

Submission to the Commission on Justice in Wales

by the Police & Crime Commissioner for South Wales

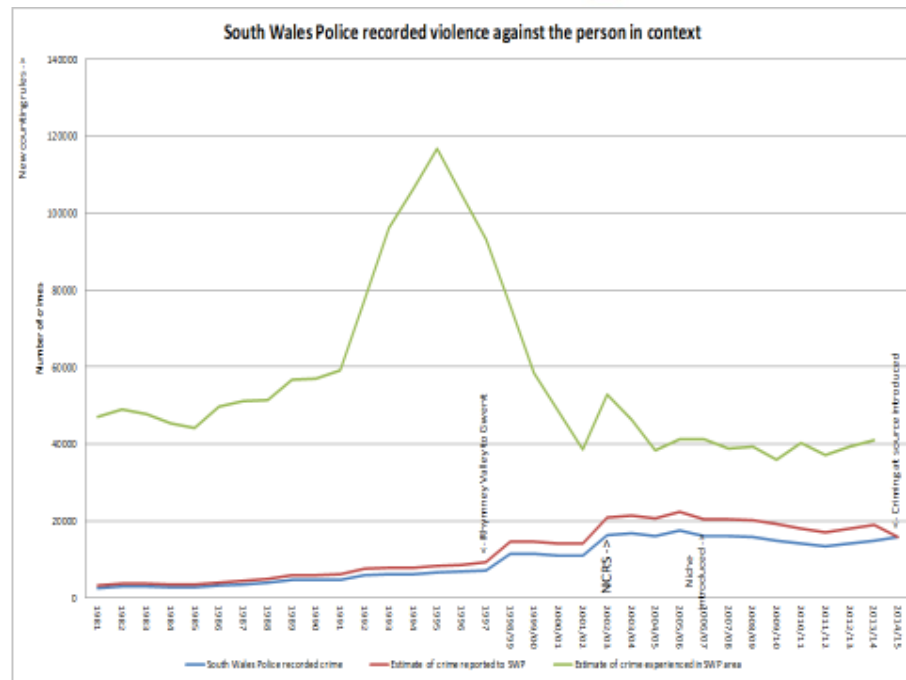
Dear Lord Thomas,

1. I am very pleased indeed to respond to the “Call for Evidence” issued by your Commission because this is a unique opportunity to set Policing and Justice in the full context of Public Services in Wales. Devolved and non-devolved services depend on each other and I find it important to stress at every opportunity that “Everything is connected to everything else” as we strive to combat silo thinking and practice in public services.
2. I hope I have correctly interpreted the way that your Commission has scoped its work, deciding first to ask “**What would an efficient and effective Criminal Justice System for Wales look like?**” and to set aside questions of devolution of Policing and/or the Criminal Justice System until that question has been answered.
3. I warmly applaud that approach, since even the excellent Silk Commission became bogged down in governmental and organisational issues by seeking to answer “yes” or “no” to whether Policing should be devolved. If that question is asked in isolation, the answer must surely be “it depends” and the test of any scheme of devolution must surely be whether it delivers the best outcomes for the people of Wales.
4. The two strands of political thinking - in relation to Devolution and in relation to Criminal Justice - have been to golden threads throughout my career. As a young journalist and then through the Labour Party, I campaigned for devolution in the 1960s and 1970s. Shortly after leaving journalism for Youth and Community work I became a magistrate in 1972 and served as Chair of the then Juvenile Bench in Cardiff until disqualified by my election to Parliament in 1987 and transferred to the Supplemental List. From 1973 to 1989 I was a City Councillor in Cardiff, with roles in finance, planning and economic development. At the same time I worked with young offenders and young unemployed people, experience which convinced me that most young offenders do not need to offend provided the right intervention happens at an early enough stage.
5. After being elected to Parliament in 1987, I served as a Shadow Minister for Welsh Affairs while taking the opportunity to be involved in every piece of criminal justice legislation that came before us. In 1992 I became Tony Blair’s deputy when he became Shadow Home Secretary and continued in the same role with Jack Straw.
6. In 1997 I was appointed as Deputy Home Secretary with legislative responsibilities that included gun control and what became the Crime and Disorder Act of 1998. After subsequent periods as Secretary of State for Wales, First Minister (First

Secretary) on the establishment of the National Assembly for Wales, Minister of State for Rural Affairs and Minister of State for Industry and the Regions, I took the opportunity after leaving Ministerial Office to serve on the Justice Select Committee, the Welsh Affairs Committee and the Home Affairs Committee until resigning from Parliament to contest the first Police and Crime Commissioner election in 2012. My comments as Police and Crime Commissioner for South Wales – a “Corporation Sole” as defined by the Police Reform Act 2011 - therefore also draw on experience as a practitioner and a legislator over several decades.

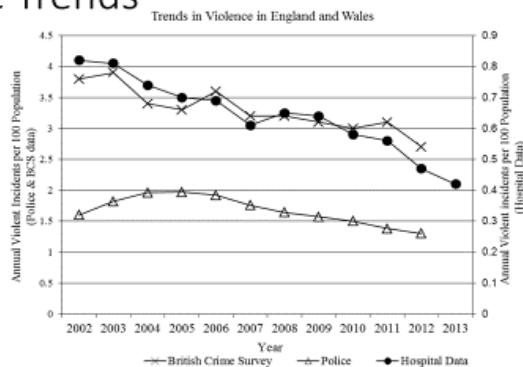
7. **It is my view that if the Commission sets out clear principles and best organisational arrangements for delivering Justice in Wales, that will pose many challenges to the existing arrangements at the local, regional and all-Wales level but it will also challenge the existing order of Criminal Justice and Policing in England and Wales, and the way in which Welsh Government and bodies that already form part of the devolution settlement for Wales do their business. I believe that the benefits of joining up everything within Wales would then become obvious and the answer to “the Devolution Question” would become simple.**
8. Many aspects of the evidence that I wish to put forward for consideration by the Commission already demonstrate the potential for a joined up approach within Wales. Because devolution is about applying the “Principle of Subsidiarity” rather than about nationalism or separation, and because Wales has a “long, porous border” our systems need to be well-connected and joined up within England and Wales, within the UK and - I believe - in Europe and the wider world.
9. Early and detailed reports from the Welsh Affairs Select Committee of the House of Commons demonstrated the realism with which we should deal with cross-border issues as well as the benefits of consistently joining up arrangements within Wales. The fact of our geography and interdependency across the border have not changed but as we approach the 20th anniversary of Devolution to Wales the value of a coherent and joined up approach within Wales becomes ever clearer.
10. Non-devolved agencies, or rather those who work in them in Wales, have already recognised that they work in a devolved environment, and their response to that environment - particularly although not exclusively in respect of Policing - has demonstrated the strength and efficiency of joint working within Wales. In some cases that has been recognised by the parent department in Whitehall while in some cases the approach of Central Government has created rubbing points for those who have to make the system work. Both the positives and the negatives have been demonstrated in the field of Youth Justice over the last 20 years, for example.
11. Whereas the Call for Evidence refers specifically to aspects of the Criminal Justice System, I note that the title is the “Commission on Justice in Wales” and not the “Commission on Criminal Justice in Wales. That is of great importance since - as I have already argued - “Everything is connected to everything else” and criminal justice cannot be delivered successfully without social justice.
12. As mentioned earlier, when I worked with young offenders as a Youth Worker I also Chaired the Juvenile Bench (as it then was). From both those experiences I

- concluded that most of the young offenders who came before the court or with whom I worked **did not need to be offenders**.
13. Their offending behaviour - which often accelerated during the months of waiting to come to court - could have been prevented or rendered insignificant if the right thing have been done at the right time by agencies or professionals or family members. That experiential conclusion was reinforced by being a part of the groundbreaking project on “Working Together for Children and their Families” led by the late Barbara Kahan on behalf of the DHSS and the Welsh Office, which reported in 1976.
 14. Between 1992 and 1997, as Shadow Minister for Criminal Justice and Policing, I spent time with local politicians and community groups on high crime estates up and down England and Wales. Please bear in mind that crime levels were extremely high in that period with young people aged between 14 and 18 being the most prolific offenders. The frustration of local people was therefore understandable, but it was striking that a pattern emerged in terms of their responses.
 15. The first half an hour of a meeting with local residents would be dominated by complaints about youth offending and demand that “something must be done” with a call for severe punishment dominating the discussion. However someone would then say “..... and there’s nothing for young people to do around here” and the **same people** that had argued for a Draconian approach would bemoan the lack of jobs and opportunities for young people. What was striking was that the same people could hold in their minds the idea of Draconian action to stop crime **and** real hunger for better alternatives to be offered to young people for whom crime appeared the only option.
 16. It convinced me that if people could hold two apparently contradictory ideas at the same time, public policies somehow needed to cope with both in a joined up way and for me this was the important insight that came to be described as the Third Way. On many aspects of public policy, two separate and conflicting approaches are often debated exhaustively in separate rooms whereas the protagonists could achieve more by engaging with each other constructively in the same room.
 17. It is important to stress that all too often statistical shifts are overlooked as the inevitable result of simply comparing one year with the last. In the 1990s, police officers would complain of being “run ragged” by the extent of demand, with car crime and burglary amongst the highest figures of recorded crime. However the historic graph which compares recorded crime with the experience of the public - as shown by the British Crime Survey (now the Crime Survey of England and Wales since Scotland chose a different approach) demonstrates that the public experience was massively greater than the recorded crime figures would suggest. One of the big successes of recent years is not just the reduction of those volume crime figures but the greater convergence between public experience and what is reported to police.



18. To my mind we can only understand the relationship between policy and impact if the figures are examined clinically over time, and examine from different perspectives. It is significant that the public experience of violence is reflected better in A&E admission figures than in recorded crime figures, as has been demonstrated by the work of Prof Jonathan Shepherd in Cardiff over several decades.

Violence Trends



19. Then as now, the Peer Group has an importance that we ignore at our peril - currently seen through the franchise model of "County Lines" - and can either work for the good or, if corrupted, can draw young people into the superficial attraction of drugs and exploitation as an alternative to what seems a barren future bereft of opportunity. The model may look different in 2018, but there are consistent



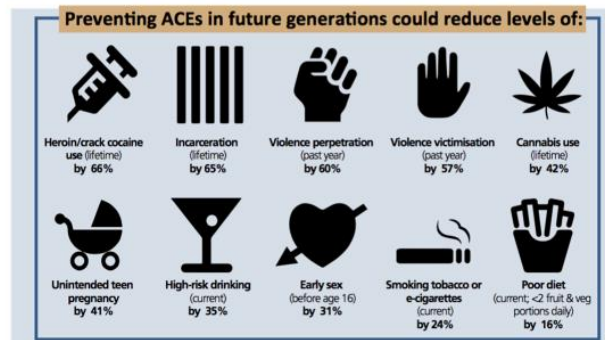
elements to the way in which people become offenders at a young age and then find it difficult if not impossible to escape.

20. Those and many other experiences (as well as statistical evidence) were what led us as an Opposition team in Parliament to seek to end the polarisation between two political messages - one of ever harsher punishment and another of simply tackling the causes. That approach led to the design of the Crime and Disorder Act 1998 and was summarised in the express determination to be “Tough on Crime and Tough on the Causes of Crime”. I stress that it wasn’t a slogan but a simple summary of a major shift in policy and so the 1998 Act introduced Youth Offending Teams, the Youth Justice Board and Community Safety Partnerships.
21. In parallel there was the recognition of the consequences of “Social Exclusion” with a specific and powerful unit established in 10 Downing Street, Ministers and Civil Servants working together on an integrated agenda, and with the attempt to design joined-up policies that would tackle more than one aspect of criminality and disengagement among young people. There were significant efforts to undertake “Early Intervention” and to make connections between education and early years, including healthy eating and activity in the community and with parents.
22. I don’t want to suggest that there was some sort of “Golden Era” but it is significant that many Chief Police Officers over the past 20 years have pointed to the 1998 Act as the best and most practical piece of legislation of their career. It remains on the Statute Book and is particularly relevant to our situation in Wales because of its resonance with ground-breaking legislation like the Well Being of Future Generations (Wales) Act and the evidence provided by Public Health Wales about the impact of Adverse Childhood Experiences (ACEs).
23. There are three reasons why the Youth Offending Service and its interventions are a big success story -
 - At the heart of it was the principle of treating the offender as an individual, with the Youth Offending Team composed of professionals from Education, Youth Work, Social Work, Police, Probation and Health rather than assuming that the individual offender could make sense of the help offered by six or more separate agencies and their respective professionals.
 - The second principle was that of acting quickly. The “Pledge Card Promise” was to halve the time it took to get young offenders before the court, and that was delivered within five years - but by then it was clear that even a shorter period of waiting was too long. Nowadays we don’t wait for the court to be ready but intervene at once after the offence. At the time, frankly, we expected reoffending to come down over two or three years as a result of speedier interventions and then to level off, but 20 years later the number of first-time offenders who reoffend is still reducing year after year through the work of the Youth Offending Teams across Wales.
 - The third principle was that of providing an evidence-based approach to understanding “what works”, so the Youth Justice Board (YJB) - established by, but independent of, Government - provided the backup of professionalism,

evidence and statistical analysis to support local delivery. Sadly it has been swallowed up within the Ministry of Justice and has lost a lot of the independence and professionalism which gave it its reputation. Efforts are currently underway to protect YJB Cymru - a particular success story - from the Whitehall machine. It is a particularly strong example of what can happen when a joined up approach is taken in a devolved environment as a result of devolved and non-devolved agencies working together but it also shows how our work in Wales can be vulnerable to the whim of Ministers or Officials in Whitehall whose answers - as well as their view of the problems - may be applicable to some regions of England but not to our devolved environment.

24. The point of outlining this example is to illustrate an opportunity which exists in Wales to go further and faster in building on past success.
25. Three years ago Public Health Wales published an enormously significant report on the impact of Adverse Childhood Experiences in Wales. It came out shortly after we had concluded an agreement between South Wales Police (signed by myself as Commissioner and by the then Chief Constable, Peter Vaughan QPM) and Public Health Wales to work together to the public benefit.
26. **The report underlined something that anyone working with young people had known for many years - that bad experiences early in life will have consequences later and throughout adulthood - but what was different was the compelling quantification of that impact.**
27. It showed in compelling and graphic detail the impact of four or more Adverse Childhood Experiences (ACEs) on the likelihood of poor health outcomes and poor social and relationship outcomes combined with higher likelihood of engaging with drugs, violence (both as a victim and as a perpetrator), alcohol and offending culminating in imprisonment.
28. The report captured the imagination of Welsh Government Ministers and of Policing. And it gave clarity and quantification to something I have argued for many years, namely the need for a Public Health approach to Crime and Disorder.
29. The graphic that follows is one I return to time and time again because it is so compelling – and should be a driving influence in understanding across every aspect of public life and public service.

What if we prevented ACEs?





30. I suggest that the Commission should consider in detail the published work by Public Health Wales but also look in detail at the work emerging from our partnership to turn the insights into action.
31. Frankly, the difficulty with compelling research is always the challenge of turning an understanding of what is wrong into practical and effective steps to prevent harm. In the case of our partnership between South Wales Police and Public Health Wales, it led to police resources being obtained from the Police Innovation Fund to trial an ACE-informed policing approach, working with partners, in the Maesteg area of Bridgend County. The outcomes are more relevant to policing as well as to our partners than we ever dared to hope
32. That approach - and the evidence of its effectiveness which I commend to the Commission - has had immediate effect. Following the principle that if something works it should not be left to fester in a pilot project but applied on an industrial scale, the four Police and Crime Commissioners and the four Chief Constables have now obtained a grant of almost £7 million to apply lessons from Maesteg right across the four Police Areas of Wales. At the same time, the partnership with Public Health Wales has been extended from South Wales to all four Police Forces in Wales, and now also includes other Criminal Justice Bodies.
33. In order to provide joined up oversight of this programme across Wales, it has been agreed for that oversight to be provided by the all Wales Criminal Justice Board, which includes the representatives of all the relevant non-devolved bodies working in Wales and an interface with Welsh Government at senior official level. Recognising the extent of local partnership working, the Welsh Local Government Association has been co-opted onto the Board in addition to Public Health Wales.
34. The Board has always hoped for engagement from the Judiciary, but that has not materialised. The reason that this is important is not because of a wish to influence the independence of the judiciary - though that seems to be the reason for this gap – but because it seems odd for the significant change in which offending is being tackled in Wales to take place without judicial engagement. There is growing international interest in this work which crosses the boundary of non-devolved and devolved responsibilities in the interests of effectiveness.
35. The approach taken in Wales on ACEs holds great promise for the future if it can be applied and developed consistently - something that can be aspired to given the size and population of Wales but which would be difficult to do across the much larger and disparate regions of England. Given the positive and quantifiable benefits that are starting to emerge at such an early stage, when we are only in the foothills of this powerful joined up approach, the benefits of operating at local regional and national level within Wales are becoming obvious.
36. Complementary to this approach are two seminal pieces of Welsh legislation namely the Well Being of Future Generations (Wales) Act and the Social Care and Well Being Act, which clearly demonstrate what can be achieved using the legislative capacity that now exists in Wales.



37. The Future Generations Act required the establishment of Public Services Boards (PSBs) to serve each part of Wales. Most are based on a single local authority area although it seems likely that combined PSBs (like the one established in Cwm Taf as a result of cooperation between RCT and Merthyr councils) will become more common in future.
38. This has been complemented by the wish to “refresh” Community Safety in Wales as set out initially by Cabinet Secretary Carl Sargeant AM and given clear direction in a Statement in December by Cabinet Secretary Alun Davies AM. In general there is agreement that refreshed Community Safety Partnerships or Boards should report into the relevant PSB.
39. Recognising that Policing is not devolved, Welsh Government provided for each Commissioner and each Chief Constable to be a “statutory invitee” to each of the PSBs in their Police Area - and that opportunity has been seized vigorously by Commissioners and Chief Constables. Bodies like the National Probation Service have are also playing a significant role. The point is that effectiveness at the local level requires joint working by devolved and non-devolved bodies and the Welsh legislation has created the context within which that can happen.
40. The Police ACEs work referred to above does not take place in isolation, and Welsh Government has responded to the Public Health Wales evidence by establishing an ACEs Support Hub. The two programmes are working well together – for example Chief Constable Matt Jukes chairs the Advisory Board for the ACEs Hub while I attend the strategic meetings of Cymru Well Wales, which was established by Public Health Wales to provide a wide-ranging forum on cross-agency issues of relevance to health, local government and others.
41. Another example of joint working is the way in which the former Drug intervention Programme has been developed in South Wales. It is jointly funded by the Police and Crime Commissioner and the National Probation Service and when time came for it to be recommissioned the specification was widened - along with some additional funding from Policing - to expand the work from just drugs to substance misuse including alcohol, thus both being more realistic and also fitting better with Welsh Government policies.
42. At the same time the service, now known as Dyfodol (Future) was expanded from providing a service in Police Custody Suites and to the clients of the Probation Service to also serving clients of the Community Rehabilitation Company and the Prisons in South Wales, thus providing an end-to-end service without the constant need for fresh referral, and creating consistent data across the piece. Other innovations include training staff to look out for and report signs of abuse and exploitation and training designed to save lives of users.
43. This is another example of an approach where the objectives of non-devolved and devolved bodies can be complementary but where there is still potential for greater joining up of services and further improvement in outcomes.
44. At this point I want to argue that the excellent examples of joint working referred to above are not a departure from the principles of Policing and Criminal Justice, but a



logical development based on well-established principles applied coherently within the Welsh context. First, the essential purpose of Policing.....

45. Policing certainly demonstrates the validity of the belief that “Everything is Connected to Everything Else”. When I took part in work on drugs policy as a member of the Home Affairs Select Committee, it became obvious that the impact of international developments in drug trafficking is felt on housing estates and in both urban and rural communities in Wales as it is across England. The concept of mutual aid is well developed in England and Wales - but stretches to Northern Ireland and Scotland and indeed into Europe and other parts of the world.
46. I saw the importance and impact of our Police Officers in Sarajevo and across Bosnia in 1998 as political leaders struggled to establish “democratic policing” in the wake of conflict and “ethnic cleansing”. Taking evidence on the Riots in England in 2011 again reinforced the importance of community cohesion and how close to the surface the dangers of conflict can be.
47. In the modern interconnected world of the Internet there is a temptation to generalise about localities and borders having become meaningless but they are not. The neighbourhood is as relevant as it ever was, but we simply have to recognise that the neighbourhood exists in a connected world. That is challenging to policing because a local offender – for example in cases of child abuse with an online dimension - may have ramifications that extend across Europe or world-wide. This makes the likelihood of “Brexit” a significant problem and while policing professionals rightly consider it a political decision with whose fall-out they will have to cope, it would be unwise to ignore the practical impact if we lose the use of the European Arrest Warrant in particular.
48. For the past eight years Europol has been led by a Briton and the influence of British Policing has been significant for several decades. To express a personal view, I have always regarded the European Union as more about peace and co-operation than about trade, which makes it disappointing that the Law and Order aspects have received comparatively little attention.
49. The reality for Wales is that our country is big enough to work on both the local and the international aspects of keeping people safe, and whatever the outcome of Brexit the need to do so will only grow.
50. It becomes ever more important to recognise those things that are local – including aspects of bullying, for example, because the use of social media may lead to the bullying behaviour following a child into their home - and to support and retain Neighbourhood Policing as being essential both to local communities and to the interconnected challenges that face Policing.
51. Police Officers working in counterterrorism and organised crime are quick to point to the extent they depend on local policing and community connections - the work of PCSOs as well as local police officers – and the support of Welsh Government has been significant in enabling Policing in Wales to retain the local connections more than is generally the case in England.



52. There are two key principles that were set out, with others, by Sir Robert Peel when he established the first police service in London :
- He said that the first responsibility of the police is to prevent crime (success in policing is demonstrated by the absence of crime not by the presence of activity - although members of the public might well be forgiven for feeling that this is not the principal demonstrated by plays and films about policing and crime). Policing will always have to deal with the nasty things that happen from murder to organised crime and exploitation of people, but the extent to which we take a Public Health approach to crime will be reflected in reduced harm and an ability to focus on those crimes that are not preventable.
 - He said that “the Police are the Public and the Public are the Police” which emphasises the importance of the police being drawn from and reflecting the communities they serve and their priorities. That is reflected in the aspiration of South Wales Police to “be the best at understanding our communities” - not as an optional extra but as a core part of the difficult and challenging role of the police.
53. My point here is that there is no perfect location for policing responsibilities. When we meet on an All Wales basis we frequently focus on those things that we can do better through collaboration, but that then leads to application of principles back at the Force and Local level, with our partners.
54. It is important to recognise that a massive proportion of the demand on policing has little to do with crime. Well over 80% of calls to the police are not about crime but a variety of issues including vulnerability and the work of other services. In particular, officers frequently respond to questions about the problems they face each day by highlighting the impact of mental health issues in particular as being at the top of the list of their daily challenges.
55. If problems are approached in silos they frequently result in inefficiency for all those involved. When there are problems in providing an ambulance when it is needed, that is problematic for the police who were looking after vulnerable person. And yet that “adverse incident” for policing may not be an “adverse incident” for the NHS - for example if a vulnerable individual is not facing an emergency and a call comes from someone suffering a heart attack or a stroke, the decision may be quite clear-cut as to where the priority lies.
56. It is often difficult to prove the benefits of prevention, but two examples may help to make the point.
- One of my team identified the large amount of time occupied looking after a vulnerable person in the night-time economy in Swansea during the busiest nights. It meant that police officers were not able to be on the street keeping the peace while waiting, sometimes hours, for an ambulance to arrive. Rather than continuing the arguments between services, the HelpPoint was developed in the car park close to Wind Street. Student volunteers provide assistance by taking a wheelchair to pick up a vulnerable person and bringing them back to



the HelpPoint where a St John's team provide expert help. In a 12 month period the HelpPoint prevented the need for 1,300 ambulance journeys, 1,100 admissions to Accident & Emergency, and on 1,300 occasions police officers were able to return to the street to keep the peace. Now funded three ways by ABMU, the Welsh Ambulance Service Trust and South Wales Police, the financial benefit to policing is of the order of £60,000 a year and to the health service of over £600,000 a year, while it supports the aspirations of Swansea Council to make the night-time economy safe. There is a long-running Alcohol Treatment Centre in Cardiff but I use the Swansea example because it is more recent and therefore clearer in terms of the quantified benefits.

- Developing the campaign to make people safe has included the much-praised "Drink Less, Enjoy More" campaign, extensive work with the students unions across the five Universities of South Wales, and a successful campaign to publicise the dangers (and illegality) of giving a drink to a person who is already drunk. Training door staff to recognise vulnerability is another development whose impact is difficult to quantify, but after the first training session the then violence lead in my team shown me an email from the inspector who had been on duty the previous night for the first time following the training. Two door staff had recognised the vulnerability of a young woman who was clearly intoxicated and was being led by an older man in the general direction of a dark alley. They called to the student volunteers who engaged the couple in conversation while the door staff called the police. The Judge in giving a sentence of imprisonment praise the actions of those involved which are prevented something much worse happening. Had the offence not being prevented, it would have involved time and cost for the NHS, for policing and for other services - as well as the traumatic impact on the victim.
57. My point here is to stress the importance of policing taking place in the context of partnership working which will continue to depend on the speed and quality of response of operational police officers and will frequently go on to require work by the Crown Prosecution Service and the Courts.
58. But unless we develop systems which fully comprehend the nature of crime and vulnerability, and which enable all organisations to operate in an environment of mutual support, then Policing and the Courts and our Prisons and Offender Management Services will all be prevented by excessive pressures from successful interventions - what in the South Wales Police and Crime Plan we referred to as "Prompt, Positive Action".
59. I want to refer to two other initiatives which cannot succeed in isolation but which illustrate the benefits of a holistic approach to tackling harm.
- The first is the 18 to 25 project which I introduced across South Wales. With some authority I can state that the upper age limit of 18 for the Youth Offending Teams was not based on innate principles, but on the fact that in the 1990s the 14 to 18 age group was the age group of most prolific offending. As a result of the work described earlier that is no longer the case. My wish, on



taking office as Police & Crime Commissioner, was for is to apply similar principles that had worked with young offenders to the older age group, designed as appropriate to a slightly older age group. Indeed it is a matter of debate as to whether the age group should be 18 to 25 or 18 to 21 or whether there should be no upper age limit, but the choice reflects the current age profile of offending. I submit in evidence the qualitative report written by the former Children's Commissioner for Wales, Keith Towler, which showed the impact of this fresh approach to interventions. The first-time offender over 18 is required to return to the police station - therefore to a formal setting - to be interviewed by air someone with a youth work or caring background, and Keith's report demonstrates a flood of detailed personal concerns going well beyond the details of the actual offence, with some being referred for courses for instance on anger management or violence reduction. The Clerk to the Magistrates told me that he could see the impact of the scheme since it was saving him one court a week in Cardiff alone. I suggested - perhaps with tongue in cheek - that he might let me have the money saved from that court and we would save him a second court a week in the following year. The point is that the cost of the work comes from policing funds – with the strong support of the Chief Constable - but any benefits are felt elsewhere and there is a penalty for policing in the money spent on these interventions means still further erosion of the money available to employ police officers and staff. A reading of the report will demonstrate that the intervention comes at a point when - as with the work of the Youth Offending Service - an intervention now can prevent the development of an opera trajectory of offending but can also head off a variety of other bad outcomes relating perhaps to employment, housing, mental health, substance misuse, alcohol relationships and the first stages of the next generation of ACEs.

- The second is the development of the “Women’s Pathfinder” - a partnership involving Probation, Policing, Welsh Government, Voluntary Organisations and other partners in intervening quickly when a woman starts to offend. Again this started with a pilot in Cardiff, was expanded to four other locations, one in each police force, using funds from the Police Innovation Fund, and is now being expended across Wales through investment by Policing, Probation and Welsh Government.

60. In both cases, referrals were examined as part of the scrutiny of selected cases by the Out of Court Disposal Panel which I established to provide challenge in respect of cases that do not come to court. It includes the Deputy Chair of each of the Benches of Magistrates across South Wales along with the Crown Prosecution Service, Victim Support, the Voluntary Sector and Policing. Initially there were cases that led both magistrate and the CPS to probe the details, but confidence has grown particularly because we all know that for low-level offences a conditional discharge or a fine are options that will not change the conditions within which the offence took place and therefore will do nothing to make it less likely that there will be further offences.



Care is taken to test the boundaries of decision-making but in general the simple messages that an offence should be taken as an opportunity for change before charge. Based on the evidence to hand, I am increasingly led to believe that we will need approaches in future which provide challenge and intervention at the same time as bringing the offender to court if we are not to increase the likelihood of further offences which are likely to become increasingly serious.

61. At this stage want to say little more about the importance of taking a Public Health approach, and the criminal justice principles that should underpin that approach. At the time of the Silk Commission, I argued that if you develop partnership working between Policing, Criminal Justice and devolved partners at a local level and at the Wales level the answer to whether they should be devolved becomes a no-brainer. More recently Policing in Wales has taken a similar view to your commission, in effect saying “what would it look like to have an efficient and effective Criminal Justice System for Wales” and to put on one side the question of devolution for later consideration. Instead we have recognised that we operate in a devolved environment and seen that as a strength rather than a weakness. As a result we have been able to improve the work we do at local and at a Wales level, for example through the local Criminal Justice Boards each of which is chaired by the relevant Police and Crime Commissioner, and each of which reports in to the All Wales Criminal Justice Board which provides an increasingly useful interface between policing, the other criminal justice bodies that operate in Wales and Welsh Government.
62. We have responded to the initiative, set in train by Carl Sargeant AM as the then Cabinet Secretary and developed by his successor Alun Davies AM, to refresh Community Safety in Wales. We have reached agreement for Policing in Wales and the WLGA with Welsh Government to jointly fund a coordinating post to promote the refresh of local Community Safety. So an examination of what is happening in practice surely points to a trajectory of development that should make the devolution of both criminal justice and policing a natural development rather than an issue for debate.
63. **So should Policing be devolved?** The suggestion that policing should be devolved to Wales hardly raised a ripple of interest on the streets of South Wales. Nor has it aroused passionate opposition within the police service. And I believe that is because almost everything that is relevant to the work of the police has been devolved already. While political power over the criminal justice system, including policing, still sits in Whitehall the fact is that decision-making about most police activity has now been devolved. Whitehall has handed over policy leadership to Police and Crime Commissioners and the four Welsh Commissioners, despite their political range (from 2012 to 2016 two Independents, one Conservative, one Labour and Co-operative – then since 2016 two Labour & Co-operative and two Plaid Cymru) have worked together on Wales-wide issues, with an increasingly strong partnership between Commissioners and Chief Constables and with some excellent and increasingly fruitful meetings with Welsh Government. As long ago as 2013 I



suggested that common sense, pragmatism and a sense of common purpose had already started to bring about de facto devolution and it would only be a question of when the machinery of government would catch up.

64. In 2016 the four Commissioners agreed a joint statement favouring the devolution of policing and it was communicated to the First Minister in August 2016. Chief Constables rightly took the view that whether or not the legislative and departmental responsibility for policing should be devolved was a political matter on which they should not comment. But all eight of us were agreed that there would be significant challenges should that political decision be taken and that significant work was necessary to prepare for the eventuality that it might happen at some point. This views of Chief Constables were sought before the four Commissioners agreed this statement which is attached as an annex to this submission.
65. In arguing for a Public Health Approach to Policing, I suggest that the biggest of all questions was addressed in the major landmark report on “Justice Reinvestment” by the Justice Select Committee of the House of Commons, of which I was one of the authors. The first strategic question for that Inquiry was whether - if you had the choice - you would continue to pour all the money and resources that go into the criminal justice system into the same things. The unanimous answer from this cross-party committee was “No!”
66. The second question was to ask what makes a difference to levels of crime and again, after intensive work examining our own systems and looking at other countries, particularly in the USA, the answer was clear. The criminal justice system, including the courts and the police, has comparatively little impact on crime levels. What matters is a whole range of other factors and public services, including education, training, jobs, how we deal with mental health, alcohol, drugs, housing, nurturing healthy communities and many other social factors. So if the police are to be effective they have to work collaboratively with organisations which tackle each of those economic and societal issues.
67. It’s not an entirely new approach, Indeed that is why the 1998 Crime and Disorder Act ushered in the Youth Offending Teams and the Crime and Disorder Reduction Partnerships - renamed “Community Safety Partnerships” in Wales - which have quietly and effectively beavered away at making the public safer in our communities.
68. Over recent years the approach has worked across England and Wales, although the impact of “Austerity” has been massive, for example in removing analytic capacity - without which an evidence-based approach is not possible - and with money saved by local authorities in many cases through ceasing to employ community safety officers. However I suggest that it has worked particularly well in South Wales because it fits with the nature of strong local communities and the style of police leadership in recent times and I would not be surprised if this is true in the other three Police Areas of Wales. I made reference to the strong collaboration between the four Welsh Chief Constables and their teams, providing a healthy precursor for the arrival of commissioners with the same combination of being both independent in spirit and collaborative in practical matters. And that’s been helped by the style of

Government in Wales, with the emphasis on protecting services and collaborative working.

69. My conclusion then was that it makes sense to devolve responsibility for policing in order to bring together the responsibilities that fit together and enable a joined up approach to be taken to crime reduction and the building of healthy communities - two key purposes of democratic governments which ought to sit together. And part of the problem is that that is no longer the case in relation to departmental responsibilities in Whitehall.
70. When I became Deputy Home Secretary in 1997, my portfolio included policing, criminal justice, crime prevention and youth justice. And when he gave me that appointment, Tony Blair added “and the voluntary and community sector goes with you.” Reducing crime and creating stronger communities were all part of the same strategic task.
71. That coherence disappeared when John Reid condemned the Home Office as “dysfunctional” and the responsibilities were split between two departments. We have seen ministers - David Hanson MP in the Labour administration and Damian Green MP as a Conservative Police and Justice Minister - straddling the two departments, but community development in England lies with the Department for Local Government and responsibility for the voluntary and community sector sits in the Cabinet Office. Responsibilities that should sit together are now dispersed to separate silos in Westminster. This makes no sense because you “cannot arrest your way out of offending” and America has demonstrated the danger of over-reliance on prison as a response to crime. I would stress again that it is undoubtedly inevitable that we will always need prisons for some offences and some offenders, but what makes little sense is over-reliance on prison. Factors like the disruption to family life, the impact of imprisonment on the ACEs experienced by the children of prisoners and the very fact that an over-crowded prison is not an effective place for rehabilitation are all factors that favour early intervention. And the work of the Public Services Boards (PSBs) mentioned earlier includes building community resilience. But “not prison” is not a policy – the alternatives need to be there. After one session of our Out of Court Disposal Panel one magistrate commented that “with your approach something happens, whereas with a fine or a conditional discharge nothing has changed.” And this all argues for the responsibility for positive options in the community to be in the same place as the negative outcomes – with the cost of failure and the benefit from success falling to the same purse.
72. At the time of the Silk Commission there seemed to be growing support for the devolution of Policing, but the proposition that devolution of the rest of the criminal justice system should follow was greeted with somewhat greater scepticism. I wonder whether that has now shifted through a change of perception. A barrister once told me that policing was “an essential subsidiary of the court system”, but I believe the reverse to be true. The courts are essential – and the fairness and integrity of the judges and the courts are an essential bedrock of democracy. But they are essential to deal with the failures of Government and of Society to fulfil the



first of Sir Robert Peel's requirements for policing, mentioned above. They are essential to deal with those who commit serious offences and those who continue to break the law despite all the opportunities they are given - and indeed for the protection of the public. So the formal Criminal Justice System, like Policing, is necessary to deal with the failures of society and its institutions as well as protecting society from some really bad people. But "prevention is better than cure" so it is important for Policing and the Courts to be a part of a wider landscape of positive action and prompt positive action to prevent the escalation of harm

73. To put it another way, the criminal justice system is **necessary** but it's not the key service for creating safe, healthy communities. It's the remedial and repair service.
74. As mentioned earlier, the level of traditional and local crime has come down significantly. That's not just reflected in the offences that are reported to the police but in the experience of the public reflected in what used to be called the British Crime Survey. It's based on what people say about their own experience and that's important because we know that many crimes do not get reported to the police for a variety of reasons.
75. It's not happened by accident. Some key examples show the enormous potential of an intelligent approach. In particular the work of Prof Jonathan Shepherd, at Cardiff Royal Infirmary and then at University Hospital in Cardiff, shows that a scientific approach to asking why violent incidents happened can enable the police and a variety of partners to significantly cut the number of violent incidents. That's why Cardiff is the safest city of its cohort. And our streets may be rowdy and sometimes unpleasant late at night when some of those on our streets have had too much to drink - but that's not the same as being unsafe. Falling over drunk doesn't threaten other members of the public in the same way as falling over fighting.
76. Jon Shepherd's work provides the analytic basis for action, but what has developed as a result is high-quality partnership working by police and medics and street pastors and council workers and community payback workers in the late-night economy which is absolutely stunning. It's not just efficient working, it's a vibrant partnership of working people who are determined to safeguard their fellow citizens and make the city safer. That is now equalled in Swansea and is just one of the many ways in which a partnership approach to cutting crime creates the headroom to allow the police to do the really tough stuff of tackling crooks, exploiters, people traffickers and terrorists instead of being distracted by needless time in court and time spent picking up the pieces.
77. I want to stress the fact that our police officers are picking up the pieces in every community right across South Wales on a daily basis. The clearest single message from officers on the streets is that their biggest problem is dealing with mental health issues. This argues for an even stronger partnership with devolved bodies in health and local government but also for a more joined-up approach across portfolios within Welsh Government. Recent cuts to the health budget contribution to policing were taken without regard to the wider implications, for example, although it is extremely encouraging that a process of dialogue and discussion about



the evidence has led to the withdrawal of a potential threat to the Police Schools Programme. This is important because events should not be viewed in isolation when it's a two-way process. A violent incident often leads to an extra customer for A&E, and can lead to lengthy and expensive surgery. It can be devastating to the victim and destroy the health and happiness of a family. And every councillor knows the damage done by anti-social behaviour locally and that a reputation for being a safe, crime-free town enhances the chance of attracting inward investment. These are inter-connected issues, which is why I believe that steps to create an effective and efficient criminal justice system will lead to the devolution of both criminal justice in policing as the only way to avoid waste and inefficiency.

78. Since taking that view, in general terms, some five years ago I have thought long and hard about the question of whether it is necessary to devolve policing and criminal justice at the same time. I conclude that it is not necessary although it is desirable. Whereas local operation of the Criminal Justice system – Probation, local prisons, offender management etc – is inextricably linked to operational issues of policing and crime reduction, the actual work of the higher courts, judicial oversight and legislation are not. While Departmental responsibility for Policing remains with the Home Office rather than Welsh Government, Police and Crime Commissioners have powers and responsibilities under the 2011 Police Reform Act and Chief Constables have very clear independent powers and responsibilities for operational policing. And as I have illustrated, local operational activity already links directly to services that fall directly under the aegis of Welsh Government. The 2011 Act also gives the Police & Crime Commissioner responsibility for holding the “Local Criminal Justice System” to account, but fails to provide powers or resources, and provides little clarity about what this means in practice. My approach has been to try to build collaboration and mutual challenge, but a more joined-up approach would be possible with local court, prison and criminal justice systems being integrated well with local policing as part of a new devolved landscape of justice.
79. To be absolutely explicit, that is not about interfering with judicial processes or the independence of judges and magistrates but about a more joined-up approach to the part of the criminal justice system locally in serving that clear policing objective set down by Sir Robert Peel that the first duty of the police is to prevent crime and disorder. You don't need legislative or ministerial devolution in order for close collaborative working to give the best possible service to the local public.
80. I certainly think that we should be much clearer about our expectations of the Criminal Justice System. I argued in Parliament that the Sentencing Council should be given as its key purpose the responsibility of informing and advising the judiciary and magistrates about the effectiveness of different sentences in protecting the public through reducing the likelihood of the offender to reoffend and also in terms of effectiveness in reducing the seriousness of offending. In 2013 I asked the then Chair of the Sentencing Council, Lord Leveson, if it would be possible to put more emphasis on informing the courts about “what works” in making offenders less likely to offend again, and he responded by saying that we needed to ask that question of



community sentences but not of prison sentences. I don't believe that is the right approach. While I understand the expectations of proportionality placed on the Judiciary it's also important to know what works. It's encouraging that services like probation and the prisons are keen to work with us and very positive about the help they get from services like education, training and health that come under Welsh Government. So there's real potential for a successful Welsh model which builds on the strengths of devolution without cutting adrift from the strengths of being part of the United Kingdom. **Devolved success depends on recognising that there will always be things that are better done together, drawing on common strengths, mutual support and well-informed challenge. Local success is the foundation to success across Wales and – as I pointed out to the Auditor General in relation to Community Safety – you cannot achieve success in Community Safety through a top-down approach that fails to take account of local needs and aspirations.**

81. On the other hand, we need consistency across the piece in terms of the way people are treated within our court systems, with every effort made to intervene early to prevent the need for the court processes to kick in.

82. So we should

- Recognise what we have in common between Wales, England, Scotland and Northern Ireland - and indeed the Republic of Ireland – that might best be served in common, such as Police Complaints, with a single Independent body, jointly owned, to continue providing oversight.
- Maintain a joint international presence – the Serious and Organised Crime Agency, now part of the new Serious Crime Agency, earned a tremendous international reputation and that needs to be maintained whether that be inside or outside the EU.
- Maintain a single system for the higher and appeal courts so that we retain the expertise that comes from scale, and seek to maintain the highest standards of expertise and integrity through common principles.
- Maintain a single Police Inspectorate. Which might also cover not just Scotland and Northern Ireland as well as England and Wales, but also to include the Republic of Ireland. Delivery needs to be local, but the maintenance of integrity, high performance and efficiency is a complex concept that crosses all borders. It would not be impossible to develop a collaborative oversight of these institutions and perhaps some others in order to square the circle of local autonomy and consistent high standards.

83. The one thing that devolution of Policing is NOT about is the merging of Police Forces or the creation of a single police force for Wales. It was a mistake in Scotland where they effectively nationalised the police. One Chief Constable reporting to one Minister is very risky and ineffective as I know from personal experience. I was the “Police Authority” for the Metropolitan Police when I was Policing Minister – before a Police Authority was set up and subsequently merged into the responsibilities of the Mayor for London. I would urge the Commission to rule out the single force option from the start – the only reason it roused any interest was when Scotland



decided to go down that road. I see no compelling reason to even consider making a mistake simply because it has been made in Scotland. If we have to make mistakes, let them be our own. Just in case there is anybody tempted down that road, let me say that there are at least three compelling reasons not to create a single Welsh Force.

- First it abandons locality. It's my view that you need the Chief Constable to be able to have a sense of all the communities policed by his or her service. In our case South Wales Police is big but not too big and should not be made any bigger. That's why I (successfully) opposed the idea of Gwent being absorbed into South Wales in the Nineties and persuaded my opposite number, the then Minister of State, Rt Hon David Maclean MP, to reject that option. Four forces – even though two of them are very small – give us the right relationship between police and Ministers in Welsh Government AND with our communities, whether responsibility for the police is devolved or not.
 - Second, there are powerful local and regional forces and partnerships in Wales into which Policing needs to fit. North Wales would find “being policed from Cardiff (or Bridgend)” unacceptable, as would West Wales and indeed as would Gwent.
 - Third as the Chief Inspector of Constabulary, Sir Tom Winsor, said “There is nothing that can be achieved by merger that cannot be achieved through collaboration”. The four Welsh Forces have shown the ability – through the good will of Chief Constables and Commissioners – to collaborate together and to partners which is bringing the benefits of operating as appropriate at an All-Wales level while maintaining the focus on neighbourhood policing and knowing our communities. That is very precious and worth preserving.
84. The four Chief Constables have made a joint submission to your Commission, sent on their behalf by Chief Constable Matt Jukes, and it provides an excellent summary of the challenges faced by the Police in the current financial environment and in the light of recent developments. It was shared with Commissioners in draft, and – as is appropriate – makes no comment on the political decision about whether Policing should be devolved. It does set out the challenges that face policing, devolved or not, and acknowledges the elected nature of the role of Police & Crime Commissioner, but I hope that in coming to a conclusion in my own submission this is no less founded in experience and evidence. It is greatly to the credit to the four Forces and those who lead them that policing in Wales has adapted to the devolved environment, has defended local policing and has evolved in ways that recognise vulnerability and the needs of the public. The increasing ability to work together as four Chief Constables and four Commissioners and to produce effective responses to initiatives from Welsh Government while respecting and operating within the context provided by the Home Office and the Ministry of Justice bodes well for the future.
85. To summarise my approach, Welsh Government has shown the capacity for leadership and the will to engage by investing in an extra 500 Community Support Officers across Wales, strengthening the bond between devolved and non-devolved



institutions. The Schools Programme is funded 50/50 by Policing and Welsh Government – another success story with many more chapters to be written. The Police ACEs Programme, the joint work on refreshing Community Safety and the Partnership with Public Health Wales are all examples of doing things better in Wales which I believe would be strengthened by appropriate devolution of Policing and Criminal Justice – but I stress “Devolution”, not “Separation”.

86. Preparation is certainly needed as Welsh Government is rarely joined up across departments, however much Ministers make the connections between portfolio areas. There is a need within the Administration and within the Assembly for expertise on the Welsh brand of policing to be developed – just as the capacity for legislation had to be developed in the early days of Welsh Government and the capacity for scrutiny had to be developed within the Assembly. Care, attention and investment – of time and resources – should be started now rather than waiting until the period when devolution is imminent and if planned well can enhance the current acceleration of work between devolved and non-devolved players in Wales. That would fit with what I understand to be your Commission’s strategy of looking first at building the most effective Criminal Justice and Policing systems and then asking “wouldn’t it be better if responsibility were to be devolved?”
87. Having said that, the extent of existing partnership work is significant and wide-ranging, as is set out – from a policing perspective – in the recent report to the Partnership Council for Wales which I provide as an annex to this submission.
88. More formally, current steps towards creating a Policing Board for Wales, with the Commissioners and Chief Constables inviting the First Minister to chair and Cabinet Secretaries to contribute, are significant. So is the establishment of the Cross Party Group on Policing in the Assembly. Linked to the collaborative model created through the All-Wales Criminal Justice Board, the Police ACEs Programme and the partnership between the WLGA, Policing in Wales and Welsh Government to drive practical local action in relation to Community Safety, these developments all show a Wales in which each sector is increasingly engaged in “joining up the dots”.
89. If we get the first part of the equation right, the second flows naturally from it and as I hope I have explained in this paper a great deal of collaborative work is both innovative and effective and is creating the environment in which devolution of Policing and Criminal Justice could be a great success.
90. It would allow us to build on our greatest strength here in Wales – an understanding that co-operation works. It’s a principle that runs like a golden thread through my Police & Crime Plan and the joint work with the Chief Constable within South Wales Police and at local, regional and Welsh level with each one of our partners. As a Labour and Co-operative Commissioner that’s a source of particular satisfaction and one that I believe would become even more powerful and effective following the devolution of Criminal Justice and Policing to Welsh Government.

Alun Michael , July 2018



ANNEX A :

Partnership Working in Wales involving Policing across all four Police Force areas.....

PURPOSE

To outline some of the partnership arrangements that are “live” in Wales, at a local level, Police Force level and at an All-Wales level, showing the active engagement of Policing with both devolved and non-devolved agencies

BACKGROUND

Policing is essentially local in nature, and while Legislative and Ministerial responsibility for policing are not devolved to Wales, the police operate in a devolved environment with significant decision-making devolved to the Police & Crime Commissioners while operational leadership sits with the Chief Constable.

The demands on policing have changed. Since 1998, policing has been at the heart of the partnership approach to community safety and the police make a significant contribution to Youth Offending Teams. It is estimated that approximately 70% to 80% of calls now relate to non-crime issues including vulnerable people and mental health. Dealing with Serious and Organised Crime and Terrorism also links to local policing and partnership working, while there have been significant developments in terms of early intervention and prevention, with local partnership as a central theme.

DISCUSSION

There is sometimes a feeling that partners have a limited understanding of the contribution made by the police to the well-being and safety of our communities in Wales. On the one hand, since policing is not devolved in terms of legislation and Ministerial responsibility, both the contribution and the pressures on the police may be overlooked. On the other hand a “traditional” view of policing and being about “blue lights and pub fights” is often reinforced by the portrayal of police activity through film and television. In reality, policing in Wales is probably closer than ever to the twin principles set out by Sir Robert Peel.....

- The first responsibility of the Police is to prevent crime (success in policing is demonstrated by the absence of crime, not by the presence of activity) and
- The Police are the Community and the Community are the Police (in other words the police have to understand and be at the heart of the community)

The Police are often the “agency of last resort”, particularly at night and over the weekend and the expectation of their capacity to respond is almost unlimited, whereas the other blue light services tend to have more clearly defined roles.

Mental Health

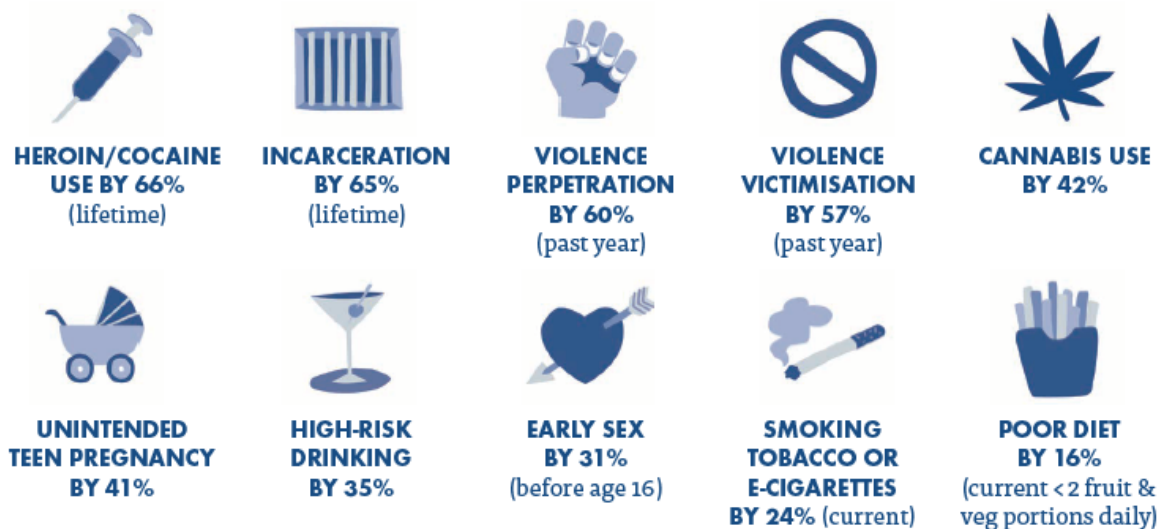
Nowhere is this more apparent than in relation to “mental health”. Front-line staff report that this is the most significant demand on their time, with significant delays when seeking a decision on individuals conveyed to mental health facilities. Following the Concordat on

Crisis Care, launched at the Senedd, the use of Section 136 and 135 powers has been significantly reduced, but there are concerns that options available for those not specifically requiring psychiatric care are limited. From the start it was felt that this should not be seen as a “policing problem” but a “nowhere else to go” problem. Triage arrangements in police control centres or on the street are being tried and Welsh Government’s Oversight Group on Mental Health demonstrates the willingness of the police, professionals in health and social care and voluntary organisations to work together to tackle seemingly intractable problems.

Adverse Childhood Experiences

Policing in Wales has been significantly influenced by the Public Health Wales research that quantified the impact of four or more Adverse Childhood Experiences (ACEs) which provided dramatic evidence of the potential benefits for health, harm reduction and well-being of preventing ACEs and ameliorating their impact, summarised in the following table:

PREVENTING ACEs IN FUTURE GENERATIONS COULD REDUCE LEVELS OF:



We support initiatives where ACEs are already present. If its too late for prevention its not too late for prompt positive action.

Statistics source: [Public Health Wales](#)

The first five are directly relevant to policing, and the partnership agreement for joint working between South Wales Police and Public Health Wales has now been extended to all four Forces and to other Criminal Justice Agencies operating in Wales.

The ACEs research captured the imagination of Welsh Government Ministers and of Police Leaders, and a police pilot project in Maesteg is showing significant benefits to the police, to local government and to other partner agencies of working co-operatively in an ACE-informed way.



That has now resulted in a £6.8million grant from the Police Transformation Fund for an all-Wales Police ACEs initiative, with the programme linking closely to the Welsh Government's ACEs Hub and to the work of Public Health Wales. Oversight is being provided by the All-Wales Criminal Justice Board, which brings together the Criminal Justice Agencies with Policing and Welsh Government, with the added presence of Public Health Wales and Local Government (WLGA). There is real determination to transform the way we address ACEs over the next two years in the belief that this will assist in tackling and reducing both criminality and health & well-being issues

Community Safety Boards / Partnerships

Community Safety Partnership working as required under the 1998 Crime and Disorder Act was hit hard by the cuts from 2010 onwards, with both Police and Local Government losing both expertise and analytic capacity that supported joint working. Commissioners generally maintained their financial support, but capacity became a significant issue. When the Cabinet Secretary announced plans to refresh Community Safety in Wales, the Police & Crime Commissioners and Chief Constables welcomed the opportunity to be part of the Oversight Group. This was already a key area of partnership working, with Police and Crime Commissioners providing Community Safety Funding to assist in targeting local issues through a partnership approach. We welcome the fact that there is an increasingly consistent model whereby community safety is clearly aligned to the work of the Public Service Board, thus enabling policing activity to support and inform other initiatives. Each Commissioner agreed to take the lead in refreshing local community safety arrangements, working with the Chief Constable, Local Government and partners and efforts are being made to develop the analytic capability to inform "baseline audits" of community safety.

Neighbourhood Policing

Despite having lost roughly a third of the money that comes to Policing through the Home Office's Police Grant since 2010, the Forces in Wales have not stepped back from Neighbourhood Policing into a "response-only model", are more engaged than ever in a partnership approach, with a focus on early intervention, and prompt positive action.

The contribution of an additional 500 Community Support Officers by Welsh Government has been a crucial element of engagement with local communities. Local Councillors and other partners frequently comment on the value of this local engagement but it relates directly to some major issues, such as engagement and reassurance with Muslim communities and an increasing capacity for there to be a "problem solving" with the local community.

Strategic Engagement

The most obvious example of strategic engagement is with the Public Services Boards (PSBs) established under the Well-Being of Future Generations Act. While Policing cannot be required to participate, Welsh Government decided that the Police & Crime Commissioner and the Chief Constable should be "statutory invitees" to each PSB. In general, that has been seized with alacrity and they have made a significant contribution to the local work.



Public Services Boards

Progress has been made on aligning strategic priorities across Public Service Boards. In South Wales, there is a clear connection between the priorities within the Police and Crime Plan and Well-being Plans. This is especially the case in relation of community safety and the ambition to create safe, confident and resilient communities, but also in relation to those priorities with a focus on improving health and well-being. It is a common theme in Well-Being Plans and reflects the reality that “everything is connected to everything else” and the need for early intervention and prompt positive action to tackle the drivers of criminal behaviour. The next phase of translating words into action and implementing the delivery of priorities will allow us to align activity in terms of night time economy, youth offending, violence against women, girls, and young people much of which is already partnership based. Again, these are common themes in several Well-Being Plans as illustrated in the tables in Annex A.

Schools Liaison Scheme

A partnership between Welsh Government and the four Police Forces has led to significant and much-admired placement of police officers in schools, presenting to pupils on a variety of issues including substance misuse and abuse. This has been refreshed in recent times, with a greater emphasis on engagement with the wider school community and links to the local policing team. Following an announcement by the Cabinet Secretary for Health that the Welsh Government share of funding might lead to the project being ended in 2019-2020, there are on-going talks about the possibility of recognising the wide benefits of the scheme and avoiding the closure.

Support for Victims

Police & Crime Commissioners have been given a key role in supporting victims, and have established models of providing support for victims, utilising a partnership approach with third sector providers and a victim-centred model of service delivery.

Just as an example, South Wales Victim Focus is delivered by Victim Support and is our core service for victims. It provides free and confidential needs-led, help and support to anyone affected by crime. Last year 59,965 people were referred into the service, 12,646 people received a needs assessment and 3,721 people received in depth support from our local teams. People who accessed the service were helped to understand the information, advice and services available to them, and said that they felt safer and their health and wellbeing had improved. We also use the Community Fund to provide money for third sector partners to support victims through innovative community initiatives

Major Events and the profile of Wales

In recent times, Wales has had an increasing profile on the international stage, with events such as the NATO Summit, the UEFA Championship League Cup Final and the recent Joshua fights. In each case, this has required significant joint planning by the police, the Council and Welsh Government. It is a success story but comes at a heavy price in terms of police time – and it is a constant problem that the Home Office provides no “Capital City Funding”



to recognise the burden on policing in Wales that result in higher security demands and an unremitting programme of major events.

Night time Economy

A number of initiatives have made people safer in the night-time economy in different parts of Wales. The example that is easiest to quantify is the HelpPoint in Swansea, which was an initiative by the Commissioner's team through which student volunteers and St John medics look after vulnerable people instead of relying on ambulances and Emergency Department treatment.

In 12 months the initiative.....

- Saved 1,300 ambulance journeys
- Saved 1,100 admissions to A&E and
- On 1,300 occasions put police officers back on the streets to keep the peace.

It is funded jointly by South Wales Police, ABMU and WAST. Similar benefits come from the Alcohol Treatment Centre in Cardiff and other initiatives.

Working with the alcohol education charity Drinkaware, the Commissioner launched a new scheme to safeguard students and raise awareness of sexual harassment within the night-time economy. The Drink Aware "Club Crew" work in student venues across the five universities in South Wales and have received specialist training to support those who are vulnerable as a result of drinking too much alcohol. Their support means many students can be kept safe from becoming victims of crime. Since the launch, over 520 vulnerable individuals have been supported, which has helped to keep our students safe while reducing demand placed on frontline services.

Other examples of work to keep students and others safe include

- Drink Less Enjoy More Campaign
- Student Safety Bus
- Vulnerability Training

Youth Offending and young people

Partnership working and collaboration is crucial in maintaining links between police officers working in schools, youth offending teams and local police teams to identify underlying issues and tackling them through early intervention and prompt, positive action. A review of Police Officers attached to YOS was undertaken in March 2017, and the recommendations were implemented in 2017/18 to expand on what the role has been able to achieve to date.

The Youth Offending Service (YOS) continues to receive funding from Police & Crime Commissioners as well as seconded police officers as part of the YOS team. YOS continues to be a success story, with the number of first-time offenders who reoffend still coming down year on year. Using evidence from the ACEs research, and working with the Youth Justice Board, Public Health Wales and Youth Offending Service (YOS) managers, we have been developing an ACE-informed way of assessing and intervening at the point of a second



offence as well as supporting the delivery of Enhanced Case Management approach that has been developed by the Youth Justice Board in Wales.

Tackling offending in the 18 – 25 age group

Police funds in South Wales have been used to develop an initiative that tackles offending at the time of a first offence and provides young people with an alternative pathway to the criminal justice system. Initial reviews have highlighted the benefits of early intervention and prevention approach and uncovered some of the underlying factors driving behaviour, such as mental health, emotional/relationship issues, anxiety with clear links to ACEs and the benefits of early intervention.

Violence Against Women and Girls

We continue to deliver against the Tackling Violence against Women and Girls Plan, not least by funding the introduction of services like IRIS (Identification and Referral to Improve Safety). This is a health-based initiative was designed to enable GPs and staff within doctors' surgeries in Cardiff & Vale UHB area to identify and respond to patients who show signs that they may be affected by domestic abuse or violence. This resulted in referrals for 212 people and for 140 of them it was the first time they had ever told someone who could offer them help and support. Increased referrals are enabling support for abused women and earlier intervention, leading to a reduction in demand on a variety of services. Both Cardiff & Vale and Cwm Taf UHB have now taken on the responsibility for continuing the service and it is hoped that others will follow. Again, there is support for a number of initiatives as well as close engagement by Public Protection policing with Councils and other partners on a day-to-day basis.

Offending by women

Police Forces in Wales have worked together and with Welsh Government and with the National Probation Service and other partners to develop an intervention service known as the Women's Pathfinder for reacting quickly when a women starts to offend by identifying the background and challenges that might lead to further offending and associated issues such as childcare and protection issues. The approach has received recognition outside Wales and a decision from Welsh Government is currently awaited on the next stage of a significant development for Wales.

Housing - Anti-social Behaviour and Vulnerability

A programme to work 'with' organisations and tenants, enabling social landlords to deal effectively with Anti-social Behaviour and vulnerability, has been commissioned, through the Welsh Government 'Preventing Homelessness Fund'. Bonnie Navarra, Assistant Police and Crime Commissioner for South Wales and a team of six secondees from within the housing sector, with a Chief Inspector providing project support, leads the work.

From a Policing perspective, it is important to prevent minor neighbourhood issues escalating, and becoming a policing issue. A number of previous, paper based tools, issued by Welsh Government (since 2004) to improve standards across the housing sector, have



not had the intended impact so instead a practical, 'Facilitated Self-Assessment' model will be delivered in-house by experts. It is being trialled in Trivallis (RCT Homes) and Cardiff Council Housing, and an independent evaluation will be submitted to the Minister, Rebecca Evans, by the end of May.

Information Sharing Pilot

A pilot between the Police and Trivallis Homes has developed an innovative solution to sharing information between the Police and Housing, showing how identification of vulnerable people can be improved in order to intervene at the earliest opportunity and prevent issues escalating. Half of the properties of social landlords are now on the police system, NICHE, enabling closer partnership working with housing.

Newer challenges, including Cyber Crime

Police constantly have to respond to new demands, not least the changing face of terrorism and extremism, and the threat of cyber-crime as people increasingly live their lives online. It is challenging to develop the necessary digital skills within police training while putting a clear focus on digital forensics, cyber-crime and data analytics, both as a specific module and worked into other existing training. What requires partnership working is making cyber security a corporate social responsibility for police forces, for companies and for other public bodies.

Other issues

This paper has highlighted a number of areas of public policy in which Policing in Wales makes a significant contribution to partnership working. Other examples of "Added Value" would include the Police Youth Volunteers (Cadets) which have been developed in recent years and continue to expand. So this paper is not exhaustive and there are many basic areas of working and a variety of challenging circumstances in which the police work with partners to prevent or respond to harm to vulnerable people. This includes missing persons, combatting Child Sexual Exploitation and tackling Modern Slavery – and the ACEs work referred to earlier has direct relevance to much of this day-to-day work. There is also a plethora of operational partnerships and joint working arrangements with which partners at this table will be familiar.

The intention behind this paper is simply to highlight some of the varied initiatives and contributions made through the work of Police & Crime Commissioners and Chief Constables and their respective teams to well-being in Wales and to the work of a variety of partners, not least in Local Government and the Health Service, which is in addition to the "basics" of policing – public safety, investigation of crime, public order, neighbourhood policing work with other Blue Light Services and the rest.

Rt Hon Alun Michael

(Police & Crime Commissioner for South Wales, representing the four Police & Crime Commissioners in Wales) 23 April 2018



Annex B

Statement on the Devolution of Policing to Wales

The four Welsh Police and Crime Commissioners have agreed to work together and with others to prepare the ground for the devolution of policing to Welsh Government.

Following a discussion with the four chief constables, the four Welsh Police & Crime Commissioners have taken the view that while the timescale cannot be predicted, the devolution of responsibility for policing is now inevitable. When it happens – and whenever it comes - there will be significant practical issues to be dealt with in order to provide the right focus on local policing and crime reduction while taking a joined up approach to the challenge of crime across the United Kingdom and in the wider world. As Policing is already devolved to Scotland and Northern Ireland, devolution to Wales seems logical and sensible. As a decision to devolve policing in Wales might come at short notice the Commissioners and Chief Constables have therefore agreed to work on detailed plans to prepare the ground in advance.

They are united in the view that local policing and engagement with each community across Wales is essential, as is partnership with Welsh Government and all the bodies for which responsibility is already devolved, including Local Government, the Health Service, the Fire & Rescue Service and the Voluntary & Community Sector.

But they recognise that criminals have no respect for boundaries and that Wales, with its long porous border needs collaboration with police across the UK, in Europe and abroad - with a particular emphasis on cooperation with the forces which cover the North West of England, the West Midlands and the West of England.

The importance of collaboration has been shown, most recently during the successful NATO summit in Wales, while Welsh forces regularly support colleagues for events like the London Olympics and during the riots in 2011. The Commissioners take the view that there is no inconsistency between taking a strongly local view of policing and taking a strategic approach with regards to major threats such as organised crime and terrorism, but that detailed work is needed to prepare the ground for devolution of responsibilities to Welsh Government. This will also include consideration of inspection, complaints and the sharing of technical developments.

Having already met the Carl Sargeant, the Cabinet Secretary for Communities and Children, the commissioners and the chief constables will work with Welsh Government and also engage with partners across other sectors in Wales and across the political spectrum to prepare the ground for orderly transfer of responsibilities for policing whenever it comes.

Alun Michael (Chair) – Police & Crime Commissioner for South Wales

Dafydd Llewelyn – Police & Crime Commissioner for Dyfed Powys

Arfon Jones – Police & Crime Commissioner for North Wales

Jeff Cuthbert – Police & Crime Commissioner for Gwent

August 2016