The Price of Freedom is Eternal Vigilance (Thomas Jefferson)

A police service that is representative of the community it polices is said to have greater legitimacy. Can this statement be justified? If Staff Associations need to be equally representative, how can this best be achieved? How will the growth of single interest support groups in policing fully cater for the welfare of their members and the delivery of an efficient police service?

Police Reform in the United Kingdom is providing new challenges and opportunities for women in policing. Jan Berry, the first female Chairman of the Police Federation of England & Wales will provide an overview of workforce modernisation, consider the dynamics of an increasingly diverse workforce in both policy and service delivery terms and review the impact for staff associations in representing an increasingly diverse workforce.

G’day

Police Reform in the UK is gathering pace. The government is proposing to change everything from recruitment to pensions and everything in between. Fundamental to the reform programme is the concept that the Police Service should be representative of the communities we serve.

I want to look today at that basic principle – examine what it actually means – and what it means for the Police Federation in England and Wales.

I also want to examine the role of a statutory representative staff association such as the Police Federation and how that role now co-exists with the increasing number of single issue Support Groups that are setting up within the Service.

Policing by Consent

From the time when Robert Peel first set up what was to become the UK Police Service, he wanted to recruit as police officers “the common man”. Men who would be representative of society and who would thereby police it by consent.

Law and order was not imposed by some semi-military cadre, but agreed by like-minded people on both sides of the thin blue line.

Policing in the UK developed from a special tripartite arrangement between the government in the shape of the Home Office, locally elected Police Authorities and locally appointed Chief Constables.

Changes in the balance of power between the three have occurred over the decades since Robert Peel

- after a strike of police officers in 1919, the Police Federation was established as the national, democratically elected, negotiating body for all officers of Constable, Sergeant and Inspector ranks;
police officers have become more accountable to the public for their actions overseen by independent police review bodies, such as now, to the IPCC; and
as a result of police reform we are seeing the Home Office appoint non-sworn officers to a range of policing posts, including to the newly established Serious and Organised Crime Agency.

However, as I stand here, each police officer still holds the Office of Constable which allows him or her to be independent of all political influence and to police the communities without fear or favour. Police officers are required to be, and must be seen to be, independent of government, unbiased in their approach to the public and non-political.

This is the very foundation of policing by consent.

**Representing the communities we serve**
And as society has changed from the days that Robert Peel set about recruiting “the common man” policing by consent could not happen today if it did not reflect today’s society.

However, we seem to be caught up in a degree of panic about what “representing the community” actually means.

We do not want, nor does the discrimination law require, that every section of the community is equally represented. The law requires that the best person for the post is recruited irrespective of sex, race, sexual orientation, religion or belief, disabled or family status.

To have a quota, or to reserve or allocate posts on the basis of sex, race, sexual orientation, religion or belief or disable or family status would be unlawful, and I believe, counter productive.

The premise often quoted is that the Service needs to recruit more officers from minority backgrounds in order to represent the wider community and give candidates, for example, with minority group language skills preferential treatment in the selection process so that we can provide a policing service to those communities.

Yet “customer preference” is not, nor should it be, a reason to select on the basis of race or sex, or any other characteristic. If we did that – where would it logically end?

If asked, the public may well say that they want women to take care of children and victims of sex crimes – men – preferably large ones – should be on hand to break up fights, give a “clip on the ear” to youths behaving badly and a supporting arm to old ladies attempting to cross the road.

And the government is proposing as part of the reform agenda that people with minority language skills should be recruited to police those communities.
I believe that all officers should be able to police all ethnic communities, all faith communities, all ages and both sexes.

Currently, the law is grounded in a moral imperative – that jobs are allocated on the grounds of merit without discrimination.

Yet this simple premise has been so hard to implement in the Service.

A Disciplined Service

It came as a great shock to the Police Service – and indeed to the Police Federation – when, in the 1980s, officers from minority groups began to question the autonomy of the Chief Constable to select who he (never “she” at that time) wanted for particular posts.

It had been common ground that all officers in what was a highly disciplined service should conform to the rules – all the rules and nothing but the rules.

We should not have been surprised that officers from minority groups began to look beyond the Service for help and advice. The Equal Opportunities Commission and the Commission for Racial Equality both supported police officers to take cases of sex and race discrimination.

The first cases alleged discrimination in access to certain jobs 1. Later came cases of harassment and then cases where women wanted to work part time.

Many officers from minority groups had simply left the Service – the average length of service for women in the 1980s was 8 years. Now, with outside help, they were challenging the rules.

And those officers who had been failed by the system set up support groups – often with outside help from the EOC, CRE and other individuals - to help others who were suffering similar treatment.

This empowerment saw the establishment of a range of single issue Support Groups in the Service – at national level the Black Police Association, the British Association of Women in Policing and the Gay Police Association have recently been joined by the National Disabled Police Association. At local level Forces, like the MPS, may have as many as 20 different groups.

Police Federation (eventually) works to increase diversity

Stung by the revelation that its members were suffering harassment and discrimination, the Police Federation also began to get its act together – it adopted an equal opportunities policy statement, set up an Equality Sub Committee and began to train its Representatives to provide help and advice on equality and diversity issues to members.

We were on separate trains – leaving the same station but on different tracks.

1 Singh v Notts (access to CID); Halford v Merseyside & others (promotion)
Were we – are we - heading for the same destination?

Or do we have different roles to fulfil for our members?

**The challenge for the Police Service and the Police Federation**

As space has been created in the Service for single interest Support Groups to develop, this has created a compartmentalisation of those issues – each Group takes on the mantle of improving the situation for that group and there has become a vying for position as to whose issue is the more important within the perceived hierarchy.

Currently the general view is that the Service places issues of race at the top of the hierarchy, with all others taking turns to be at the bottom.

Just as policing itself is becoming more compartmentalised, the call from the Support Groups is that representation should follow suit. But is this a practical or desirable way to go? What of the people who could, and in some cases, who do, belong to a number of Support Groups in the Service? Will fragmentation produce a better or a worse service for those people?

And what about the people who could belong to a Support Group, but for ideological or other personal reasons, chose not to. Who represents them? Police officers may be women, they may be gay, they may be Asian or black – they may be gay and asian, but within those groups, officers will have different views and opinions. There are more differences between people within groups than between groups.

The Police Federation represents the wider interests of all officers within a policing context. But we need also to be alive to the changing needs of our members – able to listen and deal with their concerns. We need, in the words of Thomas Jefferson to be “eternally vigilant”.

We need to question who benefits from fragmentation and compartmentalisation of issues. To do that we need to look to the very foundation of what “trade organisations” – elective bodies in the workplace – are here to do. We are here to represent our members as part of the Social Contract\(^2\) with our employers.

And within that comes the responsibility to represent our members’ interests fairly, appropriately and responsibly.

No one single interest group is able to represent everyone and their the whole. We all need to be mindful that the saying “Divide and Conquer” has proved true since Roman times.

No one benefits from a turf war – with the exception probably of ACPO and the Home Office - least of all the groups who seek to represent their

\(^2\) An EU term for the trade union – employment relationship.
members’ views. We need to work together to provide the best possible service to our members – all our members.

**Police Federation Structure**

The Police Federation is the single democratic representative staff association for all officers of Constable, Sergeant and the Inspector ranks. It is a statutory body with its operating procedures set in law.

All Federated ranks, including probationers, are automatically members of the Police Federation and can vote in elections for Representatives. Officers cannot strike, claim unfair dismissal or join another trade union or staff association and the Police Federation is prevented from being a member of the TUC.

Officers in each of the 43 Police Forces in England and Wales elect a Joint Branch Board every 3 years. The JBB is an autonomous organisation in law and is made up of three parts: the Constables’, Sergeants’ and Inspectors’ Branch Boards. The number of Representative positions on each JBB is dependent on the number of officers within each Force. Each Board has an equal number of Representatives, notwithstanding that there are far more Constables than Sergeants or Inspectors.

This structure is repeated at national level.

Some people have said that the Police Federation was set up to fail. And it is true that the balanced structure tends to balance out more radical opinions and the responsibility for efficient policing ensures that the Police Federation always works to the wider benefit of the Service, not just for the special interests of particular officers or ranks.

We do take advantage of the provisions of the Sex Discrimination Act to reserve seats at all levels for women Representatives from each rank. Only women can stand for the reserve seat although both men and women vote for the candidate of their choice. This ensures that women’s issues are mainstreamed within the Federation. However, unfortunately, the UK discrimination laws do not allow for seats to be reserved for any other minority group, although we have pressed the government to change the law to make this possible.

As far as our service to members goes, we in the Police Federation have extensive experience of Employment Tribunal cases – we have challenged stereotyping which defined “men’s’ jobs” and “women’s’ jobs”, confronted racist, sexist or homophobic behaviour that undermined people from minority groups in the workplace, and tackled a culture that did not support people with different needs who wanted a better balance between their work and their family life.

Our experience of litigation tells us that there are no real winners. We may move the Service on, but Employment Tribunals wreck people’s lives and careers. Case applicants can lose a lot more that they gain.
So we have pushed ACPO and the Home Office to introduce more flexible working options; to purchase uniforms and PPE that fit women’s body shapes; to introduce non discriminatory procedures for selection, promotion, sickness absence, maternity, harassment, grievance … you name it - procedures that enable people from diverse backgrounds to have a career in the police service and a life outside it.

**Conclusion**
We have to recognise that we have a common interest in improving the situation for everyone.

Last year we promoted an initiative that would have enabled Forces to Learn the Lessons from Employment Tribunals, which fell largely on deaf ears at senior ranks despite it having the support of all police service stakeholders including the Home Office, the staff associations and the support groups.

We have moved from a time when everyone was a member of a “uniform” group – the Police - subsuming their needs and wants to the requirements of that group – to a time now where individuals can be members, not just of one group, but of several groups – they can be a police officer and a woman – they can be a police officer and gay – they can be a police officer and black – and they do not have to lose the essence of that diversity.

Working together towards a common goal we can achieve much for our members.