



# The impact of value based decision making on policing in North Wales

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# Acronyms

ACPO - Association of Chief Police Officers

BCS - British Crime Survey

CID - Criminal Investigation Department

CMM - Conflict Management Model

HMIC - Her Majesty's Inspectorate of Constabulary

MDR - Monthly Development Reviews

NFA - No further action

NPIA - National Policing Improvement Agency

NWP - North Wales Police

PCSO - Police Community Support Officer

RJ - Restorative Justice

RR - Restorative Resolution

SARA - Scanning, Analysing and Responding to and Assessing Problems

VBDM - Value-based decision making

# **Executive Summary**

This report summarises research examining the impact of value based decision making on front line policing practice; as well as its impact on front line policing staff's perception of their work. The research also considered the impact of value based decision making on the local community's evaluation of policing and the perception of police legitimacy; and the likelihood of the adoption of value based decision making increasing public confidence in the police.

Value based decision making was introduced and rolled out to the whole of the North Wales Police force area in 2010. North Wales Police invested heavily in training all police staff and in total 76 training sessions were delivered and approximately 1,200 staff trained. Value based decision making is a decision making process and, in an organisational setting, has come to mean that all decisions made should be based on the values of the organisation. The process is designed to help deal with legitimate value conflicts or ambiguous situations in front line policing, such as conflicts between crime control focussed decisions and avoiding criminalisation where it serves no public interest.

The research was carried out between October 2010 and August 2011 and consisted of number of research methods, including secondary data analysis, repeat interviews, and observational work. We observed training sessions for North Wales police staff; carried out repeat interviews with ten members of North Wales Police, a total of 30 interviews; analysed victim satisfaction surveys and the British Crime Survey; analysed a total of 45 sample cases dealt with under VBDM; and reviewed press coverage of North Wales Police.

The introduction of value based decision making in North Wales Police mirrored a wider national trend to move away from a detection driven target culture and to return a degree of discretion to front line policing. The rationale for this shift in emphasis was to ensure that the scarce resources of policing are used to their best effect. North Wales Police implemented value based decision making as a formal decision making process with the aim of ensuring that discretion in front line policing was not completely unfettered but that there was discretion 'with rules'.

The introduction of value based decision making which allowed front line police officers to make decisions and not to always act formally upon offences 'detected' was seen to signify a culture change by senior North Wales Police management. While police staff generally welcomed an officially condoned return of discretion to the front line, their assessment of whether or not it constituted a culture change was mixed and generally more cautious. Some staff felt that they had always been able to use discretion and therefore considered the introduction of VBDM simply as confirmation as what they had been doing all along; others considered it to be a significant shift from the detection culture but one that they did not trust entirely. Police staff's understanding of VBDM was generally poor and some of this was due to the vague nature of the concept as well as the implementation process including the structure and content of the training sessions.

Assessing the impact of value based decision making on those subjected to policing, as victims, offenders, or the general public is difficult. North Wales Police has not advertised the use of VBDM widely as far as could be ascertained from our exploratory media analysis. Additionally, only few members of the public would be exposed to VBDM in practice, mainly victims and offenders involved in minor crimes. As a result, it is unlikely that the effects of VBDM will be measurable in general public opinion surveys. However, it may be worthwhile monitoring user satisfaction surveys to assess whether non-detection under VBDM has an effect on levels of satisfaction with services received and, in particular, whether the rate of respondents indicating that 'nothing had been done' increases.

The impact of the introduction of value based decision making can be seen in a slight fall of the overall detection rate but its impact on police staff's assessment of their working practices was limited. A significant impact on public ratings of public confidence in North Wales Police is unlikely but there may be some measurable impact on user satisfaction. This is yet to be seen.

#### Introduction

Policing has undergone some major changes over the past decades in terms of resourcing, focus, performance management systems, increasing public interest, and increasingly varied demands on their time and resources. In 2007, recognising the changing landscape of policing the then Labour Government commissioned Sir Ronnie Flannagan, a former police officer himself, to review policing with a particular focus on developing a vision for policing in the 21<sup>st</sup> century. The review resulted in 33 recommendations on how to improve policing.

One of the recommendations (21) of the Flanagan review was to pilot a new approach of recording and investigation to 'address the lack of proportionate response in the service and to create a community focused performance regime for local crime' (Flanagan, 2008, 57). To that end, four police forces, Staffordshire, Leicestershire, West Midlands and Surrey, piloted this new approach (Flanagan, 2008, 57). The aim of this recommendation was to counter a 'detection' culture which had developed under the previous performance management regime and had resulted in 'perverse effects' (Home Office, 2008, 80) and seemed to unnecessarily criminalise members of the public for minor crime.

## 1. Research locale

North Wales Police (NWP) covers the counties of Wrexham, Flintshire, Denbighshire, Conwy, Gwynedd, and the Isle of Anglesey. It covers an area which has some unusual features because of its socio-cultural and economic situation. The Rural and Urban classification 2004 suggests that the North Wales Police force area is split fairly evenly between rural (52%) and urban (48%) areas. Parts of the area are very sparsely populated and the population covered by North Wales Police is fairly small at 675,000. In relation to crime, North Wales Police face the two-fold challenges of covering an area which has substantial pockets of deprivation (Welsh Assembly Government Data Unit, 2008) and huge seasonal variations in the size of the population due to tourism and a sizeable student community in some of its constituent parts. Moreover, the characteristic of North Wales as a rural area with crime patterns reflecting its rural nature has changed over time with large improvements in the area's infrastructure and economic outlook (Feilzer, 2008).

The North Wales Police force area is unusual in other terms as well. For example, crime levels in North Wales are consistently and significantly lower than the England and Wales average, see Figure 1 below. Despite these significant differences in

levels of crime, perceptions of crime and disorder as a problem were similar to the England and Wales average and levels of confidence in North Wales Police were lower than national or the England and the national average for Wales (Higgins & Millard, 2009).

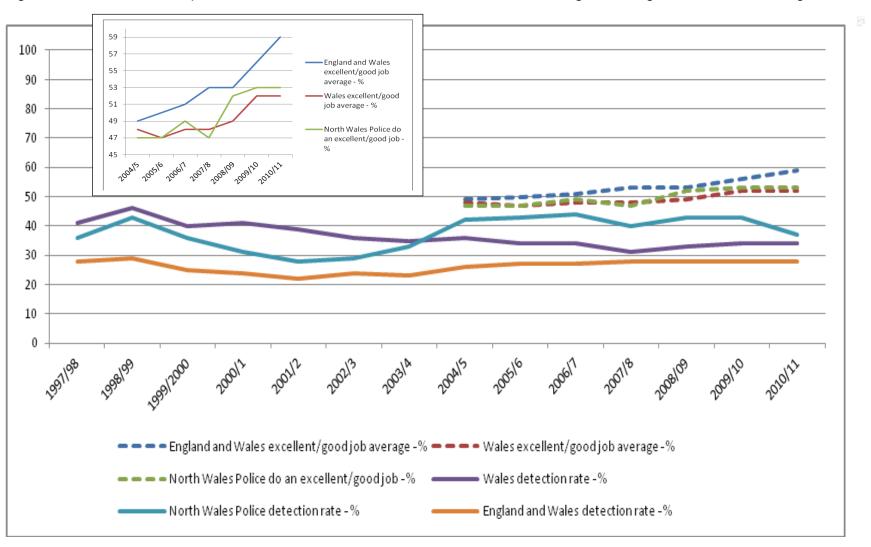
120 100 England and Wales -80 recorded crime rate per 1,000 pop 60 Wales - recorded crime rate per 1,000 pop 40 North Wales Police recorded crime rate per 20 1,000 pop 0 2007/8 2008/09

Figure 1: Recorded Crime rates per 1,000 population: North Wales Police, Wales average, and England and Wales average, 2001/2-2010/11

Data source: Crime in England and Wales, annual publications, 2001/2-2010/11.

These data have to be understood against a backdrop of consistent praise for NWP for its crime recording standards by HMIC (Her Majesty's Inspectorate of Constabulary), the force's consistently high sanction detection rates (the proportion of crimes detected by North Wales Police which led to an out-of-court disposal or a court conviction and sentence) and the successful implementation of the performance culture dominating the first ten years of the 21st century (North Wales Police, 2009), see figure 2 below. In North Wales, the detection culture was a key feature of policing and a priority within the police force under the leadership of former Chief Constable Richard Brunstrom. For a number of years, North Wales Police was one of the leading forces in terms of its detection rate. However, while the NWP is performing well against quantitative measures of organisational efficiency, it does not appear not to be doing equally well on victim satisfaction and general public perception. Figure 2 shows how North Wales Police is consistently trailing the England and Wales average for confidence in the police levels (as measured through the percentage of respondents to the British Crime Survey thinking their local police are doing a good or excellent job) but leading on the overall crime detection rate.

Figure 2: Detection rate and police 'confidence' levels: North Wales Police, Wales average, and England and Wales average, 1997/98-2010/11



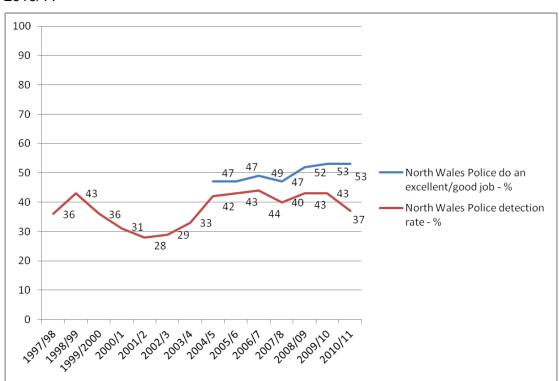


Figure 3: Detection rate and police 'confidence' levels: North Wales Police, 1997/98-2010/11

In 2009, North Wales Police saw a change in leadership, with a new Chief Constable appointed and a significantly re-configured team of chief officers. With the election of the Liberal-Conservative Government in 2010, the previous era of quantifiable, target-oriented performance culture lost its priority status, freeing up police forces to trial alternative approaches to low level and minor crime. In the same year, North Wales Police piloted a new approach to the front line policing of minor crime: value-based decision making (VBDM). This approach was loosely based on the Flanagan recommendations and aimed to return discretion 'with rules' to police officers. As a further reflection on the nature of continual change in policing in England and Wales, North Wales Police underwent significant restructuring in May 2011.

#### 2. Research methodology

The research aims to shed light on the effects of value based decision making on operational policing practices, perception of the impact of a 'new' policing style on police staff, and public perceptions of changes in policing. We initially planned our research on the basis of a comparative design but by the time we had received funding and started the research North Wales Police had made the decision to roll out value-based decision making across the whole of the force. This required a reconsideration of the research methodology.

The specific research questions for the research were:

- -To examine the impact of value based decision making on front line policing practice.
- -To examine the impact of value based decision making on front line policing staff's perception of their work.

We also set out to examine the following two questions:

- -The impact of value based decision making on the local community's evaluation of policing and the perception of police legitimacy.
- -Whether the adoption of value based decision making is likely to increase public confidence in the police.

However, due to the slow implementation of the VBDM framework and the lack of communication of VBDM to the public we had to scale down our ambition with respect to those two questions. We will comment on the potential impact of VBDM on public confidence but we were unable to comprehensively assess community impact. Between October 2010 and August 2011 we collected data using a number of research methods, including secondary data analysis, repeat interviews, and observational work.

## Data collection:

- -Observation of five VBDM training sessions (out of 76 delivered)
- -Repeat interviews with ten members of North Wales Police, n=30 interviews were carried out prior to training; 2 months after training; 6 months after training
- -Analysis of Victim Satisfaction Surveys
- -Analysis of British Crime Survey and other official data on levels of confidence in local police
- -Content analysis of a sample of 45 decisions filed under VBDM
- -Review of press releases and local media coverage of VBDM

The longitudinal interviews are at the heart of the research and were designed to allow us to assess whether operational policing was affected by the new decision making framework over time. Thus, the focus was on the process of an organisation adjusting to a new way of front line policing. We interviewed three Sergeants, two PCSOs, and five Police Constables. The first interviews took place before individuals had been trained in VBDM, the second round of interviews within two months after training; and the final round approximately six months after training. All interviews

were anonymised and all interview data is coded by interview stage (S01) and interviewee code (I06).

### 3. The concept of value based decision making

Value based decision making as a concept proves difficult to pin down. It is used in the context of economics, business and management, as well as in computing, healthcare, neurobiology, and the new field of neuroeconomics. The discussion of the role and influence of individual values in individual and organisational decision making is not new, however, the use of value-based decision making and models developed on its basis, is a more recent development, particularly, in the context of public service provision (see Hall & Davis, 2007; Mills & Spencer, 2005; Hall et al. 2003). In relation to policing, value based decision made its first appearance after the Flanagan report's recommendation 21, which advocated a more proportionate investigation process, see above. A number of police forces trialled value based decision making in this context and by 2011, 12 of the 43 police forces<sup>1</sup> in England and Wales had adopted a variety of value based decision making models (Lee, 2010, 7), in some instances described in other terms, such as 'proportionate investigation processes', or 'professional judgement'.

Any decision making can be broken up into a number of basic processes:

- ⇒ assessment of the situation including possible actions;
- ⇒ attributing value to the different possible actions;
- ⇒ selecting an action;
- $\Rightarrow$  evaluating the outcome;
- ⇒ learning process (Rangel, et al., 2008, 546).

In an organisational setting value based decision making has come to mean that all decisions should be based on 'known goals and values of the organisation' (Mills & Spencer, 2005, 26). Value based decision making encourages reflecting on multiple value based perspectives in order to reduce legitimate value conflicts or ambiguous situations (Hall & Davies, 2007, 1589; Mills & Spencer, 2005, 29). In a health care setting such legitimate conflicts could be between the quality of health care and cost-control (Mills & Spencer, 2005, 26).

<sup>&</sup>lt;sup>1</sup> Including North Wales Police; Northamptonshire Police, West Midlands Police, etc.

Policing contemporary society is facing multiple, interrelated goals, reduction in crime, protection of the public, reducing fear of crime, and increasing public confidence in policing, to name just a few. Thus, the problem faced by police officers in many front line operational policing scenarios is that there is not a wrong or a right decision to be made; but rather a right decision, e.g. crime control focussed decision of an 'offender brought to justice', as compared to another right decision, focussed on compassion, and giving people a second chance, i.e. avoiding criminalisation where it serves no public interest (Lee, 2010, 6). The difficulty of making the right decision was highlighted during our interviews, with officers commenting that it takes "a lot of time and effort into making the correct decision" (S01I01) and that not all decisions taken are the right ones; "we have to make a judgement against each and every person, and sometimes we just get it wrong" (S01I03).

These ambiguous decision making scenarios which are similar to those in other public sector organisations in combination with the Flanagan recommendations triggered the adoption of the framework of value based decision making in some police forces. The exact process of policy transfer is not clear, although it appears that Northamptonshire Police's Chief Constable Adrian Lee has played a major part in the development of VBDM in policing if not its transfer (Howard & Smith, 2011, 132). Lee, as the ACPO (Association of Chief Police Officers) Professional Ethics lead, is now driving the introduction of a national decision model for policing based on three decision making models commonly used in policing – the Conflict Management Model (CMM), Scanning, Analysing and Responding to and Assessing Problems (SARA) and Value Based Decision Making (ACPO, 2011) with training provided by the NPIA (National Policing Improvement Agency) (Habgood, 2011; Lee, 2010; Lee, 2011).

#### 4. Introducing value based decision making to policing

Value based decision making in North Wales Police was implemented in the expectation that a more proportionate and discretionary use of police powers would be welcomed by police staff and the public alike (North Wales Police, n.d., 2). The lack of public recognition for its high detection rate — as expressed through confidence levels, see Figure 2 above — has led the NWP to trial a new approach of returning discretion to front line policing — one that was hoped to have a positive effect on levels of public confidence in NWP.

## a. Process of implementation and training in North Wales

In 2010, North Wales Police trialled value based decision making in four of its 15 policing districts. The proposal document for the introduction of value based decision making approaches discussed the Flanagan report and included a value based decision making model (see Appendix A) similar to the one promoted in Northamptonshire by Adrian Lee (Lee, 2010) but makes no reference to its origins or explains what it means in a policing context. The document focuses almost exclusively on restorative resolutions. North Wales Police conducted an internal evaluation of this pilot, which again was focussed mainly on the process of issuing restorative resolutions, victim satisfaction with restorative resolution, and the cost savings of the new restorative approach. The evaluation found that victims and staff welcomed the new approach and that it resulted in significant savings in the use of resources. Thus, value based decision making and restorative resolutions were rolled out across the whole of the force in October 2010.

The pre-training round of interviews was completed before interviewees had been trained in VBDM. Nevertheless, interviewees were aware of the change in focus and had heard about VBDM and felt that they had a grasp of what it was about, one interviewee described VBDM as "recordable discretion" (S01I09). The first round interviews were designed to understand interviewees expectations of the changes; their views of discretion; their views of the most important aspects of their role; and NWP as an organisation.

Overall, interview respondents displayed a public-focused and victim-centric attitude.

"Definitely we're more victim focused now. Rather than pandering to the suspects we're now concentrating on the victims and their needs" (S01I03).

"I always treat the public, including offenders, as I would want to be treated myself" (S01I04).

"I ask 'how would I expect something to be accomplished for my own family?" (S01I06).

In contrast, victim satisfaction surveys were described as "questionnaires about service where they [victims] get to slag off the copper" (S01I07).

It became clear that the force's previous detection culture had not been received well by police staff and officers and that interviewees welcomed the return of discretion but were doubtful how long this new approach would last. Interviewees also noted their perception that law enforcement had become more punitive in recent years.

"If I'd have been caught doing that [in reference to a minor crime committed by a youth] when I was younger, it might have knackered me. Having a conviction might have sent me off the rails, you never know, or I might have then hated the police. I certainly wouldn't be working today as a CSO" (S02I04).

"Reintroducing a level of discretion, back to the good old days" (S01I06).

"We are not dictated to as much anymore, we are not so set in our ways. We are allowed to use more discretion now, it's a change for the better I think" (S01I01).

"Except for when the government realises that detection rates have taken a hit and they will backtrack and we end up going in a full circle" (S01I03).

"They're constantly changing the goalposts and targets and policies. You get used to having it a certain way then they change it again" (S01I05).

In a few instances police staff referred to using discretion or making decision which fell outside force policy.

"Although we tend to use a lot more [discretion] than we're allowed to" (S01107).

Moreover, one respondent felt that those who had already used discretion under the previous detection culture may use VBDM merely to legitimise their decisions rather than adjust their decision making processes.

"I'm doing what I was doing before, but now it's more official... With this VBDM, there's no need to be so poetic. It wasn't that we were lying before in our writing up, but we sometimes had to omit certain pieces of information to

make it acceptable, now we can just write up this is what happened, this is what I've done, and this is why I've done it" (S02I07).

"I'm quite happy about making decisions anyway. But it helps me to rationale things now, because I can just put VBDM into the wording somewhere" (S02I08).

The first round interviews unearthed a worrying perception of dissatisfaction with the senior management and ACPO team; several interviewees expressed a feeling of a major gulf between themselves and the senior management structure. The following quotes provide an indication of the strength of feeling.

"There is a big divide between us and ACPO level...Above Sergeant-level, they don't give a monkey about front line officers" (S01I07).

"It's like two different forces – management and officers. The people at the top don't know what it's like on the shop-floor. They want us to achieve this and that, but we don't have the staff...it's not achievable with the resources we have...they expect us to achieve the same promises [to the public] but with less" (S01108).

NWP's 2011 Cultural Survey<sup>2</sup> provided evidence to support the impression that relationships within the organisation may be strained, see Table 1 below. Nearly a third of respondents (31%) disagreed with the statement 'There is a positive atmosphere among the people I work with'; and a similar percentage (32%) agreed that 'The way this force is organised makes it difficult for us to provide a good service to the public'. The survey also highlighted difficulties in effective communication and partnership between different divisions of the organisation. Senior management and leadership, in particular, was assessed fairly critical in the cultural survey, supporting the critical comments made in the course of this research. Additionally, these percentages hide differences between the different sections in the organisation.

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<sup>&</sup>lt;sup>2</sup> Discussed in more detail in section 7a below.

Table 1: Extract from NWP Cultural Survey, 2011

Statement	Agree - %	Neither agree nor disagree - %	Disagree - %
There is a positive atmosphere among the people I work with	51	18	31
The way this force is organised makes it difficult for us to provide a good service to the public	32	36	33
Different parts of the organisation don't tend to work well together	51	31	18
There are good lines of communication between different parts of this organisation	30	30	41
Senior managers are open to differing views	35	41	25
Managers give mixed messages about what our values are	44	36	21
Senior manager are out of touch with what's happening on the front line	46	36	19
Managers don't listen to the views of their staff in this organisation	37	33	30

#### b. Training in VBDM

As a result of the roll out, all members of staff of North Wales Police were trained in VBDM, including PCSOs, civilian staff, and specialised staff, such as CID and armed response units. North Wales Police employs around 2,500 police officers and civilian staff and training everyone proved a major undertaking. In total 76 training sessions lasting approx. six hours each including lunch were provided between May 2010 when the pilots started and summer 2011. In total approx 1,180 officers and staff were trained. This represents a considerable investment by NWP.

The following discussion of the training sessions is based on observational work; we observed five full VBDM training sessions. Training was provided in-house by a team of police staff, including a serving police constable. Training in VBDM was combined with an introductory session on public confidence in policing and training on restorative resolutions. The five training sessions attended all varied slightly in content, structure, and style. Some sessions would lead with Q&A session on what participants liked and disliked most about their work; followed by a short presentation

on public confidence and policing, led by a senior officer in NWP; an introduction to VBDM; and a session on restorative resolutions.

The discussion of VBDM included the importance of information in effective decision making; and three separate slides (out of 32) with 13 different phrases explaining the meaning of VBDM. The overview provided in the session did not include the VBDM model (Appendix 1), that was issued as a handout for consultation at a later stage. Whilst the presentation mentioned that VBDM related to 'applying the "Force Values", this was only one of 13 points and neither the values themselves nor their relevance in decision making processes were discussed comprehensively. The relevance of this for police staff's understanding of VBDM will be discussed below. North Wales Police force's values at the time were: excellence, courage, and compassion. In 2011, the force's values were changed to: One Team; Doing the right things; Helping our communities. The remainder of the presentation was taken up with a presentation of the proportionate investigation filter; i.e. a discussion of when the use of VBDM was appropriate and desirable. VBDM was only to be used for lowlevel crimes, such as public order offences, criminal damage, low-level thefts, etc; where the offence was solvable; the use of VBDM was informed by the wishes of the victim; and public interest in prosecution of the offence was considered.

After the presentation was completed, participants at the training session received a number of scenarios for groupwork. Scenarios were designed for the use of VBDM and involved low level crimes where victims did not support prosecutions and the public interest in a prosecution was debatable. These scenarios led to considerable discussion and disagreements between police staff as to the appropriate outcome. Some staff reflected on the need to be consistent in their decision making and admitted that they were more comfortable with always prosecuting an offender rather than using their discretion and introducing differential treatment. Others were in favour of filing crimes as undetected but made the point that they would have come to the same conclusion under the previous detection culture regime. Value based decision making is a process and thus, cannot necessarily be judged by outcomes; however, the clear discrepancy between suggested outcomes is of concern. Additionally, participants based decisions explicitly on individual values, the need to base decisions on NWP's organisational values was not mentioned in the discussions around the scenarios. Of most concern was the trainer's assertion that 'any decision goes as long as it is justified'. Surely, if value based decision making is in part based on a desire to achieve a more consistent decision making process based on the force's organisational values this is not the right message to give to staff.

c. Understanding of value based decision making among police staff

Value based decision making is a vague concept which despite its appearance as fairly straightforward is not easy to understand on the basis of handouts. The lack of

clear definition and comprehensive discussion during the training sessions will not have aided comprehension. Whilst seven of the ten interviewees claimed to have used VBDM in the two months since attending training, it seemed that understanding

of VBDM was poor at the first post-training interview stage. There was evidence of

confusion concerning the nature of VBDM as an outcome or a process.

"I offered an RR [restorative resolution] first, but the victim was unwilling, so then it was a VBDM [a non-detection] because it was only a minor offence" (S02I05).

"Yes, I've used it personally. A young lad stole a £1 chocolate bar in ASDA... I didn't think it was worth an RR for such a tiny crime. I wouldn't criticise an officer if they had used an RR, but on the day I thought VBDM [non-detecting] was appropriate" (S02I02).

Only a few interviewees seemed to have grasped the nature of VBDM as a decision making process.

"VBDM is about how you approach a crime, how that decision is made. RRs are about how you detect a crime. So when you attend a job, you initially have to use VBDM to look at how you should deal with it, then you have a number of tools in your armour – RRs, caution etc, and last resort you can non-detect under VBDM" (S02I02).

None of the interviewees referred to values explicitly when talking about VBDM and decision making unless they were prompted; in particular, when asked about force values, not one of the interviewees recalled a single one of these values. This was true at stage two and three interviews. This is in stark contract with findings from NWP's 2011 Cultural Survey<sup>3</sup>, in which 70 per cent of respondents stated that NWP

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<sup>&</sup>lt;sup>3</sup> Discussed in more detail in section 7a below.

organisational goals were clear to them. In contrast, many interviewees discussed the important role of VBDM in reducing workload pressure. Some of these comments highlight the danger of using a vague concept such as VBDM which can be interpreted simply as a tool to reduce police costs by disposing of trivial, low level crimes. The general perception seemed to be that cost savings were the main purpose of the introduction of VBDM.

"It's financial" (S02I03).

"It's going to save me a lot of time, because it stops me from having stuff on the file for ages. Now I can just dispose of things via VBDM if they're only trivial" (S02I05).

"If I know that something is going to be NFA'd [no further action] either because it's against the public interest or because of lack of evidence, then it's best to save the time and resources and get rid of it at the very beginning through VBDM" (S02I07).

Some interviewees clearly confused VBDM with restorative resolutions and did not recall much of the training sessions. Many of the handouts from the training, the majority of which were not covered during the training session itself, were not consulted by interviewees and many admitted to having not read, or having forgotten the information.

"I got confused between the whole RJ/RR and VBDM thing, there's kind of an overlap there" (S02I07).

"There was plenty of literature to take back though I doubt many read it" (\$02101).

"I don't really remember much of it" (S02I02).

At the second post-training interview stage approximately six months after respondents attended the VBDM training, interviewees seemed more comfortable with the term VBDM and associated it, in the main, with a greater degree of discretion. The interviews suggested that VBDM was still regarded by officers as a an outcome tool to help dispose of trivial crimes.

"Gives us back a bit of discretion, being able to close crimes a lot faster" (\$03105).

"It's looking at the circumstances and whether or not it's proportionate to proceed" (\$03108).

"It's police discretion to deal with crime without convicting the suspect of a low-level crime" (\$03109).

Overall, interviewees felt that VBDM had the following benefits. It allowed more flexibility to deal with low level crime more appropriately and proportionally, thus avoiding criminalising first time offenders for minor crime. VBDM allowed officers to avoid pressurising victims to press charges and to follow the victim's wishes. It leads to a reduction in workload by spending fewer resources on minor crime which in turn allows officers to prioritise more serious crime. Nevertheless, there were comments that some officers avoided using VBDM for fear of using discretion generally in case they made the wrong decision; and a reluctance to be seen to be 'doing nothing', a principle that had been condemned in the training as unacceptable – "no action is not an option. This is not a slacker's charter!" (NWP Training Department, 2011).

#### 5. Visibility and value based decision making - Media coverage of VBDM

One of the initial aims of the research was to examine the impact of value based decision making on public views of operational policing in North Wales. There are a number of ways in assessing the potential impact of the new policing approach on public opinion. One is the frequency of use of VBDMs, in other words the potential for victims, witnesses, and offenders to be exposed to it; the other is the communication of the new approach to the public through mainstream media outlets – local and national newspapers – and new media – websites, twitter and other forms of media.

North Wales Police uses Facebook and Twitter to access and engage with younger members of the community, it had a count of 2,359 'likes' on facebook as of 23 November 2011 and the site is updated on a regular basis. Throughout the pilot and implementation period, there was no mention of value based decision making on

NWP's website, Facebook or Twitter. It appears that there was no proactive advertising of the new decision making framework to the public.

As far as mainstream media and newspaper coverage is concerned a similar picture emerges. On a national level, the introduction of more discretion in the policing of minor low level crime was discussed in relation to the four forces piloting the new proportionate response approach advocated by Flanagan; and a more proportionate response to low level crime was also supported by the newly instated Home Secretary in July 2010.

Locally, the theme of avoiding unnecessary criminalisation was echoed by the newly appointed Chief Constable of North Wales Police in 2009, reported in BBC Wales in November 2009; a number of stories in BBC Wales (in January and November 2010 and May 2011) and the Daily Post (in January and July 2010 and April 2011) dealt with the strengthening of restorative justice schemes to tackle low level offending and to prevent re-offending; the use of more discretion by front line police officers was discussed in one story in the Daily Post in April 2010.

In order to systematically, assess how visible the change of decision making in policing was to the public, we carried out a content analysis of the three main sources for online news in North Wales, namely 'The Daily Post', 'The Caernarfon and Denbigh Herald' and 'BBC News Wales', for the period May 2010 to April 2011<sup>4</sup>. The search strategy involved searching the term 'North Wales Police' within each source, scanning the headlines of search results and omitting search results that were not associated with VBDM themes. This decision was made searching headlines for the term value based decision making as well as police discretion, the restorative resolution disposal, alternative community-based disposals to low-level crime, austerity cuts to police budgets, and the force restructure. The search resulted in 729 news articles mentioning North Wales Police. From these results, there were 24 articles<sup>5</sup> on the themes of police cuts and fears over the force restructure, most of them critical of restructuring plans.

<sup>5</sup> Eight from The Daily Post, two from the Caernarfon and Denbigh Herald, and 13 from BBC News Wales.

<sup>&</sup>lt;sup>4</sup> Period includes the start of the VBDM and RR pilot through to conclusion of VBDM training.

In contrast, there were only nine articles<sup>6</sup> relating to VBDM themes, five of them concerned with restorative resolutions. None of the media coverage made direct references to VBDM or decision-making, although there were references to increasing officer discretion, new ways of dealing with minor crimes, and winning the trust and confidence of people in the region (BBC News Wales, 2010). News about a falling detection rate was discussed in the Daily Post in July 2011. A fall in the detection rate was anticipated by North Wales Police as a result of the introduction of VBDM and defended by a NWP representative as part of a 'deliberate strategy to target serious violent criminals' (Daily Post, 2011). Nevertheless, soon after this story, a local complaint of North Wales Police's refusal to attend to a minor incident of 'garden vandalism' received a voice, with coverage in the Caernarfon Herald in August 2011.

Given the limited amount of news coverage and the low level of use of VBDM, a major impact of this new approach on general public opinion could not be expected. Nevertheless, we analysed and compared the most recent Public Confidence and Victim Satisfaction Surveys commissioned by North Wales Police to gain an understanding of local trends, and the discussion is included below. Additionally, due to the negative publicity surrounding the force restructuring any trend data needs to be treated with caution.

#### 6. Impact of value based decision making on policing

#### a. Impact on front line policing

Value based decision making as a decision framework can be used in almost any decision in a policing context. However, the way it was implemented in North Wales Police related the process to minor, low level crime. Thus, there was an immediate connection between a decision making process and an outcome – filing a crime as non-detected or resolving a situation using a restorative resolution. It is, of course difficult to assess how often a particular decision making process has been used unless it is indicated explicitly through a particular outcome. We asked North Wales Police to indicate how many crimes had been filed as 'undetected under VBDM' or resolved by restorative resolution. It turned out that recording did not allow assessment of how often VBDM had been used. We received a draft copy of NWP's internal evaluation of VBDM and RR in December 2011. The evaluation focussed mainly on RR as the previous pilot evaluation had.

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<sup>&</sup>lt;sup>6</sup> Four from The Daily Post and five from BBC News Wales.

We were hoping to analyse the content of a random sample of entries on NWP's record system filed under VBDM and received 38 records for analysis. These were not chosen in a systematically random manner and some records were summarised rather than re-produced verbatim. This limited the analysis somewhat. One particular feature of the incidents selected was that many (n=12; 32%) involved young people. Among the sample received were instances where incidents were filed under VBDM but would not qualify as such under the guidance provided. These instances included incidents filed under VBDM without any details provided or any justification or reasoning; incidents that were identified as 'no crime' but were still listed under VBDM; and incidents which could not be solved, i.e. not detected. The examples of VBDM selected support the evidence from the interviews that there is a lack of clarity over what VBDM is and what it is meant to achieve.

Additionally, the following comment by a police sergeant highlights that some of the VBDM tags attached to outcome may have been applied retrospectively by supervisors after decisions have been made and recorded rather than by individual officers at the time of the incident or immediately thereafter. This was mirrored by concerns expressed by staff responsible for monitoring VBDM that supervising officers were attaching the label VBDM to incidents rather than front line officers themselves.

"What I find though, I've noticed that VBDM – it's not supposed to be just for supervisors it's supposed to be for bobbies. But they're not coming up with the rationale themselves. I find they are leaving it to us...It's just that I think some officers don't use it, and that it's down to us reviewing officers to implement it...Officers out there aren't showing their rationale at all" (\$03108).

Amongst our interviewees there was a somewhat tentative feeling about the impact of VBDM. In the final interviews, six months after the training, only three of the ten interviewees felt that they were encouraged to use VBDM through the monthly appraisal process. One officer who noted during the second-stage interviews that sanction detection rates were no longer mentioned during Monthly Development Reviews (MDRs), claimed that there had been some kind of backtrack, albeit not to the same extent as previously.

"They took away detections for a while, but now they've brought that back, but now it's based on your rota, your team, instead of you individually" (\$03109).

Views on whether VBDM had changed the way they made decisions in the field were mixed. Interviewees were asked to assess whether they would have arrived at a different decision if VBDM had not been available to them.

"Before the new ethos, in relation to detections, yes we would have had no choice. We would pursue matters purely for detections. Maybe that's not the right way to put it, but we were certainly more detections-based in bringing offenders to justice" (\$03108).

"I think, as we were living in a detection society, we would have gone down the RR, or the detection side of things" (S03I02).

"Before I'd have had to hand it over to a police officer – and they'd either arrest or provide a Fixed Penalty Notice" (S03I10).

"No, not at all...I've been in the job long enough that I just stick to the way I've always done it" (S03I06).

"With a crime, you know what the outcome is going to be more or less, and with VBDM you can arrive at that same outcome but with much less work...It should be on the VBDM process – asking what the outcome is going to be" (\$03104).

"[Before VBDM] You'd arrive at the same decision, but it was a lot harder to get there, much harder to get things resolved. Now we can get to the outcome of that decision much earlier and save loads of time" (\$03108).

The NPIA requested all police forces to carry out a 'Cultural Survey' in 2009. NWP carried out a repeat cultural survey in 2011 and the results of number of questions are relevant in the assessment of whether VBDM should have had a greater impact on front line policing. As discussed above, policing can be done in a number of ways, one would be to follow a strict crime control approach which favours the enforcement of the law in all circumstances, whilst another approach would be more akin to community policing allowing for discretion and alternative police responses. The

cultural survey asked a number of questions which are relevant in this context. There is a sizeable minority of police staff (29%) who will support a rigorous enforcement of the law and support a 'zero tolerance' approach to crime (20%). While two thirds of respondents (65.9%) felt encouraged to use their professional judgement in policing, this proportion has not increased from 2009 (65.3%) and thus VBDM training does not seem to have affected responses and perception of police discretion.

Table 2: Extract from NWP Cultural Survey, 2011

Statement	Agree - %	Neither agree nor	Disagree - %
		disagree - %	
All laws should be enforced at all times – otherwise people lose respect for the law.	29	24	47
We should have a 'zero tolerance' approach to minor offences.	20	25	56
My training encourages me to use my professional judgement	66	20	14

#### b. Impact on 'users of police services'

North Wales Police commissions Swift Research Limited to carry out a number of surveys for them. The two main surveys are a 'User Satisfaction Survey' carried out quarterly, with the latest results available from April 2011, and a 'Public Confidence Survey' published annually in January. We received a copy of the April 2011 User Satisfaction Survey, which reported on findings from interviews with victims of crime from April-Sept 2010. Only a small minority of victims could potentially have been exposed to VBDM, as the period covered by the survey fell in the pilot phase and before VBDM was rolled out across the force. Additionally, the crime victims covered in the survey would, in the main, not be eligible for the proportionate investigation filter as the crime categories covered are relatively serious. However, it is probable that after the force wide implementation of VBDM, some victims of one of the crime groups covered in the survey (Theft, Burglary other than Dwelling, Criminal Damage Dwelling, Criminal Damage Vehicle) could be subject to a VBDM process. It will be interesting for NWP to monitor victim responses in this respect over the next quarters.

The survey indicated that levels of satisfaction with police contacts were generally very high, see Table 1 below. For example, over 90 per cent of crime victims stated that the police knew what they were doing; and that they explained what was going to

happen and when; 90 per cent of crime victims were reassured with what NWP did. The satisfaction with response time was at 87 per cent; satisfaction with the actions taken ranged from 80 to 82 per cent dependent on the type of crime; and satisfaction with the investigation ranged from 75 to 79 per cent. Satisfaction with how well victims were kept informed of progress ranged from 71 to 74 per cent; satisfaction with how victims were treated was very high, between 93 and 95 per cent; and satisfaction with the provision of services in Welsh ranged from 86 to 89 per cent. Satisfaction with the whole experience was high, ranging from 83 to 85 per cent.

Table 3: Swift User Satisfaction Survey, April 2011

Satisfaction	Burglary, violent crime, vehicle crime, RTC, hate & racist crime - %	Theft, Burglary other than Dwelling, Criminal Damage Dwelling, Criminal Damage Vehicle - %
Police appear to know what they were doing	97	97
Explain what was going to happen and why	93	92
Satisfied with response time	87	85
Reassured by what the police did	90	90
Satisfied with action taken	82	80
Satisfied with investigation	79	75
Satisfied with information regarding progress	74	71
Satisfied with treatment	93	95
Satisfied with services in Welsh	86	89
High opinion of police prior to contact	60	63
Better opinion as a result of contact	39	33
Worse opinion as a result of contact	8	6

The survey provides an indication of whether and how victims' opinion of NWP had changed after police contact. Roughly, sixty per cent of victims stated that they had a 'generally high' opinion of the police prior to the contact and between 33 and 39 per cent of victims had a better opinion of the police after contact; only between six and 8 per cent had a worse opinion of the police after contact. This set of questions is of particular interest in assessing any potential impact of VBDM on crime victims' views on victim-police interaction.

#### c. Impact on the 'public'

We mentioned the lack of discussion of value based decision making in the mainstream media or alternative media sources such as social media or NWP's website. It can be considered unlikely that the change in decision making processes in North Wales Police has reached the public's attention. As discussed elsewhere (for example, Ditton and Farrall, 2007; Feilzer, 2009) public opinion surveys suffer from limitations as far as measuring public confidence in policing is concerned. Additionally, the latest public opinion survey we could access was from January 2011, based on survey responses elicited between Oct 2010 and December 2010, thus too early to capture any potential impact of VBDM. Nevertheless, in order to get a baseline for levels and shifts in levels of 'public confidence' in North Wales Police, we have looked at a number of questions from 2010 and 2011, see Figure 4 below. It may be possible to identify the impact of the VBDM in data collected at the end of this year indicating in some detail what caused 'increases or decreases in confidence in NWP in the past three months'.

Figure 4 shows that from 2010 to 2011 there was a seven percentage point increase in expressions of confidence in North Wales Police; however other measures showed no major changes. Public support fell marginally on three measures, agreement that the police would treat everybody fairly and that NWP provide an effective service fell by two percentage points, and belief that NWP provide a good or excellent service fell by one percentage point. A number of these indicators may be affected by the new decision making framework, for example, as discussed above the detection rate is likely to suffer further through the implementation of VBDM and this may have an effect on the perception of NWP's ability to deliver an effective service. Nevertheless, whether or not this will affect the headline figures of confidence in North Wales Police remains to be seen.

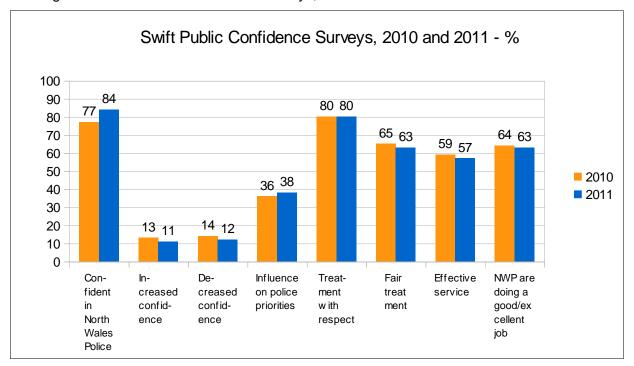


Figure 4: Swift Public Confidence Surveys, 2010 and 2011

There is little doubt that the public is willing to accept that not all offenders need to go to court on committing a first offence. A report on out-of-court disposals included evidence that nearly half of the survey respondents supported the use of a caution on an adult admitting a minor offence for the first time, and a further quarter of respondents supported the use of a fixed penalty notice. Only six per cent of respondents felt that the offender should go to court (HMIC & HMCPSI, 2011, 11).

The evidence on public acceptance of the police 'doing nothing', however, is rather thin on the ground. Most support for a policy which leads to police filing crimes as undetected despite having identified a suspect can be drawn from the negative reception of sanctioning behaviour during the era of performance management (e.g. Home Office, 2008, 80). Nevertheless, evidence from the Swift Public Confidence Surveys suggests that being seen to 'do nothing' could have some negative consequences for confidence surveys. In the 2011 survey, just under a quarter of respondents (23%) who felt that something had happened in the last three months to decrease confidence, stated that the reasons for the decrease in confidence were that the police' provided a poor service/nothing done'. Additionally, in 2011 slightly less than half of respondents (49%) agreed that NWP 'can be relied upon to deal with minor crime'.

#### 7. Value based decision making and public confidence in policing

#### a. In theory

Public confidence in policing is a contested and highly political concept, brought to the fore by the late Labour Government's emphasis on performance management and the wholesale adoption of managerialism. It is commonly assumed that police legitimacy and trust in policing is important to a democratic society, not only theoretically but also practically. Policing by consent depends on the confidence and the backing of the public. This in turn will result in citizens abiding by the law 'most of the time' as well as their active participation in the criminal justice process by reporting crime; serving as witnesses in court, magistrates, referral panel members, and in other voluntary roles (Bowling & Foster, 2002, 983; Napley, 1961, 369; Williams, 1961).

There have been many complaints that public confidence and trust in policing and the police have declined over time. While it is impossible to assess whether confidence in the police was as high as suggested by some in the mythical 'golden age' of policing up the 1950s, the British Crime Survey has provided some evidence that satisfaction with the police has fallen since the 1980s (see, for example, analysis by Hough, 2007 relating to London) alongside a rapid increase in crime up until the mid 1990s. In 2000, the British Crime Survey was 're-invented' as a national tool to assess public satisfaction with policing at both a national and a local level. Confidence in policing is currently measured through a single question included in the British Crime Survey. This question has been criticised as ambiguous, biased, and poorly constructed (Farrall 2008, slides 11 onwards; Feilzer, 2009, 209); additionally, as it has only been asked since 2008, no long term trend data is available.

Previous measures of public confidence have also been scrutinised and found wanting in terms of their validity and reliability (Ditton and Farrall, 2007, p. 225; Feilzer, 2009). Some argue that levels of confidence in the police express perceptions of the moral and social cohesion of society rather than reflections on the operational efficiency and effectiveness of the police (Girling et al., 2000; Jackson & Sunshine, 2007). Moreover, recently completed research which explored three facets of public confidence – objects of confidence (outcomes, actions and attributes of the criminal justice system); conditions of confidence (person characteristics, knowledge of the criminal justice system); and the impact of confidence on behaviour (willingness to engage) – confirmed a strong link between respondents' basic beliefs

about the nature and causes of criminality; trust in authority; and interpretation of available information, and levels of confidence (Turner et al, 2009). The research also questioned the assumed link between public confidence and public willingness to engage with the police (Turner et al, 2009). Thus, a key question about the relationship between operational policing and public perceptions of policing remains.

The concept of procedural justice is used mainly in the US literature on police legitimacy and has its basis in Weberian analysis of organisational power and legitimacy (Tyler, 1990; Sunshine & Tyler, 2003). Perceiving the police as a legitimate authority carries a moral obligation to obey their instructions (Tyler, 1990, 25). Where police activity is regarded as an abuse of power or illegitimate, compliance may wane and conflict ensue. In this context, procedural justice relates to front line policing based on impartiality and fairness (Henry, 2007, 20), returning discretion to front line coupled with comprehensive training and clear guidelines, and a clear focus on process. The effect of procedural justice on public evaluations of policing has been empirically tested in a number of English-speaking countries, in Australia (see Hinds & Murphy, 2007) and in North East England, providing 'first evidence of a connection between police fairness and public confidence in policing' (Jackson & Sunshine 2007, 229).

In principle, value based decision making could be a clear example of procedural justice, decisions made on the basis of clear procedures and based on organisational values thus encouraging consistency and fairness. However, there are a number of theoretical problems with the concept of VBDM. Organisational values are subject to change; and are often too vague to be useful guides for decision making. Frequent changes may mean that police staff are not fully aware of organisational values or regard them as too fluid to be meaningful. The link of decision making to organisational values also raises issues where police staff have a negative view of the organisation and might feel inclined to dismiss organisational values for that reason.

#### b. In practice

We set out to answer a number of research questions and we will discuss each of these in turn. How much VBDM as a decision making process had an impact on front line policing is difficult to assess. We had no access to data setting out how often police officers used VBDM. The evidence gathered through the interviews was mixed in this respect. Whilst most interviewees claimed to have used VBDM, some

indicated that it had not changed their way of policing whilst some felt it had made an impact. What became clear, however, was that the understanding of VBDM was vague and mainly outcome focussed; and that most police staff felt that VBDM was introduced to enable a better use of scarce policing resources. Staff were not convinced that NWP had signed up fully to the VBDM framework and the lack of a clear cultural change may be linked to the perception of a lack of consistent organisational support. There is little evidence that the implementation of VBDM has lead and will lead to front line policing which is more consistent and in line with organisational values.

Linked to the impact of VBDM on front line policing is how police officers perceive their work. In general, our interviewees welcomed the move away from a detection driven culture of policing. VBDM and restorative resolution in particular, was perceived as a positive development in that sense. However, as indicated above, some police staff felt that they had used their professional judgement to good effect in the past and did not regard VBDM as an enabling tool. Other felt that it allowed them to make decisions they would liked to have made in the past and felt that it had made their work more rewarding as it resulted in more appropriate outcomes.

As discussed in the methodology section the questions relating to public perception of VBDM and public confidence were more difficult to answer. We have explored these issues using a range of different data sources and will draw some tentative conclusions.

The lack of communication of VBDM to the public means that the concept is unlikely to have entered public consciousness and engaged with public views of policing. Figures 3 and 4 suggest that the fall in NWPs detection rate as a result of using VBDM has not had any discernible effect on public confidence levels, although there may be a delayed effect that could still hit confidence levels. However, given the research evidence reviewed above it is unlikely that the fall in detection rate will have a dramatic effect on levels of confidence. The link between changes to front line policing only affecting a small proportion of crimes and public confidence is a weak one and any impact will take some time to materialise in public confidence surveys.

However, more of an impact could be expected on victims of minor crime who will be subject to the new decision making process. Thus, user satisfaction surveys which cover a number of relevant question should be monitored in the future to assess

whether non-detection under VBDM has an effect on levels of satisfaction with services received, in particular, whether the rate of respondents indicating that 'nothing had been done' increases.

Overall, the process of implementing VBDM has been made more difficult due to the vague nature of the concept and the culture of the police organisation which is primarily outcome focussed. Policing has gone through a vast number of changes, nationally, as well as in individual police forces. Innovation and change fatigue is something that needs to be considered when promoting new ways of delivering policing.

#### 8. Summing up

The introduction of value based decision making in North Wales Police mirrored a wider national trend to move away from a detection driven target culture and to return a degree of discretion to front line policing. The rationale for this shift in emphasis was to ensure that the scarce resources of policing are used to their best effect. North Wales Police implemented value based decision making as a formal decision making process with the aim to ensure that discretion in front line policing was not completely unfettered but that there was discretion 'with rules'.

The introduction of value based decision making which allowed front line police officers to make decisions not to formally act upon offences 'detected' was seen to signify a culture change by senior North Wales Police management. While police staff generally welcomed an officially condoned return of discretion to the front line, their assessment of whether or not it constituted a culture change was mixed and generally more cautious. Some staff felt that they had always been able to use discretion and therefore considered the introduction of VBDM simply as confirmation as what they had been doing all along; other considered it to be a significant shift from the detection culture but one that they did not trust entirely. Police staff's understanding of VBDM was generally poor and some of this was due to the vague nature of the concept as well as the implementation process including the structure and content of the training sessions.

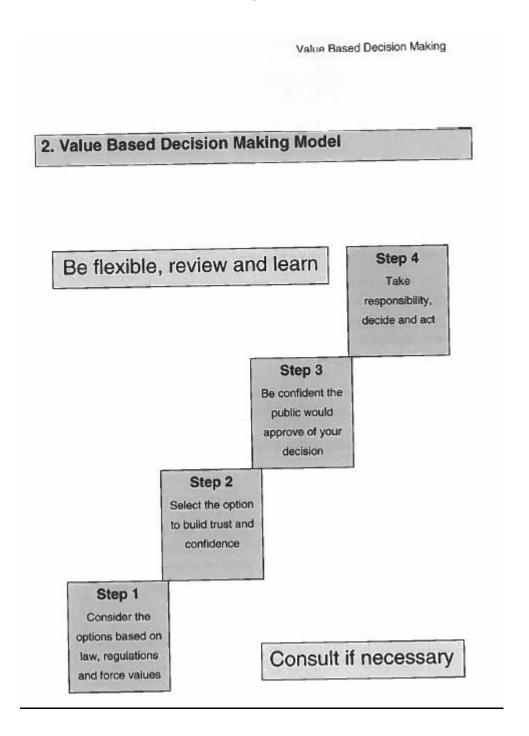
Assessing the impact of value based decision making on those subjected to policing, as victims, offenders, or the general public is difficult. North Wales Police has not advertised the use of VBDM widely as far as could be ascertained from our exploratory media analysis. Additionally, only few members of the public would be

exposed to VBDM in practice, mainly victims and offenders involved in minor crimes. As a result, it is unlikely that the effects of VBDM will be measurable in general public opinion surveys. However, it may be worthwhile monitoring user satisfaction surveys to assess whether non-detection under VBDM has an effect on levels of satisfaction with services received, in particular, whether the rate of respondents indicating that 'nothing had been done' increases.

The impact of the introduction of value based decision making is noticeable in a fall of the overall detection rate but its impact on police staff's assessment of their working practices was limited. A significant impact on public ratings of public confidence in North Wales Police is unlikely but there may be some measurable impact on user satisfaction. This is yet to be seen.

## Appendix A

Value based decision making model; extract from North Wales Police Proposal Paper "Value based decision making approaches in North Wales".



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