

# Have you got what it takes?

Providing a national policing response



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### Important facts

The Strategic Policing Requirement (SPR) was first issued in July 2012 to ensure that, when threats and harm to public safety assume national dimensions, the police can deliver an appropriate robust, national response.

The SPR articulates the Home Secretary's views of the national threats that the police must address and the policing capabilities required to counter those threats. It advises what, in strategic terms, the police need to achieve, but not how they should achieve it.

In consideration of the change in the policing landscape, the changing nature of crime since 2012 and, in consultation with PCCs, chief officers and wider policing partners, the SPR was refreshed in March 2015. The national threats are terrorism, organised crime, cyber, public disorder, civil emergencies and child sexual abuse. These cross-boundary threats require a collaborative national response.

PCCs must have regard to the SPR when setting the strategic direction and objectives of the force through their local Police and Crime Plan. Chief Constables must have regard to the SPR and the Police and Crime Plan when carrying out their duties, and are held to account by the PCC.

### Background

The Police Reform and Social Responsibility Act (PRSR Act) 2011 introduced a requirement for the Home Secretary to publish a strategic policing requirement which sets out her view, as Home Secretary, of the national threats that the police must deal with and the appropriate national policing abilities needed to deal with those threats. The original document was issued in July 2012 and refreshed in March 2015. The SPR focuses on those areas where there is a need to make sure that sufficient skills and resources are in place to respond to serious and cross-boundary criminal activity and to support the work of national agencies such as the National Crime Agency (NCA).

#### How are PCCs held to account for 'having regard to' the strategic policing requirement?

"Have regard to" is a strong and appropriate duty. It places a significant emphasis on the PCC and chief constable to comply with the SPR unless there is a particular reason why they should not (and in which case they might be expected to explain why they chose not to do so). The same form of words is used in respect of codes and guidance issued in a host of areas as well as policing, including local government, housing, education, child welfare and health.

The public holds the PCC to account. HMIC inspect all forces and ensure they are meeting their obligations under the SPR. Police and crime panels will scrutinise the decisions taken by PCCs, including making reports and recommendations about their police and crime plan.

If a PCC does not carry out their duty to 'have regard to' the SPR in preparing their plan, this may have the effect that the police force fails to perform its national responsibilities to a satisfactory level. In those circumstances, the Home Secretary can tell the PCC to take action.

#### References to the strategic policing requirement in the Police Reform and Social Responsibility (PRSR) Act 2011

The Home Secretary's duty to issue a strategic policing requirement is set out in section 37A of the Police Act 1996, as substituted by section 77 of the Police Reform and Social Responsibility Act. Section 37A also says that a chief constable must, in carrying out the functions of chief constable, have regard to the strategic policing requirement.

The following sections of the PRSR Act 2011 are also relevant.

- **Section 1 (8)(b) A PCC must make the chief constable accountable for having regard to the strategic policing requirement.**

- **Section 3 (8)(b) The Mayor's Office for Policing and Crime must hold the commissioner to account for the same.**
- **Section 5(5) PCCs will have to have regard to the SPR when setting out their police and crime plans.**
- **Section 6(5) The Mayor's Office for Policing and Crime will have to have regard to the SPR when setting out their police and crime plans.**
- **Section 94 amends section 96A of the Police Act 1996 to say that the Home Secretary may enter into an agreement or issue a direction in terms of the force's national or international functions to any PCC.**

### **What is the role of the PCC in putting the strategic policing requirement into practice?**

The Home Secretary has issued the SPR after taking advice from both PCCs and chief officers as well as from wider policing partners. Chief constables will be under a strong duty to keep to the SPR unless there is a particular reason why they should not (and in which case they might be expected to have to explain why they chose to do so). PCCs will have to take account of the SPR when setting their local crime and policing plans, and they will have to hold chief constables to account for keeping to the SPR when carrying out their functions.

