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Smarter Policing: Principles for a New Approach

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Foreword by Nick Hurd

Most of us do not spend a lot of time thinking about what the police do every day. We just want them to be there when things go wrong. The reality is that over time we have asked more and more of our police as modern life and crime have presented new threats to our sense of security. It was my fate to be police minister at a time when the “thin blue line” of cliché was clearly struggling to meet the increasingly complex demands on it. The noisy politics around that should not distract from the uncomfortable truth that modern demand on the police is always likely to outstrip supply. That requires real leadership in making the best use of the significant public money we invest in policing each year. As in our health service, it requires leaders to make choices about what to prioritise and to be accountable to the public they serve for those decisions.

This stimulating paper from the Tony Blair Institute for Global Change argues that it is time for police leadership to be better supported by a clearer strategic framework for allocating inevitably limited resources. Parallels are drawn with how NICE is now embedded in our NHS system. Policing is of course different, but it is hard to argue with the principle that decisions on prioritisation should be rooted in common data and the best available evidence on “what works”. This becomes even more important in the highly fragmented landscape of our police system. We need to find a better balance between encouraging innovation and being more systemic in understanding what works and then applying it more consistently on behalf of the public.

Underpinning the whole argument is the paramount importance of sustaining public confidence in our police system. From many private conversations with chief constables and police crime commissioners, I think the diagnostic of this paper will strike a chord: They need more support in their decision-making and a more consistent basis for explaining those decisions to the public they are accountable to. As in education and health, it is time for a much more radical approach in gathering and sharing information on “what works”. Historic initiatives have been too timid. It is time to step up and be much more strategic in our approach. The current government will recognise that the argument goes with the grain of thinking that committed them to the National Crime Lab, rooted in a desire to drive operational improvement through better use of data, evidence and innovation.

Like all stimulating papers, the argument of this paper moves from principle into detailed suggestions that will generate debate and merit tough examination. The authors are honest in paying tribute to the pioneering work of Lawrence Sherman and others in this field. I welcome it as a valuable contribution to the debate on how we improve one of our most important public services.

Nick Hurd

Former Conservative Member of Parliament (2005 to 2019), and Minister for Police and the Fire Service from 2017 to 2019

Smarter Policing: Principles for a New Approach

Executive Summary

The pressures and demands facing modern policing are changing in ways that have profound implications for future policy, not least with respect to how the police are funded. There are two major reasons for this. First, the continuing fall in overall “volume crime”¹ has masked important changes in the pattern of modern crime. There has been a growth in high-harm offences, such as violence and sexual offences, and more crime has shifted from the public into the private sphere, including online. These offences tend to be more complex to investigate and thus costly to deal with, yet democratic pressure tends to focus on crimes that take place in the public realm. As a result, while the total volume of crime has fallen, pressure on the police has actually risen in recent years.

Second, the demands facing the police are broader than was the case a decade ago. A growing proportion of time is spent identifying, protecting and supporting those who are vulnerable, whether responding to domestic abuse victims, tackling child sexual exploitation or investigating missing children. Indeed, a police force’s ability to successfully deal with vulnerability is now considered by the Inspectorate as a “core indicator of its overall effectiveness”.² There is also evidence that non-crime demand is sucking up more resources, including the need to respond to mental health crises and, increasingly, the need to enforce social distancing rules.

Faced with rising demand and squeezed budgets, the obvious response would normally be to ruthlessly prioritise finite resources. However, in recent years, the police have been put in an impossible position by the government, effectively told to “do everything”.³ On the one hand, they are required to respond to public priorities, locally determined by police and crime commissioners (PCCs) and visible in Police and Crime Plans.⁴ On the other, they are being pushed by both the Home Office and Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) to respond to increasingly complex (and harmful) threats identified at the national level, as well as the rise in vulnerability.

In the wake of the Covid-19 pandemic and its severe impact on the public finances, the funding situation for policing is likely to continue to be very tight for the foreseeable future. Prioritisation in policing can no longer afford to be fudged. It is inevitable that chief constables will need to make tough choices about how to allocate scarce resources.⁵ Some of these choices are bound to be controversial or unpopular. Yet currently, the basis for these choices remains unclear and under-discussed, which hampers police chiefs’ ability to make difficult decisions that are seen as legitimate. Despite the existence of PCCs, there is weak accountability when it comes to how the police choose to spend their time. This urgently needs to be addressed, with the issues highlighted in this report exposed to public debate.

It is clear that a new model to support police in prioritising their resources is needed. It is a difficult task – but it has been achieved before. This report proposes new models for prioritisation, with the central proposal being the creation of a new National Centre for Excellence in Policing, based on the successful NICE model within health care. It argues that doing so would enable the police to manage demand in a more strategic way, building transparency and clarity into the prioritisation process to support chiefs and PCCs currently criticised from all angles. Most importantly, it would help the police to achieve the best value for money possible for the citizens they serve.

Context: Rising Demand, Declining Effectiveness

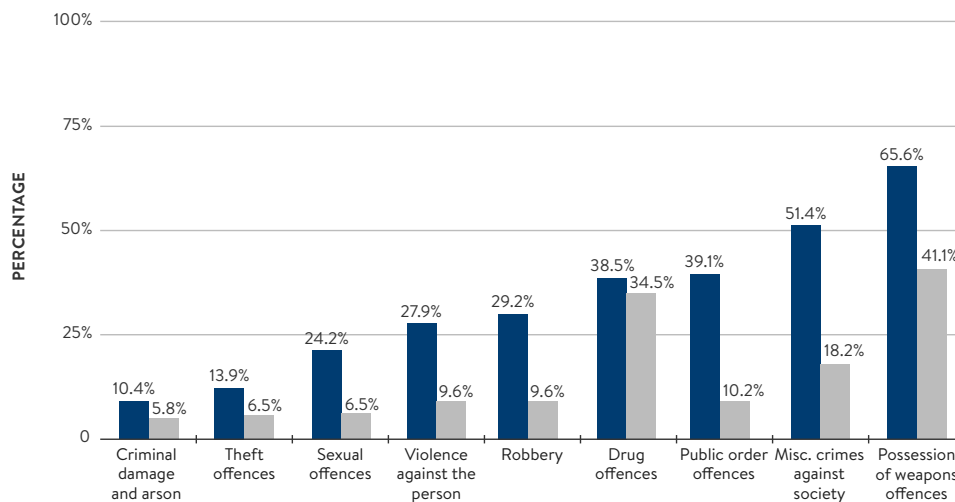
As the Institute has set out previously, patterns of crime in England and Wales are changing.⁶ After long-term falls in volume crime, certain “higher harm” offences such as knife crime and homicide have risen sharply since 2014, with knife crime in particular rising by 91 per cent between March 2014 and December 2019.⁷ New offences have been added to police force workloads including online fraud and stalking and harassment; meanwhile certain volume crimes that had been in decline, such as theft, seem to be on the rise again.

At the same time, the effectiveness of policing and other criminal justice agencies appears to be declining. Fewer criminals are being caught. In the year to March 2020, only 7 per cent of crimes led to a suspect being charged (down from 16 per cent in 2015).⁸ And an even smaller proportion are being brought to justice.

The average number of days from an offence being committed to justice being served has risen from 157 to 191 days since 2010, while the number of offenders being formally dealt with by the criminal justice system is at record lows.^{9,10} These outcomes cannot be solely attributable to the growth in complex crimes. For example, the charge/summons rate for theft offences has more than halved over the last four years.

It is this context of rising demand and declining effectiveness which makes a coherent approach to prioritisation more urgent.¹¹ This was true even before the Covid-19 crisis and it is even more pressing today, with the fiscal outlook having darkened substantially. Whatever funding the police manage to secure as a result of the 2020 Spending Review, the question of how those resources will be deployed is unclear. This matters. How the police choose to prioritise finite resources is not solely an operational question; it is a question of public accountability and transparency, and it is vitally important given the likely squeeze on resources over the next decade.

Figure 1 – Proportion of offences leading to charge/summons, 2014/15–2018/19



Source: Home Office Police Recorded Crime and Outcomes Open Data Tables (year ending March 2019)

The Problem: Competing Narratives and Weak Accountability

The medium-term fiscal context for public services is challenging, to say the least, with plausible forecasts of a permanent reduction in economic capacity of between 3 per cent and 7 per cent.¹² The Office for Budget Responsibility's central estimate is that the government will need to fill a fiscal hole to the tune of some £60 billion per year to balance the public finances.¹³ While much of that shortfall may be recovered through tax increases, it's clear that public services, particularly outside of health care, are likely to face continued funding pressure for the foreseeable future. In this environment, there is a need for the

police to become more efficient in the way they manage demand and allocate resources. However, police chiefs are currently being pulled in different directions and forced to choose priorities without any reference to an agreed strategic framework.

Opposing Narratives: Managing Overall Demand

It is widely understood that as demand on its services has increased, the police's remit has broadened. Policing today encompasses a wider range of functions than was the case a decade ago. However, there is little consensus as to the implications of this shift.

Conceptual Developments in Understanding Police Demand

In 2015 HMICFRS concluded that while forces had a good understanding of current demand, they were much weaker at predicting future demand, and that while there was a wealth of data on crime, forces did not routinely or consistently measure non-crime demand – and therefore the widely held belief that non-crime demand was rising could not be tested.¹⁴ In addition, College of Policing analysis identified that protective demand (for example resourcing multi-agency public protection arrangements) was increasingly pulling on police resource.¹⁵

In 2016, with a growing recognition that police should seek out hidden harm as well as just responding to what was reported to them, HMICFRS's efficiency inspection identified greater attention being paid to proactive or latent demand as well as that which was reactive or patent.¹⁶ It recognised that some demand came from, or through, partners rather than the public, and recommended that this needed to be managed proactively. It also reported on initiatives to reduce

internal demand (for example by reducing bureaucracy) and identify misplaced demand. In 2017, HMICFRS highlighted some success in forces' demand reduction work, but warned of possible demand suppression, when attempts to improve efficiency inadvertently lead to failures to address low priority cases.¹⁷

HMICFRS has now introduced the concept of Force Management Statements, requiring each force to complete a comprehensive assessment of not only its current demand profile but how that is expected to change and develop over the next four years. The Statements require self-assessments of current and predicted demand in 11 key areas, many of which cut across the crime/non-crime distinction.^{18,19} Views differ within the service on the potential value of these statements, though the need for greater consistency of thinking and measurement in relation to demand has been acknowledged.²⁰ The Force Management Statements also require forces to assess the condition, capacity, capability and serviceability of all of their assets including workforce and finance required to meet the predicted demands.

The above reflects a conceptual landscape that has rapidly become more sophisticated, with demand broken down across multiple dimensions (crime/non-crime and proactive/reactive). It has tended to generate two competing narratives. According to one view, policing has undergone mission creep over a number

of decades, extending beyond its core crime and disorder functions, and that the rise in new crime challenges increases the imperative to shed some of these non-core resource drains that have crept up, such as responding to mental-health crises and supporting partners in safeguarding.²¹

The opposing view is to see policing demand as part of a wider ecosystem, whereby public services generate “failure demand” – that is, demand created by the failure of “the system” to respond adequately when people present with needs that cut across organisational silos.²² Rather than demarcating territory and tightening remits, this view advocates service integration and reconfiguration around the citizen, based on a more holistic understanding of demand. Within this framework, reducing crime and non-crime demand for the police depends on collaboration with other services to resolve issues early and appropriately, so they do not re-emerge and intensify.²³

In recent years, these narratives have existed in tension, as is apparent in the Policing Vision 2025, which states:

“Policing must address the sources of demand on its resources working with a range of partner agencies including health, education, social services, other emergency services, criminal justice and victims’ organisations ... while being conscious of service-drift, as partner agencies’ capacity is reduced”.²⁴

Opposing Steers: Prioritisation

Tensions over how the police should manage (and screen out) demand go hand in hand with tensions over how the police should prioritise between offence types. On the one hand, they are required by law to respond to locally determined priorities, established by democratically elected police and crime commissioners

via their Police and Crime Plan. Perhaps unsurprisingly, these tend to focus on high-volume offences occurring in the public realm, such as anti-social behaviour (ASB), burglary and criminal damage, i.e., offences which affect the greatest number of taxpaying citizens.

On the other hand, central government has, in recent years, encouraged a greater focus on “hidden” and more complex threats such as modern slavery, domestic abuse and child sexual exploitation, as well as challenges related to the vulnerability of victims. Since 2014/15, HMICFRS has put managing vulnerability at the heart of its inspection criteria. (A key pillar of the effectiveness inspection is an assessment of how effective the force is at “protecting those who are vulnerable from harm and supporting victims”.)

The police have often struggled to find the right balance between these two points on the spectrum. For example, the Inspectorate has praised the police for an improved understanding of and focus on vulnerability.²⁵ At the same time, however, there have been suggestions that this has come at the expense of investigations into routine volume crime. As the most recent HMICFRS “State of Policing” report sets out, investigations for some types of volume crime “have been reduced to little more than a telephone conversation with the victim”.²⁶ The risk that such practices pose to public confidence has been recognised by the chief inspector who has said: “There is a real risk that the inability of forces to investigate high-volume crimes successfully is causing a loss of public confidence in policing”.²⁷

Case Study: PCCs Seeking Public Consent for Prioritisation

In his most recent Annual Survey, the PCC for Kent swapped out a question asking residents to pick their top policing concerns for a question that asked them to identify the most significant issues facing their communities.²⁸ Having previously identified high-harm crimes such as child sexual exploitation and knife crime, when asked about highest local priority issues, this shifted to antisocial behaviour, substance misuse and burglary. In its report, the PCC highlighted the tensions this can cause for prioritisation:

“This has not been interpreted as an anomaly or indicative of a significant change in the public’s priorities since 2017. Instead, these three surveys collectively demonstrate that Kent residents recognise the importance of Kent Police tackling serious and organised crime across the county... however, when freely asked about issues affecting their own communities, they are most likely to list those issues which they themselves have witnessed or which impact upon them more directly – such as vandalism, substance misuse, theft, and traffic-related issues.”

Case Study: Burglaries in Leicestershire²⁹

In an attempt to improve efficiency, Leicestershire Police conducted a three-month pilot scheme in which attempted burglaries at odd-numbered houses were not fully investigated by forensics officers. Despite claims that the experiment had no adverse impact on crime rates or public confidence, it was met with opposition from the PCC and the local MP, Jonathan Ashworth.

The director of forensic services within the unit that conducted the trial, the East Midlands Special Operations Unit, explained the trial in cost terms:

“The pilot was developed to look at what value forensic teams bring to the detection of attempted burglaries ... At a time when we are operating within reduced budgets, it is even more critical that we make the absolute best use of our crime scene investigators' time.”

The police could be forgiven for thinking they are being asked to achieve the impossible: At a time in which day-to-day spending in policing has fallen by 16 per cent since 2009/10, they are being asked to respond to rising demand by focusing on both harm and vulnerability as well as more traditional high volume offences.³⁰ Given the effect these competing tensions appear to be having on police performance, models for prioritisation are urgently required alongside a broader consideration of non-crime demand.

Regional Variation in Resource Allocation Versus Outcomes

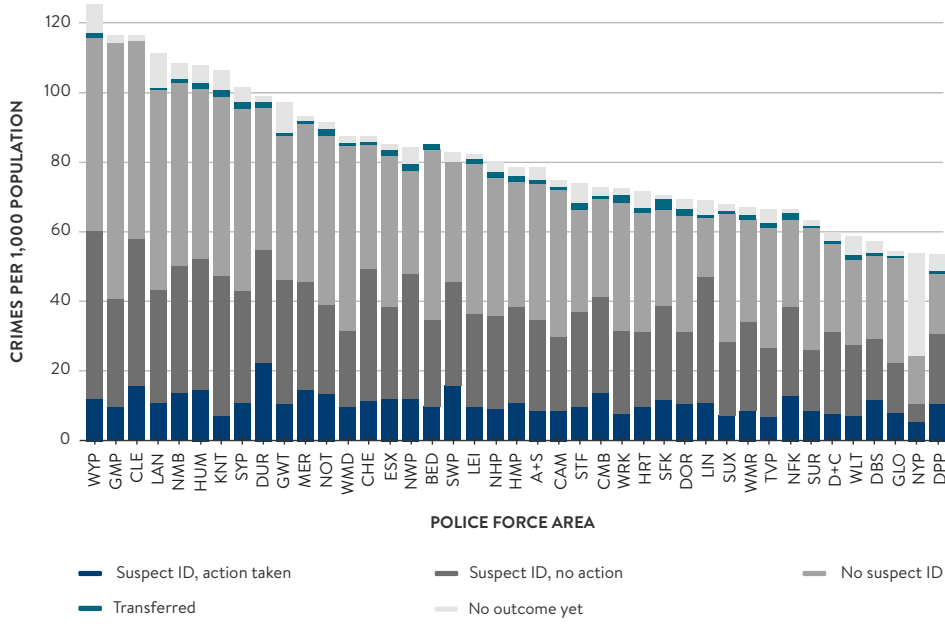
One of the effects of these tensions is a huge degree of variation in the outcomes achieved by different police forces. For example, a review of crime outcome statistics published by HMICFRS revealed substantial differences in the rate of offenders being successfully brought to justice across different force areas.³¹ The variation was particularly stark for rape, where rates of successful identification and action varied from approximately 1 per cent (Cambridgeshire) to 5 per cent (Bedfordshire). However, it was concerningly high across all offences, as Figure 2 makes clear.

The scale of difference between outcomes demonstrates the existence of a postcode lottery in policing provision across England and Wales, with offenders in Durham more than twice as likely to face justice than offenders in Kent. This risks a significant reduction in confidence in policing in those areas with particularly low rates of effectiveness.

There is also variation in relation to how police choose to allocate their resources. Research by Andy Higgins and Gavin Hales for the Police Foundation revealed substantial differences in the approach of individual forces to neighbourhood policing. As they state:

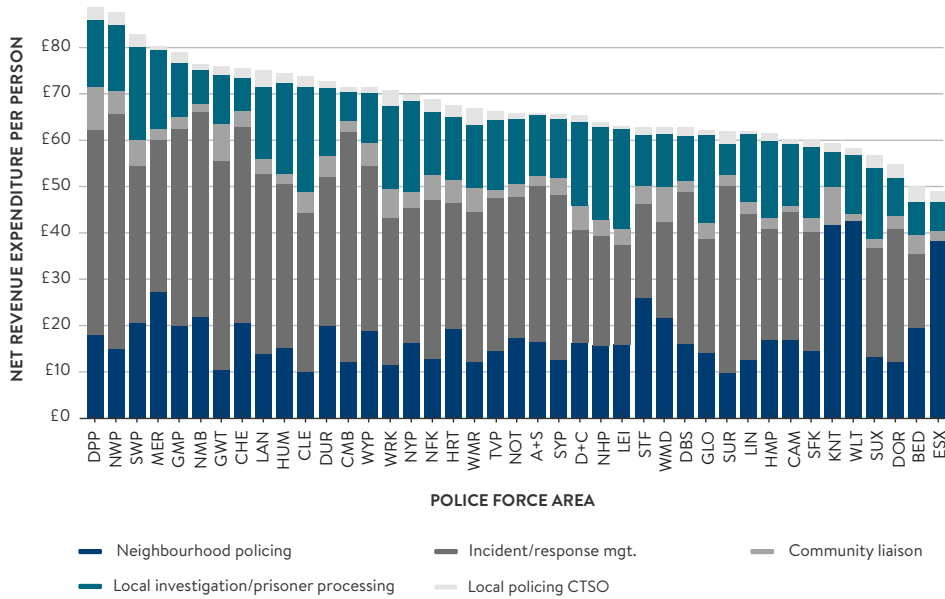
“The change of government in 2010 triggered a process of incremental diversification and – in many cases diminution – of neighbourhood policing across England and Wales. The removal of the central confidence target, devolution of strategy to locally elected Police and Crime Commissioners and, in particular, funding. Cuts amounting to 18 per cent across the service in real terms, provided the flexibility and imperative for forces to review their workforces and operating models. This resulted in innovation, and thus variation, in the resources and responsibilities allocated to neighbourhood teams.”³²

Figure 2 – Crime per 1,000 population by outcome and police force area (overall)



Source: HMICFRS 2019 Value for Money Dashboard

Figure 3 – Net revenue expenditure per person by policing function



Source: HMICFRS 2019 Value for Money Dashboard

Spending on frontline functions remains highly variable across the country. For example, despite being neighbouring forces, Kent spends the vast majority of its budget on neighbourhood policing compared to Sussex, which spends less than a third of its budget on the same function.³³ (See Figure 3.)

This means that not only does the public face a postcode lottery in outcomes, but it also faces a postcode lottery in the provision of core policing services. Variation in provision might be accepted by the public if it is underpinned by a clear rationale or framework. However, as the following sections make clear, no such rationale or framework exists to guide forces or PCCs in making their decisions, especially as it relates to the balance between net positive outcomes overall and minimising individual instances of harm.

The Accountability Deficit

Part of the difficulty in prioritisation stems from a gap in accountability structures within policing, which makes it harder for police chiefs to make decisions that will garner public consent. In theory, the PCC provides a democratic link between the public and the police. By being elected on a manifesto setting out local priorities, PCCs are able to secure a mandate to ensure the police focus on the issues local people care about. This is subsequently given statutory force in the form of a Police and Crime Plan, which must be published within six months of a PCC taking office. In practice, however, the question of how the police prioritise finite resources is largely perceived to be an operational question, meaning that it is left unexamined. Police chiefs are left to determine themselves how best to prioritise finite resources.

At this point it is important to be clear that the operational independence of the police is a fundamental and sacred principle of British policing and enshrined in law – and for good reason. Given the unique role of policing, which involves the legitimate use of coercive powers on behalf of the state, it has always been considered vital that the chief constable’s independence should never be subject to political interference.

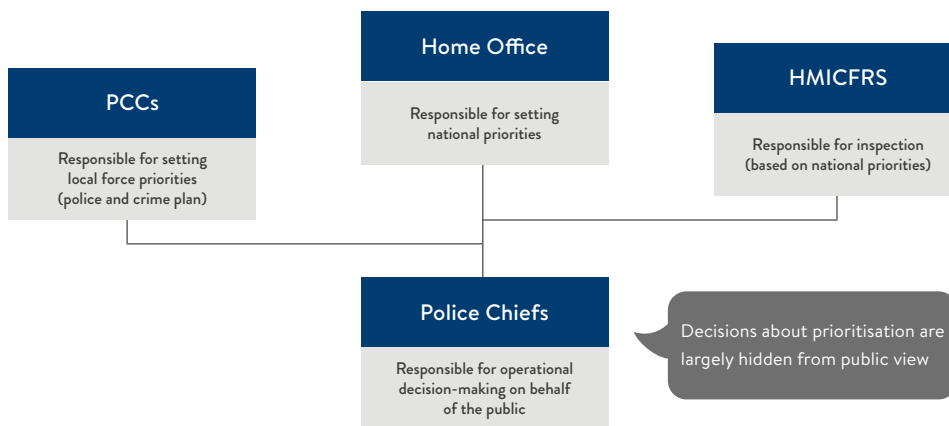
In a memorial lecture in 2013, Chief Inspector of the Constabulary Sir Tom Winsor posited the following thought experiment to illustrate the importance of operational independence.

“A police and crime commissioner might have been elected on the basis that he would institute a policy that 80% of police officers will be allocated to special antisocial behaviour patrols. Once elected, he attempts to implement that. It is within the power of the chief constable to disregard that policy if, in his expert view, doing so would compromise other aspects of his duty to uphold the law, for example combating serious violent or sexual offences. The chief constable would be obliged to take into account the public view, expressed through the democratic process, that antisocial behaviour must be given particular attention, but it is for the chief constable to determine the best operational method of achieving that objective, alongside the competing demands on policing resources. If the chief constable did not retain the ultimate decision-making power over issues within his operational control, it would be open to police and crime commissioners to set mandatory strategic targets, the direct consequence of which would be to vitiate the chief constable’s ability to comply with his overriding duty to uphold the law in his policing area.”³⁴

The purpose of this thought experiment is to illustrate the risks inherent in a model requiring the chief constable to act solely on the PCC’s priorities. If they were obliged to devote 80 per cent of their officers to ASB, they would be bound to compromise policing in other important areas, such as serious organised crime, child protection, burglary or fraud – forcing them to put public safety at risk and act in a way that is contrary to their overriding duty. So while local democratic accountability is (and should remain) an important influence on police priorities, it ought not to interfere with the principle of operational independence.

However, while it is clearly important to uphold the principle of operational independence, it is not clear why decisions about how resources are allocated should be entirely hidden from public view, nor why those responsible should not be held accountable after the decisions have been made. Moreover, with the police currently being pulled in different directions, it would surely be helpful to support a chief constable’s decision-making with a clearer (and more transparent) decision-making framework.

Figure 4 – Accountability structures in policing, England and Wales



A NICE for Policing?

Policing is not alone in seeking an answer to variation in provision. In 1999, the National Institute for Clinical Excellence (NICE) was created, following concerns about a postcode lottery in the provision of new drugs and the development of clinical guidelines, the quality of which were perceived to be variable (and which took no account of cost-effectiveness). Now known as the National Institute for Health and Care Excellence, NICE was originally charged with two responsibilities:

- to undertake “health technology assessments” examining the clinical and cost-effectiveness of (mainly) new medicines, and
- to develop clinical guidelines that would inform NHS health-care professionals on the most appropriate manner in which to manage specific conditions.

It offers a useful comparison because, as with crime, health demand inevitably exceeds the resources available and, therefore, the basis upon which rationing occurs has to be seen to be fair.

NICE: A Case Study in Effective Prioritisation³⁵

NICE’s approach to evaluating the clinical- and cost-effectiveness of medicines and devices is based on cost-utility analysis. Cost includes the acquisition costs

of the product, but also the costs of any additional tests or visits to a health-care professional that a person needs to make. In addition, any financial savings to the NHS are estimated and subtracted from the cost estimates. Utility, or benefit, is expressed as the gain in health a person receives, reflected by improvement in their health-related quality of life, multiplied by the time for which it is enjoyed. This gives rise to a metric known as quality-adjusted life year (QALY), and the measure of “QALYs gained” is used to compare the benefits of different treatments. In short, the framework offers a means of maximising the health outcomes achieved for each pound of spending.

A number of instruments measuring health-related quality of life are available, but the one most widely used (including by NICE) is the EuroQol-5D (EQ-5D) classification. This provides a score ranging from 0 (dead) to 1 (perfect health) based on five domains. The five domains are:

1. Mobility
2. Self-care
3. Usual activities
4. Pain/discomfort
5. Anxiety/depression

These domains are weighted according to the preferences of a random, household-based sample of the population. EQ-5D profiles of individuals are converted into an index score based on these preferences, which is used to estimate the number of QALYs gained. From this estimate, it is possible

to calculate the incremental cost-effectiveness ratio (ICER), comparing one (new) intervention, say a hip replacement, with another (established) intervention, such as anti-inflammatory drugs.

Interventions below an ICER of £20,000 per QALY gained would be recommended by NICE for use in the NHS, but those above £30,000 would be rejected. Special arrangements, however, are in place for drugs prolonging life at the end of life (£50,000) and for treatments for very rare diseases (£100,000).

NICE's Principal Outputs

- **NICE guidelines and quality standards.** Originally covering clinical practice, these programmes have expanded to include recommendations for public-health and social-care professionals. Quality standards are short statements focusing on key priorities for practice.
- **Technology evaluation guidance.** Recommendations on the use of medicines, medical devices and diagnostics, based on their clinical and cost-effectiveness.
- **Performance indicators and statements of recommended practice.** Largely based on NICE guidelines and technology appraisals, primarily designed for use in the NHS Quality and Outcomes Framework.
- **Interventional procedures.** Reviews of the safety and efficacy of minimally invasive procedures.
- **Information services.** NICE commissions, or provides access to, a range of information services to help ensure that health professionals have quick and easy access to reliable information.

Despite a few notable controversies, particularly in the earlier phase of its establishment, NICE has become a fixture in the work of NHS England.³⁶ Clinical commissioning groups (CCGs) now have established procedures for deciding how to spend money, particularly as it relates to the prioritisation

between treatments and treatment areas. For example, NHS Birmingham and Solihull CCG publishes its "Policy for the Prioritisation of Healthcare Resources" every three years (subject to review after the first year).³⁷ Agreed with the Clinical Priorities Action Group, this clearly lays out a seven-step process for reviewing resource allocation, the first of which is an annual review of all health-care spend.

NICE has been widely heralded as a success in maximising the value from public spending on health, "producing authoritative guidelines on the basis of clinical studies and evidence reviews".³⁸ This is particularly relevant for the cost-effectiveness assessment of individual interventions, a procedure for which the organisation has received international acclaim.³⁹ Meanwhile, its status as a non-departmental body allows it to operate independently from the Department of Health and Social Care, while maintaining a clear link to government enabling the straightforward use of data.

Establishing a NICE for Policing

While policing is not directly comparable to the NHS, as a service it faces similar challenges to those which gave rise to the creation of NICE over 20 years ago. There is no coherent strategic framework for allocating scarce resources to deal with different crime threats and challenges, a lack of accountability to the public, and huge regional variation both in outcomes and in how money is spent by different police forces. We argue that the introduction of a NICE model for policing (National Institute for Excellence in Policing, or NIEP) could assist in filling these gaps, and would be assisted by the already significant presence of over 400 randomised controlled trials in policing, and around another 1,000 quasi experiments.⁴⁰

The core function of NIEP would be to develop a framework that would allow police forces to prioritise spend between different offences, mirroring the NICE approach (an example of such a framework is given in the next chapter). This framework would be advisory, rather than obligatory, in the first instance. Over time, such a body could take on a broader range of roles and responsibilities, such as the development of an evidence base for effective policing (understanding what interventions work best) and a repository of innovation.

In their most recent manifesto, the Conservatives committed to creating a “world class” National Crime Lab to strengthen R&D capability within policing and improve crime prevention. It is conceivable that NIEP could be incorporated within a new Crime Lab, but this is again a question for government. Importantly, the commitment to creating a Crime Lab shows that the NICE model would go with the grain of current government policy.

This is not merely a question of improving police productivity. A more transparent approach to resource allocation is also in the wider public interest. Only when the public understand how police spend their time and resources can we hope for a more informed debate about the role of the police and how to join services up locally to the benefit of communities, bearing down on crime, promoting public safety and supporting better access to appropriate health and social services.

Principles for Approaching Prioritisation

In order to determine how to distribute resources most effectively, it is necessary to answer the first-order question of what an “effective” distribution looks like. Here it is helpful to borrow from the field of normative ethics – the study of ethical action, and the moral standards that govern our conduct. Though many ethical systems exist to guide action, policymaking often takes either an outcomes-based consequentialist approach (preferring decisions which maximise aggregate positive consequences) or a values-based deontological approach (preferring decisions that are made in accordance with some form of duty or innate worth, including individual harm). These are set out in more detail below.

An Outcomes-Based Approach

The essence of the NICE approach is ruthless prioritisation in order to maximise the aggregate utility achieved from public spending on health. Translated into the arena of policing, the analogy to QALYs is captured by the volume of harm-weighted crime brought to book. This rests on the assumption that the cost of a crime to society is reflected in the sentences typically handed down for each type of offence.

This kind of outcomes-based approach is rooted in “consequentialism” – the theory that the moral worth of an action is solely determined by the consequences that arise from it. The most well-known form of consequentialism is “utilitarianism”, a theory that assesses the moral worth of actions in accordance with their promotion (or non-promotion) of “utility”.⁴¹ Though the definition of utility is contested, it was originally characterised in 1789 by philosopher and jurist Jeremy Bentham as:

“That property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness ... [or] to prevent the happening of mischief, pain, evil, or unhappiness to the party whose interest is considered.”⁴²

If the moral worth of actions is determined by their propensity to maximise utility, it follows that the actions of leaders (i.e., policing leaders) should also seek to maximise the utility of their policies for “the party whose interest is considered” (i.e., the general public) by allocating resources to interventions which minimise overall harm.

On the face of it, translating such an approach into the field of police prioritisation might seem problematic. How would a police chief accurately assess whether prioritising aggravated assault or burglary will lead to greater aggregate levels of utility? However, this objection is relatively easy to deal with, as it is possible to perform a cost-benefit analysis on individual offence types by balancing the difficulty of investigating against the volume of crime and the harm caused by each offence; identifying these costs and benefits is helped by referring to policing guides, such as the Police Service Statement of Mission and Values and the Policing Vision 2025.^{43,44} An example of how this might work in practice is provided in the next chapter.

The most significant problem with a purely outcomes-based approach relates to its ability to deal with cases in which the cost-benefit ratio is poor but intervention is nonetheless important. For example, offences such as rape cause significant negative impacts upon physical and mental health for victims and families. However, the volume of (known) cases is relatively low and those cases are very difficult to prosecute, with low positive outcome rates and high investigative costs. On a purely outcome-based framework it would be difficult for a force to prioritise rape over

offences such as criminal damage, though the high level of individual harm may mean that we wish to do so. (Indeed, this is a common objection to such approaches, insofar as they lead to a risk of minority rights being violated in the interests of the majority.)⁴⁵

A Harm-Based Approach

An alternative to allocating resources according to what works best to maximise the amount of harm-weighted crime brought to book would be to allocate across different offences in proportion to the harm caused by each, regardless of the prospects of securing convictions. Such a harm-based approach is a more appropriate way to allocate resources when it comes to crimes like rape. By assessing prioritisation decisions on the basis of individual harm, crimes which have low conviction rates and high costs can be escalated higher up the table. In the example we give in the next chapter, this would lead to rape coming second only to homicide in terms of priority. This approach may also be aligned with the principles of the ethics of care.⁴⁶

However, despite a harm-based approach being appropriate for a minority of crimes with particularly low detection rates, it would be a mistake to determine all resource allocation on this basis. Doing so would risk exacerbating the trend identified above – of the police focusing on harm to the exclusion of high-volume offences, such as burglary and car theft – thus raising concerns about public legitimacy and consent.

Adopting a Mixed Approach

There is, however, a third alternative that a NICE model for policing could pursue in reforming prioritisation. Rather than championing a purely outcome-based or harm-based model, the police could separate out those offences with low conviction rates and particularly high investigative costs. At an offence group level, the harm-based approach would primarily apply to rape; however, a more granular index might lead to standard offences with complicating flags (e.g., domestic violence, hate crime) being included too.

These offences could be stripped out from the utility calculus and ranked individually, with the resources of the force in question being allocated in proportion to

the individual harm caused by an instance of that offence. This would prevent offences such as rape from being deprioritised on cost grounds, but would still offer a clearer guide to the optimal resource allocation among other offences based on harm.

In contrast, a purely outcome-based approach could be taken for offences that are easier to convict, with resources allocated in proportion to the cost-benefit ratio of the offence in question. This would ensure that police forces have a good chance of securing a significant reduction in aggregate harm, without sacrificing outcomes for difficult offences that are low in volume but high in harm.

The precise allocation of resources between the outcomes offences and the harm offences would have to be decided by individual forces, in line with local priorities. However, this system would be more robust than the current ad hoc approach to prioritisation for all offences.

Illustrative Prioritisation Framework (Harm-Adjusted Volume of Crime)

In accordance with the principles outlined in the previous chapter, the illustrative prioritisation framework that follows establishes a rigorous method to distribute spending by offence, and highlights where police forces could secure the best outcomes (in line with the agreed principles) for their investment. We recommend that government should lead the development of this framework, and adopt a “comply or explain” principle with forces which would encourage them to vary from the standard set for prioritisation where they feel able to justify this variation by differences in local priorities (as defined by the PCC).

This framework would be advisory, rather than obligatory, and combined with real public engagement in the setting of local force priorities. Publishing the rationale behind prioritisation decisions would allow the public to see why certain offences were prioritised over others. If the PCC (as the locally elected representative) disagreed with the approach taken by the force, it could use that as a justification for variation (subject to safeguards).

This framework relies heavily on the pioneering work of Lawrence Sherman, Peter Neyroud and Eleanor Neyroud at the University of Cambridge Institute of Criminology.⁴⁷ Their Crime Harm Index provides a harm score for every offence based on

its sentence length, allowing for comparison across offences. Furthermore, using sentencing data the Cambridge Crime Harm Index (at least partially) creates a way to reflect public sentiment within police resource allocation.

Table 1 – Illustrative prioritisation framework explained

Metric	Source	Explanation
Volume	Home Office: Police Recorded Crime Open Data Tables (year ending March 2019) ⁴⁸	The number of offences recorded by the police for each offence sub-group. This is subject to variations in recording practice.
Harm	Cambridge Crime Harm Index	This index measures harm by sentence length. We have used this index to identify an average harm score for each offence sub-group, though future work could be led by the centre to develop more robust figures that are (1) specific to offence sub-group rather than being averaged, and (2) sensitive to aggravating flags not captured by offence titles (for example, domestic violence).
Cases pursued	Anonymous English police force (year ending March 2018)	Data was provided by an anonymous English police force and relies on averages across individual offences (for example, the average for “vehicle offences” is applied to both “theft of vehicle” and “theft from vehicle”).
Cost	Home Office: The Economic and Social Costs of Crime (2018) ⁴⁹	We have used the indicative policing costs given by the Home Office.
Positive outcomes	Home Office: Crime outcomes in England and Wales: Open data tables (year ending March 2019) ⁵⁰	A “positive outcome” is defined as an offence that resulted in some form of formal sanction, for example: charge/summons, caution, warning, out-of-court disposal.

This framework is provided below, identifying a cost/benefit score for all major offence groups that fall within the outcome-based prioritisation approach. Forces should then aim to maximise the number of harm points [brought to book] with their budget. The prioritisation framework is constructed in four steps:

- 1. Identify the total harm caused by each offence by multiplying the volume by the harm score per case.**
- 2. Identify the total cost of investigations per offence.** This first involves determining how many cases are actually pursued by the police (the number that are “screened in”). Second, it involves multiplying this figure by the investigative cost per case.
- 3. Identify the total benefit secured by police by multiplying the number of positive outcomes by the harm score per case.** While this risks circularity at present (with the probability of a positive outcome influenced by current approaches to prioritisation), a new index might establish a probability score that is, as far as possible, neutral.
- 4. Calculate the cost-benefit ratio (harm points per £1,000 spent).** This metric, which we name “harm-adjusted volume of crime” (HAVC), is analogous to the quality-adjusted life year (QALY) used by NICE and would be used to compare the benefits of different deployment decisions (with a high score indicating the best return on police investment).

As explained in the previous chapter, some high-harm offences with low conviction rates would be excluded from this calculus. Where the threshold is set for exclusion would be a decision for government;

however, we have excluded rape on the basis of its aggregate harm score being the third highest, and its conviction rate being the third lowest.

A Note on Non-Crime Demand

We recognise that this index only covers a subset of police demand. It does not address non-crime incidents such as mental-health cases or missing children, nor can robust estimates be provided for incidents of anti-social behaviour which are not recorded in the same way as other crime incidents. Recent research has illustrated the significant toll that these other incidents place on overall police demand; for example, 3.5 per cent of all incidents handled through command and control rooms in 2017 had a mental-health dimension, equating to 560,000 to 670,000 incidents.⁵¹

The paucity of national statistics on non-crime demand makes it impossible to assign it a relative weight within our framework. Instead, police forces would be better served by focusing prioritisation on crime demand and encouraging the Home Office to work across government to agree a more effective distribution of non-crime demand between different public services. This might also take the form of encouraging co-location and joint working initiatives, such as the Street Triage model in place in the City of London, whereby mental-health professionals are embedded in patrols or used to respond to mental health-related police calls in place of response police officers. As a result, fewer officers have to deal with mental-health incidents on scene, freeing up capacity for response elsewhere.⁵²

Table 2 – Illustrative prioritisation framework

	Volume	Harm per Case	Total Harm	Cases Pursued	Cost per Case	Total Positive Outcomes	Positive Outcome Rate (%)	Total Cost	Total Benefit	Harm Points per £1000
Other Criminal Damage	547,325	184	100,707,800	41%	150	53,452	9.8%	33,660,488	9,835,168	292
Arson	26,689	1460	38,965,940	53%	1,080	1,879	7.0%	15,276,784	2,743,340	180
Violence With Injury	549,160	859 ⁵³	471,728,440	85%	1,130	109,366	19.9%	527,468,180	93,945,394	178
Other Sexual Offences	104,199	738	76,898,862	90%	570	12,849	12.3%	53,454,087	9,482,562	177
Homicide	685	2780 ⁵⁴	1,904,300	100%	11,960	414	60.4%	8,192,600	1,150,920	140
Domestic Burglary	295,602	321	94,888,242	44%	530	15,010	5.1%	68,934,386	4,818,210	70
Violence Without Injury	679,804	268	182,187,472	84%	810	105,710	15.6%	462,538,642	28,330,280	61
Robbery	85,824	365	31,325,760	89%	1,010	8,120	9.5%	77,147,194	2,963,800	38
Rape	59,492	2162	128,621,704							
Theft of Vehicle	119,653	54	6,461,262	23%	2,030	6,491	5.4%	55,865,986	350,514	6
Theft from Vehicle	283,398	2	566,796	23%	80	5,156	1.8%	5,214,523	10,312	2
Theft From the Person	103,848	2	207,696	55%	40	1,975	1.9%	2,284,656	3,950	2

Analysis and Implications

This framework – based on published police data – suggests that forces ought to consider allocating more time to dealing with criminal damage, violence with injury and sexual offences, over offences such as theft. These offences are harmful (as reflected in the sentencing framework), have a reasonably high likelihood of prosecution, and are key to public trust in policing by virtue of their scale. As a result, they offer a better return on investment than offences lower down the table, such as vehicle theft. This reallocation would help to equalise the numbers and maximise the benefit for those offences measured by outcome.

Importantly, forces might have valid reasons for straying from this approach. For example, theft may be easier to prosecute in their area, and may be of vital public concern (as expressed through the PCC's Police and Crime Plan). However, this framework shows that such an approach should be the exception rather than the rule, if policing wishes to maximise performance in an age of limited resources.

Recommendations and Conclusion

With significant inter-force variation and declining levels of enforcement, the need for a new approach to managing police prioritisation is clear. However, there is no need to fundamentally reinvent the wheel.

A close examination of the health-care system reveals a model to follow: NICE. The creation of a powerful and independent “NICE for policing”, would help to improve the evidence base around effectiveness in policing and strengthen public accountability. This could provide clear guidance to police forces in assessing what to prioritise in a given financial year, mirroring the approach taken by CCGs in prioritising yearly health-care spend locally, and maximising value for money. This new body could be hosted by the new National Crime Lab, which is likely to be established some time in 2021.

An important function of a NICE-type body would be to provide a framework for police forces to prioritise different offences by their value for money and their individual level of harm. Just as QALYs have become an established metric to assess the effectiveness of different treatments within a health setting, harm-adjusted volume of crime (HAVC) could be used to determine different deployment decisions. Though this should not be used by forces to dictate priorities in isolation, alongside a close awareness of public priorities such a framework could transform resource allocation and, with it, police effectiveness.

Introducing a “NICE for policing” is not a question of circumscribing operational independence. Increasing the transparency of policing decisions by introducing a prioritisation framework offers the prospect of reducing unnecessary pressure on police chiefs by making it easier for them to explain their decisions. Similarly, rather than limiting the role of a PCC, a “NICE for policing” would help to clarify the PCC's role in holding different agencies to account for performance against public priorities.

In a tightening fiscal context, it is more vital than ever that police chiefs are supported in securing the best value for money possible for the citizens they serve. The current system of ad hoc decision-making has been accompanied by sharp falls in charge rates across the spectrum of offence groups, with more criminals escaping punishment for their offences. A new approach to prioritisation is needed now, before the system deteriorates beyond repair.

Endnotes

Endnotes

- 1 Volume crime refers to any crime which, through its sheer volume, has a significant impact on the community and the ability of the local police to tackle it.
- 2 <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-effectiveness-vulnerability-2015/>
- 3 <https://www.yorkshirepost.co.uk/news/crime/welfare-police-staff-be-enshrined-law-west-yorkshire-police-federation-chair-hits-out-officers-being-expected-do-everything-2966530>
- 4 For example, see: <https://www.essex.pfcc.police.uk/wp-content/uploads/2020/06/20200626-Police-and-Crime-Plan-Extension.pdf>
- 5 <https://institute.global/sites/default/files/2020-06/Tony%20Blair%20Institute%2C%20How%20Far%20and%20How%20Fast%2C%20Public%20Debt%20After%20the%20Pandemic%20FINAL.pdf>
- 6 <https://institute.global/policy/restoring-order-and-rebuilding-communities-need-new-national-crime-plan>
- 7 Office for National Statistics, Crime in England and Wales: Police force area data tables (year ending December 2019)
- 8 Home Office, Outcomes (open data year ending March 2020)
- 9 Ministry of Justice, Criminal court case timeliness tool (January to March 2020)
- 10 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/888301/criminal-justice-statistics-quarterly-december-2019.pdf
- 11 https://www.mckinsey.com/~media/mckinsey/dotcom/client_service/public%20sector/pdfs/mck%20on%20govt/change%20under%20pressure/tg_mog_6_toward_public_sector.ashx
- 12 <https://institute.global/sites/default/files/2020-06/Tony%20Blair%20Institute%2C%20How%20Far%20and%20How%20Fast%2C%20Public%20Debt%20After%20the%20Pandemic%20FINAL.pdf>
- 13 <https://obr.uk/fsr/fiscal-sustainability-report-july-2020/>
- 14 <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-efficiency-2015/>
- 15 <http://www.college.police.uk/About/Pages/Demand-Analysis-Report.aspx>
- 16 <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/peel-police-efficiency-2016.pdf>
- 17 <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/peel-police-efficiency-2017.pdf>
- 18 For example, responding to the public, prevention and deterrence, investigations, protecting vulnerable people, monitoring dangerous and repeat offenders, disrupting organised crime and responding to major events.
- 19 <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/force-management-statements-consultation-2017.pdf>
- 20 https://www.npcc.police.uk/documents/minutes/CCC%203_4%20October%20Minutes_public.pdf
- 21 Gibbs and Greenhalgh, for example, argued in 2014 that in order to release resource to prevent crime and disorder and tackle terrorism, the police should pull back from tasks like dealing with missing people enquiries, guarding suspects in hospitals, responding to online abuse, policing sporting and other public events, taking the lead in managing serious offenders, transporting mental-health patients and supporting their partners in safeguarding work: <https://www.bl.uk/collection-items/police-mission-in-the-twentyfirst-century-rebalancing-the-role-of-the-first-public-service>
- 22 “Systems Thinking in the Public Sector: the failure of the reform regime...and a manifesto for a better way”, Seddon, M. (2008)
- 23 See for example Greater Manchester’s vision for place based service integration and reform: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/588237/Integrated_place_based_services_Academy_seminar_slidepack_310117.pdf
- 24 <http://www.npcc.police.uk/NPCCBusinessAreas/ReformandTransformation/PolicingVision2025.aspx>
- 25 <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/state-of-policing-2018.pdf>

- 26** <https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/state-of-policing-2019.pdf>
- 27** <https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/state-of-policing-2019.pdf>
- 28** <https://www.kent-pcc.gov.uk/SysSiteAssets/media/downloads/previous-consultations/final-survey-2018-report.pdf>
- 29** <https://www.telegraph.co.uk/news/uknews/crime/11784254/Police-only-investigate-burglaries-at-even-numbered-homes.html>
- 30** <https://www.instituteforgovernment.org.uk/publication/performance-tracker-2019/police>
- 31** <https://www.justiceinspectors.gov.uk/hmicfrs/our-work/article/value-for-money-inspections/value-for-money-profiles/value-for-money-dashboards/>
- 32** http://www.police-foundation.org.uk/2017/wp-content/uploads/2017/06/changing_world_paper_4.pdf
- 33** <https://www.justiceinspectors.gov.uk/hmicfrs/our-work/article/value-for-money-inspections/value-for-money-profiles/value-for-money-dashboards/>
- 34** <https://www.justiceinspectors.gov.uk/hmicfrs/media/hmic-tom-winsor-john-harris-memorial-lecture.pdf>
- 35** “NICE comes of age”, Rawlins and Dillon, The Royal Statistical Society (April 2020)
- 36** For example, in 2002 the breast cancer drug Herceptin was recommended for advanced-stage patients by NICE, but not for early-stage patients (leading to refusals to prescribe it). After a long campaign, it was eventually recommended for early-stage use in 2006. For more detail, see: <https://www.theguardian.com/society/2007/jan/05/cancercare.health>
- 37** <https://www.birminghamandsolihullccg.nhs.uk/about-us/publications/policies/2511-prioritisation-of-healthcare-resources-policy/file>
- 38** “The What Works Network 5 Years On”, Gold, J, What Works Network (2018)
- 39** <https://www.springer.com/gp/book/9780387719955>
- 40** Peter Neyroud, University of Cambridge
- 41** “The History of Utilitarianism”, Driver, J., The Stanford Encyclopedia of Philosophy (Winter 2014 Edition)
- 42** “Introduction to the Principles of Morals and Legislation”, Bentham, J. (1789).
- 43** https://www.college.police.uk/What-we-do/Ethics/Ethics-home/Documents/Code_of_Ethics_ReadingList.pdf
- 44** <https://www.npcc.police.uk/documents/Policing%20Vision.pdf>
- 45** This is a common objection to consequentialist/utilitarian theories, in particular as it relates to the risk of minority rights being violated in the interests of the majority. For more detail, see the work of H. J. McCloskey: <https://www.jstor.org/stable/2182745?origin=crossref&seq=1>
- 46** See the work of Carol Gilligan and others for more detail. Also see: <https://iep.utm.edu/care-eth/>
- 47** <https://www.crim.cam.ac.uk/Research/research-tools/cambridge-crime-harm-index/view>
- 48** <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables>
- 49** <https://www.gov.uk/government/publications/the-economic-and-social-costs-of-crime>
- 50** <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables>
- 51** Rethinking Police Demand, Crest Advisory (2018)
- 52** <https://www.sussexpartnership.nhs.uk/service-street-triage>
- 53** Homicide has been excluded from “violence with injury” to ensure no overlap between categories.
- 54** Includes murder, attempted murder, manslaughter (including corporate manslaughter) and infanticide.

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