics, community safety and expenditure from the mid-1990s onwards – reflecting a broader trend that led to UK public services becoming 'probably the most "performance-reported" in the world' (Talbot, 2000: 63). Furthermore, from 2012 onwards each force has been headed by a directly-elected PCC, who is responsible for priority-setting and governance. This suggests that policing in the UK now contains three ingredients that should help to deliver 'downwards' accountability to voters: traditional Weberian bureaucracy, easily-accessible information about the organisation's performance and financial management, and a directly-elected official in charge of operations.

Transparency is often viewed as a pre-requisite of accountability, because it gives the 'principal' access to potentially valuable data relating to their 'agent' (Hood, 2010) and dissuades government from acting inefficiently or oppressively (Birkinshaw, 2006) – particularly in contexts where public auditing processes may be underdeveloped or ineffective (Ferry and Eckersley 2015). This is somewhat simplistic, however, because genuine accountability is contingent on the type and accessibility of data that are published, and whether recipients are able to understand them, access channels for

complaint and enforce penalties in the event of malpractice (Heald, 2006; O'Neill, 2006; Etzioni, 2014; Ferry et al*.,* 2015). In other words, the quality and type of data that are made available, as well as the capacity of their audience to analyse and understand them, may determine whether the principal can use them effectively for accountability purposes (Heald, 2012). As this suggests, transparency does not always increase public accountability and the two concepts are certainly not synonymous. Nonetheless, in order to hold agents to account, principals do need to be able to access information about their activities, so that they can highlight any potential wrongdoing and enforce sanctions accordingly.

3. Accountability and transparency of police forces

The above discussion has not addressed one key question head-on: who is the 'principal' in the accountability relationship with police services? In other words, on whose behalf do forces seek to prevent and solve crime – and, by extension, to whom should they be accountable? As with any state-funded service, the answer should ultimately be the public – after all, police forces in the UK receive funding through local Council Tax precepts and need to respond 'downwards' to local priorities and communities. At the same time, however, 'upwards' mechanisms mean that forces are required to acknowledge and implement ministerial initiatives, and they receive a significant proportion of their funding directly from central government. In other words, they are accountable in different directions and to different agents (National Audit Office, 2015a).

This article will set out the arrangements for police accountability before the 2010 election, before examining the impact of reforms introduced by the Conservative-led Coalition and subsequent Conservative Governments in the period since then. In particular, it will focus on how the introduction of directly-elected PCCs and data 'transparency' requirements set up English and Welsh police forces as being *prime suspects* for strong 'downwards' accountability to the public. However, it will also show

how these reforms actually made accountability arrangements more complex than was previously the case, due to the increasing number of actors and institutions that operate as principals or agents in these relationships. Indeed, because these arrangements have become increasingly complicated, neither the public nor those directly involved in accountability arrangements (including the PCC or Chief Constable) are always clear about the role that each actor is supposed to play in holding forces to account. This could result in cases of mistaken identity (where an actor is deemed responsible for something that is beyond their control or remit) and have a detrimental impact on public confidence in the police. In other words, the article will highlight how introducing a directly-elected element into public services does not necessarily improve accountability – something that has wider implications outside policing.

Since the article focuses on contemporary phenomena, we adopted an explanatory study methodology (Yin, 2014) to examine the changing nature of accountability relationships in the English police service. This involved studying publications from government departments and audit bodies, as well as ministerial speeches and the media, to identify the objectives behind the recent reforms and how the public has responded to them. In particular, we analysed a number of high-profile clashes between PCCs and Chief Constables, and reports into how they sought to respond to perceived scandals. These events provided a very useful insight into how accountability relationships within policing had changed after the introduction of PCCs.

3.1 Pre-2010

In 1964, the UK Government introduced separate police *authorities* to oversee police forces, thereby replacing a system of council-led oversight through committees. These authorities were made up of both nominated local Councillors and appointed members, and they had a statutory role to oversee the activities of each force. For example, they were responsible for setting local policing priorities, recruiting senior officers, monitoring

performance and expenditure and ensuring that Chief Constables balanced both national and local priorities (House of Commons, 2010). This reform meant that police authorities formed a key part of national 'tripartite' arrangements that also involved the Home Office and the Association of Chief Police Officers. Together, these three agencies sought to co-ordinate policy–making and join-up inter-agency service delivery, whilst remaining autonomous and focusing on their own functional responsibilities. Their position within the wider landscape of pre-2012 organisations is included in Figure 1 below. This arrangement sought to ensure that policing would not become too political (because no government minister was directly in control of forces), and that professional officers could concentrate on their day-to-day operational duties, although concerns about the accountability of forces to local communities persisted. In other words, a set of vertical principal-agent relationships developed, in which police authorities held the service to account locally, but senior officers also liaised with ministers and civil servants to address more serious and organised crime that transcended the geographical territories of individual forces.

The situation began to change from the 1990s onwards, after forces were required to report their performance against a set of central government indicators. This initiative was begun by the then Conservative Government, and overseen by the Audit Commission, an arms-length body responsible for overseeing the activities of local authorities including the police. The ministerial indicators covered response times to emergency calls, crime levels, detection rates, the number of officers per head of population and total force expenditure (Audit Commission, 1995, 2009). In addition, forces were subjected to efficiency and effectiveness assessments from Her Majesty's Inspectorate of Constabulary (HMIC), which reported to the Home Secretary. As a result, there were a number of mechanisms to strengthen 'upwards' accountability between the police, ministers and Parliament.

After taking office in 1997, the New Labour Government continued with this approach and expanded the range of indicators against which police forces were assessed. Between 1998 and 2010, every iteration of Public Service Agreements, which sought to link central government funding to the delivery of ministerial priorities, included various Home Office and Treasury targets relating to police performance (Cabinet Office, 2009). Reflecting a continuing concern with police accountability as well as performance these objectives cascaded down to police forces through performance management regimes such as Best Value and Comprehensive Area Assessment throughout New Labour's time in office (Sullivan and Gillanders, 2006; Grace, 2006; Raine, 2008; Campbell-Smith, 2008; Joyce, 2011; Barber, 2012; Murphy, 2014; Fisher and Phillips, 2015).

Additional central initiatives strengthened 'upwards' accountability even further. Ministers set up a new specialist improvement body, the National Policing Improvement Agency (NPIA), together with whistleblowing and scrutiny arrangements through a new Independent Police Complaints Commission. Individual parts of the service, such as the Crime and Disorder Reduction Partnerships (CRDPs) and Safeguarding Boards, were also subject to specialist assessments and appraisals and a range of intervention arrangements to address underperformance.

The system did undergo some further changes during the late 2000s (such as a 2008 decision to replace the Police Performance Assessment Framework with a single indicator to measure public perceptions (Gillings, 2014)). However, ministers stuck to the basic principle that central targets would help to improve policing and local accountability. This meant that inspection bodies were producing unprecedented amounts of performance information that were all publically available, annually reported and could be interrogated by freely available web-based tools and techniques. Since this was done in response to ministerial targets, rather than local priorities, it strengthened 'upwards' accountability between police forces and central government. At the same time, ministers used special grants and the potential of extra freedoms to incentivise forces to

perform well against these targets, whilst doing relatively little to enhance 'downwards' relationships with local communities. Figure 1 sets out how these accountability arrangements operated in practice.
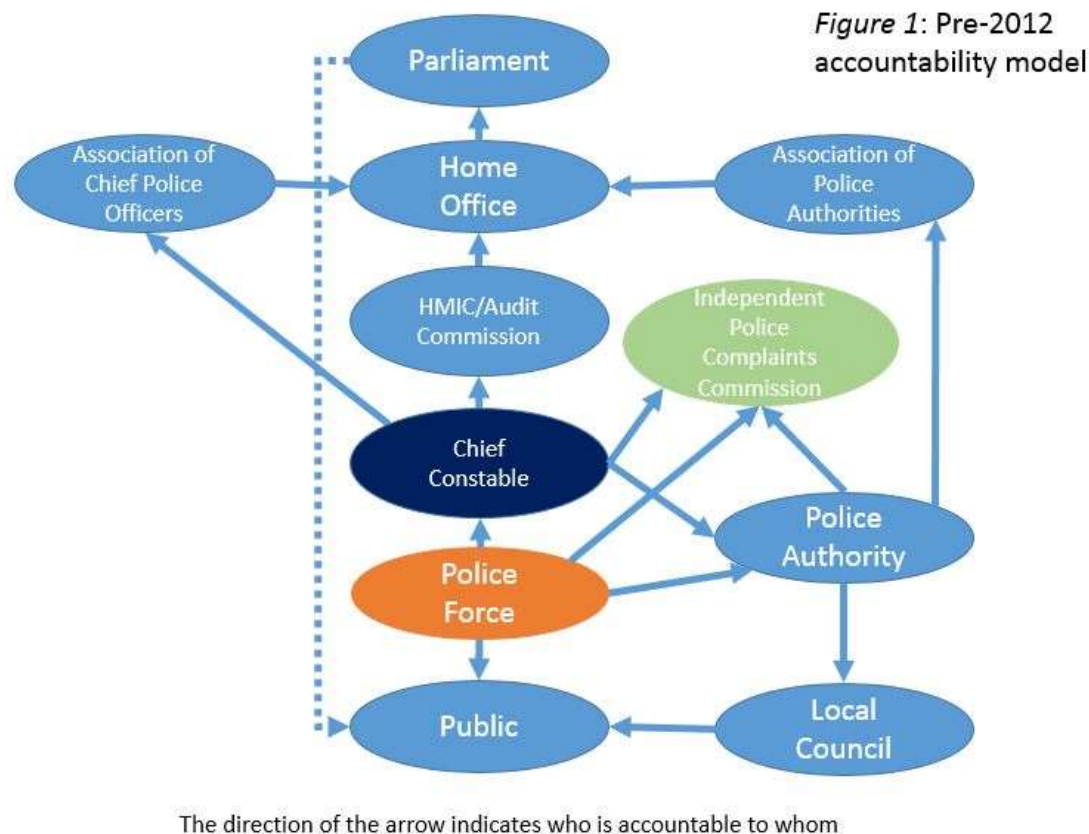

Figure 1: Pre- PCC police accountability arrangements (authors' own interpretations).

3.2 The Coalition Government

In 2010 the incoming Conservative-led Coalition Government began to implement a policy of 'austerity localism' (Lowndes and Pratchett, 2012) which gave local public bodies more freedom to decide their own priorities, in a period where public expenditure was severely restricted. As part of this agenda, ministers moved rapidly to dismantle New Labour's 'upwards' reporting performance regime for local public services, including the police. Indeed, within less than six months the coalition government had abolished the following institutions, systems and arrangements:

- The Audit Commission, together with Comprehensive Area Assessment and Local Area Agreements (which had monitored local government performance and financial management)

- The tripartite arrangements to encourage policy co-ordination between the Home Office, the Association of Chief Police Officers and the Association of Police Authorities

- Public Service Agreements and central-government imposed performance management structures (although multi-year spending reviews were retained)

- The regional network of Government Offices, which co-ordinated CDRPs and negotiated Local Area Agreements with local public bodies

- The National Policing Improvement Agency, which was replaced by a new College of Policing with a reduced budget

- Police Authorities, which were replaced by PCCs and Police and Crime Panels (PCPs).

In spite of these changes, however, a number of 'upwards' reporting mechanisms remained in place that inform residents of how forces are operating. For example, the National Audit Office assumed overall responsibility for ensuring police forces were subjected to external audit (although private accountancy firms actually undertake the work), and HMIC and the Independent Police Complaints Commission continue to operate (even though the former has new management and leadership). In addition, HMIC can still conduct value for money studies of individual forces and undertake thematic reviews of value for money across the police service. Although HMIC has considerable discretion as to what it reports to the public, it does make the results of every value for money report and benchmarking exercise available online. Indeed, following the appointment of a new Chief Inspector in 2012, the inspectorate has been prominent in developing a sector-led regime that is very similar in structure, content and tone to the frameworks for organisational and cross agency assessments that the Audit Commission developed to monitor local government performance in the 2000s (HMIC,

2014). Furthermore, the Home Office increased HMIC's budget to fund a new programme of force inspections under the Police Effectiveness, Efficiency and Legitimacy (PEEL) framework (HMIC, 2016), which aims to provide a regular comprehensive assessment of organisational performance. Finally, the Home Secretary has retained the power to intervene in 'failing' or significantly underperforming forces, and to direct HMIC to investigate and report on any issue involving the police. As such, there is an emerging landscape of more standardised and hierarchical accountability mechanisms within the police service, albeit on a smaller scale than before 2010.

At the same time, ministers argued for a shift towards 'downwards' mechanisms in order to help local residents hold their forces to account. This formed part of the overall agenda of encouraging 'sector-led' improvement regimes for the delivery of locally based public services (DCLG, 2011; LGA, 2011, 2015; Murphy and Jones, 2016). For the police, this meant that individual forces were (theoretically) able to set their own objectives in response to local priorities and community needs, and could thereby begin to focus more on 'downwards' accountability as a result. Notably, because front-line policing remained under the direct control of public bodies, accountability mechanisms had the potential to be much clearer and more 'vertical' than in local government services such as social care or waste management – where 'horizontal' contractual relationships with suppliers, and collaborative arrangements within partnerships, are increasingly common in the UK (Eckersley et al. 2014; Ferry et al. 2015).

Furthermore, the Home Secretary required police forces to publish various datasets online in the Police Reform and Social Responsibility Act 2011. They include the force's total budget, expenditure on any items exceeding £500, revenue sources, grants made for crime and disorder reduction, salaries of senior employees, copies of contracts exceeding £10,000 and details of severance payments. These data inform a Home Office website that contains information relating to crime and policing costs in their locality and compares this to other areas of a similar nature. On announcing these 'transparency'

initiatives (Prime Minister's Office, 2011), ministers argued that they would allow the public to assess the performance of the local force much more easily, and enhance 'downwards' accountability to local residents as a result.

Most notably, in 2012, ministers introduced elected PCCs, which provided a direct link between forces and their local residents. Studies of mayors in local government have found that the presence of a directly-elected official at the apex of a public body can give that organisation greater capacity to achieve its objectives, since he or she has more authority to implement their policy programme (Eckersley and Timm-Arnold 2014). Working on this basis, supporters of PCCs argued that local residents should be able to discern whether an elected PCC has delivered on their manifesto much more easily than the police authorities that preceded them, and hold them to account accordingly. Indeed, as Lister and Rowe (2015) argue, PCCs were introduced explicitly to improve public accountability, and in response to the lack of public awareness of police authorities and their activities. These individuals are now responsible for ensuring local policing needs are met in all forces outside London (where this task is undertaken by the elected Mayor). Therefore, together with the data transparency requirements and the fact that forces still resemble Weberian bureaucracies because front-line policing has not been contracted out, this suggests that the arrangements for police forces in England and Wales now contain a number of factors that make them a prime suspect for relying more on 'downwards' accountability mechanisms.

Nonetheless, the legislation also means that PCCs are partly accountable to the Home Secretary, because it requires them 'to provide for the national strategic policing requirement' (Raine, 2015: 99). In addition, other changes meant that the 'tripartite' governance structure was replaced with a 'quadripartite' arrangement, because they also led to the creation of PCPs, which are supposed to provide overview and scrutiny of PCCs and hold them to account 'horizontally' between elections. PCPs comprise local councillors and independent members, but (unlike the former police authorities) they do

not have an accountability relationship with chief constables. Furthermore, other actors (including the public, the PCC's political party (in those cases where he or she is not an independent), community safety partnerships, criminal justice boards and other criminal justice providers) are also now involved (see Figure 1 for simplified illustration). Perhaps not surprisingly, PCCs have prioritised their relationship with the public (Lister and Rowe, 2015; Caless and Owens, 2016), and the Police and Crime Panel (Lister 2014) and therefore we can assume that these elected officials are seeking to enhance 'downwards' accountability between the police and local residents. Nonetheless, it is important to note that an increasing number of organisations are involved in overseeing and delivering the police service, and several of these bodies operate both as principals and agents in these relationships – not least PCCs themselves. Therefore, in spite of the democratic rhetoric that accompanied the reforms, it is crucial to note that they have complicated the nature of police accountability considerably (Raine and Keasey, 2012; Raine, 2015). Indeed, as Figure 2 shows, the new accountability landscape is far from simple.
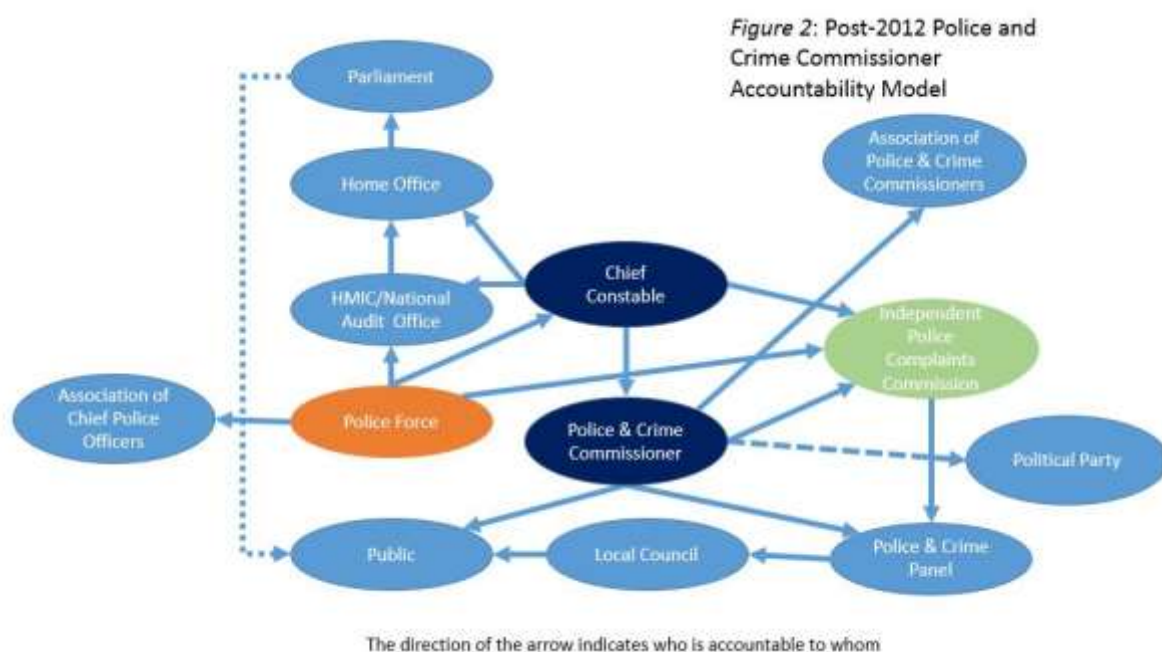

Figure 2: Post-2012 Police and Crime Commissioner Accountability Model

The direction of the arrow indicates who is accountable to whom

Figure 2: Post 2012 PCC accountability model (adapted from Raine, 2015: 99).

The Policing and Crime Bill 2016 will introduce a number of additional reforms that aim to increase the public's ability to hold forces to account even further, but may just make

the situation even more complex. For example, it would change the way in which complaints about the police are handled and officers are disciplined, extend freedom of information legislation to the Police Federation (the staff association for front-line officers), and strengthen the Independent Police Complaints Commission (UK Parliament, 2016). It also allows PCCs to assume direct responsibility for fire and rescue services within their jurisdictions, which would reduce the amount of time they can devote to holding the police force to account.

As we have seen, therefore, the accountability arrangements for police forces in England and Wales are a little more complicated, and it is too simplistic to argue that straightforward 'downwards' (or indeed 'upwards') relationships predominate. Indeed, as the next section shows, forces have responded to controversial events in ways that highlight the complex and uncertain nature of these new procedures. In other words, the reforms have increased the risk of *mistaken identity*, because an increasing number of actors are involved as principals and/or agents in their accountability relationships with each other and it is not always clear who is responsible for a particular task.

4. How the new arrangements have worked in practice

Several cases have highlighted the lack of clarity around how accountability relationships involving key policing actors should operate. In 2013, for example, the Chief Constable of Gwent Police announced suddenly that she would take early retirement, before telling a committee of MPs that she had been forced into this decision due to 'menacing and bullying' treatment by the PCC (House of Commons, 2013: 20). Notably, neither the Chief Constable nor MPs on the committee knew whether the PCC had the power to push her out in this manner, and this vacuum was ultimately filled by the courts, after the Chief Constables of two other forces challenged decisions by their PCCs to suspend and not renew their contracts respectively. The courts ruled that the suspension of Neil Rhodes, Chief Constable of Lincolnshire Police, was unlawful – but they upheld a decision

by the PCC of Avon & Somerset, Sue Mountstevens, not to renew the contract of her Chief Constable, Colin Port (Laville, 2013). In other words, the exact nature of these accountability relationships, and the extent to which PCCs are at liberty to hire and fire Chief Constables, remains somewhat unclear – and neither elected officials nor the public have determined the criteria on which these decisions should be based. In a parliamentary report in 2013, the Home Affairs Select Committee highlighted this lack of legal clarity:

> The legislation is silent on the grounds for suspension where the decision does not relate to conduct, nor does the Home Office provide guidance on how it might be applied, or what safeguards should be taken into account to ensure any suspensions are fair and proportionate. In the same way…, the 2011 Act permits a commissioner to "call upon the chief constable of the police force for that area to resign or retire", but again is silent on the grounds upon which they may be required to do so (House of Commons, 2014: 25).

The Committee asked the Home Office to clarify this legal situation, but it remains to be seen whether the 2016 Bill will achieve this, as a number of amendments have been proposed by the government and the bill has moved back the House of Lords for further consideration. Nonetheless, the Committee found that many PCPs were unsure of their exact role, thereby highlighting how the new arrangements were complex and confusing even to those actors that had some responsibility for ensuring accountability (House of Commons, 2014). Since citizens are almost certainly less well-informed about the accountability arrangements than members of the PCP, it is highly unlikely that 'downwards' mechanisms will be sufficient to hold agents to account for their activity.

Another notable case concerned the abuse of over 1400 children in Rotherham. In August 2014, an independent inquiry confirmed that multiple failings in local child protection services led to the abuse continuing for many years after suspicions first arose (Jay, 2014), and senior officers in the local authority and safeguarding agencies

resigned as a result. However, Shaun Wright (the PCC for South Yorkshire, and formerly the elected Councillor in charge of children's services in Rotherham) refused to step down initially, arguing that he was best placed to address the problems identified by the inquiry. Although the Police and Crime Panel passed a vote of no confidence in him, PCPs only have the power to suspend a PCC if he or she is charged with a criminal offence that carries a maximum prison sentence of longer than two years (BBC News, 2014). This meant that he could have remained in post until the next PCC election – even though he was also suspended as a member of the Labour Party after the inquiry was published. Eventually, following pressure from the public, the media, Home Secretary, Chair of the Home Affairs Select Committee, relatives of abused children and even the Prime Minister, Wright did resign several weeks after the report came out (Travis, 2014). Although he did step down in the end, this case highlights how the Byzantine accountability relationships that have developed within English policing since 2012 cannot address every eventuality or potential scandal. The new arrangements also make it more difficult for citizens to understand how responsibilities are distributed across the policing landscape and – by extension – hamper their ability to hold PCCs to account.

In addition, as with other local services, the interrogation of financial and performance information became more difficult between 2010 and 2015. This is due to a reduction in research and evaluation capacity from within the Home Office and the abolition of the Audit Commission and National Policing Improvement Agency. Similarly, the abolition of police authorities led to a loss of knowledge and experience (both from elected members and analytical support staff), and the new arrangements will take time to recover these resources. For example, PCPs are now responsible for scrutinising and monitoring the performance of PCCs, but these bodies have not necessarily drawn on the resources of the now-defunct authorities (LGA/Centre for Public Scrutiny, 2011; LGA, 2013). As such, there is much less capacity within the system to analyse and interpret activities in order to inform horizontal and upwards accountability procedures. Similarly, transparency initiatives will not improve the situation if residents have neither the resources nor the

inclination to analyse the datasets that public bodies make available – as the parallel case of English local government suggests (Eckersley et al., 2014; Ferry et al., 2015).

Furthermore, the new arrangements for 'upwards' accountability remain somewhat confused and overlapping, with a plethora of 'agents' to whom forces should report and an unclear division of responsibilities. For example, although the 2014 Local Audit and Accountability Act gave the National Audit Office (NAO) the right of access to both the Home Office and PCCs, only HMIC can inspect police forces and make a judgement on their efficiency and effectiveness. Overall, the complex and changing organisational landscape (NAO, 2014), together with the attendant accountability and transparency arrangements, have led the NAO to raise concerns about the assurance of value for money in police services (NAO, 2015a, 2015b).

Even more significantly, there was considerable scepticism amongst politicians and the wider policing and criminal justice community about the value of introducing PCCs in the first place. Together with high levels of public confusion and disinterest, this scepticism culminated in turnouts of less than 15% for the first PCC elections in November 2012 (Lister and Rowe, 2015). Shortly afterwards, the Independent Police Commission (established by the Home Secretary under the former Chief Commissioner of the Metropolitan Police Lord Stevens), recommended that the 'significantly flawed' model should be abandoned (IPC, 2013). When such a low percentage of residents express a preference for a PCC candidate, it raises serious questions about the legitimacy of the post and whether mechanisms such as direct elections would actually make officials more accountable. Although an increased percentage of voters did participate in the next round of PCC elections (in May 2016), this was probably because they coincided with elections to local councils in England and the Assembly in Wales – and even then only three English PCC contests had turnouts in excess of 30 per cent (BBC News, 2016). Furthermore, many more of the successful candidates represented a political party

compared to 2012, which complicates the accountability relationships even further in these areas (see Figure 2).

There is some evidence to suggest that 'downwards' accountability is improving. Recent studies of PCCs have found that they focused most of their efforts on building their rapport with the public, despite the fact that they were also involved (as either agents or principals) in four other accountability relationships within policing (Lister and Rowe, 2015; Caless and Owens, 2016). This has paid off to some extent, as the public has become increasingly likely to correspond with PCCs, and they almost certainly have a higher public profile than former members of police authorities (Rowe and Lister, 2015). Nonetheless, the roles and responsibilities of various actors involved in monitoring forces remain unclear, and the public does not yet vote in large numbers for a democratically-elected official in charge of local policing. As a result, it is difficult to argue that the recent reforms have made the police significantly more accountable to local residents.

5. Conclusions

Overall, the new accountability arrangements for policing in England and Wales are significantly more complex than their predecessors. In particular, although forces may be more responsive to communities than the police authorities that they replaced (and this is at least partly due to the introduction of directly-elected PCCs), it is far too simplistic to argue that they are now subject primarily to 'downwards' accountability mechanisms. For example, despite the abolition of centralised targeting frameworks, the new PEEL programme (a centralised performance monitoring framework) and the continued power of the Home Secretary to intervene in the governance and management of forces mean that 'upwards' accountability structures remain very robust.

More importantly, however, because many more actors are involved in the new accountability arrangements, and several of them assume the role of both 'principal' and 'agent' in different relationships, it is not always clear how roles and responsibilities are distributed across this landscape. As a result, there is a substantial risk that the public do not have a clear understanding of roles and responsibilities under the new arrangements, which makes it more difficult for them (and the statutory bodies) to hold officials to account for their actions. In fact, instead of clarifying and accentuating downwards accountability to local residents, the reforms have actually made accountability relationships more opaque. As a result, they have increased the risk of a case of mistaken identity when the public tries to pin down an individual or organisation as being responsible for any particular activity.

More broadly, this article has lessons for other jurisdictions and sectors that are looking to reform their accountability arrangements. Although direct elections may appear seductive as a means of strengthening the 'downwards' link between public officials and citizens, they do not necessarily simplify accountability procedures. As the South Yorkshire case demonstrated, such initiatives may need to be accompanied by additional oversight or intervention mechanisms to prevent individuals subsequently perceived to be unsuitable from remaining in post. However, as the number of actors involved in accountability relationships increases, so too does the complexity of these arrangements – and, by extension, the risk of mistaken identity when attributing responsibility to a particular organisation or individual.

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