

**Communities and Culture
Committee**

**Y Pwyllgor Y Pwyllgor
Cymunedau a Diwylliant**



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

To consultees on the attached list

Cardiff Bay
Cardiff
CF99 1NA

18 January 2011

Dear Colleague,

Communities and Culture Committee: The potential impact of the UK Government's Police Reform and Social Responsibility Bill for community safety in Wales

The National Assembly for Wales' Communities and Culture Committee is calling for evidence for its inquiry into the potential impact of the UK Government's Police Reform and Social Responsibility Bill for community safety in Wales.

The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.

The Communities and Culture Committee is a group of politicians set up by the National Assembly for Wales to ask the Welsh Government tough questions about its work to improve Community Safety, Community Inclusion, Housing, the Welsh Language, Sport and Culture.

Sometimes they do this work by holding an inquiry on a particular issue. This involves them speaking with lots of different people to help them learn about an

issue, before producing a report which will make recommendations to the Welsh Government.

The Committee is not part of the Welsh Government. You can find out more about the Committee's work, and the National Assembly for Wales, at www.assemblywales.org

Background to this inquiry

Following the 2010 General Election the UK Government made the following commitment as part of its Coalition Agreement:

“we will introduce measures to make the police more accountable through oversight by a directly elected individual, who will be subject to strict checks and balances by locally elected representatives.”¹

On 26 July 2010, the Home Secretary, the Rt Hon Theresa May MP, introduced a consultation paper, [Policing in the 21st Century: Reconnecting police and the people](#)². She stated that police reform was a priority because:

“for too long, people have been faced with crime levels that are too high and a police service that has been too focused on Whitehall targets to really get to grips with what matters locally.”³

Currently, responsibility for policing is shared between the Home Secretary, Chief Constables, and Police Authorities, under the tripartite structure established by the *Police Act 1964*.

Under the current structure, the Home Secretary is responsible to Parliament for the overall efficiency and effectiveness of the police in England and Wales and the maintenance of minimum standards of service; Chief Constables are responsible for the operational effectiveness of their forces; and Police Authorities set the strategic direction of the force and hold Chief Constables to account.

Under the Government's proposals, directly elected Police and Crime Commissioners would replace Police Authorities, which would be abolished. The UK Government also proposes to introduce new bodies—to be known as Police and Crime Panels—in each force area to scrutinise Police and Crime Commissioners.

¹ HM Government, *The Coalition: our programme for Government*, 2010.

² Home Office, [Policing in the 21st Century: Reconnecting police and the people](#), Cm 7925, July 2010.

³ Home Office, [Radical Reforms for Police Announced](#), Press Release, 26 July 2010

In respect of Wales the Consultation Paper stated that:

“The Government will work closely with the Welsh Assembly Government to ensure that the framework within which the directly elected Commissioners for the four forces in Wales operate reflects and respects devolved responsibilities.”⁴

The *Police Reform and Social Responsibility Bill* received its First Reading in the House of Commons on 30 November 2010.

Key provisions in the Bill include:

- replacing police authorities with directly elected police and crime commissioners to be introduced from May 2012;
- making changes to the *Licensing Act 1993* to give more powers to local authorities and police to deal with any premises that are causing problems;
- introducing a system of temporary bans for new psychoactive substances - so-called 'legal highs' such as GBL and BZP - whilst the health issues are considered by independent experts;
- restoring the right to non-violent protest around Parliament whilst ensuring that Parliament Square remains accessible to all by repealing sections 132-138 of the *Serious Organised Crime and Police Act (SOCPA) 2005* and prohibiting encampments and other disruptive activity on Parliament Square;
- amending the process for issuing private arrest warrants for universal jurisdiction offences.⁵

The Bill mainly extends to England and Wales although some provisions extend to Scotland and Northern Ireland (in respect of misuse of drugs).

Neither policing nor licensing, the main policy areas covered by the Bill, are devolved in Wales. However, Community Safety is a devolved area to Wales, and is closely intertwined with policing. In addition, some clauses in the Bill provide for distinct arrangements for Wales, notably for Assembly Members to be appointed by Welsh Ministers to each Police and Crime Panel.

The Communities and Culture Committee has therefore chosen to primarily focus their inquiry on the impact of the Bill on Community Safety in Wales, which is within the remit of the Committee.

⁴ Op.cit., *Policing in the 21st Century*, para. 2.11

⁵ [Home Office, Police Reform and Social Responsibility Bill webpage](#) [accessed 6 December 2010]

Terms of Reference

The Communities and Culture Committee will:

- Examine the potential impact of the Police Reform and Social Responsibility Bill on community safety in Wales. This will include a consideration of:
 - The potential impact of the bill on community engagement in Wales, and the ability of the Police and Crime Commissioners to effectively represent communities at the Police Force area level.
 - How Community Safety Partnerships and wider criminal justice agencies in Wales will be affected under the new policing landscape.
 - The financial implications of the bill and the consequences for community safety in Wales.
- Consider the potential impact on the bill for the democratic accountability of policing and community safety in Wales.
- Consider the role of the National Assembly for Wales for approving the appointment of Welsh Government representatives to the Police and Crime Panels in Wales.

Invitation to contribute to the inquiry

Interested parties are invited to submit written evidence to the Clerk of the Committee at the above address, to arrive no later than 4 February (please do not submit correspondence directly to the Chair of the Committee, or individual Members). The Committee apologises for the short deadline available for this consultation.

If possible, please supply an electronic version in MS Word or Rich Text format, by e mail to culture.committee@wales.gov.uk

Please indicate in your paper whether you would be interested in presenting your views to the Committee in person.

Please begin your submission by providing some information about yourself, or your organisation, before setting out your views and experiences in relation to some or all of the following questions. You do not need to answer every question, and the Committee will welcome any information that is relevant to the terms of reference of this inquiry:

1. What are the implications of the UK Government's police reform and social responsibility Bill for community engagement in Wales? Do you consider that Police Commissioners, as described in the Bill, will be able to effectively represent communities at a Police Force area level? What implications do you consider the bill has for engaging victims and witnesses in improving policing and community safety in Wales?
2. How do you believe Community Safety Partnerships and wider criminal justice agencies in Wales will be affected under the new policing landscape created by the Bill?
3. Do you consider the Bill will increase the democratic accountability of community safety and policing in Wales?
4. What impact (if any) do you believe the appointment of Police Commissioners will have for the Welsh Government's strategy for tackling violence against women, "*The Right to be Safe*."
5. What impact do you believe the Bill's efforts to reduce ease of access to alcoholic beverages will have for Community Safety in Wales?
6. How closely do you believe the bill's proposals to be aligned with the Welsh Governments' Substance Misuse strategy?
7. What do you consider to be the financial implications of the bill? Will these have any broader consequences for community safety in Wales, and Community Safety Partnerships?
8. As currently drafted, the Police Reform and Social Responsibility Bill states that Police and Crime Panels should include "one member appointed by the Welsh Ministers from among the local elected representatives," whilst the Explanatory Notes of the Bill state that panels should include, "an additional member appointed by Welsh Ministers from among members of the National Assembly for Wales." Who do you believe the Welsh Government's representation on Police and Crime Panels should include?
9. Will the appointment of locally elected Police Commissioners place too much power in the hands of a single individual?
10. Do the bill's proposals for Police and Crime Panels in Wales offer sufficient opportunity for holding the work of Police Commissioners to account, particularly in relation to Community Safety?

The Committee has invited submissions from those on the attached distribution list (Annex 1).

However, the Committee would be grateful if you could forward a copy of the letter to any individuals or organisations that are not included but might like to contribute to the review.

A copy of this letter has been placed on the National Assembly's website with an open invitation to submit views.

Disclosure of Information

Witnesses should be aware that once written evidence has been submitted to the Committee it is treated as the property of the Committee. It is the Committee's intention to make written papers publically available on its website, and such papers may subsequently be printed with the Committee's report of its inquiry. As such, organisations who wish to make a contribution to the inquiry are asked to ensure that arrangements are in place for their papers to be made available in accordance with any public information policies that they already have (for example Welsh language schemes, policies or statements).

The National Assembly will not publish information which it considers to be personal data.

However, in the event of a request for information submitted under the Freedom of Information Act 2000, it may be necessary to disclose the information that you provide. This may include information which has previously been removed by the National Assembly for publication purposes.

If you are providing any information, other than personal data, which you feel is not suitable for public disclosure, or if you do not wish your identity, as author of the evidence, to be disclosed, this must be clearly identified and it is up to you to stipulate which parts should not be published, and to provide a reasoned argument to support this. The National Assembly will take this into account when publishing information or responding to requests for information.

Further information about the Committee and its inquiry can be found at:
www.assemblywales.org

Yours sincerely

Tom Jackson
Clerk, Communities and Culture Committee

Annex 1

Age Concern Cymru and Help the Aged in Wales
All Wales Ethnic Minority Association
All Wales Saheli Association
Anti Poverty Network Cymru
Asian Women's Group
Association of Chief Police Officers Wales
Association of Muslim Professionals
Association of Voluntary Organisations in Wrexham
Autism Cymru
Bangladeshi Welfare Association
Bangladeshi Women's Group
Barnardos Cymru
Big Lottery Fund
Black Association of Women Stepping Out
Black Environment Network (North Wales)
Black Voluntary Sector Network Wales
Bridgend Association of Voluntary Organisations
Brynewel House rehabilitation Centre
CAB Cymru
Care Council for Wales
Carers Wales
Carmarthenshire Association of Voluntary Services
Centre for Migration Policy Research
Ceredigion Association of Voluntary Services
Children in Wales
Chinese Community Service Committee
Christian Police Association
Church in Wales
Chwarae Teg
Clybiau Plant Cymru Kids' Clubs
Commission for Equality and Human Rights
Conwy Voluntary Services Council
Community Safety Partnerships in Wales
Crossroads Wales
Cw Taf Health Board
Cymru Yfory
Cytun – Churches Together in Wales
Deaf Association Wales
Denbighshire Voluntary Services Council
Disability Wales
Dyfed Powys Criminal Justice Board
Dyfed Powys Police Authority
Economic and Social Research Council
ESTYN

Evangelical Alliance Wales
Flintshire Local Voluntary Council
Funky Dragon
Gwent Association of Voluntary Organisations
Gwent Criminal Justice Board
Gwent Police Authority
Health and Safety Executive
Interlink
Joint Committee for Ethnic Minorities in Wales
Joint Council for the Welfare of Immigrants
Joseph Rowntree Foundation
Mantell Gwynedd
MEWN Cymru
Mother's Union in Wales
National Offender Management Service Cymru
Neath Port Talbot Council for Voluntary Service
North Wales Criminal Justice Board
North Wales Police Authority
North Wales Race Equality Network
NSPCC Cymru
Pakistan Association of Newport & Gwent Welsh Asian Council
Pembrokeshire Association of Voluntary Services
Play Wales
Police Authorities of Wales
Polish Welsh Mutual Association
Powys Association of Voluntary Organisations
Prison Reform Trust
Race Equality First
Refugee Voice Wales
Roman Catholic Archdiocese of Cardiff
Salvation Army
Samaritans
Save the Children Cymru
SCOPE Cymru
Shelter Cymru
Shout
SNAP Cymru
Somali Advice Centre
South East Wales Racial Equality Council
South Wales Criminal Justice Board
South Wales Police Authority
Stonewall Cymru
Sudanese Community Association
Swansea Bay Race Equality Council
Swansea Council for Voluntary Service
Tenovus
Tenovus
The Home Secretary
The law society wales

The National Deaf Children's Society
The Prince's Trust - Cymru
Torfaen Voluntary Alliance
UK Law and HIV/AIDS Project
UNICEF UK
UNISON Cymru
Vale Centre for Voluntary Services
Valleys Race Equality Council
Victim Support Wales
Victim Support Wales
Voluntary Action Merthyr Tydfil
Wales Audit Office
Wales Council for Voluntary Action
Welsh Asian Council
Welsh Government
Welsh Local Authorities Consortium for Refugees and Asylum
Seekers
Welsh Association of Community Safety Officers
Welsh Local Government Association
Welsh Refugee Council
Welsh Women's Aid
Youth Cymru
Youthlink Wales
YWCA