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Office of the  
**Police & Crime  
Commissioner**  
West Yorkshire

My Reference: OPCC/MBW/KJ

Your Reference:

17 July 2020

Cllr Susan Hinchcliffe,  
Chair of the West Yorkshire Combined Authority

Dear Susan

### **West Yorkshire Devolution Consultation Response – Police and Crime**

I write to set out my initial response to the public consultation on West Yorkshire Devolution, specifically in relation to section five on Policing and Crime, regarding the potential transfer of Police and Crime Commissioner (PCC) functions to a West Yorkshire Mayor.

As PCC for West Yorkshire I do not oppose a transition of police and crime functions to a Mayor and delegated Deputy Mayor with responsibility for Police and Crime but within this letter I am raising some key considerations which I am sure will be given due consideration.

My overriding priority as PCC for West Yorkshire is that communities continue to be safe and feel safe, in particular during these difficult and uncertain times. Therefore I need reassurance throughout that any new governance model will deliver on this principle and that the significant body of work that needs to be undertaken in a potential transfer of functions in such a short space of time, does not cause any detriment to West Yorkshire communities.

On balance I support the proposal to transfer PCC functions to a West Yorkshire Mayor, however, it is my view that these functions are best served within a separate Mayoral entity for policing governance and accountability that builds on the best elements of the existing policing governance models that currently exist elsewhere in England and Wales.

The governance model is of great importance both to maintain the operational independence of Policing but also to provide the clarity of direct Policing Governance. This importantly retains and ensures a clear message to the communities of West Yorkshire around accountability and reassurance. Given the potential change in the PCC transfer timeframe from May 2024 to May 2021, it is incumbent on me to point out that the governance model outlined fundamentally impacts on the ease and efficiency of any transition. Under a model that replicates the directly accountable individual within a separate entity such as the Mayor's Office for Policing and Crime (as in London), many of the functions, particularly the support functions that currently exist, and to a large degree the decision making and delegation framework, could continue in a very similar fashion to how they currently operate. This would provide a greater connect with our

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communities and ensure continued delivery on community outcomes and importantly minimise disruption to West Yorkshire Police.

It is my view that opportunities to deliver better outcomes by improving working across public services and other bodies would not be diluted within the separate Mayoral entity model as many key partnerships and collaborations are already very well established. The areas where I feel we would benefit from a wider crime and community safety reach, are not proposed to be within the remit of the West Yorkshire Combined Authority as it is set out anyway. Potential future developments and possible further devolution of 'and crime' powers from Government in this area will not be lost due to the intended synergy of the Mayoral role.

As you are aware, I have always maintained that overall devolution is right for West Yorkshire (although I would have preferred a 'One Yorkshire' deal), and that the Mayoral system being promoted provides for much overdue additional resources and the mandate needed to do more across a range of services and infrastructure. Importantly to achieve the positive outcomes for our communities we are all working towards is to point out that the direct accountability of the PCC model should be also be maintained under a directly elected Mayoral Model working closely with the Combined Authority.

As West Yorkshire's PCC for the last 8 years I have focused on working with all partners towards our shared Police and Crime Plan vision with West Yorkshire Police and partners making sure our 'communities are safe and feel safe'.

Through my Safer Communities Fund (proceeds of crime monies) I made a key election commitment and have given over almost £3.5m to 758 local community groups and organisations throughout West Yorkshire to provide support for victims, address multiple community issues and generally help tackle crime and anti-social behaviour.

Putting victims first, I have significantly enhanced services available for victims and survivors within West Yorkshire, and have recently achieved a long held ambition and vision in the development and creation of a new Sexual Assault and Referral Centre (SARC) at the heart of West Yorkshire. It represents a significant milestone in the provision of specialist services to vulnerable victims in a state of the art facility that will be second to none in the country housing adult and children services under one roof, including live links to courts.

I have continued throughout my tenure to invest heavily in digital technology in order to ensure that front line policing can be more visible and able to undertake their roles more efficiently and effectively. I have also fought to protect and rebuild visible neighbourhood policing teams.

It is important that these achievements amongst many others are built upon and continued by a new Mayor and their team to ensure the important focus on all the communities we serve.

As the West Yorkshire PCC, uniquely I am currently the Lead Local Policing Body for the National Police Air Service (NPAS) for England & Wales and therefore the legal entity for contracts, governance and the owner of the helicopters and fixed wing aircraft, most of which transferred from other PCCs when NPAS was formally created in 2014, as well as the majority of the air base leases. Under the current proposals put forward, this would all transfer to the West Yorkshire Combined Authority. On learning of these proposals Police and Crime Commissioners and Board members have written to me to express their concern

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over this matter, and is therefore a key issue that will need further consideration regarding its significant complexity, risks and wider implications.

I have undertaken significant work with my office to assess the feasibility of a May 2021 transition timeframe, and an external assessment of feasibility and due diligence process has now been commissioned by West Yorkshire Combined Authority. While the initial assessment is that with additional resource this can potentially be achieved, it will be important to take note and consider carefully the findings of the external report upon receipt.

I am of course also aware that if the transition of Policing Governance takes place in May 2024 as originally envisioned before the postponement of the May 2020 PCC elections due to COVID19 will not prevent the wider devolution deal in West Yorkshire taking place in May 2021 which is an important fact to note.

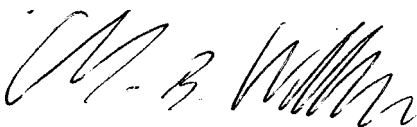
In summary, subject to the feasibility of the new timeframe, appropriate OPCC staff consultation, the National Police Air Service concerns and other OPCC nationally hosted services being adequately addressed, on balance I would support the proposal to transfer PCC functions to a directly elected Mayor and welcome the wider devolution deal for the overall benefit of West Yorkshire.

I do, however, as I have set out with the hindsight of more than 20 years experience of Policing governance at West Yorkshire and national levels, believe that those PCC functions should be only be discharged within a separate West Yorkshire Mayor's Office entity for Policing and Crime.

The OPCC is also currently part of a wider transition working group with officials from the Combined Authority, Home Office, West Yorkshire Police and the Association of Police and Crime Commissioner's working on many of the details for a wider report which I will consider in due course.

In the meantime I look forward to your response and further discussions.

Yours sincerely



Mark Burns-Williamson OBE  
Police and Crime Commissioner for West Yorkshire

Copied to:

Ben Still – Managing Director of the West Yorkshire Combined Authority