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THE POLICE OF ENGLAND

By PHILIP ALLEN*

The police service of England and Wales is not a national service, but is made up of a large number of self-contained, independent police forces. The central Government has only limited powers of control and supervision. The organization of the service remains in essentials what it was when it was created in the first half of the 19th century, before modern means of communication, which are available to the law-breakers as well as to the law-abiding, were considered. Leaving aside certain amalgamations of forces in the south of England which were made during World War II under emergency powers to facilitate cooperation with the Service authorities, there are at present 181 separate police forces in England and Wales — consisting of the Metropolitan police force; the City of London police force; 60 county police forces; and 119 city and borough police forces.

POLICE ACT OF 1946

This organization is to be somewhat modified on April 1, 1947 under the provisions of the Police Act, 1946, to which the Royal Assent was given on April 15, 1946. The Act provides that on April 1, 1947 all the non-county boroughs (with two exceptions), which at present have police forces of their own, are to have their forces merged into the county in which they are situated. There are some 309 non-county boroughs in England and Wales; 47 of them have police forces of their own, so that the effect of the Act will be to merge 45 of these forces. The two exceptions are Cambridge and Peterborough. They both have a greater population than that of the administrative counties in which they are situated and are accordingly treated for the purposes of the Act as though they were county boroughs.

The Act also provides machinery for comprehensive amalgamation schemes which may be submitted voluntarily between counties and county boroughs. They require the Home Secretary's approval before they can come into force, and the Act also authorizes the Home Secretary to make compulsory schemes. This power is subject to certain safeguards — for instance, a county or a county borough with a population of 100,000 or more, cannot be amalgamated against its will with a

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county or county borough with a larger population, and there is provision for local inquiry and for close Parliamentary scrutiny before any compulsory scheme can be made. The Act also makes some minor re-adjustments in the boundaries of the Metropolitan police district, which had remained unchanged since 1840, but it makes no radical alteration in the Metropolitan and City of London police forces.

The basic system, however, is left untouched by the Act. The English police service will continue to be made up of a large number of independent forces — ranging considerably in size (from nearly 20,000 men in the Metropolitan police force, which is much the largest individual force, down to 20 or so men in the smallest county forces). Each of these forces is self-contained; each (with the exception of the Metropolitan police force) has as its police authority a local committee; and each has its own chief officer of police — the Commissioner of Police of the Metropolis in the case of the Metropolitan police force, the Commissioner of Police for the City of London in the case of the City of London police force, and the Chief Constable in the case of all the other forces.

The Minister concerned with the police in England and Wales is the Home Secretary and his Department is the Home Office. (The Minister responsible for the Scottish police is the Secretary of State for Scotland. In essentials the position is the same for Scotland as for England and Wales except that there is no force in Scotland in a position similar to that of the Metropolitan police force.)

VARIETY OF FUNCTIONS

The Home Secretary has a very wide variety of functions, but the most important of them is the responsibility for maintaining order; for securing a reasonable degree of obedience to the laws of the community; and for creating a condition of affairs in which there will be the fullest liberty for the people to follow their lawful pursuits. His concern with the police arises from this wider responsibility, and from the functions concerned with the maintenance and administration of the police which have been specifically put on him by Act of Parliament.

The Home Secretary is himself the police authority for the Metropolitan police district. This was provided for in Sir Robert Peel's Metropolitan Police Act of 1829. When in after years police forces were set up in the counties and boroughs, the police authorities were all local committees, and the Metropolitan police force is unique in having a Minister as the police authority. The local authorities in London (as elsewhere) contribute approximately half the cost, but have no direct control over the force.

The Metropolitan police force (with some minor exceptions referred to below) has no responsibilities outside London. It is by far the largest individual force; but its headquarters at New Scotland Yard are the headquarters only of the Metropolitan police force, not of a national force or a national Criminal Investigation Department.

The Home Secretary, then, has a direct control of the largest force in Britain, comprising nearly one-third of the total police establishment of the country. As regards the police service as a whole his most important functions are the power of finance, the power of inspection and the power of regulation.

First, finance. The County and Borough Police Act of 1856 for the first time provided for the payment by the central government of part of the cost of the county and borough police — namely, a quarter of the cost of pay and clothing. In 1919 the grant from the Exchequer was increased to 50 per cent of all approved police expenditure and it has remained at this figure since. It is obvious that this financial aid to the various forces gives the Home Secretary a considerable influence over the service. The grant can be withheld in whole or in part from any individual force which in the opinion of the Home Secretary is inefficient. Relations between the Home Office and the police authorities are such that it is in fact rarely necessary to withhold the grant or even to threaten to withhold it; but all parties concerned are aware that the power exists. It is a power which can be used both as a check on extravagance and as a stimulus to wise spending. The Home Secretary is, of course, always answerable to Parliament for his actions in relation to the grant.

Secondly, there is the power of inspection. The County and Borough Police Act, 1856, authorized the appointment of three Inspectors of Constabulary; this limit of numbers was removed quite recently by the police (His Majesty's Inspectors of Constabulary) Act, 1945, and there are at present four Inspectors. It is their responsibility to inspect every force in Britain at least once a year (except the Metropolitan force, for which the Home Secretary is directly responsible) in order to see that they are efficient as regards discipline, administration and general operations. In practice their functions of advising Chief Constables and police authorities go far beyond the one annual inspection of each force and enable them to keep in close touch, on behalf of the Home Secretary, with all Britain's police forces. Formerly, the Inspector had to furnish a certificate of efficiency in respect of each force before the Exchequer grant was paid. That formality is no longer necessary, but the Home Secretary is to a large extent dependent on the advice of the Inspectors in deciding whether any particular force is being efficiently administered.

MAKING REGULATIONS

Thirdly, there is the power of making regulations — a power entrusted to the Home Secretary by the Police Act, 1919. These Regulations apply to all forces alike and prescribe the main conditions of service for all policemen and policewomen. Before Regulations are made they have to be laid in draft before the Police Council, a body on which all the elements in the police service are represented — the Home Office, police authorities, chief constables, superintendents and the Police Federation (representing inspectors, sergeants and constables). The Regulations provide the same scale of pay for constables and sergeants for all forces throughout Britain — Metropolitan, urban and rural; they provide for a common discipline code; they provide that no chief officer of Police can be appointed save with the consent of the Home Secretary; and they prescribe in some detail various other conditions of service which apply in exactly the same way to all forces in the country.

These three main powers of the Home Secretary are not the end of the story. For instance, the Metropolitan police force receives a special grant from the Exchequer, over and above the normal 50 per cent, for certain specialized functions of a national and Imperial character, which include the maintenance of a Criminal Records Office and a finger-prints collection and the issue of the Police Gazette which serve the needs of Britain as a whole. The Police Pensions Act, 1921 prescribes common pension conditions for the whole of the police service; and the Police (Appeals) Acts, 1927 and 1943, give a right of appeal to the Home Secretary to every member of the police service against severe punishments imposed by the disciplinary authority of his own force.

Certain services are organized on a regional basis — for example, the Forensic Science Laboratories. Exhibits requiring laboratory examination are not sufficiently numerous in any of the individual forces (except the Metropolitan police force) to justify the maintenance of a fully staffed and equipped laboratory for that particular force, and seven Forensic Science Laboratories, in various parts of Britain, serve the needs of the districts in which they are situated. Some of them specialize in certain subjects (*e.g.*, handwriting) on which they can be consulted by the other laboratories if the need should arise. These laboratories are maintained and equipped by the Home Office, which meets the expense in the first instance, but recovers 50 per cent of the cost from the local police authorities. Similar arrangements are made in respect of wireless; and also in respect of recruit training during the period of post-war reconstruction. Large numbers of recruits are joining the police service, and they all attend a three 'months' residential course

at one of 10 district training schools administered by the Home Office.

The Police Council, in addition to considering the draft of any Police Regulations, has the responsibility of advising the Home Secretary on any general matter affecting the police service as a whole, and is freely consulted by him. Machinery also exists for conferences of chief constables. Britain is divided for this purpose into eight districts, and the chief constables in each district meet at regular intervals to discuss matters of common interest. Each district nominates representatives to a Central Conference of Chief Constables, which meets at the Home Office from time to time. In addition, *ad hoc* committees are appointed to investigate particular problems, for instance, in 1938 a Committee on Detective Work and Procedure submitted a detailed report on the standardization of detective procedure throughout Britain. Another Committee which is now nearing the end of its work, has been considering the post-war reorganization of the police service.

The Police Federation, a representative machinery set up by the Police Act, 1919, looks after the interests of inspectors, sergeants and constables. The Home Office frequently issues circular letters to police authorities and chief officers of police on matters of general interest to the police service — for example, explaining the effect of new legislation — and these various formal contacts are supplemented by personal contacts between Home Office officials, chief officers of police, and members of police authorities and their clerks.

The English police system is not a particularly logical structure, but it works well, and has acquitted itself efficiently through World Wars I and II, and World War II in particular threw a great strain on the civilian population. The question has been how to adjust what is basically a local service, created when conditions were very different from what they are today, so as to make sure that the criminal does not benefit from the division of Britain into separate police areas and that the police service as a whole keeps abreast of technical developments and by coordination and cooperation secures operational efficiency. It should also be stated that the efficiency of the English police service depends at bottom on the maintenance of happy relations between police and public. Sixty thousand unarmed policemen have the responsibility of maintaining the King's Peace amongst 40 million citizens and they can only do this if they preserve the regard and esteem of the community, and remember that they are the servants, and not the masters, of the community and that they are citizens acting on behalf of their fellow citizens.