

CONCLUSIONS AND RECOMMENDATIONS TO *CLOSING THE GAP*

3.1 The Social Justice and Regeneration Committee accepts that there is a gap in Level 2 policing. However, for reasons surrounding the consultative process and differences in views on the prepared options, it is both unable and unwilling to recommend preference for any of the four options put forward by the Police Authorities and Chief Constables in Wales.

In reaching this conclusions, the Committee is unanimous in its concern about the timescale that had been imposed by the Home Secretary on the consultation exercise that stemmed from the “Closing the Gap” report. It allows little time for widespread consultation either within Wales or outside. The lack of sufficient time to consider a fundamental change for policing in England and Wales was a constant theme in the evidence provided to the Committee

The consultation exercise itself relied on the Report’s conclusion that “Bigger is Better”. This seems to be based on an assessment of performance indicators about which the committee was not given sufficient information to be able to either assess or challenge. In fact the “Closing the Gap” Report accepted that some smaller forces do perform very well and some larger forces less so. This admission is particularly relevant in the Welsh context where, the majority of the Committee believes, the Welsh forces are shown to perform to a higher standard than their English counterparts.

Members of the Social Justice and Regeneration Committee also question the acceptance of the Closing the Gap report’s recommendation that the minimum size for a police force under the new structure is 4000 officers or 6000 officers and staff. There is neither explanation nor justification for this figure. Different parameters would have led to different solutions and the Committee therefore questions the seemingly arbitrary nature of these figures.

Wales is different from England and English regions both in its history, geography and culture. Almost all its population lies within the urban conurbations along the M4 and A55 corridors. They are separated by a vast expanse of rural hinterland with very different policing requirements. These geographical differences add weight to the argument that Wales is different, and that police force structures appropriate for England and English regions cannot always be transferred across the border. Members of the Social Justice and Regeneration Committee of course acknowledge that criminal activity does not recognise national or regional boundaries and that cross party partnerships must reflect operational reality.

The consultation process was too narrow to take any of these points on board. The Home Secretary supported the “Closing the Gap” recommendation that strategic forces should be established throughout England and Wales. His letter to Chief Constables and Police Authorities invited them to consider

future policing structures within certain parameters. He indicated that existing boundaries should not be split, that the proposals should not cross Government Regional Office boundaries and that the probable solution is for a strategic force with a minimum of 4000 officers or 6000 officers/staff combined. Within Wales, the only option that would meet all three requirements is the single strategic force.

Finally on the consultation itself, the committee agreed there is a Welsh dimension that should be considered. Within the Social Justice and Regeneration Committee there is a majority view that responsibility for the Police Service in Wales, together with the necessary funding, should be devolved to the National Assembly. This would be in keeping with its responsibility in respect of the other Emergency Services, Fire and Rescue and Ambulance, its wider responsibilities for community safety and social justice and in recognition of the part played by local authorities in both the funding and management of police forces. It is suggested that under arrangements where responsibility for the police service rests with the Home Office and for the other emergency services with the National Assembly for Wales, there may be a danger that the ability of the three services to plan and have joint strategies is compromised.

The Social Justice and Regeneration Committee therefore recommends that, in responding to the Home Secretary's consultation exercise on the future of Police Forces in Wales, the Welsh Assembly Government:

- **Reiterates its concerns about the haste imposed in the consultation process**
- **Asks the Home Secretary to accept that there is a "Welsh Dimension" that means that solutions in England are not necessarily appropriate to Wales**
- **Requests that the Home Secretary takes the reorganisation of the police forces in England and Wales as an opportunity to suggest to his Cabinet colleagues that the time is now appropriate to start consultations on the devolution of responsibility for the police service in Wales to the National Assembly for Wales**

The Committee does not however regard their consultations carried out on the future police structure in Wales as having been a meaningless exercise. They were able to reach a number of conclusions and make a number of recommendations that they believe would benefit future policing in Wales, whatever the structure. The Social Justice and Regeneration Committee concluded that in order to determine the future structure for the Police Force in Wales, primary consideration should be given to:

- the type of service that is required to serve the country in the future; and
- those parts of the current service that need protection and enhancement to ensure they are not damaged in the restructuring process

In the process of receiving evidence, members have identified the following areas of particular concern:

- Funding
- The maintenance and development of neighbourhood policing
- Local Accountability
- Level 2 Criminality
- Job Protection and Back Office Operations
- A structure fit for devolution

3.2 Funding

In providing evidence to the Committee, the Police Authorities and Chief Constables made the point that if the Home Secretary's vision to provide Level 2 Protective Services at the required level for all Police Forces in England and Wales is adopted, a no change option for Wales did not exist. Even if all four forces were to remain, changes would be required to enable them to operate at the required level. The anticipated additional annual cost of the three options submitted by the Police Authorities is between £47 and £57m (including the costs associated with meeting the levels of increased neighbourhood policing already agreed). In addition there are additional set-up costs of between £6m and £12m. The view was expressed that even these estimates may be understated.

Members of the Committee are therefore concerned about how these additional costs are to be met. The Home Office calculations assume that the savings accrued from the rationalising of services will negate additional costs from year one. The evidence given to the Committee suggested this is over-optimistic and some suggestions were made that the resulting savings would take up to ten years to materialise.

The Committee are unanimous in their conclusions that any increased costs resulting from restructuring should not be met from either the National Assembly for Wales budget nor from Welsh tax-payers through increased police precepts.

The Social Justice and Regeneration Committee recommends that any increase in cost resulting from the restructuring of Police Forces in Wales should be met from additional resources provided directly by the Home Office.

3.3 The Maintenance and Development of Neighbourhood Policing

The one issue where there is total agreement from all those who provided evidence to the Committee is that whatever the outcome of any restructuring exercise, Basic Command Units (BCUs) **must** remain as the critical building blocks. The advantages of BCUs having secured co-terminosity with local political and partner boundaries is highlighted by a number of respondents. It is repeated by a number of witnesses that any move to a bigger or different structure must not affect the abilities of BCUs to deal with aspects of crime protection and prevention on a local basis. In particular the important role

played by the 17 Community Safety Partnerships in Wales must be maintained.

The Committee found consensus in the belief that the focus given to Neighbourhood Policing needs to be strengthened as an essential element in the reassurance agenda. Evidence from a number of sources emphasised that, irrespective of the structure of the Police Service, local communities are more concerned about low level crime and anti-social behaviour.

The Social Justice and Regeneration Committee recognises the Basic Command Unit (BCU) as being the bedrock of any Police Force and determines that no resources should be detracted from this source to secure the aims of Level 2 or any other form of non-neighbourhood policing. The important role played by the 17 Community Safety Partnerships in Wales must also be maintained.

3.4 Local Accountability

With any major change in force structure, both the Committee and those who provided evidence recognised that the issues of local profile and accountability need to be addressed. Related to this is the need to strengthen the role of the local elected members at Police Authority Level.

Suggestions have been made that if a Strategic Police Force were to be established for the whole of Wales the resultant Police Authority should be restricted to 10-12 Members. The Social Justice and Regeneration Committee would find this totally unacceptable. All local authorities, and through them local taxpayers, will be expected to contribute to the Police precept. All such authorities should therefore be represented on any resultant Police Authority. Any other proposal would involve a form of taxation without representation.

A single police authority for Wales has also raised the spectre of whether there should be a structure between the Basic Command Unit and the Chief Constable. Suggestions have been made for a Police Commissioner for Wales supported by three assistants, each responsible for a region which would replicate that covered by the Fire Service in Wales. Such an arrangement would ensure co-terminosity with the other two emergency services. Local Boards would provide for local accountability.

A third suggestion has also been provided that boards should be established even at BCU level. Such boards could include Community Council representatives, ensuring local accountability at an even more grass-roots level.

The Committee noted these suggestions but was not able to reach conclusions without further information on what structure would eventually emerge. They were however adamant that local accountability could not be ignored and that if an all Wales Force did emerge, that the Authority itself would include at least one member from each of the 22 Unitary Authorities in Wales.

The Social Justice and Regeneration Committee recommends that if an All Wales Strategic Force is created, that the Strategic Authority will include at least one member from each of the 22 Unity Authorities in Wales

3.5 Level 2 Criminality

Most of the evidence submitted to the Committee, both oral and written, seemed to accept the need for Police Forces to be adequately resourced to deal with level 2 serious crime. As already stated, there are disagreements (and support) with the recommendations relating to minimum force size – but the basic requirements to accommodate Level 2 policing are accepted. However it must be repeated that any effective solution to solving Level 2 crime must at the same time give further resource and authority to the BCU.

The Committee concluded that in accordance with the parameters set by the Home Secretary, Level 2 protective services could be provided by a single Welsh Strategic Force. It also accepts that Police Authorities also suggested three other alternatives that they consider would meet the identified need. As already stated, the Committee has indicated no preference for any of these options. It has however noted the evidence from the Chief Constables that in the event of the single strategic Force option being favoured there is no operational reason for the headquarters of such a Force to be located in South Wales or in fact that provision of all corporate services need be centralised at one location. The Committee endorses this conclusion and believes that careful consideration should be given to the siting of the headquarters for a strategic Welsh Force if such a Force is created

The Social Justice and Regeneration Committee recommends that if a Strategic Welsh Police Force is created, serious consideration should be given to the siting of the headquarters of such a Force in North Wales.

3.6 Job Protection and Back Office Operations

The Committee notes that at 31 March 2005 there were 11,200 personnel employed by Police Authorities in Wales. Of these, 7,600 are Police Officers and 3,600 Police Staff. The police staff, in the main, are employed in what has been described as “back office” as opposed to “front line” operations. There is however evidence of co-operation where staff undertake duties at the local level such as fingerprinting and scene of crime officers (soco). The Committee would wish such local arrangements to continue, and in fact be expanded to release Police Officers to concentrate on duties involving public protection, reassurance and dealing with crime prevention and detection. The Committee endorses the expressed view that the restructuring of the Police Force provides an opportunity to promote and enhance the work of police staff

Members of the Social Justice and Regeneration committee also would encourage Police Authorities in Wales to adopt a policy of equity in the treatment of all its employees in the Police Service, Officers and Staff alike. Evidence has been received that this is not currently the case.

The Committee notes that the consensus view would seem to be that the savings that will accrue from any restructuring will be as a result of savings in

back office operations. It concludes that any savings on the scales envisaged must involve reduction in staff numbers. It has received no estimate of what these numbers are. It does however accept that the employment of retiring police officers on non-operational duties will aggravate the situation, and suggests that such practices should be reviewed. Suggestions have been made for a Statutory Staff Commission to be established which would deal with all staffing issues on an England and Wales basis. The Committee supports this idea, and believes that such a body could be mirrored in Wales to handle specific Welsh issues and as a precursor to eventual devolution of the Police Service to the National Assembly.

The Social Justice and Regeneration Committee recommends that a study be undertaken involving Police Authorities, Chief Constables and the respective Trade Unions/Staff Associations to identify a distinction between operational and non operational duties with a view to enhancing the job opportunities of police staff and releasing police officers to undertake prevention, detection and protection services.

The Social Justice and Regeneration Committee recommends that Police Authorities in Wales adopt a policy of equity in the terms and conditions of service of all its police employees

The Social Justice and Regeneration Committee recommends that a Statutory Staff Commission be established to deal with all police staffing issues arising from restructuring and that the arrangements are enhanced by establishing mirror arrangements for Wales.

3.7 A Structure for Devolution

Whatever the outcome of the restructuring process, the Committee believes that the structure that emerges must allow for the future devolution of responsibility for Police Services to the National Assembly for Wales. It cannot agree with those suggestions that the North Wales Police Force should join forces with any forces in the North West of England. Such amalgamation would destroy the devolution programme as well as face almost insurmountable problems associated with complying with "Wales only" legislation and practices e.g. the Welsh Language Act, and Police precepts.

The Committee however does welcome the assurances that the current cross border service agreements (both formal and informal) that existing Forces have established with their English neighbours will remain and hopefully be built upon following the restructuring exercise.

The Committee also recognises that the desirability for devolution of the Police Services to the National Assembly for Wales must not be achieved at any price. When the function is devolved it must carry with it the understanding that transfer of functions also means transfer of resources. Such resources must include the existing operating costs as well as the full cost of restructuring as a result of the present exercise. Those restructuring costs must not be restricted to the set-up cost for the new organisation but

also the recurring costs that will accrue over a number of years until the fully anticipated savings are realised.

The Social Justice and Regeneration Committee recommends that any restructuring of Police Forces in Wales that results from the “Closing the Gap” report should not be prejudicial against the future transfer of responsibility for police Forces in Wales from the Home Secretary to the National Assembly for Wales.

Dear Colleague

**Social Justice and Regeneration Committee
Restructuring of Constabulary – Democratic Structures**

Background

As you are aware, the Social Justice and Regeneration Committee completed its review in November 2005. Following that, the Home Secretary has announced that the preferred option is for the 4 existing police forces in Wales to merge into one All Wales Strategic Force. He proposes to introduce legislation to that effect.

The Home Office have, however, suggested that the proposed legislation will allow the National Assembly for Wales to impact on the future issues relating to regional and local accountability which would underpin the new force. The Minister for Social Justice and Regeneration has asked the Social Justice and Regeneration Committee to give further detailed consideration to this issue and report to the Assembly on its conclusions on the democratic arrangements for a new Strategic Police Force in Wales.

In order to assist in this, the Committee wishes to invite you to contribute to its consideration by providing a written submission setting out your organisation's views on the issues and options for regional and local accountability which would underpin a new Strategic Police Force in Wales, including any detailed factual information that may be relevant. There is no prescribed format for submissions. In addition to this written evidence, the Committee will approach a number of key organisations to appear before them in oral sessions. Once again, the timescale for this is very short; the Committee has been asked to report by the end of May 2006.

Timetable

I would be grateful if you could forward any submission you may wish to make to me by **Friday 31 March 2006**.

Publication of Responses

Unless contributors ask for their submission to remain confidential, the Committee intends that all responses will be available for public scrutiny.

For your information, the Committee has invited submissions from those on the attached list. In addition, a copy of this letter has been placed on the National Assembly's web-site with an open invitation to submit views.

Yours sincerely

Annex 3
Written Responses

7/3/06

APJD



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

28 February 2006

Rt Hon Charles Clarke MP
Secretary of State
Home Office
2 Marsham Street
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752108

GFE/JHJ/CB/

Dear Sir

Police Service Restructuring in Wales

The Council has already made representations to the Welsh Assembly Government Social Justice and Regeneration Committee expressing concern at the implications of restructuring the Police Service in Wales.

The Council's Executive met yesterday and considered the stance taken by the North Wales Police Authority on 17th February 2006 to reject Home Office proposals. I have been directed by the Executive to inform you of the following resolution passed yesterday:

The Council supports North Wales Police Authority in its rejection of the proposed merger into an All-Wales Force.

The Council is extremely concerned about the potential costs of any proposed reorganisation and it requires reassurances that any such costs will not fall on local taxpayers nor by an reduction in services.

Yours faithfully

Geraint F. Edwards
Managing Director

- C: Kelvyn Dent, Clerk North Wales Police Authority
Derek Barker, Chief Executive - Conwy County Borough Council
Ian Miller, Chief Executive - Denbighshire County Council
Philip McGreevy, Chief Executive - Flintshire County Council
Harry Thomas, Chief Executive - Gwynedd Council
Isobel Garner, Chief Executive - Wrexham County Borough Council



All 03/04/06

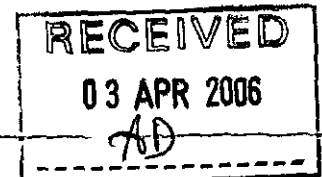
Cyngor Bwrdeisdref Sirol • **Blaenau Gwent** • County Borough Council

GOVERNANCE DIRECTORATE / CYFARWYDDIAETH LLYWODRAETHU
JOHN PEARCE, C.M.A., F.C.I.S, M.Sc.
Corporate Director Governance/Cyfarwyddwr Llywodraethu Corfforaethol

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27th March 2006

Dear Mr. Chaffey



SOCIAL JUSTICE AND REGENERATION COMMITTEE
RESTRUCTURING OF CONSTABULARY – DEMOCRATIC
STRUCTURES

Blaenau Gwent CBC welcomes the opportunity to respond on the issues and options for regional and local accountability, which would underpin a new strategic police force in Wales.

The Council is disappointed and indeed opposes the favoured option to merge the four existing police forces into one All Wales Strategic Force. Nevertheless it is vital that any changes not only address the capacity to respond to new strategic issues but remain flexible and responsive to emerging local priorities. Therefore we would propose that local accountability through existing elected representative arrangements must be maintained.

I would be grateful if you would feed the above comments into the consultation process.

Yours faithfully

Mark McIntyre
Chief People & Performance Officer

Roger Chaffey
Clerk – Social Justice and Regeneration Committee
National Assembly for Wales
Cardiff Bay
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Mr G Jones

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Ask for / Gofynnwch am: Cabinet & Committee Services

Our Ref / Ein cyf:

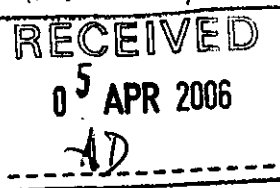
Your ref / Eich cyf:

Date / Dyddiad:

IKL/GJ

31 March 2006

Social Justice & Regeneration Committee
Cardiff Bay
Cardiff
CF99 1NA



Dear Mr Chaffey,

**RESPONSE FOR THE SOCIAL JUSTICE & REGENERATION COMMITTEE -
RESTRUCTURING OF CONSTABULARY - DEMOCRATIC STRUCTURES**

Bridgend County Borough Council received a request from the Social Justice & Regeneration Committee, to comment on the democratic accountability of the single strategic Police Force for Wales if implemented. Information was gathered and a report was presented to Council on 29 March 2006. A copy of the report is at Appendix 1.

The Chief Executive presented the report and outlined the key issues relating to the introduction of a single Police Force for Wales and its democratic accountability. He explained that as the Chairperson of the Local Community Safety Partnership that the impact on local policing may be considerable. He reviewed the current structures of the Police Authorities and possible options for the single force.

Members expressed their concerns that the single Police Force for Wales was being implemented without full consultation and the proposal to limit local authority representation to 10 - 12 members would not be acceptable. Further information regarding the introduction of a Police Commissioner, Local Boards and Boards at BCU level was requested. Each of these suggestions may be more suitable depending on the detail of their structures.

The Cabinet Member currently representing the Council on the South Wales Police Authority outlined the current situation regarding the single police force and its possible implementation. He highlighted concerns that none of the existing forces had voluntarily agreed to the merger proposals and that the North Wales Force seemed adamant that they would "go it alone". The timeline for the introduction of the force by September 2006 was also too ambitious. The Minister for Social Justice & Regeneration Mrs Edwina Hart had strongly suggested to the Home Secretary that the Shadow Authority should operate from the 1 April 2007 with the new Strategic Police Authority coming into place on 1 April 2008 to allow the merger to be properly phased. This would allow time to appoint a Chief Constable and establish the necessary staff and structures to support him.

The cost of the police force precept was also discussed. The Deputy Chief Executive and Executive Director Resources who is also the Treasurer of South Wales Police stated that the police precept in North Wales was approximately £158 and in the South £120 for a Band

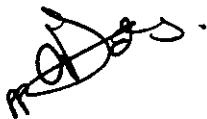


D property. If a single force is implemented the precept is likely to increase for those residents in South Wales to a countrywide average.

The response of Bridgend County Borough Council was that:

"This Council believes the proposed Strategic Police Force is being imposed without recognition of Local Government concerns and the speed of implementation is contrary to achieving a truly unified future Police Authority. Further information regarding the options stated in Para 4.2 of the report would be needed before deciding which option provided the best option for local accountability of the single police force in Wales"

Yours faithfully



for I Keri Lewis
Chief Executive

Appendix 1 - Response for The Social Justice & Regeneration Committee –
Restructuring Of Constabulary – Democratic Structures

BRIDGEND COUNTY BOROUGH COUNCIL**COUNCIL****29 MARCH 2006****REPORT OF THE CHIEF EXECUTIVE****RESPONSE FOR THE SOCIAL JUSTICE & REGENERATION COMMITTEE –
RESTRUCTURING OF CONSTABULARY – DEMOCRATIC STRUCTURES****1 Purpose of Report**

- 1.1 To provide a response by 31 March 2006 to a request received from the Social Justice & Regeneration Committee of the National Assembly for Wales relating to the regional and local accountability which would underpin the possible introduction of a single strategic police force for Wales.

2. Background

- 2.1 After the Home Secretary announced that the preferred option is for the 4 existing Police Forces in Wales to merge into one All Wales Strategic Force, the Home Office suggested that the National Assembly for Wales consider the future issues relating to the accountability of the force.
- 2.2 Although the National Assembly for Wales has no remit for policing, the Minister for Social Justice and Regeneration requested that the Social Justice and Regeneration Committee give this issue further consideration and report its conclusions on the democratic arrangements for the new Strategic Police Force in Wales to the Assembly.
- 2.3 As part of this consideration, the Social Justice and Regeneration Committee have invited various organisations (see Appendix 1) to provide written submissions of their views on this issue. The report is due to be presented to the Assembly in May 2006.

3. Current Responsibility for Policing

- 3.1 There are four police forces in Wales. These are North Wales, Dyfed Powys, South Wales and Gwent. The forces are divided into Basic Command Units (BCUs) that make up each force area. There are 17 BCUs in Wales, comprising of either single or pairs of Unitary Authorities. A map at Appendix 2 shows the Police Force areas and the BCU's.
- 3.2 The responsibility for policing in Wales and England is shared between the Home Secretary, the Police Authority and the Chief Constable. This is often referred to as the Tripartite System.
- The Home Secretary sets national policy, objectives and targets.
 - The Police Authority sets the local strategic Policing Plan and Force Priorities.
 - The Chief Constable has operational independence for the direction and control of the force.
- 3.3 The South Wales Police Authority consists of nineteen Members and is made up of 10 Local Authority Councillors, 3 Lay Justices; and 6 Independents. The Councillor Members are nominated to sit on the Authority by their respective unitary councils. One Member from each council in the area is put forward, with a further Member from Cardiff, Swansea and

Rhondda Cynon Taff, as the largest in the area. Lay Justices are appointed by a selection panel including Councillor Members and a Home Office nominee. Independent Members are chosen by the Councillor and Lay Justice Members from applications received from the public, following advertisement.

4. Proposals for Representation to a Strategic Police Force

- 4.1 Suggestions have been made that if a Strategic Police Force were to be established for the whole of Wales the resultant Police Authority should be restricted to 10 - 12 Members. All local authorities, and through them local taxpayers, will be expected to contribute to the Police precept.
- 4.2 A single Police Authority for Wales has also raised the spectre of whether there should be a structure between the Basic Command Unit (BCU) and the Chief Constable. Suggestions to address this matter include:
- (a) A Police Commissioner for Wales supported by three assistants, each responsible for a region which would replicate that covered by the Fire Service in Wales.
 - (b) Local Boards would provide for local accountability.
 - (c) The creation of Boards at BCU level to include Community Council representatives, ensuring local accountability at an even more grass-roots level.

5. Views of the Social Justice & Regeneration Committee

- 5.1 In the view of the Social Justice & Regeneration Committee, all 22 Unitary authorities should be represented on any resultant Police Authority. Any other proposal would involve a form of taxation without representation.
- 5.2 The Committee noted the suggestions listed in paragraph 4.2 but without further information was not able to reach any conclusions on what structure would eventually emerge. Consultation with key organisations would be undertaken to resolve this matter.

6. South Wales Police Authority

- 6.1 The South Wales Police Authority is awaiting further clarification from the Home Office regarding the future Police Force Structure in Wales and the planned timeline for implementation before making any decisions on this issue.

7. Recommendations

- 7.1 Members are requested to consider the possible structure to provide local accountability in the event of the introduction of a Strategic Police Force in Wales in order to formulate a response for the Social Justice & Regeneration Committee.

I K Lewis
Chief Executive
23 March 2006

Swyddfa'r Prif Weithredwr

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643385

Mr G Jones

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Ask for / Gofynnwch am: Cabinet & Committee Services

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Your ref / Eich cyf:

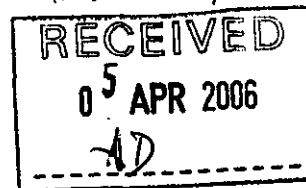
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31 March 2006

Social Justice & Regeneration Committee
Cardiff Bay
Cardiff
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Acu 20/04/06



Dear Mr Chaffey,

**RESPONSE FOR THE SOCIAL JUSTICE & REGENERATION COMMITTEE -
RESTRUCTURING OF CONSTABULARY - DEMOCRATIC STRUCTURES**

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Members expressed their concerns that the single Police Force for Wales was being implemented without full consultation and the proposal to limit local authority representation to 10 - 12 members would not be acceptable. Further information regarding the introduction of a Police Commissioner, Local Boards and Boards at BCU level was requested. Each of these suggestions may be more suitable depending on the detail of their structures.

The Cabinet Member currently representing the Council on the South Wales Police Authority outlined the current situation regarding the single police force and its possible implementation. He highlighted concerns that none of the existing forces had voluntarily agreed to the merger proposals and that the North Wales Force seemed adamant that they would "go it alone". The timeline for the introduction of the force by September 2006 was also too ambitious. The Minister for Social Justice & Regeneration Mrs Edwina Hart had strongly suggested to the Home Secretary that the Shadow Authority should operate from the 1 April 2007 with the new Strategic Police Authority coming into place on 1 April 2008 to allow the merger to be properly phased. This would allow time to appoint a Chief Constable and establish the necessary staff and structures to support him.

The cost of the police force precept was also discussed. The Deputy Chief Executive and Executive Director Resources who is also the Treasurer of South Wales Police stated that the police precept in North Wales was approximately £158 and in the South £120 for a Band



INVESTOR IN PEOPLE

CHIEF EXECUTIVE / PRIF WEITHREDWR

I. Keri Lewis O.St.J. B.A. (Econ.) Solicitor / Cyfreithiwr

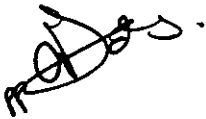


D property. If a single force is implemented the precept is likely to increase for those residents in South Wales to a countrywide average.

The response of Bridgend County Borough Council was that:

"This Council believes the proposed Strategic Police Force is being imposed without recognition of Local Government concerns and the speed of implementation is contrary to achieving a truly unified future Police Authority. Further information regarding the options stated in Para 4.2 of the report would be needed before deciding which option provided the best option for local accountability of the single police force in Wales"

Yours faithfully



for I Keri Lewis
Chief Executive

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Restructuring Of Constabulary – Democratic Structures

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- 1.1 To provide a response by 31 March 2006 to a request received from the Social Justice & Regeneration Committee of the National Assembly for Wales relating to the regional and local accountability which would underpin the possible introduction of a single strategic police force for Wales.

2. Background

- 2.1 After the Home Secretary announced that the preferred option is for the 4 existing Police Forces in Wales to merge into one All Wales Strategic Force, the Home Office suggested that the National Assembly for Wales consider the future issues relating to the accountability of the force.
- 2.2 Although the National Assembly for Wales has no remit for policing, the Minister for Social Justice and Regeneration requested that the Social Justice and Regeneration Committee give this issue further consideration and report its conclusions on the democratic arrangements for the new Strategic Police Force in Wales to the Assembly.
- 2.3 As part of this consideration, the Social Justice and Regeneration Committee have invited various organisations (see Appendix 1) to provide written submissions of their views on this issue. The report is due to be presented to the Assembly in May 2006.

3. Current Responsibility for Policing

- 3.1 There are four police forces in Wales. These are North Wales, Dyfed Powys, South Wales and Gwent. The forces are divided into Basic Command Units (BCUs) that make up each force area. There are 17 BCUs in Wales, comprising of either single or pairs of Unitary Authorities. A map at Appendix 2 shows the Police Force areas and the BCU's.
- 3.2 The responsibility for policing in Wales and England is shared between the Home Secretary, the Police Authority and the Chief Constable. This is often referred to as the Tripartite System.
- The Home Secretary sets national policy, objectives and targets.
 - The Police Authority sets the local strategic Policing Plan and Force Priorities.
 - The Chief Constable has operational independence for the direction and control of the force.
- 3.3 The South Wales Police Authority consists of nineteen Members and is made up of 10 Local Authority Councillors, 3 Lay Justices; and 6 Independents. The Councillor Members are nominated to sit on the Authority by their respective unitary councils. One Member from each council in the area is put forward, with a further Member from Cardiff, Swansea and

Rhondda Cynon Taff, as the largest in the area. Lay Justices are appointed by a selection panel including Councillor Members and a Home Office nominee. Independent Members are chosen by the Councillor and Lay Justice Members from applications received from the public, following advertisement.

4. Proposals for Representation to a Strategic Police Force

- 4.1 Suggestions have been made that if a Strategic Police Force were to be established for the whole of Wales the resultant Police Authority should be restricted to 10 - 12 Members. All local authorities, and through them local taxpayers, will be expected to contribute to the Police precept.
- 4.2 A single Police Authority for Wales has also raised the spectre of whether there should be a structure between the Basic Command Unit (BCU) and the Chief Constable. Suggestions to address this matter include:
- (a) A Police Commissioner for Wales supported by three assistants, each responsible for a region which would replicate that covered by the Fire Service in Wales.
 - (b) Local Boards would provide for local accountability.
 - (c) The creation of Boards at BCU level to include Community Council representatives, ensuring local accountability at an even more grass-roots level.

5. Views of the Social Justice & Regeneration Committee

- 5.1 In the view of the Social Justice & Regeneration Committee, all 22 Unitary authorities should be represented on any resultant Police Authority. Any other proposal would involve a form of taxation without representation.
- 5.2 The Committee noted the suggestions listed in paragraph 4.2 but without further information was not able to reach any conclusions on what structure would eventually emerge. Consultation with key organisations would be undertaken to resolve this matter.

6. South Wales Police Authority

- 6.1 The South Wales Police Authority is awaiting further clarification from the Home Office regarding the future Police Force Structure in Wales and the planned timeline for implementation before making any decisions on this issue.

7. Recommendations

- 7.1 Members are requested to consider the possible structure to provide local accountability in the event of the introduction of a Strategic Police Force in Wales in order to formulate a response for the Social Justice & Regeneration Committee.

I K Lewis
Chief Executive
23 March 2006

Contact Officer:

G P Jones Telephone (01656) 643385 E-mail: jonesg1@bridgend.gov.uk

Background Documents:

Social Justice and Regeneration Committee Report dated November 2005

Police Authorities of Wales Evidence to the Welsh Affairs Committee on Proposed changes to the Police Forces in Wales

Contact Officer:

G P Jones Telephone (01656) 643385 E-mail: jonesg1@bridgend.gov.uk

Background Documents:

Social Justice and Regeneration Committee Report dated November 2005

Police Authorities of Wales Evidence to the Welsh Affairs Committee on Proposed changes to the Police Forces in Wales

LETTER FROM SOCIAL JUSTICE & REGENERATION COMMITTEE



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

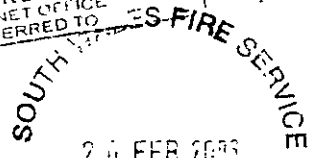
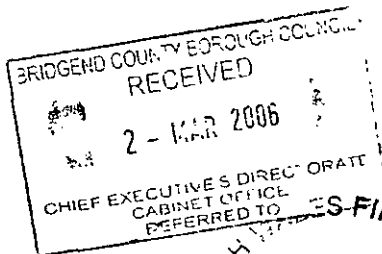
Y Pwyllgor Cyfiawnder
Cymdeithasol ac Adfywio

Social Justice and Regeneration
Committee

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA

Eich cyf / Your ref
Ein cyf / Our ref

Dyddiad / Date February 2006



Chief Fire Officer

Dear Colleague

Social Justice and Regeneration Committee
Restructuring of Constabulary – Democratic Structures

Background

As you are aware, the Social Justice and Regeneration Committee completed its review in November 2005. Following that, the Home Secretary has announced that the preferred option is for the 4 existing police forces in Wales to merge into one All Wales Strategic Force. He proposes to introduce legislation to that effect.

The Home Office have, however, suggested that the proposed legislation will allow the National Assembly for Wales to impact on the future issues relating to regional and local accountability which would underpin the new force. The Minister for Social Justice and Regeneration has asked the Social Justice and Regeneration Committee to give further detailed consideration to this issue and report to the Assembly on its conclusions on the democratic arrangements for a new Strategic Police Force in Wales.

In order to assist in this, the Committee wishes to invite you to contribute to its consideration by providing a written submission setting out your organisation's views on the issues and options for regional and local accountability which would underpin a new Strategic Police Force in Wales, including any detailed factual information that may be relevant. There is no prescribed format for submissions. In addition to this written evidence, the Committee will approach a number of key organisations to appear before them in oral sessions. Once again, the timescale for this is very short; the Committee has been asked to report by the end of May 2006.

Special Council



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roger.chaffey@wales.gsi.gov.uk

Timetable

I would be grateful if you could forward any submission you may wish to make to me by **Friday 31 March 2006**.

Publication of Responses

Unless contributors ask for their submission to remain confidential, the Committee intends that all responses will be available for public scrutiny.

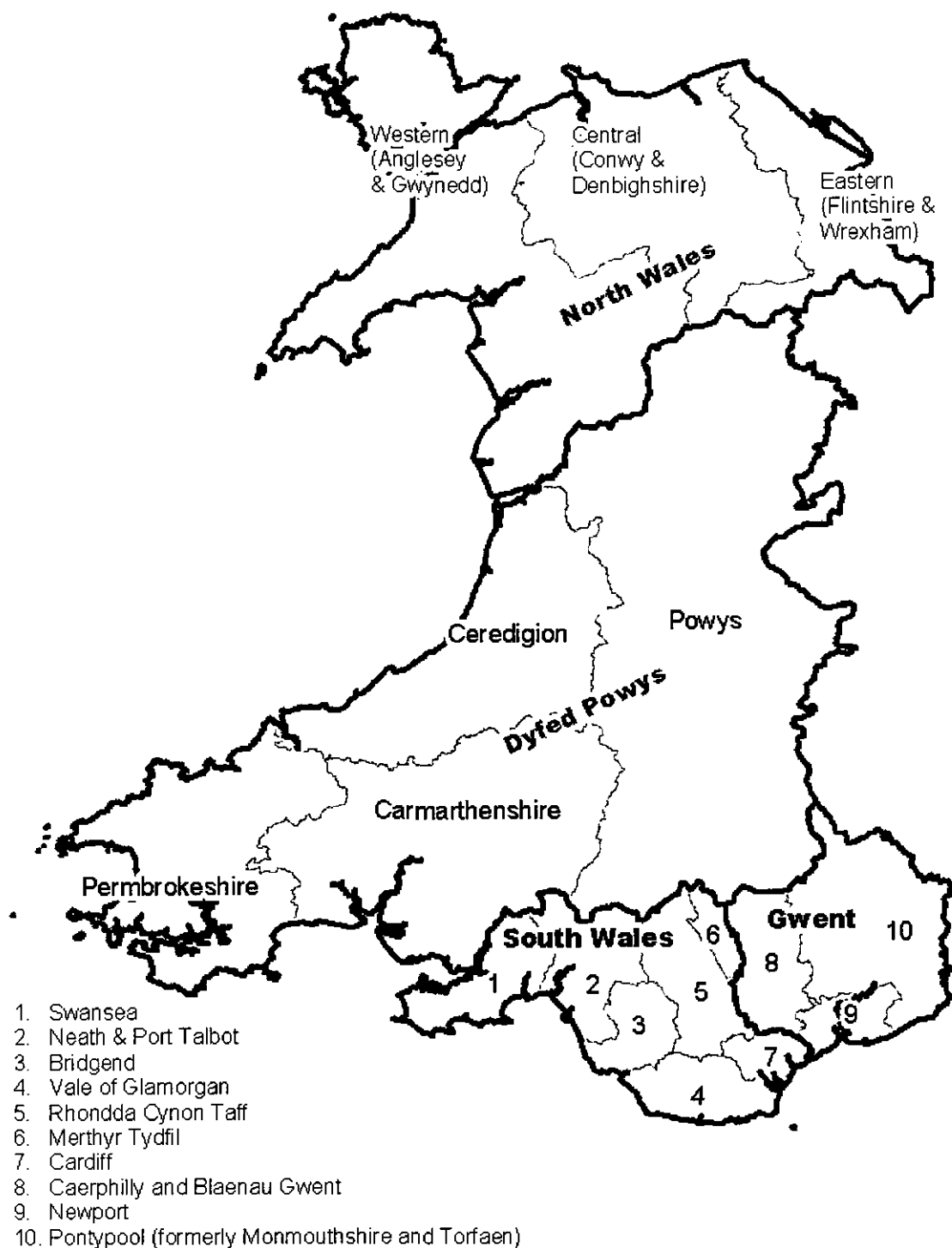
For your information, the Committee has invited submissions from those on the attached list. In addition, a copy of this letter has been placed on the National Assembly's web-site with an open invitation to submit views.

Yours sincerely



Roger Chaffey
Clerk – Social Justice and Regeneration Committee

Map 1: Police Force areas and Basic Command Units in Wales



Cyngor Sir CEREDIGION

Owen Watkin OBE
Prif Weithredwr
Chief Executive



CEREDIGION County Council

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Dyddiad/Date: 29th March, 2006

Ein Cyf/Our Ref: AG/SAT

Elch Cyf/Your Ref:

Mr. Roger Chaffey,
Clerk, Social Justice and Regeneration Committee,
National Assembly for Wales,
Cardiff Bay,
CARDIFF.
CF99 1NA.

Dear Mr. Chaffey,

Restructuring of Constabulary – Democratic Structures

I refer to your letter dated February 2006, inviting written submissions to the Committee on this topic.

This matter was considered by the Members of the Ceredigion Community Safety Partnership at an Executive Board Meeting held on 9th March, 2006.

The Members had previously had sight of the HMIC Report entitled "Closing the Gap – A Review of the "Fitness for Purpose" of the current Structure of Policing in England and Wales", in connection with an earlier invitation for submissions from the Committee on the Restructuring of the Constabulary extended in September 2005.

The HMIC Report was revisited and a number of observations made. In terms of design considerations for restructuring, the Report noted under 1.43 that:

"In creating a structure that is fit for purpose the overall goal should be the creation of organisations that are large enough to provide a full suite of sustainable services, yet still small enough to be able to relate to local communities".

Under Section V, Strategic Forces, 1.58 the Report states:

"Although the clearest and most business-like approach, it could be perceived by some to be most disruptive and least "Locally friendly". This approach would require firm leadership, extensive support and National will".

Furthermore, within the body of the Report under Leadership and Corporate Governance, Clarity 8.23:

"There is a need to identify clear and unambiguous terms of reference and strategy for any organisation and it must be clearly linked to and reflective of the other Policing services provided within the area, which should be regarded as core business and not a peripheral activity".

Given the announcement by the Home Secretary of his preferred option to merge the four existing Police Forces in Wales into one Strategic Police Force, the role and composition of the Police Authorities in terms of democratic structure, particularly in light of the earlier observations highlighted, will be crucial.

In this regard, the Members were cognisant of the proposals put forward by Hazel Blears in her letter to the Chair of the Association of Police Authorities on the subject of Strategic Police Authority Membership, including a suggestion that an All Wales Police Authority might comprise 33 Members (i.e. two-thirds councillors, one-third independents).

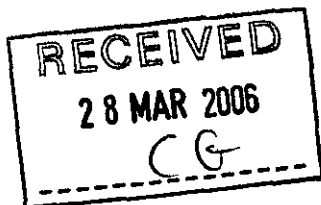
Members also noted the considerable array of other developments impacting Crime and Disorder, including the Home Office report on the Review of the Partnership Provisions of the Crime and Disorder Act, 1998, and the Police Reform Act, 2002, the advent of the National Offender Management Service (NOMS) "Joining Together in Wales" Strategy to reduce re-offending by Adults and Young People, and ongoing Community Safety Partnership / Local Criminal Justice Board collaboration and joint working.

Following discussion and mindful of the growing emphasis on community consultation, engagement, and accountability set out within the key proposals of the Crime and Disorder Act Review, Members concluded that the voice of "Localism" must continue to have a significant say in the future Policing of Wales, and to this end consideration should be given to ensuring that some form of Intermediate or Regional body is created and designated specifically to provide the vital link between Local Partnerships and the Strategic Police Force.

Yours sincerely,

Owen Watkin

**Chair, Ceredigion Community Safety Partnership and
Chief Executive, Ceredigion County Council**



(e-mail)

**Denbighshire County Council's Submission to the Social Justice and
Regeneration Committee
Restructuring of Constabulary – Democratic Structures**

- 1 This submission sets out the Council's concerns and views on the issues and options for regional and local accountability which would underpin a new Strategic Police Force in Wales.
- 2 The full Council has twice resolved unanimously – on 22 November 2005 and 14 February 2006 – that it is totally opposed to the Home Secretary's proposal to make an order amalgamating the Dyfed Powys, Gwent, North Wales and South Wales police areas with effect from 1 April 2007. The council continues strongly to recommend the retention of the status quo. Efficiencies and improvements should be made through increasing collaboration with other forces and partner organisations and not through restructure and merger.
- 3 Members have been particularly disappointed that the Home Secretary has not deemed it necessary to consult local authorities directly about this important issue, despite the fact that they are obviously key stakeholders in the process. Additionally, the time allowed by the Home Office for this major piece of work has been outrageous, particularly in terms of seeking input from partner agencies and the general public.
- 4 The following are critical issues on which Denbighshire County Council still requires clarification and reassurance:-
 - 4.1 The council has argued that **the police authority should consist solely of members appointed by county and county borough councils, with a minimum of one member appointed by each council.** We welcome the confirmation by Hazel Blears MP in her letter of 3 February that each council would be directly represented on the strategic police authority, although we are concerned that we have yet to see any draft legislation from the Home Office to confirm this. (Indeed the absence of a draft amalgamation order as a focus for the consultation letter of 3 March is a general concern.) Our approach would underline the role of the police within the local government family, given the impact that police spending has on council tax levels across Wales, and ensure that the Home Secretary concentrated on the strategic legislative, policy and funding framework;
 - 4.2 In terms of more local accountability mechanisms, the choice lies between the regional level or the Basic Command Unit. There is concern about overburdening the new structure with too many accountability and monitoring mechanisms. **Whatever is put in place should be a statutory mechanism, should involve a majority of seats being filled by county councils and should hold to account senior police officers and police authority members from the area (so the latter could not be members of the board).** The scrutiny

boards should have an advisory/monitoring role and should not have precepting or levying powers. Denbighshire has suggested that each BCU should have a statutory board which would perform a scrutiny role in respect of performance of the BCU, its commander and the police authority member(s) who represent the area. The majority of members of the BCU Board should be appointed by county and county borough councils, with other partners in Wales such as community councils and the National Assembly appointing the remainder. Members of the police authority would not be eligible for appointment.

4.3 The existing power for individual councils to scrutinise a nominated police authority representative, under section 20 of the Police Act 1996, should be retained;

4.4 In terms of strategic joint working with the police, community safety partnerships remain the correct vehicle. Accountability that is set in a wider national framework will need to ensure local input still exists and individual BCU targets will need to be reflected in national policies. Hitherto, Denbighshire has sought to influence local targets through its community safety partnership (although many of those for the police are, in effect, set centrally or heavily influenced by the Home Office). **In future this function might more appropriately be undertaken by a statutory board at BCU level, since it would have a greater level of political input.** In line with the agenda set in Making the Connections, councils and the police should be able to choose to merge community safety partnerships, for example to align with BCU boundaries;

4.5 **we are concerned about the potential impact of the provisions in clause 15 of the Police and Justice Bill** (role of local authority overview and scrutiny committees). The new sections are unnecessary because there is nothing to prevent councils making such arrangements now in their constitutions. This should be a matter for local discretion, rather than a mandatory requirement. We are also concerned that the mechanisms set out in the new Section 21A of the Local Government Act 2000 for pursuing "local crime and disorder matters" risk distorting the work of councillors, scrutiny committees and cabinets or, worse still, similar provision being introduced for other areas of council responsibility such as roads, education or health. There is a danger that the mechanisms could be hijacked by misguided individuals or groups, and that scrutiny committees and cabinets will have to devote more time to very local issues rather than the strategic matters on which they should focus. We accept that the Assembly has powers of commencement for clause 15 and that the Minister has indicated she would not support the introduction of these provisions in Wales currently. We believe that they represent poor legislation and should be limited to England only. We would suggest instead that, **if statutory accountability mechanisms for the police are to be introduced at regional or BCU level, they would represent a more suitable vehicle for individuals or groups to raise issues of concern about "local crime and disorder matters".**

5 The remainder of this submission deals with matters that are perhaps not strictly to do with regional and local accountability mechanisms but nevertheless raise significant issues for people in Denbighshire and, we believe, across North Wales:

5.1 The operational benefits to be accrued by the citizens and communities of North Wales from an all-Wales merger are still not clear and have not been sufficiently evidenced. The scoring formula which was devised by the Home Office to assess different options for policing structures in Wales seems to have been geared towards the formation of an all-Wales force. Further work is needed to demonstrate that the increased capacity and capability in protective services will produce clear benefits. If one of those benefits is to increase North Wales' capabilities to deal with terrorism, it is not clear why funding for security at the ports of Holyhead and Mostyn has recently been cut by over £200,000;

5.2 the operational service must improve if these changes are to take place: the driving force behind the change cannot just be financial or to improve the ability to deal with Level 2 crime. **The Council seeks reassurance that current levels of policing in Denbighshire will be maintained particularly in respect of neighbourhood policing.** Organised and serious crime cannot overtake the core focus of BCU work, which is community based policing responding to Level 1 crime. A national force must not drain local resources away from Denbighshire, for example, community beat managers, police community support officers etc. The problems experienced in North Wales differ greatly from cities such as Swansea and Cardiff. Resources will need to be carefully controlled to ensure that smaller towns and more rural areas do not lose resources. There is concern that North Wales may be disadvantaged by the location of headquarters in South Wales. Many aspects of this are practical ones such as the increased capacity and resources which will be required for travelling to meetings etc. and how a single force will maintain the good work that North Wales Police have done in discharging their responsibilities under the Welsh Language Act 1993. In the North Wales context, it is vital that the existing positive relationship with Cheshire is not compromised in any way;

5.3 arising from concerns about redirection of resources, **the costs of this reorganisation which is being imposed by the Home Office must be met in full by the UK Government.** It would be unacceptable if the costs of reorganisation were to fall on the police service and were to result in cuts to services and/or increases in council tax. There must be sufficient capital and revenue funding to allow the merger to take place, without detriment to local council tax payers and neighbourhood policing. There should also be external validation that any decision to merge meets the legal and financial requirements of due diligence and good governance. The Home Office has suggested that the new force

should borrow money to go towards the set-up costs in Wales, including revenue costs such as paying for any redundancies. This is possible if the Assembly makes the necessary regulations or gives capitalisation directions under section 16 of the Local Government Finance Act 2003. However the Home Office must provide in full additional revenue resources to meet the cost of any borrowing and its repayment;

5.4 from the outset of the new police force, there must be a single common precept across Wales. It is an inevitable consequence of moving to a single police force. This is not about increasing council tax, but ensuring that the proportion of police funding that comes from council tax is shared equally across Wales. There should not be transitional protection for any areas in Wales if the UK Government moves ahead with its proposals. (Such protection could be justified only if it could be conclusively proved that existing levels of expenditure and council tax related directly to local choices about levels of activity or arose from demonstrable differences in efficient use of resources. We do not believe that such evidence exists and that the existing differences in levels of council tax may be more significantly influenced by the Home Office's police funding formula not adequately reflecting the differential costs of providing services in rural and urban areas, in Wales compared to England etc.);

5.5 It would also be essential that the police merger should have no impact on the structure of the fire and rescue service in Wales. This is the devolved responsibility of the Assembly: the Minister for Social Justice and Regeneration has repeatedly made clear that the Welsh Assembly Government has ruled out changes to the number of fire authorities or a merger of their three control rooms. In pursuance of this point, we have also raised concern that there should be no impact on the tri-service joint control room project in North Wales, which is nearing implementation. This is an excellent example of collaboration across the emergency services, in line with the agenda set in "Making the Connections", and will provide a robust, accessible service for people in North Wales. Technology should mean that, even if the police merger goes ahead, emergency calls can continue to be dealt with in North Wales by call handlers who are familiar with its geography.

March 2006



GWASANAETH
LLYSOEDD EI MAWRHYDI
hmcs
HER MAJESTY'S
COURTS SERVICE

Roger Chaffey Esq
Clerk
Social Justice and Regeneration Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA



1 June 2006

Deu Mr Chaffey,

POLICE RESTRUCTURING: IMPACT ON HER MAJESTY'S COURTS SERVICE

I wrote to you on 4 November 2005 in connection with the Committee's consideration of the proposal to create an All-Wales Police Force, setting out how Her Majesty's Courts Service (HMCS) might respond to the formation of a single Police Force. I am writing now to update you on developments within HMCS since that date.

Following the former Home Secretary's announcement about Police restructuring last year, the Lord Chancellor made clear his intention to reorganise the internal administrative structures of HMCS in part to mirror police boundary changes and preserve the principle of co-terminosity between criminal justice agencies. One direct consequence of this decision is that the Wales and Cheshire Region (formerly the Wales and Cheshire Circuit) will cease to exist for administrative purposes with the Cheshire Area of HMCS moving to form part of the North West Region – and potentially merging with the Merseyside HMCS Area in parallel with the Police – leaving HMCS Wales as a single administrative unit of HMCS. This will happen in April 2007.

Although HMCS is, of course, concerned to reflect whatever police structures are put in place, this is not the only driver of HMCS reorganisation.

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Ein cyf/Our ref: NC/dmh/8.0

Eich cyf/Your ref:



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CUSTOMER SERVICE EXCELLENCE

We have to live within a very tight budgetary allocation this year, next year and probably for the foreseeable future. In these circumstances HMCS needs to restructure itself immediately to reduce management overheads and free up the limited resources we do have to seek to maintain front-line services. A significant reduction in the number of Areas across Wales and England will help here.

It is at present intended, therefore, that HMCS across Wales and England will restructure itself in the course of the current financial year. This poses some risks in that we will be moving ahead of certainty on the outcome of the Government's proposals for Police restructuring, but I am afraid the financial imperatives are pressing. I have, therefore, to decide very shortly on the organisational sub-structures I will put in place for HMCS below the All-Wales level.

In my letter of 4 November 2005, I said that I would be considering the creation of a 3 Area structure broadly mirroring that of the Emergency Services in Wales (i.e. North Wales, South Wales and Gwent, Mid and South West Wales including Swansea/Port Talbot). This is now my preferred option as I believe it provides the best chance of establishing Areas of an appropriate size to maximise operational efficiency between the local court and the All-Wales strategic level. It will also provide Mid and South West Wales with its own urban focus, Swansea, which already acts as the civil and criminal trial centre and care centre for that part of Wales. This arrangement will also allow us to reduce duplication of management by losing one HMCS Area – Gwent.

I am currently consulting Courts Boards and Magistrates' Bench Chairmen on this proposal. Gwent may, of course, be less inclined to support this proposal than other Areas. Other options would be:-

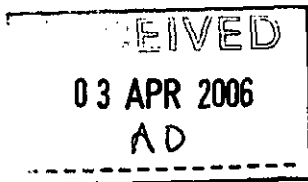
- a) No operational sub-structure below the All-Wales level, which I do not consider likely to be either practicable or politically attractive.
- b) Two Areas – North and South – which would create one very large and one comparatively very small Area and call into question the need for an All-Wales tier.
- c) No change, which would preserve the current 4 Areas, pose least risk from disruption, but not help address the need to reduce the base cost of our service.

Subject to the consultation, HMCS's current plan is to implement the restructuring by April 2007. I will, of course, keep a close eye on developments on Police restructuring but I am confident that the proposed 3 Area structure should be able to interact effectively at the operational level with whatever Police sub-structure eventually emerges.

*Yours sincerely
N P Chibnall*

N P Chibnall
Regional Director

Aca 03/04'06



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Mr R Chaffey
Clerk, Social Justice and Regeneration Committee
Cardiff Bay
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CF99 1NA



Cymdeithas y Cyfreithwyr
The Law Society

30 March 2006

Dear Mr Chaffey,


Social Justice and Regeneration Committee
Restructuring of Constabulary – Democratic Structures

Thank you for your letter of 27 February 2006 and your request to submit our views to the Committee.

The Law Society is the professional body for solicitors practising in England and Wales with almost 100,000 members. The Law Society's Wales Committee was established in 2003 and has a remit which includes all legal matters with a Welsh dimension; influencing the development of the law and legal services policy in the public interest, aiming to maximise justice for all.

In reply to your request for submissions, we do not hold formal policies regarding policing provision or structures. That said a recent consultation response from the Legal Wales Standing Committee to the Department for Constitutional Affairs on Focusing Judicial Resources considered the effect of a single police force in Wales (Clause 3). The response looked at a single police force in the context of the court system in Wales and suggested that a unified Court Administration and Crown Prosecution Service for Wales would follow. The Committee might consider this when looking at models for the operation of the single police force. A copy of the response is enclosed for information.

Yours sincerely,


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**ddweud eich
dweud!**

FOCUSING JUDICIAL RESOURCES APPROPRIATELY

Response of the Standing Committee on Legal Wales

The Consultation paper CP25/05, 10/2005, concerns the size, nature and relative position within the wider justice system of the High Court. This response focuses upon the position as it applies to Wales and in particular the unique position Wales holds nationally, culturally and linguistically. This response is specifically directed to questions 1,2, 3, 6 and 17 of the questionnaire accompanying the consultation paper.

1. Overview

- (a) Wales is distinct. This fact has been recognised and the institutional infrastructure has developed to embody this principle. Founded upon the National status of Wales, its culture and language, Wales enjoys the following unique position as having:
 - (a) The National Assembly
 - (b) From 2007 a separate Welsh Assembly Government with a First Minister and a Statutory Counsel General.
 - (c) A bi-lingual court system

- (b) The National Assembly has the power to enact subordinate legislation within certain subject matters. Since its inception in 1999 it has made some 1200 statutory instruments and an equal number of non SI subordinate legislation. A large proportion of this subordinate legislation makes different provisions in Wales to the subordinate legislation made by central government Ministers in England under the same powers.

From 2007, if the current Government of Wales Bill is enacted, the Assembly will have the powers to make Measures under Orders in Council. These Measures can contain provisions equivalent to provisions that can be put into Acts of parliament. This means that within the powers of the Orders in Council, The Assembly will be able to amend, add to, repeal or make new provision in relation to Acts of Parliament, whether they are current or made in the future.

This means that the difference that already exists between some areas of law in England and in Wales will gradually grow to the extent that Acts of Parliament within the wide range of subject matters listed in Schedule 5 to the Government of Wales Bill may be applied differently in Wales or may be superceded in whole or in part by Assembly Measures.

It is a co-terminus conclusion that judicial function should be on a similar footing in order to efficiently deal with the control of the courts in Wales and reflect the Welsh National status.

2. The opportunity exists to implement measures which would align the judicial system in Wales with other bodies which already exist and whose structure is presently under review. Specifically we refer to the proposed amalgamation of Police areas, the target date for which is 2008.

The review paper 'Closing the Gap', at paragraph 1.46 refers to particular design considerations around combinations of Police Forces in whatever form they take, including:-

- (a) Geography
- (b) Co-terminosity

Geography is more than a linear demarcation and embraces the economic, demographic and linguistic structure of a region.

Co-terminosity provides for efficient communication and the facility to deal with specific regional issues at all levels on a structured basis with the ability to factor-in specific regional issues appropriately. Currently, there are 4 Police Forces in Wales:-

South Wales	-	3316
Gwent	-	1438
Dyfed Powys	-	1183
North Wales	-	1676

The current Police strength in Wales amounts to 7613. Many areas being rural, combined with areas of high population density needing a large Police presence.

A combined Police Force for Wales would have the advantage of one structure with national communication, thus providing one Force that does not have to cross Constabulary boundaries in the course of major investigations.

3. Proposed Amalgamation of Police Force Areas in Wales

- (i) It is clear that the Government intends to press ahead with proposals to amalgamate police forces so as to ensure that they are of sufficient size to cope with problems such as terrorism and large-scale drug trafficking. None of the Welsh police forces currently corresponds to the threshold figure of 4,000 suggested as being the minimum size required to respond to these challenges. South Wales alone comes close with 3,316. The other three Welsh forces would have to be united to reach the threshold level but this would leave South Wales below the threshold.

amalgamation of South Wales with one of its neighbouring forces would make it impossible to achieve the threshold level in other police areas.

- (ii) Although opinion is divided on the issue, on balance the preferred solution is to create one police force for Wales through the amalgamation of all four existing Welsh forces. This would create a force of over 7,500, larger than Merseyside and approaching the size of Greater Manchester. It is submitted that the arguments in favour of the creation of a national force for Wales are persuasive in that they extend beyond the requirements of policing. Post-Devolution Wales has an undoubted need for institutions which manifest the national identity of the country and needs also to discourage the maintenance let alone the creation of institutions which serve to fragment that identity. An all Wales police force would be an institution which exhibited the nation's identity and for that reason alone it is submitted that the all Wales option should be preferred.

- (iii) There are nevertheless other reasons for preferring it. A generation ago a national force would have been viewed as detrimental to local independence, control and accountability. County and borough forces when originally created reflected the political divisions of the country for the purposes of national and local government. That situation no longer obtains. The current police authority areas bear little, if any, relation to local or national political boundaries. The creation of a national force to police the country corresponding to the Assembly's jurisdiction over devolved matters would restore a clear link between policing and political boundaries, and it is submitted that, given central government's preference for police authorities with a small membership, the elected politicians to serve on an all Wales authority should be drawn from the ranks of the Assembly and not the 22 local authorities. It is also clear, from remarks made by senior police officers

recently, that policing in Wales currently suffers from the lack of correspondence between police authority boundaries and those of other public bodies, such as, for instance, those relating to health and education. A national force would mark an important step towards the restoration of rational boundaries for public administration within Wales, and the status of the new force should be further underlined by its professional head being a Commissioner appointed by the Crown.

- (iv) It is equally important that the mistakes of the past with regard to administrative arrangements for Wales should not be repeated. It is now widely recognised that the dividing of the country and sometimes the grouping of such divisions with neighbouring parts of England have been detrimental not only to the identity of Wales as a nation but also to its economic and social progress. While the creation of a Wales Gas Board in the post-war period led to heavy investment and jobs, much criticism attended the absorption of Wales into British Railways' western region on nationalization and the placing of Wales in the British Transport Authority's western division. There was even greater displeasure at the division of Wales into two electricity boards and the linking of north Wales with Merseyside as a consequence. These developments of the post-war years are now seen as having been damaging not only to national identity, but also to the development of communications and thereby the economy. They represent mistakes which should not be repeated.

- (v) For this reason, it is not possible to support the view that the North Wales police area should be amalgamated with the neighbouring English force in Cheshire. The fact that the North Wales and the Cheshire forces have successfully collaborated in the past is not an argument as there is no reason why such successful collaboration across police authority areas could not continue in the future.

The argument that poor road and rail communications militate against an all Wales solution needs also to be resisted in that such problems, which are detrimental to the national identity, in part result from past administrative divisions and their consequences. They are not reasons before which proposals for national unification should capitulate. They are problems needing to be confronted and overcome.

(vi) Investigations into serious crime will always require cross-border cooperation, whatever the chosen boundaries. Organized crime, terrorism and drug trafficking cannot be effectively tackled at even a British or possibly European level but require international responses. Effective policing requires organization at a variety of levels according to the nature of the several problems. Serious crime is only one issue and should not dictate the overall shape of the force. It is equally clear that a national force will need to be properly structured into divisions which reflect the current internal administrative frameworks of Wales and allow for appropriate responsiveness to the needs of the communities which are being policed at all levels. Nevertheless, a national force should prove much more efficient and cost effective, by reducing duplication of resources and allowing for the build-up of expertise. A small example would be the organization of national events. The Dyfed-Powys force as it polices the Royal Welsh Show at Llanellwedd each year has been able to develop its expertise in coping with the event. On the other hand, as the National Eisteddfod moves in alternate years from north to south and from county to county, it also moves from one police authority area to another, undermining consistency and the build-up of expertise. Within a national force, such difficulties could be easily overcome.

(vii) Across Europe, since the later nineteenth century, the boundaries for the provision of court services, the jurisdiction of public prosecutors and the offices of the judicial

police, have become coterminous. This has been one, but an important feature, in maintaining the identities of discrete communities within state structures, such as those of Catalonia in Spain or the Trentino-Alto Adige in Italy. The development of devolved levels of legislative and executive government and the guaranteeing of the status of the minority languages spoken in those parts, have been other influential factors. Many of the issues which have led to such devolution across Europe, as is now recognized, also apply to Wales and, in the wake of Devolution and the passing of the Welsh Language Acts, Wales requires more, not fewer, legal institutions to reflect and encourage its national identity and aspirations. It is the conclusion of this paper that a national police force is one such institution and that it is therefore the most appropriate solution to the needs of policing in contemporary Wales.

4. Should Wales become one Police area, then it follows that other institutions would benefit from unification. All large institutions are pyramidal in structure, the fewer the numbers of institutions, the fewer are the lines of communication. Unification of area with direct lines of communication embodies the principle of co-terminosity.

The creation of a unified Police Force for Wales provides the opportunity and, indeed, the catalyst for the restructuring of other organisations in Wales. It would follow that the opportunity exists to create:-

- (i) A unified Crown Prosecution Service for Wales and as a natural progression.
- (ii) A unified Court Administration for Wales.

5. It is of significance that the Consultation Paper on Focusing Judicial Resources Appropriately recognises when dealing with regional continuity and co-ordination

(paragraphs 75 to 79) that Cardiff is in a different position from other regional centres because of its status as a capital city.

6. Judicial Resources in Wales

(i) The specialist courts in Wales presently comprise a Chancery Court, a Construction and technology Court and a Mercantile Court.

(ii) Paragraph 3 of The Civil Procedure (Amendment No. 4) Rules 2000 (SI No 2092) which introduced a practice direction for judicial review cases, provides as follows:

3.1 A claim for judicial review may be brought in the Administrative Court in Wales where the claim or any remedy sought involves:

3.1.1 A devolution issue arising out of the Government of Wales Act 1998; or

3.1.2 An issue concerning the National Assembly for Wales, the Welsh executive, or any Welsh public body (including a Welsh local authority) whether or not it involves a devolution issue.

3.2 Such Claims may also be brought in the Administrative Court at the Royal Courts of Justice.

(iii) Paragraph 2.3 provides that where a claim is proceeding in the Administrative Court in Wales, documents must be filed at the Civil Justice Centre in Cardiff.

(iv) It is important to note that at present the Administrative Court Office remains in the Royal Courts of Justices in the Strand for all cases. The Cardiff Civil Justice Centre forwards any case brought there to the Strand who will list the case before one of the nominated judges when and where he or she is available.

- (v) The prime importance of having the Administrative Court in Wales is to promote a closer relationship between the people of Wales and the courts which review important decisions affecting them. Before this new development, such review could often appear remote. For example, an applicant for housing benefit claiming that a Welsh local housing authority had wrongfully refused the application on reviewable grounds, would be faced with a day in London for the review hearing, a situation which is less than satisfactory.
- (vi) In the last 4 years the number of cases brought in the Administrative Court in Wales has risen steadily. Most involve challenges to local authorities or to the Assembly on decisions taken within the devolved areas, rather than upon a devolution issue as such.
- (vii) There have been a number of occasions when the Court has sat in London or elsewhere in England despite the fact that challenges heard were concerned with decisions in devolved areas. Examples include: Education; *Jones v Ceredigion CC* EWHC 1376, *C D v Isle of Anglesey CC* EWHC 1635, *X v Caerphilly CBC* EWHC 2140; Taxi Licencing; *Cummings v Cardiff CC* EWHC 2295; Council Tax; *R (Carmarthenshire CC) v West Wales Valuation Tribunal* EWHC 223; Magistrates Court Procedure; *R (Tracy) v Bangor MC* EWHC 172; Planning; *Community Power Limited v NAW and Neath and Port Talbot CBC* [2004] EWHC 2186 Admin.
- (viii) The first of those decisions was concerned with the provision of free transport to a Welsh language school in Ceredigion. The last case cited involved a challenge by a developer to the refusal of a planning inspector to allow its appeal against the refusal of planning permission for the erection of wind turbines on Mynydd Margam

overlooking Margam Park and Llangynwyd Conservation Area. Clearly that was an important case not only to the developer but to the local communities involved. The enquiry was held locally and a large number of local people attended but unsurprisingly this was not the case at the review hearing. These cases should have been heard in Wales so as to promote local access to justice.

- (ix) The reason for the listing of that latter case in London appears to have been a lapse in the Administrative Court Office, and procedures there have since been tightened. More often, however, there are logistical problems in the availability of designated judges to hear administrative cases in Wales. Video links between Wales and London can be useful in dealing with short applications or delivering reserved judgments but are not appropriate for substantial hearings. These difficulties are acknowledged and the judiciary is aware of the concerns. Steps have been taken to increase the availability of designated judges in Wales.
- (x) There has been some improvement. In 2004 the unsuccessful challenge to the decision of the Pembrokeshire Coast National Park Committee to grant planning permission for the extensive Bluestone tourist development was heard in Swansea. This was clearly a case of great local interest which needed to be tried relatively locally and happily it was. At the start of 2005 a challenge to the designation by the Welsh Assembly Government of a large part of Halkyn Mountain in Flintshire as a candidate for a Special Area of Conservation was heard in Cardiff.
- (xi) The report of the Richard Commission (page 137) highlighted the fact that public concern about the accountability of quangos and, perhaps to a lesser extent, local and central government, played a significant part in encouraging support for devolution. At page 193 the report went on to set out the advantages which further

devolution to Wales of the organs of the administration of justice would bring to Wales, including:

- xi.1 Closer relationship between institutions and the people whom they serve
- xi.2 Greater efficiency of courts and tribunals in the prompt disposal of work
- xi.3 Employment benefits in support and related professions
- xi.4 Career structures and specialities not presently available in Wales
- x1.5 The geographical definition of the right to use the Welsh language

(xii) In order to give appropriate recognition to the importance of the work of each of the specialist courts in Wales, it is submitted that the following steps be taken:

- xii.1 A listing office for the Administrative Court in Wales should be established at the Civil Justice Centre in Cardiff;
- xii.2 A pool of High Court judges to sit in administrative cases in Wales should be identified and maintained.

7. Tribunals in Wales

- (i) There is also a need to consider judicial resources in the context of tribunals which sit in Wales. At present there are only two devolved tribunals (Mental Health Review Tribunal and SENDIST). All other tribunals span both England and Wales. Some have an administrative office in Wales, but many do not. The Courts and Tribunals Bill proposes the setting up of a tribunals agency to unify administration, and that there be a single judicial office so that members of one tribunal would be eligible to sit for others. There is currently no proposal to have an office of the proposed tribunals agency in Wales, so access for Welsh users of most tribunal services would be in England.

- (ii) The Assembly has taken the decision (in consultation with their chairs) that the two Welsh tribunals would not come under the umbrella of the proposed tribunals agency, because to do so would involve a sacrifice of their devolved status. This may well mean that their members will not be part of the system of the single judicial office.
 - (iii) The Bill also proposes a single appeal tier for all tribunals, rather than each tribunal having its own appeal tier. It is unclear what will happen to applicants to English/Welsh tribunals who have had their hearing at first instance conducted through the medium of Welsh, or whether there will be a cohort of Welsh speakers on the appeal tier.
 - (iv) At present it is not proposed that there will be a Welsh seat on the Judicial Appointments Commission, although it is hoped to have one lay member with a special knowledge of Wales.
 - (v) The advantages of further devolution of the organs of the administration of justice identified at page 193 of the report of the Richard Commission and set out above, apply with equal force to tribunals. The problems highlighted above should be addressed in the proposed reform of the tribunal system."
8. The unique position and status of Wales (see paragraph 1) has been recognised and exemplified by the fact that Cardiff is the only location outside London where the Court of Appeal regularly sits, and embodies the principle that matters of public justice be dealt with in a manner that specifically affect national and regional factors and the need to deal with the substantial appellate business, both Civil and Criminal, which flows from Wales.

In order to properly consolidate this position and that of the Administrative Court, the creation of offices in Wales for both the Court of Appeal and the Administrative Court (see *infra* paragraph 6) would have the following benefits:

- (i) Consolidating and recognising the importance of the functions of both the Court of Appeal and Administrative Court in Wales.
- (ii) As both the Court of Appeal and the Administrative Court already function, *de facto*, in Wales, the creation of offices in Wales would save duplication of work and streamline procedures.

These advances can be achieved without the need for legislation and would be a substantial step forward, which could be brought about administratively by direction of the Lord Chief Justice.

9. Conclusions

- (a) The present structures which relate to the administration of justice in all courts in Wales is that which is general to all of England and Wales with no High Court Judge specifically assigned to Wales, the current position of Presiding Judges making no distinction save as to circuits.
- (b) Wales, as a nation, merits a High Court Judge appointed to oversee and deal with the issues of all judicial and administrative matters within Wales, to include the Civil, Criminal, Family and Specialist functions of the High Court and lower courts. The natural base for such a position would be the capital city, Cardiff.
- (c) Wales is the only location where the Court of Appeal regularly sits outside London yet there is no Court of Appeal Office in Wales and no Registrar, a re-structuring

would allow this position to be remedied providing for sittings of the Court of Appeal to be dealt with in conjunction with the Court of Appeal in London.

(d) The Administrative Court in Wales was set up after devolution in order to deal with matters Welsh. At present there is, in effect, a 'post-box' facility, the reality of which is to forward matters to London.

(d) The opportunity now exists to address these issues.

Roger Chaffey, Clerk.
Social Justice and Regeneration Committee
Cardiff Bay
Cardiff
Glamorgan
CF991NA

Dear Roger Chaffey.

Social Justice and Regeneration Committee
Restructuring of Constabulary-Democratic Structures.

Thank you for your letter dated February 2006. I have read your comments and discussed them with colleagues of our Llandrindod Wells and District Homewatch Association.

I have communicated with you previously concerning the merging of our Wales police forces when I intimated that we would not be opposed to the "All- Wales" merger of existing forces.

We have now had further time to consider these government proposals. In effect the time scales imposed for these prospective mergers were rushed through without an adequate time to consider the full implications and costs concerning such mergers. We did initially consider such proposals to be in the interests of improved efficiency especially such factors as reductions in administrative staff numbers and centralised control offices. However it is now considered that **any gains would be offset by losses in localised policing and the community coverage by local policeman with specialised local beat knowledge.** I would now like to revoke our previous comments and suggest that any further support would be to favour the existing structures as provided be the forces now in operation. **In effect I am against any mergers within Wales of our existing police areas.**

It has also become apparent from public meetings that the **full cost of any mergers would have to be born by ratepayers** as the government will not bear the cost of any mergers. It is also now doubtful that any benefits could be obtained by mergers. The relocation of police offices and police officers would detract from localised policing with response units being spread wider apart. You will appreciate that in an area as large as Wales local coverage is vital and that the closer police control is to incidents the more effective will be the response. We would for example lose time if police from Brecon had to respond to incidents in Radnor. The time lost in travelling and the extra costs in police pay would be of detriment to the community and the ratepayer. The extra time in

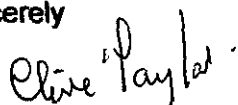
courses etc to attend conferences and training briefings made from Radnor say to Cardiff or North Wales would be both costly and time wasteful.

It is now accepted and apparent that there are distinctive benefits by overlapping North Wales police with Chester police to cover the Merseyside areas and the overlap of Dyfed/Powys police to link with Herefordshire police to pursue criminal situations. This results in a fluidity of operations by not having strictly defined boundaries and this makes for effective policing. Strictly defined boundaries may not be beneficial which may be the case of a Wales merger.

If the effectiveness of existing police work as identified by statistical results and data are working there is no reason to change a winning team. Any reorganisation would not be to community benefit and it could be many years before any financial benefit would accrue from a merger.

I am therefore against any changes to our existing police structure and I think that our existing Police Chief Constables should be left alone to get on with the job on hand.

Yours sincerely



Clive Taylor

Chairman. Llandrindod Wells and District Homewatch Association.

Dyfed/Powys Police Representative to the National Neighbourhood Watch Association.

Homewatch Key Co-ordinator Radnorshire.



Acc 03/04/06

Awdurdod Tân ac Achub Canolbarth a Gorllewin Cymru Mid and West Wales Fire and Rescue Authority

Pencadlys Y Gwasanaeth Tân Ac Achub, Heol Llwyn Pisgwydd, Caerfyrddin, SA31 1SN
Fire and Rescue Service Headquarters, Lime Grove Avenue, Carmarthen, SA31 1SN
Ffôn/Phone: 0870 6060699 Ffacs/Fax: (01267) 220562
Gwefan/Website: www.mawwfire.gov.uk
E-bost/E-mail: mail@mawwfire.gov.uk

A.T.Howells C.P.F.A. - Clerc /Clerk
H.C.Morse F.C.C.A. - Trysorydd/Treasurer

Prif Swyddog Tân/Chief Fire Officer: D. Mackay, M.Sc., M.I.Fire.E.
Cyfarwyddwr Cynllunio a Pholisi Gwasanaeth/Director of Service Policy and Planning R. Smith M.A. D.M.S. MIFireE

Eich Cyf/Your Ref:
Fy Nghyf/My Ref:

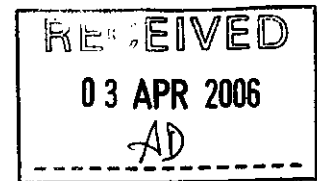
Gofynner am/Please ask for:

A T Howells

Est/Ext: 4461

30 March 2006

Mr Roger Chaffey
Clerk-Social Justice and Regeneration Committee
National Assembly for Wales
Cardiff bay
CF99 1NA



Dear Mr Chaffey

Social Justice and Regeneration Committee Restructuring of Constabulary – Democratic Structures

Thank you for your letter in respect of the above matter and the opportunity to comment.

The Mid and West Wales Fire and Rescue Authority considered the policy review of "Restructuring the Constabulary" earlier this year. In responding to the question on the relationship between the police, the communities they serve and matters of local identity, this Authority noted that appropriate governance arrangements should be introduced so as to ensure that members of the public can easily identify with the new Strategic Police Force in Wales.

The Authority would also wish to note that any new governance arrangements introduced should ensure that the collaborative work already undertaken under the auspices of the Joint Emergency Services Programme Board can move forward with the initiatives that are currently in development.

Finally the Authority would wish to stress the importance of ensuring that the new structures are fully consistent with the "Delivering the Connections" and the principles set out within the Good Governance Standard for Public Services.

Should you require any further information then please do not hesitate to contact me.

Yours sincerely

A T Howells

AT Howells
Clerk

Mae Awdurdod Tân Canolbarth a Gorllewin Cymru
yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg.
Mid and West Wales Fire Authority
welcomes correspondence in either Welsh or English



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



Neath Port Talbot
Castell-nedd Port Talbot
County Borough Council Cyngor Bwrdeistref Sirol

Making a difference Gwahaniaeth er gwell

Neidea
20/3 CG

15th March, 2006
01639 763303
p.moran@npt.gov.uk

Date Dyddiad
Direct Line Rhif Ffôn
email ebost

Mr. P. Moran
PM.BLA

Contact Cyswllt
Your Ref Eich Cyf
Our Ref Ein Cyf

Mr. R. Chaffey
Clerk – Social Justice and Regeneration Committee
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

Dear Mr. Chaffey,

Social Justice and Regeneration Committee
Restructuring of Constabulary – Democratic Structures

I refer to your circular letter dated February 2006 on the above.

The Council's views are as follows, and are based on the assumption that there will in fact be one Police Force for Wales:-

All Wales Level

It is important that the democratic element of the new Police Authority includes one elected Councillor from each Unitary Authority in Wales. The National Assembly ought to re-inforce this point to the Home Office.

Regional Level

It will be useful to have some form of Regional Structure in place – possibly along the lines of the four regions being set up by the WLGA for collaborative purposes, or indeed based on the existing Police areas. The remit of any such regional arrangements would need to be looked at in some more detail, but as a principle, is worthy of support.

Chief Executive's Directorate
Cyfarwyddiaeth y Prif Weithredwr

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Chief Executive
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Ken Sawyers
Prif Weithredwr
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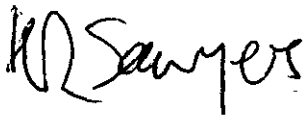


Local Level

Certainly it must be the case that local policing must be maintained, in particular the retention of Basic Command Units co-terminus with local authority boundaries, so as to ensure effective democratic liaison.

We hope that these initial comments will be helpful to your Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read "H. D. Sawyers". The signature is written in a cursive style with a large initial "H".

Chief Executive.



Gwasanaeth Cenedlaethol
Rheoli Troseddwy

National Offender
Management Service

National Offender Management Service

By E.mail

Offender Management Service Wales / Gwasanaeth Rheoli Troseddwy Cymru
National Offender Management Service / Y Gwasanaeth Rheoli Troseddwy Cenedlaethol

Welsh Assembly Government / Llywodraeth Cynulliad Cymru
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Mr Roger Chaffey
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Carol Bernard CBE

Director of Offender Management Service Wales

Your ref / eich cyf: [add ref]

Our ref / ein cyf: [M017]

31 March 2006

Dear Mr Chaffey

Restructuring of Constabulary - Democratic Structures

Thank you for inviting comments for the Committee to consider on the accountability structure that should underpin a new Strategic Police Force in Wales.

From a NOMS Wales perspective I would want to ensure that the benefits that have been gained from co-terminosity and partnership working with criminal justice agencies in Wales can continue to be built upon within the new police structure.

To this end it will be important for NOMS Wales to take account of the agreed accountability structures in the way we commission future services for offenders and in our performance management of outcomes.

I would therefore welcome the opportunity to be kept involved in discussions to finalise the design of the police governance arrangements to help shape our commissioning and performance management arrangements with our providers.

I have sent a copy of this letter for information to the Director of the Community Safety Unit at the Welsh Assembly Government.

Yours sincerely,

Carol Bernard CBE
Director
Offender Management Service Wales.

Acc
20/03/06



**Bwrdd Iechyd Lleol
Local Health Board**

Sir Benfro
Pembrokeshire

Date: 8th March 2006
Tel: 01437 771225
Ref: CEO 0308_06

Mr Roger Chaffey
Clerk, Social Justice & Reeneration Committee
National Assembly for Wales
Cardiff Bay
CARDIFF CF99 1NA

Dear Mr Chaffey

**SOCIAL JUSTICE & REGENERATION COMMITTEE
RESTRUCTURING OF CONSTABULARY**

I enclose a copy of my letter of the 3rd November giving my views on the above.

I have watched and listened to the media debate since then with interest, but have not seen any reason to change our original response – only really to emphasise we would be looking for a continuation of the local identity to be able to continue the good partnership relations already in place.

Yours sincerely

**BERNARDINE REES
Chief Executive**

Bernardine.rees@pembrokeshirelhb.wales.nhs.uk

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**Bwrdd Iechyd Lleol
Local Health Board**

Sir Benfro
Pembrokeshire

Date: 3rd November 2005
Tel: 01437 771225
Ref: CEO 1111.05

Mr Roger Chaffey
Clerk, Social Justice & Reeneration Committee
National Assembly for Wales
Cardiff Bay
CARDIFF CF99 1NA

Dear Mr Chaffey

**SOCIAL JUSTICE & REGENERATION COMMITTEE
RESTRUCTURING OF CONSTABULARY**

Thank you for your letter of the 28th September inviting views on the above.

In response, it is hoped that any restructuring of the Constabulary would not affect local identity. Pembrokeshire has very good partnership working with local Police within the Dyfed-Powys structure, and while it is a matter for the Constabulary themselves to design the appropriate Police Force structure, the need for local partnership is imperative.

I trust that the brief comments above will assist the Committee in its considerations.

Yours sincerely

h n Charles

hr

**BERNARDINE REES
Chief Executive**

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NHS
WALES
GIG
CYMRU

Ass 63/04/06



Cynghor Sir Penfro = Pembrokeshire County Council

Your ref
Eich cyfeirnod
My ref
Fy nghyfeirnod
Please ask for
Gofynnwch am
Telephone
Ffôn
Date
Dyddiad

30 March, 2006

COUNCILLOR/CYNGHORYDD

JOHN T. DAVIES

LEADER

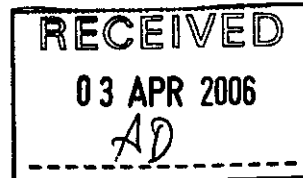
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Mr Roger Chaffey
Clerk - Social Justice and Regeneration Committee
Welsh Assembly Government
Cardiff Bay
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CF99 1NA



Dear Mr Chaffey

SUBMISSION TO SOCIAL JUSTICE AND REGENERATION COMMITTEE

Thank you for your letter dated February 2006 requesting views on how democratic structures which will support the proposed single Welsh Police Force should operate. This Council considers this to be an important matter and we welcome the opportunity to contribute to the Social Justice and Regeneration Committee's deliberations.

Our response to the previous consultation by the Home Office emphasised that the process for merging Welsh Forces has been rushed and that information has been insufficient. The Home Secretary's proposals do not give us the confidence that the current standards of local police performance will be sustained or that existing resources / costs will be maintained. However, it is recognised that the timescale for making a submission to the Social Justice and Regeneration Committee is not of its own making. We would, therefore, like to preface the Council's response by highlighting, once again, the lack of time and information to make a fully considered response.

Effective and strong local democratic input into the governance of the Police Force is critical. Lobbying via the Welsh Local Government Association has been successful in persuading the Home Office to give each local authority representation on the proposed 33 member Welsh Police Authority. This is a minimum requirement to allow for proper democratic input to strategic decision making at the national level.

This Council also considers that any regional structures within the proposed all Wales Police Authority should group Pembrokeshire with other neighbouring authorities that have similar profiles of crime and disorder. We, therefore, propose that Pembrokeshire continues to be grouped with Carmarthenshire, Ceredigion and Powys. A regional structure that is based around South West Wales is less attractive as it will put authorities with very different crime profiles together.

This restructuring should, as a minimum, have no negative, detrimental effects on the low crime and high detection rates enjoyed in Pembrokeshire at present. Indeed it should be based on securing improvement. This can only be delivered if



effective powers are retained locally to reflect local circumstances and issues. We strongly support preserving the current co-terminous boundary of the Basic Command Unit (BCU) with the county boundary for Pembrokeshire. We support the proposals contained within Schedule 2 of the Police and Justice Bill on the basis that there is a "one-to-one" relationship between BCU and local authority across Wales. BCU's should retain the same degree of local autonomy from Force Headquarters that they currently enjoy. Much of the joint work between the Police and other public agencies, e.g. the Crime and Safety Partnership, depends on the BCU having the power to make decisions locally without reference to headquarters.

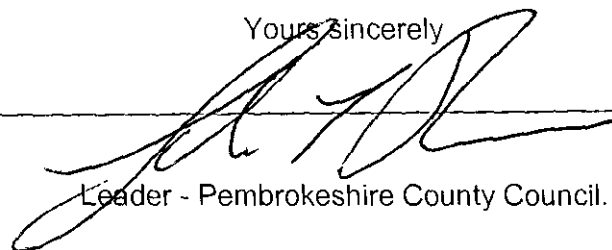
We also welcome the principles behind neighbourhood policing as this will have a positive impact, particularly on fear of crime. We look forward to seeing this initiative working effectively in rural as well as urban settings. It is still early on in the process but indications are that the process has gone well to date.

However, this initiative also appears to have the potential to transfer resources from predominantly rural BCU's to predominantly urban ones. Within BCU's there also appears to be a similar process taking place with rural areas likely to lose out to urban ones in terms of resources. This is strongly opposed.

In addition, Dyfed Powys Police Authority has raised the level of funding for sparsely populated areas. Whatever democratic structures are used for Police areas in future, we consider that there could be a fundamental problem with the overall level of additional funding for neighbourhood policing which will have a knock-on effect in rural areas.

Finally, consultation on local proposals for neighbourhood policing has been inadequate, almost to the point of being cursory, because the timescale is so tight. Communities within Pembrokeshire are unlikely to have any real say in how this county is sub-divided as local police have had insufficient time to consult at a local level including with this Council. This has a wider significance for us as these new neighbourhood divisions are expected to feed into local democratic structures directly, through the overview and scrutiny process. This example of a lack of joined up government will make it more difficult for the authorities to deliver on the *Making the Connections* agenda.

Yours sincerely



Leader - Pembrokeshire County Council.

NEC1017/3.



From the Office of the Chairman of the Board / Oddi wrth Swyddfa Cadeirydd y Bwrdd

ack CF16/3

Mr Roger Chaffey
Clerk – Social Justice and Regeneration Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

County Hall
Llandrindod Wells
Powys
LD1 5LG

7th March 2006

Dear Mr Chaffey,

Restructuring of Constabulary – Democratic Structures

Thank you for your letter inviting the Council to provide a written submission on the issues and options for regional and local accountability underpinning a single Welsh police force.

The prospect of a single force has naturally led to concerns over issues such as policing levels in the county and local accountability. The Council's Board believes that for these concerns to be addressed, it is crucial that there is fair representation on the Police Authority, with each local authority represented. The Council also feels that there should not be a presumption in favour of the Police headquarters or the Police Authority being based in Cardiff.

At a more local level, the Board would like to see a closer working relationship between the Council and the Basic Command Unit for the county. The Board suggests that an advisory committee, which would serve as a link between the police and the Council and on which the Council would be represented, should be established.

Yours sincerely,

(E. M. JONES)

Chairman of the Board

Cyngor Sir Powys County Council

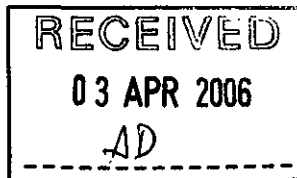
Telephone/Ffôn: 01597 826369 ● Fax/Ffacs: 01597 826220 ● <http://www.powys.gov.uk>

The Council welcomes correspondence in Welsh or English / Mae'r Cyngor yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg

File 03/04/06

31st March, 2006

Mr. Roger Chaffey,
Clerk - Social Justice and
Regeneration Committee,
National Assembly for Wales,
Cardiff Bay,
Cardiff. CF99 1NA



Legal and Democratic Services
The Pavilions, Cambrian Park
Clydach Vale, Tonypany CF40 2XX
Y Gwasanaeth Cyfreithiol a'r
Gwasanaethau i'r Aelodau
Y Pafiliynau, Parc y Cambrian
Cwm Clydach, Tonypany CF40 2XX

Tel/Ffôn: 01443 424105

Fax/Ffacs: 01443 424114

Dear Mr. Chaffey,

SOCIAL JUSTICE AND REGENERATION COMMITTEE
RESTRUCTURING OF CONSULTATION - DEMOCRATIC STRUCTURES

I refer to your letter of 27th February and would respond as follows.

Democratic Involvement

It is obvious that the Local Communities would want to have a role in the scrutiny of the Police, which should be delivered via their elected representatives. This can be achieved in two ways (a) by the creation of a Police Authority for Wales on which Councils would elect representatives possibly on a consortium basis, and (b) by the creation of "watch" committees in each Basic Command Unit (local Authority) area to scrutinise and consider Community Policing Issues.

Local Resilience Forums

The Civil Contingencies Act 2004 created LRFs based on Police Authority Areas for the response to and planning for disasters that may befall our Communities. It would seem inappropriate to have one LRF for Wales and consideration will need to be given to placing Regulations before Parliament to create a greater number possibly following the precedent set for London and the Metropolitan Police Service.

It is also likely that scrutiny of such bodies would also be required with elected representatives receiving regular reports for comment via the "watch" committees.

Yours sincerely,

Director of Legal and Democratic Services

P. J. Lucas LL.B Solicitor
County Borough Legal and Democratic Services Officer
Swyddog y Fwrdeistref Sirol dros Faterion Cyfreithiol a
Gwasanaethau i'r Aelodau



RHONDDA CYNON TAF



**SOUTH WALES FIRE & RESCUE
AUTHORITY
AWDURDOD TÂN AC ACHUB DE
CYMRU**

Fire Service Headquarters/
Pencadlys Gwasanaeth Tân
Lanelay Hall
Pontyclun CF72 9XA

Telephone/Ffôn: (01443) 232000
Fax/Ffâcs: (01443) 232180

Chairman/Cadeirydd : Derek Rees

Roger Chaffey
Clerk to the Social Justice & Regeneration Committee
Welsh Assembly Government
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

Our Ref./Ein cyf: DR/JAG
Your Ref./Eich cyf:

Date/Dyddiad: 31 March 2006

Please ask for/Gofynnwch am:

Dear Roger

Proposed Restructure of Policing in Wales

Thank you for including South Wales Fire Authority (SWFA) in the consultation on the proposed restructuring of Policing in Wales.

The proposals were considered by the Fire Authority at their meeting on Monday 27th March and this letter is their response to the consultation.

1 Process of Review

The SWFA consider that there has been insufficient time to fully consider the proposals and alternatives and public engagement in the debate has been reduced as a consequence. Further, the time frame for implementation is too restricted.

2 Funding

Experience has shown that underfunding of policing has been met by the precept on the local authorities and hence has affected the monies available for delivery of other essential local authority and emergency service functions.

Full funding of these proposals is therefore essential.

3 Basic Command Units (BCU) and Community Policing

The SWFA support devolvement of responsibility to local BCUs and the consequent reinforcement of community Policing. SWFA would want to see this element of Policing in Wales strengthened as part of the restructure.

4 Governance

SWFA believe that the re-structure of Policing in Wales offers the opportunity to retain local control of Policing via regional boards, to the elected representatives of the people. The Combined Fire Authority model in Wales is a tried and tested method of corporate governance which ensures that all those responsible for decisions are accountable to the public using existing democratic processes.

- 5 Community Safety Partnerships (CSPs) and Local Resilience Partnerships (LRPs)**
CSPs have been structured on BCUs and have proved significant in driving forward collaboration and joint working across partner organisations. The success of these partnerships can be built on and the CSPs maintained and strengthened at BCU level.

Local Resilience Partnerships are the workhorse of resilience in Wales. Currently they are structured on Police Force boundaries and, whilst only 12 months old, they are already delivering against the priorities of the Civil Contingencies Act.

SWFA propose that as a consequence of restructuring Police Forces in Wales, the opportunity is taken to realign the LRPs to match the boundaries of the Fire and Rescue Services in Wales and the regional administrative areas of the Wales Ambulance Service. In the case of the SWFA and North Wales Fire Authority areas, this would align the LRP with the collaborative group of unitary authorities working towards making the connections.

6 Fire Authorities in Wales

It is clear that this review is purely a Policing review and that the level 2 Policing issues have no comparison in Fire and Rescue responsibilities. SWFA believe that any consideration for changes to existing Fire Authority boundaries or responsibilities on the back of restructuring Policing in Wales would be wholly inappropriate. This is particularly so given the recent changes that Fire and Rescue Services in Wales have undertaken since 1996 and the publication of the Wales Framework for Fire and Rescue Services, published less than 12 months ago.

Once again the SWFA would like to thank you for the opportunity to contribute to the consultation on the restructure of policing.

Yours sincerely



**Derek Rees
Chairman
South Wales Fire Authority**

Date/Dyddiad: 23rd February, 2006
Ask for/Gofynwch am: Mr. J. Rees
Telephone/Rhif ffôn: (01446) 709413
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My Ref/Cyf: CEX/JER/MW
e-mail/e-bost: JERees@valeofglamorgan.gov.uk

The Vale of Glamorgan Council
Civic Offices, Holton Road, Barry CF63 4RU

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Cyngor Bro Morgannwg
Swyddfeydd Dinesig, Heol Holton, Y Barri CF63 4RU

www.valeofglamorgan.gov.uk

VALE of GLAMORGAN



BRO MORGANNWG
Rec'd 2+12/06
ack 28/2
CG

Mr. Roger Chaffey,
Clerk - Social Justice and Regeneration
Committee,
National Assembly for Wales,
Cardiff Bay,
CARDIFF
CF99 1NA

Dear Mr. Chaffey,

**SOCIAL JUSTICE AND REGENERATION COMMITTEE - RESTRUCTURING
OF CONSTABULARY - DEMOCRATIC STRUCTURES**

I refer to the above subject matter and detail below Council Minute 668 which sets out this Council's stance in respect of the Home Secretary's proposals to restructure the four existing Police Forces in Wales into one All-Wales Strategic Force.

"668 NOTICE OF MOTION -

The following Notice of Motion, standing in the names of Councillors C.P. Franks and B.I. Shaw, was discussed by the Council:

" Council notes that with inadequate public consultation the people of Wales are in danger of being obliged to accept the creation of a single Welsh Police Force that could seriously undermine the work of police officers. There is no evidence to indicate any level of support for this Government proposal. Already the Home Secretary and the part time Secretary of State for Wales have stated their preference that a single Wales police force be created regardless of the final views of police constables and the National Assembly.

The plans include one Commissioner as head of the new force who in the words of the Westminster government could tour around Wales by helicopter.

Council resolves that

The Westminster Home Secretary be urged that no steps should be taken to amalgamate Police Forces in Wales until powers for policing are devolved to the National Assembly and calls for these powers to be devolved without delay.

Correspondence is welcomed in Welsh or English/Croesawir Gohebiaeth yn y Gymraeg neu yn Saesneg

John Maitland Evans, Chief Executive/Prif Weithredwr

That this Council formally objects to the current plans to create one force.

Further, Council advises the Home Office that a meaningful consultation process should be undertaken and that the existing proposals should be abandoned."

Councillor Franks considered that, without proper public consultation, there to be a serious risk of being bounced into accepting the government's plan for a single police force that could cause an irreversible setback to effective policing. Referring to who had indicated this, he said it had been a former Chief Constable for a Welsh force and President of the Association of Chief Police Officers.

Councillor Franks considered the disgraceful interference of the part time Secretary of State for Wales and the fact that the Home Secretary had clearly pointed to a single force to be fundamentally undermining the consultation process.

He considered the reality to be that Wales was about to see one massive Police force for the whole of Wales. His experience had been that every reorganisation had meant years of expensive redundancies, usually followed by a massive bill for new Headquarters.

Referring to the Secretary of State for Wales having indicated that if the four Welsh forces were merged no new building would be required, Councillor Franks considered his claims were at odds with the reorganisation of the Welsh Development Agency. Councillor Franks felt there to be a risk of a bill of £20m. for prestigious new offices, with an overall cost of reorganisation estimated at £57m. He felt this would lead to to operational cuts and in increase in the police precept in south Wales of as much as 15%.

He questioned who would appoint the Commissioner and the senior management and how the influence of the local community would be maintained. In terms of local representation, a single Police Authority would be either unwieldy or unrepresentative.

Councillor Franks felt there to be a risk of resources being drained from the He looked forward to hearing the views of members but especially those of the Labour group.

In seconding the motion, Councillor Shaw referred to Wales being a vast country and to his hope that a single Police Force did not materialise. He considered that modernisation would be likely to mean job cuts.

Councillor Readman referred to the presentation earlier in the day from the South Wales Police Authority which had covered several options and to the consultation process still being underway.

Councillor N. Moore considered that the Council could not be expected to give serious consideration to the motion submitted. He considered certain powers (including Police) should not be devolved to the Welsh Assembly Government. He felt that the outcome of the exercise was not inevitable and that an All-Wales police force would be disastrous.

Councillor Moore alluded to the South Wales Police Authority indicating that responses to the consultation exercise were still being considered and he urged all Members to submit responses to the consultation. He felt that the Council should indicate it was not in favour of a single force. He alluded to a number of Members having referred at the earlier presentation to the possibility of some form of strategic provision being necessary for protective services. He further indicated that he did not consider the option of two forces to be viable and to his personal preference being for a retention of the status quo. This, he felt, would maintain local public confidence and accountability. He felt that the Home Secretary should reconsider the matter and include consideration of the Welsh dimension.

Councillor Curtis considered there to be arguments on both sides and accepted that a strategic approach could result in improved services with regard to certain types of crimes. He had not heard a sufficient case to support a move from the status quo.

Councillor A.J. Williams referred to the SWPA presentation as having been informative and well balanced and also referred to the fact that submissions were still invited from SWPA.

The Leader referred to the Notice of Motion as providing an opportunity to discuss the issues in terms of how local communities would be affected. He was not in favour of the devolution of responsibility for the police to the Welsh Assembly Government and did not feel that WAG, or other interested bodies, should be afforded any suggestion that an All-Wales option was the Council's preferred option.

Accepting Police provision was generally good, he acknowledged difficulties in areas such as community policing and to the need to maintain a local Member involvement in the community policing process.

The Leader referred to the current ability of the scrutiny process to consider police issues as being likely to be diluted in the event of a single force being created. He also alluded to existing examples of efficient cross-border working. It appeared that the Home Secretary might well have considered the size of certain Welsh police forces to be small by comparison to England. However, the Leader referred to the significant proportion of the Welsh population which was based in South East Wales. The Vale of Glamorgan needed to maintain a police force, and a Police Authority, which were accountable to its residents. He considered there to be possible merit in consideration being given to a South Wales/Gwent Forces merger.

The Leader expressed concern regarding the reference by SWPA at its presentation to the Association of Chief Police Officers (Wales) considered approach. Cost effectiveness, whilst important, should not be the only factor

considered. The view of the Leader was that overall effectiveness and accountability were more important factors. He alluded to the expressed opinion of some Chief Constables and to a letter issued by the Home Secretary regarding preference for an All-Wales force. He was concerned that national consideration appeared to be based around regional/sub regional considerations without consideration issues such as transport and travel implications.

The Leader felt that the Council should submit representations opposing an All-Wales force, expressing a preference for the status quo, referring to possible merits of a South Wales/Gwent forces merger and raising issues regarding the nature of the consultation process.

Councillor N. Moore requested that any amendment moved include reference to protective services.

Councillor Franks referred to the matter as not being dealt with on a United Kingdom basis, but only in respect of England and Wales. He referred to WAG being responsible for £144m. of police funding and to the benefits of the current means of local authority representation on the South Wales Police Authority.

In the light of the above, the Leader moved the following amendment to the Notice of Motion:

- (1) That the Council notes with concern the speed at which the consultation process has taken place.
- (2) That the Council is totally opposed to an All-Wales force which it considers is not in the best interests of Vale of Glamorgan residents.
- (3) That the Council seeks the retention of the South Wales Police Force.
- (4) That the Council would consider, if it was felt expedient, a merger of the South Wales and Gwent Police forces.
- (5) That the Council accepts that there may be a case for collaborative working on protective services.

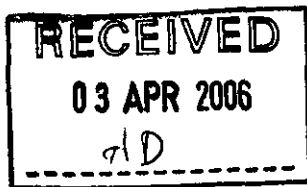
Upon being put to the vote, the amendment was carried unanimously."

Should you have any queries in respect of the above matter, please do not hesitate to contact me on the above telephone number.

Yours sincerely,


John Maitland Evans
for Chief Executive

Acc 05/04/06



BWRDD YR IAITH
GYMRAEG • WELSH
LANGUAGE BOARD

31 Mawrth 2006

Roger Chaffey
Clerc – Y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Caerdydd
CF99 1NA

Ailstrwythuro'r Heddlu

Annwyl Roger

Diolch i chi am y gwahoddiad i ddarparu gwybodaeth pellach i'r Pwyllgor yn amlinellu ein barn fel sefydliad ar y broses o adolygu trefniant strwythurol y gwasanaeth heddlu yng Nghymru gan roi sylw penodol y tro hwn i atebolwydd rhanbarthol a lleol.

Mae ein argymhellion wedi eu seilio ar yr hyn a wyddom ynghylch strwythur a threfniadaeth presennol y pedwar llu yng Nghymru gan adeiladu ar y drefn atebolwydd er sicrhau cysondeb yn amrediad a safon gwasanaethau Gymraeg i'r cyhoedd led led y wlad.

Yn gyfredol y mae gan y pedwar Awdurdod gynllun iaith Gymraeg statudol. O fewn y lluoedd unigol gweithredir amserlen o welliannau penodol i ddarpariaeth cyfrwng Gymraeg y sefydliadau. Yn ystod y flwyddyn diwethaf sefydlwyd gweithgor cenedlaethol ar gyfer swyddogion iaith yr Heddluoedd yng Nghymru er mwyn meddu gorolwg dros ddarpariaeth Gymraeg a safoni rhai agweddau o'r gwaith yn y maes. Mae'r un yn wir ar y lefel uchaf o fewn y lluoedd lle ceir un Prif Gwnstabl yn ysgwyddo cyfrifoldeb polisi dros faterion ieithyddol ar ran yr heddluoedd Cymru o fewn WACPO.

Argymhellwn y dylid sefydlu patrwm tebyg ar gyfer Awdurdodau'r Heddlu drwy fod un Aelod yn cario portffolio penodol dros y Gymraeg ac yn lladmerydd ar faterion ieithyddol dros heddluoedd Cymru gyfan - ystyriaethau polisi megis plismona lleol yn ogystal â sicrhau fod gofynion ieithyddol Cymru yn cael eu diwallu pan y'u darperir gan rai o'r adrannau neu asiantaethau Prydeinig.

Yn rhanbarthol, fel yn achos y gweithgor swyddogion, argymhellwn y dylai Aelodau penodol fod yn lladmeryddion iaith dros eu rhanbarthau.

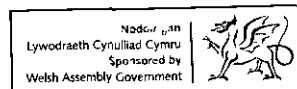
Rydym o'r farn y byddai yn fanteisiol pe byddai Aelodau rhanbarthol a'r Aelod cenedlaethol yn cwrdd yn rheolaidd o dan Gadeiryddiaeth un o brif swyddogion y llu strategol newydd ar ffurf Panel Iaith. Nodwyd yn ein ymateb i'r ymgynghoriad blaenorol ar ailstrwythuro heddluoedd y dylai

“....strwythur yr heddluoedd yn y dyfodol gynnig pob cyfle posib i uwch swyddogion o fewn sefydliadau newydd i feddu ar ddeallwriaeth o'r iaith Gymraeg”.

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Ffordd Santes Helen
Caernarfon LL55 2YD
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Meirion Prys Jones
Swyddfeydd eraill_Other offices
Caerdydd_Cardiff, Caerfyrddin_Carmarthen





BWRDD YR IAITH
GYMRAEG • WELSH
LANGUAGE BOARD

Yn unol â hynny, dylid sicrhau bod yr Uwch Swyddog fydd yn cadeirio'r Panel Iaith yn medru hwyluso trafodaeth yn yr iaith Gymraeg.

Byddai sefydlu Panel Iaith fel hyn yn hwyluso, hyrwyddo a monitro gweithrediad eu polisïau iaith ac yn fodd o wneud penderfyniadau polisi ar y cyd. Byddai strwythur democrataidd o'r fath yn sicrhau arbenigedd a chyfeiriad clir ynghyd â buddsoddiad priodol yn y manau cywir. Awgrymwn y byddai cyfundrefn o'r fath yn abl i sicrhau fod gwasanaethau sy'n helaeth ddibynnol ar iaith yn cael eu lleoli yn y manau cywir e.e. canolfannau galwadau brys lle fo gofyn i'r holl staff ddirnad lleoliadau Cymraeg yn gyflym wrth dderbyn galwadau yn cael eu lleoli mewn ardaloedd lle ceir pwll digonol o unigolion dwyieithog i ymgymryd â'r gwaith.

Mater arall o ran sicrhau atebolrwydd yw perthynas y gyfundrefn ddemocrataidd yng Nghymru gydag adrannau ac asiantaethau Prydeinig. e.e. Mae'r Swyddfa Gartref yn darparu deunyddiau a chanllawiau i heddluoedd yng Nghymru, mae PITO'n darparu meddalwedd i heddluoedd, mae Arolygiaeth Heddluoedd Ei Mawrhydi yn arolygu perfformiad heddluoedd yng Nghymru ac mae CENTREX yn gweinyddu prosesau recriwtio heddluoedd yng Nghymru. Hyd yma mae'r holl gyrff canolog hyn wedi anwybyddu'r iaith i raddau helaeth wrth ddylanwadu ar waith heddluoedd, o ganlyniad nid oes meddalwedd Cymraeg ar gael i hwyluso darpariaeth gwasanaethau Cymraeg, nid yw'r Arolygiaeth yn monitro safon gwasanaethau Cymraeg yr heddluoedd ac ni roddir ystyriaeth i'r iaith wrth recriwtio i'r heddluoedd yng Nghymru. Yn sgil dylanwad y cyrff hyn, mae gallu heddluoedd yng Nghymru i gynnig safon uchel o wasanaeth 'lleol', sy'n gweddu amrywiaeth ieithyddol cymunedau yng Nghymru, wedi ei gyfyngu.

Awgrymwn y dylai trefniadau democrataidd newydd ganiatáu mewnbyn i waith yr asiantaethau hyn a llywio eu gwaith yng Nghymru mewn modd sy'n gweddu'n well i'r rhai hynny sydd am dderbyn gwasanaethau Cymraeg.

Ategwn, fel yn ein tystiolaeth wreiddiol i'r Pwyllgor, y dylai swyddog penodol fod a rhan flaenllaw mewn unrhyw drefniadau newydd all gael effaith ar wasanaethau cyfrwng y Gymraeg. Y mae'r Bwrdd hefyd yn barod iawn i gynorthwyo yn ôl y galw.

Yn gywir

Gwenith Price
Arweinydd Uned Llywodraeth Leol a Chyfiawnder

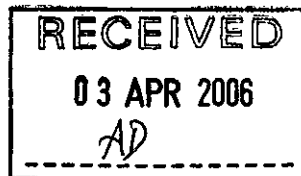
File 3/210

Councillor Aled Rhys Roberts

Leader of the Council

Y Cynghorydd Aled Rhys Roberts

Arweinydd y Cyngor



ARR/AMP
29 March 2006

Mr Roger Chaffey
Clerk
Social Justice and Regeneration Committee
The National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Dear Mr Chaffey

Social Justice and Regeneration Committee
Restructuring of Constabulary – Democratic Structures

Thank you for your recent letter, inviting Wrexham Council to comment on the Home Secretary's proposals to establish an All Wales Police Force. We understand the reasons for the short timescale for responses. Unfortunately, despite the significance and complexity of the Home Secretary's proposals, tight deadlines, unrealistic timetables for change and inadequate periods for consultation have been common and disappointing traits of this whole initiative.

From the outset, I must make clear that this Council's position is to support the North Wales Police Authority in opposing the proposed merger and to secure the retention of a North Wales Police Force. Our key concerns are set out below. I am sure your Committee and Assembly will give them serious consideration.

1. Finance

Costs of Restructure

- The government has set aside police capital funding of £50 million in 2006/07 and £75 million in 2007/08 to support forces in England and Wales through the restructure. The capital nature of the funding will prevent its use for redundancy or other payroll expenditure.
- The Home Office document (03.03.2006), states that the projected costs of amalgamating the four forces in Wales will be in the region of £27million and estimates an annual saving (from year 5) of around £16 million.
- The Home Office has not given an explanation as to how their financial case has been arrived at and have stated they will not make this available until at least mid – late April. However, Police Authorities in Wales undertook work on the finances in October/November and submitted their results to the Home Office. Their report, which has been independently found to be robust and credible, projected an actual set up cost for Wales of £77million with an annual running



cost of £44 million. To date the Home Office has not responded to this submission.

- We trust the Assembly will be keen to examine the detail of the Home Office's financial case when it is finally released. If, as is feared, it is significantly flawed - underestimating the set up costs and overly optimistic in terms of annual savings, then this needs to be exposed and addressed. If this imposed merger goes ahead then the government must be persuaded to set aside realistic levels of capital and revenue funding. Otherwise the shortfalls created will place serious and long-term pressure on the council tax payers of Wales. Alternatively, severe cuts in police services to achieve savings would, far from striving to achieve a service that is 'fit for purpose in the 21st Century', trigger a backward step with serious consequences for the people and communities of Wales.

Precept

- We understand that a new strategic police authority in Wales would set a single precept level. Over many years the Council has supported the North Wales Police Authority's position to increase the precept level in order to invest in improving our local services. The result of this investment has enabled increased resources in terms of Officer levels, IT, technology and other support services, all contributing to the forces impressive performance in crime reduction. We have been pleased that this 'you get what you pay for' approach to policing has proven its success. However, we understand that all police authorities and forces in Wales have not enjoyed similar investment from precept. To bring South Wales up to the current North Wales IT levels would require significant investment. We understand that in comparison with North Wales, the police precept levels in the South are up to £40 - 50 less.
- We are aware that the Home Office recognises the disparity of precept levels between forces. It is acknowledged that to move to a single equalised precept in a new authority would lead to reductions in some areas and increases, (sometimes sharp increases) in others. They propose a transition period, whereby those forces needing to increase the level of precept from the current level would be able to phase the increase over a number of years. This would mean that for a period of time (probably three years), council tax payers in North Wales could be paying a higher level of precept than those in South Wales. We trust that you will support our view that this is clearly not democratically acceptable. We also strongly oppose the inherent implications of a single equalised precept that will act to prevent the people of North Wales choosing to enhance their investment in local policing. We believe that this local choice to invest is to be commended and should be protected. Failing to do so, will only lead to a decline in the current level of policing in North Wales.

Police funding formula

- The Home Office propose to review the police funding formula for 2008/09 when the new strategic forces will be in place. The proposed All Wales Force will have a composition of 87% rural and 13% urban within 7,999 square miles. As individual forces with high urban composition, South Wales and Gwent currently receive an additional allocation on their Police Grant. However, this will not be available to an All Wales Force. Equally, the rurality issue is an important one

and will be even more so for an All Wales Force. However, rurality will be considered alongside other factors and against strong challenges from English forces. The Home Office have stated (Police Force Restructuring – Funding FAQs) that they intend to engage with the police community to develop the most equitable way of allocating police general grant to take account of changed circumstances. There are real risks that unless strong arguments are put, Wales will suffer from a reduced allocation from the general police grant.

2. Police Authority

- The proposed All Wales Police Authority of 43 going to 33 members is a major challenge complicated by the geography and road infrastructure of Wales. The Home Office document on the amalgamation refers to these difficulties but chooses to underplay them by suggesting the benefits of the single force option will outweigh these disadvantages. We sincerely hope that meeting arrangements will reflect the spread of members from throughout the Principality. In practical terms the options are limited to predominantly Cardiff based, a Mid Wales location - of equal inconvenience to the majority or else a rotating location. We note the Home Office's suggestion (Police Force Restructuring – Governance & Accountability FAQs) that within a new strategic force, the Police Authority and Chief Constable may designate an ACC to specific geographic responsibilities. Perhaps there are opportunities to distinguish between national and regional business that could be reflected in the organisation of All Wales and regional meetings. We would hope that you will advocate to the Home Office the need for detailed consultation on this issue to enhance democratic representation.
- We believe these difficulties will be exacerbated by the undue haste of the Home Office proposals. The Home Office requires Tier 1 areas to establish a new police authority by 1st September 2006 and the creation of a new force, complete with policing plan and 2007/08 budget by April 2007. We are seriously concerned about the risks of acting in this haste. Organisational risks and the potential costs on performance affecting staff, authority members and the broader community in Wales. We would hope the Assembly will seek answers on the serious issue of risk assessment of the proposed merger with the Home Office. I am sure the Assembly will take their responsibilities for protecting and supporting the people and communities of Wales seriously.

3. Police Services

- The Home Office state that the principal benefit of restructuring will be the creation of a higher level capacity for delivering specialist protective services. Disappointingly, they give no detail on how this will work operationally. Their identification of 'specialist teams require a critical mass of police officer numbers in order to be operationally effective' does not sit well with a force spread over the size and geography of Wales.
- The assessment of protective services was critical of the limited proactive capacity across the range of the seven protective services in Dyfed-Powys, Gwent and North Wales. The only exception was North Wales with their proactive approach to roads policing. South Wales Police were able to demonstrate more than limited

or significant proactivity in: Serious and Organised Crime; Critical Incidents; Civil Contingencies; Public Order; and Roads Policing. It is worrying that the only reference to operational arrangements put forward by the Home Office focuses on 'the inclusion of South Wales Police particularly provides the opportunity to significantly increase the capability and expertise across the whole country'. This, together with their suggestion that potential savings could be achieved through 'the utilisation of existing resources to cover a greater area' should be of concern to the whole of Wales and not least the Assembly. While we appreciate that more detailed plans would be the responsibility of the new Authority and the Chief Constable, the distinct lack of detail and in depth thinking on organisational options/risks unfortunately reflects the pace of change.

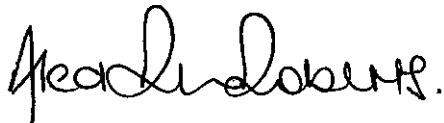
- The role of communities and strengths of neighbourhood policing are referred to in the amalgamation document. There does appear to be some tension between the merger proposals and some of the references actually contained in the report. These include:

- "It is the communities that defeat terrorism, not the police" (Sir Ian Blair).
- "Local forces with their links to local communities should be providing the majority of our intelligence" (White Paper).

We do have serious concerns as to how the increased financial challenges and the intention to set up specialist teams will not impact negatively on the neighbourhood policing in our area.

- In our view, the desired improvements in policing, including those related to protective services, would be more effectively achieved through greater co-operation and collaboration between existing forces. We do not believe that this approach has been fully considered. We were very interested to learn the details of a leaked Whitehall study dating back to 2004 (reported in the Telegraph 20.3.06) which also came to this conclusion. The reports view on restructuring is very revealing: "Evidence from other sectors suggests that mergers can be a costly, protracted exercise who does not always deliver expected benefits and inevitably causes distraction for management and staff. We trust the Assembly will support the efforts to challenge the Home Secretary on the nature and pace of the changes proposed to ensure the interests of the people of Wales are best served.

Yours sincerely



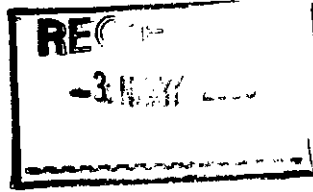
Councillor Aled Rhys Roberts
Leader of the Council



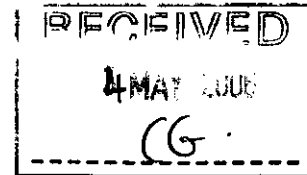
**Gwasanaeth Tân ac Achub
Fire and Rescue Service**

Simon A Smith
Prif Swyddog Tân / Chief Fire Officer

2 May 2006



Roger Chaffey
Clerk - Social Justice and Regeneration Committee
Cardiff Bay
Cardiff
CF99 1NA



Dear Roger,

**Social Justice and Regeneration Committee
Restructuring of Constabulary - Democratic Structures**

I refer to your letter concerning the above received on the 20th February 2006. In response I would make the following comments.

The co-terminous boundaries which are currently enjoyed by North Wales Fire and Rescue Service (NWFRS) and North Wales Police (NWP) have contributed to the effectiveness of a number of collaboration ventures between the services. These have produced innovation and efficiency through collaboration. A prime example of this would be the development of a tri-service estates management project, which (as the name implies) have ambulance service involvement.

The Fire and Rescue Authority would not wish to see the effectiveness and operational benefits from large scale collaborative projects currently underway being reduced or removed by police restructure. There have also been local initiatives such as the Community Safety Partnerships which have proven records of success. Efficiencies from existing collaboration should remain, ensuring the continued individual successes that North Wales currently has.

NWFRA's view is that local working groups, such as the Crime and Disorder Act and Civil Contingencies working groups would need to have the autonomy and budget in which to be able to deliver the initiatives needed at the local level with the minimum of delay. We currently have an excellent relationship with the Chief Constable of NWP which ensures that actions needed occur without delay. Any future structure would need to have this level of collaborative working included.

NWFRA thinks that the Bilingual language issues across Wales will need to be taken into account, especially as these vary from North to South. There are currently a number of posts throughout NWP which have the benefit of bilingual linguistic skills; we would not wish to see the loss or reduction of these. NWP are innovative in moving ahead with bilingual issues and we would expect the same.

Political accountability should be a composition of elected members, lay members and magistrates, which is equally spread across the authorities of Wales. This will ensure that all areas of Wales have a recognised voice and informed view of varied local needs. The inclusion of lay members and magistrates brings with it an expertise in a range of areas, and would provide a natural system of scrutiny within the new structure.

Officer accountability with any structure should be to a regional panel comprising members of the authority, local to that area. The officers should have autonomy for operational issues including Resilience, CDA partnerships, Gold command (strategic level) with associated budgets and also budgets to ensure the local delivery of partnership initiatives.

Closer working partnerships should be encouraged regardless of any boundaries proposed by the Beecham report. Operational and Tactical partnerships should not be affected following any change in structure.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S.A. Smith', with a large, sweeping flourish extending from the end of the signature.

Simon A Smith
CHIEF FIRE OFFICER



**SOUTH WALES FIRE & RESCUE
AUTHORITY**
**AWDURDOD TÂN AC ACHUB DE
CYMRU**

Fire Service Headquarters/
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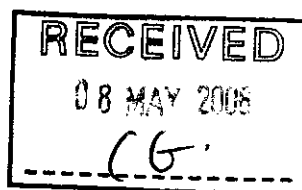
Chairman/Cadeirydd : Derek Rees

Roger Chaffey
Clerk to the Social Justice & Regeneration Committee
Welsh Assembly Government
National Assembly for Wales
Cardiff Bay
CARDIFF
CF99 1NA

Our Ref:/Ein cyf: DR/JAG
Your Ref/Eich cyf:

Date/Dyddiad: 31 March 2006

Please ask for/Gofynnwch am:



Dear Roger

Proposed Restructure of Policing in Wales

Thank you for including South Wales Fire Authority (SWFA) in the consultation on the proposed restructuring of Policing in Wales.

The proposals were considered by the Fire Authority at their meeting on Monday 27th March and this letter is their response to the consultation.

1 Process of Review

The SWFA consider that there has been insufficient time to fully consider the proposals and alternatives and public engagement in the debate has been reduced as a consequence. Further, the time frame for implementation is too restricted.

2 Funding

Experience has shown that underfunding of policing has been met by the precept on the local authorities and hence has affected the monies available for delivery of other essential local authority and emergency service functions. Full funding of these proposals is therefore essential.

3 Basic Command Units (BCU) and Community Policing

The SWFA support devolvement of responsibility to local BCUs and the consequent reinforcement of community Policing. SWFA would want to see this element of Policing in Wales strengthened as part of the restructure.

4 Governance

SWFA believe that the re-structure of Policing in Wales offers the opportunity to retain local control of Policing via regional boards, to the elected representatives of the people. The Combined Fire Authority model in Wales is a tried and tested method of corporate governance which ensures that all those responsible for decisions are accountable to the public using existing democratic processes.

5 Community Safety Partnerships (CSPs) and Local Resilience Partnerships (LRPs)
CSPs have been structured on BCUs and have proved significant in driving forward collaboration and joint working across partner organisations. The success of these partnerships can be built on and the CSPs maintained and strengthened at BCU level.

Local Resilience Partnerships are the workhorse of resilience in Wales. Currently they are structured on Police Force boundaries and, whilst only 12 months old, they are already delivering against the priorities of the Civil Contingencies Act.

SWFA propose that as a consequence of restructuring Police Forces in Wales, the opportunity is taken to realign the LRPs to match the boundaries of the Fire and Rescue Services in Wales and the regional administrative areas of the Wales Ambulance Service. In the case of the SWFA and North Wales Fire Authority areas, this would align the LRP with the collaborative group of unitary authorities working towards making the connections.

6 Fire Authorities in Wales

It is clear that this review is purely a Policing review and that the level 2 Policing issues have no comparison in Fire and Rescue responsibilities. SWFA believe that any consideration for changes to existing Fire Authority boundaries or responsibilities on the back of restructuring Policing in Wales would be wholly inappropriate. This is particularly so given the recent changes that Fire and Rescue Services in Wales have undertaken since 1996 and the publication of the Wales Framework for Fire and Rescue Services, published less than 12 months ago.

Once again the SWFA would like to thank you for the opportunity to contribute to the consultation on the restructure of policing.

Yours sincerely

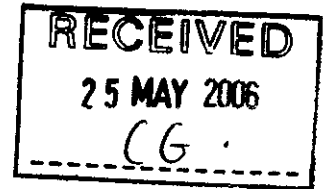
Derek Rees

**Derek Rees
Chairman
South Wales Fire Authority**

Together
Creating
Communities



Trefnu
Cymunedol
Cymru



Janice Gregory AM
Chair of the Social Justice and Regeneration Committee
National Assembly for Wales
Cardiff Bay
Cardiff

19th May 2006

Dear Mrs Gregory

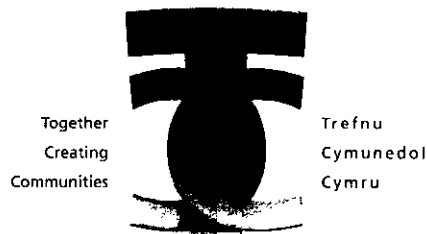
Re: Proposals to merge Welsh Police Forces

Further to my letter of 8th November 2005 TCC is still very concerned about the proposed police mergers. We see the appointment of a new Home Secretary as an opportunity to halt the process. On behalf of TCC I have written to Dr Reid and also to the Secretary of State for Wales, Peter Hain asking each of them to reconsider the position. For your information I am enclosing extracts from a paper produced by TCC on the matter, that I sent to them.

On behalf of TCC I am asking you to contact Dr Reid and ask him to halt the process.

Yours sincerely

Christine Pilsbury
Senior Organiser of TCC



Extracts from **A response to proposals for restructuring the police forces of England & Wales**

This paper is written on behalf of TCC (Trefnu Cymunedol Cymru / Together Creating Communities) which has been working in partnership with Wrexham Police and Community Consultative Group, North Wales Police Authority and North Wales Police for 10 years.

The paper is a response to the Home Office proposals to restructure the police forces of England and Wales in the light of "Closing the Gap", the review of 'fitness for purpose' of the current structure of policing in England and Wales by HM Inspector of Constabulary published on 16th September.

This paper also takes account of the responses to the Home Office proposals by:

- The police forces of Wales
- The police authorities of Wales
- The Welsh Local Government Association
- the recent Dimbleby lecture by Sir Ian Blair (Metropolitan Commissioner of Police)

TCC (Trefnu Cymunedol Cymru / Together Creating Communities)

TCC is a broad based coalition of 30 faith groups and community organisations in North East Wales dedicated to community empowerment, participation in civic life, and progress through informed dialogue. As a consequence of this work, TCC has worked with a number of local, regional and statutory agencies at local, regional and national level. Local issues have included strategies for long term waste management. National issues have included access to banking. International issues have included the establishment of fair trade coalitions including statutory partners across North Wales.

Wrexham PCCG (Police and Community Consultative Group)

From 1995 onwards TCC worked hard to establish Police and Community Consultative Groups across North Wales and in Wrexham in particular, despite initial suspicion from senior police officers. Wrexham PCCG has now developed an advanced level of partnership and co-operation which is regarded as a model from which others may learn. It is attended by representatives of nearly every community council in the borough, the Community Safety Partnership, a range of voluntary organisations and residents' groups, representatives of migrant workers and disabled groups, and is open to members of the public. The usual attendance at quarterly meetings is 40-50 people. TCC continues to be a key player in planning and developing the programme and partnership.....

North Wales issues

North Wales is caught between issues of national identity, which point to an All-Wales solution and issues of operational effectiveness and geography which point to cross boundary solutions. In our view the responses of the WLGA, Welsh Police Forces and Welsh Police Authorities have emphasised Welsh national identity at the expense of practical, operational effectiveness.

It appears that Welsh police forces are being strongly coerced towards an amalgamation of Welsh forces. In any all Wales consultation, as is obvious from the responses of the combined Welsh Police Forces, WLGA and Combined Police Authorities, North Wales concerns are likely to be noted and then dismissed or outvoted.

North Wales has made significant strides in local policing and crime reduction in the past 4 years and this success would appear likely to be jeopardised by most of the proposed re-organisation models.

There are significant geographical issues for N. Wales (PA28) The obvious obstacle to operational efficiency would be mountainous terrain. It takes longer to travel from Wrexham to Milford Haven than it does from Wrexham to London.

If there were to be a major incident in Wrexham, logistical support would have to be drawn from Cheshire, Liverpool and Manchester. South Wales reinforcements would be lucky to arrive within 24 hours.

If North Wales is involved in criminality of the magnitude and type which appears to concern the Home Secretary, it is unlikely that the criminals will have travelled by road from Llandrindod Wells or Cardiff. Movements are much more likely to come via the motorway network from England, the airports at Manchester and Liverpool or via Holyhead. In this, we have common cause with South Wales whose threats are most likely via the M4 and Fishguard. Courts and prisons with which North Wales has most dealing are situated in North West England.

We have heard evidence from emergency service call centre operatives of the difficulties they have encountered with previous centralisation of support services (often referred to as economics of scale) and fear the further stretching of communication chains will only increase these difficulties.

The success of policing in North Wales over the past four years has been based upon the willingness of the North Wales public to pay a higher level of council tax for policing (PA36) and the determination of the Chief Constable and the North Wales Police Authority to ensure high quality community policing. As other areas of Wales have not shown the same commitment, we must assume that these achievements would be diluted by the proposed restructuring as North Wales representatives would be outnumbered and our Chief Constable might be 120 miles away across the mountains.

Nor is the success of North Wales policing unrelated to terrorism and threats from international crime. Local communities which have strong relationships with local police are far less likely to provide seedbeds for terrorists or places for anonymous criminals to hide.

Democratic Accountability and Funding

In the papers we have reviewed there is insufficient discussion of issues of democratic accountability and funding. (PA34, WLGA 35) An all-Wales force might conceivably have only one representative from each of the 22 unitary authorities. This seems a long way from Sir Ian Blair's argument that "answerability ... needs strengthening, democratising and making more transparent."

If such a force continued to be funded via a precept on local Council Tax, there is no way in which local people could reasonably be seen to have an influence on the level of funding. It would be a poll tax by any other name. If police forces are to be nationally directed, should they not be supported by national taxation?

Over the past 5 years the public have consistently supported a higher police precept in North Wales than in other Welsh Police Authority areas and have reaped the benefits in the achievements of the police in lowering crime rates locally and police-public relations at the local level. Achievements in reducing anti-social behaviour, the public's principal concern, have been significant. The effect of merger is certain to result in an averaging of precepts and consequently a lowering of funding in North Wales.

This has already been anticipated by the Welsh Assembly Government capping our precept this year.

Conclusion

If a greater level of co-operation is required for certain levels and types of crime, this is most likely to be achieved in North Wales by cross border co-operation with Cheshire and Merseyside. It is difficult to see what extra capability a South Wales linkage would add to policing in North Wales and equally difficult to see what extra capability North Wales Police would offer to an all Wales force.

TCC, the Wrexham PCCG and the communities it represents is as deeply concerned as the Home Secretary about the new challenges to our liberties and the stability of the state. These are not likely to be addressed by measures driven through in haste which ignore the critical importance of geography, local relationships and a police force based on partnership with the public.

Mike Harrison

on behalf of TCC

30th April 2006.

10 May 2006

Roger Chaffey
Clerk – Social Justice and Regeneration Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Restructuring the Constabulary

Dear Roger

Thank you for the invitation to provide further information to the Committee, outlining our opinion as an organisation on the process of reviewing the structural arrangements for the police services in Wales, focusing specifically on this occasion on regional and local accountability.

Our recommendations are based on our knowledge of the current structure and formation of the four Welsh forces, building on the accountability arrangements to ensure consistency in the range and standard of Welsh language services provided to the public throughout Wales.

Currently, all four Authorities have a statutory Welsh language scheme. Within the individual forces a schedule of specific improvements to the organisation's Welsh medium provision is implemented. During the past year a national working group of Police Welsh language officers in Wales has been established to oversee the Welsh language provision and to standardize some aspects of work in this field. The same is true on the highest level within the forces where one Chief Constable has overall responsibility for language policy issues on behalf of the Welsh police forces within WACPO.

We recommend that a similar model should be established for the Police Authorities where one Member holds a specific portfolio for the Welsh Language and is the spokesperson for language issues for all the forces in Wales – encompassing policy considerations, such as local policing and ensuring that language requirements in Wales are met where services are provided by British departments and agencies.

On a regional basis, as in the case of the working group of officers, we recommend that specific Members should be language spokespeople for their own regions.

We believe that it would be beneficial if regional Members and the national Member met on a regular basis to form a Language Panel, chaired by one of the chief officers of the new strategic force. In our response to the previous consultation on the restructuring of the constabulary it was stated that

"...the future structure of the police forces should offer senior officers within the new organisations every possible opportunity to acquire an understanding of the Welsh language".

In accordance with this, it should be ensured that the Senior Officer chairing the Language Panel is able to facilitate a discussion through the medium of Welsh.

Establishing such a Language Panel would facilitate, promote and monitor the implementation of their language policies and would be a means of making joint policy decisions. A democratic structure such as this would provide expertise and clear direction as well as securing appropriate investment in the right places. We suggest that such a system would ensure that services that are largely dependent upon language are appropriately located e.g emergency call centres, where it is necessary for all staff to understand Welsh place-names quickly when taking the calls, should be located in areas where there is a sufficient pool of bilingual individuals to undertake the work.

Another issue in terms of ensuring accountability is the relationship of the democratic system in Wales with British departments and agencies e.g the Home Office provides material and guidelines to the police in Wales, PITO provides the forces with software, and HM's Police Inspectorate monitor the performance of the police in Wales and CENTREX administers the Police recruitment processes in Wales. So far all these central bodies have largely been oblivious to the language in influencing the work of the Police; as a result no Welsh language software is available to facilitate the provision of Welsh language services, the Inspectorate does not monitor the standards of the Welsh language services provided by the forces, and consideration is not given to the language when recruiting to the police in Wales. Given the influence of these bodies, the capacity of the police in Wales to deliver a 'local' high quality service, which suits the linguistic diversity of communities in Wales, is limited.

We suggest that new democratic arrangements should allow input into the work of these agencies, thereby steering their work in Wales in a manner that better suits those who wish to receive services through the medium of Welsh.

We stress, as in our original evidence to the Committee, that a specific officer should play a key part in any new arrangements that could impact upon services provided through the medium of Welsh. The Board is also very willing to assist as necessary.

Yours sincerely

Gwenith Price
Local Government and Justice Unit Lead

WLGA Briefing

Police Precept Equalisation

Councillor Derek Vaughan
17th May 2006



Introduction

1. The Association awaits clear guidance from the Home Office on the key issue of precept equalisation and as such some of themes of this briefing may be subject to change. However it is imperative that a debate is commenced on the future of the precept primarily in terms of the impact on council tax payers and the need for local authorities to factor these considerations into next years council tax calculations. Average council tax rises in Wales are at a historic low and there is no desire amongst local authorities and police authorities for that matter to see acceleration upwards as a consequence of police reorganisation.
2. The new strategic police authority for Wales will be a precepting authority and will therefore determine a single precept level for the new force. The current police precepts in Wales are shown in the table below.

	Dyfed-Powys Police	South Wales Police	Gwent Police	North Wales Police	All Wales Average
Band D Police Precept 2006/07	£150.21	£126.42	£153.71	£166.90	£145.32

3. While the Home Office have stated that they "do not intend that police restructuring should, of itself, result in any net increase in council tax" there has not been detailed discussion or guidance as to how precept equalisation is to be achieved. However it is understood that the Treasury has made the following conditions:
 - No existing authority to have precept increases of more than 5% per annum
 - A transitional period of no more than 5 years
 - No move towards convergence until 2008
4. In the absence of more detailed guidance, this briefing discusses a phased approach to precept equalisation of the police precept across Wales based on these Treasury conditions and three options for the immediate "big bang" approach to equalisation, along with other finance issues relating to restructuring.
5. In some areas in England, there is a proposal for the combined police authority to be able to determine special expenses in relation to one or more of its precursor police areas for its first five financial years. The costs of these special expenses will fall as a charge on the taxpayers of that precursor police area only.

Phased Approach

6. Based on the conditions above, a phased approach would be limited to an annual increase of 5% on the South Wales Police precept. The average increase across Wales would be limited to just above 2% each year, while precepts in the North Wales Police area would need to fall to bring them to the Welsh average precept within five years. This effectively results in a loss of income of £28million compared to increasing each existing authority's precept by 5% each year.

Immediate Equalisation ("Big Bang" Approach)

Option 1: All Police precepts move to the lowest current precept

7. This would lead to a loss of £21million in funding for the Police service across Wales, from an already difficult settlement where the threat of capping resulted in service cutbacks in North Wales and Dyfed-Powys.
8. The police precept for the North Wales Police authority area would need to reduce by £40.48 (24% of the police precept or 4.7% of the total council tax bill in Conwy).
9. Reductions of this magnitude will add fuel to the public's concerns that the level of service will be detrimentally affected by restructuring to an all Wales police force.
10. A period where the precept rises for one year, is reduced in the next and then rises again will serve only to raise further questions about the whole council tax system.

Option 2: All Police precepts move to the average Welsh precept

11. On an all Wales basis this leads to no overall change to the funding available.
12. Changes in the police precept range from a reduction of £21.58 in the North Wales Police area (2% to 2.5% off the total council tax bills) to an increase of £18.90 in the South Wales Police area (approximately 2% increase on the total council tax bills).
13. While this option results in smaller changes in individual police authorities' precepts, it may result in concerns that council tax bills in South Wales are being increased in order to reduce council tax bills in North Wales.

Option 3: All Police precepts move to the highest current precept

14. This option would lead to an additional £24million being raised from council taxpayers in Wales, which may lead to an equal reduction in Home Office grant. This increase equates to 14.85% of the Police precept.
15. Increases in the police precept would range from £13.19 (8.6%) in the Gwent Police area to £40.48 (32% increase) in the South Wales Police area (the equivalent of between 3.5% and 4.5% on the total council tax bill for the South Wales authorities).
16. This option would feed fears that the restructuring will only increase costs and the burden on local taxpayers. Again, it may reignite issues of whether council tax is the most appropriate method of local taxation, particularly following the council tax revaluation exercise.

Other Finance Issues

17. The Westminster Government has indicated that it would limit precept increases to 5% per annum. It is not known whether this increase would include increases needed to deliver precept equalisation. Council Tax and limits on increases are, however, controlled by the Assembly and not Westminster. Police authorities may find themselves in a situation where the Home Office have provided funding based on the assumption that all authorities would precept at the highest level but the Assembly use their powers to cap, leaving the police authorities with a shortfall in funding and no way to fund it.
18. The Police Funding Formula is to be reviewed in 2008/09 once the new strategic forces are in place. Currently, there is considerable concern amongst Police Authorities that a single police force would be the most sparsely populated police authority area in England and Wales and as such would face a decrease in grant funding.

2006-07					
	Dyfed-Powys Police	South Wales Police	Gwent Police	North Wales Police	All Wales
Police Grant (£m)	32.69	92.09	44.27	48.07	217.11
Aggregate External Finance (AEF) (£m)	17.34	74.18	31.68	25.59	148.79
	50.03	166.27	75.94	73.66	365.90
Council Tax Police Precept (Est) (£m)	29.86	56.54	30.39	45.02	161.81
Total (£m)	79.89	222.80	106.33	118.68	527.71
<i>Net Expenditure (£m)</i>	79.89	222.80	106.33	118.68	527.71
Taxbase	198,794.20	447,230.00	197,675.53	269,748.09	1,113,447.82
Band D Council Tax Police Precept (£)	150.21	126.42	153.71	166.90	145.32
Option 1: All move to the lowest precept					
Reduction in Band D precept (£)	-23.79	0.00	-27.30	-40.48	-18.90
Reduction in Band D precept (%)	-15.84%	0.00%	-17.76%	-24.26%	-13.01%
Reduction in total income (£m)	-4.73	0.00	-5.40	-10.92	-21.05
Income reduction as % of total income	-5.92%	0.00%	-5.07%	-9.20%	-3.99%
Option 2: All move to the average precept					
Increase / Reduction in Band D precept (£)	-4.89	18.90	-8.40	-21.58	0.00
Increase / Reduction in Band D precept (%)	-3.26%	14.95%	-5.46%	-12.93%	0.00%
Increase / Reduction in total income (£m)	-0.97	8.45	-1.66	-5.82	0.00
Change in income as % of total income	-1.22%	3.79%	-1.56%	-4.91%	0.00%
Option 3: All move to the highest precept					
Increase in Band D precept (£)	16.69	40.48	13.19	0.00	21.58
Increase in Band D precept (%)	11.11%	32.02%	8.58%	0.00%	14.85%
Increase in total income (£m)	3.32	18.10	2.61	0.00	24.03
Change in income as % of total income	4.15%	8.13%	2.45%	0.00%	4.55%

List of Oral Presentations

SJR(2) 06-06 (30 March 2006)

Denbighshire County Council
Police Federation, Welsh Region
Police Superintendents' Association

SJR(2) 08-06 (17 May 2006)

Welsh Local Government Association
Chief Constables of Welsh Forces
Police Authorities of Wales

Written statements received in support of oral evidence

DENBIGHSHIRE COUNTY COUNCIL

1 This submission sets out the Council's concerns and views on the issues and options for regional and local accountability which would underpin a new Strategic Police Force in Wales.

2 The full Council has twice resolved unanimously – on 22 November 2005 and 14 February 2006 – that it is totally opposed to the Home Secretary's proposal to make an order amalgamating the Dyfed Powys, Gwent, North Wales and South Wales police areas with effect from 1 April 2007. The council continues strongly to recommend the retention of the status quo. Efficiencies and improvements should be made through increasing collaboration with other forces and partner organisations and not through restructure and merger.

3 Members have been particularly disappointed that the Home Secretary has not deemed it necessary to consult local authorities directly about this important issue, despite the fact that they are obviously key stakeholders in the process. Additionally, the time allowed by the Home Office for this major piece of work has been outrageous, particularly in terms of seeking input from partner agencies and the general public.

4 The following are critical issues on which Denbighshire County Council still requires clarification and reassurance:-

4.1 The council has argued that **the police authority should consist solely of members appointed by county and county borough councils, with a minimum of one member appointed by each council.** We welcome the confirmation by Hazel Blears MP in her letter of 3 February that each council would be directly represented on the strategic police authority, although we are concerned that we have yet to see any draft legislation from the Home Office to confirm this. (Indeed the absence of a draft amalgamation order as a focus for the consultation letter of 3 March is a general concern.) Our approach would underline the role of the police within the local government family, given the impact that police spending has on council tax levels across Wales, and ensure that the Home Secretary concentrated on the strategic legislative, policy and funding framework;

4.2 In terms of more local accountability mechanisms, the choice lies between the regional level or the Basic Command Unit. There is concern about overburdening the new structure with too many accountability and monitoring mechanisms. **Whatever is put in place should be a statutory mechanism, should involve a majority of seats being filled by county councils and should hold to account senior police officers and police authority members from the area**

(so the latter could not be members of the board). The scrutiny boards should have an advisory/monitoring role and should not have precepting or levying powers. Denbighshire has suggested that each BCU should have a statutory board which would perform a scrutiny role in respect of performance of the BCU, its commander and the police authority member(s) who represent the area. The majority of members of the BCU Board should be appointed by county and county borough councils, with other partners in Wales such as community councils and the National Assembly appointing the remainder. Members of the police authority would not be eligible for appointment.

4.3 The existing power for individual councils to scrutinise a nominated police authority representative, under section 20 of the Police Act 1996, should be retained;

4.4 In terms of strategic joint working with the police, community safety partnerships remain the correct vehicle. Accountability that is set in a wider national framework will need to ensure local input still exists and individual BCU targets will need to be reflected in national policies. Hitherto, Denbighshire has sought to influence local targets through its community safety partnership (although many of those for the police are, in effect, set centrally or heavily influenced by the Home Office). **In future this function might more appropriately be undertaken by a statutory board at BCU level, since it would have a greater level of political input.** In line with the agenda set in Making the Connections, councils and the police should be able to choose to merge community safety partnerships, for example to align with BCU boundaries;

4.5 we are **concerned about the potential impact of the provisions in clause 15 of the Police and Justice Bill** (role of local authority overview and scrutiny committees). The new sections are unnecessary because there is nothing to prevent councils making such arrangements now in their constitutions. This should be a matter for local discretion, rather than a mandatory requirement. We are also concerned that the mechanisms set out in the new Section 21A of the Local Government Act 2000 for pursuing “local crime and disorder matters” risk distorting the work of councillors, scrutiny committees and cabinets or, worse still, similar provision being introduced for other areas of council responsibility such as roads, education or health. There is a danger that the mechanisms could be hijacked by misguided individuals or groups, and that scrutiny committees and cabinets will have to devote more time to very local issues rather than the strategic matters on which they should focus. We accept that the Assembly has powers of commencement for clause 15 and that the Minister has indicated she would not support the introduction of these provisions in Wales currently. We believe that they represent poor legislation and should be limited to England only. We would suggest instead that, **if statutory accountability mechanisms for the police are to be introduced at regional or BCU level, they would represent a more**

suitable vehicle for individuals or groups to raise issues of concern about “local crime and disorder matters”.

5 The remainder of this submission deals with matters that are perhaps not strictly to do with regional and local accountability mechanisms but nevertheless raise significant issues for people in Denbighshire and, we believe, across North Wales:

5.1 The operational benefits to be accrued by the citizens and communities of North Wales from an all-Wales merger are still not clear and have not been sufficiently evidenced. The scoring formula which was devised by the Home Office to assess different options for policing structures in Wales seems to have been geared towards the formation of an all-Wales force. Further work is needed to demonstrate that the increased capacity and capability in protective services will produce clear benefits. If one of those benefits is to increase North Wales’ capabilities to deal with terrorism, it is not clear why funding for security at the ports of Holyhead and Mostyn has recently been cut by over £200,000;

5.2 the operational service must improve if these changes are to take place: the driving force behind the change cannot just be financial or to improve the ability to deal with Level 2 crime. **The Council seeks reassurance that current levels of policing in Denbighshire will be maintained particularly in respect of neighbourhood policing.** Organised and serious crime cannot overtake the core focus of BCU work, which is community based policing responding to Level 1 crime. A national force must not drain local resources away from Denbighshire, for example, community beat managers, police community support officers etc. The problems experienced in North Wales differ greatly from cities such as Swansea and Cardiff. Resources will need to be carefully controlled to ensure that smaller towns and more rural areas do not lose resources. There is concern that North Wales may be disadvantaged by the location of headquarters in South Wales. Many aspects of this are practical ones such as the increased capacity and resources which will be required for travelling to meetings etc. and how a single force will maintain the good work that North Wales Police have done in discharging their responsibilities under the Welsh Language Act 1993. In the North Wales context, it is vital that the existing positive relationship with Cheshire is not compromised in any way;

5.3 arising from concerns about redirection of resources, **the costs of this reorganisation which is being imposed by the Home Office must be met in full by the UK Government.** It would be unacceptable if the costs of reorganisation were to fall on the police service and were to result in cuts to services and/or increases in council tax. There must be sufficient capital and revenue funding to allow the merger to take place, without detriment to local council tax payers and neighbourhood policing. There should also be external validation that any decision to

merge meets the legal and financial requirements of due diligence and good governance. The Home Office has suggested that the new force should borrow money to go towards the set-up costs in Wales, including revenue costs such as paying for any redundancies. This is possible if the Assembly makes the necessary regulations or gives capitalisation directions under section 16 of the Local Government Finance Act 2003. However the Home Office must provide in full additional revenue resources to meet the cost of any borrowing and its repayment;

5.4 from the outset of the new police force, there must be a single common precept across Wales. It is an inevitable consequence of moving to a single police force. This is not about increasing council tax, but ensuring that the proportion of police funding that comes from council tax is shared equally across Wales. There should not be transitional protection for any areas in Wales if the UK Government moves ahead with its proposals. (Such protection could be justified only if it could be conclusively proved that existing levels of expenditure and council tax related directly to local choices about levels of activity or arose from demonstrable differences in efficient use of resources. We do not believe that such evidence exists and that the existing differences in levels of council tax may be more significantly influenced by the Home Office's police funding formula not adequately reflecting the differential costs of providing services in rural and urban areas, in Wales compared to England etc.);

5.5 It would also be essential that the police merger should have no impact on the structure of the fire and rescue service in Wales. This is the devolved responsibility of the Assembly: the Minister for Social Justice and Regeneration has repeatedly made clear that the Welsh Assembly Government has ruled out changes to the number of fire authorities or a merger of their three control rooms. In pursuance of this point, we have also raised concern that there should be no impact on the tri-service joint control room project in North Wales, which is nearing implementation. This is an excellent example of collaboration across the emergency services, in line with the agenda set in "Making the Connections", and will provide a robust, accessible service for people in North Wales. Technology should mean that, even if the police merger goes ahead, emergency calls can continue to be dealt with in North Wales by call handlers who are familiar with its geography.

POLICE FEDERATIONS OF WALES

The Police Federation of England and Wales (PFEW) was established in 1919 by the Police Act and is currently governed by the Police Federation Amendment Regulations 2004. It is the representative body for all police officers up to and including the rank of Chief Inspector, this equates to a total in excess of 141,000 officers of which 7,613 serve in Wales.

Our statutory duty is to safeguard the welfare and efficiency of our members and thereby enhancing the efficiency of the service. In light of that remit we are concerned that the source of funding for restructuring has not as yet been established.

It is essential for the improved welfare and efficiency of our members that best practices in relation to health and safety, resources, equipment and the supporting infrastructure is viewed as a priority and implemented appropriately. We already have several “centres of excellence” in Wales delivering driver training, firearms training and information technology and we must ensure that the advancements in such areas are not lost in the rush to restructure.

The ultimate aim for the construction of a strategic police force in Wales must be to dramatically improve the quality of service delivered to our communities at a local and regional level. We are concerned that failure to manage the process effectively may result in some areas experiencing no improvement or worse still deterioration, with resources being drained from all our communities particularly in the area of Neighbourhood Policing. There is a genuine concern amongst officers and within the communities we serve, that the creation of such a Strategic Force would mean the depletion of resources from the more rural areas that are already being policed with minimum staff. The Police Federation would require firm assurances from Government that resources will not level out, but will increase in real terms – and in all forms- to meet the surging demands placed upon a modern service in both urban, rural and post industrial areas across Wales.

It is vitally important that the service we provide to our communities is protected and wherever possible enhanced.

We should maintain the resilience inherent within officers who have forged strong local links and not rush to withdraw them from their communities without fully assessing the impact.

The “latest risk” approach to setting priorities for policing has introduced the regular shifting of targets and objectives. The Tony Martin murder case highlighted a gap in the policing of rural communities and our focus moved to “filling the rural policing gap”. The events in Soham led to the Bichard Report and again gave a new priority in relation to information exchange and the use of information technology. We must ensure that in the rush to fill the Level 2 gap we do not undo or undermine the improvements and results we have gained in other areas of policing.

Wales, as a country, has wide-ranging and varied crime and disorder problems across a huge geographic area and there is a concern that the new structure could simply lead to increased bureaucracy and poorer communications, not better local results. What works in Meirionnydd or Monmouth does not necessarily work in Cardiff or Carmarthen; we must not lose sight of that fact. There are huge cultural differences across Wales and

with no suitable road links across the Country any efforts to overcome such difficulties would be seriously frustrated.

Neighbourhood policing is recognised as the foundation of our success in Wales. We have local structures and partnerships in place to deliver a service that needs to be enhanced and developed.

The Police Federation is an apolitical organisation and, as such, it would be inappropriate for us to comment on the devolution of Policing at this time. Suffice to say, though, that we would need targets set by one authority and with our local needs of paramount importance.

In addressing the democratic structures required to underpin the effective policing of Wales, there already exists ad hoc arrangements and opportunities for consultation with governments and authorities. The Police Federation would seek to further strengthen and formalise these arrangements with an overall view of improving the efficiency of a new strategic police force within Wales. It is recognised that there may be a shadow Police Authority constituted and, to this effect, the Police Federation understands that there are differing levels of consultation and engagement with the current four authorities. We would be seeking the standardisation of best practice in these arrangements.

Issues

It is the Police Federation's view that effective consultation with those who are democratically elected to represent rank and file police officers can only better enhance the governance of a police force and lead to a service delivery which is fit for purpose.

The national leaders of the Police Federation of England and Wales are fully consulted by the Home Office and we would aspire to mirror this arrangement with the Welsh Assembly Government in order to build upon our current arrangement. We would hope to be further consulted by WAG on prospective legislation which would impact upon service delivery policing.

Addressing the democratic structures within the consultation, the Police Federation would wish to highlight the need for regional and local accountability for the proposed new strategic force in as much as factors of resourcing, neighbourhood policing, the deployment of non-attested officers (such as PCSO's) and how these will fit into the objectives of a restructured police authority, local government, Welsh Assembly and the Home Office.

The governance of a Police force should be inextricably linked to the local communities they serve and this should be reflected in the constitution of any relevant authority. The concerns we have in relation to local accountability, vis a vis local policing, could be exacerbated by a remote command structure.

There should be a clear and transparent structure in place to allow local communities to air their views on policing issues in an effective manner.

Although the Police Federation does not feel that it would be appropriate for us to offer options for democratic structures, we would welcome the opportunity to inform any subsequent debate in relation to future proposals.

Once again, we would like to thank the Social Justice and Regeneration Committee for this opportunity to express our concerns and submit this report for your information and consideration.

POLICE SUPERINTENDENTS' ASSOCIATION OF ENGLAND AND WALES

The Association

The Police Superintendents' Association of England and Wales (P.S.A.E.W.) represents over 1500 Superintendents and Chief Superintendents.

Our members lead Basic Command Unit (B.C.U.) Command Teams and at Force Level command Support Departments and are responsible for managing the provision of operational and specialist support to their B.C.U. colleagues. In particular our members perform the critical role of Senior Investigating Officer for murder and other serious crime enquiries and silver/gold command for firearms incidents.

At a National Level our members are seconded to the Home Office and other National Agencies where their expertise and experience inform policy making and delivery of high level National Policing Services.

Chief Superintendent and Superintendents are integral to the delivery of policing at local, force and national levels.

They have a wealth of experience in:

- Service delivery.
- Partnership working.
- Working directly with communities.
- Commanding high profile policing incidents.
- Budgetary management.
- Human resource management.
- Delivering local force and national policing priorities.

Objectives:

1. To lead and develop the Police Service to improve the quality of our service delivery to local communities.
2. To influence practice, policy and decision making at Chief Officer and Government level.
3. To provide appropriate support and advice to members to maintain and improve upon the professional status of the Superintending ranks and to constitutionally enjoy the rights of consultation, participation and

negotiation on all matters relating to the duties, responsibilities, welfare and efficiency of the members and the Police Service other than in respect of promotion affecting individuals.

Officer presenting Submission

Chief Superintendent Ian Johnston is the President Elect of the Superintendents' Association of England and Wales.

Within the Association he has specific responsibility for the Crime Business Area and the Basic Command Unit Liaison Area. He maintains a database of all Basic Command Unit Commanders in England and Wales and is daily communication with his colleagues throughout the country.

Ian Johnston has been the full-time Vice President of the Association since 2004 having served for 33 years with the Gwent Police and was the B.C.U. Commander serving the Local Authority areas of Caerphilly and Blaenau Gwent immediately prior to taking up his appointment with the Association. He previously served as BCU Commander at Pontypool covering the Local Authorities Areas of Torfaen and Monmouthshire.

He has also served for 5 years as Head of C.I.D. with Gwent Police and has considerable experience commanding major enquiries and incidents.

Moving Policing Forward – Proposals for the Future

In March 2004 the Association responded to the Government's Green Paper by presenting a submission – "Moving Policing Forward – Proposals for the Future." The submission concluded that:

"A logical solution would be a National Police Force deployed through a regional structure".

We made this proposal recognising that the creation of a National Police Force would not sit comfortably with the rationale that British Policing is best provided by local units allied to traditional boundaries.

It was however, our firm view, that our proposal would provide precisely such a structure at the most local level and would simultaneously provide the consistency of approach which is so glaringly absent at the present time. The Association strongly believes that the emphasis should be on delivering local services locally and national priorities nationally.

We concluded by saying, that whilst appreciating that many people feel a deep and very genuine loyalty to their current forces, the existing structure of 43 autonomous entities aligned to boundaries which no longer reflect government structures in the regions or the very local identities felt by individual communities, has we believe, outlived its usefulness.

A large part of the Association response related to the functions and the make-up of a Basic Command Unit.

Co-terminosity

The requirement of engaging Partnership Working makes co-terminosity the single most critical factor in determining whether a B.C.U. can deliver effective local policing.

We believe that the more closely aligned the respective partners boundaries then the more effective the partnership will be in delivering community safety. Where B.C.U. Commanders are required to work with multiple partnerships that in turn can sometimes be required to work with more than one B.C.U. Commander an inevitable confusion follows.

Funding

The current Funding arrangements for B.C.U.'s are haphazard with a wide divergence of practice across England and Wales. Some are given significant devolvement of funds and considerable flexibility. Others have budgets that are dictated and controlled at Force Level with only the most limited devolvement available.

Even where full devolvement is enjoyed it is not uncommon for funds to be withdrawn at short notice to pay or address Force priorities. This can have the effect of hindering short and medium term planning which has usually been already been agreed with partners.

In addition to resources allocated at Force level there is a confusing array of ring-fenced funding streams that usually require a successful competitive bid to be submitted (usually at short notice) to the relevant funding agency.

Many of these bids are unsuccessful and on occasions successful bids come with strings attached.

The fairly recent innovation of providing funds directly to B.C.U.'s together with access to other partnership funds has proved to be a great enabler to allow B.C.U. Commanders to have the financial wherewithal to enjoin with partners to solve local community safety problems.

It is essential that B.C.U.'s be directly funded to a statutory level. The mechanism for this funding needs to be transparent and clearly understood. B.C.U. Commanders need the flexibility to determine their spending in line with agreed local priorities and the number of additional funding streams should be reduced or even abolished.

Accountability

We believe that local communities should receive the Police commitment agreed in the local Community Safety Plan.

We encourage the strengthening of dialogue between communities and their local officers. Accountability for policing should be at the most local level of delivery where communities can have a direct and meaningful affect on the way they are policed.

Many B.C.U.'s have been very successful through their Community Safety Partnerships in identifying even the most hard to reach groups within their communities and giving them both a voice and the opportunity to participate in B.C.U. objective setting.

The recently published findings of the Review of the Crime and Disorder Act will have a direct impact upon the restructuring debate. The proposal to place strategic responsibility at the Local Strategic Partnership Level with the Community Safety Partnerships becoming more tactical will need to be handled carefully and sensitively.

We support the development of democratic legitimacy of the B.C.U. level of accountability (Police and Criminal Justice Bill 2006). We would like to see a joint responsibility resting on both the elected representatives and the B.C.U. Commander to ensure that all of the communities served by a B.C.U. are given an effective voice.

The elected representatives together with the B.C.U. Commander must become the recognised public faces of Policing and Community Safety within the B.C.U.

Whilst the B.C.U. Commander must remain accountable for operational matters to their Chief Officers we see a clear role for such an elected body by holding a B.C.U. Commander publicly to account for the delivery of locally agreed priorities.

We would also support elected representatives being involved in the selection and appointment of B.C.U. Commanders. We would envisage such a process being achieved by a consensus between Chief Officers and elected representatives.

Size

Association research reveals that in January 2004 there were 320 Basic Command Units in England and Wales. There are currently less than 250.

Some Basic Command Units are very large and we question whether the B.C.U. Commander in such Units can provide the visible direct leadership style that is required. We recognise that given the importance of co-terminosity it is inevitable that some B.C.U.'s will be significantly larger than others but we

believe that where it is proposed to create a B.C.U. with more than 600 staff there must be clear and unequivocal case to demonstrate that other positive factors override this potential disadvantage.

B.C.U. Command Structure

We strongly advocate that each Basic Command Unit should be headed by a Chief Superintendent supported by a Superintendent or Superintendents' depending upon the size of the B.C.U.

There is little doubt that the B.C.U. Commanders role has changed significantly in recent years where the main responsibilities of the role can now be identified as:-

1. Corporacy.
2. Partnerships.
3. Leadership.

The Superintendent in the B.C.U. is becoming more and more responsible for the daily operational delivery.

Each member of the Command Team must have a clearly defined role and responsibilities and each person should have the necessary experience to carry out their individual roles.

Within Wales there is considerable disparity between B.C.U.'s in terms of the size of command teams when considered against the demand.

H.M.I.C. Report

As an Association we agree with the vast majority of the recommendations made in the H.M.I.C. Report "Closing the Gap" 13 September 2005. Policing in England and Wales should move away from the present 43 Force structure.

There is a requirement for a more efficient, integrated, operating platform above B.C.U. Level. The organisation of Service Delivery must be on a scale large enough to respond dynamically, but local enough to understand the diverse context with which it operates. An all Wales Strategic Force will need to address cultural, political and geographical challenges.

The Report assessed the capability of current Police Forces in relation to the provision of Protective Level 2 Services under seven broad headings:-

- Major Crime (Homicide)
- Serious, Organised and Cross-Border Crime
- Counter Terrorism and Extremism
- Civil Contingencies
- Critical Incidents
- Public Order
- Strategic Roads Policing

The findings of the Report are stark. Very few Forces meet the required standard to deliver Protective Services.

Whilst much has been said in relation to counter-terrorism our Association has attempted in recent years to draw attention to the gap that exists in relation to serious and organised crime that transcends Ward, B.C.U. and Force Boundaries. The reality is that many crimes/criminals that are identified through the National Intelligence Model Process on B.C.U.'s are not being dealt with. Many cases are beyond the capability of B.C.U. resources and departments at the "Centre" are unable to cope due to the level of demand.

I referred earlier to the undoubted loyalty of individuals to specific Forces but research has shown that the majority of people identify strongly with a discreet neighbourhood wanting an identifiable local officer. Some partners and local politicians identify more easily with a District or B.C.U. while a much smaller but important group value links at the County Level.

As an Association we believe that maintaining the local link with communities is paramount. We must provide visible and accessible policing with officers locally known.

The question of collaboration between Forces has been raised. There is no reason why this collaboration should not continue albeit the Forces concerned may sit in different new strategic Forces.

In terms of the command structure for the strategic all Wales Force we would support the appointment of a second Deputy Chief Constable enabling the Force to be managed with an organisational and an operational split.

The operational arm of the Force would include all operational staff and responsibility for territorial and Level 2 Protective Service Operational Activity. The organisational arm would include Human Resources; Finance; Estates; I.T.; Corporate Development etc. i.e. all the activities that support the delivery of the operational service.

Each Deputy would be supported by an appropriate number of Chief Officer colleagues with options for functional and territorial responsibility.

The creation of a larger Force will present the opportunity for Functional Portfolios for Chief Officers e.g. Crime. This principle also applies to other areas of protective services.

In the current Forces the reality is that A.C.P.O. Officers are required to have broad portfolios and be omni-competent in a wide range of activities. In strategic Forces as demands, complexity and the requirement for specialist knowledge increase it will be difficult to sustain the current arrangements.

Effective development, training, career path planning will be vital to ensure the future holders of leadership roles in a strategic Force have the technical skills to effectively manage larger specialist portfolios.

To merely divide up A.C.P.O. responsibility geographically will, in our opinion, be a missed opportunity.

WELSH LOCAL GOVERNMENT ASSOCIATION

1. Introduction

- 1.1 This Report has been prepared by the Welsh Local Government Association in response to the invitation from the Assembly's Social Justice and Regeneration Committee to submit evidence as part of its review of the governance models required to underpin a single strategic police authority (SPA) in Wales.
- 1.2 The Report aims to set out a number of issues in considering potential structures which would best deliver effective local policing and accountability and ensure proper democratic and public accountability. While no definitive structures are proposed, the Association believes that the role of local authorities and elected members must be central in providing community leadership in tackling crime, anti-social behaviour and promoting community safety.

2. Background and Context

- 2.1 The Association has submitted evidence to the Committee previously concerning the Home Secretary's proposal to restructure the 4 Welsh police authorities. At that time our key concerns were:
 - Representation of all local authorities on a SPA
 - Support for regional and local governance and accountability to support the SPA in discharging its functions effectively
 - The need for detailed information as to how the costs of restructuring will be met and assurances that the costs will not fall on the public through increased Council Tax
 - Timely discussions on proposals to equalise police precepts given the wide variations currently in Wales
 - The need to retain and strengthen Basic Command Units (BCUs) and the importance of remaining coterminous with local authority boundaries
 - Protection of the Neighbourhood Policing agenda
 - Recognition and acknowledgement by the Home Office of the diverse political and cultural environment of Wales.
- 2.2 Progress has been made in resolving some of these concerns particularly the Home Office's recognition that all Welsh local authorities must be represented on a SPA. A number of issues and concerns however remain outstanding and it is hoped that the current consultation period now being undertaken by the Home Secretary will provide the opportunity to receive further information from the Home Office and for police and local authorities to engage in discussions to ensure the ensuing structures are 'fit for purpose' and build confidence

in all communities that their policing needs will be met. To enable this to happen, more detailed and definite information needs to be made available from the Home Office as a matter of urgency.

2.3 The Association has had discussions with a wide range of stakeholders across Wales and hopes that this dialogue continues as matters progress. Members of the Association have differing views on the Home Secretary's proposal but all share concerns at the timetable for restructuring and the lack of information and detail that has been forthcoming. At a meeting of the Association's Full Council on 24 February, Members supported the decision of all 4 police authorities not to request a voluntary merger due to the need for more information. This is particularly the case when it comes to the financial proposals and its impact on Council Tax. We have recently written to the Home Office to seek more active dialogue on this matter which is a fundamental issue for councils and their communities and the Leader of the Association, Councillor Derek Vaughan, is due to meet with the Minister for Policing, Mrs Hazel Blears MP on 16 May. We will be able to update the Committee on the outcome of this meeting at the Committee's oral evidence session, the following day.

2.4 It is clear that many authorities are yet to be convinced that a single SPA will deliver more efficient and effective policing. The arrangements for accountability and governance will therefore be crucial in gaining support for a single police force across the whole of Wales. The police are undergoing a wide-ranging reform agenda, as set out in the Police Reform White Paper, 'Building Communities, Beating Crime' and the Police and Justice Bill. Likewise the Welsh public sector are also addressing the 'Making the Connections' agenda of collaboration, efficiency and the importance of citizen centred focus. Although policing is a non-devolved issue, the Assembly has responsibility for community safety and anti-social behaviour and therefore full account must be taken of the devolved context within which a SPA will operate.

2.5 It is our view that thus far the Home Office has failed to appropriately recognise the regional, cultural and geographical differences that exist within Wales. Regional and local arrangements will be important in enabling this to happen and as elected representatives, councillors are best placed to represent local communities and promote local concerns and priorities.

3. Structures for Accountability and Governance – Issues for Consideration

3.1 Local accountability must remain the core principle underpinning a SPA for Wales and the Association has expressed its support for arrangements to be put in place at both **the local and regional levels** to facilitate this. A number of concerns have been raised that an all Wales SPA will be too detached from policing priorities at these levels and while Level 2 protective services are also important, the delivery of

policing at the local level is what the public value the most. Consequently structures must be put in place that enable priorities that are identified at the local level to be vocalised strongly and taken account of at the national level. The Association is keen to ensure that neighbourhood policing and services provided by the BCUs are protected and that at the local level, organisations work together in partnership to deliver effective services.

- 3.2 WLGA has recently set up its own regional structures and would therefore fully support regional committees in a single force structure. It is our view that this will help the SPA remain closer to the communities it serves and as far as is operationally practicable, the regional structures should reflect current regional boundaries and not confuse the regional map further. While the Home Office have recognised the potential need for regional committees in Wales, taking account of the geographical size of the country, section 107(4) of the Local Government Act 1972 currently prevents a police authority from delegating powers to a sub-region. It is the view of the Association, and one shared by the Police Authorities of Wales (PAW) and the Association of Police Authorities (APA) that section 107 (4) would need to be repealed to ensure that the SPA has enough flexibility to provide for structures that allow effective administration at the regional level. The Association as such, welcomes the recent confirmation from the Home Office that provision will be made in the Police and Justice bill to repeal section 107 (4).
- 3.3 Following from the above, initial discussions have reflected a view that regional committees would not need to be based in statute. The Association supports this view however there should be some debate on their formal status.
- 3.4 In considering what arrangements will successfully deliver regional and local accountability and governance, a number of related questions also arise:
 - What would be the make-up and membership of the committees? Who would appoint members at the local and regional level? Would there be co-opted members at the regional and local levels (but does section 104(7) of the Local Government Act also need to be repealed to enable this option to exist)?
 - What would the role of the Committees be? Would they have any delegated functions? Would there be delegated powers to individual members of the SPA to enable decision to be reached at the local level?
- 3.5 The Association believes that these issues need further detailed debate with stakeholders as the process of police restructuring continues. For example, the number of members on a SPA (as currently proposed by the Home Office, this will be 43 members for a

transitional SPA and 33 when the Police and Justice Bill amends the membership of police authorities) may impact upon the role members of the SPA play on either or both of the regional or local committees. However, the Police Authorities of Wales (PAW) are considering these issues in more detail and the Association has been consulted on their current thinking and proposals.

3.6 There are also a number of other relevant issues that should be considered further before final decisions are made on appropriate structures for regional and local accountability and governance:

- The Home Office recently published its findings following a review of the partnership provisions of the Crime and Disorder Act. The recommendations include: a separation of the strategic and operational functions of Community Safety Partnerships (CSPs); the introduction of a 'community call for action'; shared accountability through increased powers for local authority overview and scrutiny committees; and improved visibility of the work of CSPs through regular reports to local communities. While the Association is aware that the Assembly Government are currently considering the findings of this review and their implementation, we would welcome further discussion on how the proposals currently under discussion could also provide for implementation of relevant recommendations from the Home Office review.
- Sir Jeremy Beecham is due to report in July 2006 on the 'Review of Local Service Delivery' in Wales. The Review took evidence from the Welsh police authorities and the WLGA. In our evidence to the Beecham Review Team, the Association made a number of recommendations that would have potential to impact upon the community safety agenda. For example the concept of Local Area Agreements (as part of the arrangements for local strategic co-ordination) which are made up of shared outcomes, indicators and targets and aim to get public private and voluntary bodies working together to improve performance on an agreed set of outcomes. The Association has also highlighted the possibility of Local Public Services Boards to improve local performance to achieve shared outcomes.
- The Association is also aware of the proposal to develop local policing boards and that these are currently being piloted in the areas of Swansea and the Vale of Glamorgan. The outcome of this pilot work needs further examination and we would want to ensure that any arrangements avoid duplication and take account of the potential for 'partnership overload'.
- The current regional map reveals a multiplicity of regional structures in place. There is awareness of the need to clarify the regional map in Wales and it is anticipated that the Beecham Review may comment on this issue. Given the key role local authorities play in

working with the police, the Association would seek to ensure that such considerations take account of the regional structures that local authorities themselves have recently put in place to aid collaboration and joint working.

3.7 The above issues highlights that there are a number of contemporary and anticipated policy areas that need to be considered further as to their potential impact on how local and regional accountability for policing and wider community safety issues are addressed. However, the Association believes that in determining the arrangements, the following points should be taken on board:

- There must be a sense of purpose to the arrangements to be put in place and effective delivery of governance and accountability must be central to this thinking.
- The arrangements should build upon existing structures and reflect current and future requirements in relation to the crime and disorder agenda. They should also avoid duplication and not further exacerbate the feeling of 'partnership overload'
- The structures should be solid enough to stand the test of time. The current structures have remained unchanged for some 30 years. Similarly, the new arrangements must ensure that they are strong yet flexible enough to support the current reform agenda and any future changes.

4. Conclusion

4.1 In terms of police restructuring members of the Association have placed great importance on putting in place the necessary arrangements that will allow for regional and local governance and accountability. The important role of elected members in the community safety agenda cannot be overstated.

4.2 The Association welcomes the fact that the Home Office has sought views from the Assembly on what arrangements may be appropriate in Wales. However there are a number of concerns where clarity and further information from the Home Office would be helpful in ensuring all stakeholders are appropriately involved in discussions around the whole agenda of restructuring. This information needs to be provided in a timely manner as in some instances, changes to legislation are required. The Association therefore hopes that the Committee will be able to help highlight the concerns we share to the Home Office and seek answers in a speedy and timely manner.

4.3 Given the nature of the concerns highlighted in this Report, the speed at which this whole process has been run and the range of issues yet to be resolved, the Association also supports the recent request made by the Assembly's Minister for Social Justice and Regeneration to the

Home Secretary for a year's extension to the timetable, that is, a shadow SPA operating with it becoming fully operational in April 2008 rather than 2007 with the existing Police Authorities continuing to operate until 2008. An extended timetable would allow for full discussion and detailed debate on the many issues yet to be agreed.

- 4.4 It is vital that all tiers of elected government in Wales ensure that there are in place robust options for the structure, membership and role of regional and local arrangements in any possible single police force. The Association looks forward to providing verbal evidence and discussing the issues raised in this report in more detail with members of the Committee on 17th May 2006.

POLICE SERVICE IN WALES:

Dyfed-Powys Police

Gwent Police

North Wales Police

South Wales Police

1 Introduction

- 1.1 On 3rd March 2006 the Home Secretary formally announced his firm intention that the four existing police forces in Wales should amalgamate into one organisation. He added that as the processes leading to amalgamation ran their course there was scope for the National Assembly for Wales to influence the future regional and local accountability mechanisms that would underpin a single police force in Wales.
- 1.2 Through the Social Justice and Regeneration Committee, the Minister for Social Justice and Regeneration invited written contributions from key stakeholders on the issues that have a bearing on setting revised democratic structures and options for change.
- 1.3 This paper is the joint response of the four police forces in Wales to that invitation. It takes as given the guidance that is beginning to emerge from the Police Reform Unit at the Home Office and as a premise the view that the structure and operating principles of the new force will also have a bearing on the shape of the mechanisms put in place to hold it to account.
- 1.4 The paper seeks to build from this assumption and sets out the thinking of the Service on the issues that are considered key influences in relation to the structure of an all-Wales force. It is hoped that this in turn will inform the debate on how the accountability framework within which the Force operates might best be tailored to fit.

- 1.5 This paper also takes the opportunity provided to update members of the Social Justice and Regeneration Committee on the current position in relation to the reorganisation process itself.

2 Amalgamation: the Police Service Perspective

2.1 Key Background Considerations

2.1.1 Designing a new police force to serve the whole of Wales presents a number of challenges. Clearly the structure of the force will need to take into account a number of important factors to ensure that the new organisation is fit for purpose.

2.1.2 In the context of delivering effective services to the public it is the shared and firmly held belief of the four Chief Constables that the particular circumstances pertaining in Wales require recognition by all concerned that “Wales is different”. This difference is profound: it arises from the geography and infrastructure of Wales which have had a major direct impact on the history, culture, politics, demographics and now the policing of Wales. It will manifest itself in a number of ways during any reorganisation process, some of which are described further in this paper.

2.1.3 Other design influences on the force structure include:

2.1.3.1 The reorganisation is not commencing either with a blank sheet of paper or the anticipated injection of large amounts of additional funding. The new force must as a result be built to a great degree with whatever assets are already in place.

2.1.3.2 Moving large numbers of staff to effect change is neither desirable nor affordable: nor would it be easy in an area that has the geography and poor current transport infrastructure of Wales.

2.1.3.3 There is a need to ensure the effective alignment of the strategic direction of policing set at national level and the service delivery aims set in Basic Command Units (BCU) and Community Safety Partnerships (CSP) to reflect local priorities.

2.1.3.4 A much bigger organisation will also want to be certain that its structure provides leadership that is both visible and resilient at all levels of the operational command function. This is dealt with in more detail below.

2.2 Culture

2.2.1 The Police Service believes that the growing national identity within Wales is a positive influence. It would provide a strong focus for the

identity of the new force that could not be matched in any of the regions of England.

2.2.2 However, policing is a business still largely conducted locally and in response to local concerns. These differ in emphasis from one part of Wales to another in part a reflection of cultural differences across the country. It is therefore important that the new arrangements take advantage of a Welsh identity without compromising the strong local affiliation that is a strong feature of police-public relations across much of Wales.

2.2.3 Given Wales' relatively poor transport infrastructure it seems likely that regional differences will persist. The Police Service must remain flexible enough to successfully reflect this.

2.3 Partnership Working

2.3.1 At the local level coterminous boundaries between partner agencies are now the norm and any restructuring process will not disturb this.

2.3.2 Above that, no doubt driven to a great degree by the practical consequences of the factors outlined above, it seems that Wales is increasingly becoming a country of regions. The Spatial Plan picks up on this and seeks to coordinate activity across the length and breadth of Wales in ways that make the most of this diversity.

2.3.3 The Police view is that more emphasis needs to be put on the recognition and development of regional identity because in Wales it has the potential to become a key component in the delivery of effective public services. The Spatial Plan, for instance, currently describes a regional set-up with six parts. The Police Service (and our partner agencies on the Local Criminal Justice Boards who reorganised themselves to reflect police boundaries), however, currently divides Wales into four. The Fire and Rescue Services divide Wales into three, as does the Ambulance Trust and health services. This lack of consistency is becoming a real barrier to progress.

2.3.4 It seems likely at this point that the reorganisation of the Police Service will lead to a single all-Wales Force which will further sub-divide itself internally into two or three regions to facilitate day-to-day leadership, management and service delivery. The Chief Constables note that the current reorganisation of the Police Service is coincident with the Beecham Review of public services in Wales and believe that this fortuitous timing generates an excellent opportunity for further debate across the public services in Wales on how a network of regions across Wales should look. The view in the Police Service is that the adoption of common regional boundaries across the public services in Wales is essential if agencies are to develop the structures that fit best with those of key partners in other services (and the National Assembly for

Wales) to provide the most effective platform for collaborative working and the delivery of joined-up services to the public.

2.4 Operational Service Delivery

- 2.4.1 The structure of an all-Wales Force must enable – and not frustrate - the swift and effective deployment of resources (either routinely or urgently as in cases of critical incidents or other major emergency) across the force area.
- 2.4.2 In so doing, the structure must take account of the fact that Wales is about 200 miles in length from south coast to north and its extremities are significantly further flung. The Committee will clearly be aware that the population is mainly concentrated in two groups, on the north and south coasts in an east-west pattern. In between is a very large expanse of extremely sparsely populated land, much of it mountainous. This has resulted in a number of distinct communities developing, all clearly and passionately Welsh but historically with little real day-to-day contact having taken place between them. This separation of the population into such distinct communities is quite unlike anything in England, and it is quite literally impossible to change even in the long term: the geography is here to stay.
- 2.4.3 The situation is exacerbated by the fact that in Wales the fast road and rail links, following the population, also run east-west in both South Wales and North Wales. A fast road or rail connection between the south and north simply does not exist. Nor is there an air link. The result of this is that a car journey between Cardiff in the south and Colwyn Bay in the north takes between four and five hours on narrow winding single carriageway roads. To reach Holyhead from Cardiff or Milford Haven from Colwyn Bay takes a further hour. This has obvious implications in relation to the deployment of resources, in particular for an emergency service.
- 2.4.4 For any all-Wales agency, beyond organising itself in ways designed to minimise the impact of difficult geography and poor transport infrastructure it can do nothing further about this in the foreseeable future. It is an issue with which an all-Wales Force will have to cope.
- 2.4.5 Whilst the recent emergence of Wales as a political unit for the first time in several hundred years is fast becoming a strong and benign unifying influence, our use of the National Intelligence Model has demonstrated that there are two quite separate criminal markets operating in Wales – one in the north and one in the south, with effectively no contact at all between them. The structure of a new Force must reflect the criminal markets as they exist and provide a platform for activity directed against organised criminality, including meaningful joint cross-border collaboration with those forces in England (probably three) with which a new Force would share a boundary.

2.5 Command

2.5.1 In very simple terms Chief Officers of police have two separate roles: visible strategic leadership of the force (see below) and a personal command responsibility for the most serious incidents - which is a critical part of effective protective services in the shared opinion of both ACPO and HMIC. In any critical operational situation there must clearly be sufficient resilience and mix of skills at Chief Officer to deal with it. The recent Civil Contingencies Act is rightly causing a much needed revolution in thinking and organisation in this regard.

2.5.2 In Wales there is an additional factor – the difficulty posed by the topography and totally inadequate transport infrastructure.

2.5.3 Best practice and emerging national doctrine requires Chief Officers to take personal command on occasion and while many incidents and operations can be commanded remotely others simply cannot. Some examples from the emergency planning field will suffice to illustrate this point:

2.5.3.1 There are two nuclear power stations in Wales. Both are in the north and for obvious reasons in remote locations. A third may be built at Wylfa on Ynys Môn if the government decides to proceed. Nuclear power requires a significant degree of specialist training for Chief Officers and, of course, regular exercising of the commanders. It requires on-site personal command at pre-planned locations into which literally millions of pounds have been invested. The whole cross-governmental plan to deal with a nuclear incident requires police command and leadership, immediately available. Such command will inevitably fail, catastrophically and publicly, if trained and competent police commanders cannot be deployed swiftly. The view of the Police Service is that to attempt to this from several hours travelling distance away is just not viable.

2.5.3.2 The Civil Contingencies Act requires a 'Local Resilience Forum', chaired by the local Chief Constable, and a 'Local Risk Register'. By way of example, in Wales the second highest risk is of sea flooding on the coastal plains in the north and south where in the worst case scenario the risk of loss of life is very high. Robust local plans are required, for which key staff must be trained and exercised. Experience has demonstrated to the Service beyond any possible doubt that joint training is absolutely vital, so that key personnel don't merely know what they are doing, but also know their opposite numbers in other services as people and colleagues.

2.5.3.3 This was very effectively demonstrated by the London emergency services in July last year. The response was

textbook, and television screens at the time were full of clearly competent emergency service chiefs saying that they knew what they were doing and it was “just like an exercise”. This whole process is predicated on local commanders, fully trained, who know how each other will behave. Perversely perhaps, it is also highly likely that any flooding disaster will take place in weather conditions which inhibit or prohibit long distance travel and the view of the Police Service is that placing key commanders 200 miles from the scene is not sensible.

2.5.3.4 Exactly the same considerations apply to the oil storage depot at Milford Haven in the far west of Wales, the Millennium Stadium in Cardiff, the two Severn crossings and indeed to anything else on our now extensively developed (and published) Local Risk Registers.

2.5.4 This goes right to the heart of the entire reorganisation agenda – the need to provide better protective services. The government has in the view of the Service got emergency planning right, but the effectiveness of the arrangements depends entirely on the resilience and accessibility of the command function. The consequence of that is that for command reasons alone the Welsh ACPO team must be dispersed across the country - in a way which is not thought necessary across most, if not all, of England - to ensure a 24-hour geographical command resilience.

2.6 Strategic Leadership

2.6.1 The Service would argue strongly that Chief Officers are not merely a necessary overhead. Performance management in particular requires active and personal ongoing engagement by Chief Officers – “eyeball leadership” in the vernacular. This cannot be achieved just by memo or video conference. Chief Officers of Police are expected to have a high public profile, and to be accessible. In larger forces this will be more difficult per se, but in Wales, because of our geography, it is an order of magnitude worse. BCU Commanders need, demand and deserve close support, leadership and challenge from Chief Officers.

2.6.2 It has been argued above that Wales is now very much a country of regions. The imminent emergence from the Wales Spatial Plan and the Beecham Review of a number of regional service delivery “hubs” for the entirety of our partner agencies in Wales (almost all of which are now devolved) creates a an amount of work that just cannot be serviced by a single ‘local top cop’. A small team at Chief Officer level will be required in each regional area. There are implications for the rank structure that arise from this and they are discussed in more depth below.

3 Operating Principles

- 3.1 The initial operational and organisational principles for a new Force have been agreed by the four existing Chief Constables in Wales.
- 3.2 The principles include the following on structure and accountability:
 - 3.2.1 There will be local accountability with local command at the BCU level. Services should be devolved as far as is rational to achieve optimum service delivery. Empowerment and local delivery are tenets of this approach;
 - 3.2.2 Above that the command structure at force level will be dispersed – for reasons outlined below. There will be regional command hubs that will each have direct responsibility for a cluster of BCU. The responsibilities of these command hubs will include performance management and overarching responsibility for service delivery at the BCU level;
 - 3.2.3 The regional commander would be at ACPO rank and should be above the current rank of Assistant Chief Constable (ACC). He/she would be the named accountable person for that territorial area – and also a key member of the force Chief Officer strategic team;
 - 3.2.4 The optimum number of regional commands will need to be decided and is currently subject to further research and analysis;
 - 3.2.5 Strategy and policy will be determined and set at the national tier which will include the head of the police service, the deputy head of service and policy heads. These responsibilities will be at ACC or ACO (Assistant Chief Officer, the non-sworn equivalent of an ACC) level;
 - 3.2.6 Specialist Operational Services will form part of the national level structure and will be managed at the centre and delivered regionally/locally in accordance with demand;
 - 3.2.7 The office of the head of the police service and dedicated corporate support team would need to be peripatetic and maximise the use of technology to achieve desired outcomes. There would need to be more than one base, rather than a HQ in the traditional sense;
 - 3.2.8 Specialist back office support functions such as HR, Finance, Corporate/Business Development and ICT should be dispersed around the country as a whole. Strong consideration should be given to locating these in areas of high unemployment and deprivation with the provision that the prerequisite skills base is available in the locality.

4 Management Structures

- 4.1 This paper has argued that 'Wales is different' and has sought to set out why that is so. The conviction of the Police Service in Wales is that this difference will have to be recognised in the structural design of an all-Wales police service and will in turn no doubt impact upon the shape and structure of an all-Wales strategic police authority.
- 4.2 The Chief Constables in Wales believe that taken together the two issues of critical incident command and visible strategic leadership create an overwhelming case for a dispersed command team, rather than one concentrated in one place in the traditional manner.
- 4.3 It is clearly equally important that at the same time there is a single-tier powerful strategic direction set by the new Chief Constable if the benefits of reorganisation are to be swiftly and effectively realised.
- 4.4 In terms of structure this leads to:
- BCUs clustered into either two or three regions, in consultation with Welsh Assembly Government. Some protective services and organisational support services will be delivered from regional platforms, with the organised dispersal of many traditional HQ functions around the country.
 - Chief Officers also dispersed around the country, with sufficient regional resilience to both lead and command on a 24/7 basis and a local chief of police in each area at a rank above that of Assistant Chief Constable.
- 4.5 This is illustrated in more detail in the table below, which also sets out very briefly the functions performed at each level.

Level	Functions	
National	Strategic command	Strategic Planning
	Force Policy	Resource Allocation
	Performance Review	Links to Strategic Police Authority
	Link to National Assembly for Wales and other key agencies that have an all-Wales focus or, such as with Her Majesty's Inspectorate of Constabulary, a remit that spans the Police Service as a whole.	
Regional	Command	Planning
	Performance	Service delivery platform for

protective services and support functions

Link to other key agencies - such as the other emergency services - that have a regional remit or operate internal regional management structures.

Local (BCU)

Local Command

Local Policing Plan

Neighbourhood Policing

Link to Community Safety Partnership and other key partner agencies that are organised around or within local authority boundaries.

- 4.6 All four Chief Constables in Wales are confident that this structure is both necessary and capable of delivering. It can be achieved with fewer chief officers than is currently the case in the existing four forces and at lower cost. The view of the Chief Constables is that Wales cannot be sensibly commanded any other way.
- 4.7 The Service believes that the structure outlined above will allow the challenges set out previously in this document to be met and effectively circumvent any gap that may otherwise open up between the strategic direction for policing set at national level and the requirement for divisional commanders in BCU to provide services that reflect local differences and priorities.
- 4.8 At the time of writing whether a two-region or three-region structure for the Force will best deliver the desired outcomes is still being considered.
- 4.9 The adoption of a regional set-up is, however, problematic for the rank structure in its current form at Chief Officer level but the Service believes that this can be addressed through minor changes to the Police Act 1996.
- 4.10 There are two basic options for change:
 - 4.10.1 enable the force to have more than one Deputy Chief;
 - 4.10.2 insert an additional rank, between the current ranks of Assistant and Deputy Chief Constable, creating a four-rank structure such as exists currently in the Metropolitan Police.
- 4.11 Representations were made to the Home Secretary on this issue and he has agreed that the circumstances in Wales are different and to use the current Police and Justice Bill as a vehicle to confer upon a strategic police authority in Wales the flexibility to appoint more than one Deputy

Chief Constable. However, as we receive more detail on how the Home Office proposes to implement this, it would seem that the Home Secretary will reserve the power to approve such arrangements and the detail of how the additional DCCs may be organised. This is important as the command structures need to be linked to the governance framework agreed by any new Police Authority.

5 Accountability

- 5.1 The view within the Service is that in addition to having to take account of emerging legal constraints in this area a new police authority would require a structure that reflected the structure and operating principles of the force itself to provide for effective engagement between the two.
- 5.2 At national level, clearly the Chief Constable of a new force would enjoy a regular dialogue with the members of a strategic police authority. At local level, accepting the concurrent Home Office drive towards greater scrutiny of BCU performance, in a broad sense the restructuring process will leave much unchanged, with Force and Authority continuing to engage formally through the enhanced Community Safety Partnerships (the Police and Justice Bill will bring) and Police Community Consultative Groups and informally in a host of other ways.
- 5.3 It is at regional level that perhaps the relationship between Force and Authority would need further development.
- 5.4 It is important to note that the existence of regional command hubs in an all-Wales force would not simply add another tier of bureaucracy and that the role of regional commander would neither confuse nor cut across that of the BCU. The regional element of Force command has its own clear purpose and objectives.
- 5.5 The regional hubs would provide an opportunity for the most senior elements of the Force command structure to remain highly visible across Wales in spite of the vast geography and poor transport infrastructure. They would provide the means whereby in different parts of Wales the Force could maintain a corporate approach whilst continuing to reflect regional/local cultural diversity in neighbourhood policing. They would provide reassurance to the public that the leaders of the Police Service remain in touch with the public.
- 5.6 The regional hubs also provide the platform from which protective services and organisational support services can be delivered in an effective and economical way. A regional commander would be responsible for the performance of the cluster of BCU within that part of the Force and would provide a day-to-day link between neighbourhood policing and those engaged in the delivery of protective services.
- 5.7 A regional commander would also be well placed to provide the focus for dialogue between the Force and the regional sub-structure it would

appear likely that a strategic police authority would find it necessary and desirable to put in place. Such an arrangement would enable a strategic police authority to engage effectively with the Force not only at the strategic level but also in relation to the scrutiny of services being delivered at regional and local levels and gauge their impact upon local neighbourhoods.

- 5.8 The Service believes that complementary regional sub-structures within an all-Wales force and its police authority would provide the necessary clarity in the relationship between the two bodies and that effective engagement in this way would be a vitally important component of future success.

6 An Update on Progress

6.1 General

- 6.1.1 As the four forces in Wales work towards a possible reconfiguration and the creation of an all-Wales constabulary the primary issues requiring resolution remain those connected with funding, command and governance and this paper has set out to describe the Service perspective on these in some detail.
- 6.1.2 Given the importance of these issues both to a smooth transitional period and the longer term effectiveness of an all-Wales force it is therefore with some regret that the Chief Constables must report their disquiet over recent developments in relation to the restructuring process and the impact of those upon progress.
- 6.1.3 Hitherto, all four Chief Constables in Wales have said publicly from the beginning of the current process that in broad terms they would support the creation of a strategic force in Wales in line with the Home Secretary's stated intention and the four forces have been working closely together from the outset to that end. That support, however, has always been conditional upon the new strategic force being properly funded, the issues of governance and command being satisfactorily resolved and a realistic period of time being allowed for implementation.
- 6.1.4 These vital considerations were flagged up in the written responses submitted to the Home Secretary in the period leading up to Christmas last year and whilst it is fair to say that the Service perceives there to have been some positive movement on the command and governance issues (as described previously in this document) the same cannot be said in respect of the funding question. In this area whilst there has been some progress on the costs associated with the setting up of a new all-Wales force in a number of critically important areas concerns connected with future-proofing annually recurring costs remain unresolved. These are discussed further below.

- 6.1.5 The Committee will be aware that the four forces submitted their final Option Appraisal to the Home Office on 23rd December 2005 as requested. No formal response to the document was received for three months until the 22nd March 2006. A delay of this length, given the timescales this process is scheduled to work to, was in itself considered to be unhelpful.
- 6.1.6 Included with the letter of response from the Home Office was a detailed (and helpful) assessment of the Option Appraisal submitted upon which it is common ground that more work is needed to transform it into a formal business case for amalgamation. This included a summary of the costings as perceived by the Home Office.
- 6.1.7 In a general sense the comprehensiveness of the response was very welcome, but in one crucial regard it was both a surprise and disappointment: in the Home Office assessment, with little or no explanation at all, the sum of money put forward by the forces as their realistic estimate of the recurring annual cost of improving protective services capacity to meet national standards across the whole of Wales had been cut by seventy-five per cent. In terms of hard cash the difference between the two figures was no less than £33 million.

6.2 National Standards

- 6.2.1 Improving the protective services to accepted national standards - standards developed and enforced by Her Majesty's Inspectorate of Constabulary (HMIC) - is the Home Secretary's publicly stated intention. Their achievement has been cited as the primary rationale for change on this scale and is the *raison d'être* for the current restructuring process. The Option Appraisal submitted by the four forces – a comprehensive process that the Committee will recall took three months to complete - reflected this and was predicated entirely upon creating the additional capacity to meet the national standards for the protective services whilst at the same time protecting the standard of local neighbourhood policing delivered by BCU.
- 6.2.2 The Appraisal received an 'Adequate' rating and this was understandably taken by the Chief Constables to be broad acceptance within the Home Office of the professional judgements expressed within it.
- 6.2.3 But such was the difference between the two assessments of need that the question was raised with HMIC of whether or not they were based on a common understanding between the Service and Inspectorate of what constituted 'national standards' in relation to the provision of protective services. At the time of writing a dialogue is ongoing between the all-Wales Project Team and HMIC on the development of a shared understanding on standards in the protective services and the level of additional investment required to achieve them in a country

with the peculiar features of Wales to which this document has previously referred.

- 6.2.4 This dialogue with HMIC is welcomed but again, in a process with such restricted timescales the uncertainty and diversion it creates are not. Clearly the Service could not accept any suggestion that the standards of service acceptable in Wales can in any way be lower than elsewhere but to date there is no offer from the Home Office of additional funding to meet the annually recurring costs of improved protective services.

6.3 Working Assumptions

- 6.3.1 What does seem clear is that the assumptions upon which the Service's Option Appraisal document was predicated are greatly different from those being applied by the Home Office and HMIC. A main thrust of the Option Appraisal was that in Wales, despite the generally accepted wisdom that bigger organizations lead to economies of scale in service provision, the circumstances are such that additional investment (above any savings that could be achieved through gains in efficiency) would be required to achieve protective services that met national standards without adversely affecting local neighbourhood policing. The thrust of messages received from the Home Office and HMIC since the submission of the Option Appraisal imply non-acceptance of this assertion and a belief that enhanced protective services and improved neighbourhood policing can both be put in place and sustained without the injection of additional resources. Certainly as things stand no additional money is on offer to fund the recurring costs of improved protective services.
- 6.3.2 Further dialogue is taking place with senior Home Office officials to explore how the two sets of assumptions might be reconciled. Whilst this engagement is welcome, the qualification expressed in the previous paragraph is true here also.

6.4 Funding

- 6.4.1 This section sets out the areas in which unanswered questions that relate to the funding of a new all-Wales police service are causing uncertainty and grave concern:

6.4.1.1 Funding Formula

- 6.4.1.1.1 The formula used by the Home Secretary to apportion Police Grant between forces is to change. The Service anticipates that the formula change will be to the advantage of metropolitan areas and disadvantage those areas where the population is sparse. An all-Wales force would be the most sparsely populated force in England and Wales and there is a fear that the budget of an all-Wales force could be substantially less than the sum of those for its current constituent parts as a consequence.

6.4.1.1.2 To add to the uncertainty it has been confirmed by the Home Office that the revision of the funding formula will be carried out this summer, for implementation in 2008. Implementation of the new funding regime would therefore occur after the proposed new force has actually come into being. For those charged with the creation of an all-Wales force not knowing the future funding position at the design stage represents a real headache.

6.4.1.2 Council Tax Equalisation

6.4.1.2.1 The Committee will be aware that currently each existing Authority sets its own precept and that there is significant variation in the level of precept across Wales. The creation of one force would lead to the setting of a common precept across Wales. This would lead to an increase of the Council Tax in South Wales, which currently has by some margin much the lowest rate and a corresponding drop in the Council Tax in Dyfed Powys, Gwent and North Wales areas.

6.4.1.2.2 There has been suggestion that this equalisation should be phased in over a number of years to ease the pressure on those who live in the current South Wales Police area, but whilst this may on the face of it sound a reasonable way to proceed it is not without practical difficulty. Presumably limits would need to be put in place on how much Council Tax could vary each year. Then, a decision would need to be made on whether a rise agreed for equalisation purposes included or was separate to any precept rise caused by inflation or other new demand. The latter scenario could lead to sharp rises in Council Tax in the South Wales area whilst the former could lead to an equalisation process that created a very substantial drop in the amount of funding raised in this way. At the time of writing this submission, we are still no clearer than we were in December as to how this matter is to be resolved. Our projections indicate that if a phased approach to precept convergence was adopted over five years, this could result in a financial loss of approximately £ 30 million per annum.

6.4.1.3 Neighbourhood Policing

6.4.1.3.1 All forces are currently pursuing the implementation of the national Neighbourhood Policing Project which will see the introduction of neighbourhood policing teams into communities across the country. The Government has set deadlines for implementation of the Project and has made significant grant funding available, mainly to fund the great majority (up to 75%) of the cost of the introduction of large numbers of Police Community Support Officers (PCSO).

6.4.1.3.2 This process started last year and at the time of writing the four current forces in Wales expect to have recruited in excess of one thousand PCSO by the time the grant funding ceases in 2008. The Home Office has confirmed that at this time the grant funding will be

consolidated into the base budget of the Force(s) but in all probability at a rate that absorbs no more than 66 % of the overall cost leaving a major shortfall-

6.4.1.4 Efficiency Targets

6.4.1.4.1 The four forces have always accepted that the creation of a single force offers opportunities to deliver efficiency savings and these were included in the Option Appraisal submitted to the Home Secretary in December. It is of great concern that the Home Office anticipates that forces should also deliver significant efficiency savings over and above this as this may represent double counting between the restructuring process and other sources of efficiency gain.

6.5 Consistency

6.5.1 A review of the reorganisation process outside Wales has raised questions in relation to consistency of approach which Service representatives in Wales will be raising with Home Office officials in an effort to achieve clarity and equality. The Surrey and Sussex forces, for instance, have been given until 2008 to merge where an all-Wales is scheduled to be created on 1st April 2007. Clearly an additional lead in period of this length would allow for better planning and more measured implementation. The issue of an extended implementation date in Wales has been raised with Home Office officials who responded that there was a wish not to put the date back a year as they were keen to realize the benefits of a merger as quickly as possible and avoid prolong the period of uncertainty. Why the situation should be different in Surrey/Sussex, where only two forces are to merge, is not clear. Given all the unanswered questions about finance in particular, but also the challenge of merging any four organisations, a 2007 timescale is far too short.

6.5.2 Also, across England and Wales there are regional differences in the response of the Home Office to Option Appraisals. In the East Midlands region, for instance, the cost of computer desk-top replacement as part of a programme of IT harmonization has been allowed in full: in Wales it has not.

6.5.3 Of all the proposed reorganisations Wales has been assessed by the Home Office to have the lowest net set-up costs of any comparable merger, but at the same time has been allocated what is believed to be the highest savings target. The rationale behind this decision-making has as yet not been made available and is not understood within the Service.

6.6 Closing Comments

- 6.6.1 The examples given above are not an exhaustive list. They describe only briefly the major concerns of the Service in each of the areas referred to and more detail can be made available to the Committee should it be required when the Chief Constables appear to give evidence. Each point described is, however, considered within the Service to be an issue of serious concern in its own right and in financial terms, when taken together, the sums involved add up to a potential funding gap for an all-Wales force that runs into tens of millions of pounds. In fact, based upon some very broad assumptions, we have projected that an All Wales force would face a deficit of over £62 million per annum by 2011. Such a deficit would inevitably lead to cuts in front line policing.
- 6.6.2 In his recent budget statement the Chancellor of the Exchequer announced that the Home Office would receive only flat rate increases during the currency of the next Comprehensive Spending Review period. Against this background the view of the Chief Constables in Wales is that the factors listed above would result in a general financial outlook for a new all-Wales force that could present a real threat that the Service would have to face reductions in its costs that were so significant as to make it not viable financially.
- 6.6.3 In an effort to resolve the situation dialogue continues with the Home Office and HMIC but before the reorganisation process can proceed further the Service really does need clear and unambiguous answers to what it considers to be fundamental questions. The detailed planning required to deliver a single effective police service within Wales cannot be taken further without clarity on the standards of service aspired to and certainty that sufficient funding is in place to deliver it.
- 6.6.4 The very short timescales to which the Service is working serve only to exacerbate the problem: to implement such large scale change would be challenging enough within the time frame envisaged where the answers to all the questions were known. In Wales the Service is far from that happy situation and in a nutshell it is felt that there need to be put in place quickly clear 'rules of engagement' and the necessary finance to support them. It seems absolutely inevitable to those charged with creating a new Service that there would have to be substantially more money placed on the table for Wales if this process is to succeed in its aim to deliver a more effective Police Service.
- 6.6.5 There is a fear that if a single police service in Wales does not receive sufficient support from the outset it will inevitably lead to a situation where the requirement to apply the lowest common denominator as the service standard will create a situation where the public of Wales receive a less effective service than they current enjoy – in both the

protective services and local neighbourhood policing - in some communities for an increase in cost above what they are paying now.

- 6.6.6 The Service believes that the four Police Authorities are equally if not more concerned: they have a duty to consult which they cannot undertake in the current circumstances for a lack of detailed information to put before the public.
- 6.6.7 At the time of writing the Chairs of the four police authorities were scheduled to meet personally with the Home Secretary on 11th May 2006. This meeting is now being rearranged and is critical.
- 6.6.8 It is the view of the Chief Constables that the financial considerations in particular are so fundamental to success that they must be resolved quickly and with certainty prior to the end of the period allowed in the process for formal objection.

POLICE AUTHORITIES OF WALES

Introduction

1. The Police Authorities of Wales (PAW) welcomes the opportunity to submit evidence to the Social Justice and Regeneration Committee in respect of democratic structures, which would underpin a new Strategic Police Force in Wales.
2. The Police Authorities of Wales (PAW) is a representative body of the four Police Authorities in Wales: Gwent Police Authority, Dyfed-Powys Police Authority, North Wales Police Authority and South Wales Police Authority. The main aims of PAW are to:
 - Consider and act upon issues affecting policing in Wales, particularly those that are under the control of the National Assembly for Wales.
 - Maintain a broad Welsh prospectus on police matters.
 - Promote and protect the interests of member Authorities.
 - Seek to influence the policing agenda at a national level on behalf of Police Authorities and local communities in Wales.
 - Support Police Authorities in securing efficient and effective policing services across Wales.
 - Enable Police Authorities to improve.
 - Promote awareness of policing needs and the role and achievements of Police Authorities.
 - Uphold and champion the principles of local accountability and policing by consent.
3. As an overview, however, Police Authorities are responsible for:

- Setting the budget for their police force, including the levels of council tax.
- Determining the strategic direction for local policing through 3 year and annual plans.
- Consulting local people about what they think are the most important things the police should be doing and setting local and policing priorities in light of that consultation.
- Setting their force challenging targets to drive performance higher.
- Continuously monitoring force performance against those targets and regularly reporting to local people on how well the force is doing.
- Appointing Chief Constables and the senior management team and dealing with complaints against senior officers

Background

4. In September 2005 HMIC published its report, 'Closing the Gap: A Review of the 'Fitness for Purpose' of the Current Structure of Policing in England and Wales', which recommended the establishment of Strategic Police Forces in England and Wales. Following the Home Secretary's endorsement of the report, Police Forces and Authorities were asked to consider options for change in light of HMIC's findings.
5. Despite a great deal of work by an all Wales Project Team on behalf of an all Wales Programme Board, (made up of the Police Authority Chairs and Chief Constables in Wales) the Board was unable to submit a preferred option for change in its December submission to the Home Office, as had been requested. This decision was principally due to a lack of necessary information from the Home Office, mainly on issues of funding, Council Tax, precept equalisation, governance and accountability.
6. On 6 February 2006, the Home Secretary announced that having carefully examined the final report on Police Force Structures submitted by the Wales Programme Board and the Chief HMI's assessment of the submission, a single force for Wales was 'the only one acceptable option'. Police Authorities were given until 24 February to decide if they could agree to a voluntary merger. None of the four Police Authorities in Wales were able to agree to this. This decision was largely due to a lack of necessary information particularly on issues of funding and precept equalisation.
7. On 3 March 2006 the Home Secretary wrote to the four Police Forces and Authorities in Wales announcing his intention to amalgamate the four forces into a single Strategic Force.

Democratic Structures

8. In its previous evidence to the Committee the Police Authorities of Wales (PAW) stated that should a single Strategic Police Force and

Strategic Police Authority (SPA) be established in Wales it would be vital to ensure a regional element underpinning a national structure. The reasons stated for this were:

- We have a devolved Government and must work in partnership with both the Welsh Assembly Government and the Welsh Local Government Association;
- To 'close the gap' that would otherwise result in a huge geographical and diverse area;
- To provide effective and streamlined day to day administration of the Strategic Police Authority's policies, practices and directions; and
- To reflect regional differences.

As such, PAW is pleased that the Welsh Assembly has been asked by the Home Office to give detailed consideration to local and regional accountability structures underpinning an SPA in Wales.

9. As part of PAW's previous evidence to the Committee, PAW presented a possible Governance Model. This Model highlighted the need for a 43 member SPA to ensure, under current legislative requirements, that every Unitary Council in Wales had representation. The Home Office has now agreed to the establishment of a 43 member SPA in Wales, albeit for a transitional period of 2 years. The Model also highlighted how regional and local accountability structures could look under an SPA and detailed the functions of each level of accountability.
10. Since the production of the Model, the long awaited Report on the Review of the Crime and Disorder Act has been published. The Report provides a template for England which involves splitting the Community Safety Partnerships (CSPs) into strategic and operational elements and enhancing the accountability of CSPs through the Local Strategic Partnerships (LSPs), a Community Call for Action mechanism and the Local Authority Overview and Scrutiny Committees. Responsibility for the implementation of the Reports findings in Wales rests with the Welsh Assembly as it is a devolved function.
11. The Governance Model has as such been amended to take account of the findings of the CDA Report and presents a mechanism by which Regional Policing Committees could undertake a scrutiny /monitoring role in relation to the operation of CSPs within their region. Bearing in mind the statutory responsibilities of the responsible authorities of a CSP, it seems important to obtain a consensus as to the role the regional committees of the SPA could perform, though the pivotal role of community safety seems closely related to their policing function and the balance of membership between elected Councillors and appointed Magistrates and Independents seems to provide a ready made broad based membership suitable to a scrutiny and over view role in Wales.

12. On 25th April a letter to the Association of Police Authorities from the Home Secretary confirmed that he would agree to the repeal of Section 107(4) of the LGA 1972 which would allow for the delegation of functions of a Police Authority to part of their area. However, it is not a totally unfettered power and the Home Secretary, under regulations can decide what can and cannot be delegated. While PAW is pleased with the proposed repeal of the 1972 legislation, (via the Police and Justice Bill currently in parliament), we have the following concerns:
- The proposals appear to be cumbersome with considerable central control and prescription. We would argue partly with the local government act provisions to enable cabinet style devolved decision making and area based decision making, along the lines proposed in the Governance Model. The local government arrangements currently limit what can be delegated and that model would seem sufficient. If the role of the Police Authority in future is to hold the Chief Constable to account, the proposed restrictions on delegation could undermine that role and responsibility.
 - It should be up to the SPA to determine how they undertake their duties and responsibilities within an overall constitutional framework delegating if they wish and not doing it if they do not wish. The key is to have the ability to act flexibly to tie in with key operational development and with Local Services across the public sector family. We must be allowed to discharge functions as effectively and efficiently as possible as we see fit.
13. In terms of the number and geographic boundaries of the regional committees, as has previously been indicated to the Committee, PAW is flexible on this point and we would envisage regional policing committees accommodating both operational policing requirements and also reflecting the regional planning of the Welsh Assembly Government and WLGA. In the short term, however, i.e. during any shadow period/for the first two years, PAW would wish to see the four existing police authority regions to be maintained to allow for a seamless transition from the current police authority areas.

North Wales

14. Dyfed-Powys, Gwent and South Wales Police Authorities have endorsed the revised Governance Model. The North Wales Police Authority considered the revised Model at a meeting on 7 April 2006. Members were unable to endorse the Model unless and until unambiguous assurances were received from the Home Office on the repeal of Section 107 (4) of the Local Government Act, 1972; the amendment of the Police Act 1996 to allow more than one Deputy Chief Constable in a Force; and also consensus on the Strategic Police Authority/Regional Committees relationship. Assurances have been given at Ministerial level within the Home Office in relation to the

amendment of both the Local Government Act 1972 and the Police Act 1996, although clarification of the details is still required.

15. While all four Police Authorities are clear on the need for Regional Committees, North Wales Police Authority favours Regional Committees to be established by statute or under the Order establishing a SPA.
16. The four Chair and Clerks continue to work together to seek a unified approach and PAW remains positive that a way forward can be agreed upon.

The establishment of a Strategic Police Authority - Outstanding Issues

17. PAW is pleased that the Home Office has agreed to a membership of 43 to the SPA, allowing all 22 Local Authorities in Wales to be represented. The Home Office has stated, however, that this arrangement would be for a transitional 2 year period only and that membership would decrease to 33 (22 Councillors and 11 Independents) following enactment of the Police and Justice Bill. PAW would argue that a reduction in numbers of Independent Members at this stage is premature and evidences a substantial element of predetermination, which has occurred elsewhere on other particular issues. A review of the effectiveness of the SPA should be undertaken after it has been given a reasonable chance to bed-in and its effectiveness can be properly evaluated – not before it has even been formed.
18. There are also a number of other issues affecting the establishment of an SPA, which need to be fully and considerably addressed by the Home Office. Not least of these is the proposed timetable.
19. The Home Office has set a timetable as follows:
 - 1 September 2006 – Shadow SPA created
 - 1 April 2007 – SPA and Force become fully operational and existing forces and existing police authorities cease to exist.
20. The Home Office has stated that the following must happen between 1 September 2006 and 31 March 2007:
 - Appoint the Clerk and Officer having responsibility for financial affairs
 - Appoint the Chief Constable, Deputy Chief Constable, and Assistant Chief Constables
 - Prepare the Policing Plan
 - Prepare the budget for the new force

In addition to these key strategic matters, a host of other issues need to be considered and dealt with by the SPA by April 2007.
21. The Home Office has stated that members to the shadow SPA must come from the current membership of the precursor authorities and it is a matter for the precursor authorities to select those of their number to be appointed to the shadow SPA. This will not necessarily be an easy process to undertake by 1 September 2006.
22. It is the view of the Police Authorities of Wales that any Strategic Police Force and Authority should be created on the 1st April 2008, with a shadow SPA coming into existence in November 2006 and running until 31 March 2008.

23. PAW understands that the Chief Constables of Wales also consider that the 1st April 2008 is a much more suitable date for the creation of a combined Force with the period before that affording an opportunity to undertake appropriate implementation planning to ensure that the combined Force has the necessary infrastructure and internal processes and procedures to function as an efficient and effective combined Force from day one. PAW further understands that the start date of the 1st April 2008 is supported by the Welsh Assembly Government and the Welsh Local Government Association.
24. Home Office officials have informed PAW that the Home Secretary has concerns over a loss of momentum and the possibility of a planning blight if the date of 1st April 2007 were deferred to the 1st April 2008. We would argue that an implementation plan with key realistic milestones directed towards the 1st April 2008 would ensure that momentum was maintained and planning clearly focused.
25. The Treasurers of the four Police Authorities in Wales have discussed the financial issues relating to a 1st April 2007 start date for the SPA and have concluded that
“..... Implementation of changes from 1st April 2008 will not be easy, but to do it from 1st April 2007 will involve so many compromises, and so many risks to the stability of the new organisation as to raise serious doubts as to its advisability”.
26. Funding issues generally are complex and discussions on them are ongoing but a definitive position has not been reached at the time of writing this submission. The Police Authorities of Wales remain concerned in respect of the funding for closing the gap in protective services, the effects of precept equalisation on the base budget for a SPA, and the implications for the police service in Wales of a new formula for the allocation of the police grant. On the basis of work that is currently in progress on financial projections for a SPA for Wales, all the indications are that restructuring will result in a significant financial deficit for policing in Wales. An update in respect of these issues will be provided to the Committee at the oral evidence session.
27. Although consideration of issues pertinent to an April 2007 start are still at a preliminary stage, matters such as arranging comprehensive insurances for the new authority and force, and appointing a superannuation authority are all matters which require careful preparation and it is difficult to see how the appropriate procedures could be concluded within six months. The issue of insurance would require a comprehensive specification to be prepared, and the appointment of insurance brokers, itself a time consuming exercise before the main tendering process, subject to OJEC timescales, could be undertaken. These matters illustrate as an example the practical difficulties involved in rushing towards a premature start.

Conclusion

28. The Police Authorities of Wales are committed to ensuring that any new Strategic Police Force in Wales has the right level and structure of accountability and is working hard to help ensure that effective and efficient democratic structures are put in place. We hope that the Committee is able support our proposals.
29. As is detailed above, there are a number of unresolved issues and insufficient understanding on the part of the Home Office currently hindering the effective consideration and planning in the event of the creation of a single force and SPA in Wales. PAW hopes that the Committee and the Assembly can help us in seeking full, clear and timely information from the Home Office.
30. The Police Authorities of Wales are grateful for the opportunity to submit evidence to the Social Justice and Regeneration Committee and hopes that the above is helpful. PAW would be happy, however, to elaborate or provide further information which may be of benefit. Should this be required, first contact should be made with our Policy Officer:

Cynulliad Cenedlaethol Cymru
Y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio

The National Assembly for Wales
The Social Justice and Regeneration Committee

Dydd Iau, 30 Mawrth 2006
Thursday, 30 March 2006

Adolygu Polisi: Ailstrwythuro'r Heddlu—Strwythurau Democrataidd
Policy Review: Restructuring the Constabulary—Democratic Structures

[51] **Huw Lewis:** We have a number of presenters to help us through this discussion. I remind all concerned—questioners and presenters—to be as concise and to the point as possible. Our time this afternoon is not without limit. First, I welcome Chief Superintendent Ian Johnston of the Police Superintendents' Association of England and Wales. We will have the same format for you and for the two other organisations that will be with us this afternoon. I ask Ian to make his presentation and to put his points to the committee and then it will be over to the members of the committee to ask questions and make observations. Over to you, Ian.

[52] **Mr Johnston:** First, thank you for the invitation to come before this committee. It is a bit like entering the lion's den for our association, because, as you will see as we go through the afternoon, we have certain things that not everyone agrees with. Therefore, it could be quite interesting. I have heard the warning to be brief, Chairman, so I will be brief, but I would like to cover what our association is, because there is some confusion around that. Then I will say who I am and why I am here, make our policy statement and then take questions, if you are happy with that.

[53] **Huw Lewis:** Yes.

[54] **Mr Johnston:** The Police Superintendents' Association of England and Wales represents superintendents and chief superintendents, who are just over 1,500 in number. I stress that we are separate from the Association of Chief Police Officers and the Police Federation of England and Wales; that is not always made clear in the media. Our members lead basic command units, at chief superintendent rank, and, at force level, command support departments and are responsible for managing the provision of operational and specialist support to BCUs. Our members also perform the critical role of senior investigating officers for murder and other serious crime inquiries, and gold and silver command for firearms incidents. I hope that that has put it into context.

[55] Superintendents and chief superintendents have a wealth of experience in service delivery, partnership working, working directly with communities, commanding high-profile policing incidents, budgetary management, human resources management, and delivering local force and national policing priorities.

[56] I will quickly share with you the objectives of our association. The first two are sometimes forgotten. Our No. 1 objective is to lead and develop the police service to improve the quality of our service delivery to local communities. The second objective is to influence practice, policy and decision-making at chief officer and Government level. The third objective deals with internal issues about support to our membership.

[57] I am the president-elect of the Police Superintendents' Association of England and Wales. You will have gathered that I am from Wales. I currently manage the crime business area, which is important in the context of what we may speak about later on, and the basic command unit business area, which means that I have a database of every basic command unit command team in Wales, and I am in regular contact with them. Prior to going to the superintendents' association, I spent 33 years with Gwent Police, and immediately prior to going to the association, I was the BCU commander at Blackwood, covering Blaenau Gwent and Caerphilly, and, prior to that, at Pontypool, covering Torfaen and Monmouthshire. Therefore, I have a history of policing in Wales.

[58] Our association—and this is perhaps where we are different—has said from the outset that we support an examination of the 43-force policing model in England and Wales, and that we should move to a different model that fits policing in the twenty-first century. We were not terribly popular when we said that, but we said it some 18 months ago, and we keep repeating it. We think that there will be benefits for communities and for policing in terms of clarity around what a basic command unit is, and, hopefully, now that that is on a legal footing following the Police and Justice Bill, we will know what a BCU is, and what it is expected to do in terms of interacting with the public and delivering policing locally.

[59] We also think that the proposals will bring greater clarity to what level 2 protective services means, because that means different things to different people. Currently there is a huge grey area between what is expected in neighbourhood BCU policing, and what is expected in level 2 policing. We need clarity around that.

[60] If restructuring is going to work, and we think that it can, we must maintain local policing at a local level, and with neighbourhood policing. However, we fail to see why that cannot be delivered through a basic command unit, as opposed to the four current force headquarters. I know that that is highly political, and that people have strong views on it, because they have a great loyalty to their own force and to the areas in which they live. Our view is that people identify more easily with their local area as opposed to their force area. I am happy to take questions on that.

[61] I will close by saying that we believe that communities do not really care about structure—they care about delivery. It is on that premise that our association supports the proposals to restructure and the move toward strategic forces—in the case of Wales, an all-Wales force.

[62] **Huw Lewis:** Thank you, Ian, for those points, made with great clarity and conciseness. I apologise to Ian for not immediately recognising him when I met him earlier on—I was not expecting to see a Gwent boy this far north today. You are very welcome, Ian, and thank you for your input. I think that you have hit upon the nub of the concerns of many of the Members of the National Assembly about how the basic command unit level of policing will operate in the future and how best to preserve and maintain high-quality local policing. We are all concerned about that and the public is

very concerned about that, therefore thank you, Ian, for that timely input.

2.40 p.m.

[63] **Sandy Mewies:** Thank you Ian, that was most informative. I have looked through your report for the views that your organisation held on 'Closing the Gap' and level 2 policing. I read into it that your organisation felt that level 2 policing cannot be delivered properly in the present structure. Do you still feel that?

[64] **Mr Johnston:** We agree with the report, in that not only will level 2 policing not be addressed in the way that it should be, but we think that it will get worse. We agree with the author of the report. The reality, and it is a matter of public record, as I say in my report, is that cases and criminals are currently brought to notice at basic command unit level. That report is put up to the centre and, quite frankly, the people at the centre cannot take those offences on because of the level of demand at the centre. Therefore, it is then sent back to the BCU and the BCU has neither the staff nor the skills to do it, in terms of the surveillance of people and so on. We are asking for the appropriate number of staff at the centre to deliver level 2 policing, without that being to the detriment of local neighbourhood policing.

[65] **Sandy Mewies:** Perhaps I ought to ask all my questions before you answer further. I think that everybody agrees with your comments on local or community policing. In north Wales, it is very effective. Within an appropriate regional structure, how do you think that that can be maintained? Issues have also been raised about cross-border working, not just in north Wales, but in south Wales. We have been reassured in evidence several times about cross-border issues. Cheshire is mentioned in one of the reports, but Merseyside is equally important to north Wales, as is Bristol to south Wales. Are you, as an association, content that that sort of good co-operative working will continue, given that it is my understanding that all police forces have a statutory duty to co-operate with one another when required to do so? Are you happy that that would continue? There is real fear about this. One of the key issues that people are concerned about is the loss of the community element.

[66] **Mr Johnston:** I think that they are absolutely right to be concerned. Some assurances have been given by Government and the Minister for the police at Westminster that neighbourhood police teams will remain just that. The make-up of those teams is a different matter. Currently, the reality is that if there is a major incident, particularly in three of the four Welsh forces, the staff that are directed to those major incidents are taken away from local policing and then the communities do not see those local police officers for months on end. We want the neighbourhood policing teams to be red circled so that they remain there and are not pulled away to deal with major incidents to the detriment of the delivery of local policing. In order to do that, we need to get the staffing level right in neighbourhood policing and at the centre. We cannot have one borrowing from the other all the time.

[67] **Laura Anne Jones:** To follow on from that, it is vital that we have more police officers, not fewer. That is a major worry. People are concerned that meeting the level

2 needs will be to the detriment of community policing. It all comes down to cost at the end of the day, and, as we are well aware, there is an issue as to who will pay for the restructuring. What sort of effect do you think that it will have on Wales if the cost lands on us, not the Home Office?

[68] **Mr Johnston:** When one looks at some of the negative media coverage that we have had, in certain parts, there has been good cause for that. Questions about funding have not been answered appropriately in our view, and we agree with the comments that have been made around funding of the restructuring. We are talking about 2007 being the beginning of the restructuring, and not the end—that is an important point. However, you are right to say that there are some fundamental questions around funding of the restructuring and precepts, which I am sure we will come on to in a minute. We do not pretend to have all the answers to all of that, but, in terms of the principle of where we want to go, we think that this is the right way to go.

[69] **Mark Isherwood:** That was very interesting, and provocative in certain ways. It was not a total surprise, as I have spoken about this issue with my local superintendent in the past. You describe a national model, but are you talking about a UK or devolved Wales national level? I am not absolutely clear about which you mean and how that would interact. Tied in with that, where police resources are required to deal with something that is more than local, where would those resources come from? How would you deliver operational back-up? What joint structures would be in place for collaboration between BCUs within the region and possibly across the border with Cheshire police or elsewhere if you are operating in north Wales? You talk about local services locally and national priorities nationally, but are you talking about a complete division almost on the French model or a situation where the local BCU force will co-operate and collaborate with the neighbours?

[70] In terms of accountability, we are charged with looking at or proposing how that accountability should work in Wales. Some people have suggested that BCUs should become accountable to permanent local boards, possibly made up of town community councillors and county councillors, and possibly lay members. What are your views on that, and how do you believe that those boards should interact with national police authorities?

[71] Funding is obviously a big concern for us all. You will probably be aware that a joint letter from all political parties in the Assembly has been sent to Charles Clarke to stress our view that any cost associated with the reorganisation should not be borne from within current Welsh budgets, locally or nationally. In terms of allocating that money, what sort of formulae do you propose? At the moment, most funding formulae in Wales, for example, for local government, have weightings, and that means that per capita funding varies throughout the regions. Are you proposing standard unit funding or some sort of formulae?

[72] Finally, how do you see the role of clerical civilian staff? When the clerical unions gave evidence to us in Cardiff, they suggested that there were still tasks being undertaken by uniformed officers that they could take on board, which would perhaps

release more uniformed officers for high-profile policing in the community, for example. Do you share that view or do you have reasons why you would challenge that?

[73] **Mr Johnston:** Where to start? In terms of the model that we are recommending, there are some comparisons with other European models out there, and you will see that we have been provocative in the report in saying that there should be even greater co-operation with locally elected members of the community. Our association sees those elected members in the future sitting on boards to appoint BCU commanders through consultation with chief officers. We see that as the way forward.

[74] In terms of local accountability, we see nothing wrong at all in a BCU commander and a chief executive, together with locally elected representatives, playing a major role in delivering policing locally. We see that as the way forward.

[75] On your last point about uniformed officers and civilian staff, there are colleagues here from the Police Federation of England and Wales who will have a view on that issue, but some would think that we have perhaps as gone as far as we can, and should, with replacing uniformed officers with more members of police staff, because the numbers of police staff have increased dramatically over the past 10 years. So, perhaps I will leave that issue for the police federation to answer.

[76] I cannot give you a view on the budget, because we have not looked at budget or formula, and certainly not for Wales.

2.50 p.m.

[77] You referred to community safety partnerships and scrutiny committees. As long as they are properly constructed, have the aim of delivering better policing for communities, work properly and there are no personal agendas, then we will have no problem with them. It is about accountability and the local police chief, namely the BCU commander, being held to account and about him or her talking to the chief executive and locally elected representatives. We have no problem with that.

[78] Collaboration across north Wales is a particular topic in this part of the world, even when Cheshire merged with Merseyside. Some of the collaboration agreements that exist between north Wales and Cheshire should be examined before they are abolished, and if they still deliver and help to deliver, then it is a matter for the two chiefs of the new strategic forces to talk about. We know and accept that there is the challenge of geography in Wales, which perhaps is not relevant in other parts of the country.

[79] **Leanne Wood:** One of the concerns regularly put to me by the public is that this reorganisation appears to be an attempt to provide policing on the cheap. People fear that there will be more community officers instead of police officers. Would you

comment on that?

[80] I accept your point about organising local boards on a BCU level, but if we are talking about one strategic force, then there has to be one central board or organisation. So, in effect, you are moving away from local communities, through centralisation. Could you say something about that?

[81] It is my understanding that, in Scotland, they do not intend to reorganise police services in the near future. Is there a problem with level 2 protective services in Scotland and, if not, how is the situation different?

[82] Finally, we recently had a presentation from operation Tarian officers, and it seems to me that a lot of the collaborative work that they are doing across police forces in and outside of Wales is meeting some of this need for level 2 protective services. Am I right to think that or am I going off on the wrong tangent?

[83] **Mr Johnston:** On policing on the cheap, going back to Mark's point, when we went through a civilianisation programme some years ago, we replaced police officers—and the example that comes to mind relates to scenes of crime officers—with members of police staff because they were cheaper and you could employ more of them. However, the salary of scenes of crime officers now costs more than a police officer's starting salary—it is the equivalent of that earned by a constable after eight years. So, we need to be aware of that.

[84] I have two points on the number of community support officers that we get. We support the concept of community support officers because the public like them, and the criticism has been made that they cannot do the same job as police officers, but that is exactly why the public likes them—if they could do the same job, we would take them off to do other things. However, because their powers are limited and they can only do certain things, they are out on the street and are visible, providing assurance to the public. The feedback from the public, through our members, is that it likes community support officers. I know that the federation may have a different view, which is that instead of having around 20,000 community support officers, we could have 20,000 police officers. However, would that 20,000 fill the gap that means that everyone sees a uniformed officer on the street? I am not giving you much of an answer to that point, but that is the way around it.

[85] On governance and having one police authority for Wales, you are right to say that it will move further away from the public. However, it is a matter of where those people come from. We are more concerned about the day-to-day relationship with elected members—between people like yourselves and the BCUs—and we feel that we need to get closer in that regard. There are some good examples in Wales already, where the liaison is very good, but we need to see that model spread out throughout Wales.

[86] Tarian has replaced what the older Members here will remember as the regional

crime squads. So, it has plugged the gap, but not everyone has got a Tarian. On that same subject, we have fears that, following the introduction of the serious and organised crime agency this weekend, it will move further away from level 3 criminality and that the gap will become bigger. So, as it goes up and deals with more and more serious national crime—'national' in an England-and-Wales context—the level 2 and level 3 criminality gap will become bigger.

[87] I was in Scotland recently looking at level 2, and the response there. We are not aware of any plans at the moment to create one police force for Scotland. That is a very relevant question. If Wales has one force, why is this not the case in Scotland? It does not intend to do that. There is evidence in Scotland of greater collaboration between forces than is currently the case in England and Wales, although one force, Strathclyde Police, covers half the population of Scotland. However, it seems to provide many services to the smaller forces.

[88] **Huw Lewis:** Thank you. Before we let you go, as you have made some interesting points and because we have been discussing the democratic structure of the force, may we press you one last time for a fuller explanation of how you see this working, from the top down or the bottom up, or in whichever direction you want it to go. We have understood the gist, but, if you have it, a little more detail would be helpful.

[89] **Mr Johnson:** What I have done today, and it has been a deliberate act, is to focus on our members and the way in which they will interact with locally elected representatives. There has to be a tier above that. We support the continuation of police authorities, and it will be interesting to see how we move from the four police authorities that we have currently to one. I can see that there will be some fun and games with the precursor police authority due to inevitable personal agendas. That is bound to happen.

[90] In terms of the chief officers, our view differs from that of the Association of Chief Police Officers, as we think that dividing Wales geographically after the restructuring would be a missed opportunity, and I say so in the paper. We see the opportunity for two deputy chief constables. I know that people have recommended to you, for example, that north Wales should have a deputy chief constable. We would not support that. We suggest that there should be two deputy chief constables. One of these would look after the organisational and the personnel side, such as human resources, finance and so on, and the other would look after the operational side. Below that, we would like to see functional assistant chief constables as opposed to geographical ones. We need people who know their brief. We currently have assistant chief constables who, with all due respect, are expected to know everything about policing. They are expected to be experts in every aspect of policing.

[91] We say that there should be an assistant chief constable in Wales with responsibility for crime, and that this post should be filled by someone who knows about crime. There should also be someone leading on roads policing who knows about roads policing, and someone leading on professional standards who knows

about professional standards. This is what we should have, instead of three or four geographical areas in Wales with a chief officer responsible for each region. We ask the Assembly to take note of that. We believe that it would be a missed opportunity. However, I should say that we are diametrically opposed to ACPO on that point. You now know where we are coming from.

[92] **Huw Lewis:** That was thought-provoking stuff, Ian, and it has put the cogs in motion in the minds of Members this afternoon. Thank you very much for the evidence that you have given today. It will, of course, be fed into our deliberations as we go along. Thank you again.

[93] **Mr Johnson:** Thank you for the opportunity.

*Gohiriwyd y cyfarfod rhwng 3.00 p.m. a 3.16 p.m.
The meeting adjourned between 3.00 p.m. and 3.16 p.m.*

**Adolygiad Polisi: Ailstrwythuro'r Heddlu—Strwythurau Democrataidd
(Parhad)
Policy Review: Restructuring the Constabulary—Democratic Structures
(Continued)**

[94] **Huw Lewis:** Welcome back. Before I ask our next guests to join us, I should put on the record that, unfortunately, Carol Moore, the chief officer at the north Wales probation service, who was hoping to be with us today is unwell and sends her apologies. I understand that she will send us a written submission next week, so that will be considered then.

[95] Our next invitees are Councillor Stuart Davies, the deputy leader of Denbighshire County Council, and Ian Miller, chief executive of Denbighshire County Council. Welcome to you both. We will hand over to you.

[96] **Mr Davies:** Prynawn da. Diolch yn fawr. Yr wyf yn dysgu siarad Cymraeg. **Mr Davies:** Good afternoon and thank you. I am learning to speak Welsh.

[97] However, I will speak in English now. Thank you, Chair, for inviting us along. I propose to do the first few paragraphs of our submission before handing over to the chief executive of Denbighshire County Council.

[98] Our full council has twice resolved unanimously, on 22 November 2005 and 14 February 2006, that it is totally opposed to the Home Secretary's proposal to make the Order amalgamating the forces. The council continues strongly to recommend the retention of the status quo and we firmly believe that efficiencies and improvements should be made through increasing collaboration with other forces and partner organisations. One of the things that my leader did when we were first elected was to start meeting with other leaders across north Wales. We firmly believe that that is the

way to go. It is not something that we have just put in this presentation; it is something that we started before this came along.

[99] Members were also disappointed that the Home Secretary has not deemed it necessary to consult local authorities directly about this important issue. We were presented with it at very short notice. It said, 'We want to consult with you, now we have consulted with you, thank you very much—and, by the way, we are going to do it'. That is not what I call democracy, and that is the general feeling of my council.

3.20 p.m.

[100] The strong message that I want to get across is that, if we are going to have to do this, we want to have some input into what is going on. We have not so far, but let us see what we can do. On the precept, if we are going to have one police force, we need one precept. However, we are concerned about the effect of that. At present, I believe that they pay £20 a year more down south, and that is a classic recipe for increasing the north/south divide. I can see what will happen. The majority of the population is down there, and they will say, 'We are paying more, we want more police officers for our money, give us some more, and, by the way, we will outvote you'. That is a major concern of ours.

[101] My council favours the basic command unit. On that point, as we go into the technical details, I will hand over to my chief executive.

[102] **Mr Miller:** Yr wyf am roi ychydig o waith i'r cyfieithwyr yn awr. Yr ydym yn ddiolchgar am y cyfle i roi tystiolaeth i chi y prynhawn yma. Dim ond sylwadau Cyngor Sir Ddinbych yw y rhain—efallai nad yw pob cyngor ar draws y gogledd yn teimlo yr un fath. Fodd bynnag, yr wyf yn siwr, ar rai pynciau, fod cysondeb yn yr hyn yr hoffwn ei weld.

Mr Miller: I will be giving the translators some work to do now. We are grateful for the opportunity to give evidence to you this afternoon. These are only the comments of Denbighshire County Council—perhaps not all councils across north Wales feel the same way. However, I am sure that, on some issues, there is consistency in what we would like to see.

[103] Un o'r pethau hynny yw bod y cyngor eisiau gweld pob sir yng Nghymru yn cael cynrychiolaeth ar yr awdurdod strategol os ydym am gael un heddlu dros Gymru, ac yr ydym yn falch bod y Swyddfa Gartref wedi derbyn hynny. Fodd bynnag, yr ydym yn eithaf siomedig gyda'r llythyr cyntaf—dyddiedig 3 Mawrth—yr ydym wedi ei gael yn ymgynghori'n uniongyrchol â ni. Mae sôn am aelodaeth yr awdurdod newydd, ond nid oes cadarnhad yn y

One of those things is that the council wants to see each county in Wales being represented on the strategic authority if we are to have one police force for Wales, and we are pleased that the Home Office has accepted that. However, we are quite disappointed with the first letter—dated 3 March—that we have received consulting directly with us on this. There is mention of the membership of the new authority, but no confirmation in that letter of what the membership will

llythyr hwnnw o beth fydd yr aelodaeth, a be, and no draft Order to outline that and dim Gorchymyn drafft i amlinellu hynny to deal with the other important points. ac i ddelio â'r pwyntiau pwysig eraill.

[104] I will now turn back to English. As the deputy leader said, on regional accountability mechanisms, we tend to favour basing that on the basic command unit level, but, equally, we can see that other colleagues feel that it should perhaps be on the north Wales basis. That needs to be resolved. However, as you will have seen from our submission, we are strongly of the view that the new structure should not be overburdened with accountability mechanisms; there is a real danger that we could over-egg this pudding.

[105] We feel that whatever mechanism is put in place should be statutory, and that should be written into the legislation somehow, perhaps in the Order that forms the single police force. Under our proposals, we would suggest that the majority of the seats on that basic command unit board should be filled by county councils, but that its main function will effectively be an advisory monitoring role, a scrutiny type role and not a decision-making body. Again, we are aware that other organisations are suggesting that, if there is a regional structure, it should involve decision-making committees, but we are not persuaded that that would necessarily be workable. If you think about it in the council context, you will find that not many councils in Wales have full decision-making committees based on areas within counties. If the police moved in that way, we are not quite sure how that would work and what the responsibilities would be between the all-Wales strategic police authority and any regional decision-making committees, if you head that way.

[106] Therefore, that is why we tend to favour a more scrutinising, advisory, monitoring role, where the BCU commander, or a regional police commander, could be held to account, as well as the police authority members from that area. There could be discussions about targets for the year ahead, and input in terms of what the priorities are, and so on. We see that as a valuable strengthening of the arrangements, if it were to go ahead. We also argue that the existing power that individual councils have to scrutinise a police authority representative should be retained, because, as the community leaders for our counties, we expect to have that sort of role.

[107] We also raise issues around the current dialogue that happens around targets. In Denbighshire, at least, the way in which we seek to influence local targets is through community safety partnership. If there were to be a regional or a BCU board, we are wondering whether that role might not be better performed at that level, because you might have more councillors involved. For example, in our community safety partnership, we have only one councillor. He happens to be both the cabinet member with responsibility for community safety and a member of the police authority. He also happens to be the vice-chairman of the police authority. So, we have only one councillor in the community safety partnership at the moment, whereas the model that we are suggesting could obviously involve a larger number of councillors.

[108] We are raising concerns about provisions in the Police and Justice Bill, which

has just been introduced, in respect of the scrutiny committees and the powers to allow people to pursue local crime and disorder matters with their councillor first. If their councillor does not satisfy them, they can pursue the matter directly with the cabinet, or the councillor can raise it with the scrutiny committee. We think that that is going a little over the top, and it could mean that there would be a risk of diverting the cabinet and scrutiny committees from the strategic work that they should be doing. In the context of police reform, it seems to us that this is an opportunity to look again at that approach. If we were to have regional or BCU boards that primarily performed a scrutiny role, would that not be the proper forum to raise local crime and disorder matters?

[109] In the remainder of our submission, we raised a few issues that are perhaps not strictly to do with accountability mechanisms, but I am sure that Councillor Davies and his colleagues would not want me to finish this afternoon without mentioning them briefly. We remain to be persuaded that this reform will deliver benefits to north Wales. If it is all about increasing capability to deal with protective services—level 2 services, including terrorism—it seems a bit odd that, at the same time, the resources for security at Holyhead and Mostyn docks are being reduced. We are not quite sure how that is consistent.

[110] Secondly, we remain to be persuaded that this reform will not lead to any reduction in the current levels of local policing. We heard that same concern being expressed by the Police Superintendents' Association. It would be quite a perverse outcome if, in order to staff up for level 2 crime, attention and resources were drawn away from very local crime, which is what most people, and certainly my councillors, are primarily concerned about. They are concerned about local crime and disorder issues, not those bigger issues.

[111] We also raised some practical matters about having a single police force, such as travel times, the impact of that on officers, and the good work that North Wales Police has been doing on the Welsh language. It has certainly been leading the field on that. On the cost of reorganisation, I am sure that, as a committee, you have heard this several times, we feel strongly that the costs of this reorganisation should be met entirely by the UK Government. It would be completely unfair if the costs were to come from council tax and/or cuts in the policing service. That would be unacceptable. As the deputy leader mentioned, we feel that there should be a common precept from the outset; that would be a natural consequence of having a single police force. Any other approach would suggest that the differences in council tax are attributable to local decisions on the levels of service or efficiency, and I do not believe that that sort of evidence exists. It could just as easily be that the current funding formula does not pick up the differential costs of policing in Wales compared with England, or in urban and rural areas, which can obviously impact on council tax levels just as significantly.

[112] Finally, we do not want this reorganisation to impact on the structure of fire authorities in Wales—and I declare an interest, Chair, as clerk to the North Wales Fire Authority. My council has also made this representation on its own account. In

particular, we have raised a question about control rooms and the exciting control room project that is under consideration in north Wales. It is to be a tri-service control room and we feel that that is a good example of collaboration. We would be very sorry to lose that sort of collaboration as a result of the merger.

[113] **Huw Lewis:** Thank you, Stuart and Ian, for your input.

[114] **Sandy Mewies:** I have a couple of points. What surprises me about this matter is that there is a great deal of consensus. Although there are some polarised views, there is a great deal of consensus. You may be aware that this committee has already raised its concerns about the consultation period and the costs of reorganisation.

3.30 p.m.

[115] I think that we agree with everyone else here that it should not fall as an extra burden on the Welsh taxpayer. I have asked several questions as we have taken evidence, one of which was, 'Why should any headquarters be based in south Wales?'. I have been told that there is no reason why it should be based in south Wales, which is quite interesting. Like you, I have concerns about Mostyn, which is within my constituency.

[116] I am quite interested in the idea of democratic accountability. I have said this before, but it is not surprising that local authorities who have to pay want to play when it comes to democratic accountability. You have talked about the scrutiny function, but not every scrutiny function works well. It seems to have taken a long time to get the scrutiny right, whereas cabinet portfolio responsibilities seem to come a lot easier, or they were concentrated on first. Whatever sort of structure we have, how do you see that working? Do you see members of the police authority, in whatever shape or form, coming back to their local authority and taking views forward from that local authority following a reasoned debate? Or will it be doing it by some sort of osmosis—'I am here, I know what the community wants'. Will it be that sort of approach? How will they feed back from the police authority, or whatever it will be, into the local authority, because there will sometimes be tensions? I am interested in whatever structure we have, and we have to remember that it is not a devolved matter. Whatever structure comes up, how do you see democratic accountability working in practice?

[117] **Mr Miller:** I will start on that one, and Stuart can come in with his perception of it. This is an issue now, because we have one member on the police authority and, from time to time—certainly since I have been with Denbighshire County Council—the full council has arranged its powers under section 20 of the Police Act 1996 to hold him to account and to question him; he has sometimes been accompanied by officers or by other members of the police authority in that. Also, every year, members have an interest in what the police authority is planning to do around its decision on its budget, and council tax levels, while recognising that members who form the police authority go there to take decisions as members of the police authority—they cannot be sent there as delegates and forced to vote in a certain way

by their home councils.

[118] So, we have these types of questions at the moment about whether the current structure delivers democratic accountability. It is not direct democratic accountability because the members of the police authority are not directly elected by the public, and there is no proposal to shift away from that in the all-Wales situation. Perhaps ironically, the new structure includes an opportunity to increase the input from directly elected councillors in a way which does not happen at the moment. I do not know how many other councils use those powers to hold their police authority representatives to account, but under the model that we have outlined—and it can be done at BCU level or regional level—you could have a board of councillors with many more people involved in that process than perhaps happens at the moment, in terms of influencing the police around their targets and priorities, and in monitoring what they are doing on a reasonably regular basis, and not just once a year. In terms of how it could work, if there were to be such boards, as we have suggested should be written into statute, they would not be part of the police authority, because they would be a mechanism to influence it and hold it to account. They should be funded by the police authority, because that would be the sensible—

[119] **Sandy Mewies:** Through the precept?

[120] **Mr Miller:** Yes. As part of the overall cost of running the police force for Wales, you would have mechanisms where councillors could come together to influence its work, but perhaps Stuart has a more political perspective on this issue than I have.

[121] **Mr Davies:** To go down to the parochial level, you asked how we would feed community views in and out of the police authority. At the moment—Ian is right—we have one member who officially feeds information into the police authority. To put my parochial hat on, I discovered something called the south Denbighshire community crime prevention panel, and I made it my business to start attending its meetings. I found that it was a way for me to get my community's views fed into the police authority, albeit at Inspector Mark Davies's level; it was quite effective. I told fellow councillors in the south about the panel. The perception was that it was difficult to feed views into the police authority—whether or not that is the right perception is another matter—so, they have also started coming along. We have also found a mechanism whereby we can feed our views in, which can directly affect what is happening.

[122] Whatever structure we have, I envisage getting more councillors involved in this so that information can be fed in. If we go back a step, we, as part of our community strategy, have decided that we will get more and more involved, locally with the community and town councils, so that we get feedback from the people in the street who come to us, as their councillors. With due respect to you as AMs, I think that we get more flak fed to us more directly as county councillors. If we take in what is fed to us by the community and town councils, we are a good conduit. If we take it a step further, as Ian has explained, and go to the basic or regional command unit, I

feel that we, as county councillors, are a good mechanism to feed information in. We can also do that the other way around and feed it back out again into the community.

[123] **Huw Lewis:** I ask for brevity, colleagues.

[124] **Leanne Wood:** I want to clarify the overall picture that you are trying to project. Are you saying that councillors should be involved at BCU and at community safety partnership levels? Also, if there is one force for the whole of Wales, are you saying that councillors should be involved on the overall all-Wales board? Therefore, you would have councillor involvement at every level. Is that what you are putting forward?

[125] **Mr Davies:** What I said was that we had found, by accident, that the community safety partnership level is currently the easiest and most effective mechanism that we have to feed into the system. If we had more representation at a higher level, perhaps that would not be necessary. I do not know. We would have to face that situation as it came along. However, that is currently the way for a ward councillor to feed into the system.

[126] **Leanne Wood:** Do you see the community safety partnerships feeding into this structure?

[127] **Mr Miller:** Shall I develop the point? Just to explain again, we currently have one member on the police authority, who is also, as it happens, our sole councillor representative on the community safety partnership. That is a matter of local choice. Obviously, we could choose to have more councillors involved in the community safety partnership. But, under this new structure, if it goes ahead, there will only be one councillor from Denbighshire on the strategic police authority. That will be one voice among however many—22 is a minimum; there may be more. We suggest that, whether it is done at the BCU or regional levels, there is an opportunity to have a larger number of councillors involved in putting the police authority through a higher level of scrutiny and political input than is currently the case. You can choose whatever number you like, but, for example, if you had a regional board along those lines, there could be three or four councillors from each of the north Wales councils, sitting as a board to look at that. That would give the north Wales councils and the directly elected councillors a greater input into this than currently happens. I think that we would still see a role for community safety partnerships because they are the bodies through which we do our strategic joint working, not just with the police, but with a range of other agencies in the field of crime and disorder. They are still needed, but they are not necessarily the best bodies in which to have a lot of councillors and politicians involved because they tend to be mainly officers.

3.40 p.m.

[128] For example, I used to be joint chair of the Denbighshire community safety partnership and it is not necessarily the easiest forum in which to introduce a

significant political element, as it were. It is more around the strategic joint working, making sure that our work with health bodies, and the youth offending team, and so on, is all joined up. We certainly see a continuing role for that, but, equally, we see the importance of making sure that there is more substantial input from county councillors with regard to influencing what a police authority does than is perhaps the case at the moment, as we are heavily dependent on the members of the police authority.

[129] **Mark Isherwood:** You have summarised the overwhelming feeling across north Wales—among councillors across the authorities and from the general public. This is summed up by a response to a recent request in the North Wales Police magazine for people to write in with their opinions. I am told that 130 responses were received in three days, and 92 per cent of those were in favour of retaining a north Wales police force. One response, from Dr Valijan from the Islamic Cultural Centre in Rhyl, said that people have a good working relationship with the police force; it consults people on various aspects of community policing, and has been working as a good partner. On behalf of his community, Dr Valijan conveyed his opposition to the establishment of an all-Wales force, saying that it would not be effective and that it would be counter-productive.

[130] I think that we all expressed similar collective concerns in the initial response to Charles Clarke regarding the lack of consultation, the lack of consideration of the practical issues, and particularly the funding issue. As was said earlier, a cross-party letter has been sent to Charles Clarke, stating that we all believe that no additional funding burden should be borne by Wales.

[131] I will now ask my questions. You referred to precept. Do you believe that there will be a levelling up or a levelling down? What do you believe are the wider financial implications of the proposals as we understand them? You talked about BCU versus regional level, and you mentioned tripartite working. We have a regional structure for ambulance and fire and rescue services, and yet you are focusing on the BCU level. Therefore, how would we address that? In terms of the BCU board, you also believe that community and town councillors should be represented alongside county councillors. As the superintendent mentioned, how would you address the overlap between BCU areas and community safety partnership areas? I will stop there as time is short.

[132] **Mr Miller:** I will kick off and Stuart will come in on the political side. On the precept, our main point is that there should not be transitional arrangements to protect people in other areas. If you have a single police force, then you should have a single precept, and that should be the end of the matter. If nothing else changes, it would mean that people in north Wales would pay slightly lower council tax bills, and people elsewhere might pay slightly higher council tax bills, but we are talking about a relatively small amount within the context of overall council tax. I forget what the average is across Wales, but band D is getting on for £1,000, if not slightly over. If there is a £20 or £25 difference between the north Wales police precept and the south Wales police precept, if you levelled it all out equally, the difference would not be

dramatic. If it went down by around £10 in north Wales, that would only represent 1 per cent of the bill. Equally, a £10 increase in south Wales is only 1 per cent of the bill, or thereabouts. It is not a massive shift.

[133] As has happened with reorganisations in the past, there is a risk that the new body seeks to mask decisions on budget and spending as part of that change. I am sure that that is something that the Welsh Assembly Government, with its capping powers, and the Home Office would want to look at in terms of making sure that there was no sudden upward increase in council tax from the police under the cover of the reorganisation. The key issue regarding the financial implications is the cost of reorganisation, where, as I indicated earlier, our view is that the cost must be met in full by the UK Government. There should not be any smoke and mirrors there. We mentioned explicitly the suggestion that has been made that some of these costs could be covered by borrowing—that is true, as long as the Assembly wants to play along and issue the necessary regulations or directions that would allow what would normally be revenue expenditure to be treated as capital. However, the funding of that borrowing must be covered in full by the Home Office. This is its reorganisation; I do not think that there should be any doubt about that.

[134] Under the long-established principles within the UK Government and the Assembly, when new policies are implemented, there is the expectation that the costs of those policies should be met in full, particularly in the context of local government funding. On the BCU and regional debate, our model of BCU boards is potentially in conflict with the regional structures that exist for the fire service and certain other bodies, and your committee might want to give some thought to that issue with regard to whether our case is the right one. Maybe it is not, and if you are going to argue for a regional structure, maybe it is more logical that it should be based on a north Wales footing. The one reason, I suspect, why we select the BCU is because that is the main focus of the police force structure in north Wales. The divisional commanders have the main responsibilities in terms of local policing, and it is certainly the part of the police force with which we work most closely. However, that is not to say that other models are impossible. In terms of the overlap with community safety partnerships, we explicitly mention in our submission that there must be the ability, if the councils concerned and the other partner organisations wish, for community safety partnerships to be merged. We should not adopt a head-in-the-sand approach and say that we must have a separate community safety partnership for each county. There should be that flexibility, and it would be a matter of local choice as to whether to go down that route. However, that would be the answer to the question: there should be that flexibility if it does not already exist.

[135] **Mr Davies:** On the point that Mark was making about whether we think that the community and town councils should have representation on the board, if we look at the existing councils and at what level they get involved strategically, I do not think that they operate at that level. You are asking me to do a bit of blue-sky thinking, but I envisage it staying very much as it is now. I go back to the point that I made, which is that relationships with the town and community councils are becoming stronger and closer. I think that that would be the way to feed that in.

[136] **Huw Lewis:** Are Members content? I see that you are. Gentleman, I thank you for your input today. The case from Denbighshire was forcefully and eloquently put. We are now joined, thank heavens, by our colleagues from the police federation. You had me worried there for a moment. I welcome Wayne Baker, the secretary of the Welsh region of the police federation and Richard Eccles, the chair of the Welsh region of the federation. I am aware that you have not been here for the previous part of the proceedings, so, essentially, we throw you in at the deep end, ask you to give us your evidence, and then Members will come back with questions. So, if you are content, over to you.

[137] **Mr Eccles:** I will start. We have prepared a written submission. I do not propose to go over the ground that we covered when we last presented to the committee, telling you who we are and what we are about. Hopefully, that is already in place and you know what we are about. The submission will be very brief, and the reason for that is to give you an opportunity to ask the questions that you want to ask of us. Also, as was the case when we last met, the detail upon which to comment is not on the table, and, therefore, we are almost trying to second-guess what might happen, and where we might be when. We will move through our evidence quite quickly in order to open this up for questions. What we feel is crucial, in respect of the structures that need to be in place, is to have something that reinforces the local accountability that should be, or is, already there at the moment. For us, that means the ability, at a very local level across Wales, for the police officer or the communities to put forward their needs for policing. If we move into one force—and it seems that that is still where the serious money is—we need something that underpins some of the existing arrangements, and we feel that it is crucial that the consultation with the authorities and the people in governance is reinforced. Our aim, as a federation, is to get to a position where we can strengthen and formalise some of the existing arrangements with our partners and other stakeholders, such as the police authorities. It is clear to us that, across Wales at the moment, there is some best practice in terms of consultation and partnership working between us and the authorities, but there are also areas where we do not share the same ability to interact.

3.50 a.m.

[138] To flesh that out slightly, the arrangements of north and south Wales federations in relation to their operating processes are quite different and unique. We have, when you look at the Edmund-Davies report into policing, which was prepared in the 1970s, the ability to attend meetings, although the picture that is painted there is of our attendance as observers with limited interaction and ability to put forward an opinion or to give a view. I am glad to say that, in the north, there is an enhanced model, because, in certain meetings of the authority, we are asked for an opinion. At other meetings we are sat at the table and expected to give an opinion, although there are still meetings that we just attend as observers.

[139] The model in the south, which Wayne will perhaps speak about in a second, is slightly different. We have more of an observer's role there. In these fast-moving times, what we would aim for is to be sat at the table as often as possible, giving an

informed position from our members' perspective, because we do not want to lose sight of the fact that we have the views of 98 per cent of the police officers across Wales to represent. It is sometimes frustrating to sit in on a presentation, knowing that you have something meaningful to add, and yet to be limited to catching someone while you are having a cup of coffee in a break, or to writing in formally afterwards, when it is sometimes too late to inform the debate. We need to build on that. Wayne might be able to give you a view on interactions in south Wales, with its authority as an example.

[140] **Mr Baker:** This is an important point in relation to local accountability, and perhaps even regional accountability, because, ultimately, the police authority, in order to do its job properly and fulfil its obligations, needs to do so from an informed position. At the moment, it gets a fairly one-dimensional picture, which is provided by the Association of Chief Police Officers of England Wales and Northern Ireland, because the chief constable attends the police authority meetings and updates that meeting. Every time that I have attended a police authority meeting, I have sat there as an observer, and on not one occasion have I been asked to give my views as to what the police federation thinks about an issue.

[141] A brief example of that would be the last police authority meeting, where there was a discussion of the mergers. Not one person at that meeting discussed the issues in relation to the quality of service that we will provide after the mergers. The only issue that was discussed was finance. That is extremely important, but those things are inextricably linked, and you cannot have one without the other. It would have been easy for me to put up my hand and ask, 'Have you considered the quality of service that we are likely to provide in the future?', but I could not do that.

[142] **Huw Lewis:** We will move on to questions.

[143] **Laura Anne Jones:** To touch on your last point about delivery, clearly, from reading what you have sent in to us, delivery is a concern of yours, particularly in the transitional phase of going from four forces to one. Is that right?

[144] **Mr Baker:** Certainly, on the transitional phase, we are running into a great deal of misinformation and lack of information and our people on the ground, who are interacting with the public on a face-to-face basis, need to know who the bosses are, where they are likely to be in the future, what the targets are, and that those targets are relevant to their communities. They are the people who will need to answer those questions from the public, whom they interact with on a daily basis.

[145] **Laura Anne Jones:** So, what you are saying is that there is much uncertainty and that that is causing concern?

[146] **Mr Baker:** There is uncertainty, and what we are being told at the moment is that the job of the bobby on the beat is unlikely to change greatly. However, the fact is that people are not exactly sure what their terms and conditions will be in the future—

undoubtedly, uncertainty surrounds that.

[147] **Laura Anne Jones:** Reading further down in your submission, could you expand for me on your concerns about the depletion of resources in rural areas in particular? It is of concern to me, because I come from Monmouthshire.

[148] **Mr Eccles:** It is a particular issue, because when we talk about the detail around this, around finances and resources, it is becoming increasingly frustrating. As we move into this, we are given a vision of what we want to improve, which is level 2 and the more strategic levels of policing. That is the end game as far as the restructure being sold to us. We then go back to the point that there are just over 7,600 police officers in Wales. We are all performance driven and performance measured, and there are very few, if any, that are not delivering at the moment. What you are building in now is an additional responsibility on those staff to cover the level 2 gap, as it is called in the report. However, nobody has yet explained what they will stop doing to fill that gap, and the concern is that they will be obstructed from the more local, level 1 policing in order to fill that gap. Now, there are only two consequences to that: either new money is brought in to backfill those posts and to put new police officers in those posts, or new money is not brought in and those posts are left empty or are filled with an alternative resource, which might be community support officers or unpaid volunteers—who knows? One of the crucial areas for us to know is, if that level 2 gap is going to be filled, who will fill it, where will they come from and what stops getting done at the end of the day? I do not see any additional resilience among our members to fill that gap at this moment.

[149] **Mr Baker:** What we do not want to see is a level 1 gap. It is pointless closing the level 2 gap, which has been exacerbated by the provision of the Serious Organised Crime Agency. The likelihood is that experienced officers away from their current core duties to fill the level 2 gap. The level 1 gap, then, we fear, may be filled by community support officers, and the ACPO vision document suggests that they could end up perhaps performing 75 per cent of those duties. That vision document may be entirely unrealistic, but we want to ensure that, if we are heading in that direction, the public is properly consulted and informed so that they have a say in this.

[150] **Mr Eccles:** The concern is that, if we roll this out, and the public is not fully sighted on what it is getting at the end of the process, and I do not think that I am at the moment, to be honest, and do not have the chance to ask the questions that they want to ask—I would use the analogy that this is a little like being at an auction where, having been shown a brown box, you are asked to bid for its contents without being told what they are, and then, when you get it home, having paid £50 for it, you find that it is a stone from the beach. That is a very simplistic analogy, but it is almost as though people are being asked, ‘Well, are you happy with this policing model?’. It might be, in the short term, that some people are happy to see a person whom they consider to be a police officer—but whom we know is actually a community support officer—wandering around their village, but then they find that when they call on the officer to do something, they are told, ‘Sorry, I can’t do that’. It is a completely different situation. So, we have to be quite clear about what we are aiming for, about

how we fill those posts and critically clear about where funding comes from.

[151] **Leanne Wood:** You obviously have concerns about resources, and I am a bit concerned by the figure that you just gave us—75 per cent of CSOs doing level 1 policing. What do you think the implications of that for neighbourhood policing would be?

[152] Do you support the idea of basic command unit boards proposed during earlier discussions? You were not here, but previous contributors said that, in order to maintain local accountability, you could organise boards on a BCU level that scrutinise and then feed in to the strategic authority above. What do you think of that idea?

[153] Finally, you mentioned the fact that you have observer status at the moment on the police boards. How do you see your role on the new board? Would you like the police federation to have a place on that board, and, if you are supportive of the BCU board idea, would you see your members as having a role on them?

[154] **Mr Eccles:** Picking up on the BCU board question, on any board that we attend, from a personal perspective, the frustration is at times knowing that you could inform a debate or influence a debate by adding a view, but not being allowed to do so. You are watching something happen before you and thinking, ‘Well, I can inform that point that’s just been raised, but I’m not allowed to’. So, our ability to attend those boards, and to participate on them, is crucial. I am playing a dangerous game now, but I see members of my own police authority sat in the audience, and, in recent years, we could point to examples of where our presence and involvement in meetings has added rather than detracted. However we are cast as an organisation, we are not there to be obstructive; we are there to add to the debate and make things better for our members and, consequently, the force and the communities that they serve. I would therefore be looking for participation. I would not want to be voting at those, clearly, but I think that we have a place at the table to inform, accepting that there will always be issues where one or more parties present, perhaps, ask us to leave. That goes with the territory.

4.00 p.m.

[155] If something is being discussed where there is a clear conflict or we do not need to have access because of confidentiality, then we would walk away from the table but we deal—and, as I say, I can only speak from a north Wales perspective on this point—on a very regular basis with our police authority in an open manner and I would promote that as best practice to anybody. I have yet to get to a situation where it has caused me concern or a conflict.

[156] **Mr Baker:** I would certainly concur with that. Perhaps we, as a federation in south Wales, have failed in the past in not pushing this issue in relation to consultation and we have perhaps not followed up on it stringently enough. Looking to the future

police force of Wales, we should be aiming for that to, as Richard says, inform the debate, as opposed to its making any decisions for that debate. What on earth is there to lose in relation to that? Surely, the more information that the people who are likely to make the decision have, the better. That would go for the basic command unit level and for the strategic level.

[157] The other issue that you mentioned was in relation to resilience.

[158] **Leanne Wood:** It was on community support officers.

[159] **Mr Baker:** The resilience in taking officers from rural policing—was that it?

[160] **Leanne Wood:** Yes.

[161] **Mr Baker:** Our concern is that if we will be taking officers to police Cardiff, say, which has a very high percentage of population and police staff—in south Wales, it is our largest police constable unit; we have over 700 PCs working in Cardiff, so it is a large management area and we have massive events there, such as the FA Cup, which has been held there for the last five or six years—that will be at the expense of the rural areas where the crime rate is very low. That crime rate may be low because of the police officer there but that is difficult to clarify. Are we going to be taking officers from posts in those areas to fill this level 2 gap because we could not, perhaps, afford to lose them from a major city where the crime rate is much higher? That is an issue.

[162] **Leanne Wood:** May I come back quickly on that?

[163] **Huw Lewis:** Very briefly.

[164] **Leanne Wood:** The concern is that if officers can be taken away from rural areas and put into, say, the city for such an event, somebody could say, ‘Well, we will fill that gap with community support officers’. Could that happen?

[165] **Mr Baker:** Powys is probably our largest geographical division and I had a conversation with a commander there who said that CSOs would be used widely in the future. It appears to us that the level 1 gap will be filled by CSOs and the only way that that could be sustainable in the long term is to give CSOs full police powers. In order for them to have that, they have to have the proper training and there is a cost implication there and it could be argued that we are ending up with policing on the cheap. The public needs to be aware of it beforehand. Ultimately, this is all about consultation and there seems to be a great deal of confusion as to what the role of CSOs is and what their future role is likely to be. If that is not the case, and our fears are ill-founded, by all means, come forward and tell us that that will never happen. However, I spoke to Nick Anger at the Labour conference last Saturday and he told me that there is no move as yet to give police powers to CSOs, but he certainly did

not rule it out for the future.

[166] **Huw Lewis:** I need to be fair to all Members. Mark, did you indicate that you had a question?

[167] **Mark Isherwood:** Yes. Community policing is at the heart of the bobby and, from what you say, you believe that the police federation must have a direct input into the democratic process, whatever it is in the future and however it will interface with new boards or authorities. Assuming that we have a single force, how would you like to see diverse community issues, in which your members are involved, and the need for you to have a role, woven into those new structures, not just in principle but written into the statutory arrangements that will develop?

[168] On CSOs, your initial paper to us called for a royal commission and you asked for that to include consideration of the role of CSOs. You have given us some of the reasons why, and perhaps you would share your concerns on that.

[169] Not far from here, we had a very successful community warden scheme that had to cut back and several of those wardens became CSOs. However, across the border on Merseyside, I am aware of circumstances where the reverse has happened and where warden resource centres have seen CSOs leaving that role to become community wardens, precisely for the reasons referred to by the superintendents, namely that that level of trust and independence from the police is more effective in such circumstances. Do you have a view on that?

[170] Finally, I will ask what I call the Caia Park question. Given the proposals for a regional level of accountability or a BCU level of accountability and the separation between the different levels of provision, how would you see the police force responding to a Caia Park situation, which we saw a couple of years ago?

[171] **Mr Eccles:** I will answer in that order. Wants for the future in a democratic structure are involvement, and probably active involvement, at as many levels as we can achieve. I think that the danger, particularly in Wales, is that the more distant the decision-making process and the command and governance becomes from the people carrying out the job on the ground, the more danger there is of losing sight of local needs and wants, for the public and for officers.

[172] My biggest concern is that we will have a distant police authority and a distant senior command structure that loses sight of what is happening, from a policing and a public perspective. If we end up in a structure with three or four regional boards, we need to be able to inform all of those from a local perspective, as do the police authority members. It is very easy to sit in a central location, miles away from the action, and think, 'Well, I have got a handle on what is going on', when actually you are relying on briefing documents or the views of perhaps one or two sources.

[173] I think that we need to be involved throughout that, and if we have BCU boards, we need to be on those, or, if we have strategic boards, we need to have an input into those. I see our place as not being the silent observers but as being active, or more active, participants in the boards at whatever level they meet. As well as being police officers who are employed by the force, we are also members of the community with a view on how policing should be delivered, and I think that it is important that we get all of those perspectives into the equation.

[174] In respect of your question on the community support officers and the successes or otherwise, it is a very difficult one to answer. If you look at some of the early community support officer projects and warden projects, they were welcomed, I suppose, with open arms for a few reasons. Whether or not the officers were considered a policing presence, they were a presence in the community that communities clearly felt was lacking. Some of our own officers may have felt that that was lacking at times because they were abstracted to deal with other things. The difficulty with that is that the more powers that you give community support officers, the more bureaucracy is attached to it and the more abstractions they face because they become embroiled in court cases. They gather intelligence, but, when there is a result to that intelligence, the next time that they go to look for intelligence, they can be viewed with mistrust because a source might say, 'I did not think that anything was going to happen as a result of what I told you. I wanted to get it off my chest, but, suddenly, my neighbour's door is being forced open in the early hours of the morning'. Therefore there is a price to pay for some of the work that they do. Whether or not it is easier to carry out that role without being in a police uniform and being attached to a local authority is a valid question, I suppose. It probably is easier because the less like a police officer you look, the more likely you are to be able to gain people's confidence in certain circumstances. That is why we deploy CID officers and the like.

[175] The issue for me is that we need to have quite strict boundaries about who does what. If community support officers are there to give visual reassurance, we should not try to add on to that and say, 'In addition, can you take on this little bit of confrontation?' and so on. The danger is, and always has been, that we do not give them tight parameters to work to. We do not give them training in the roles that they are given in addition to their key roles. We do not think it through.

[176] I think that our call for a royal commission was based on the need for a proper slow-time, all-party review, in order to have a look at how we want policing to look like over the next five, 10 and 15 years. I know that one of the Welsh ACPO members commented that we would all be retired by the time that that was completed. That is a throwaway line, but it is a reflection on the way that we have done things in the past. It does not mean that because we look at something thoroughly and constructively, it has to take years. If we put our minds to it, we can achieve it. I think that we should be managing the process with some transparency and honesty. Wayne and I discussed this before coming here: one of my wishes would be—bizarre as this might seem—to be locked in a room with Welsh representatives of the Association of Chief Police Officers and the Association of Police Authorities, and perhaps the superintendents'

association, in a safe environment where we could say, 'Right, what do we want policing to look like across Wales, and what do our communities want it to look like, and how do we get there?'. I am sorry; I would have included you in the invitation. [Laughter.]

4.10 p.m.

[177] We need to be honest with one another. The danger at present is that people are saying, 'I am not going to commit myself to that because I do not know what my future in it will be'. That is quite selfish. I probably have one of the biggest stakes in this, because, when I look around the table at some of the meetings that we go to, I realise that I will be here for the next 12 years, whereas many people are going in 12 months. Therefore, I am keen to get it right, but I am not so certain that we will get that in the current timescales.

[178] **Huw Lewis:** I think that Assembly Members are probably well used to being locked in a room and asked tough questions—we feel right at home.

[179] **Mr Baker:** To reinforce that point, the Government has just said that £100 million will be put, partly at least, towards accelerating the recruitment of community support officers. Therefore, certainly in south Wales, we are looking to increase from the fraction over 100 that we have at present to over 500. We are moving in this direction, and towards this ACPO vision.

[180] Last Wednesday, our CSOs went on strike. What happens at present is that we have the resilience within the police force, because we have skilled officers that can take their place. There is also the danger of control room staff going on strike, and, if your control room shuts down, there is a danger that the force could shut down. At present, we have skilled police officers who can go in there. However, as those officers become deskilled, because the roles that they currently carry out, which may not be given a high priority as far as core policing is concerned, are being done by other people, what happens in 10 or 15 years' time when we run into these problems? Will the resilience be there then to backfill the gap left by people who are no longer there?

[181] **Huw Lewis:** Sandy Mewies has been very patient in waiting to contribute.

[182] **Sandy Mewies:** Thank you. Those were interesting points. I was particularly interested in Richard's point that, sometimes, people are not confident enough to say, 'This is what we should be doing', because you all have very personal stakes in it, and that is a difficulty. Looking at this paper, I can see the difficulties that you have—when you do not know the full facts of what will happen—in commenting on them. One thing that comes through clearly is the link that you see between the governance of the police force and local accountability, and the input that local communities would have into any structure. How do you envisage that happening?

[183] **Mr Eccles:** Looking at some of the proposals around future structures for the police authority—I look at it from a Wales perspective—in the meetings that I attend, at times, while those there try to work as one body, as the debate develops, a councillor or an independent member who is based in the west or the east will have a particular view on something, aimed at delivering the best for their area, which is good and refreshing, but there is a good balance around the room, which means that one person does not get his or her way all of the time, and it evens out. They end up as one big unit, getting to the best end result for everyone, but with a local flavour.

[184] The issue for me is that, as this gets bigger, and we are quite unique in this, if we end up with a Wales authority, do we have a huge, unwieldy beast made up of many members representing each individual area, or do we end up with a smaller, more efficient, effective authority that has fewer members but represents bigger and broader areas and therefore loses that degree of local accountability? There are many positives in it for me. If you consider north Wales as an example, having members from Flint, Wrexham and other areas, rather than just having one that covers the eastern area, is a positive. As soon as you have one person who covers a big area, you must then question whether they are picking up all the local issues or are they just picking up the ones in the area where they live or work, or where they have a drink or socialise?

[185] I know that that is simplifying it to a great degree, but the concern is that it will be a much bigger area to cover, and the likelihood is that there will be fewer members to cover it. If you consider that in the context of all our roles, it will be a much bigger geographical area; it will be a massive time for change, but do we have sufficient people in place to ensure that we manage that change and deliver for all the different areas of Wales? From the structures and the numbers that I have seen so far, certainly for the police authorities—and we have been told, ‘Efficiency means fewer of you’, so there is a selfish element to this—you look at your day job and think, ‘How could I do it with less support around me? Am I still going to be as effective? Will I be able to deliver for my membership?’ I think that the answer is, ‘Not unless we are very careful and we are very clear about what we are setting out to do’.

[186] **Mr Baker:** Currently, our chief officers are accountable not only to the Welsh Assembly Government, the Home Office and local councillors and politicians, but to our members. We make them accountable by addressing issues with the senior command teams. If we have a remote senior command team, it could well be that in relation to the BCU structure or the regional structure that is being considered, each of the key stakeholders would have to be fed into that, by whatever means. Ultimately, that is a management issue for you to address. We would say that it needs to be relevant to the local communities so that if Mrs Jones in Glynneath has a problem then she will know to whom to go to resolve it. Last Saturday, she came to me, when I was on the stand in the Labour conference and she did not know to whom to complain. That is clearly an issue that affects local accountability in its purest form, because that person is the victim. Whatever set up you put in place, it has to be relevant to the communities that we are serving.

[187] **Huw Lewis:** Have all points been explored?

[188] **Mr Eccles:** I just wanted to pick up on one of Mark's points. When he said that he had a question about Caia Park, I started to panic because, before I took up this role, that is where I worked, and I thought that he had unearthed something on me. *[Laughter.]*

[189] The issue, Mark, is that we would still draw on resources in the early stages of such disorder. From officers turning out with shields to staff lines to deal with the disorder, we would still rely on long-term and existing, and continuing, mutual aid. That would probably mean that support will still come from Chester, Merseyside and Greater Manchester, because I think that those frameworks will have to remain in place. There is not a realistic option for us to look after our own because I do not think that we have the resilience in that area to be able to draw officers from across Wales. That would be in the short-term. The vision that is being bandied around is that we would then have a level 2 major incident team that would come in to mop up and deal with all the issues that fell out of that. I go back to my earlier point: I have not seen any hard facts or figures to support where those officers are going to come from and who is going to finance them. In the short term, they would have to come from Chester, Manchester or Liverpool because you are looking at a four or a four-and-a-half hour journey—Wayne has done it today—from south to north Wales. Even with blue lights on a vehicle, it is still a long and winding road from the centre of Cardiff to Colwyn Bay or Caia Park. We would have to have our mutual aid.

[190] **Leanne Wood:** On that point, how would that aid be funded? If you are borrowing officers from a completely different force, surely that has financial implications.

[191] **Mr Eccles:** Yes, there are financial implications and complex formulae around how you pay for the officers that you call across. I suppose that the key factor for me is that when you press the red button, the officers arrive within a set time and, likewise, if somebody in Cumbria presses a button, we respond within a set time. It tends to be that we worry about the finances afterwards. If we were to become self-sufficient, you would have to have an argument about whether we should have public disorder units in Colwyn Bay, mid Wales and south Wales or whether we should try to guess where public disorder is likely to occur, which would be a lottery, and base the unit in that area and then hope that there is no disorder anywhere else. It is a complex issue and that is why we have to maintain the mutual aid.

[192] **Mr Baker:** The agreements that we have at the moment address these issues. If we maintain the current agreements, there should not be any great cost implications, because we already face these issues and the agreements are in place. Simply because it looks likely that we will become one police force in Wales does not mean that we will lose touch with the police forces in England. In the south, we can call on Avon and Somerset—whatever they may be called in the future—and I would imagine that that agreement would still exist.

[193] **Huw Lewis:** Thank you for the evidence from the federation, which will be well noted as part of our work.

Cynulliad Cenedlaethol Cymru
Y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio

The National Assembly for Wales
The Social Justice and Regeneration Committee

Dydd Iau, 17 Mai 2006
Thursday, 17 May 2006

Adolygiad Polisi: Ailstrwythuro'r Heddlu—Strwythurau Democrataidd
Policy Review: Restructuring the Constabulary—Democratic Structures

[8] **Janice Gregory:** Again, thank you both for coming this morning. We will move straight into your presentation, Steve.

[9] **Mr S. Thomas:** I will first give councillor Derek Vaughan's apologies, as he is caught up with leadership duties in Neath Port Talbot. Derek wanted to be here to talk on this very important subject.

[10] I would have liked to come back and report that, since the last time we appeared before this committee, considerable progress has been made. I would like to try to do that with a straight face, but I cannot. What we have presented you with this morning as evidence in terms of the restructuring of the constabulary is some background and context, particularly around democratic structures. If you look at paragraph 2.1 of what we have said in terms of background and context, you will see that it is, in my view, not a set of outrageous demands, but practicalities to get this single police force up and running.

[11] We have talked endlessly about some of the things relating to that list of seven bullet points, and we seem to be getting there with the representation of all local authorities on the strategic police authority. There is an ongoing debate on support for regional and local governments and accountability to support the strategic police authority, but there is still a lot of work to be done on that.

[12] However, when we come to bullet point 3 on the need for detailed information on how the costs of restructuring will be met and assurances that the cost will not fall on the public through increased council tax, I can report no progress whatsoever there. Why do I say that? It seems that, since we last met in the Social Justice and Regeneration Committee, both we and the police authorities for Wales have faced an endless procession of confused middle-ranking Home Office civil servants who seem to change on a weekly basis, and whose concept of Wales seems to be that it is something slightly to the west of England. What we want to try to do is have a proper discussion on this. The Welsh Local Government Association feels that there is enormous goodwill out there for the Home Office's proposals, but I am afraid that that goodwill has evaporated over this period. From our point of view, we now think that the situation is delicately poised. We think that the situation is starting to move in the direction of actually threatening the delivery of police services in Wales, and the upshot of that is that, when it comes to some of the fundamental things around the police reorganisation, it is very difficult for us to present evidence to you, because we have not had those discussions with the Home Office.

[13] I have yet to see a paper on the issue of council tax precept equalisation generated by the Home Office. From our point of view, again, that is a massive issue and it deeply concerns us, particularly in light of the fact that local government has

introduced its own regulation, if you like, of council tax. Initially, all council tax levels were down below 5.5 per cent. We want to try to keep council tax down as low as we can. We cannot come to you today, however, and present a definitive option on council tax precept equalisation because we have not had that discussion. Indeed, as an association we had to write to the Home Office in March this year to ask to be involved in that discussion. When it comes to timely discussions, therefore, they have not happened.

[14] When we talk about the need to retain and strengthen basic command units, until we have a full understanding of the ongoing costs of the reorganisation and not just the set-up costs, we cannot say whether this will strengthen or hinder the policing that comes from the fundamentally sound basic command units in Wales at the moment. The same issue applies to the protection of the neighbourhood policing agenda and, as I said, in terms of the recognition of the Home Office of the diverse political and cultural environment of Wales, it probably thinks that we have a rugby team and some mountains.

[15] In our discussions, we are trying to get this back on track. To do that, the timescales as they stand are impossible to meet—I think that I previously called them ‘lunacy’, but they are even worse now. Within three months, we should have a shadow police authority up and running, but I am watching a bacon sandwich fly past the window as we speak. I do not think that these things are going to happen. By April 2007, we should have a new strategic police authority in Wales—that is interesting. Someone needs to come forwards very quickly and give this a realistic timescale. As I said, there are people of goodwill out there who want to make this work. Some of us have argued that this may be the way forwards but, after dealing with the Home Office, I must say that I am not convinced. On a spectrum ranging from ‘probably could have done it better’ to the best farce since *Charley’s Aunt*, the Home Office falls into the latter range rather than the former.

9.40 a.m.

[16] There is a range of issues here that we, as an association, are very concerned about. One group in our association is now calling very clearly for the whole process to be abandoned. Several other groups in our association have grave concerns about the current process. As for some of the distinct issues with regard to the reorganisation, we need to discuss the democratic structures, and I will hand over to Naomi to talk about some of the regional structures in Wales. However, I am sorry, but I must say that the issue fundamentally comes down to finance.

[17] From our point of view, until we have what amounts to a realistic and proper discussion on the future of the precept and the costs that will apply in the longer term—because the police authorities are currently projecting a deficit of £79 million by 2013—frankly, it will be impossible to take this debate forwards. That will require more time. I recall being heavily involved in the local government reorganisation in the 1990s. We had a consultation paper in June 1991, but we did not put the unitary authorities in place until 1 April 1996. We had a year’s extension to that process. I am

not necessarily suggesting that the police need five years to sort this out, but two to three years would seem to me to be absolutely basic as regards the way forwards. If people want this to work, if people want proper level-2 protective services and if people want a police force in Wales that has a Welsh identity, all these things must be considered seriously by central Government.

[18] **Ms Alleyne:** One point that I would like to make, and it is in our evidence in paragraph 2.3, is that we were due to meet with Hazel Blears, Minister for policing, yesterday. Following the Cabinet reshuffle, that meeting was cancelled, and we hope to rearrange it, but we had hoped to come to discuss these issues with you today having had that discussion with the Minister yesterday.

[19] In the paper, we have tried to highlight some of the issues around local and regional governance and accountability that need to be considered as part of this discussion. We did not feel able to provide you with any detailed answers or structures, because that is subject to a number of debates involving all key stakeholders. However, we wanted to raise a couple of issues that need to be considered. As Steve highlighted, there is a range of views in the association about the whole process. Should this process proceed, what is clear and is supported by all members is that local accountability must remain as a core underpinning principle of all the discussions and the surrounding set-up.

[20] The importance of those discussions, at both the local and regional level, is to overcome concern that an all-Wales strategic police authority would be too detached and remote from the communities that it would serve. Therefore, ensuring appropriate structures that work at the local level, which feed into the regional level and then the national level, would ensure that there were discussions at all levels, and that priorities that were set nationally, regionally and locally could be dealt with in a strategic, joined-up and seamless fashion.

[21] The association welcomes the feedback that we have now received from the Home Office that the Home Secretary will remove section 107(4) of the Local Government Act 1972, which prevented a police authority from delegating powers to regional committees. While we welcome that, it has been stated that the Home Secretary will also retain reserve powers around the regional committees, their role, how many there are, and what they will undertake. Obviously, we would want a discussion about the views of the Home Office about where those reserve powers could be actioned, in effect. From our point of view, we need those details and that debate. We need to be able to develop structures that are appropriate for Wales. Given the concerns that we have raised about the Home Office, it is questionable as to whether it would appreciate the specific circumstances and challenges that we face in Wales, in making those structures work.

[22] A range of issues was identified in paragraph 3.4, which raises questions rather than giving answers. However, at the moment, there are a number of opportunities within the wider policy agenda to ensure that we are joining up services, particularly within the ethos of 'Making the Connections', looking for the outcome of the

Beecham review, and ensuring that the issues that we are dealing with in the wider policy agenda fit in with, and are addressed as part of, the police restructuring process.

[23] I suppose that I would particularly highlight the Home Office review of the crime and disorder partnership provisions, issues around the ‘Community Call for Action’, accountability and performance management. Those issues will need to be looked at in terms of the structures that are put in place. Obviously, in terms of the regional structures, there needs to be further debate about how many there will be, where they will be, and what their roles will be, but we are hoping that the Beecham review will take a view on regional structures across Wales, which would also feed in to this discussion.

[24] There are also issues around the suggestions on local policing boards. Our feedback was that Hazel Blears did not particularly like those issues. How do we formalise those structures at the local level, working with community safety partnerships and seeing whether they are suitable to feed in to the regional level? It is important, from our point of view, to have local government and local members involved in those processes.

[25] To conclude, under paragraph 3.7, having highlighted the range of issues that needs further debate and discussion, we were trying to identify that any arrangements that need to be in place need to be fit for purpose. That has been the whole ethos underpinning the restructuring process. Obviously, what ‘fit for purpose’ means for us who work in Wales needs to coincide with Home Office thinking on these issues. The arrangements need to build on the existing arrangements. There are already concerns about partnership overload, and we need to ensure that we are building on what works and what is already there so that it fits in to existing structures, but builds on and expands them, where necessary.

[26] From our point of view, we hope that any structure can stand the test of time. The last police reorganisation was more than 30 years ago and it is questionable as to why we need to rush this process to fit in with such a quick timetable when the current structure has stood us in good stead for the past 30 years. We would want to make sure that we can take additional time to consider these issues fully to ensure that what is put in place is fit for purpose for a period of time in the future, so that we will not have to come back to the drawing board in five years’ time because what was put in place did not work in practice, because it was rushed.

[27] **Janice Gregory:** Naomi, I think that you have accurately reflected the comments that have come to me from members of your association and from people in wider political and non-political circles throughout Wales, so thank you for that.

[28] **Sandy Mewies:** Steve, you have raised many of the issues that have been raised previously and, as you said, we do not seem to be getting any further forwards with them. Do you think that the rearranged meeting—the one that you would have had

with Hazel Blears, which, presumably, you do not even have a date for—will settle any of these issues? What concerns me is that we have stressed the need for an extension of any consultation process, and there are so many other agendas that need to be built in to this, including the results of the Beecham review. It also has to fit in with ‘Making the Connections’ and the ‘Building Communities, Beating Crime’ White Paper. That work cannot even start until some procedures are in place, particularly those to do with finance.

[29] You are right that the bottom line will be the finance. The other things that are coming across clearly again and again are: the need to strengthen the basic command units; questions about what sort of single police authority we will have; what the representation will be; and how we will reflect regional interests. There are so many things that need to be examined and yet I am concerned, from what Steve has said, that we cannot move forwards when things are as they are. I wonder whether we, as a committee, can do anything about that. Could we write to the Home Office again and say that these concerns have been expressed, and ask for some sort of structured timetable as to what will happen next?

[30] **Mr S. Thomas:** We have recently written to all MPs in Wales to highlight our concerns in that regard. I want to stress the fact that I think that the four chief constables and the police authorities particularly have shown endless patience on this matter. From our point of view, to say that some of the discussions that we had with Home Office officials were frustrating would be the understatement of the decade. We are not dealing with people from the Home Office who have any concept of finance or who have any understanding of the social, political and economic geography of Wales. The result is that we are moving towards establishing a process in undue haste that could threaten the way in which we police Wales. I congratulate you in the Assembly, because I think that, across all political parties, you have taken a distinct line on this debate. You have constantly expressed your frustrations on this issue, and I think that, when you have that level of discontent, any right-thinking person should be asking whether this is the right thing to do in the timescale that is available.

9.50 a.m.

[31] I understand that the new Home Secretary is speaking to the police federation today, and I also understand that he will be speaking to the Association of Chief Police Officers conference, I think, in the next few weeks. I am hoping that there will be some announcement quickly on this, because the timescale and the timetable are not feasible. Objectively, it is not feasible, and it cannot be done in that time.

[32] **Sandy Mewies:** Would we be able, after this meeting, to express our concerns, reflecting what Steve has said? Otherwise, this agenda will not move forwards at all.

[33] **Janice Gregory:** Yes. As Steve and Members know, the Minister has been very forthright in her views and in reflecting the views of discussions in committee and in the last report that we did. I do not think that we need worry that the Minister is not

taking it forwards.

[34] **Sandy Mewies:** No.

[35] **Janice Gregory:** However, we can certainly draft a letter to Edwina expressing our concerns from this morning, and we can discuss that later on, if you like, or we can send it directly to the Home Secretary.

[36] **Sandy Mewies:** I know that the Minister has done that, and I am quite happy for it to go either way. I have many questions on things like coterminosity, basic command units and so on, but, until the financing is bottomed out, the matter is problematic, is it not?

[37] **Mick Bates:** I thank both the witnesses for their evidence. I am sure that you have expressed quite succinctly all our views and frustrations. However, I will examine three areas, the first of which is that, in your report, you are very critical of the Home Office; what has the WLGA done to contact its English counterparts to try to get unanimity of approach, because we are aware that, in Cleveland, for example, there is distinct discomfort at the suggestions? Furthermore, there has been an extension, I believe, to the Surrey and Sussex amalgamation to 2008. What have you done in that respect?

[38] Secondly, you mentioned that there are distinct camps in the WLGA in respect of abandoning the whole process. As far I am concerned, our system of policing is not broke, so there is no need to fix it. I would like to hear a little more about the strength of those arguments, and how you propose to put that abandonment forwards. We have a new Home Secretary in John Reid, who was speaking today to the Police Federation; one never knows, he might throw a bit of largesse to the federation today and say, 'I will abandon it because Steve Thomas has told me so', or he may say, 'We will sit down and reconsider this'.

[39] Finally, Sandy mentioned coterminosity. We have a distinct division and lack of consistency about the way in which our blue-light services are formed. Do you wish to see further realignment of our blue-light services so that they all operate in the same areas?

[40] **Mr S. Thomas:** In terms of links and lobbying the Home Office, we have been in constant contact with the Association of Police Authorities. We have also dealt with our colleagues in the Local Government Association for England, and, indeed, I met Sir Brian Briscoe last week on this subject. He shares my frustrations and those of a range of police forces. We had a long discussion about the Humberside situation last week. From our point of view, a degree of consensus is emerging in Wales, particularly around those seven points that we put in our evidence. Those need to be addressed, as they are the litmus test for how this goes forwards.

[41] You are right; there is a significant current of opinion in the association—it is a minority opinion, I have to say, but it is significant all the same—that the process should be abandoned. The general view in the association is still a willingness to try to get this thing to work. When I came here last time, Mick, I quoted Bob Dylan at you.

[42] **Mick Bates:** Yes; I was waiting for the same today.

[43] **Mr S. Thomas:** I will not go there this morning, but I still think that there is an element of fait accompli about this, and, on the back of that, everybody is trying to get the thing to work. However, there has to come a time when you draw a line in the sand and say, 'It is not going to work'. In terms of the timescales, it certainly will not work. Unless more time is given, you cannot do what the Home Office wants to be achieved. So, we will watch this space carefully as will a range of local authorities. We are collecting authorities for precepts; that is a deeply technical thing to do—it is not straightforward. Once you start disturbing some of these things, as we discovered with the poll tax many years ago, you start to lose the money that comes into local government in terms of your revenue base. You mess with these things foolishly. We need a long, hard debate on how we go forwards on the precept.

[44] There are three options. One of them—a downward option—does not seem to be an option at all. However, two options seem to be emerging: one would be to smooth over time, and another would be to take to the average. Leaders around Wales will fall into either one of those camps. Many will say that it should go up to the north-Wales levels, and others will say that it should be averaged. We have not had that debate, because, in effect, unless we, the police authorities and the chief constables produce literature, there is nothing to debate; the Home Office has not come forwards with a set of proposals or guidance.

[45] Therefore, on all those counts, I do not believe that the abandonment of the process, politically, will happen. However, from our point of view, there are some key dates in the not-too-distant future that seem to be essential regarding the future of these proposals.

[46] I am sorry, but I did not write down your third question.

[47] **Mick Bates:** It was on coterminousity.

[48] **Mr S. Thomas:** In terms of the current basic command unit structures, some are merged, but we would hate to see any move away from the current boundaries that are in place. The BCUs are the recognised public face of policing in Wales.

[49] We need a debate on regional boundaries. As you know, the WLGA has put in place a regional structure, which is based on three geographical regions and one themed region, based on the interests of rural authorities across Wales. If the police

were to move towards, say, the fire-authority boundaries, I suspect that we would seek to align our boundaries to that, in terms of some of the regional structures. In that case, I suppose that three might be the magic number in terms of regional structures in Wales. That is the great disappointment about all this, is it not? There are opportunities here to tidy up the regional map and to have a proper debate about community safety in Wales, particularly the success of community safety partnerships over recent years. All that has just disappeared, and all that goodwill has evaporated in what must be one of the most botched and badly handled reorganisation processes since God knows when.

[50] **Ms Alleyne:** I have just a few points. From our point of view, the Association of Police Authorities has been fantastic in keeping us informed—much information comes through in a timely and informative fashion. The APA should be congratulated for the work that it has undertaken, as well as for arguing the concerns of Welsh authorities, if you like, on a UK national level.

[51] On the timetable, there is a question as to why there is a different timetable for restructuring in England and in Wales. We have not had a clear answer to that. We would need to push on that, looking, if you like, to discussions that we have had with our counterparts as to why there is a different timetable, and why we have to go by 2007, but English authorities are given up to 2008. The Home Office has not yet come back with a reasonable argument as to the different timetable, and we need to push that issue.

[52] **Mick Bates:** Steve mentioned Bob Dylan; if people reference the song, *Idiot Wind*, they will understand what is happening here. However, coming back to the precept—and we all understand the fundamental nature of having the costings in front of us—as a general principle, it seems that performance in Wales may reduce given the current proposals on the table for the police force, and we may end up paying more. Do you agree that we may be paying more for less?

[53] **Mr S. Thomas:** That is an inevitable possibility. You referred to *Idiot Wind*, which is from the album, *Blood on the Tracks*; that is where we are going. We could end up paying more—there is no doubt about it. The assurance that we have sought constantly, as an association, is that none of this cost should fall on the council tax payer. If you smooth council tax precepts over time, I am sorry, but the cost will fall on the council tax payer; if you move up to the north-Wales level, that cost will fall on the council tax payer.

10.00 a.m.

[54] We are concerned, as you know, and particularly in terms of the Lyons review at present, that the sustainability of the council tax has reached its zenith. We cannot load much more on to the council tax in terms of the citizens of Wales. We, in local authorities, have been determined in recent years to keep the council tax down. We have gone from the era of double percentage point rises to single percentage point rises over the last two years, and there is a genuine desire among the leadership of the

WLGA and leaders of local authorities to keep council tax levels down very low.

[55] In the meantime, we have had the council tax revaluation. You will become aware shortly of some very significant formula changes in Welsh local government, which will see some authorities lose lots of money. So, the upshot is that no-one wants to load the council tax in terms of any further service dimensions. All this does not bode well for the future of the police precept. Again, I recall Michael Lyons, when he came to the Assembly, having a discussion about the future of the police precept. He may have some recommendations to make on that. So, all this is in flux. We need to catch breath on this whole process and see what emerges.

[56] **Leanne Wood:** I think that it is clear—[*Inaudible.*] The timescale needs to be extended to at least April 2008. Given your arguments, you could say, perhaps, that we need until April 2009 if we are to get it absolutely right. Have you heard anything from the Home Office, since the new Home Secretary was appointed, that indicates any willingness to extend that timescale?

[57] **Mr S. Thomas:** The only statement that I have heard from the Home Secretary on this was made during a recent debate in Parliament, when he readily admitted that his attention was fixed on other things, namely foreign criminals. His attention was not on police reorganisation in Wales. So, the result of that is that it will be interesting to see what the Home Secretary says today in his first major speech to a police audience. I do not think that it is a matter of listening, Leanne; I think that some of the people involved are not competent enough to listen. The upshot is that we cannot get a dialogue going on some of the subject matters. I have yet to meet someone from the Home Office who has any expertise in terms of the council tax precept or some of the future revenue costs. It is no exaggeration to say that there has been an endless round of changes in the civil servants involved in this. The result is that there has not been any continuity. So, if experience was built up, it has disappeared very quickly. We need to engage at a very senior level in the Home Office, but I suspect that the Home Office's resources are spread somewhat too thinly at the moment.

[58] **Leanne Wood:** I think that you are right. The Home Office appears to be in a complete mess, particularly in terms of the immigration department. That makes me wonder whether we can have any confidence in the Home Office seeing through these reorganisation plans. You will be aware that Cleveland Police Authority has sought a judicial review on the way in which the decision was made. Do you think that your organisation would support such a move if we tried to do that on a Welsh level?

[59] **Mr S. Thomas:** We are keeping our powder dry on that one for now. We want to know what the chief constables' views will be. They are the professional officers and the most highly qualified people involved. They will also receive advice from the police authorities of Wales, which is very extensive. That is something that we will watch very carefully. If we think, as an association, that this is on the verge of disaster or heading over the cliff, we will start to scream very loudly about it. We will come to you, as one elected tier of Government in Wales, as another elected tier, and hopefully call for a united front. It is not just about you as AMs; there are MPs and local

councillors out there with considerable concerns. Many local councillors could be walking around with T-shirts with the words, 'I told you so' written on the front, given some of the warnings that they have given recently. So, from our point of view, we are very interested in seeing what the nature of the evidence that the chief constables present today will be. I am amazed at the endless patience of the chief constables and the police authorities on this. I think that it shows what professionals they are.

[60] **Leanne Wood:** I have two final questions. Have you done any of your own estimates of costings and, if you have, can you tell us what they are?

[61] Secondly, Scotland is not reorganising its police services. Obviously, policing is a devolved matter to Scotland. Do you know whether or not any of your members would support the devolution of police services to Wales?

[62] **Mr Thomas:** In terms of costings, we have done some work on the precepts, and one option would be to take a big-bang approach to them, if you like—that is, you equalise tomorrow. We have also done some work on the smoothing of the precept over time. We could certainly share that with you; it would not be a problem. The police authorities have done a lot of work on potential revenue costs. There is more comfort around the start-up costs than there was previously, but the ongoing revenue costs are still very unclear.

[63] In terms of the devolution of the police, we published a manifesto last year in which we called for a debate on the devolution of policing in Wales. After this whole episode, my own personal view is that that is something that seems far more attractive than it once was.

[64] **Leanne Wood:** Thank you.

[65] **Mark Isherwood:** When Bob Dylan challenged the status quo and went electric, many complained, but something great resulted. So, let us hope that John Reid challenges the Charles Clarke status quo and that something great comes as a result. If not, we will all be singing the folk blues.

[66] **Janice Gregory:** We are getting the musical references out of our system. I think that you have to be here regularly to understand them.

[67] **Sandy Mewies:** If you are that old.

[68] **Janice Gregory:** Yes, if you are that old. Sorry, Mark. Please go on.

[69] **Mick Bates:** Quality is timeless, Chair.

[70] **Mark Isherwood:** One group in your organisation was asking for the process to be abandoned. Would I assume that that may be a somewhat northern group of people?

[71] **Mr Thomas:** It is the Liberal Democrat group.

[72] **Mark Isherwood:** It is a political group. Okay.

[73] You are right that finance underwrites everything. Paul Goggins stated quite categorically, when the initial £125 million restructuring funds had gone, that the burden will be carried through the precept and the council tax payer. You have just told us that you have had some assurance on the actual reorganisation costs. Could you tell us what that is? When you were here last time, you highlighted concern that the original projections assumed costs would be covered in year 1 through savings. Could you tell us where your current estimates are and whether that includes the infrastructure costs, for instance, computer costs, communication and so on?

[74] Further on, you refer to other costs, and we have talked about council tax. As Leanne asked, what is the concern about the ongoing annual operational costs resulting from this, given what we are led to understand that the chief constable will be saying later, and do your estimates tally with theirs?

[75] You talk about local and regional structures. The superintendents gave evidence to this committee arguing that we should have accountability at BCU level and then nothing, effectively, between that level and national level. Could you comment on that? With regard to the regional boundaries, which you referred to, I think that you stated that the current boundaries would be the preferred option. Have you considered boundaries that would match those operated by the other two emergency services, and why have you nonetheless come to the conclusion that you have?

[76] Finally, there have been many references today to practical operational matters. You have referred to regional, cultural and, in particular, geographical, differences. How should we be addressing, perhaps, operational matters and shared corporate services separately, or do you believe that we should be continuing to consider both within the same package?

[77] **Mr Thomas:** The police authorities will correct me if I am wrong on this, but my understanding is that there is something in the region of £40 million to £50 million start-up costs, which, I think, includes £20 million for information technology. These are one-off costs; they are not ongoing costs. So, the result of that is that they disappear. There is an investment and then they go.

[78] With regard to projections over time, the figures that I have seen are those figures that suggest, in terms of annual running costs, a £79 million deficit on current expenditure by 2013. That does not seem to be a conservative figure; it seems to be a

realistic figure in terms of some of the projections that I have seen. That is worrying in terms of the impact on force structures

10.10 a.m.

[79] I think that I agree with you on regional boundaries. There should be coterminosity around emergency services in Wales. As I mentioned before, three is emerging as the magic number with regard to regional boundaries. The WLGA could fit in with that. The fire services and the Assembly health offices work on the basis of three regional boundaries, and I understand that the ambulance service, despite being a national service, has three regional boundaries. That suggests some real opportunities in terms of forces working together and 'Making the Connections'. I have said to you previously that what you have in terms of a vision and a philosophy is the Assembly's own vision set out in 'Making the Connections' in relation to collaboration and joint working. The view from the Home Office is that you can force-fit a reorganisation and that, somehow, it is possible to magic a structure that delivers a massive range of efficiencies and, at the same time, better services.

[80] We are deeply interested in the issue of shared services. We would have concerns about the level of the precepts in recent years. Police precepts have been quite high. On the back of that, we would want to see the opportunities for efficiencies across shared services properly examined and articulated throughout this process. In some of the discussions that I have had with the chief constables, it has been suggested that a lot of thought is being given to the possibility of sharing services such as human resources, back-office services and many other services that are very expensive when delivered in isolation. Over time, that should deliver efficiencies. The problem is that the efficiencies are back-loaded. If you are looking at a running deficit of £79 million, you tend to think that you cannot make efficiencies in terms of things like back-office services but in areas like jobs.

[81] There are people who are better qualified to talk about some of these financial matters than me. However, as it stands, if this was a business case being taken to a bank, the bank manager would be sweating at this point, would he not?

[82] **Janice Gregory:** Thank you, Steve. You mentioned that you had done some work on costings.

[83] **Mt Thomas:** We will send you that information.

[84] **Janice Gregory:** Thank you. Please send it to the clerk and we will distribute it.

[85] No-one else has indicated that they want to comment, so that brings us to the end of the first part of the meeting. We will now break for coffee, and the four chief constables will join us for the next part of the meeting.

*Gohiriwyd y cyfarfod rhwng 10.13 a.m. a 10.36 a.m.
The meeting adjourned between 10.13 a.m. and 10.36 a.m.*

[86] **Janice Gregory:** Thank you all for coming back on time. It gives me pleasure to welcome our chief constables to the Social Justice and Regeneration Committee. I am sure that they need no introduction, but I will introduce them anyway. To my left is Richard Brunstrom, the North Wales Police chief, Terry Grange, the Dyfed-Powys Police chief, Andrew Bevan, the director of finance for Dyfed-Powys Police, Mike Tonge, the Gwent Police chief, Barbara Wilding, the South Wales Police chief and Paul Wood, the deputy chief constable of South Wales Police. Welcome and thank you for taking the time to come to committee to give evidence on what is an extremely important issue. I understand that Richard will take the lead this time for his colleagues.

[87] **Mr Brunstrom:** I will, at least for some initial opening remarks, as the current chair of the Welsh chief constables. As you said, we are accompanied today by Andrew Bevan who is our finance expert, and Paul Wood, who has been leading the all-Wales team; we have been working as a country on this issue. We would particularly welcome any financial questions being directed at Andrew, who has the figures at his fingertips.

[88] We have submitted written evidence and you will be pleased to hear that I do not propose to go through it. However, I would like to draw your attention to one or two points. Most particularly, we have had quite a tiring seven or eight months since this process started. We find it difficult to disagree with the previous Home Secretary's publicly expressed view that the Home Office is in a dysfunctional state, and we have felt some of that in Wales. That was his word, not ours, but we understand why he used it. We have had quite a frustrating time, and it is no exaggeration to say that it has tried our patience on occasion. However, things have got significantly more hopeful in some regards in the very recent past, and I will concentrate on updating Members as to where we have reached.

[89] You will recall that all four of us are on public record as saying that, in principle, we are in favour of an all-Wales police force—done properly. There were three particular caveats to that: suitable governance arrangements; suitable command arrangements; and adequate and sustainable financing. More recently, we have become concerned by the timescale, because we are increasingly worried that the timescale that the Home Office has talked about is unrealistic or unachievable.

[90] I will deal with the first two issues of governance and command very quickly. Governance is more an issue for the police authorities directly than for us, but we have managed to secure Government amendments to the Police and Justice Bill—which has just gone to the House of Lords, having completed its House of Commons stages—to enable regional governance of a police authority. We have also secured amendments to enable us to have additional deputy chief constables in Wales, so that we can have regional governance within Wales as a nation. That required a significant amount of work in London to persuade the Home Office that Wales is different,

which is the phrase that we have been using. We have been successful in that regard, and some recognition is due to the Home Office; it has accepted that point, and, as far as we as chief constables are concerned, it has largely resolved those two issues.

[91] So, we are left at the moment with the issues of finance and timescale. There is some good news to report on finance. Much more hopeful noise has been coming out of the Home Office recently about whether we can agree the set-up costs of restructuring, and, in particular, the costs for the protective services. That was the rationale behind the entire exercise in the first place. That is a bit of a moveable feast; it is certainly not over yet. Negotiations are ongoing. We cannot tell you the answer to it yet, but there has been a lot more useful music recently.

10.40 a.m.

[92] However, we have a very serious concern about the long-term financial viability, or 'future proofing'. We have not yet seen a sustainable financial plan to make this whole restructuring process work. There is not enough money on the table, quite frankly.

[93] We are now seriously concerned about whether what the Home Office is proposing to do by 1 April next year can, in fact, be done—that is, whether it can be done at all, not only whether it can be done wisely. That has led us—and this is news hot off the press, Chair—to our position of having sent the Home Secretary a letter this morning, telling him that it is our intention to withdraw our operational support as chief constables from this restructuring process and to formally object to the statutory process that is under way at present—we are in a four-month objection period before the Order is intended to be laid in July—unless the Home Office can come to a negotiated deal with us about the long-term financial viability of the proposal. We have told the Home Secretary in writing—and we will be releasing the letter in public after this meeting—that if we have not struck such a deal by 1 June, which is in about 10 days' time, we will be formally objecting.

[94] **Janice Gregory:** Wow! That takes some taking in, really. Thank you for updating us and for bringing it to committee before you made the letter public. Sandy has a question and she will be followed by Mick.

[95] **Sandy Mewies:** Richard, I am not sure whether you heard the previous speaker, Steve Thomas from the WLGA, but you have echoed many of the concerns that he raised. Our Minister has also raised them, as you know, particularly with regard to the timescale of what is happening. Our suggestion until now has been that we ask Edwina Hart, who has been very robust in this matter, to take these concerns to the Home Office at least to try to get some sort of structured timetable so that we know what is going on, particularly as far as the financing is concerned, because that underpins everything.

[96] Will you be circulating the letter? Is there a copy that the clerk could circulate to

Assembly Members after this meeting?

[97] **Mr Brunstrom:** Most certainly, yes.

[98] **Sandy Mewies:** That might be useful for us. Thank you.

[99] **Mick Bates:** Thank you for your evidence. I will start by saying how splendid you all look and what a good job the police do. I reinforce that by expressing my congratulations on this withdrawal-of-support letter that we will shortly see. Could you give me a little more explanation of the ramifications of that and about your demand to the Home Office concerning the timescale? Could you flesh out what you consider to be a reasonable timescale if this is to be implemented?

[100] **Mr Brunstrom:** I remind Members that we are in a statutory process here, initiated by the former Home Secretary, Charles Clarke. As part of that process, we, as chief constables, were invited by letter from the Home Secretary to consider whether we wished to object as individuals. We are operating as a team throughout this, but we have all been invited to consider whether we wish to support or object to the statutory process that is ongoing.

[101] After seven or eight months—and we are now two thirds of the way through the four-month objection period—we still do not have satisfactory answers on the long-term financial viability of this proposal, so we have decided to say, in the vernacular, that enough is enough and that it is time we put a marker down. We do not want to do that on the last day, which will be 1 July, because we want to leave time for this to be resolved, if it is the will of John Reid, the new Home Secretary, so to do. Of course, we do not know how much money the Government is prepared to make available or how much money it has. We do know, however, that we have not seen a viable financial plan and, without that, as operational chief officers, we cannot support this sort of reorganisation. It is a doomed plan if there is not enough money. Like anybody else's plan, if you do not resource it properly, it cannot work. So, we are seeking to give the Home Secretary a couple of weeks' notice that there is still something to resolve here. If that does not work, we will object, and that still gives the Home Secretary a month or so to decide what he wishes to do. That is a matter for the Home Secretary.

[102] In the last day or two, we have heard—and these are no more than rumours—that there may be a view in the Home Office that the timetable is indeed a little ambitious, and some backing off or slowing down, allowing some time for reflection, might be wise. We would endorse that, as you know the Minister does. Our consensus view in Wales is that, if this is to happen and it is properly resourced, a good start date, at the earliest, would be 1 April 2008. That would give time to plan it properly; proper plans have a better chance of success. However, the Home Secretary is new in post. You will have heard him say in Parliament that he is taking stock of the situation, and he has not yet chosen to make an announcement.

[103] I think that that is a sufficient answer to that question.

[104] **Mick Bates:** That is all right. I will come back to the Home Office in a minute, if I may Chair. I will move to my second question, which Andrew Bevan may be more qualified to answer. Reference has been made by Richard Brunstrom to this withdrawal of support unless firmer information is given about the financial situation. Surely you have undertaken some work on this. Could you give me a bit more detail about what you consider to be a realistic settlement and a realistic amount of money to undertake whatever the proposals would be? It seems to me that the proposals may be: to maintain the status quo, if the whole thing is abandoned; looking at coterminosity where you have three forces, possibly, with our overhead; and the original suggestion of having a single force. Could you give us an indication of your figures to show us what each of those would require and the impact on the precept?

[105] **Mr Brunstrom:** I am not sure that I can answer that, Chair, as most of that was directed at Mr Bevan.

[106] **Mick Bates:** I know. I do apologise.

[107] **Mr Bevan:** I suggest that I take the financial issues.

[108] **Mr Brunstrom:** As he said, if Mr Bevan answers the questions on numbers, we can take some of the policy issues, if that is okay.

[109] **Mick Bates:** I accept that.

[110] **Mr Bevan:** First of all, by way of background, to explain where we have come from and where we are at the moment, the financial submission that we made to the Home Office back in December identified required set-up costs for a single force for Wales of about £77 million or £78 million, with recurring revenue costs, mainly attributable to improvements in protective services of about £35 million per annum. The position that we reached in March was that the Home Office responded to our submission, and indicated that, in its opinion, the set-up costs were likely to be in the region of £35 million. So, there was a gap of £40 million between our figures and theirs. We have been in ongoing negotiation on these matters with the Home Office over the course of the last month or so—and this is the issue to which Richard Brunstrom referred just now—we have made positive progress, and we are optimistic that we will be able to close that gap significantly in terms of setting up the new organisation.

[111] There have also been ongoing discussions with Her Majesty's Inspectorate of Constabulary about the protective services issue, and I am sure that the way in which that process has been carried out can be explained in terms of the operational policing issues. In terms of the financial issues, that has produced a revised recurring cost of around £28 million, and these figures were fairly recently arrived at.

[112] **Mick Bates:** Is that per annum?

[113] **Mr Bevan:** Yes, it is. We do not have any clarity at the moment on whether that £28 million will be funded at all. We have had clarity in terms of the set-up costs, but we have had no indications at all about the funding of the recurring costs. You could interpret some guidance that has been issued by the Home Office as clearly stating that those costs would have to be met from any savings that the organisation could deliver. We are, however, seeking confirmation and clarity on that particular point.

[114] Since September, we have been fortunate in Wales in having dedicated financial resources to look at the planning aspects of setting up the new organisation. One thing that we have been able to do that England has perhaps been unable to is prepare a detailed financial forecast. That work has been ongoing for the last couple of months. That financial forecast produces a situation in which we are predicting, based on the information that we currently have from the Home Office, that a single force for Wales would be faced with a likely annual recurring deficit of around £79 million per annum by 2012-13.

10.50 a.m.

[115] That £79 million is annual and recurring, but it builds up between now and then. It will not just arrive in 2012-13; it will build up to that level. However, from 2012-13, that figure would be £79 million per annum. The make-up of that can be attributed to several factors, and we have already referred to protective services of about £28 million.

[116] Nearly £30 million of it is attributable to the council tax equalisation issue. We do not have any clarity from the Home Office as to how that gap in council tax levels will be addressed. However, we have been able to do some modelling based on the information that has been issued in respect of the Lancashire and Cumbria merger, which is a voluntary merger taking place next April. We have applied the same sorts of processes and modelling techniques to what would have to happen in terms of the council tax in Wales, and that produces an annual gap, by 2012-13, of about £30 million.

[117] The other elements are attributable to the review of formula funding for the police service across England and Wales. We flagged up back in December, and it is still an issue, that a single force for Wales would be the most sparsely populated of any of the forces in England and Wales. Given the way in which funding formulae work in terms of the police service, that would almost certainly result in a significantly adverse position for the Welsh force. We cannot quantify it, but we have begun to do some assumptions based on that.

[118] Our financial forecast has been health-checked by an independent financial consultancy company. It has confirmed that, if anything, we have been a little optimistic with the figures that we have used in respect of the formula and funding.

These are critical issues that have to be resolved, because they will call into question the financial viability of any new organisation. It is difficult to see how that kind of gap can be plugged without affecting operational policing capability.

[119] **Mr Brunstrom:** Chair, may I pick up on a couple of those policy issues, particularly council tax and general funding from London through the formula? Council tax is largely a matter for the police authorities rather than the chief constables. However, we very much need to take account of the consequences. The current proposals—and I stress that they are only proposals as a council tax deal is not even in sight yet—indicate a loss of £30 million a year from the general revenue of the Welsh police service. Obviously, if that happens, it will have an operational impact and that must concern us. Resolving that problem is not for us to do, but we are required to point out that it exists. Of course, that problem will not exist if you do not restructure the police force.

[120] The second issue is also magnified by restructuring. This is the issue that Andrew alluded to, on how the grant formula works. Under the current system, the all-Wales force would lose a grant from London that we would not lose if we stayed separate. There are perfectly simple mechanisms to resolve this, but we have not seen them. Therefore, it appears to be illogical to volunteer for a merger that will cause Wales to lose significant amounts of money that would otherwise exist. Clearly, it is income tax payers' and council tax payers' money and not ours, but we are obliged to point out the operational consequences. That is really at the root, Mr Bates, of our concern, and why we have decided that if we cannot see a satisfactory resolution of this in the near future—bearing in mind that we are eight months into this—we feel that we are obliged operationally to withdraw our support and to object to the process. If those things are resolved, however—and they could be; they are not beyond the wit of mankind to resolve—we come back to our opening point that, in principle, we support the creation of an all-Wales force, if it is done properly.

[121] **Mick Bates:** I have heard a lot of good common sense spoken this morning and I congratulate you again on the attitude that you are taking, because financial stability underwrites the whole process. However, I was alarmed by comments that I heard you and Steve Thomas from the WLGA make earlier about your dealings with the Home Office. I am not going to be negative here, so what, in your view, are the positive elements that we can cling onto, so that we can say that there is hope within the Home Office that your letter and demands for a clear timetable and sound finances will be heard? Can you assure me that the Home Office is reasonable enough to listen to your requests?

[122] **Mr Brunstrom:** I can tell you what we are going to do, but I cannot answer your question. I repeat that communication with the Home Office has improved significantly, recently. I have spoken to our identified nominated contact—a lady in the Home Office—this morning; I advised her of the existence of the letter and gave her the chance to do something with it in the Home Office. Communication has got much better, and I feel confident now that we have an operating, open line of communication in to, and out of, the Home Office. Whether it is an effective line of

communication, others will have to judge. I repeat that we have had a frustrating seven or eight months, and it has tried our patience on occasion.

[123] **Leanne Wood:** There are big problems in the Home Office at the moment, and I am encouraged by the fact that you say that communication has improved recently. However, in view of the fact that there is chaos there, I am not confident that it can adequately see this restructuring. You are aware of the situation in Cleveland; if the National Assembly were to seek advice on judicial review proceedings against the way this decision was made, how would your members feel about that?

[124] **Mr Brunstrom:** We have, ourselves, considered whether we have locus to initiate a judicial review. We have not pursued that very far, but, perhaps, by the fact that we have considered it, you have an answer to your question. We decided that the appropriate thing for us to do, as public servants—which is what we are—is to respond to the Home Secretary's statutory process. We have been invited to consider our position and to object if we wish to do so. That must be the correct and appropriate first step for us to take. Hopefully, that will resolve the situation one way or the other. If it does not, we have, in extremis, other alternatives. My personal view is that judicial review is a weapon that is far more appropriate for an authority to use than for a public servant, but, in extremis, we do have locus.

[125] **Leanne Wood:** What would the Home Office have to do, and what criteria do you want to see in place, for you to give it your support again after 1 June? Also, what are the implications of the withdrawal of that support? Finally, have you had any positive soundings from the Home Office on the issue of timescales? You mentioned April 2008; others have suggested that April 2009 would be more satisfactory, as that would give us more time to put things in place to get it right.

[126] **Mr Brunstrom:** To take your last point first, we have no formal notification from the Home Office of any timetable other than 1 April 2007, and that was confirmed to us as recently as last Friday when the draft amalgamation Order was published, setting that date. However, I suspect that the new Home Secretary has not yet had time to impose his views on the machine that is working in the background. We have had nothing formal to alter that date. As of today, we are under formal notification that the intended date is 1 April 2007, and our belief is that that is too swift.

[127] As to what would satisfy us, it boils down simply to more money—a convincing demonstration that the Home Office is taking a realistic approach and that sufficient money will be made available to make this project workable. Clearly, the exact amount of money is to be negotiated, because you get what you pay for. There is no right level of protective services, and there is no right level of funding for the police service: this is all taxpayers' money, and taxpayers, through their elected representatives, have to decide how much money they wish to pay for a police service. Our concern is that promises are being made to the public that have not been financed. That does not work. Therefore, we cannot say how much money is acceptable, but it is more than is on the table at the moment.

[128] However, it is not just a matter of the absolute amount of money, let me stress; it is the process by which that money is generated. The council tax issue is a showstopper, but we cannot do anything about it. All we can do is to point out the consequences of not resolving it. The actual money at stake there is not the issue; it is the fact that there is no process to deal with it. The long-term reorganisation of the police funding formula has impacts in England and Wales—it is not just a matter for us—but they are magnified in Wales by the restructuring process. That could be dealt with easily by a change in how the process operates. That is not likely to be even visible to us in the timescales available; the funding formula will not get fixed by 1 June.

11.00 a.m.

[129] Therefore, I am not able to give you a definitive answer to your question. There is not enough money on the table now to do what the Government is asking of us. More money will have to be put down if our support is to be retained. How much more must be a matter for negotiation. Much of this negotiation is for elected representatives, not directly for us.

[130] **Leanne Wood:** I understand that. May I give you a worst-case scenario? Let us assume that the Government goes ahead with the date that it has already set for next year, that it does not sort the finances out by then, that you are up and running as one single police force, and that there is this big gap in your funding that will affect services on the ground. What contingency plans do you have in place for that worst-case scenario?

[131] **Mr Brunstrom:** What one's worst-case scenario is is an interesting question in itself. We are currently working on what is still the Government's stated intention—that we will have a so-called strategic police force in Wales on 1 April next year. We do not yet even have clarity as to what the Home Secretary, and the Home Office, expect to see on 1 April next year; it cannot all be done in a big bang, even if we had unlimited amounts of money. There will have to be a programme here, probably for five to seven years, to set the thing up properly—you cannot just wave a magic wand.

[132] Therefore, it might be that the actual change required next year, if this is forced through, is minimal. We could keep the existing boundaries and structures, and we could have shadow authorities running—we just do not know, I am afraid. As a result, it is difficult at present to plan for a worst-case scenario and a fallback position. We are thinking hard about what happens if this process just does not take off. Similar police discussions are taking place in England, and it is a moot point as to whether the Home Office has enough money available for this process, not just in Wales but in England too.

[133] The Home Secretary may—and I speculate—choose to withdraw the Orders, and start again. We would then have a range of options—plan B and plan C. Bearing in mind that the four of us believe that an all-Wales strategic police force is, in

principle, a good idea, we have other ways that we might go about that. We are not spending a huge amount of time planning that at present, because we are having great difficulty coping with the consequences—for all of us—of plan A. We have all lost our day jobs, and our private lives, as a result of this, and we cannot do more than one plan at a time. However, we are alert to the fact that, if plan A does not work, there will have to be a fallback option.

[134] I am sorry to be so vague, but we do not have a great deal more than that.

[135] **Mark Isherwood:** As the WLGA indicated this morning, it may get a hint from hearing the Home Secretary speaking to the police federation today; so, fingers crossed, and let us hope that it is a positive hint.

[136] Mr Brunstrom, I know that you, quite rightly, often emphasise that you do not speak for your police authority, and that your police authority does not speak for you. However, the authority is still, as recently as yesterday, when it contacted me again, opposed to the principle of an all-Wales force. What is your current thinking, and that of your colleagues, about overcoming what the WLGA this morning referred to as regional, cultural and geographical differences, from an operational viewpoint, as opposed to wider considerations, such as financial considerations, and so on? I will add to that a question put to me by a journalist yesterday on the Welsh language, which is very important in much of the area for which you are responsible, but also in parts of all the areas for which your colleagues are responsible. What priority would that retain within a strategic body?

[137] On finance, you are probably aware—but I will re-emphasise it—that the WLGA estimate was identical to your own, in that there will be a £79 million deficit on current expenditure. The only difference was that it said that that would be the situation by 2013. May I clarify two financial points to help me understand this issue, because I might have slightly missed this? You referred to a revised recurring cost of £28 million. Is that in addition to your estimate of £35 million per annum in revenue costs, or is that factored into the same figure?

[138] On savings, you said that your estimated additional, non-revenue set-up costs did not factor in the anticipated savings. What is the timescale for those savings kicking in? To what extent would they cover, or not cover, the additional costs incurred? What consideration are you giving to the integration of corporate services, whether there is full integration at all levels or not? Can you still work together more closely in those areas?

[139] On the importance of local and regional arrangements and accountability, which the WLGA strongly stressed this morning, can you comment on the proposal that we should have enhanced BCU accountability, and then nothing, effectively, between that and the national strategic level? Do you think that we need a regional level as well as, or instead of, an enhanced BCU level? Would that operate better parallel to the other two emergency services or within current regional boundaries?

[140] **Mr Brunstrom:** I will pick up all the non-financial points, and then I will ask Mr Bevan to respond to the financial questions.

[141] You asked the regional question twice but in different ways—once at the beginning and once at the end—and I will try to pick up both questions at the same time. Our successful submission to the Home Office to request amendments to statutes through the Police and Justice Bill was based upon the fact that Wales is different, and, most particularly, the fact that it takes longer for me to come from Colwyn Bay to Cardiff—and I should point out to Members from south Wales that it takes just as long to go from Cardiff to Colwyn Bay—than it does for the Home Secretary to get from London to Edinburgh. In fact, I think that he could get to Moscow more quickly than I can get to Cardiff. That struck a chord in London, because there is a real issue here about command and governance.

[142] A lot of what we do as chief officers requires what one might term in the vernacular as ‘eyeball contact’. You cannot do it by memorandum or video conference all the time. You have to be facing someone to do our business. That, therefore, caused us to say that we need a degree of regional command and governance, which we think resonates very strongly with the community atmosphere in Wales. I give credit to the Home Office because that message has been received. It is in the process of changing the law to suit our needs in Wales, as a result of an argument emanating from here, and not from England.

[143] Exactly what regional government structure one chooses to set up in Wales in a future all-Wales police service is a point for further discussion. We have deliberately not attempted to resolve that now. There are interesting debates to be had with the Assembly, and as the Assembly grows in power following the enactment of the Government of Wales Bill later this year, a future chief constable of Wales will have to have a discussion with the strategic police authority and the Assembly as to what regionalisation looks like. There are strong arguments in favour of coterminosity across the board, and equally strong arguments saying that other structures apply. We are not united, as a group of four, as to what regionalisation should look like in Wales. We are not attempting to resolve that now; that must be an issue for the new chief constable, if that post is ever created, to negotiate with whatever the political structures are at that time. It is apparent, however—and we are united on this—that Wales, as a nation, must be policed in regions. We are very firm on that. How coterminous those regions are with other agencies, almost all of which, of course, are now devolved to the Assembly, is an interesting point for further debate. However, it is most certainly not a show-stopper.

[144] There was a question about the Welsh language and corporate services. On the Welsh language, this is an all-Wales issue, and not a north-west Wales issue. We already have an all-Wales police language strategy, and we have the very strong support of the Welsh Language Board for that policy. It exists and we are now working on it. It will cause the Welsh police service, whether it is in four groups or one group in the future, to be much more empathetic to the use of Welsh in Wales, in accordance with the Welsh Assembly Government’s strategy. We are very keen to

pursue that and to be leaders in doing so, whether we restructure or not.

11.10 a.m.

[145] That argument, I think, really applies to the corporate services. We have identified, through the restructuring work that we have done, some several millions of pounds worth of savings that would exist if we co-operated more closely. That figure, which is a little bit vague at present, of course, has been unearthed; it cannot be taken off the table. We feel that there is now a duty placed upon us to access that money. Whether we restructure on the Home Office rules or whether we do it ourselves, this is public money and we owe it to the people of Wales to access those savings and spend them wisely. Quite how we would do that is really not yet resolved because it depends on whether we are merged into one organisation or not. One way or another, we are all determined, with the authorities, and I know that they will say the same if you ask them the same question in a minute, to work much more closely together to ensure that we spend public money better. On that point, perhaps I can hand over to Andrew on the one or two detailed financial points.

[146] **Mr Bevan:** First, just to add something to what Mr Brunstrom has just said, in terms of our financial plans, we have factored in total savings from amalgamation and sharing of back-office functions over the five-year period of some £75 million, which would be available to a single force for re-investment in frontline policing services. The first part of the question was in relation to recurring revenue costs. I described earlier the work that had been ongoing with Her Majesty's Inspectorate of Constabulary over recent months to quantify the protective services gap across Wales. That work has involved police professionals from across Wales revisiting the assumptions that they had made during autumn 2005 about what was needed to address the level 2 gap in Wales. I think that Paul Wood can probably describe that process in more detail. Essentially, we have applied more of a risk-type approach to the delivery of that protective services gap and it has produced a revised recurring revenue gap of about £26 million per annum, compared to the original figure, which was around £35 million, as per the submission back in November or December.

[147] Again, just to add, in terms of the £75 million-worth of savings, we are assuming that those savings will need to be delivered through Gershon-type efficiencies and amalgamation savings through the sharing of back-office functions. I would like to stress that the projected deficit of £79 million that would arise by 2012-13 is an annual deficit that would arise over and above those planned savings levels. That is why it alarms us so much, and why we need urgent answers to some of these questions.

[148] **Janice Gregory:** Huw, did you have a question?

[149] **Huw Lewis:** My question has been answered.

[150] **Janice Gregory:** Okay. Paul, did you want to add anything? Andrew did

mention you in dispatches, so there might be something that you would like add.

[151] **Mr Wood:** To add to some of the positive things, we have had a very good dialogue with the Inspectorate of Constabulary to try to pin down exactly what it meant by the protective services standards. Through that dialogue, we have been able to challenge some of the assumptions that we have made and some of the things that it has said. I think that we have a much more realistic figure.

[152] **Janice Gregory:** No-one else has indicated that they want to speak so it just leaves me to thank you, once again, for coming to the committee as a group, and for being very forthright and candid. We appreciate that, and it will go into our review, which the Minister has asked us to undertake. Thank you all very much for coming, once again.

[153] Diolch yn fawr.

Thank you.

[154] **Mark Isherwood:** Can we have a copy of the letters that will be—

[155] **Janice Gregory:** We have already asked for that.

[156] **Mark Isherwood:** We have? All right.

[157] **Janice Gregory:** Yes. Richard has promised to let the clerk have a copy and it will be circulated as soon as it arrives.

[158] **Mr Brunstrom:** I will make it available within the week, Chair.

[159] **Janice Gregory:** That is great; thank you very much indeed and thank you for making the trip down from Colwyn Bay, Richard.

[160] **Mr Brunstrom:** It is always a pleasure. [*Laughter.*]

[161] **Janice Gregory:** It does seem like Moscow down here, occasionally.

[162] **Leanne Wood:** What is the timescale for the review?

[163] **Janice Gregory:** To be done as soon as possible, I believe. It has to be done fairly quickly. We will be considering the draft report on 21 June. If my memory serves me correctly, the report has to be done by 30 June. We will consider the report in its entirety in our meeting on 21 June. I believe that almost all of that meeting will be taken up with the discussion of that draft report.

[164] **Leanne Wood:** Are there no more evidence sessions?

[165] **Janice Gregory:** There are none between now and then. Our next meeting is 8 June. We have all of the written submissions, which you will all have had. We have the ministerial meeting, that is, a normal meeting of the committee on 8 June, for which we have a full agenda. You will have the report well before the meeting on 21 June, and that meeting will be taken up by the discussion on that report. We also need to bear in mind—not that it will make any difference, because of the professionalism of the secretariat—that Roger leaves us before that; the meeting on 8 June will be Roger’s last Social Justice and Regeneration Committee meeting. He has assured me that there will not be a problem, because we will have a seamless continuity. So, the meeting on 8 June is a normal meeting with the Minister, in which we will look at legislation and so on, and the meeting on 21 June will be taken up with this. We will look at the draft report, and decide on the amendments to the draft report if there are to be any. These are usually fairly minor.

[166] **Leanne Wood:** Chair, I am just thinking about the judicial review. Everything that we are hearing from the respondents is not positive, in terms of this happening to the timescales that have been set out. Could we ask for legal representatives to attend the meeting, so that we can ask them about our chances of trying to pursue a judicial review?

[167] **Janice Gregory:** They could come on 21 June, when we are considering the draft report. That would be the only time when we could give anyone any serious time to discuss that. By then, all of the evidence will have been précised into a draft report, so we would need to look at that for 21 June.

[168] **Leanne Wood:** Is that something that other members of the committee—

[169] **Janice Gregory:** I am happy to do that, but where will we get the legal representation from? Who will it be?

[170] **Leanne Wood:** That is a good question.

[171] **Mick Bates:** What I would say at this stage is similar to what Richard Brunstrom said: while that is available, our police forces all agree in principle to a single strategic force. Rather than having someone come to the meeting, we could have a written statement about what a judicial review would entail. Mr Brunstrom said that it is the authorities that will undertake that. We could have a written statement. I do not think that we need a lawyer to come here to tell us what the process would be for a judicial review. It is as well to prepare for that, but, at the moment, my sense is that there has been a big movement today with this letter and the withdrawal of support unless there is a clear timetable with finance available. We only need a paper; I do not think that we need to raise the stakes on that side at the moment.

[172] **Janice Gregory:** I will just fill Roger in on this, as he was out of the room. Leanne asked whether we should have someone attend the meeting at which we are to discuss the draft report to give us a legal opinion about a judicial review. However, Mick does not think that we need someone here; we could have a written submission. I tend to agree with that.

[173] **Leanne Wood:** I would like to know the committee's position in terms of setting that—

[174] **Janice Gregory:** Would you like me to find that out?

[175] **Leanne Wood:** Yes, please. Could you circulate a note?

[176] **Janice Gregory:** Yes. We will discuss it with you later.

11.20 a.m.

[177] I now welcome the representatives of the police authorities. Welcome to you all; it is lovely to see you again. As I said to the police chiefs, thank you for taking the time to come to committee for the second time. We have received your written evidence and Members look forwards to asking you questions. You have heard most of them, and it was lovely to see you in the public gallery. The Social Justice and Regeneration Committee has been hugely popular this morning—we think it is the best committee in the Assembly, and it was lovely to see the public gallery full. You will have heard the comments from the WLGA and the police chiefs. It is lovely to see a big full table, which is why we have these big committee rooms. I will introduce everyone, although I am sure that not everyone needs introducing. We have councillor Don Evans, chair of Dyfed-Powys Police Authority, Geraint Price-Thomas, chair of Gwent Police Authority, and I understand that you will take the lead again.

[178] **Mr Price-Thomas:** I was allocated the short straw again, Chair.

[179] **Janice Gregory:** I am sure that you volunteered for the task. I also introduce councillor Ian Roberts, chair of North Wales Police Authority, councillor Ray Thomas, chair of South Wales Police Authority, and Jean Wilding, who came to committee last time, treasurer of Dyfed-Powys Police Authority. Shelley, you did not come to committee last time. Shelley Bosson is the clerk to Gwent Police Authority. I also introduce Kelvin Dent, clerk of North Wales Police Authority, Keith Reeves, clerk of Dyfed-Powys Police Authority and Cerith Thomas, assistant clerk to South Wales Police Authority. Welcome to you all; it is lovely to see you. Who is going first? Oh, it is you, Geraint. It is this viral infection that I have had—I am sorry about that.

[180] **Mr Price-Thomas:** Thank you again, Chair, for the invitation, and it is a pleasure to be back six months on from 2 November, when we had our first discussion

on this particular review. We are glad that you have received our written paper, because we wanted you to have a document that was up to speed, as it were, although in relation to the up-to-the-minute evidence that you have received this morning from our chief constable colleagues, perhaps our written evidence and our oral discussions last night were not quite up to that kind of speed. However, as police authorities we will do our best to adjust to the pace of the way in which the review is proceeding.

[181] The committee will recall that our main concern in November was the pace of the restructuring process, and the rush that we considered that the UK Government had in pursuing what will probably be one of the biggest major reforms of policing during the last 20 or 30 years. One of the key responsibilities we have as police authorities is to provide a bridge between the chief constables and the force and our communities. Given that rush, we did not have the confidence in November to tell you that we would be able to consult with the Welsh public and our stakeholders as to how the review might best proceed, and what was best for policing for the people of Wales. It was that inability to consult that we were particularly mindful of at that time.

[182] We were also concerned about the impact that any major restructuring might have on the bedrock of policing—90 per cent of the policing that matters to people is neighbourhood community policing. We had particular fears at the time that it could be prejudiced. The work of the four Welsh forces in driving out the neighbourhood and community policing agenda has been quite remarkable, and we and the public certainly do not want to lose sight of that.

[183] The other big concern that we brought to the table in November was the way in which all this would be paid for—there were major issues. We thank the members of the committee and the Chair for the support that we have received from you and the Minister for Social Justice and Regeneration and for the forthright way in which you have put these points back to the UK Government. That has been particularly helpful. You have backed us on the timescales and costs, and, as you have heard, there has been some very recent movement in terms of developing a Welsh dimension. We tried to make the point at our first hearing that there are opportunities here to develop a new style of policing, whereby we can relate policing to the community safety agenda to get a better deal for the people of Wales, and we are very grateful for the work that you did at that time.

[184] However, as you heard from Steve Thomas and Richard Brunstrom, to a certain extent, as police authorities, particularly as chairs who have gone through very difficult and traumatic months of work with the Home Office, we have serious concerns about how the police restructuring has been carried out. As the months have unfolded, we are losing confidence in the ability of the Home Office to deliver an effective restructuring. That is the bottom line.

[185] I know that your remit today is to talk about democratic and sub-strategic structures for governance arrangements, and you have our paper. In that context, we have developed a paper that we put before you in November, because, if you

remember, the then-secretary of our organisation, Alan Fry, put forwards a model of governance by which we could develop regional tiers and get a better understanding of democratic responsibilities at the local community partnership and unitary authority level. That paper still stands, but we have refined it because the Government, at long last, in January, produced its conclusions on the review of the Crime and Disorder Act 1998 and has developed models for England. We feel—and in our paper, we are yet again arguing a Welsh dimension—that we can develop a far better sub-strategic governance arrangement for Wales. That is in the paper and we would be happy to answer any questions on that aspect from your Members.

[186] As Steve Thomas said this morning, it is early days and it is an ever-moving feast, and we would want to discuss these issues with our colleague chief constables. Much depends on the operational aspiration of the new chief constable and on the new strategic authority, and on our partners in Welsh public life, including your good selves. So, we have that paper, but, further to what the WLGA said this morning, we want to bring to the table, as four chairs, this deep concern that we have about the way in which the process has developed—or has not developed—over the last seven or eight months.

[187] We are eight months into the process. Since Christmas, we have gone backwards, to be frank; there is no doubt about that. As chairman, I can tell you that we have lost confidence in the ability of the home department to deliver this reform. We genuinely hope that Dr Reid will take time to reflect on where we should be going. I have written to him seeking an urgent meeting so that we can get our concerns on the table, in front of him, because it is important to have that face-to-face discussion. Given the dire financial scenario that has been well rehearsed before you this morning, there may well be a better way of handling the protective service gap in Wales. We have been honest, as chairs, and have acknowledged that there is a gap that needs to be addressed. The do-nothing option is not an option and, over these eight months, we, as four police authorities, have addressed in a measured way the considerable challenges that the Home Office and, particularly, the former Secretary of State put to us, but we have lost faith in the department's ability to deliver. We are getting conflicting advice, there is an inability to deliver decisions and there is a lack of understanding—not withstanding some recent movements, and I accept that there have been movements with the Police and Justice Bill, but there are caveats in those concessions that we need to talk through.

[188] All this is happening in a very challenging timeframe. As you have been reminded, we are two and a half months into a four-month statutory process. We, as the link with the communities, want to consult and take the views of the public as to what it considers to be the best structure for policing in the principality, but we are unable to deliver that because of critical issues, certainly around finance and the long-term financial viability of this restructure, and there are issues such as council tax equalisation to consider, which is a tremendous headache, and the dynamite of a future funding formula for the principality.

[189] To sum up, there is a raft of issues that we have concerns about, centring on

finance. The timescale is madness. A 2007 start is far too tight and is fraught with risk, and I am sure that my colleague officers will be able to amplify, and give you indications and examples of how things can go seriously wrong. As chairs, we want to get the best deal for the Welsh public and for our communities but, as of now, we are very disappointed. We have done our best but we are not willing to put our signature on a model of reorganisation that will deliver a less efficient and effective police service for Wales.

[190] **Janice Gregory:** Thank you for that and for your written submission, which, as you said, was a refined document. I cannot believe that it was November; it does not seem that long ago. Sandy has a question and she will be followed by Mick and Leanne.

11.30 a.m.

[191] **Sandy Mewies:** As you say, you are echoing the views that we have heard today. We now have the letter in front of us and, suddenly, everything has started to move even more quickly. I think that you have heard my suggestion that we ask our Minister to firm up what is happening, because it is hard to have this debate when the information is not available.

[192] I have just a couple of questions. The first is for Ian. I am not clear whether the police authorities are at one in supporting an all-Wales police structure if all the criteria that have been raised this morning are met, or whether north Wales is still firmly set against an all-Wales police structure; I know that I have had much information from north Wales arguing various points in the past. Looking ahead, is there a consensus view on whether the single police authority will be set up by statute?

[193] **Mr Roberts:** Thank you for allowing me this opportunity to speak to you again. As far as the north Wales position goes, it is clear that we still do not support the all-Wales police force option, but we are realistic. If we are put in a position of an all-Wales force happening, then we will have to work with it and ensure that we get the best position for north Wales from what we are left with. I did not quite catch the second question.

[194] **Sandy Mewies:** It was about an SPA set up by statute, and what the view is on that, including the regional element.

[195] **Mr Roberts:** It would be a fall-back position for us, but we would then have to support having a strong regional element to an all-Wales police force. We would not be looking for anything that was a talking shop; we would prefer to see the delegated powers go to the regions, where the positions are. So, it would be a strategic authority dealing only with those strategic matters that cannot be dealt with at a regional level.

[196] **Sandy Mewies:** Thank you for that. I thought that that was the position, but I

just wanted to have it clarified.

[197] **Mr Price-Thomas:** As far as the police authorities are concerned, we stand for the options that we put forwards at the end of December. That is where we are in terms of our stance on what structure should apply to Wales. If you remember, there were three options. First, there was no change, which was not no change, because life has moved on and there is no such thing as ‘no change’ in this context. It was for the four existing authorities and forces to remain with enhanced protective services capability. Secondly, there was the two-force option, which was the historic proposal to amalgamate Gwent and south Wales police forces and Dyfed-Powys and north Wales, and the third option was that of having one strategic force. Those were the options that we put forwards in the business case at the end of last year. We worked diligently as a Welsh team to deliver on time, but we were unable to do so, because of the lack of critical information—even at that stage, and it is still the case today—to enable us to come to a sensible police authority view. We were unable to go down the route of choosing the best option for Wales. Frankly, we have been struggling to glean that information from the Home Office ever since.

[198] So, as far as I am concerned, in Gwent—and I have my clerk with me, who will correct me if I am wrong—we have not come to a firm view of which option we should choose. We are still in a period of seeking clarity within a very challenging timeframe. Let us not forget that, if things go ahead as per the Order—and Richard Brunstrom rightly mentioned that we have had another draft of a further Order in the last 10 days—we are talking about having a shadow Welsh police authority in place within three months. Sorting out its membership and remit, as well as a range of other issues, is complex, so the time factor is critical for us.

[199] **Sandy Mewies:** I think that that was very eloquently put by all the speakers today, as have all the other points that they have been making.

[200] **Mick Bates:** Thank you for your previous evidence and for attending today. In your previous session, when I asked Jean Wilding for some projected figures, I think that that was the first time that the financial scale of what was intended by the ‘Closing the Gap’ paper emerged. I will return to that in a moment, if I may.

[201] First, we all appreciate what you are saying about the timescale, and the haste in which this process has been undertaken, but, by and large, in annex B, you present us with a model of connecting policing to communities, and I take it that there is unanimity among the authorities on that model. Is there?

[202] **Mr Price-Thomas:** I will let Ian speak for himself because we know that there is always a north Wales dimension to these issues—and quite rightly so. There is support for that model before you among the three southern authorities. In the body of the covering paper, we have included paragraphs relating to the nuances that north Wales would like to see brought forwards.

[203] Having said that, notwithstanding the degree of difference of approach, I must underline the fact that we have continued to work extremely well with our north Wales colleagues, as we must do. However, it is important that we recognise that there are differences of view and emphasis. We are striving, outside the context of law, the statutory provisions, to enable a new authority, if one is established, to develop a regional dimension, so that we can overcome the concerns of north Wales in relation to its independence—perhaps by way of standing orders and provisions within our internal rules and regulations. We are working on that together, very sensibly.

[204] **Mick Bates:** I wonder whether there is something further to add to that.

[205] **Mr Roberts:** Yes. We have been working well together and we are getting closer to a consensus. However, we are not quite there yet and there is a difference in emphasis on strong regionalism and the strong devolution of powers from the centre to the region. We have our differences as to how that would work. However, we can see a workable model through that.

[206] **Mick Bates:** Thank you for that honest reply. On that, I note the reference to other national policing agencies. Would that include, for example, the Police Federation of England and Wales?

[207] **Mr Price-Thomas:** Yes, certainly. We link across in all aspects of policing, and community safety would have to be related too. Today, we are in the game of total partnership—working together and bringing in all relevant parties.

[208] **Mick Bates:** This is my final question on this point, before I move on to the business case. You say that there is unanimity among you, but, at the end of the day, who will say, ‘This is the structure that we will adopt’? Will that be a joint decision, or a ministerial or Home Office decision?

[209] **Mr Price-Thomas:** This matter has been devolved by the home department to your good selves because it comes within your remit. At the end of the day, your committee, your Minister, the Assembly et al will have the final say in terms of sub-strategic responsibilities and the structure. We are putting in evidence, we have a particular view and, of course, you will take evidence from other parties and come to your own decision on this. Again, it is the time that it will take to deliver it all.

[210] **Janice Gregory:** The whole point of us being here this morning, taking this evidence, is because the Minister has asked us, as a committee, to undertake the task that she could not have undertaken within the timescale allowed.

[211] **Mr Roberts:** We need buy-in for this from the whole of Wales. If we do not get that, it will never work. So, I think that it is important that we reach consensus from all of us.

[212] **Mick Bates:** I now turn to Jean, as treasurer, for the business case on this. We have heard a lot of figures this morning about the business case and it was your original modelling that gave rise to the awareness of the £57 million required, which I think you first quoted. What work have you undertaken to verify some of the figures that we have heard, particularly the £28 million annual deficit that is on the table at the moment? What work have you done on modelling to give rise to the £30 million deficit that will have to be made up by local authorities? Could you tell us what has been done in the meantime on the business case?

[213] **Ms J. Wilding:** To clarify one matter first of all, I will say that the work that has been done so far was done by the project team on finance, led by Andrew Bevan, on behalf of chairs and chiefs. The detailed work has been done by that team and that work has not been undertaken in the same detail anywhere in England, as far as we are aware.

[214] In terms of the work that has been done to verify that information, that initial model, the key for us now is overall financial viability, as represented by the model developed by the team. Work, at quite an early stage in terms of the assumptions, was shared with the treasurers of the four Welsh authorities and the directors of finance of the four forces. The view that came back from treasurers was that, if anything, some of the funding assumptions were slightly optimistic. That model has subsequently been subject to independent financial verification by consultants who, again, made that comment that, if anything, the assumptions on funding may have been optimistic.

11.40 a.m.

[215] To clarify that, the annual deficit that we expect, once we have gone through what is, effectively, a five to six-year process, is currently projected at £79 million per year. However encouraging the news is in terms of the negotiation of the set-up costs, where there does seem to be positive movement, it is of little consolation if the overall project is not financially viable. In terms of the £79 million, that is over 10 per cent, effectively, of the total funding that we would expect from the organisation, and that has to have very severe implications for how that new organisation would function from day 1 because, obviously, you would not wait until you had that situation. We would, effectively, be in a cuts situation from day 1, and that is what causes concern to the chairs.

[216] It will be very welcome if the Home Office is able to produce the future-proofing and the guarantees in terms of the funding, by the end of June. It is difficult to see how it will achieve that, knowing what we know about the parameters of the Home Office funding.

[217] **Mick Bates:** Further to that, the figure of £75 million in savings has been mentioned. How does that cost in and balance against the £79 million annual deficit?

[218] **Ms J. Wilding:** As Andrew Bevan pointed out, the £79 million is after taking

full account of all of those savings. That is the net position, so they do not offset each other in any way.

[219] **Mick Bates:** Fine. I wanted that clarified for the record because, earlier, I did not clarify that point with Andrew Bevan.

[220] In terms of your concern about the business plan, we heard that Geraint has lost confidence in the Home Office's ability to provide. What work have you undertaken to suggest how the funding formula, which is the third part of this matter, could be corrected to ensure that Wales does not lose out because of the sparsity issues in the formula? Whatever happens, if there is a single strategic force, we will lose more money on that. What work have you done to say, 'This is how you correct the formula', so that we do not lose money?

[221] **Ms J. Wilding:** We are flagging up the concerns about what the effect of the formula would be. I honestly do not see how it could be underwritten in the formula. Anything short of ring-fencing a sum of money for Wales is unlikely to produce what we would need.

[222] **Mick Bates:** I want to continue with this important line, as I have not yet established the amount that we would lose. What amount would we lose in the formula if there was a single strategic force?

[223] **Ms J. Wilding:** On the basis of the model that has been put together, the projection is that some £12 million reflects the funding concerns. However, that looks at the operation of the floors and ceilings, the safety-net mechanism, and an assumption about the level at which that would operate. It does not take into account our fear about the significant loss of funding if ever there is movement onto the actual formulae amounts rather than the amount that we would receive through the floor, because there is no doubt that we would be in receipt of floor funding were Wales funded as one area because of the sparsity that Andrew Bevan referred to.

[224] **Mick Bates:** For the sake of further clarification, would that £12 million lost on the formula be part of the annual £30 million that could fall on the council tax payer in Wales, or is that additional?

[225] **Ms J. Wilding:** That £12 million is part of the £79 million. For clarity, the assumption of the model is that the requirement here will not fall on Welsh council tax payers. We have assumed, for the purposes of the model, that the maximum council tax that would be allowed in any one area would be a 5 per cent increase in any one year. The effect of that is that, over a five-year transitional period, the average council tax increase for the police precept would be just over 2 per cent, and so the effect is reflected in the shortfall in funding rather than assuming that it would fall on the council tax payer.

[226] **Mick Bates:** Okay. I noticed that Geraint and I exchanged smiles at the figure of 2 per cent. I am sure that that is optimistic. However, that is it; thank you very much. I think that I have all the figures that I need.

[227] **Leanne Wood:** I have two short questions—I will not go over the issues that have been discussed already. Given that there are likely to be job losses as a result of this restructure, particularly among support staff, can you tell us a bit about morale on the ground, in terms of all levels of workers in the police service? Has that affected service delivery? Do you envisage that becoming more problematic? Secondly, what would your views be, collectively, on support for a judicial review to challenge the way that decisions have been made so far?

[228] **Mr Price-Thomas:** I will take the last one, on a judicial review, first. Because of our general disquiet about how this process is unravelling, we are minded, as four chairs, to recommend to our authorities that we take instructions from counsel, and seriously consider the prospect of a judicial review. I would be grateful for your representations, as well as from other Assembly Members who have highlighted this. Cleveland Police has already started that process; I have not had an up to date position as to where the Cleveland legal process is. However, we are minded as four chairs, and we have discussed it recently, to ask one of our clerks to draft instructions to counsel, because we feel seriously that this process is not developing as we feel it should have done. Therefore, that is a serious consideration.

[229] We looked at this initially. It is a costly process, and, as holders of public purses, we are ever mindful of the need to balance taking legal action, which is costly, with the need for resources to be spent, perhaps, more beneficially. The advice that we had was that, because this review is predicated on primary legislation—the Police Act 1996—Charles Clarke was, and the Home Office is, on strong ground in terms of the law. Notwithstanding that, we are reflecting on the need to take advice, and, possibly, to go down the route of instigating a judicial review.

[230] On morale, it is a difficult time. Many of us around this table went through local government reform of 10 years ago, and it is a difficult period. I reiterate that we have been disappointed at the Home Office's lack of initiative in developing a human resources strategy to cater for staff reorganisation and staff changes, which will inevitably happen as part of a major reform such as this. It is only now that the relevant Home Office-chaired HR working group is starting to get going, which, again, is a disappointment, and is a tremendous reflection on the lack of grip at Home Office level in terms of this whole process.

[231] On the Welsh dimension, I am pleased to say that, again, working as a team, we have good relationships with our staff associations. Obviously, the main priority has been on the other major issues of the reform process, such as finance and timing. However, as four chairs—and I believe that I mentioned this at our last meeting—we are mindful of our responsibilities towards our 12,000 employees in the police service in Wales. There was a meeting recently at the all-Wales level between leading police officers and our Welsh police staff associations, to take matters forwards, so that we

can develop a strategy, which would assist in terms of ameliorating concerns as this process unfolds.

[232] At the local level, as far as we are concerned, in Gwent, for example, I support very much the attitude of our chief constable that, notwithstanding this huge agenda hanging over us, it has to be business as usual. The public will expect the levels of effectiveness that have been provided by the four Welsh police forces over recent years to develop, to be maintained, and to be enhanced. As I mentioned at the start, our concern is that the drive that we are having in Wales in delivering neighbourhood policing throughout all the wards in the principality must be sustained.

[233] Therefore, we are sensitive to staff needs. We have not given the priority that we should have given to it, but we are mindful of it, and I believe that this will come through. It all hinges, of course, on political developments as the weeks unfold.

[234] **Janice Gregory:** Thank you, all. No-one else has indicated that they wish to speak. Sorry, Mark, I did not see you indicating.

11.50 a.m.

[235] **Mark Isherwood:** The views and information that you are sharing with us is very helpful. I would like some more clarification on the BCU level. You are talking about regional structures, but are you ruling out the suggestion that there might be some sort of level of accountability at BCU level as well? I see you indicating that you are not. You refer to ward councillors being able to act as triggers for a response to local concerns and community action. Would that extend, in your opinion, to community and town councils?

[236] On the comments made by Ian about North Wales Police Authority, I note that the paper refers not only to strong delegation at a regional level, but to allowing for more than one deputy chief constable. Is that a shared view, or just a north-Wales view? Are you talking about having a chief constable for a geographical area or a functional area? I know that there has been some discussion about the latter. How would you square that circle?

[237] On the issue of council tax, which you have helped us to understand quite well, how would that factor in to the equalisation element? If each area, as you assume, is capped at 5 per cent, how would that impact the situation given that south Wales currently has a lower precept and north Wales has the highest precept? Are we saying that there would be a proportionately bigger increase in some areas or not?

[238] On the regions, are you still thinking about the existing four regions or—and I put this point to the two other groups this morning—are you perhaps considering working with the other two emergency services under the three regions within which they operate?

[239] On the human-resource strategy, which I think you have mentioned previously, and the need to consider the impact on staffing, what restrictions apply to you in considering the redistribution of work between uniformed and non-uniformed staff? For example, in the evidence that the unions gave before Christmas, they said that they believe that there were still additional functions that non-uniformed staff could take on board, which would then free-up uniformed officers to spend more time on operational duties. Have you considered that, or are there barriers that would prevent you from doing that?

[240] **Mr Price-Thomas:** I am not sure where to start as there were a number of questions. I will try to pick up on some of them. In terms of the proposal for the appointment of a DCC for each region, depending on how many regions we have, we are all in favour of that particular proposition; there is no dispute or divide between us on that. That is something that we have consistently supported. We are very pleased—and credit where credit is due, Chair—that the Home Office has acknowledged that that will happen, as has been explained to you. I think that the necessity of that is quite clearly set out in the chief constables' paper to you, given the fact that we have a country of many Waleses, as it were. We need this regional arrangement to provide that bridge between the strategic police force and authority and the BCU level.

[241] On the BCU level, this model does not just apply to the regional dimension; we would see a structure of accountability being provided at the more local level. This framework has been refined from the previous model that we put to you last November, following the Government's review of the Crime and Disorder Act 1998. As Steve Thomas indicated to you earlier, a lot of discussion is needed on refining this and getting the best possible structure of accountability at these various levels throughout the principality, so that the public and communities can have the appropriate input into whatever policing services are provided at that particular level. So, this is a draft and an outline, and these are some initial views. As you know, as police authorities, we are associate members of the WLGA and we work closely in harmony with it. This paper was drafted by a policy officer who we, as police authorities, employ jointly with the WGLA. So, there is some evidence of us working together—we are sometimes criticised for working in different silos. So, in terms of the BCU level, we want to refine the community safety partnership models. We have strengthened those and we have talked to local government about how that is best delivered.

[242] In terms of the HR strategy, we will have to work on and develop this as the months unfold. We, in Gwent, have a very good relationship with our staff federations and associations. We have regular meetings. The chief constable has an open door and I think that that augurs well in terms of developing the best deal that we possibly can for our employees as this review unfolds. So, we will be refining that strategy, as I say. The Home Office, which, in our view, has to provide an overarching umbrella-structure framework for these discussions, has turned down, as I understand, a request for a statutory staff commission, which we are disappointed with. As a result of that, I feel that we do lose some impetus, but we are trying to rein that back.

[243] **Janice Gregory:** I think that there was also a question on community councillors.

[244] **Mr Price-Thomas:** Thank you, Chair. In terms of the community call for action, again, we have to discuss this with the WLGA. However, from a personal perspective, I would not see any reason why our local town or community councillor could not have that facility and bring a particular concern up through the system, as it were, and have it discussed sensibly. At the end of the day, we all have to work together to get a better policing service and provide that feeling of a safer community, as it were, right across the spectrum.

[245] **Mr Roberts:** May I quickly add something, Chair?

[246] **Janice Gregory:** Yes, certainly, Ian.

[247] **Mr Roberts:** It is already happening in a lot of areas, even now. I know that, in Sandy's area, and certainly in my area, it actually goes from town and community councils directly through the community safety partnerships and the joint action group. So, there is a working relationship and accountability already.

[248] **Janice Gregory:** Thank you all. No-one else wishes to speak. Sorry, Jean, you wanted to say something?

[249] **Ms Wilding:** I will just clarify the question regarding the council tax. In the absence of any principles or guidance from the Home Office in respect of council tax equalisation, the assumption that the team made in putting together the model is that there would be 5 per cent increases in the precept for south Wales for the whole of the five-year period. As we understand, five years is the maximum for a transitional period. There would be very limited increases in the other areas, particularly north Wales, being at the other end of the scale, to allow the convergence to happen by the end of the five years. So, it is 5 per cent year on year for the five years for south Wales, which actually results in the average of an increase of just over 2 per cent over that period in council tax yield.

[250] **Mark Isherwood:** Thank you.

[251] **Janice Gregory:** Roger has just mentioned something to me. When you were all in the gallery, you heard what Steve Thomas said about the smoothing and the work that they had also done on the costings. Is that the same type of work?

[252] **Ms Wilding:** Yes; we have shared the work. So, we are on the same lines.

[253] **Janice Gregory:** That is great. So, the information that we get will obviously reflect the work that has been done by the authorities. Roger just needed to clarify

that.

