

## **Business management Administration Committee**

**22 September 2011**

### **Transcript of Item 6: Establishment of the Mayor's Office for Police and Crime and the Police and Crime Committee**

**Jennette Arnold (Chair):** Good morning all, and thank you all for your attendance at this meeting of the Business Management and Administration Committee (BMAC) of the Assembly.

I welcome Catherine Crawford, Chief Executive of the Metropolitan Police Authority (MPA), to the meeting to answer the Committee's questions on the Mayor's Office for Police and Crime (MOPC) and the Police and Crime Committee.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I would like to start, Chair, by thanking you for inviting me because I welcome the opportunity to come and talk about the work that has gone on in terms of creating the Mayor's Office for Policing and Crime and give an update on the paper [a briefing paper with MOPC planning assumptions provided to Members] which was of course written before the final stages of the Bill: the Bill is now an Act; it received Royal Assent last Thursday, 14 September 2011, which means that we can now plan on the basis of a new statutory body being created, because that has been, to some extent, a limiting factor on the planning process. Having said that, I am sure Members will have seen that there was a last-minute amendment to the Act put forward by the Government, to delay the implementation of the Police and Crime Commissioners (PCCs) outside London until 15 November 2012: that does not affect the planning for London. We have had an assurance from the Policing Minister that the intention is still that London should go earlier than the rest of the country if possible, and the planning assumption was always that that should be before the Mayoral Election in May 2012 - we continue to plan on that basis.

The paper that you have before you sets out the planning assumptions that we adopted in the beginning. In the first instance, we were looking for the abolition of the MPA and the creation of the MOPC in October this year. It became clear that that was not going to be possible because there had to be a lag between Royal Assent and the implementation. So our current planning assumption is that we would look to go in December, this year, at the very earliest, but pragmatically my advice is that it is unlikely that we will be able to do so before the beginning of January [2012]. If that timetable slips any further, I think it becomes problematic to run too close to the Mayoral Election, and there would have to be a reassessment, but all the indications at the moment are that the beginning of January should be perfectly feasible.

The constraints are certainly outside my control, and I would suggest outside the control of the Greater London Authority (GLA) as well because it rests on making the necessary secondary legislation on a timetable that allows us to go ahead, and that is very much in the hands of the Home Office. I am encouraged by the fact that the Home Office has already set in train this

process in anticipation of the Bill receiving Royal Assent, but nothing practical has happened. There are some complicated areas which we will need to have cleared before we can be certain that we can go ahead on that timescale.

One further point, which is that we do have in the diary now 29 September 2011, next week, as the date on which we have set meetings both with MPA staff and with GLA staff in the Community Safety Unit (CSU) to finalise the organisational design, and begin the process of assimilating into posts in the new organisation. That date is not in this paper either because that had to wait for Royal Assent, but that will happen next week: that is when we will make available the final organisation design.

**Jennette Arnold (Chair):** That means that you are working on that particular piece and you will not be able to talk about it because you have not addressed the staff. We are talking about possible jobs at risk and I know that Members will be mindful of that. Clearly, if somebody's job is at risk, then they have the right to hear that first and not at this Committee.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I can talk about it in general terms. The final aspects are yet to be completed, and we will have meetings with the staff that might be affected on a one-to-one basis before 29 September 2011. That is, again, both with colleagues in the GLA and in the MPA.

**Len Duvall (AM):** There are GLA staff that are at risk here, maybe we should have had a GLA representative sitting next to Catherine Crawford so they could do a double-act and answer Members' questions.

**Jennette Arnold (Chair):** We do have the Head of Paid Service here, so he will take your questions.

**Len Duvall (AM):** I am seeking some clarity on Appendix 1, page 67, item 3.1. If I just read the bullet point, "Some functions currently discharged by the GLA will no longer be carried out by the GLA following the enactment of the Bill." What are those functions?

My next question relates to the second bullet point below that, "A non-executive group of advisors is to be established." How will they be selected and what is the process for that? Is their role to do with advising on policing or governance of the MOPC? And if that is the case, how does that square with a reference later on in the document in section seven with a further group? Is it the same group that is advising on some other issues?

Further, can you confirm that there is a requirement for the MOPC to hold at least one public meeting per annum? This is less than now, as a statement of the obvious. If there is just the one required, presumably that does not exclude that there could be more. Please could you give some clarity around that.

Regarding section four of the paper and the protocol, my questions is maybe one for the GLA: who is leading the negotiations on behalf of us as an Assembly (in the draft under this protocol on this issue) and do we have a chance to influence this draft and who will be our team? Is it

just officer-led? Is it being led by the Mayor's Office on our behalf, and we do not know? I think there are some questions that we need to ask here in terms of some of those issues.

My final point, going to page 71 section 6, given the earlier remarks that Catherine made around this, in terms of the MPA staff, where we are with the Bill just being enacted? Is it not the case, that the lack of clarity and direction is unfair on staff in both organisations? I think you can signal, you indicate that you are about to brief staff. When will staff get clarity? When do they get to know what their future is? In particular in the GLA - I am primarily an Assembly Member, I need to ask that of the Head of Paid Service.

**Jeff Jacobs (Head of Paid Service):** Regarding the GLA functions that might switch across: when we issued a consultation paper to staff earlier this year, we indicated - following informal conversations I had with CSU staff ahead of that paper being issued - which activities in CSU seemed potentially appropriate to go across to the new MOPC and which might stay. That was against the background of the legal basis in the GLA Act of what the GLA is able to do in circumstances where a functional body has the ability by law to carry out a particular set of functions. The thesis behind it is no duplication, and in essence that is what is lurking behind the legislation.

We looked up what the CSU activities were and took a view, reflected in the consultation paper of what should go and what should stay. That means that the presumption was that the majority of activities currently carried out by the CSU would switch across subject to a consultation with there being the possibility of some limited activities staying here. Clearly, we have listened to what the staff, amongst others, have said in the consultation exercise and when we go out to staff on the announcement that Catherine has already referred to next week on 29 September 2011, we would make clear at that stage whether what was in the consultation paper in terms of functions remaining or going would stay.

I can and should say now that I do not expect there to be much difference, if any, from what we put in the consultation paper in terms of activities likely to switch across. That is based on the philosophy, as I said, in the legislation about what the GLA can legally do on the one hand and a broader view about what the GLA could or should be doing in terms of social activity in particular, and wider best-practice activity alongside that, and youth opportunities starting to follow in alongside that, so it is more likely that the stuff which is clearly related to the crime-related end of the world will switch to MOPC.

**Jennette Arnold (Chair):** There is the question about consultation with staff.

**Jeff Jacobs (Head of Paid Service):** In relation to GLA and Len Duvall's point about clarity for staff, that is absolutely right. We have tried and we can enumerate the number of meetings and briefings that both the MPA and we have given to staff as this process has gone along. We have been hamstrung, obviously, by the legislation and that has not made it easy for the management side and certainly has not made it easy for the staff side. Next week is when we hope now we can make the position crystal clear.

I should say, however, that you were quite right, Len, to refer to the GLA staff implications, because I will need to come back to BMAC to consult on the further proposals before I make final decisions. I will not be able to do that until we are out next week, and then at the next BMAC meeting, all other things being equal, I would consult.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Further on that point, Chair, just to endorse what Jeff has said, it has been a very difficult period for staff in both organisations, and it has been frustrating for us, I think, managing our staff because it has been impossible to give anyone any certainty.

This has been a very controversial Bill. It was always possible that it would not get Royal Assent at all; let alone finalising what the actual details of the timetable are. We have appreciated how very unsettling that has been, and have done what effectively is the only thing we can have done, which is to keep very clear communication channels going with regular meetings, regular briefings, updates and that sort of thing, but there is no denying that it has been very unsettling, and a difficult period for everyone.

I am sure Jeff will say for his staff and for my staff, I have been absolutely delighted by the way they have not let that get in the way of discharging business as usual which has remained a real challenge for everyone there, but one of the risks we had in the risks register on the programme to implement MOPC was that people would become disaffected, and it would be hard for the day job, and that absolutely has not happened.

Regarding your second question, the Act provides in a lot of respects permissively, if you like, rather than prescriptively, so it does not require either a PCC outside London or MOPC to appoint independent advisors or indeed an independent audit committee, but it allows for that to happen should any individual wish to do so. If we proceed on the timetable I have outlined in January, Kit Malthouse AM (Deputy Mayor for Policing) will become the Statutory Deputy Mayor for Policing under Boris Johnson as the Mayor, and they have both indicated that it would be their intention to appoint some non-executive advisors, not very many, and it is not yet clear quite how or where from.

**Brian Coleman (AM):** There is no such title as Statutory Deputy Mayor for Policing.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The Act creates a Statutory Deputy Mayor for Policing.

**Jennette Arnold (Chair):** Does it? That is news to me.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The Act provides that the Mayor, as MOPC - there is a slightly theological feel to some of this - can delegate almost all but not quite all of his functions to the newly-created Statutory Deputy Mayor for Policing, whom he appoints, but who does not have to be under the Act an Assembly Member.

**Jennette Arnold (Chair):** It could be anyone! I did not know it was in the Act. Thank you for that.

**Len Duvall (AM):** Just to seek clarity, Chair, that then means that person could be an unelected individual?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes that is what it means.

**Janet Hughes (Head of Scrutiny and Investigations):** It is also helpful to add at this point, that during the passage of the Bill one of the amendments that was secured to that Bill was that in the event that the Deputy Mayor is not an Assembly Member, then the Assembly would have the right to veto that appointment by a two-thirds majority vote, because of concerns that the Assembly had raised about the need for legitimacy of the person who holds that post.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** There were a number of amendments moved to require the Deputy Mayor to be an Assembly Member, but those amendments were not carried.

**Jennette Arnold (Chair):** We will make sure this is all fully minuted because this is all news to the Members sitting here and to the general public, so thank you for that.

**Brian Coleman (AM):** Is the title Statutory Deputy Mayor?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The title is Deputy Mayor for Policing.

**Brian Coleman (AM):** "Statutory" refers to the third Deputy Mayor. There is only one Deputy Mayor. These other Deputy Mayors are nonsense. You can only have one Deputy Mayor.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Under the Act, there will be a second Deputy Mayor for Policing which will be a creature of statute.

**Darren Johnson (AM):** How does that fit in with the Mayor's Office for Policing and Crime? Can you just explain that?

**Brian Coleman (AM):** If a Mayor gets knocked over by a bus, – what then?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** If I can pick up Mr Coleman's point, if the Mayor is knocked over by a bus, then the Deputy Mayor becomes the Mayor, but he or she also would be able to delegate to the Deputy Mayor for Policing, who is a separate person.

**Jennette Arnold (Chair):** Unless it is the Deputy Mayor who is then given policing and then that person is wearing two deputy hats.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I do not think there is anything in the Act that would prevent that.

**Richard Barnes (AM):** The statutory responsibilities of the Statutory Deputy Mayor of London are quite restricted. He cannot dismiss people. He cannot appoint people. He can administer and take decisions --

**Darren Johnson (AM):** Could we just have clarification on where the Deputy Mayor for Policing fits in with the Mayor's Office for Policing and Crime, given that the Mayor can appoint someone? Is it expected that it is the same person?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The Mayor's Office for Policing and Crime is the Mayor. The view was that the Mayor would not be able to discharge what is, effectively, a full-time job of being responsible for holding the Commissioner to account and discharging the various crime-related functions that were transferred to this new office, which is a wider remit than the MPA currently has, so the Act creates a Deputy Mayor for Policing. Kit Malthouse --

**Darren Johnson (AM):** Who is *de facto* in charge of the Mayor's Office for Policing and Crime, and that is clear in the Act?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes, that is a helpful way of putting it.

**Brian Coleman:** Can I ask: if it is an Assembly Member, are they entitled to an allowance?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes.

**Brian Coleman (AM):** That is in the Act, is it?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes But not the amount.

**Brian Coleman (AM):** That is another breach of legislation, another change completely adrift of legislation, which would be for Assembly Members to receive additional allowances except the Chair.

**Jennette Arnold (Chair):** It is abated.

**Brian Coleman (AM):** Sorry. Ms Crawford is telling us that the Act allows an Assembly Member, who may be appointed Deputy Mayor for Policing, to receive an additional allowance.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Assembly Members of the current MPA already receive an allowance.

**Brian Coleman (AM):** Yes, but not in their role as Assembly Members. We cannot, for example, pay Chairmen of Committees. London Fire and Emergency Planning Authority (LFEPA) Members who are Assembly Members are not entitled to an allowance by law.

**Jennette Arnold (Chair):** Can we just stay with the MOPC, and then that way we will know what is in the legislation. We are only going to focus on what is around policing at the moment.

**Len Duvall (AM):** It just occurred to me, just one point that we should not lose. It does make the relationship between that Assembly Member if they are in that position and their role in the Assembly on policing matters much more clear-cut than what we have had to deal with now. At the moment we have been playing that and we just need to pick that up and make sure we do not fall foul of that and be given the proper advice.

If we could go on to the advisory group a bit more, and seek some clarity around that? How many can be on the advisory group? Is the number prescribed, the role of it, the selection of it? Is that outlined? Is that going to be part of a regulation or is that going to be left to the incumbent?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** That is at the discretion of the MOPC, but there has been quite clear indication during the passage of the Bill that the expectation is that it would not exceed more than six or eight, and that the intention is to seek people who can advise from a set of relevant background expertise and experience.

**Len Duvall (AM):** Are these people paid?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** There is provision for them to receive an allowance.

**Len Duvall (AM):** Their selection process is not prescribed in the legislation or even through the passing of the Act, that it is going to be on Nolan Principles [Seven Principles of Public Life, known as the Nolan Principles, were defined by the Committee for Standards in Public Life].

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Not explicitly, but certainly in the debates the expectation has been made clear that it should be done according to Nolan Principles.

**Len Duvall (AM):** What are they going to be doing? Are they advising the Mayor on policing or is it governance of the MOPC: advising the Mayor how to run this function?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The current proposal - and it is very much a suggestion open for debate and will ultimately be a matter for decision by whoever is the incumbent of the MOPC - is that you might be looking for two separate roles, that you might have a few non-executive advisors, who would have expertise perhaps in terms of being able to advise the MOPC in terms of oversight of letting major IT contracts in the police, aspects of policing, but that separately you might have what is loosely in

the papers called an audit committee chaired by an independent member who would look at a range of compliance on the part of MOPC. Effectively you are looking at both: you are looking at someone who will advise on aspects of policing and then you will look at someone who would give the MOPC an assurance that his or her own governance functions are being carried out compliantly.

**Len Duvall (AM):** It is a strange beast we are dealing with here. That covers it and I think your answer gives us clarity around section 7, because there is mention there of non-executive advisors and their roles in technical governance-type issues.

**Brian Coleman (AM):** I want to ask about - this may be for Mr Jeff Jacobs - the Assembly Police and Crime Panel. One of the bullet points states, "The PCP will be governed by local authority legislation which the MOPC will need to comply with." What does that mean? Does that mean the Local Government Act 1972 applies?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** That Act does not apply to the MOPC. The MPA is currently covered by local government legislation and is a local authority, so in that sense has to comply.

**Brian Coleman (AM):** It says, "The PCP will be governed by local authority legislation which the MOPC will need to comply with." For example, I am looking at access to information, which is something we have banged on about at the Mayor's Office, so normal access to information applies to the MOPC, does it?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Not necessarily through the 1972 Act, but it will apply. This may be slightly unfortunate drafting here. I think that what we are intending to say in the specific reference that you make is that where the PCP is making requirements under local authority legislation, we would be expected to comply, so we would be required to make available all the information that is asked for. The MOPC would be required to do that, but the MOPC will not be holding meetings under local authority legislation, so there will be nothing in terms of --

**Brian Coleman (AM):** No public access?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** There would be no public access; papers published a certain amount of time in advance, etc

**Brian Coleman (AM):** But that does not apply to the MOPC. Even if they had the Internal Audit Committee it would be a waste of time, because there would be no legitimacy for public access or the printing of the papers.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Public access would be at the discretion of the MOPC.

**Brian Coleman (AM):** What is the point of, for instance, an audit committee if they were not governed by access to information, and making the meetings open to the public? There is



absolutely no point in having a so-called independent audit committee that meets in private, is there? No point at all.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** There is nothing to prevent it meeting in public: there is just no statutory requirement to do so.

**Brian Coleman (AM):** The MOPC will not have to comply with local authority legislation?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** That is right.

**Jeff Jacobs (Head of Paid Service):** As Catherine has said.

**Brian Coleman (AM):** But the PCP will?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes the PCP will.

**Brian Coleman (AM):** Does that Local Authority Act supersede any Assembly legislation? The legislation is the GLA Act that governs the affairs of the Assembly. The PCP will in effect be a committee of the Assembly. Is that correct?

This is the first time that law has laid down which committees the Assembly is obliged to have - at the moment, we can concoct any committees we feel so minded to have, but this means we are forced to appoint this particular committee.

**Jennette Arnold (Chair):** Which is good, given that we are the only public access to the MOPC, by the look of it. Can I just ask a related question? Will they not have to report annually to the Home Secretary? What is the point of having an audit report that no one will be able to see or have access to?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** There was a specific question from Len about public meetings: there is a requirement to hold one public meeting a year. There is nothing to stop the MOPC meeting in public every day if he or she so chooses.

**Brian Coleman (AM):** I was going to ask about that, Chair. It may be my interpretation. There was a requirement to hold at least one public meeting annually. It should actually say "one meeting in public" rather than "one public meeting". For example, this is a meeting in public. It is not a public meeting. We are not sitting here answering questions. People's Question Time is a public meeting which we are obliged to hold twice a year. Should it say that, it should hold at least one meeting in public, not a public meeting?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes, that is a very useful distinction. That is quite right.

**Brian Coleman (AM):** By the time you have added in the MPA staff and the GLA staff, is it envisaged there will be a net reduction in the number of staff employed?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** That is one of the final things for the consultation: my present expectation is there will not be a net reduction, but nor will there be a net increase.

**Brian Coleman (AM):** My understanding - Chair, through you, I have never served on the MPA, for which I am deeply grateful - is that the MPA employs, for example, its own press officers separate from the Metropolitan Police Service, and a lot of administration functions separate from the Metropolitan Police Service.

Then I am moving on to my particular question, which is shared services, which is referred to in this report. We have made, as this Committee knows very well, very little progress on shared services, and I am afraid a lot of that in my view is because of opposition not just from Transport for London (TfL) but from intransigence from the MPA, and the Metropolitan Police Service. I think you, Ms Crawford, were at a meeting that I was at, at which the Mayor also briefly appeared, where we heard at length and in some force from Ms McMeel [Director of Resources, Metropolitan Police Service] as to why progress has not been made from a police point of view.

What I am wondering about is: whether this set-up makes it even harder to make progress on shared services, if we allow MOPC to have its own administration back-up type staff. What scope is there for shared services, for example, on the routine matters of Committee Services, for example? Will the Committee Services function, which serves the GLA and LFEPA, be serving the MOPC as well, or will they be insisting on their own clerk and clerking service?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I want to talk about shared services, in general picking up the specific questions Mr Coleman has asked. There has been some confusion here: we are looking actively at shared services. It is not formally part of the process of setting up the MOPC but the timetable is running very much in parallel, and clearly one of the imperatives in terms of designing MOPC has been to ensure that we make the most efficient and effective use of resources which feeds straight into the shared service agenda.

We have identified at least five areas where we could potentially share services either with the GLA or with Metropolitan Police Service and we are actively pursuing on slightly different timetables, with some of those doing so. In the case of internal audit, of course, we have already made some significant progress, and we have a shared service which is the internal audit of the MPA which leads auditing functions over the GLA and for LFEPA. We also have effectively a shared service arrangement on legal services for MPA which will morph through into the MOPC with the GLA function that is shared with and done by TfL.

In respect of the other small areas where we potentially can share service, we are looking actively at supporting our IS/IT functions and the facilities management function, where there is clearly no need for duplication. As far as committee clerking goes, I have been talking to Sir Eddie [Lister] [Chief of Staff and Deputy Mayor] about the potential for that. But in effect,

of course, that function actually disappears in the MOPC because we will have no committees to service. We will not be required to do formal clerking as one is at the moment, so that effectively disappears rather than becoming shared.

My concern is that any ambition at making significant savings from sharing the services that are in fact delivered, as I have described here, by about six or seven people is very small compared with what the potential is for having shared services with the Metropolitan Police Service, and other members of the GLA group because that is where the bulk of the work is carried out.

As far as press and communication goes, I do think that is going to be very much a personal decision of whoever the incumbent is. There are arguments for asking the GLA press function to discharge the requirements of the MOPC. This is very much a personal opinion, but it is that most incumbents of the office of MOPC and indeed PCCs outside London will want some separate capacity to do public relations, communication and media handling from the force. They will not find it comfortable to use the force capacity to do that. But that is a personal view, and we will have to see how it pans out when we have individuals in post.

**Brian Coleman (AM):** The same points that I put in effect to Ms Crawford, now I am putting them to an officer of the GLA: I am sure the Members of this Committee will not want to see any unnecessary empire-building, and the efficient use of existing resources rather than the importation of additional resources.

**Jennette Arnold (Chair):** The question is will we have the resources to do a huge amount of extra work of the PCP. We have a panel looking at that at the moment. Can the Head of Scrutiny and Investigations just remind us for the record in the progress of the PCP Working Group?

**Janet Hughes (Head of Scrutiny and Investigations):** Yes. There is a working group of Assembly Members chaired by Joanne McCartney AM and on which a representative from each political group is represented. The working group has been throughout the passage of the Bill working on proposals that will come to the Assembly for formal approval, having first been through this Committee, as to how the new panel will operate, what size it will be and how it will work.

One of the related issues that the Members have expressed concerns about during that process is how the new responsibilities will be resourced. There will be formal consultation with this Committee about that matter, and there will be informal consultation with groups, but there have been informal discussions at officer level involving the Head of Paid Service and the MPA and Secretariat officers about this, and we have carried out an assessment of what work we think is required. We think that we can absorb some of the work within existing resources but that there will be an additional resource requirement, in particular, relating to scrutiny support for the Committee. The members of the working group have been very clear in their expectation that we would pursue that option for Members, but there will be further opportunities to discuss that matter with a paper to inform your discussions at the November BMAC meeting.

**Brian Coleman (AM):** A point that I think Mr Duvall asked that was not answered was this protocol which the Police and Crime Panel is expected to sign up to.

**Janet Hughes (Head of Scrutiny and Investigations):** There is the protocol: there are also several other consultations that I expect the Assembly will want to respond to in respect, for example, of the Committee's role in relation to complaints, in relation to regulations which will specify what information must be published by the Mayor's Office for Policing and Crime --

**Brian Coleman (AM):** It is just this protocol - It needs, in my view, a formal resolution of the Assembly, exactly the same as we had the other week. I am just seeking a guarantee that that will come to the Assembly.

**Janet Hughes (Head of Scrutiny and Investigations):** The protocol was initially not expected to have any statutory basis: it is a protocol issued by the Home Office which specifies how the relationship should work between elected commissioners and the panels that scrutinise them and the police forces and how those three should relate to each other. There are issues in that relating to London and during the passage of the Bill an amendment was made which made it a statutory requirement to have that protocol. That is still, as I understand it, in draft now for consultation, and I expect Members will want to respond to that and that will go through the work.

**Len Duvall (AM):** It is a slightly different. It is not being responded to in consultation; it is being part of the negotiations; we have two entities here. The Mayor's Office is negotiating with the police in London about that protocol - that is fine, but where do we fit into that, and why do we not have a seat at the table? Who is our negotiating team, and what brief are we working to? It is not consultation! We have a right to be part of those negotiations. So something is not quite right here.

**Richard Barnes (AM):** We are being ignored. We have not had a chance to be ignored. We will be ignored once we get into negotiations.

**Jennette Arnold (Chair):** No, let us be a little bit more positive here and recognise the work that has been done by Assembly officers, because they have been doing a huge amount of work.

**Len Duvall (AM):** With all due respect, no one is criticising the officers on this issue. The protocol is a separate discussion. It has been a separate negotiation between the Mayor and the police and the Home Office. Where do we fit into it?

**Jennette Arnold (Chair):** Catherine, do you have any answer to that specific question?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I have some background. As Janet says, the original intention was that this should be an informal memorandum of understanding: the Home Secretary has taken the view that it needs statutory force. I think that the main pressure for that has come from the Association of Chief of Police Officers, who see it as a defence.

If you look at paragraph 2(3) of the paper, you will see that they are having a number of strands in terms of transition to the new arrangements, one of which, strand three, is specifically around the protocol. That is very high-level, and there are some references to the Police and Crime Panels, but the emphasis is very, very clearly on the respective responsibilities, and duties of the Chief Officer of Police and the Police and Crime Commissioner (the MOPC in London).

**Richard Barnes (AM):** Is it a draft that we can influence and change, or is it a draft we just have to look at and suffer?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** It is certainly a draft in terms of the consultation: the comments on it can be fed in. Whether they would result in a change is another thing, given that this is very much dominated by the Home Office.

If I could just go on, Chair, underneath the protocol will sit a Memorandum of Understanding (MOU) which will be specific to London and which will be devised between the MOPC and the Commissioner. We have had some preliminary discussions of that and GLA colleagues have been aware of that. I have to say that that has been put on ice, effectively, because you do need a Commissioner who is going to be there to do it, and also because of the discussions on the national protocol. What I would say is: that that is where the GLA and the PCP within the GLA should really be very actively engaged in the drafting.

**Richard Barnes (AM):** It needs to be a three-way agreement, then?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes it does. The current protocol is a three-way agreement between the Home Office and is Home Office-led. What we need is something that works underneath that, and it is a very high-level protocol for London specifically which will look at the role of the GLA and the role of the panel as well as the MOPC and the Commissioner. While the high-level principles will apply underneath by virtue of what the Act provides, how it will work in London is not necessarily the same, and that is where I would suggest you need very active involvement: that process is beginning now.

**Jennette Arnold (Chair):** Can we turn to the Head of Paid Service and say, "Are you going to be leading this change on behalf of the Assembly?"

**Jeff Jacobs (Head of Paid Service):** We will need to. I will work with Janet so that we do that.

**Richard Barnes (AM):** Chair, an MOU underneath the protocol cannot be in conflict and contradictory to the protocol. If I refer you immediately to paragraph 4.7, it says that, the MOPC will "decide the budget" and I will stop there. The police budget is a component part of the GLA budget, which is subject to our processes. An MOU could say, "It shall propose the police budget". If the protocol says it is going to decide and impose it then that is in contradiction and is in conflict.

**Brian Coleman (AM):** It cannot decide the budget.

**Richard Barnes (AM):** Unless we are going to have no value at all as an Assembly, it can only be to propose.

**Brian Coleman (AM):** What I am worried about is: we are being presented with a document at the Assembly *fait accompli* and Members will be expected to nod in accord and I give due warning that is not going to happen if we have not been consulted. We have not been consulted!

**Richard Barnes (AM):** We are not shooting the messenger. We just want to make sure we understand the clear message.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I absolutely understand the point, and this is too much of shorthand, to say “decide the budget”. There is a whole process behind the budget for PCCs outside London where there is a vote on the panel, that has to be confirmed, which in fact to some extent reflects the existing practice within the GLA. There will be no difference in terms of the way in which the budget will be subject to the overall approval of the whole budget. “Decide” is too much of a shorthand word here, but the onus quite clearly - and there have been a lot of discussions during the passage of the Bill, and in the consultation - is that it will be for MOPC to be in charge of the budget for the police, and it is not a matter for the Police Commissioner to set his budget or make the proposed budget that would then go in. It is a duty on the MOPC, but it will be subject to all the checks and balances.

**Richard Barnes (AM):** Can I ask if that be amended to reflect the reality, then, rather than the implication, or specifically minuted?

**Jennette Arnold (Chair):** We will specifically minute and bring out a report of this discussion, yes.

**Janet Hughes (Head of Scrutiny and Investigations):** I just wanted to add, if it would be helpful, we have been working throughout this process on notes which specify what is in the Act in terms of powers for the Assembly, and how the process will work. Any protocol will be supplementary to that, and that does include the provisions about the budget. It includes the Assembly’s powers to obtain information from the MOPC and to require them to attend meetings and certain other matters. If it would be helpful to Members, I would be happy to circulate that for you after the meeting so that you can see what is already set in stone in terms of the relationship, and what scope there is in the protocol to change that.

**Jennette Arnold (Chair):** I think it has to be part of this discussion so that it fits in with the questions that have been asked, and we can then refer to the answers, if you like, a note at the back.

**Jeff Jacobs (Head of Paid Service):** I think maybe I should come in on just two points that Brian Coleman made earlier. First of all on the staffing issue, which was primarily addressed to Catherine, I should obviously say that as night follows day, insofar as there will be a reduction in activity carried out inside the GLA and inside what is currently the CSU by implication and, subject to what we will need to do next in terms of staff consultation, there will be a reduction in staffing inside the GLA accordingly.

Secondly on the shared service point, the covering paper to this makes clear my position and you have reflected it yourself in the earlier conversation that I have been and will continue to be urging the MPA to ensure back office functions are carried out on a shared service basis in keeping with what we have said in the budget around discussions and in what we have said in front of BMAC before, and in keeping with what Eddie [Sir Edward Lister] and other colleagues have said, so that dialogue will need to continue.

**Richard Barnes (AM):** It is the Metropolitan Police Service that matters, not the MPA.

**Len Duvall (AM):** On the audit function on points 10.5, 10.6 and 10.7, you talk about potentials for confusion. This sounds pretty much like a dog's dinner! What are the steps that are going to be taken to stop the blurring of the lines of accountability around the two issues? Is there not a case for that coming to the GLA?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I would be very happy, Chair, to bring some more detail. I think it is fair to say, and I am sure Janet will agree, that this whole proposal – that there should be two separate corporations with the implications that then has for two sets of accounts, two sets of audits, has been possibly the most complicated and contentious part so far as we are concerned of the passage of the Bill and I do not think the Act has yet clarified it. Of the various strands, the new strand 13 is something that the Home Office has now initiated in recognition of the fact that there is still no clarity about what it means.

The Chartered Institute of Public Finance and Accountancy (CIPFA) is very closely engaged in the discussions, and I have now learned that one of the potential showstoppers ongoing in January 2012 is that it will require a code of financial practice that is approved by CIPFA to be in place before we can go live with the new structures. It is complicated and if it would be helpful I would be very happy to ask my colleague Bob Atkins, who is the Treasurer of the MPA and who has been very closely involved in all of the discussions on this, to do a fuller briefing note for Members of the Committee that could be circulated.

**Jennette Arnold (Chair):** Yes, absolutely, and we will then pull all of this together so that we can have a proper complete document.

Can I just ask you, Catherine, throughout the paper we see “high level”. What is that code for? We are high level but it is clearly not us. What is that code about? Just for instance on point 2.2, “There is a high level overall programme plan”, is that a Home Office overall plan? Is that a MOPC plan? You used it yourself when you talked about the protocol and that it has now been discussed at a high level. What does “high level” mean?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I think we old-hand civil servants would regard “high level” as being code for not much detail! That is actually a serious point. “High level” does mean that you have quite a lot of scope for wriggle-room underneath it in that sense. If you are talking about high level in terms of direction, then we are talking about the Home Secretary.

**Jennette Arnold (Chair):** So when we see “high level” we will read “Home Secretary” or “lack of information”. Thank you. That is so useful.

**Caroline Pidgeon (Deputy Chair):** Some of the points I had wanted to make have been covered and I think it is quite clear that we should not be bringing this in before the Olympics: It seems to me absolutely ridiculous. We are rushing this through when people have not thought it out, we can see the expertise here from Brian and Len and others pointing out things that have not been thought through. Would you agree that actually this perhaps would be better left until later next year, like the rest of the country?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The arguments have been very well ventilated and Lady Doocey [Dee Doocey, AM] has made them forcibly, and more than once, but the ministerial intention is very clearly to regard London effectively as a pilot, recognising that in many ways it is much simpler to do this in London than it is outside London, and there are going to be some serious demographic complications in implementing the new stretches outside London. While you may think that, I cannot possibly comment!

**Caroline Pidgeon (Deputy Chair):** I hope that if there is some learning as this develops in London that we might get things shifted to change so that it works better.

Regarding these non-executive advisors, you have advised us that there are going to be six or eight in London. That is the plan?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Possibly.

**Caroline Pidgeon (Deputy Chair):** Possibly. Are they going to be internal-facing, so they are there to give expert advice to the MOPC, so the Deputy Mayor for Policing, or are they going to be also champions for certain areas, going out, doing outward-facing work for this Deputy Mayor?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I think that would be at the discretion and the choice of the Deputy Mayor. Clearly, one of the gaps that MOPC will have to cover is the fact that we have had 23 Members who have been link Members for boroughs and who in many cases have carried out a really significant commitment in terms of working with their local borough commanders, and local communities. That will go at a stroke and yet there remains in the Act a duty to consult and to carry out community engagement, so it would be open, I think, for a Deputy Mayor to use his or her advisors in that respect, or to compensate for the lack of expertise.



For example, you will be fully aware of the amazing work that the Olympics Sub-Committee has done in terms of scrutinising all the contracts and all the plans on the Olympics. It would not be within the Olympics, but a similar function is to be passed either to officers or to one single person, and I can see that there would be advantage in being able to call on some non-executive advisors to contribute to that kind of process. It is effectively all up for grabs! As I say, the Bill allows this to happen: it does not prescribe how it should happen.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Again, if everything goes to plan and we have the MOPC up and running in early January 2012, then I am assuming that the current incumbent will be in a position to advise you what his or her options might be.

**Caroline Pidgeon (Deputy Chair):** We have not talked about your accommodation. Where will the MOPC sit and all the staff that will be in the MOPC? Will they be coming into City Hall or are they going to remain over at Dean Farrar Street?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The present intention is that we will see out the lease in Dean Farrar Street but, again, an incumbent would be able to take a view on that when we have someone who is in a position to make that decision.

**Caroline Pidgeon (Deputy Chair):** When will the lease run out?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I think it has another couple of years: I can let the Committee know.

**Caroline Pidgeon (Deputy Chair):** It would be helpful to know when that is likely to run out and whether we are looking to try to find space for you at that point in this building.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Again, we have had conversations with the Head of Paid Service about accommodation, and we will continue to do so.

**Caroline Pidgeon (Deputy Chair):** The other thing - and I presume it will be in all this protocol, and all this thing that is being worked up - but our access to information which Brian mentioned earlier is absolutely important and for our staff to be able to request stuff on our behalf as part of our detailed work, and that really has to be built into this.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** That is one part that is definitely in the Act.

**Caroline Pidgeon (Deputy Chair):** And the power to summons?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The only point at which there was some discussion where the conclusion was not what you might be

wishing - was that there was no power for the PCP to summons the Police Commissioner. He can be invited, but we will be able to summons the MOPC, which replicates the present arrangements, really.

**Jennette Arnold (Chair):** It is the Assembly's power to summons.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The panel will have a power to summons the MOPC specifically in its scrutiny role.

**Jennette Arnold (Chair):** Separately to the Assembly's powers?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Separately from the Assembly, yes.

**Jennette Arnold (Chair):** Can I just come back here for a minute and get some clarification about this six to eight people. Are we saying there will be no adverts, and we do not know yet whether Nolan Principles apply, so it could be any six or eight individuals that we do not know yet?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Six to eight is an arbitrary figure.

**Jennette Arnold (Chair):** We would know nothing about the character of these people and no one will be able to challenge them. Let me just be clear here: from BMAC's point of view, we have experience of some incredibly poor and inappropriate appointments that have been made to positions over the years. Could any of these people be brought back? How would Londoners be able to say that these are fit and suitable people of decent character? How is that going to work? What if the Mayor decided to bring his old friend Ray Lewis back or Lee Jasper? There is outstanding business on this Committee with that individual. That is why I name him, and I do not hesitate to name him. What if somebody like that was appointed? How could this be?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** It is, I am afraid, a fact that the Act does not provide for any process of confirmation. The Assembly would be required to confirm the appointment of the statutory officers of the Authority. There is a Statutory Chief Executive, and a Statutory Chief Finance Officer, and those appointments are subject to confirmation in the usual way, but there is nothing for the provision of any non-executive advisors, if any. As I say, it is not entirely clear that in the initial stages anybody will be appointed. I am sure, however, that Members of this Committee have other means of making their disapprobation evident if that is necessary.

**Jennette Arnold (Chair):** It says in your paper that there is political will for the MOPC. I think that should be rephrased: this is a Government will because, as we have seen, there is absolutely no overall consensus politically on this Committee for the creation of the MOPC, and all the things that we have talked about here today.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I am sorry about that, but this is the will of Parliament because it is an Act that has been passed under the Coalition Government.

**Brian Coleman (AM):** Can I just clarify? Presumably the Head of Paid Service will have a role on the MOPC for staffing matters?

**Jeff Jacobs (Head of Paid Service):** No, I am Head of Paid Service for the GLA. Staff within the MOPC will be a matter for the Chief Executive of the MOPC.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** If I could now go back on accommodation, I have now been informed that the lease has another five years to run.

**Jennette Arnold (Chair):** It was just recently signed, was it not?

**Brian Coleman (AM):** At a cheaper rate than the GLA offered.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes, it was seen as value for money by current Members of the Authority.

**John Biggs (AM):** We shall see the MOPC as a functional body, just like TfL, and we should bind it to the same protocols, or seek for it to be bound to the same protocols as we have had in Assembly as well about information and standards and so on, I assume?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** It is legally a functional body. The GLA Act has been amended to make it a functional body of the Authority.

**John Biggs (AM):** You said you would not need any committee staff because it will not have committees but, as everyone knows with executive mayors, you do need to have a system of recording decisions, that are made, and recommendations that are made behind those decisions, and that needs to be kept in some order. You will have to have some sort of clerking role which will be useful for the Assembly or our panel, because that will be the point of entry where they will first of all get information. It will be useful for the public as well who will want to get marshalled records of decisions that are made and so on.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Our current intention is to use a system that is entirely based on the Mayoral decision log, on the website and to replicate that.

**John Biggs (AM):** Uncharacteristically, I agree with everything that Brian Coleman AM said about transparency, because Mayoral decisions can cover a multitude of sins, not least that advice to the Mayor is exempt from disclosure. Is advice to the Mayor acting as a MOPC exempt from disclosure, or is there a completely different set of protocols and laws about information?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** No, that would be in the same capacity.

**John Biggs (AM):** It is the same as advice to the Mayor, and the advice to the MOPC and indeed the advice to the Statutory Deputy Mayor is exempt?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** It is currently regarded as to the chair of the MPA, and we have used that exemption under Freedom of Information Act requests in the past.

**John Biggs (AM):** You can set the boundary more or less wherever you like, so you could publish the decision and none of the advice or you could publish 80% of the advice and none of the decision - it is unsatisfactory, I think. I agree with what Brian has said on this. At the risk of saying we have let ourselves down as an Assembly; it may be that Parliament was not really interested in the accountability of the MOPC. There is not really the safeguards and the accountability. It is at risk of being less transparent than the Metropolitan Police Service!

That takes me to my next question. I understand that Parliament has decided that the Commissioner should not be summonsable by the Assembly through the panel. But of course every conversation you have with every Commissioner says, "Of course this is not a problem, but if there is an issue I will come along". I think anyone who has been involved with the Metropolitan Police Service will be aware of quite how limpet-like it is when controlling its information, and quite how hard it is to get information out of it, so I do not expect you to respond to that, but I think that is a very real problem in terms of the culture of the organisation. I would like it to be recorded that I think there is a risk it will go backwards as a result of this. If I was elsewhere than London, I would be very pleased that London is being guinea-pigged on this because it may be that some of the problems will be tracked before they happen elsewhere.

My next question is on the PCP. It seems to me that if there is an Assembly Member who is the Deputy Mayor for Policing, then they have effectively an executive power which is different from the executive responsibilities Members have on functional bodies, traditionally. Legally, it would be unacceptable for them to sit on the PCP if that were the case, although there is probably no disbarring of that, so we need to be clear as an Assembly about that.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I am not sure. I think in general the Act provides that the MOPC could not sit on the panel. It cannot work so it must not be allowed to work.

**Jennette Arnold (Chair):** That would be ridiculous!

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I do not see how it could. The explicit requirement is that the panel scrutinises MOPC, so you could not scrutinise one of your Members, could you?

**John Biggs (AM):** Again, I think that is quite an important point as well. Insofar as the Assembly can discuss policing matters following this enactment, an Assembly Member who was the MOPC would have a real problem in participating in those debates as well. I just think we need to clarify. If you had an Assembly resolution, would that Member be able to vote on censoring themselves?

**Jennette Arnold (Chair):** That would be an Assembly Member.

**John Biggs (AM):** Yes, I know, but I think people need to understand the implications of this because it is potentially a bit of an issue. Maybe it is not a big deal - Len Duvall raised the point about transparency and about the fact we have two sets of accounts and two finance officers and that strikes me as in some ways over-simplification, because of course we have Martin Clarke [Executive Director – Resources] who is our Treasurer, who will present the recommended budget for the Metropolitan Police Service? It would be the MOPC budget presented to the Assembly.

**Martin Clarke (Executive Director - Resources):** It would be the Mayor as at present. The Mayor presents the proposal to the MPA and the Mayor presents his proposals to the MOPC. I will also be advising the Mayor on the makeup of those budget proposals.

**John Biggs (AM):** Then the MOPC would direct the Metropolitan Police Service?

**Martin Clarke (Executive Director - Resources):** My understanding at present is that, once the budget-setting process has gone through City Hall, that all the functional bodies would then approve their detailed budgets. What I believe this Act is doing is -- in the past, where the MPA would approve the detailed budget for the Metropolitan Police Service it - will be the MOPC that will do that approval following what happens in City Hall.

**John Biggs (AM):** There is a distinction, if you like. The Mayor writes to Brian Coleman AM as Chairman of the London Fire and Emergency Authority, and then the Fire Authority instructs the Fire Service, which is a separate legal body to --

**Brian Coleman (AM):** No, it is not!

**John Biggs (AM):** OK, part of the same but trades under a different name. The Mayor would direct himself as the MOPC to draw up a budget which will then be an instruction to the Metropolitan Police Service - it does need some clarification.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** That is my understanding of how in practice it would work.

**Richard Barnes (AM):** It is similar to the Mayor writing to himself as Chair of Transport for London.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** When he chaired the Authority, he wrote to himself as Chair of the MPA. There is an element of him looking in the mirror, and telling himself that he has made a good decision.

**John Biggs (AM):** I have two other little questions. The first one is about the relationship between the Metropolitan Police Service and boroughs and how that would be working under the new arrangements. I suppose I am thinking of the MPA and its relationship with crime and safety partnerships and with consultation groups and so on. It is a bit of detail, but I think it is quite important in terms of having a degree of accountability for decisions that are made.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** At a high level, if I may, Chair. The Act requires the MOPC and the PCCs outside London to maintain community engagement and consultation avenues: how that should be done is not prescriptive. The current budget which the MOPC will inherit provides for 12 months funding for the Community Police Engagement Groups in the boroughs. That will continue but, again, it cannot be a promise for all time because an incoming MOPC might want to structure that differently. Something will have to be in place. As I say, one of the reasons we have not achieved as much of a reduction in office capacity as we might have hoped has been that we will have to compensate for the fact that we do not have 23 Members to discharge these kinds of functions locally.

**John Biggs (AM):** My final question, then, is about the relationship with the Home Secretary. We went through this recently with the resignation of the Commissioner where the Home Secretary announced the interim appointment of a Deputy Commissioner under the relevant clause of the Police Act. This was a bit of a surprise to us because we thought that the MPA was involved in that. Does a similar relationship happen in the future?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes. There was a reference to the fact that London's voice had not been heard. In fact, most of the detailed debate about the principles of the Bill had been conducted in the House of Lords and there you have had both Lady Doocey [Dee Doocey, AM] and Lord Harris [Toby Harris, Authority Member, MPA] who have made some very, very powerful points, none of which have seen themselves worked through to the face of the Act. Indeed, both Kit Malthouse AM and the Mayor have written in very firm terms to the Home Secretary to say that the current provisions, which replicate exactly what happens at the moment in terms of the appointment of the Commissioner and the Deputy Commissioner being a Royal appointment, on the advice of the Home Secretary, continue.

**John Biggs (AM):** One of the reasons we are in this position today, and I find it quite an unsatisfactory position, Chair, and I have got a notorious reputation for being unpleasant about people, is that I think the Chair of the MPA has acted very much in this role - and I understand why he has done it as MOPC in waiting rather than as Chair of a Police Authority, so I am not too sure the MPA has asserted its interest. It has sort of assumed that its Chair would do this when he has been, understandably, torn in at least two directions and has chosen one over the other. That is my feeling.

**Jennette Arnold (Chair):** Catherine, regarding the Community Engagement Boards,- because, as you know, I have got three who are passionate about the work they do across London with London's volunteering to do really sometimes very difficult jobs? - did you just confirm that their funding is OK for year 2012/13?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes, I believe that is the case. If not, I will correct it but that is what I currently understand the case to be.

**Jennette Arnold (Chair):** They are absolutely wanting that confirmation, so if you could make sure that we get that quite clear, with appropriate details, – this can then be reflected in the minutes. Because I think that will be welcomed news as it will enable CEB's to start developing their business plans.

**Len Duvall (AM):** Complaints and conduct; I think you outlined a number of issues. There are some colleagues to my right of you who have played a very good role and a very professional role in overseeing these matters. That now is reverting to the police, but in paragraph 10.1 of the report, you almost sound a warning bell that the nature of complaints will change because the only way the public will see transparency is to make the complaint against the Commissioner, to get to the individuals they really want to make the complaint about. In the sense of that, what is the plan then? Do we wait and see if this happens or will there be an enhancement of that role? I suppose it is down to the individual. What is your thinking? Just for clarity, I'm referring to page 74 going over to 75 of the report we have all been looking at this afternoon.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** You have put your finger on the point! It is one of the things we are predicting will happen, that if someone makes a complaint about a more junior officer and is dissatisfied by the outcome, then they will realise that the only way to escalate this and to have an external party play a part in considering a complaint is to say the Commissioner has failed in his duties, to ensure that the complaint is investigated which was a way of escalating it up and then the MOPC has a role in terms of doing that.

In terms of the planning, I think it would be imprudent to build in an increase in our capacity but, equally, we are recognising that even though the function as a whole shifts, we should not lose our expertise at officer level in terms of supporting Members currently, and then for MOPC in the future, because you rightly identified and that has been a very valuable function that the Authority has carried out with a number of Members who have sat on the Standards Sub-Committee and really contributed on that.

**Len Duvall (AM):** In reality, if we have a complaint against the Commissioner, will that be the Mayor designate sitting alone with advisors coming to a conclusion on that complaint, or is there another process built in (to regulate those issues including appeals)? Is it an appeal or is it a complaint?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The MOPC will hear the original complaint against the Commissioner, but you have taken me right back to the beginning of what I said. One of the potential constraints on the timetable is that all that has to be mapped out in regulation: it has not been done yet. It is part of secondary legislation. The Police Advisory Board for England and Wales, the wheels of which grind exceedingly slow but we cannot go until these matters are resolved, and they are the sorts of things that are in the secondary legislation that I talked about right from the beginning.

**Jennette Arnold (Chair):** Catherine, can I just take you back to the 13 strands and that is section 2(3) headed Home Office? Can we be clear where this work is? I think it was Richard's question that basically they are going to be handed down, but then you said something about, "Well, there will be consultation and so we could make representations". I want us to be clear today so that we can start to look to see what we have to do. Can you just give us a full explanation about these strands?

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** The strands are very different in relevance. As it says, it is overseen by the Programme Board which is chaired by the Policing Minister on which both I sit, and the Chairing Authority.

**Jennette Arnold (Chair):** For instance, if we pull together our concerns coming out of today and we send an appropriate letter - are we within the timescale to be influencing decisions that are being made now? That is the thing I want to know.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes, very much so. This is all work that needs to be done in order to facilitate the transition from the one structure to the six, so very much in time. For some of these strands, you would not have any input because, for instance, elections to PCCs are not relevant to London; it is the Mayoral election, and I do not suppose you want to comment on strand 11, which is how it will work in Wales, but certainly for the protocol, certainly for the London specific aspects of strand 10, the working party of which I chair --

**Jennette Arnold (Chair):** Strand 9; we have concerns because we are not clear and would wish to seek some clarity.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** Yes, strand 9; strand 8, the checks and balances. On several of those, I think it would be entirely legitimate and it is ongoing work.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I would add that I think the most crucial work that can be done now is, as Members have said, in relation to the detail in some of these issues. I think we need to think about the timing and nature into each of those issues. Members have made several representations on the high level concerns that have been made today and further more detailed concerns which we made in Parliament. I think the issue is going to be how this works in detail, so I recommend a series of outputs rather than more letters.



**Jennette Arnold (Chair):** That is what we are going to do, and in direct liaison with yourself and of course with Jeff Jacobs our Head of Paid Service.

**Catherine Crawford (Chief Executive of the Metropolitan Police Authority):** I would like to emphasise that we have been working extremely closely together for several months now and will continue to do so.

**Jennette Arnold (Chair):** Thank you very much.

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