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Report

Legitimacy & Confidence in Policing

Kathryn Farrow



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Legitimacy & Confidence in Policing

Author

Kathryn Farrow

Research Associate (freelance), Cumberland Lodge

About the author



Kathryn Farrow

Doctoral student, University of Oxford

kathryn.farrow@ccc.ox.ac.uk

Kathryn is currently undertaking doctoral research at the University of Oxford, examining the themes of risk, trust, and confidence in policing. Prior to undertaking the PhD, she completed the MSc in Criminology & Criminal Justice at the University of Oxford (2018-19). She also holds a first-class degree in Psychology and Sociology.

Alongside her doctoral research, Kathryn works as a Research Officer for the Home Office's Crime Analysis Unit. She has also worked as a criminal investigator for Leicestershire Police, as well as a Lead Investigator for the Independent Office of Police Conduct, where she specialised in death in custody and shooting investigations. During this time, she has accumulated a wealth of experience in empirical research in the field of criminal justice, and has worked on policy-relevant research in relation to policing and other key areas of the criminal justice system.

Contents

Foreword	1
Part I: Pre-conference briefing	
<hr/>	
1. Introduction - What are confidence and legitimacy?	5
Why is this important for policing?	6
The Peelian principles and ‘policing by consent’	9
<hr/>	
2. What has happened to confidence and legitimacy in recent years?	12
The extent of trust and confidence in British policing	12
International policing comparisons	16
Timeline of recent events and their impact on police legitimacy	20
<hr/>	
3. The main challenges the police now face	25
Impact of high demand and low resources	25
Instances of misconduct	30
Lack of diversity in the police workforce	31
Relationship with the public	32
<hr/>	
4. How can the police service prepare to deal with these challenges?	33
Fair and respectful treatment of the public - A procedurally just approach	33
Self-legitimacy	35
Community policing	36
Changing police culture	38
<hr/>	
5. Conclusion	39
<hr/>	
Endnotes for Part I	40

Part 2: Conference reflections and insights

1. Introduction	57
2. Building trust with communities	59
3. Building satisfaction with communities	62
4. Organisational justice	64
5. Leadership	66
6. Use 'watershed moments' to build trust	68
7. Openness, transparency	70
8. Conclusion	74
Endnotes	75

Foreword



A fundamental principle of policing in this country is that it is delivered by public consent. This principle is supposed to ensure that the police have legitimacy for their role and actions in the eyes of the public. Recently, however, a series of concerns about institutional police culture, and the conviction of police officers for serious crimes, have undermined public trust and confidence in the police. These issues and others were discussed during the sessions of the 2022 Cumberland Lodge Police Conference, in order to generate ideas about how best to rebuild trust and confidence.

Many of the recommendations contained in this report are not new – and it’s salutary to note that legitimacy had been a recurring theme at Cumberland Lodge Police Conferences over the years. Hopefully, however, this report is useful because it draws together in one document a lot of careful thought and good ideas, and is timely given the strong desire within policing to address the issues concerned. Our hope, therefore, is that this report will be of immediate practical use to Chief Constables, Police and Crime Commissioners, and others as a resource for improving policing culture and practice. If it is used in this way, it will have served its purpose well.

I am extremely grateful to my colleagues on the Police Conference Steering Committee for bringing this project to fruition. On their behalf, I would also like to thank Kathryn Farrow for her work as Research Associate in this project, and our speakers and delegates whose insights, thoughts, and ideas generated are at the heart of what follows.

A handwritten signature in black ink that reads "Edmund Newell". The signature is written in a cursive style with a large initial 'E'.

Canon Dr Edmund Newell

Chief Executive

Part I
**Pre-conference
briefing**

1

Introduction - What are confidence and legitimacy?

In England and Wales, there are approximately 138,000 police officers responsible for the safety and preservation of law and order for a population of around 56 million people.¹ Their primary purpose is the prevention and detection of crime, governed by the 'Peelian principle' (named after the founding father of modern policing, Sir Robert Peel) that 'the police are the public and the public are the police'. In other words, that the police would maintain their power by the agreement of the people they served — better known today as the notion of policing by consent. The world has changed a great deal since the 1820s, when Peel reformed policing, and along with it the role that the police are expected to fulfil in order to protect and serve members of the public.

Part of the way in which policing by consent is maintained is via the legitimacy officers retain in the eyes of the public. Police legitimacy can be defined as the judgement people make about the status of the police as an authority that has the right to issue directives and to have such directives obeyed.² This then informs the level of confidence and trust the public has in that authority. Authorities are judged to be legitimate when people feel they are treated fairly and cooperate with them voluntarily out of obligation rather than fear of punishment.³ The degree to which the public accept the use of police powers, and the extent to which they support the police in using such powers, is directly related to the degree of legitimacy bestowed upon them by the communities they serve, and the resulting trust and confidence that communities have in the police's ability to protect and serve them. Thus legitimacy, consent to policing, and confidence in the police go hand in hand. The legitimacy of the police is always in flux and is subject to a constant process of creation, negotiation and renewal as officers undertake their activities in order to fulfil their mandate.⁴ Whilst certain aspects of policing, such as public perception and the reality of crime, are important factors in the

extent to which trust and legitimacy are vested in the police, the relationship between the public and the police rests on a number of complex factors away from simple crime control, many of which are informed by the levels of legitimacy and confidence the police are afforded by the public.

“Police legitimacy can be defined as the judgement people make about the status of the police as an authority that has the right to issue directives and to have such directives obeyed. This then informs the level of confidence and trust they have in that authority. Authorities are judged to be legitimate when people feel they are treated fairly and cooperate with them voluntarily out of obligation rather than fear of punishment.”

Why is this important for policing?

Consent for policing is heavily reliant upon public confidence. Public support is conditional and unlikely ever to be universal across society.⁵ Therefore, the notion of ‘consent’ raises important questions about how this support can be maintained by policing organisations whilst they interact with a diverse public on a daily basis, often in confrontational and testing situations. Although police in England and Wales generally enjoy high levels of trust and confidence when compared to other policing organisations around the world⁶, there are still aspects of this legitimacy that need to be safeguarded and maintained wherever possible. Legitimacy should never be taken for granted, and policing organisations should be aware that not all parts of society necessarily recognise the police as legitimate entities, and do not always bestow them with the trust and confidence they seek.

A number of events have led to the legitimacy of the police being especially contested in recent years. The world has changed significantly over the past decade, at an extremely rapid pace, and along with it the forms of criminal activity that now exist

and that the police are expected to confront as part of their mandate. There has been a 'technological revolution', which has changed the daily existence of many citizens around the globe, and out of which has risen the accelerated use of social media and the internet. Mass migration has increased across the world, with modern societies becoming more diverse as a result, both demographically and in terms of corresponding wants and needs. Societies now face more significant global issues, such as the very real challenge that climate change presents. There are new forms of tension and social division, which present unfamiliar challenges for policing organisations that look to maintain peace and social order. Instances of high-profile violent extremism and terrorism have also occurred across the world. In addition to this, humanity is currently grappling with the COVID-19 pandemic, which the police have played an active role in attempting to manage. The police's role in this has been unprecedented in the requirement that they play what is essentially a public health role, in enforcing emergency legislation that represented a major curtailment of individual freedoms.

The types of crime with which the police are now confronted have also changed. Fraud — online fraud in particular — has increased rapidly over the past 20 years, whilst more traditional forms of crime, such as burglary, has fallen by 75%.⁸ At the same time, austerity measures have significantly restricted police funding, with forces expected to do 'more with less'. Set against this backdrop of financial restriction, detection rates have decreased dramatically, as have response times and victim satisfaction⁹ — significant factors that impact on the relationship between the public and the police. At present, it is estimated that UK police forces are around 7,000 detective constables short.¹⁰ It is also apparent that there is a significant lack of digital skills within policing required to tackle the rising tide of online crime, which often transcends borders between countries. Alongside this, the police have become a de-facto emergency service for mental health, with the total number of mental health-related incidents police attended rising by 41% between 2015 and 2019.¹¹ Inside policing organisations, there has also been increasing

concern about the mental wellbeing of officers, with significant PTSD and mental health issues now increasingly becoming recognised amongst the police workforce.¹² There has also been an increase in complex crime more generally, including sexual offences, the number of which recorded by policing organisations across the country having tripled in recent years.¹³ These changes to the policing landscape that have occurred over the past decade or so have the potential to radically transform the relationship between the police and the public, for better or for worse.

These issues have been brought sharply into focus in recent public debates about the conduct of the police in relation to the Black Lives Matter (BLM) movement,¹⁴ the murder of Sarah Everard,¹⁵ the policing of the pandemic,¹⁶ and a number of other significant events in which they have played an integral role. Such incidents have brought into question the legitimacy and confidence previously afforded to the police, which threatens the foundation of ‘policing by consent’ on which policing currently sits.¹⁷ It is argued that, in order to retain legitimacy in the eyes of the public, the police need to rebuild public confidence. If they are not trusted by the public, they are consequently unable to perform their role and maintain policing by consent. Policing is legitimised only if it is seen as successful, and the way in which the police seek to achieve success matters greatly. Whilst effectiveness and efficiency are both core components of legitimacy, the police will only obtain the trust and confidence of the public if they can see the police doing their job well.

Until recently, little attention has been expressly paid to how the legitimacy of the police can be enhanced and to how this could potentially be achieved by policing organisations. Research shows that the way officers act – and what these actions communicate to the community – is central to shaping the trust they consequently receive from the public, and this trust can encourage greater respect for the law and foster social responsibility.¹⁸ Importantly, trust in the police was found to be more highly correlated with perceptions of *fairness* when interacting with the public than with perception of *effectiveness*

in dealing with crime.¹⁹ The research showed trust enhances legitimacy which, in turn, encourages people to cooperate with the police and abide by the law.²⁰ In other words, by making transparent decisions and treating people fairly, the police are likely to be more effective in dealing with crime in the longer term.

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) recently noted that although police forces are becoming more efficient with their limited resources,²¹ society is changing rapidly, and policing is unable to keep up with the demands and complexity that modernity presents. In the face of constant change, the core role of policing remains to promote public safety by maintaining order and upholding the law, which their unique powers enable them to do. Altogether, these factors present a significant organisational challenge to policing. Legitimacy is important for policing because it provides a base from which police can command the confidence, trust and acceptance of their authority by all citizens.^{22, 23} Such notions are crucial for policing to operate in a democratic society, and to encourage people to cooperate with the law without resorting to force, which would fly in the face of the notion of policing by consent. By thinking broadly in terms of legitimacy, it is possible to demonstrate that, by improving public perception, the police can enhance the levels of trust and confidence they receive from members of the public — even from among those groups with which they have previously had difficulty — which will ultimately assist the police to fulfil its mandate.

The Peelian principles and 'Policing by consent'

In the context of trust and legitimacy in policing, it is worth exploring in greater depth the notion of 'policing by consent' — the belief that the police only function because of the support bestowed upon them by the public. The British 'bobby on the beat',²⁴ the quintessential emblem of democratic policing by consent, is a much-lauded value of the police in the United

Kingdom. Essentially, it is a policing concept that is unique in its history, because it is based almost entirely on public cooperation with the police and is symbolised by the public's acceptance and respect for the police.²⁵

Since the inception of modern policing in England and Wales in the 19th century, this sentiment has been at the heart of the relationship between the police and the public. It is highly relevant to present day policing because it outlines an important way for officers to fulfil their 'core mission' of protecting communities, investigating crime, and bringing offenders to justice.²⁶ The concept of 'policing by consent' allows the police to act as 'civilians in uniform',²⁷ possessing and discharging powers willingly granted to them by the communities they serve. The concept is based on the idea that the police are only effective because the general public supports them, and the success of this approach is best measured by the public's willingness to comply with requests and directives issued by policing organisations. Although policing by consent has been tested in recent years, resulting in significant challenges to perceived legitimacy, it has still been possible for the police to maintain public consent during this difficult period. It is critical that officers continue to secure public compliance in the most fair and efficient manner possible, and that the public perceive that the treatment they receive from the police is fair and equitable. If this is not accomplished, the public-police relationship is likely to be severely strained, making policing by consent less effective as the primary method of gaining public compliance. Such strain on the perceived legitimacy of the police would serve to seriously undermine public trust and any willingness to comply with future police directives.

The Peelian principles upon which modern policing is based are particularly significant in relation to the notion of 'policing by consent'.²⁸ The most significant principles relating to issues of policing by consent, and thus legitimacy, trust and confidence are:

- the need to recognise the power of the police to fulfil their functions and duties is dependent on public approval of their

existence, actions and behaviour, and on their ability to secure and maintain public respect

- the requirement to seek and preserve public favour, not by pandering to public opinion, but by constantly demonstrating impartial service to the law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws; and
- the maintenance at all times of a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to the duties which are incumbent on every citizen in the interests of community welfare and existence.

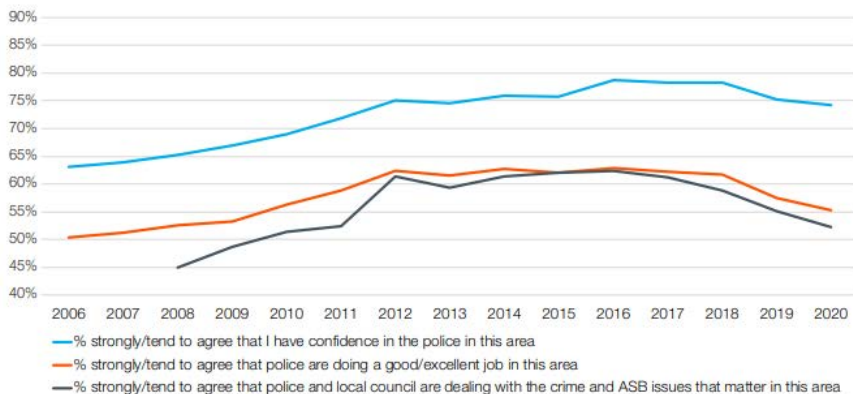
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What has happened to confidence and legitimacy in recent years?

The extent of trust and confidence in British policing

The British police have historically enjoyed high levels of confidence from the public they serve. While public perceptions and attitudes toward the police are complex, and informed by various interlinking factors, they can be summarised into a general ‘confidence indicator’, which is frequently used in opinion polls as a rating of perception in the eyes of the public.^{29, 30} From a high point of public approval in the mid-20th century – with four in five Britons expressing ‘great respect’ for their police service³¹ – public confidence is widely thought to have deteriorated over subsequent decades, as the reputation of policing was harmed by a series of corruption scandals, miscarriages of justice, and civil disruption.³² Despite this, public support remained strong, with roughly half of British adults rating local policing as at least ‘good’ at the turn of the millennium.^{33, 34} Since then, two patterns in the Crime Survey for England and Wales (CSEW) have emerged, as shown in Figure I. Between 2006 and 2016, public trust increased from roughly 63% to 79%, before stabilising and then declining until 2020.³⁵ It is clear that whilst policing has enjoyed high levels of public support in recent years, this relationship has recently come under significant amounts of strain.

Figure I: Public confidence in local police, years ending March 2006 to March 2020. Crime Survey for England and Wales (ONS, 2020).



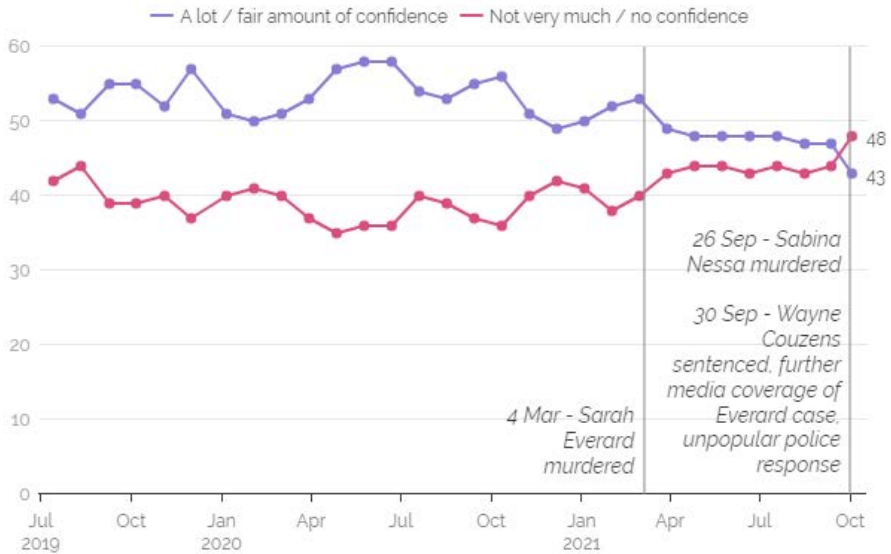
Source: ‘A New Mode of Protection’ report by the Police Foundation and the Strategic Review of Policing.

The current degree of trust and confidence vested in the police can be examined to ascertain the current levels of legitimacy the police receive from the public. In 2020, 64% of people in England and Wales aged 16 and above stated they trusted their local police force.³⁶ People from Asian (77%), White (74%), and Other ethnic groups (75%) were more likely than Black people to have faith in their local police (64%). According to the CSEW, about 55% of respondents believe their police department is doing a ‘good’ or ‘excellent’ job,³⁷ which is a decrease from over 62% in 2017/18.³⁸ People from a Caribbean background had the lowest level of trust in the police, with only 39% saying they were doing a good or excellent job.^{39, 40}

There have been questions raised in recent years about the levels of trust and confidence the public feel they can invest in the police, which in turn has brought policing legitimacy and effectiveness into question. The levels of confidence in the police have been significantly affected by a number of recent events, particularly following the murder of Sarah Everard and the

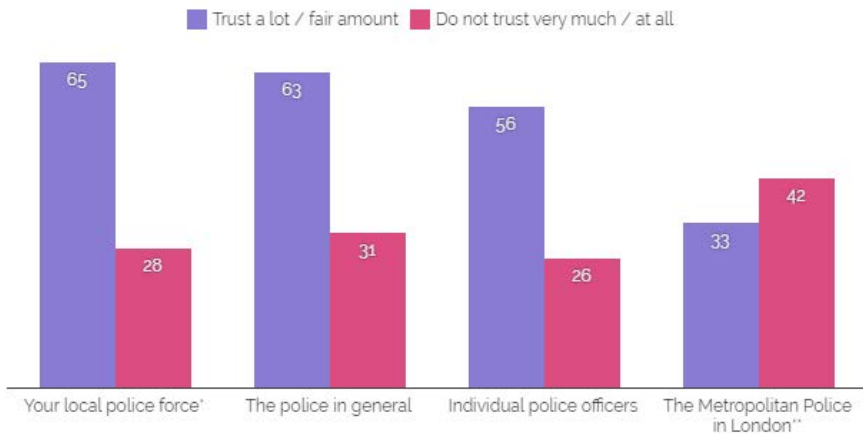
recent media coverage surrounding her death.⁴¹ More people appear to have lost confidence in the police (48%) than have sustained confidence in them (43%). This is a 10-point drop from late February/early March of 2021, when 53% said they had a lot/fair amount of confidence and 40% said they did not have much, or none at all. The public, on the other hand, generally has a favourable impression of the police, with 65% saying they trust the police, and only 31% saying they do not. When questioned about their local police force, people outside of London had similar responses (65% to 28%), and individual police officers were similarly well-liked (by 56% to 26%). When asked explicitly about the Metropolitan Police in London, however, levels of trust dropped drastically. Only 33% of the British public trust the Met, and 42% say they do not.

Figure 2: Percentage of people who say they have confidence in the police to deal with crime in their local area, vs percentage who say they have not very much or no confidence at all.



Source: 'More Britons now unconfident than confident in the police to deal with crime locally' YouGov.

Figure 3: To what extent, if at all, do you trust the following? (Taken from YouGov survey).



* Not asked to London respondents

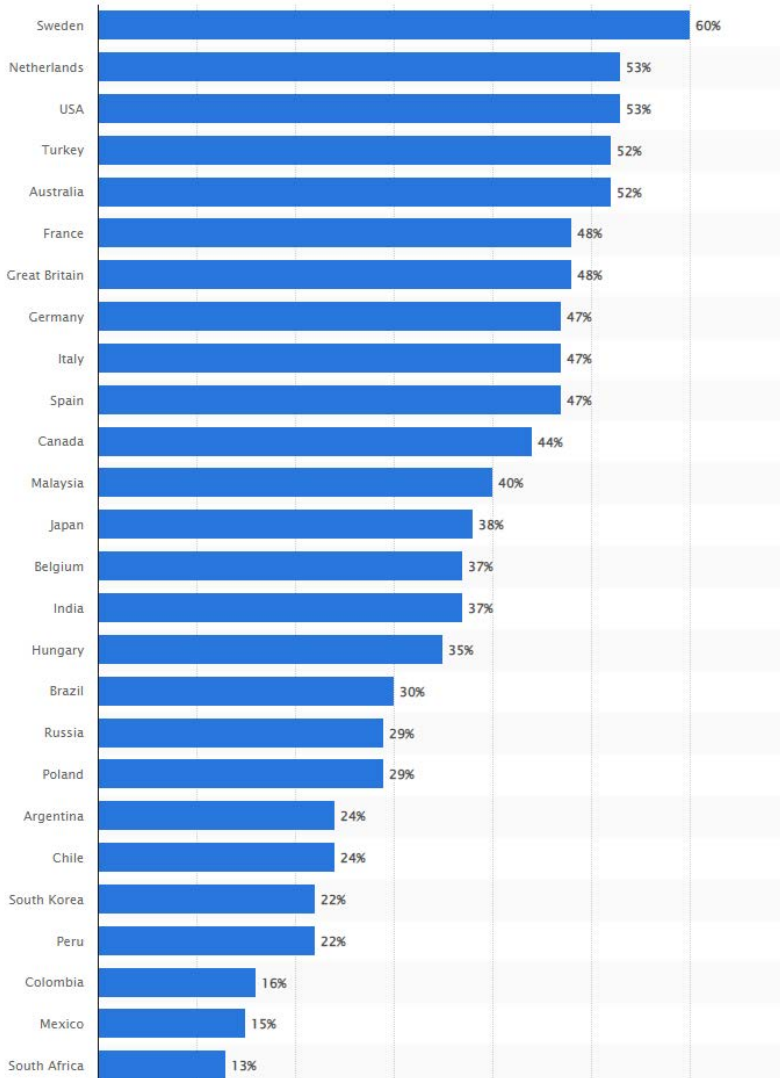
** London respondents trust the Met by 57% to 39%

Source: 'More Britons now unconfident than confident in the police to deal with crime locally' YouGov.

International policing comparisons

Concerns about a loss of legitimacy are echoed in police forces all over the world, which have also been troubled by a loss of trust from the public and the subsequent damage to legitimacy this entails.^{42, 43} According to a poll of 28 countries, Sweden, the Netherlands, and the United States have the greatest levels of police trust. In Sweden, 60% of respondents said the police were trustworthy, compared to 53% in the Netherlands and 53% in the United States. Mexico and South Africa, on the other hand, had the lowest levels of trust in the police (15% and 13% respectively), as shown in figure 4.⁴⁴

Figure 4: Trust in the police force by country



Source: Statista (2021). Trust in the police worldwide 2021, by country. [online].

In terms of confidence, more than two-thirds of respondents globally (69%) stated they had confidence in their local police in 2019. However, the results varied greatly by country, with a low of 49% in Latin America and the Caribbean, compared to nearly double that in Western Europe (83%)⁴⁵.

69% of adults
worldwide have confidence
in their local police

Despite the fact that citizens of Latin America and the Caribbean are the least likely in the world to have confidence in their police, the region's 49% confidence level in 2019 is the highest in more than a decade. In most of Latin America and the Caribbean in 2019, public confidence in the police remained stable or improved, with a few exceptions.⁴⁶

Table I: Table to show percentage confident in local police by region (taken from Gallup poll).

Percentage Confident in Local Police by Region

SCORES BY REGION	2019
Western Europe	83
Southeast Asia	81
Northern America	80
South Asia	73
East Asia	71
Eastern Europe	71
Middle East and North Africa	71
Sub-Saharan Africa	60
Commonwealth of Independent States	53
Latin America and the Caribbean	49

GALLUP WORLD POLL

Source: Ray, J. (2020). 'Most of the World Remains Confident in Police, Feels Safe'. Gallup. Oct 27th.

In the United States, where the future of policing is being questioned in the wake of a number of police shootings of civilians, 79% of Americans indicated they have confidence in their local police in 2019. When asked again in the months leading up to George Floyd's death in 2020, 82% of Americans said they were confident. However, after Mr Floyd's death, it is likely that there has been a significant decline in Americans' confidence in the police.⁴⁷ Following widespread protests over his killing, a majority of Americans (58%) believe that major reforms are required to improve policing. By demographic group, there are significant differences. Major improvements are needed by nearly nine out of 10 Black Americans (88%) compared to 63% of Hispanic Americans and 51% of White Americans. Younger Americans are more likely to believe that significant changes are required. This response is given by eight out of 10 adults under the age of 35, compared to six out of 10 adults aged 35 to 49 and less than half of those aged 50 and beyond.⁴⁸ It is evident that whilst there is some disparity between groups, the legitimacy of the police has been challenged and contested by events around the world, and this has consequently affected the relationship they have with the public to a significant degree.

Timeline of recent events and their impact on police legitimacy

It is clear there have been a number of recent challenges to the public's perception of the police and that this has brought the degree of legitimacy they are granted into question. For many years there have been instances of scandals concerning the treatment of minorities, the policing of riots, and other public order matters. These, and related issues, have a lengthy heritage, with concerns about the loss of trust in, and respect for, the police being raised as far back as the 1929 Commission on the Police,⁴⁹ as well as by its successor, the 1962 Royal Commission on the Police. Whilst matters relating to police and race have never been fully resolved, these matters have received renewed attention in light of recent events. In 2013, the rise of the BLM

movement in the US highlighted existing issues within police forces across the globe, including the UK, in relation to the policing of the black population.⁵⁰ This was further intensified after the murder of George Floyd, which sparked renewed criticism of the disproportionate treatment ethnic minority groups often receive from the police.⁵¹ Progress in several critical areas remains stubbornly resistant, most notably the stop and search rate amongst Black communities, with recent statistics demonstrating Black people are nine times more likely to be the subject of stop and search practices than White people.⁵² Although this disparity has narrowed in recent years, there still remains a significant gap between the amount of stop and search practices that Black and White citizens are subjected to.

The public's trust in the police has also reportedly declined as a result of their performance in combating violence against women and girls (VAWG). The police have been chastised for their lack of compassion and empathy towards victims,⁵³ potentially due in part to a lack of training.⁵⁴ Despite the fact that the number of sexual offences reported to the police has nearly tripled in recent years, the proportion of cases charged and prosecuted has steadily decreased since 2015/2016, with the number of rape cases charged falling from 57% to 45%, and the number of sexual assault cases prosecuted falling from 40% to 36%.⁵⁵ Such issues have led to claims that rape is now essentially 'decriminalised'.⁵⁶

Although this increase in reporting is due in part to improvements in police recording and increased victim confidence in reporting sexual offences, a comparison of police crime figures with CSEW self-reported data shows that the number of offences recorded by the police remains significantly lower than the number of actual victims.⁵⁷ The number of cases closed by the police as requiring no further action was also highlighted by HMICFRS as a particular concern in relation to VAWG offences (NFA).⁵⁸ This is most commonly due to the Home Office-defined outcome I5, in which the victim wishes to proceed but the police believe there is insufficient evidence, or outcome I6, in which the victim wishes to withdraw from the case. The report concludes that while police have made welcome

improvements in recent years in the recording and investigation of rape, they are insufficient to combat the epidemic of VAWG crime. It contends that policing and the criminal justice system should make dealing with VAWG offences of prime importance in order for forces to sustain public confidence in their ability to detect and investigate VAWG matters.

In the respect of VAWG, no instance stands out more than the 2021 case of the latterly dismissed police constable who murdered Sarah Everard.⁵⁹ The shocking facts that gradually emerged following Sarah Everard's disappearance, and then the perpetrator's arrest, charge, conviction, and sentencing, raised serious concerns about police recruitment and vetting procedures, as well as some aspects of police culture, particularly those relating to the treatment of women. These events have prompted several assessments, including an independent inquiry into the matters arising from the abduction, rape and murder of Sarah Everard;⁶⁰ a review of the Met Police's culture and standards of behaviour;⁶¹ several investigations of allegations of misconduct by the Independent Office for Police Conduct (IOPC),⁶² and a thematic inspection by HMICFRS of police vetting and counter-corruption arrangements.⁶³ Given the latter, it is concerning that while all existing officers should have been re-vetted as outlined in the 2006 guidelines issued by HMICFRS, only a quarter have been as of this year.⁶⁴ Consequently, in their most recent Police Efficiency, Effectiveness and Legitimacy (PEEL) assessment, HMICFRS found that ensuring that forces vet all officers and staff to the correct standard was a cause of concern for three forces and an area for improvement for a further nine.⁶⁵

The subsequent demonstration against the lack of investigation into such offences, which took place whilst some restrictions were still in place with regards to large gatherings, deteriorated into a clash between the police and those who attended the vigil to protest against the circumstances of Sarah Everard's murder. As a result, a number of members of the public were arrested for offences at the scene of the protest. Consequently, the media portrayal of the police's handling of the vigil⁶⁶ further

tarnished an already bruised reputation. Public opinion at the time was divided on the Metropolitan Police's approach, with 40% disapproving of their stance, and 48% of the public approving of the action taken by the police.⁶⁷ The media coverage and subsequent fallout of the police's involvement in this led to what the report stated was a 'public relations disaster' for the Metropolitan Police, with a 'materially adverse' effect on public confidence in policing.⁶⁸ Despite the subsequent HMICFRS report which stated that the police had not been oppressive in policing the vigil, and in fact praised the overall approach the police took, the report acknowledged the police could have benefitted from taking a more conciliatory response to the events as they unfolded.

The investigations that followed revealed concerns in relation to corruption, institutional misogyny, and a toxic work culture that affects both victims and officers alike.⁶⁹ Concerns were further compounded by an investigation into allegations of sexual assault and domestic violence by Metropolitan Police officers, which found that 568 London police officers were accused of sexual assault between 2012 and 2018, with only 43 facing disciplinary action.⁷⁰ Investigations also found that between 2015 and 2018, there were 700 reports of domestic violence involving police officers and staff.⁷¹ Despite the fact that the figures were specific to London police officers and staff, law enforcement across the UK have had their reputations tarnished as a result of such revelations.

Similarly, an investigation into the extent to which institutional homophobia within the police force may have influenced the investigation of the Stephen Port case⁷² discovered that police inaction may have delayed the identification of Port as the perpetrator in some of the cases, resulting in the deaths of more victims. Port killed four young men over the course of 16 months by overdosing them on GHB.⁷³ Despite the many contradictions in Port's statements and the obvious similarities in the cases, police officers failed to quickly connect the murders,⁷⁴ coordinate between forces, and take appropriate action that could have prevented further deaths.

There have also been issues with the new Policing and Crime Bill. The level of protest this Bill has caused suggests the public are unhappy with police powers extending further into their lives. As a result, there were 'Kill the Bill' protest demonstrations, and the police's actions during that time also led to further scrutiny, as the media portrayed a 'clash' between protestors and the police.⁷⁵

Finally, the pandemic had a negative impact on the operation of the criminal justice system, with the police playing an important role in enforcing the COVID rules through emergency powers. According to reports, the police proved to be adaptable and reasonable, with only a few highly reported cases of the police abusing their power. Their overall response throughout the pandemic has been lauded,⁷⁶ particularly their four E approach (Engage, Explain, Encourage, and Enforce as a last resort),⁷⁷ which has contributed towards good relations with the public. The fact that many members of the public complied with police requests in terms of restrictions on their movements demonstrates that police legitimacy is still intact somewhat, although this has clearly also been damaged to a degree by other recent events.

Overall, there have been a number of contemporary high-profile events which have dented the legitimacy of the police, which has led questions to arise around how the police should ensure public trust and cooperation. Although a number of official investigations have praised the police approach during multiple instances of these scenarios, there has still been significant damage to the levels of public trust and confidence vested in the police.

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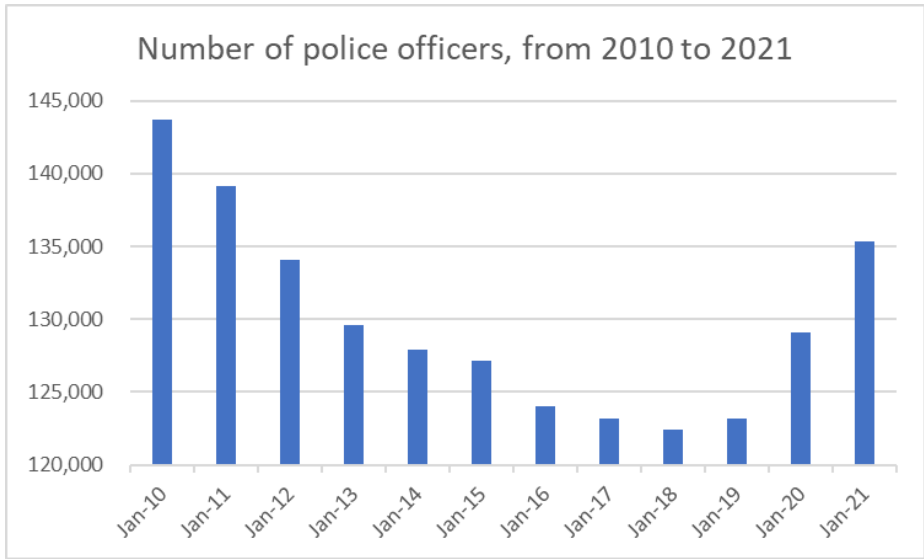
The main challenges the police now face

The primary role of the police remains to promote public safety by maintaining order and upholding the law, which their unique powers allow them to do. The last few years have profoundly challenged the police's ability to fulfil their role in a modern, globalised society. The world is changing and policing needs to change too in order to ensure it delivers a high-quality service to the public it serves. The Strategic Review of Policing stated that policing now has a 'analogue set of policing arrangements for a digital world'.⁷⁸

Impact of high demand and low resources

There have been a number of changes to the external environment in which police operate that have also created further potential challenges to their legitimacy. There are new forms of tension and social division, with society perhaps being more divided than it has ever been. Policing organisations currently face a complex task of maintaining peace and social order. Austerity has led to a reconfiguration of the police role and remit, and the police are now required to operate in an increasingly pressurised environment with reduced resources. Total police funding fell by around 14% between 2010 and 2014, and by a further 2% by 2018.⁷⁹ Since then, spending has been increased in order to fund and recruit an additional 20,000 officers by 2023, but there are still concerns that these officers are inexperienced and cannot necessarily tackle the shortfall left by the significant decrease in officer numbers.⁸⁰ Police forces are therefore continuing to deal with the fallout from a decade of significant budget cuts.

Figure 5: Number of police officers in England and Wales, from 2010 to 2021.



Source: Home Office Police Workforce statistics, Home Office 2021.

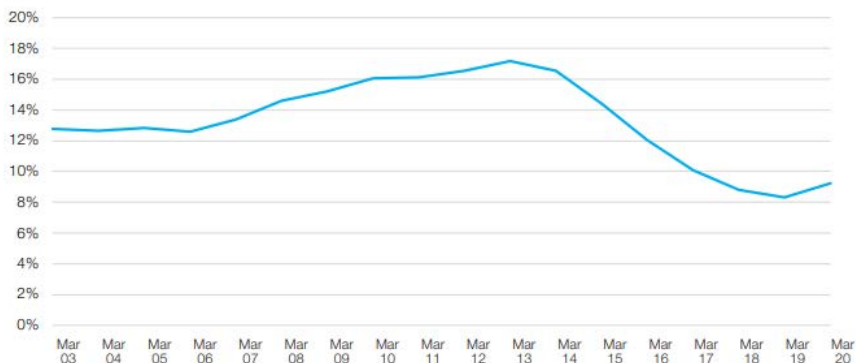
Against the backdrop of reduced police resources, over the past five years the volume of emergency (999) calls has increased, with the police now receiving approximately 9.3 million such calls each year.⁸¹ Furthermore, between 2014–15 and 2019–20, the annual volume of police-recorded crime increased by nearly 50% (from approximately four million to approximately six million), before falling slightly in 2020–21 (largely as a result of the pandemic). There has been a significant increase in digital crime. Online crime is now by far the most common type of crime, with internet fraud exploding over the last 20 years. In particular, there has been a 36% increase in fraud over the past two years,⁸² with 53% of crime in England and Wales now being related to either fraud or cybercrime.⁸³ As a result, the police face a steadily expanding remit, including combating organised crime (which frequently crosses international boundaries), and increasingly complex investigations (which frequently involve vulnerable, traumatised persons and/or the use of advanced

technology). Increased demand for policing is exacerbated by shortcomings in the provision of mental health services, which is an additional aggravating factor in relation to police resources. Approximately a third of people who find themselves in police custody have mental ill health,⁸⁴ and officers now say that a large portion of their time is spent dealing with mental health issues, particularly since the outbreak of COVID-19.⁸⁵ Addiction to drugs (particularly class A drugs) and alcohol, which have also risen in prevalence in recent years and take up a considerable amount of police resources, are also linked to mental illness.⁸⁶

Although the demand for policing often outstrips available resources, this does not necessarily lead to a decrease in perceived legitimacy. There are a number of contributors that affect public confidence, including how well the police fulfil their mandate, and how well they are perceived as doing so.

Three important factors which influence public opinion and subsequent levels of public contentment are: detection rates, response times, and victim satisfaction. Detection rates have nearly halved in the last seven years: only 9.3% of all recorded police crime resulted in a charge or summons in the year to March 2021, compared to 17% in 2014⁸⁷ (Figure 6). These reductions apply to all categories of crime, but sexual crime, violent crime, and robbery are the most noticeable. Only 1.5% of rapes reported to the police resulted in a charge in the year to March 2021, compared to 8.5% in 2015; 7% of violent offences resulted in a charge in 2021, compared to 22% in 2015; and 8% of robberies recorded resulted in a charge in 2021, compared to 17% in 2015.

Figure 6: Percentage of offences recorded resulting in charges/summons, year ending March 2004 to March 2021.



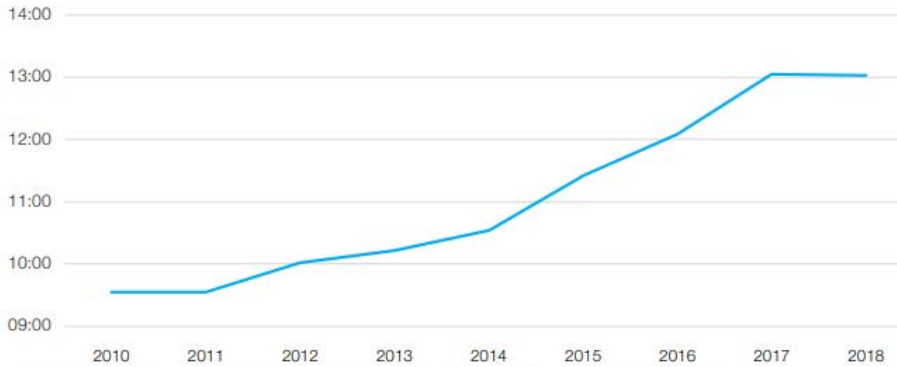
Source: Home Office, 2021. *Crime outcomes in England and Wales statistics*.

The withdrawal of victim support for further action appears to be one of the main drivers of falling detection rates. Between 2015 and 2021, the proportion of total cases with an identified suspect but no further action taken due to victims’ refusal to continue more than tripled (from 8.7% to 26.3% of all cases). This increase applied to all types of crime, with particularly notable increases for rape (20% to 42%), robbery (8% to 21.5%), and violence (24% to 44%). The length of time it takes to complete an investigation and charge a suspect is another significant factor in victim disengagement. The average time it takes the police to charge someone with a crime climbed from 10 days in 2015 to 23 days in 2019.⁸⁸ This is particularly noticeable for sexual offences (69 days) and rape (97 days), albeit these times have decreased by 30% and 14%, respectively, since 2016.⁸⁹ Delays between the reporting of a crime and the charging of a suspect have a significant influence on the mental and physical health of victims, witnesses, and the accused, who are typically vulnerable.⁹⁰ Such delays will inevitably affect the confidence that victims place with the police to investigate their complaints thoroughly and expeditiously.

It is important to note that the police are not entirely to blame for the lengthening investigation times. The increased complexity of the caseload, combined with enormous capacity constraints, play an important role. Furthermore, the police service is only one component of the criminal justice system, and there are significant capacity issues in other parts of the system, including the courts and the Crown Prosecution Service.

Responding to calls for immediate public assistance — perhaps more than any other function — defines the police role and relies less on the cooperation of other areas of the criminal justice system. According to available data, the volume of 999 calls increased by 14% between 2016 and 2019, while the number of non-emergency calls to 101 decreased by 13%.⁹¹ It has been suggested⁹² that the public is losing faith in 101 as a result of poor response times and is instead dialling 999. According to publicly available data, between 2016/17 and 2018/19, 13% of 999 calls and 24% of 101 calls were not answered within the waiting time target.⁹³ Moving from call handling to attendance, Figure 7 shows that the speed with which police respond to the most urgent 999 calls has slowed significantly, with response times increasing by 32% between 2010 and 2018.⁹⁴

Figure 7: Average response times for immediate 999 calls.



Source: see References (page 175) which shows the data sources for the response times analysis.

i.
Police
workforce,
England and
Wales: 30
September
2020, Home
Office, 1
February 2021.
Available at:
[https://
www.gov.uk/
government/
statistics/
police-
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2020](https://www.gov.uk/government/statistics/police-workforce-england-and-wales-30-september-2020/police-workforce-england-and-wales-30-september-2020)

Source: 'A new mode of protection' - *The Police Foundation and the Strategic Review of Policing*.

Instances of misconduct

The vast majority of police employees continuously uphold the highest standards of decency that the job demands, and the public expects. However, this is not the case for all officers. In the year ending March 2020, around 150 police officers and staff were dismissed from the service after being found guilty of gross misconduct.ⁱ Dishonesty, incivility, excessive levels of aggressiveness, or abuse of position for sexual gain are examples of such misconduct. When public trust and confidence in policing is harmed by cases of gross violations, it is critical that public confidence in the police's integrity and professionalism be restored as soon as possible. Although it may involve only a small minority within policing, any minority is too large and even single cases of misconduct can damage police legitimacy to a significant extent.

Lack of diversity in the police workforce

Having a diverse workforce is a key method to building legitimacy in the eyes of the public, as people are more likely to identify and cooperate with those whom they feel are similar to them. Policing organisations are now policing a more diverse public but are struggling to match this within their ranks. As of September 2021, 7.9% of police officers in England and Wales were BAME (1.3% Black, 3.5% Asian, 2.4% mixed ethnicity and 0.6% other ethnicity),⁹⁵ compared to an estimated 17.2% for the population as a whole.⁹⁶ The increase in the number of BAME officers over the past decade has been primarily driven by the recruitment of those who are Asian or mixed-race, with forces still struggling to recruit people who identify themselves as Black. In the last 10 years, Black officer representation has increased nationally by only 0.3%, with 28 forces having seen no increase in the proportion of Black officers during this time, and 23 having seen decreases. Over a quarter of forces in England and Wales do not have a single Black officer, with nearly 40% having one or none.⁹⁷ The rate of change in BAME populations is outpacing the rate of change in the police workforce. If the average annual rate of change between 2015 and 2020 is maintained, it will take more than 90 years for the police force in England and Wales to be representative of the likely BAME population in 2050. While policing now has the highest proportion of non-White officers in history, it is still far lower than in the general population, and progress in attracting recruits with other protected characteristics has been slower. There is still work to be done to ensure that this more diverse workforce is retained and can advance. Only with significant progress in this area will the police begin to reflect the communities they serve. A diverse and representative police workforce can have symbolic benefits that enhance the overall status of the police, which can also alter the perception that actions, such as stops or searches, are based on racial profiling.⁹⁸

Relationship with the public

As the relationship between the police and some of the groups they encounter has become more strained, officers now find themselves regularly being filmed during encounters, which operates as a form of informal accountability. This symbolises a rift and potential lack of trust between the public and the officers that they film. Although this can be perceived as an alternative way of ensuring accountability and legitimacy outside of that provided by formal structures, being watched by the public is an additional pressure on officers. Research has found that this is something that officers encounter regularly as part of their role,⁹⁹ with many officers stating they find it anxiety-provoking as they do not always know why it was being done, or for what purpose the material may be used. There are also concerns that filming is designed to deliberately provoke officers. Constant scrutiny and worry about perceived behaviour may undermine officers' own feelings of legitimacy and may demonstrate that they do not have such legitimacy in the eyes of those who are filming them.

Research has also shown that officers who feel they have the support of the public consistently express more confidence in their own authority.¹⁰⁰ However, officers state that their relationship with the public has become increasingly strained, with 84% stating that treatment by the public had a negative impact on their morale,¹⁰¹ and 78% stating they did not feel like members of the public respected the police. Additionally, 32% stated a member of the public has threatened to cough on them since the start of the COVID-19 pandemic, with 24% stating that they have actually done so. In addition, 83% of officers in front line roles state that they had been the victim of an unarmed attack over the previous 12 months.

Overall, the pressures of a reduced budget, increasing demand both in terms of complexity and resource intensity, coupled alongside the changing relationship with the public and high-profile instances of misconduct, may all impact on and potentially damage the relationship that officers have with those they police.

4

How can the police service prepare to deal with these challenges?

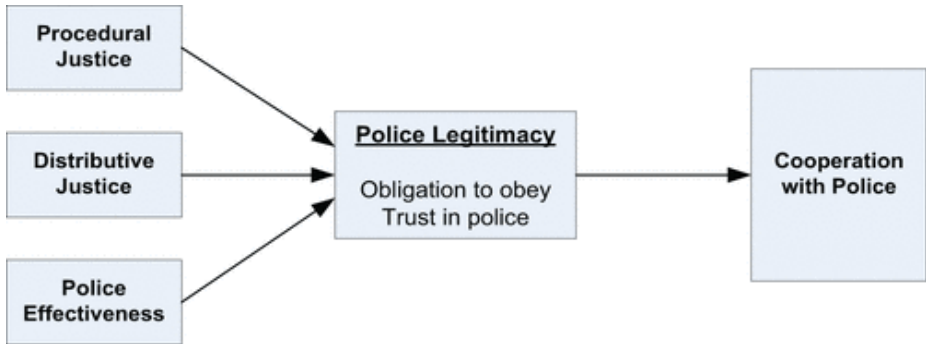
Fair and respectful treatment of the public — A procedurally just approach

Procedural justice is concerned with the perceived fairness of decision-making procedures and the treatment received from a decision maker. These concepts were previously investigated as part of the ‘procedural justice’ model, which examines why people comply with the police and follow the law.^{102, 103, 104, 105, 106} People’s perceptions of the legitimacy of the police are influenced more by procedural justice than by other factors such as the effectiveness of the police in combating crime. Procedural justice is seen to be effective because it allows authorities to justify their legitimacy by demonstrating why their authority is right and essential. According to the theory, trust in the police is central to the decision of whether or not to recognise the police’s authority, which is primarily fostered by fairness and high-quality interaction between the police and the public. Examples of good treatment include:

- being approachable and friendly;
- treating others with respect;
- making reasonable decisions; and
- devoting time to explaining these decisions.

Therefore, people are thought to be more likely to accept decisions made by those in authority – even those that are unfavourable to them – if they are treated well and believe the decision-making process is fair.

Figure 8: Conceptual path diagram for Tyler's process-based model of policing



Good and fair encounters with the police can have a positive impact on trust and legitimacy. Unsatisfactory encounters, on the other hand, appear to have a much larger and negative effect, leading to a negative association between contact with the police, trust, and legitimacy.¹⁰⁷ They can also serve to indicate that people are on the outside of the social unit, making them less likely to believe that they share group membership not only with the police, but also with other members of the group that the police represent. Personal contact with officers is one of the most reliable predictors of police attitudes, with numerous studies consistently identifying strong associations between recent contact with officers and measures of trust, legitimacy, propensity for future cooperation, and other constructs.¹⁰⁸ One recent randomised control trial concluded that a 'single instance of positive contact with a uniformed police officer can substantially improve public attitudes toward police, including legitimacy and willingness to cooperate', and furthermore, that 'the largest attitudinal improvements...occurred among racial minorities and those who held the most negative views toward police at baseline.'¹⁰⁹ It is clear that a procedurally just approach has a lot to offer policing.

It is important to note, however, that perceptions of procedurally just treatment and legitimacy are a product of an interaction with a lifetime's worth of historical, cultural, community, and

familial factors, not simply one or several encounters with the police.¹¹⁰ A person's history of personal and vicarious interactions and affiliations with the police is important. Building legitimacy entails more than merely teaching officers how to deal with the public in effective ways. Although utilising a procedurally just approach forms a strong basis for legitimacy, other aspects of police conduct and behaviour also need to be considered when attempting to build trust and confidence with the public. This can be achieved by policing organisations being involved in continual and regular dialogue with the public about what they want and need from the police as a service.

Self-legitimacy

A recently emerged concept of particular importance to creating and maintaining confidence for officers, is that of self-legitimacy. The idea of self-legitimacy broadens the definition of legitimacy to include the degree of internal belief officers have in the moral legitimacy of their own claims to use power in their roles.¹¹¹ The way officers behave and the forms of policing they feel capable of may be influenced by their sense of self-legitimacy.¹¹² Greater self-legitimacy may make them more capable of making constructive decisions, less eager to use force when confronted with problems, and more willing to let members of the public participate in the interaction process. An officer or police force that lacks faith in their own legitimacy, on the other hand, may establish a completely different set of values and practices, and, as a result, a very different set of connections with people they police. Officers with a low sense of their own legitimacy may be more sensitive to problems and provocations, more vulnerable to challenges to their authority, and more willing to use physical force, as well as less willing to engage in interactions that may raise difficult questions or challenge their authority.¹¹³

Self-legitimacy is influenced by a number of factors, including relationships among officers, between officers and managers, between police and the public, and the police's position within a larger system of power relations. Officers must perceive

themselves as having the right to wield their authority in order to be legitimate,¹¹⁴ and having full faith in their own capacity can give a solid basis of justification for the often tough decisions they must make.¹¹⁵

Officers' feelings of legitimacy are influenced by their work environment, which can either encourage or impede desirable forms of policing, which can in turn have repercussions for the preservation and replication of democratically viable modes of policing.^{116, 117, 118, 119} Officers who identified with the organisation were considerably more likely to have faith in their own authority, owing to the sense of legitimacy they gained from feeling like they belonged to it and, as a result, internalisation of the principles it symbolises.¹²⁰

Employee perceptions of justice and respect have a major positive impact on their attitudes and work behaviours,¹²¹ and experiences of fairness appear to keep officers from adopting the cynical and authoritarian attitudes that are common in some police subcultures. Fair treatment allows officers to identify with the organisation and its principles, which supports self-legitimacy, and can replace toxic police subculture by giving officers a much-needed feeling of belonging and inclusiveness, as well as counteracting policing culture's negative aspects. Officers' confidence in themselves and their belief that the organisation is doing the right thing appears to have increased as a result of their positive affiliation with it. As a result, self-legitimacy serves as a conceptual link between the quality of police organisational structures, the concept of self-legitimacy, and officers' attitudes toward members of the public.

Community policing

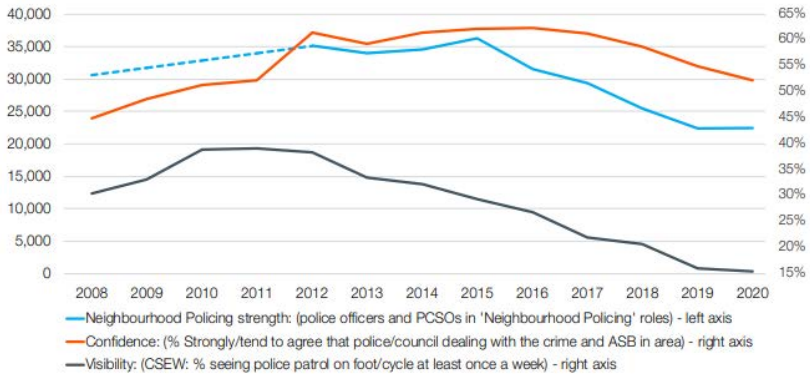
Despite overwhelming evidence that community policing improves public trust in the police, neighbourhood policing has been dramatically reduced since 2010. As budget constraints bite, community policing has fallen by the wayside, and the police have had to make a number of difficult resource allocation decisions. The goal of community policing was for it to be

targeted toward locally determined objectives and to use locally relevant approaches. According to the data, such techniques may improve public satisfaction, components of police legitimacy, and civilian perceptions of disorder. Community policing has been linked to community connection, rather than perceptions of police treatment, in terms of issues such as reliability, local understanding, and dealing with local problems, but it is likely that such initiatives can build legitimacy for the police in the eyes of the public, as neighbourhood policing can cultivate a context in which there is community consent for the police to use force if necessary.

Figure 9 shows how these perception indicators have risen and fallen in tandem with the number of officers serving in neighbourhood policing duties. We can observe that as the National Neighbourhood Policing Programme was implemented after 2008, measures of police visibility increased, and public confidence increased as well. We witnessed a drop in visibility and public confidence as neighbourhood policing numbers began to dwindle. This interpretation is in line with research that shows a correlation between public trust and police visibility, as well as overall police officer numbers, with both associations mediated by the quality and amount of local police interaction.¹²² It is also consistent with the research on public confidence variations across police forces, which revealed a link between changes in a force's number of neighbourhood officers and PCSOs and public confidence. The study revealed that when police officers routinely attempt to engage with, listen to, and respond to local problems, public trust in the police increases. When the police do less of this, as in the previous decade, public confidence suffers.

There is sufficient international evidence to confirm that community policing approaches that involve police consultation or collaboration with local citizens to identify and solve problems have positive effects on citizen satisfaction, perceptions of disorder, and police legitimacy.^{123, 124}

Figure 9: Confidence in local police, police visibility (ONS, 2020), and police officers and PCSOs in 'Neighbourhood Policing' roles (years ending March 2008 to March 2020).



Source: Office for National Statistics, 2020.

Changing police culture

The actions of a small number of officers who fail to meet the standards of service expected of the police can seriously undermine public trust in policing as a whole. There has been pressure to reform the system, to end the misogynistic culture, and to take a more proactive approach when it comes to reporting inappropriate behaviour in the workplace. Police culture is frequently action-oriented and dismissive of soft skills such as listening and explaining decisions,^{127, 128} and police organisations would benefit from devoting more time to instilling such skills in their workforce.

5

Conclusion

There are worrying signs of a decline in public confidence in the police, as well as signs of a decline in police legitimacy across the country, particularly in the nation's capital. There have long been legitimacy deficits in the Black community, and in a more disrupted and unpredictable future operating environment the police's ability to work cooperatively with the public will become more important.

Policing organisations face considerable challenges in finding solutions to the confidence and legitimacy crisis that are both effective and acceptable to the communities they serve. It is critical now, more than ever, for the police to concentrate their efforts on restoring public confidence. The police must focus their efforts on improving the quality of their everyday interactions with members of the public. Reducing the number of negative encounters will be more effective in preserving and restoring public confidence.

For 'policing by consent' to be effective, all members of the community must feel that the police are there to serve them and that the police will treat them fairly and with respect. Black (in particular Black Caribbean) and mixed ethnicity communities have much lower levels of confidence in the police than White British people.¹²⁹ Having a police service that is more representative of the communities it serves is one important way of addressing this lack of trust and confidence.

Improvement in trust and legitimacy have to be earned and not simply claimed. However, public consent is hard-won, fragile, and may be withdrawn at any time. If the approach is inconsistent, this is likely to damage legitimacy as the public will see the approach as unfair. But fairness and transparency, and a willingness to work with – rather than against – communities will go a long way in restoring legitimacy across all sections of the population.

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Part 2

**Conference
reflections and
insights**

1

Introduction

At the time of the implementation of the Metropolitan Police Act 1829, which led to the establishment of professional police services in England and Wales, policing was based on the principle that it is undertaken with public consent – as set out in Sir Robert Peel’s “Nine Principles of Policing”. In the intervening period, the legitimacy of policing – including the willingness of the people to obey and co-operate with the police – has become crucially dependent upon how the public perceive the police.

Legitimacy of policing has been a matter of concern for many years, but has recently escalated in relation to issues associated primarily, though not exclusively, with the Metropolitan Police Service. High-profile cases involving the Met include, but are not limited to, the rape and murder of Sarah Everard² by a serving police officer; the use of strip-searching on children, such as Child Q³; stop and search controversies, such as that with champion athlete Bianca Williams⁴; and two officers being jailed for taking and sharing pictures of murdered sisters, Nicole Smallman and Bibaa Henry⁵. Since the conference, there has also been the fatal shooting of an unarmed man, Chris Kaba⁶, by a Met firearms officer. It should not be ignored that the national media are more likely to report cases involving the Met, and there are likely to be similar issues with other UK police forces that are somewhat less likely to be publicised⁷. Issues such as these have implications for police legitimacy, not only in London but across the UK, and raise questions about attitudes, values, and behaviours within the police. Addressing such issues was the purpose of the 2022 Cumberland Lodge Police Conference, “Legitimacy and Confidence in Policing”.

The conference considered these problems and examined them in the context of other trends, particularly the impact of austerity, significant changes in public expectations, and the growing list of what are framed as important priorities. Policing is undergoing a period of immense change, including the requirement to adapt to new societal challenges, and the changing nature of criminal activity, such as the proliferation of cyber-crime⁸, especially

since the COVID-19 pandemic lockdowns. To address such challenges appropriately, conference participants recognised that police organisations must work to build trust and confidence within the communities they serve. The conference highlighted the importance of police services re-focusing on problem solving, communication, and dialogue with communities, and a commitment to follow through on the insights that appear in this report.

To build trust and confidence – and therefore strengthen legitimacy – now, and in the years ahead, the public needs to see action being taken and a demonstrative commitment to change within policing in the UK. For example, it was noted that recent initiatives to recruit more women and people from different ethnic communities as police officers, has potential to increase public confidence in policing, by making police services more representative of the people they serve.

However, while the number and visibility of police officers are important to policing, lower levels of confidence in the police do not appear to be directly correlated with lower officer numbers. Other complex factors are clearly at play and need to be addressed. The issue is further complicated by the fact that what is in the public interest in terms of keeping people safe, is not necessarily what the public desires – as policing during the pandemic highlighted⁹.

This report is based on the conversations and presentations that took place at the conference. To facilitate open and honest discussion, the conference operated under the Chatham House Rule. No facilitators or contributors are therefore identified, but their ideas are summarised in this part of the report, which aims to explore in detail key insights designed to safeguard future confidence and legitimacy in policing.

2

Building trust with communities

One way to consider the legitimacy and confidence afforded to the police, is to assess levels of trust and satisfaction in the communities they serve. Higher levels of trust typically lead the public to assume that the police have good intentions and will be trusted to carry out their commitments to a high standard when they are required¹⁰.

As was noted at the conference, trust is difficult to define and is best thought of as a process – it cannot be imposed or forced; it takes a long time to build, but can be destroyed immediately by a single adverse event. The legacy of police involvement in non-recent injustices, such as the Hillsborough Disaster, wrongful convictions of IRA suspects, or, more recently, the Rotherham child exploitation scandal, have had a significant impact on trust in policing in the present dayⁱ. The Police Federation was also singled out as a problem due to alleged issues of bullying, a lack of transparency, and infighting occurring between branches¹¹. The line taken at the time by the then Home Secretary Theresa May MP, reiterated the idea that the police needed significant reform.

i. Please also see Policing the Crisis by Hall, et al (1978)

In the last decade, there has generally been a decline in trust in institutions in the UK. The decline is particularly apparent regarding the police and goes back further. In 2003, YouGov found that 82% of those it surveyed trusted “local police officers in my area”, and 72% trusted senior police officers. By 2010, the level of trust in local police officers had fallen to 67%, and senior police officers to 51%. Although trust in the police did not continue to fall at such a sharp rate, it has not improved. By 2022, of those surveyed, the level of trust in local police officers was 59%, and 46% for senior police officers¹². Whilst these figures do not necessarily represent a cause for concern, they are a cause for attention.

It is known from research that a person’s recent contact¹³ with the police is very important in terms of that person’s perception

of the police – it is not a coincidence that the people with low levels of trust in the police also have high levels of contact with them. There are several groups in society that feel “overpoliced and under protected”¹⁴. Not everyone expects the police to attend when they call, or to deal with an incident fairly and impartially. Trust is lowest among those who experienced crime and disorder; those who are stopped and searched are most likely to see police as unfair; and victims of crime often remain unsatisfied with the service they have received from the police. The most recent iteration of the Crime Survey for England and Wales (CSEW) outlines that the answer of “not satisfied” with the police response increased from 34% in March 2020 to 42% in March 2023, whilst “satisfied” decreased from 32% to 28%¹⁵. Furthermore, governments over the past 50 years have given policing a wider array of powers; some of them increasingly intrusive. The scope of stop and search has been widened, and laws brought in for counter-terrorism have been used in day-to-day policing. Such powers potentially make the policing environment more confrontational and aggressive, apparently setting the police against people they are there to serve. Consequently, for some communities, obtaining trust may not necessarily take the form of rebuilding trust, but building it in the first place.

ii.

However, it does prove to be very popular with politicians (particularly many Home Secretaries) - this links to assumptions around voter preferences and retributive ideals, e.g. Annisson and Guiney (2022); Lacy (2019); Jacobson and Hough (2018); Drinkwater and Jennings (2017); Roberts et al (2002); Bottoms (1995).

As a policing practice, stop and search is intrinsically related to trust. Research shows that it is damaging to public-police relations with marginalised groups, but many policing organisations maintain that it is required to tackle violent crime effectively. However, stop and search has been found to damage legitimacy, despite evidence to suggest that it has some effect in preventing crime, especially when used to address specific crime problems^{ii 16 17 18}.

Diversity is particularly important in policing, because communities need to see themselves reflected in those who police them, to identify with, and trust, the officers tasked with serving them. A lack of diversity can also lead to standardisation of policies, procedures, and outlook, that does not fit in an organisation that is ultimately about connecting with people and

diverse communities. Aiming for representative recruitment and deployment within policing organisations is therefore important. Outreach and flexibility in recruitment is very important, and while Direct Entry may provide routes for different candidates to enter policing, it remains important to ensure the main methods of entry to policing are as representative as possible, and that there is focus on retaining recruits from diverse backgrounds.

Insight one:

The nature of recent contact with the police is key to legitimacy and confidence. Building trust should therefore be at the forefront of any police response. Following the “every contact leaves a trace” principle is recommended, so that every exchange between the police and the public receives careful thought and consideration, and the social contract between the police and those they are there to serve is always respected.

3

Building satisfaction with communities

Ensuring a sense of satisfaction is also key to boosting legitimacy, as those who have more satisfying encounters with the police are more likely to trust, and feel they can rely on, them. As with trust, the police have experienced decreasing levels of public satisfaction in recent years¹⁹.

The satisfaction rate for the NHS is currently 29% among those surveyed²⁰, and 28% for police organisations²¹. However, there are certain groups where satisfaction is much lower. For 18 to 24-year-olds, it is 49%, and it is similar for the unemployed and in cities, especially London, where satisfaction is lowest in the entire country at 57%.²² Around 46% of those from an ethnic minority background state they are satisfied with their interactions with the police, whilst Black British women have especially low levels of satisfaction at 19%²³. When asked if they think that “police in my area are concerned about people like me”, 48% of those surveyed answered that they are concerned, whereas 44% do not feel the police particularly care about them as individuals²⁴.

One of the methods identified to attempt to build satisfaction in communities is that of restorative justice. Research findings show that restorative justice improves public perceptions of the police²⁵. This approach focuses on giving communities voices and repairing harm. It builds confidence in the justice process by allowing victims to have a say in the outcome they desire, allowing communities to work closer together with policing organisations.

Overall, the situation is complex. There are groups in society that are satisfied with their relationship with the police, but there are also groups where more could be done to improve public-police relations. As with trust, one of the main ways to increase satisfaction is to listen to the needs of the individual as well as their communities.

Insight two:

Build satisfaction by listening to communities. Communication is key to understanding the needs of communities that policing serves. Justice is important, but victims do not necessarily always want a criminal justice solution in relation to the harm they have experienced. Sometimes a restorative justice approach is more appropriate, and it can also be more satisfying for the victim to have their needs appropriately met. However, it should be recognised that policy makers and practitioners shy away from this because it is seen a “soft option” - promotion of restorative justice needs to be greatly increased for this to be overcome.

4

Organisational justice

One of the ways to ensure external confidence and legitimacy in any organisation is to gain the internal confidence of its members. Creating a “caring, connected, and interested” culture where staff feel included, safe, and appreciated, can help to increase confidence in an organisation internally and create an environment in which staff will thrive. One of the most striking comments at the conference was that such a culture was lacking within policing.

To create a healthier culture within policing, it was regarded as important to ensure that staff have a voice within the organisation, and that the principles of organisational justice²⁶ are applied, so that employees can experience workplace procedures as fair and just, in terms of process as well as outcome. More specifically, “voice” and “choice” were regarded as important – that staff should be allowed to have a say in the processes that affect them, and should not be restricted to a narrow range of options from which to choose.

More needs to be done to encourage a sense of belonging amongst neurodiverse individuals in policing; currently around 8% of officers who have joined under the Police Uplift Programme consider themselves to be neurodiverse²⁷. Constructing diverse networks is critical to collaboration, and in giving space to create the right environment we gain the opportunity for all to learn and flourish. Organisational justice can help achieve this, and there are several ways in which this can be done; for instance, making recruitment processes more inclusive. Inclusivity and structured development rewards employers with the retention of hardworking and loyal staff, who utilise all their skills and abilities to allow us to deliver a better service to our communities. The challenge policing now faces is to ensure it routinely anticipates differently talented people, and that it expertly accommodates people’s needs.

It was recognised that most police organisations are making progress in improving workplace culture, but that there is still

some way to go. Some staff still do not feel comfortable enough to share their concerns with the organisation, or, if they have shared their concerns, feel that existing processes do not serve them well. Certain attitudes and use of language and terminology continue to make some working environments feel unfair and non-inclusive. By adapting the workplace environment, this would in turn save time and money on the costs of recruitment and training by reducing staff turnover.

A key objective within policing should therefore be to make workplaces more person-centred. This will help staff flourish in their roles and, by doing so, deliver a better service to the public. Some of the ways in which this can be achieved are listed under insight three.

Insight three:

Organisational justice for staff.

- Many police organisations have developed good local policies and practice in relation to the delivery of workplace (reasonable) adjustments, but this is not consistent across all services and there is limited sharing of best practice.
- It was felt that policies, especially in relation to attraction and recruitment, needed to build in inclusion rather than expecting candidates to ask for help. Inclusion by design should become the standard methodology of work; for instance, recruitment exercises should be designed to be suitable for neurodiverse candidates.
- Police organisations should review their local recruitment processes to help attract neurodiverse talent.
- Policing can learn from existing employee networks, to gain the skills, techniques, and confidence needed to recruit, retain, and develop people with disabilities in practical, affordable, and effective ways.

5

Leadership

Good leadership at all levels is essential within policing. Leadership and accountability also drive change, and Chief Constables and Police and Crime Commissioners need to be particularly dedicated and committed to achieving change that will enhance trust and legitimacy. Positive changes are set by engaging and visible leadership at the top, which can then permeate through to the wider organisation.

Police organisations are part of a wider network of partner agencies that deal with problematic social issues, and the actions of these agencies also impact upon the police and their staff members. There are numerous incidents reported of other agencies pushing their responsibilities onto the police, with many policing organisations feeling the request does not – and should not – fall into their remit²⁸. Challenging this “mission creep” requires strong leadership, clarity about the boundaries of policing, and effective partnerships and referral pathways to ensure that appropriate expert agencies are involved when issues arise.

The conference also highlighted the need for police leaders to be proactive in communicating with the public when adverse incidents happen concerning the police. Participants agreed that police organisations should seize the initiative in challenging and counteracting unhelpful narratives that can emerge from adverse incidents, such as videos that go viral on social media and give a misleading interpretation of events. Whilst some videos do show poor and occasionally aggressive practices, some of the public videos will miss important context or even be edited to remove elements that would explain the actions of officers. A notable example of this is Greater Manchester Police when they challenged a video that appeared to show an officer pushing a man at a football match²⁹.

Insight four:

Police leadership may be more proactive in demonstrating the values of policing to the outside world, whilst also ensuring staff remain supported, especially when adverse incidents occur.

6

Use ‘watershed moments’ to build trust

The reputation of the police has been adversely affected by several high-profile incidents in recent years, such as the murder of Sarah Everard, and the strip-search of Child Q. Figures demonstrate that 75% of children strip-searched in London are from non-White ethnic minorities³⁰, and those that are searched are far less likely to have something found than their White counterparts. Those involved in policing must not underestimate the importance of these events and how they have impacted trust, confidence, and legitimacy. A number of these events have occurred over the years, from the riots that took place in the 1980s, initially sparked by deaths in police custody, and the 2011 riots sparked by the shooting and killing of Mark Duggan³¹ by police officers. Similarly, confidence in the police has also been affected by publicity surrounding instances of misogyny and racism in policing, and video footage of police officers using force on suspects which goes viral on social media.

Although police culture is changing, participants at the conference were clear that more needs to be done to build greater public trust. For instance, the Violence Against Women and Girls plan³² is one way in which the police can call out misogyny and sexism, although it needs continuous work and focus.

All interactions with members of the public should adopt a procedurally just approach. Trust in the police is central to the decision of whether to recognise the police’s authority, which is primarily fostered by fairness and high-quality interaction between the police and the public. People’s perceptions of the legitimacy of the police are influenced more by procedural justice than by other factors such as the effectiveness of the police in combatting crime.

Insight five:

Where possible, police organisations should seek to build public confidence to mitigate against adverse public reaction when incidents involving the police occur. This can be achieved via some of the methods outlined below.

7

Openness, transparency

Transparency and effective communication are especially important for building public trust, to demonstrate openness and honesty within the communities policing serves. The conference discussed the decline of neighbourhood policing in the wake of austerity and the lack of visibility of police officers on the streets, which are seen as problematic in terms of public reassurance, deterring criminal behaviour, and the relationship between the police and the communities they serve. The value of neighbourhood police officers and Police Community Support Officers (PCSOs) in these respects was emphasised. However, it is also important to ensure that emergency response is not neglected. There is evidence to suggest that when policing fails to reach people when they face a crisis, trust goes down. Responding in a crisis is seen as a core function of policing and is integral to ensuring public trust in policing. The conference also recognised the value of keeping communities informed about what the police do and who their police officers are, and enabling these officers to have open conversations within communities.

Conference participants observed that by being proactive in terms of communicating what they do, police organisations can prevent vacuums that become filled with incorrect information. The digital space can be utilised to address this, especially social media. The conference discussed, for instance, how video footage obtained from police officers wearing body cameras can be used to provide more accurate information about challenging situations the police face than is often shown on social media.

Conference participants also emphasised the importance of the police paying attention to the experiences of the communities they serve. Independent Advisory Groups (IAGs) which enable members of the public to meet, advise, and offer ideas to police forces on issues relating to local policing, are useful in terms of ensuring transparency. However, it was noted that the influence of IAGs is dependent on the willingness of each force to engage with the public in this way. Currently, IAGs are run very much on

the terms of each local police service, which determines the date and time of meetings and the topics that are discussed.

The conference also discussed the importance of the police engaging constructively with those who feel marginalised, and receiving the training to develop the skills to help them understand people's concerns and engage in dialogue.

Participants commented that police services need to be seen to prioritise programmes that focus on listening to communities and building upon feedback, and to follow through with any commitments made through dialogue.

It was observed that Black groups tend to be at the "sharp end" of policing. There have been renewed, more direct conversations with communities since the murder of George Floyd³³ in America, due in part to the international impact of the Black Lives Matter movement. Policing now needs to ensure that these conversations are kept at the top of the priority list. The Race Action Plan³⁴ is one way in which this can be achieved.

The conference also observed that while publicity surrounding misconduct proceedings involving police officers and staff can be damaging by drawing attention to bad behaviour, it is also essential for transparency. Ensuring police organisations are open to critique and difficult conversations, and are willing to discuss change, can increase public confidence by removing the suspicion that difficult issues are hidden from the public, and thereby help to increase legitimacy.

The sharing of data is also important for reasons of transparency, and to help maintain or build confidence and legitimacy. Data, on a wide range of matters, from statistics detailing the outcomes of misconduct investigations, to showing what each force is doing to tackle crime, that is consistent in quality, should be easily accessible on websites for all police forces.

The expansion of the Independent Custody Visitor (ICV) scheme³⁵, by inviting more people into police stations, was also identified as a way for improving transparency within policing. Existing evidence suggests the best ICV schemes have active

participants who visit those held in custody and get involved with local policing on a regular basis³⁶.

It should also be considered whether extending the concept of oversight to become more intrusive inside police stations may help ensure higher levels of transparency. For instance, the function of ICV could be extended to view the body worn video of operational police officers.

Insight six:

- Existing mechanisms that aim to enhance current levels of transparency and openness, such as IAGs and ICVs, are useful starting points. To build on these, policing organisations could experiment with broadening their roles, increasing their independence and access to material, and bringing a greater variety of community people into the scrutiny role.
- Policing organisations should strive to demonstrate transparency and openness both alongside, as well as independently of, such methods.

When utilising methods to ensure openness and transparency, policing organisations should ensure that these methods reflect what communities want. If communities relate to these groups or activities, they are willing to involve themselves in conversations that could lead to change.

Insight seven:

Communication with, and consideration of, the communities that policing serves should be paramount. This can take several forms:

- the renewal of neighbourhood policing, to ensure that regular conversations take place with the communities that are policed.
- utilise the Race Action Plan to improve outcomes for Black people who work within or interact with policing.
- prioritise programmes that focus on listening to communities, build upon feedback, and follow through with commitments made. It is important that the police should aim to learn lessons from why similar initiatives have not previously shown the desired results.

However, it should be noted that funding remains a significant barrier to many of the insights here, which may hinder the extent to which these suggestions may be implemented.

8

Conclusion

Policing is currently at a moment of criticality rather than a moment of crisis. The police exist to serve the public, and need to be trusted as an independent arbiter in society. Society, however, is changing at a rapid pace. Consequently, the expectations placed on the police are also changing.

There was a clear consensus among conference delegates that in our rapidly changing society, more is needed to be done to ensure that policing legitimacy is strengthened and public trust and confidence in the police is increased. As well as suggesting ways to improve current initiatives, the conference generated ideas for making further improvements across different aspects of policing, as captured in the seven insights contained in this report. However, suggested improvements need to be realistic, considering the current funding landscape and the increasing demands and expectations on policing in a changing society. Many of these insights have been made before in different forums, but drawn together, and supplemented by new ideas, they offer a coherent and comprehensive approach for strengthening the relationship between the police and society at large in a way that is consistent with the fundamental principle that policing in the UK is – and must be – by public consent.

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