



Nick Ramsay AM
Chair, Public Accounts Committee
National Assembly for Wales

9th January 2017

Dear Nick

Thank you for the opportunity to comment on the Auditor General's report on Community Safety in Wales. I have been through the report in detail and there are number of areas in which I believe the recommendations are flawed, based on a number of misunderstandings which I have detailed in the "Critique" which I attach for your information. I shared an earlier draft with the Auditor General, which led to a very constructive dialogue, but it is clear that there are points on which we simply have to agree to differ.

The key point of disagreement is the report's suggestion that there should be a national (all-Wales) plan for community safety, with regional plans, leading to a local plan. This multi-layered approach, I believe, is wrong for three reasons :

- First, it is at odds with the legislation. As Deputy Home Secretary, I introduced the legislation which became the Crime and Disorder Act 1998. It is based on the principle that if you tackle local crime, disorder and antisocial behaviour - based on a local "audit" - local success will aggregate to national success. In the past the Home Office has often set out requirements for action which may be sensible for some areas, but are entirely irrelevant for others. The local "audit" should include crime figures from the police, but also be based on the local public experience of crime and disorder and other issues such as vulnerability, so that local action is evidence-based, is "owned" locally and leads to targeted action. These arrangements worked well for a period, but need to be refreshed and we have set about that process with partners across South Wales.

- Second, it overlooks the enormously important opportunity we have at the present time. If the Community Safety Partnerships are refreshed in the way I suggest they can feed effectively into the “needs assessment” that Public Service(s) Boards are drawing up at the present time. Public Service(s) Boards are required to “have regard” to the community safety plan, but clearly that will only work if they are up-to-date and fit for purpose. Both the Minister, Carl Sargeant, and the Future Generations Commissioner, Sophie Howe have confirmed their view that the aim of the community safety partnerships - to make communities safe and confident - is entirely consistent with the values and principles set out for the Public Service(s) Board.
- Third, it is enormously significant that the Future Generations Act is based on the same principles as the 1998 Act in that it requires local planning and delivery to be based on the local “needs analysis” and to be owned by the local partnership rather than taking a top-down approach. The difference is that there is oversight of the work of Public Services Boards - including scrutiny of their needs analysis - by the Future Generations Commissioner. There is no such oversight of community safety partnerships - although in the same legislation I did establish the Youth Justice Board (YJB) to provide that oversight and guidance to Youth Offending Teams. In Wales that work is particularly effective because the work of the YJB is undertaken jointly with Welsh Government.

My view, therefore, is that we have a very simple opportunity to refresh the Community Safety Partnership in each area, so that it can feed into the Public Service Board, based on the “Baseline Audit” of crime and disorder. We can then effectively align the two pieces of legislation and provide the maximum impact for the public. The fact that one piece of legislation was passed at Westminster and the other was passed by Welsh Government needs to be no obstacle to actions under them being undertaken simply and logically in a co-ordinated way.

I have written to local authorities across South Wales on behalf of myself and Chief Constable Peter Vaughan and received positive responses, so we have set in train the collation of data to inform the process.

This approach in no way diminishes the role of Welsh Government or indeed the National Assembly, but it does avoid an over-generalised approach to problems which can often only be tackled at the local level. For example, if there were to be a particular issue with knife crime in one or two areas in Wales, the Minister could require each community safety partnership to “have regard” to levels of knife crime in their area while preparing their Community Safety Plan. The evidence would then be sought locally as to the nature of any problem in the locality. If there was no problem, there would not need to be significant action within the Community Safety Strategy. The focus on this issue would be on those areas where there was evidence of a problem and tackling local problems in a realistic manner would aggregate to tackling the issue across Wales as required by the Minister. Again, I can think of no better example than the Welsh legislation to combat violence against women and girls, which I found enormously helpful in working with local agencies to tackle what was my own priority within my first Police and Crime Plan

The 2011 Police Reform Act which established the role of Police and Crime Commissioner also amends the 1998 Act to give Commissioners a role in the Community Safety Partnerships. This is being taken seriously by all four Commissioners and our role is clearly complementary to that of the Future Generations Commissioner.

I therefore support the view expressed by Welsh Government that it is time to refresh the work of Community Safety Partnerships, and the Auditor General does provide some evidence of the need for a “refresh”. However I would reject the Auditor General’s suggestion of three layered plans which would increase bureaucracy, go against the principles of local ownership of local problems and solutions, and could undermine the good work that is now being done locally.

Given the strong and constructive dialogue between Commissioners and Chief Constables and with Ministers, and the fact that community safety work under

the existing legislation fits so well with the advent of the Public Service Boards, we have the opportunity to produce a uniquely Welsh solution for maximum impact and minimum bureaucracy.

I would be very happy to give evidence to your committee in greater detail and – as mentioned earlier – I attach a more detailed critique of the Auditor General’s Report since there are important detail arguments that need to be dealt with. As is often the case, the “Devil’s in the detail” but I hope the above summary boils the whole debate down to three key principles.

Yours ever

A handwritten signature in blue ink, appearing to read 'Iain', with a long horizontal stroke extending to the left and a curved flourish at the end.

Rt Hon Alun Michael

Police & Crime Commissioner for South Wales

A Critique of “Community Safety in Wales”

- the report published by the Auditor General for Wales, October 2016

I fear that the report published by the Auditor General for Wales on the subject of Community Safety in Wales may mislead the reader in a number of ways. The report is based on a mistaken understanding of the nature of Community Safety and the legislation on which current practice is based.

I have discussed the report with the Auditor General, who has been both courteous and willing to engage in constructive discussion of the issues, although there are aspects on which we have to agree to differ. Having reviewed my initial comments in the light of our exchanges, I now set out my considered view and this note is intended to provide the basis for a different set of actions to those set out in the report’s recommendations.

WRONG CONCLUSIONS

The basic fault in the report is that it appears to believe that a top-down approach based on a sort of “national plan” is the way to promote Community Safety, whereas all the evidence suggests that local solutions to local problems, based on local evidence, is the right way to make the community safe. The primary legislation in this area of activity is the 1998 Crime and Disorder Act, for which I was responsible as Deputy Home Secretary, based on the belief that correctly identifying local problems and solving them will aggregate to national success, while generalised national approaches rarely address local need.

It follows that the report is not consistent with the legislation which established the approach to Community Safety in England and Wales and recommends an approach that is also out of kilter with more recent legislation in Wales, particularly the Well-Being of Future Generations Act 2015.

The Future Generations Act takes a particularly enlightened view of delivery, requiring a comprehensive local Needs Assessment to be prepared by each

Public Service(s) Board as the basis for drawing up plans for local action and scrutiny of the local work by the Future Generations Commissioner.

This gives responsibility to local leadership while providing an assurance of oversight and the achievement of standards required by the Future Generations Act. This is comparable to the highly successful model established for Youth Justice, driven through local Youth Offending Teams with scrutiny and support provided by the Youth Justice Board (YJB). In Wales that Youth Justice work has been driven jointly by the YJB's team in Wales and by Welsh Government, thus providing oversight that is tuned to Welsh circumstances.

The Report is certainly correct in identifying flaws in the current operation and practice of Community Safety Partnerships, and I do not dissent from the report's conclusion that there is a disconnect between planning priorities, resources and activity. There is still much good work led both by local authorities and by voluntary and community organisations, but in the past few years, as local authorities and the police have struggled with the severe impact of "austerity" this work has often been given less attention and less resource than in the past. That is why, on behalf of the Chief Constable and myself, I have proposed that we go back to first principles with a local "audit" of crime, disorder and antisocial behaviour as the basis of a refreshed Community Safety Strategy in each local area in South Wales. This has received an immediate and positive response at the local level and will provide the means by which each Public Service(s) Board will be able to fulfil the requirement in the Future Generations Act to take account of community safety strategies. Clearly, if it is to be taken into account seriously by the Public Service Board, the Strategy needs to be robust and up-to-date in identifying local needs. The solution to the current need for a refreshed local strategy lies in refreshing the local evidence base and the level of engagement, not in a top-down approach.

Part 1

The report states as its conclusion that a variety of public bodies have overlapping responsibilities for community safety and concludes that this "creates barriers to effective delivery". In fact the legislation rightly reflects the fact that a variety of different bodies have responsibilities which affect the level of crime, disorder and antisocial behaviour and that the only way to

tackle these issues comprehensively is through a partnership approach. The responsibilities of different agencies, departments and organisations are inevitable intertwined and while it may be true to say that “overlapping responsibilities and the multiplicity of agencies complicate delivery” that is the reality in which we live, and the arrangements of the past in which each agency was responsible for a silo of service delivery resulted in inefficiency and in people and communities falling into the cracks. The Future Generations Act’s requirements and the role of the Public Service(s) Boards create a powerful and genuine opportunity to “join up the dots” and to address many past failings in the public sector. By the way, I have referred to them as Public Service(s) Boards because many people talk of them as “Public Service Boards” implying a seamlessness of local service to which we aspire, whereas the Auditor General has pointed out to me that the Act refers to Public Services Boards. Personally I don’t think it matters and what is crucial is to seize the current opportunity.

The inter-connected nature of different agencies was clear at the time of the publication of the Morgan Report and the introduction of the 1998 Crime and Disorder Act, but the evidence is set out most clearly in the 2010 report of the Justice Select Committee on “Justice Reinvestment” which noted that while the first responsibility of the police is to prevent crime and reduce offending, all levers which influence levels of offending lie outside the responsibilities of the police and indeed outside the criminal justice system. **It is a fundamental fact that success in community safety depends on local collaboration.**

On this point the report is correct at paragraph 1.9 to say that “the extent to which government, local authorities, the police and other partners work together to deliver community safety is fundamental to improvement and is not insurmountable where there is a shared vision and a clear willingness to change”. However the report wrongly suggests that “complex accountabilities for community safety make it difficult for public bodies to provide clear and consistent leadership and direction”. In fact, close collaboration between those bodies that were designated under the 1998 Crime and Disorder Act has often led to clear and consistent collaborative leadership, which has resulted in significant reduction in offending.

It could be argued that community safety would have benefited from national oversight of the sort provided by the Youth Justice Board in relation to youth

offending, but perhaps this can be addressed in Wales, through the scrutiny provided by the Future Generations Commissioner. Like the Minister, Carl Sargeant, Sophie Howe sees the objective of “safe confident communities” as being entirely consistent with the values set out for the public Services Boards and her role will be significant in ensuring that the requirement to take account of community safety strategies is observed in practice in each local area.

It is inevitable that accountability for joint action is more complex than operating in historic silos, but that does not make the outcomes less significant. It would appear that this mistaken conclusion in the report is based on a wish to have simple answers to complex problems and a view that accountability is more important than effectiveness.

The accountability and responsibilities are clear in law, but the challenge posed by the Auditor General is reasonable in seeking for the clarity in local action and delivery to be equally clear.

It is a natural consequence of the legislation that a number of organisations are collectively responsible for reducing crime and disorder. Indeed, the leadership responsibility was deliberately placed equally on the local police and the local authority while a variety of other organisations and agencies are required to be engaged (the NHS, fire service, schools, colleges etc) or required to be invited to participate (the voluntary sector, the business community etc).

The report finds that the suspension of an all Wales community safety advisory board “may have inhibited cooperation and minimised opportunities to promote new ways of working” but there is no evidence that this is the case. Innovation happens locally and is then shared, so this conclusion seems perverse and the Board has not been missed. The gap in oversight and consistency, on the other hand, does need to be addressed and, as mentioned above, this can be addressed simply and effectively across Wales through the role of the Future Generations Commissioner and locally by each Police and Crime Commissioner in each police force area. Each of the current Commissioners sees this as an important part of the role.

The report states that “arrangements to deliver community safety are complex, have changed over time and are not always joined-up, which has

created difficulties for partnership working". This conclusion is difficult to accept since the complexity work reflects the complexity of the problems.

It would be odd if arrangements had not changed over time to fit with changing circumstances and while co-operation and collaboration often appear more complex than dictatorship or top-down management, they also produce better results in complex circumstances and require a more sophisticated approach to accountability and audit than appears to have been considered by the authors of the report.

The report suggests that "developing approaches to regional working could address current weaknesses" but it is not clear what this means. In some very specific areas of work, such as the Youth Offending Service, there is a good deal of collaboration between local authorities. In the "Western Bay", for example, a single service is managed on behalf of Swansea, Neath Port Talbot and Bridgend while the Cwm Taf service covers from the Cynon Taf and Merthyr Tydfil. But by its very nature, most of the general work of Community Safety is very local in its nature.

We also suffer from the imprecise use of the word "region" and this often causes confusion. In the context of England and Wales, the term is sometimes used - annoyingly - to refer to Wales, it is sometimes used to refer to the Police Force Area and it is sometimes use randomly to refer to any combination of local authorities working together for a specific purpose. It would be better not to use the word region at all, and to be precise as to what specific area is being referred to in any recommendation.

In this recommendation, the report states that "further work is needed to ensure accountability arrangements are fit for purpose" which seems odd when the recommendation itself seems likely to dilute the accountability arrangements.

The report states that "citizens who responded to our survey are not clear on who is responsible for community safety in Wales" but it is not clear why this is seen as a problem. It is surely more important to provide leadership and to be effective than it is to be seen, and while leadership is shared between the chief Constable, the Police and Crime Commissioner, the Leader of the Council and the Chief Executive, many other bodies are also involved and for any one of

them to claim success without giving credit to the others would put the partnership at risk. It is surely most important for the partnership to be effective, and to share credit, or agree together on the need for change or improvement, even if that makes it difficult to identify a single “author”.

Part 2

The report states that “national, regional and local priorities differ greatly and are not aligned” but it is not clear what problem is being addressed in this statement. As indicated at the start of this response, an aggregation of success in tackling local problems will add up to national success and national priorities should be confined to genuinely national issues. The report suggests that these differences risk “confusion and uncoordinated action” but the real threat would surely arise from inappropriate national requirements being set - for example requiring local action to tackle knife crime in an area where there is no knife crime problem – or vice versa.

The report states that “there is limited evidence of public engagement to inform the plans” which appears to muddle two separate issues. This point appears more than once in the report. On the one hand action to improve community safety should be based on clear evidence, and there has been significant convergence between the public experience of crime and what is reported to the police. A variety of local ways of listening to the experience of the public are used in most areas, in addition to the sequence of interviews of the Crime Survey of England and Wales, whereas public engagement is a different type of activity with different purposes. It is therefore difficult to understand what the report is recommending and for what purpose.

In a single finding the report states that “there is wide variation in the robustness of community safety plans and the lack of alignment between the UK, Welsh, regional and citizens priorities undermines partnership working and opportunities for improvement”. It may be the case that there is wide variation in the robustness of community safety plans and that is something on which it is legitimate to comment, but I would expect the report to be specific in its criticisms and to make specific recommendations about how higher standards could be achieved. Improvement and aspiration to high standards

are surely more important than consistency, and it is not clear what connection this has with the rest of the sentence.

Having said that, I mentioned earlier that, as local authorities struggled with the initial impact of “austerity”, community safety teams lost resources and the processes became less robust. That is why I have engaged with local authorities and Public Service(s) Boards in my area to refresh the evidence base (community safety audit) as the necessary precursor to refreshing the community safety plan and feeding it into the Public Service Board’s process in each area. Paragraph 2.19 provides some relevant evidence of weaknesses.

The report states that “Police and Crime Commissioners generally draw on a wide range of evidence to determine their priorities for action, but the approach taken varies and is not always robust”. I would expect the report to be very specific about any approach which is “not robust” and to make specific recommendations for improvement. On the other hand one would expect each Police and Crime Commissioner to draw on a wide range of evidence to determine priorities. Indeed, one would also expect variation as this was of the essence of the Government’s decision to establish the role of Police and Crime Commissioner. Asked whether he would require Commissioners to toe a line on aspects of delivery, the Minister who introduced the legislation, Rt Hon Nick Herbert MP, said “Certainly not. It is for each Commissioner to take decisions and be accountable to the public for those decisions. Let 41 flowers bloom - some will succeed and others will go to the wall”.

The criticisms in paragraph 2.16 are weakened by being generalised and not identifying the Police & Crime Commissioner who is being criticised. I can only say that the paragraph clearly does not refer to South Wales because, working closely with the Chief Constable, I and my team have been at great pains to align the strategic approach and the detail of the Police and Crime Plan with the plans of local authorities and other agencies. It has been a two-way process that has benefitted all of us. However the general comment that community safety partnerships should set out clearly how they will achieve their priorities is what the 1998 Act specifically requires, and the whole concept of a “refresh” is about returning to those clear, sound principles.

Personally I take a very robust approach to evidence of the problems that need to be tackled and the evidence of effectiveness, but that is my decision and if a Commissioner takes a different view it is for him/her to account for it.

The report also states that “most local authorities have adopted priorities for community safety, but these are not always clearly set out”. There is a difficulty with this statement since the local authority is expected to provide leadership, but it is not expected to provide that leadership in isolation. Leadership of the Community Safety Partnership lies jointly with the local authority and the local police, who are expected to lead a wider partnership. If the priorities of the partnership are clear that is surely what matters.

Part 3

In part three, the report comments on the impact of “real term reductions in police and local authority community safety management budgets”. This is clearly a serious issue as the flexibility for the police in South Wales is considerably reduced by the cuts in police officer numbers from some 3,400 to about 2,800 while in recent years. Local authorities have also experienced considerable cuts in their finances. In South Wales we have maintained the contribution to community safety budgets and to the Youth Offending Service from the police service budget.

The report states that “the availability and use of grants to fund community safety activity is intricate and changing but it is not always clear what benefits or positive impact grants are having”. This is one of the reasons that I have chosen a more participative approach to community safety. Instead of, in effect, sending off a cheque and waiting to hear how the money has been used I regard the contribution to the local community safety partnership as “buying a place at the table”. The Welsh Audit Office used to ask what my contribution had bought, as if it was a grant to purchase widgets, but I think it is now understood that this is a contribution to the whole budget whose application we seek to make effective through my engagement and that of my team. We are a part of the partnership, not an external grant-making body.

The report reflects a 32.7% cut in local authority expenditure on the management of community safety, which is a lot but arises from UK Government cuts and may therefore be inevitable in a time of “austerity”, but it is

also true to say that we are all seeking to “do more with less” rather than seeing a decline in the effectiveness of community safety work.

Part 4

The report refers to “difficulties in defining community safety and weaknesses in data, scrutiny and evaluation”. I’m not sure that this is correct because community safety does indeed cover a wide and complex range of activities that need to be prevented. It includes crime, disorder, antisocial behaviour and a variety of low level activity which creates a sense of unease. The “broken windows” theory suggests that if low-level neglect is not tackled - including rubbish and graffiti - then the feeling that an area is cared for will lead to an increase in bad behaviour. Indeed, that is why the role of the Community Safety Partnership was expanded as part of the Clean Neighbourhoods Act for which I had responsibility as Minister of State at DEFRA.

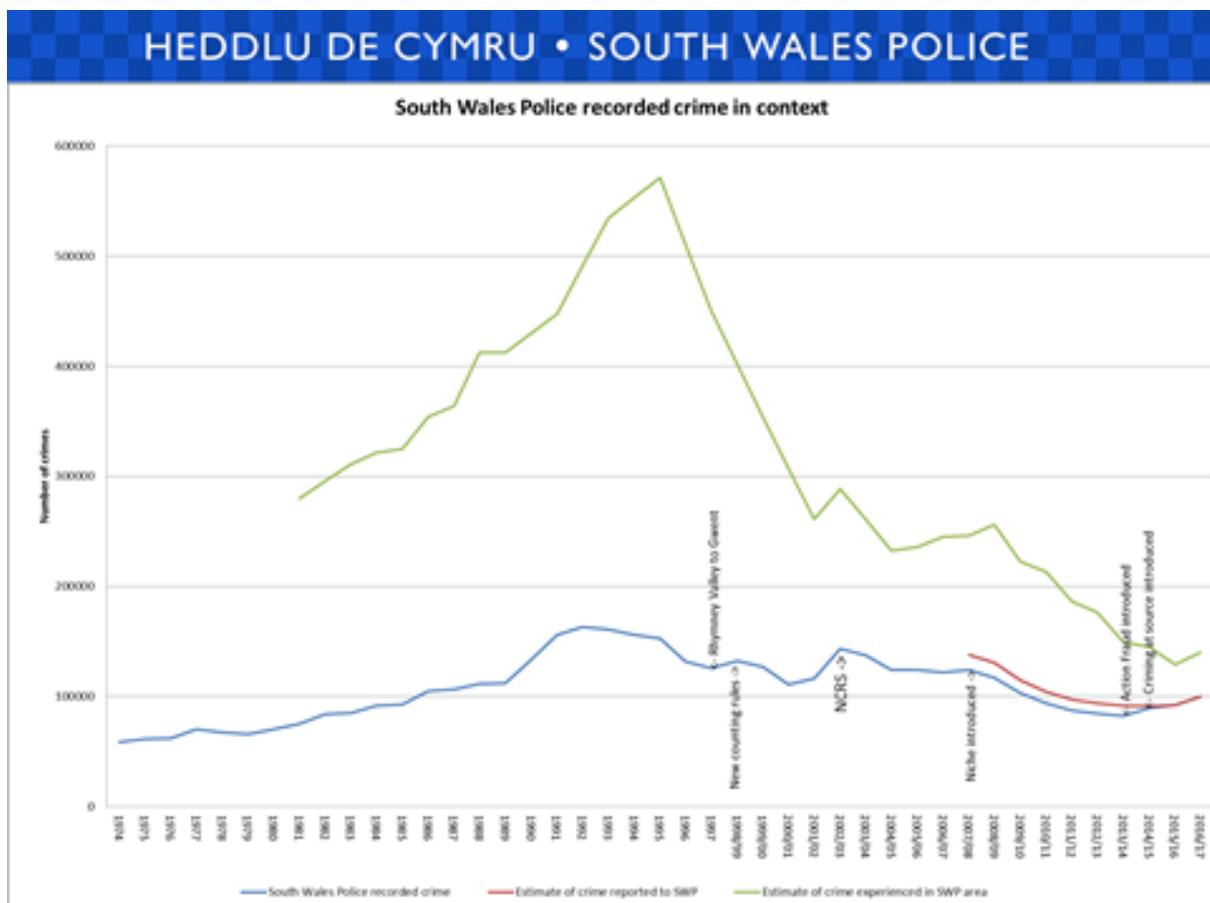
There is a need to expand the concept of Community Safety and aim to create “Safe Confident Communities” but that very concept includes two very separate elements. I frequently ask public meetings in Cardiff whether they are safer or less safe in the city centre than 10 years earlier. In response a significant proportion – often a majority – say they are less safe. In fact violence has been reduced successively in the centre of Cardiff, more than in equivalent cities, over a period of nearly 20 years. The fact is that we have had significant success in making people safer but they don’t know it even though local newspapers do frequently report the success of the approach while also reporting on the disorder that does still happen.

The distinguished work of Prof Jon Shepherd in analysing and reducing violence has been built upon incrementally over time. I feel safe in the centre of Cardiff, because I know the facts. Most people - despite that information having been given in headline after headline over the years - still live with the perception that they are less safe in the city centre. It would be wrong to criticise the police or the local authority for this state of affairs when they have, together, played a significant role in making their public safe. This does not seem to have been understood by the authors of the report and is merely one illustration of the complexity of dealing with the separate issues of

“safety” and “confidence” with which anyone concerned with Community Safety must wrestle on a daily basis.

The report is right to say that it is challenging for public bodies to demonstrate the impact of their activity, but that simply comes with the territory in such a complex area of public policy. It is a continual challenge which community safety partners strive separately and collectively to meet.

The report states that “police records and survey findings suggest that crime in Wales has fallen significantly in recent years, but recent reviews of raised issues of concern about the integrity of the data, which makes measurement of community safety difficult”. The first part of the sentence is correct, but a great deal of work has gone into ensuring the robustness of the data, including “criming at source” which was introduced because it is right and despite the fact that it would show higher figures for recorded crime. There has been praise from the HMIC for the robustness of our crime data. That leads me to refer to the facts of crime over recent years as shown in the graph below.



Care must always be taken to look at trends over time, and the graph demonstrates the change in relation to two important indicators.

- One is the level of crime as reported to the police and
-the other is the experience of crime as reported by the public to the Crime Survey of England and Wales (formerly the British Crime Survey).

It is absolutely clear – as the graph shows - that there is greater convergence between recorded crime and the public experience of crime that at any time over the last 40 years. As crime as such is not the only measure of Community Safety, it is important for the Community Safety Partnership to understand the level of experience and concern locally in order to address what is really happening in the local community.

That simply cannot be done at a regional or national level but has to be done at the local level and that is specifically required by Sections 5 and 6 of the 1998 Act. The 2011 Police Reform Act then inserts the Police & Crime Commissioner explicitly into the process. For completeness it should be mentioned that the Clean Neighbourhoods Act 2005 added responsible for local environmental issues to the role of the Community Safety Partnership and is another piece of legislation for which I had responsibility. I saw adding this responsibility to the role of the Community Safety Partnership (originally called the Crime and Disorder Reduction Partnership) to be a better option than creating a further set of organisations and that such an approach was consistent with the “broken windows” approach to reducing crime.

The report is right to say that “Citizens have mixed views on their quality of life and how safe they feel”. One of the problems in judging how to deal with this issue is that of the “worried safe” and the fact that some are reassured by seeing police on the streets while people in other communities find the appearance of people in uniform worrying. The pernicious use of the term “Bobbies on the Beat” in the media and by some politicians does little to help.

The final finding of the report is that “judging performance and impact in delivering plans is difficult because of wide variations in the quality and range of measures and targets and actions that public body use”. Not only is that true, I wouldn't have it any other way, because that is of the essence

Community Safety. It may make it difficult to count the beans but it is the reality which is being tackled by those involved in this endeavour in ever more sophisticated ways.

Summary Report

I have addressed the conclusions since the most important thing about any report is what should be done in response to its findings.

But in the Summary Report there are some errors which should be noted

- It is suggested in paragraph 3 that “local authorities, the police and health authorities are together responsible for achieving community safety”. As a statement, that is not strictly correct.
- Police and Crime Commissioners **are** explicitly linked into the requirements of the Community Safety Partnership arrangements of the 1998 Act – see the following, especially clauses 1 and 2

This has been summarised by the Home Office as follows – paragraphs 1 and 2 are particularly relevant while the third paragraph refers to the responsibility for holding the local criminal justice system to account :

Duties of Police & Crime Commissioner, as set out in the Police Reform Act 2011

- 1. The Police & Crime Commissioner must, in exercising his functions, have regard to the relevant priorities of each responsible authority.*
 - 2. The Commissioner, in exercising his functions, and a responsible authority, in exercising its functions conferred by or under section 6 of the Crime and Disorder Act 1998 in relation to that police area, must act in co-operation with each other.*
 - 3. The Commissioner, and the criminal justice bodies which exercise functions as criminal justice bodies in that police area, must make arrangements (so far as it is appropriate to do so) for the exercise of functions so as to provide an efficient and effective criminal justice system for the police area.*
- There is some confusion as to the responsibilities of the Commissioner which are described as being “regional” (sic) whereas we have to operate locally. That is why I have a meeting every quarter with the Leader and Chief Executive of each local authority. I go to them, and the Chief Constable comes too. We don’t expect them to come to us because this is all local in nature.
 - While responsibility for policing is not devolved, we can only operate in the devolved context. All four Police & Crime Commissioners believe

that policing should be devolved, and have published a joint statement saying so, and the chief constables regard this as inevitable having regard to the situation elsewhere in the United Kingdom.

- The main line of accountability for the Police & Crime Commissioner is to the electorate, not to the Government although in some aspects – such as the Strategic Policing Requirement – the Home Secretary does have the legal responsibility to set out the headline requirements. So in general Commissioners do not “take their lead from the Home Office” but there is continual (and lively) dialogue with the Home Office and on relevant issues with the Ministry of Justice. There is also a developing relationship with the National Police Chiefs Council (NPCC).
- Paragraph 7 refers to the individual report that has been prepared by the Welsh Audit Office for each police area. I’m particularly pleased to see that the report states that “The Commissioner provides effective leadership on community safety” and that “The Commissioner is working effectively with partners to deliver their community safety priorities”. We will work through the specific suggestions made in that report, but I have addressed most of my comments to the national report since it is that report which could lead to changes based on what I believe to be misapprehensions.
- Paragraph 8 list criteria for the review, but the contents seems to me to be a very odd mixture. The real test is whether a community is safe and confident – but the second of these is not in the hands of public bodies alone. The Media – and increasingly Social Media – have a significant role.
- The document states that Community Safety Partnerships are accountable to the Home Office, but that is not strictly correct.
- Paragraph 13 does not correctly describe the planning process in South Wales where considerable effort has gone into making sure that the Police & Crime Plan is consistent with local Community Safety Plans and other documents of the local authorities, health boards etc.
- Paragraph 15 is wrong : Funding for Police & Crime Commissioners and Police Forces in Wales has not remained stable! Nevertheless I have maintained my contribution to local community safety partnerships and

the level of police secondment – in particular to Youth offending Teams – has also been maintained.

Response to Recommendations :

- R1 : Not accepted. The 1998 Crime and Disorder Act was based on a rejection of top-down centralised control in favour of the aggregation of local success to produce national success in reducing crime and disorder. Ministers can and do ensure that specific aspects of crime are considered by asking or telling the Partnership (and indeed the Public Service(s) Board) to take account of specific issues in their area. Essentially the local partnership should then examine the extent of the particular issue in their area and use that local evidence as the basis for planning and action. A good example would be knife crime. If the Minister requires the Partnership “to have regard to the local level of knife crime” their first step must be to analyse local evidence of knife crime. That should – in accordance with the 1998 Act principles – go beyond police recorded crime figures to examine experience at A & E, the experience of local young people and other sources of information to assess the local issues and provide a proportionate response. If a local area has no problem of knife crime that should be noted and while the situation should perhaps be monitored over time, no actions would appear in the Community Safety Strategy. On the other hand questioning sometimes identifies that there is a local problem that has not come to the attention to the police. So my response respects the role of Ministers – whether at a Wales or England and Wales level - to trigger fresh consideration of evidence by the local Partnership, but it I stress that it must still require an evidence-based approach, based specifically on clear local evidence. That, I submit, is far more effective than requiring an approach based on aggregated data at a national level – but tackling local problems will aggregate to national success.
- R2 : Not accepted. Community Safety is best addressed through a local partnership approach and that should continue following a “refresh”. Oversight can be provided through the Public Service Board which has been established for each area under the aegis of the Future Generations Act.

- R3 : Not accepted. This recommendation appears intended to bolster a national approach which would therefore increase bureaucracy without helping local delivery.
- R4 : Not accepted. As was explained in the 2010 report of the Justice Select Committee on Justice Reinvestment, the levers that affect crime and disorder lie in the mainstream activities of organisations like local government, education and health. Effectiveness lies in coordinated action by those bodies, not by creating a separate strand of activity or top slicing their funding.
- R5 : Not accepted. This recommendation also appears likely to increase bureaucracy for no clear purpose. It is difficult to know what is meant by “appropriate measures at each level”. Performance information is already required for the work of each agency - in particular the police are measured in minute detail by HM Inspectorate of Constabulary , whilst also having a primary responsibility in law to meet the terms of the Police and Crime Plan published by the Commissioner.
- R6 : I am not entirely clear what is meant by this recommendation, which sounds like the addition of bureaucracy. However I would welcome it if it means a return to the principles set out in the original legislation (the 1998 Act) and working through the process from baseline review to action plan, to delivery and to review. That is the clear intention of our current “refresh” in South Wales with our local authority partners.
- R7 : This recommendation refers to the possibility of a role for the Public Service Board, which I welcome, although it’s not entirely clear what is intended. To me, the priority must be to engage with and align with the Public Service(s) Board and not to increase bureaucracy. The priority must surely be the twin aims of enabling communities to be Safe and Confident and delivering the Future Generations vision.

Appendices :There appear to be a number of misunderstandings and misinterpretations within the appendices.

Appendix 1

The 1998 Crime and Disorder Act was a good deal more specific than is set out in this appendix. It also introduced the Anti-Social Behaviour Order to tackle and reduce a continuum of low-level activity. This was not intended to be used on children and young people, but the age was lowered in later legislation creating significant problems because teenagers lack a sense of “risk”.

The requirement on responsible authorities to share evidence-based data was already set out in the 1998 Act and in any event was already the law. The requirements of the Police and Justice Act of 2006 illustrate above all else the innate reluctance of public bodies to understand the need to share data for the purpose of preventing and reducing crime. The requirement of annual rolling three-year community safety plans also existed from 1998 and despite the reinforcement in 2006. This has not always been observed.

The 2011 Act also embedded Commissioners within the requirements of the 1998 Act much more firmly than is suggested here.

I would argue that the Anti-Social Behaviour Crime and Policing Act of 2014 significantly weakened the powers to tackle antisocial behaviour.

Appendix 2

Reference is made in this appendix as the requirements of the Serious and Organised Crime Strategy and we need to be clear that these are not in conflict with local arrangements for Community Safety. These are two separate sets of requirements.

Welsh Government does have responsibility for Community Safety as a contributor and a designated body under the 1998 Crime and Disorder Act. What is far more significant is the responsibilities of Welsh Government for virtually every body that has an impact on levels of crime and disorder in the local area. That makes the establishment of Public Service Boards under the Future Generations Act a significant development into which community safety partnerships need to fit.

Collaboration between different organisations can be achieved in a variety of ways. For instance, in South Wales we have a Memorandum of Understanding which has been signed by the Police and Crime Commissioner and the Chief Constable, along with the Chair and Chief Executive of Public Health Wales.

This recognises the fact that many factors that have a detrimental effect on health also have a detrimental effect on community safety and the most significant developers the way in which we are working together to mitigate the impact of Adverse Childhood Experiences. [See Annex]

In relation to the role of Police and Crime Commissioners, the words are accurate, but the whole ethos of the role is to tackle crime and achieve community safety. Being able to commission community safety work is nothing like as important as the elements in the Police and Crime Plan and the way in which that is integrated into the work of other agencies in the local area. The Police and Crime Commissioner is above all else a force for reducing crime and increasing community safety.

The paragraph on local authorities states that “community safety partnerships are led by local authorities” but legal responsibility for leading the Partnership lies jointly with the local police and the local authority, while the other designated bodies are required to be fully engaged in the work of the community safety partnership and others (such as the voluntary sector and business) have to be invited to be involved.

Finally, there are additional responsibilities placed on Community Safety Partnerships by the Clean Neighbourhoods Act 2005 which included the words “including anti-social and other behaviour affecting the local environment” to the role of the Partnerships as set out in the 1998 Act. That seems to have been overlooked in this report.

Alun Michael

January 2017

Annex follows

ANNEX

The following Graphic sets out the potential impact of preventing Adverse Childhood Experiences in Wales. While prevention is better than cure, those who experience ACEs may live for many years and we need to take steps to help individuals when the impact of ACEs emerge and reduce the potential negative impact on the community.

It will result of benefits both in terms of health and also in terms of the **reduced likelihood of offending**. That is at the heart of the South Wales Police approach of “Early Intervention and Prompt Positive Action” and the work we are undertaking in collaboration with Public Health Wales as well as (in relation to young offenders) the Youth Justice Board staff in Wales.

What if we prevented ACEs?

