

Policing and Crime Bill

Police Ranks

Current rank structure

1. Presently, the police rank structure is set out in the Police Act 1996 (“the 1996 Act”), the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) and regulations made under the 1996 Act. The 1996 Act allows the Secretary of State to make regulations on the police rank structure, subject to their being prepared or approved by the College of Policing. However, various provisions in both Acts require those regulations to include a number of police ranks. The statutory ranks below the chief officer ranks in all forces in England and Wales are set out in sections 9H and 13 of the 1996 Act. They include:
 - Constable
 - Sergeant
 - Inspector
 - Chief inspector
 - Superintendent
 - Chief superintendent
2. Additionally, the 2011 Act requires every force to have at least one officer at each of the chief officer ranks. The chief officer ranks in all English and Welsh forces, other than the Metropolitan Police and City of London Police, are:
 - Assistant chief constable
 - Deputy chief constable
 - Chief constable
3. Chief officer ranks in the Metropolitan Police are:
 - Commander
 - Deputy assistant commissioner
 - Assistant commissioner
 - Deputy commissioner
 - Commissioner
4. Chief officer ranks in the City of London Police are:
 - Commander
 - Assistant commissioner
 - Commissioner
5. In these provisions the Home Secretary has very little flexibility in the rank structure that she or he may provide for in regulations and, accordingly, regulation 4 of the Police Regulations 2003 simply specifies those ranks already stipulated in primary legislation.

The Leadership Review

6. In an oral statement on 22 July 2014 (House of Commons, Official Report, columns 1265 to 1277), the then Home Secretary announced that she had asked the College of Policing to conduct a fundamental review of police leadership. The resulting review, published in June 2015, included a recommendation to review the rank and grading structures in policing, stating that “ranks and grades in policing may need to be reformed as we move towards policing based on greater levels of practitioner autonomy and expertise”.
7. The ranks review is being led by the National Police Chiefs’ Council (NPCC), reporting to the College of Policing-led Leadership Review Oversight Group and is expected to set out a new rank structure in July.
8. The College’s remit is to set standards for policing. It already has powers to recommend regulations in relation to appointment, probation and information held about police officers. The Government believes that it should be the responsibility of the College of Policing to determine the police rank structure, make sure that it has a solid evidence base and ensure that it is suitable for modern policing. This will enable the College to implement the recommendations from the NPCC’s review.

Solution

9. The Bill amends the 1996 Act to:
 - Enable the Home Secretary, where proposed or agreed by the College of Policing, to make regulations setting out the rank structure in England and Wales. The regulation-making power cannot be exercised so as to dispense with the rank of constable or chief constable (or Commissioner); and
 - Enable the Home Secretary, by regulations, to make consequential amendments to other enactments that refer to a specific rank, for example to replace references to any abolished ranks or to repeal or otherwise amend provisions of the 2011 Act mentioned above to remove references to abolished ranks or (where a rank continues) to make it discretionary as to whether to appoint one or more persons to that rank.

**Home Office
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