

Wales Safer Communities Network response to: Home Office - Community Safety Partnerships Review and Anti-Social Behaviour

Closed 22 May 2023

Response submitted via the online survey

Questionnaire:

Part 1

1. Do you think that the strategic assessment should include detail of how the CSP has delivered its PCC's Police and Crime Plan?

No

2. Do you think that the CSP strategy group should send a copy of its strategic assessment to its PCC?

Yes

3. Do you think that CSPs should publish their strategic assessment and/or an executive summary of their strategic assessment?

Yes (full Strategic Assessment and an executive summary)

4. Do you think that CSP strategy groups in Wales should send a copy of their partnership plan to their PCC? If you do not operate in a Welsh context please select 'Not applicable'

Yes

5. Do you think that PCCs should demonstrate how they have had regard to the priorities of the responsible authorities making up the CSPs in the police force area?

Yes

6. In your view, what other steps could be taken to improve the way in which PCCs work with CSPs?

Open Text (250 word limit)

In Wales three of the four Offices of the PCCs sit on the CSPs and on the Public Service Boards which sit above them (in Wales). Their attendance ensures engagement in the preparation as well as the final documentation, and for information and crossover between the CSP and PCC Police and Crime Plan. The inclusion as an equal and valued member of the CSP enables partnership working and ongoing discussion, it also enables dovetailing, reduces duplication, and works to prevent gaps between the different elements.

At a workshop when we asked partners from Police, PCCs and Local Authorities all raised concerns that there was very limited information in the consultation and

requested more detailed information in order to provided fuller responses. The number of different strategic assessments that are required separating out serious violence, domestic abuse and sexual violence is leading to more complexity and resourcing for data analysts. Whilst funding used to be provided for the CSPs to have data analysts, this funding now goes to the PCCs. There is a risk of the PCCs being the only one with analysts and dictating from limited information that goes into the Police and Crime Plans, whilst the CSPs are left with limited or no resources to deliver in a complex landscape to reach individuals and communities sooner to prevent any escalation that requires the input of criminal justice.

7. Do you have any information you would like to provide in support of your answers to the above questions?

Open Text (250 word limit)

The Strategic Assessment is already produced so could be published, and the Wellbeing Plans for Public Service Boards are published in Wales. However, it should be noted that a Strategic Needs Assessment is a time to reflect and to identify what is and isn't working. Their main purpose is to identify the current issues and gaps so they can be filled, it would therefore not be appropriate for it to be a review against the Police and Crime Plan aside from what already takes place. Where elements of the Police and Crime Plan are delivered by the CSP then a review should already be taking place. We would propose that any wider review would be of a more strategic nature and be part of plans and strategies developed from the needs assessment.

PCCs that sit on CSPs also own the assessments and actions that come from them, as they are party to their development and agree as part of the sign off process. There is already a requirement for CSPs to take due regard to the Police and Crime Plans so rather than new powers there should be an increased focus on delivering against current legislation.

Community Safety leads and members of CSPs are already stretched with the roles and duties that they need to undertake. There is a desire for continuing to develop the relations across all partners including the PCCs, but concern at additional requirements with no additional resources.

Questionnaire: Part 2

8. Do you think that PCCs should have a more active role regarding how they interact with CSPs to drive the delivery of the priorities in their Police and Crime Plans? Please provide any additional text to support your answer.

Don't Know

Open Text (250 word limit)

In Wales three PCCs or staff from their offices sit on the CSPs and are openly engaged in all discussions including on priorities, the fourth has an open door for the CSPs and is engaged in other partnerships to support the agenda. There is evidence

that where there is an equal relationship there is more likely to be an easy flow between the CSPs and the Police and Crime Plans.

The CSPs sit under Public Service Boards in Wales, linking with others such as Regional Substance Misuse Area Planning Boards, Regional Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Boards, and Regional Safeguarding Boards (all potentially delivering CSP and Police and Crime Plan priorities). There are differences in where things sit due to the different partnership landscape and therefore the important element is for all to have an equal voice. Elected officials from Councils alongside PCCs and their officials are involved, it is thought this works well and enables stronger partnerships.

The Safer Communities Board for Wales involves representation from the police services, local authorities, fire and rescue service, probation, Welsh Government and the third sector and is co-chaired by a PCC and a Welsh Local Government Association spokesperson. Nationally important issues are raised to the Board, and information shared from the Board to the Public Service Boards and CSPs. This system works well and maintains the balance between the devolved and reserved public bodies and enables escalation where appropriate for more in depth discussions and solutions at appropriate levels.

9. Do you think that PCCs should have a power to review the CSP's strategic Assessment?

No

10. Do you think that PCCs should have a power to make recommendations on the activity of CSPs to support the delivery of the objectives set out in the Police and Crime Plan and guide the activity of CSPs to ensure delivery of better outcomes for local communities?

No

11. If you responded 'Yes' to Question 10, do you think that CSPs should be required to take those recommendations into account? If you responded 'No' or 'Don't know' to Question 10 please select 'Not applicable'

Not applicable

12. Do you have any information you would like to provide in support of your answers to the above questions?

Open Text (250 word limit)

If the PCCs are active partners in the CSPs then they are involved in the development of the assessments and other documents so do not need to make additional recommendations. Any data and evidence they have used to develop the Police and Crime Plan should be made available as part of the development of the assessment and would then be part of the process for partners. It may be possible that a priority or recommendation from the PCC is specific to a force wide

perspective but not to a smaller geographical area, which is likely to lead to local variations.

The Police and Crime Plans often go beyond the remit of CSPs covering areas such as the Police estate and vehicles. There is also a potential risk of community safety becoming too politically motivated instead of focusing on the communities, victims and perpetrators. There is a possibility that in the future a PCC could try to skew the work being undertaken by the CSP to fit their own agenda which if it occurred would be to the detriment of partnership working and reduce the voice of the communities themselves. Maintaining an equal role and relationship should reduce this risk.

In consultation with our members they felt that the key is for the PCCs to be embedded within CSPs so they are involved rather than being completely separate from the process.

13. If there is any additional information that you believe should be taken into account, please provide details:

Open Text (250 word limit)

There are different demographics for each PCC with a range of different environments, in Wales whilst there are individual Council area CSPs, there are also escalation routes to more regional CSPs as well as the Public Service Boards with a more strategic perspective. For example, in South Wales there are seven local authority areas and currently six CSPs, in Gwent there are five local authority areas each with their own CSP but then there is a regional CSP where issues, concerns and a Police force wide perspective can be taken. The Gwent model would not work for South Wales because the regional structure is different. South Wales is covered by three health boards, two fire services and includes the two largest cities in Wales. The added complexities of devolved and non-devolved areas within the layers of partnership means that relationships become even more important, to the success of the CSP including the PCCs having an equal voice and input.

Community safety is more than just policing and crime. Successful community safety and community cohesion prevents escalation of activity into a criminal level. Interventions and support is there not only to prevent repeat offending or more serious offenses, it is also there to prevent them from entering the criminal justice system at all. Whilst this is harder to evidence than 'does someone reoffend', it is important as it reduces the numbers needing the criminal justice system whilst making individuals and communities not only feel safer but become safer.

Questionnaire: Part 3

14. How (if at all) does your local PCC currently work with your CSP in implementing the ASB Case Review?

Multiple choice:

Audits previous case reviews

- x Promotes awareness of the process
- Attends case review meetings as an independent party
- Convenes the relevant bodies to undertake the ASB Case Review
- x Provides a route for victims to query decisions made on the ASB Case Review
- x Provides guidance for the relevant bodies on the ASB Case Review process
- x Monitors use of the ASB Case Review to identify learning and best practice
- x PCC has no involvement with the ASB Case Review process
- Don't know
- Other – please specify (open ended)

15. What added value (if any) do you believe your local PCC could bring to the ASB Case Review process?

Multiple choice:

- x Auditing previous case reviews
- x Promoting awareness of the process
- Attending case review meetings as an independent party
- x Convening the relevant bodies to undertake the ASB Case Review
- Providing a route for victims to query decisions made on the ASB Case Review
- x Providing guidance for the relevant bodies on the ASB Case Review process
- x Monitoring use of the ASB Case Review to identify learning and best practice
- N/A I don't think PCCs should be involved in the ASB Case Review process
- x PCCs already do enough to support the ASB Case Review process
- Don't know
- Other – please specify (open ended)

16. How (if at all) does your CSP currently engage with the PCC on ASB strategy and data?

- x Provides data on number of ASB incidents reported
- x Provides data on type of ASB incidents reported
- x Provides data on which agency or organisation incidents are reported to
- x Provides data on the number of times the ASB Case Review is requested
- x Provides data on the outcomes of ASB Case Reviews
- x Engages via consultations to inform ASB strategy

- Provides progress updates on strategy implementation
- Provides evaluations or results of strategy interventions
- Provides data on where ASB incidents occur/hotspots
- My CSP doesn't currently engage with the PCC on ASB strategy and Data
- Don't know
- Other – please specify (open ended)

17. What ASB data and information on ASB strategy (if any) is available to be shared between CSPs and PCCs?

- Data on number of ASB incidents reported
- Data on the type of ASB incidents reported
- Data on where incidents occur/ ASB hotspots
- Data on which agency or organisation incidents are reported to
- Data on the number of times resolutions/powers are used
- Data on the number of times the ASB Case Review is requested
- Data on the outcomes of ASB Case Reviews
- Progress updates on strategy implementation
- Evaluations or results of strategy interventions
- Nothing on data or strategy is available to be shared between CSPs and PCCs
- Don't know
- Other – please specify (open ended)

Questionnaire: Part 4

Dispersal powers

18. Dispersal Powers are currently only available to police to issue. Should this power be extended to local authorities?

- Yes
- No
- Don't know

19. Dispersal Powers can currently only be issued for up to 48 hours. Should this power be extended for up to 72 hours?

- Yes
- No
- Don't know

20. Do you have any information you would like to provide in support of your answers to the above questions about dispersal powers?

Open Text (250 words)

When we consulted with our member partners, they raised concerns about who would hold responsibility and where this would be managed within the councils as often enforcement is not sat within community safety teams. Without additional resources it was unclear how this would be used and managed. Concern was also raised that whilst it would be agreed by the council, the enforcement may add an extra unplanned burden on policing.

In principle, extending the power so it can be issued for 72 hours is supported as this would solve current issues caused by three day weekends due to bank holidays.

Drug testing powers

21. Police currently have the power to require arrested individuals to undergo a drug test when in custody. Do you think these powers should be extended to allow police to test outside of the custody suite, such as in public places?

- Yes
 No
 Don't know

22. Do you have any information you would like to provide in support of your answer to the above question about drug testing powers?

Open Text (250 words)

Our members raised the point that drug testing already takes place for alcohol or drug driving in public spaces or in vehicles. Concerns were raised around the demands on the police, ensuring testing following best practice and how that would work when the police were on foot in the night-time economy rather than having a vehicle that can hold the equipment safely and to maintain the integrity of the test.

There was also a question about the purpose as it was felt that if an individual required testing, then they were most likely already in a position that they are imminently due to be arrested if not already arrested.

Public Spaces Protection Orders and Community Protection Notices

23. Public Spaces Protection Orders can currently only be issued by local authorities. Should this power be extended to police?

- Yes
 No
 Don't know

24. Local authorities can currently issue a Public Spaces Protection Order (PSPO) after consultation with the police, PCC, the owner or occupier of land in the restricted area and other community representatives they see fit. If PSPOs are extended to the police should the consultation requirements remain the same? If you answered 'No' or 'Don't know' to the question above, please select 'Not applicable'

Yes

No

Don't know

Not applicable

25. Community Protection Notices can currently be issued to any person aged 16 and over, whereas other powers such as the Civil Injunction and the Criminal Behaviour Order can be used with younger perpetrators. Should the age limit be lowered for Community Protection Notices?

Yes

No

Don't know

26. If the age limit is lowered for the Community Protection Notice, to what age should it be lowered? If you answered 'No' or 'Don't know' to the question above please select 'Not applicable'

10

11

12

13

14

15

Don't know

Not applicable

27. The upper limit for a Fixed Penalty Notice for breaches of Community Protection Notices and Public Spaces Protection Orders is currently £100. Should the upper limit be increased to £500?

Yes

No

Don't know

28. Do you have any information you would like to provide in support of your answers to the above questions about public space protection orders and community protection notices?

Open Text (250 words)

In regard to PSPOs our members felt that the Police hold other Tools and Powers to manage situations and that PSPOs would not be utilised. It was expressed that PSPOs are already carried out jointly and that this should always be the case whoever is putting one in place.

Resourcing around enforcement could be an issue if there are an increased number of PSPOs- police already assist with enforcement.

Consistency in the age for CPN's ought to align with the age of criminal responsibility but that a CPW should take place before to encourage engagement with services and raise the seriousness of the situation. There may be limited awareness of the consequences for those under the age of 16. For many young people behaviour is linked to vulnerability or situation which should be fully explored before action is taken to reduce the risk of unfair criminalisation. There should be a point where prevention services have been engaged. Each situation should be considered individually, especially where a decision may leave others eg siblings at heightened danger of vulnerability.

Potential impacts from the cost of living on parents facing increased fine for breach of a PSPO or CPN was recognised, but the current level was thought too low. As PSPO breaches are no longer handed out, since the introduction of the Out Of Court Disposal practitioners were more concerned about the increased levels of ASB as the seriousness is only being acknowledged once a Civil Injunction is in place.

Closure powers

29.Closure Orders can currently only be applied for no later than 48 hours after service of a Closure Notice through the courts. Should this timeframe be extended to 72 hours

Yes

No

Don't know

30.Closure Notices and Closure Orders can currently only be applied for by police and local authorities. Should this power be extended to registered housing providers?

Yes

No

Don't know

31.Do you have any information you would like to provide in support of your answers to the above questions about closure powers?

Open Text (250 words)

Members thought that by allowing Registered Social Landlords (RSLs) to be able to apply for Closure Notices and Closure Orders that this may enable a temporary eviction that could lead to a better understanding of behaviour. This may allow for interventions to be undertaken the consequences of which may mean that a full and permanent eviction, which may negatively impact on other family members, could be prevented. This is especially important if there are children or younger siblings who may be negatively affected when the only option is full eviction. It should also reduce the burden on the other partners whilst amending the role of the RSLs who are likely to currently be working in partnership with the police and/or councils.

Civil Injunctions

32. There is currently no power of arrest available, without the use or threat of violence or significant risk of harm, when enforcing a Civil Injunction. Should the power of arrest be extended to all breaches of a Civil Injunction?

Yes

No

Don't know

33. Do you have any information you would like to provide in support of your answer to the above question about civil injunctions?

Open Text (250 words)

All those who engaged with the Wales Safer Communities Network thought that the power of arrest should be extended to all breaches of Civil Injunctions. However, it was also suggested that every breach should be monitored.

Community Safety Accreditation Scheme

34. The Community Safety Accreditation Scheme allows Chief Constables to accredit employed people in roles that contribute to maintaining and improving community safety with limited but targeted powers. Should this range of powers be extended to include relevant powers in the Anti-social Behaviour, Crime and Policing Act 2014?

Yes

No

Don't know

35. Which tools and powers do you think should be included from the Anti-social Behaviour, Crime and Policing Act 2014?

Dispersal Powers

Public Spaces Protection Orders

Community Protection Notices

Closure Powers

- Civil Injunctions
- Criminal Behaviour Orders
- Don't know
- No further tools and powers should be included

36. Do you have any information you would like to provide in support of your answers to the above questions about the community safety accreditation scheme?

Open Text (250 words)

Our members agreed in principle, yet felt in practice it would not work. An example was shared where previous experience, within the Community Partnership where accreditation was available, yet it was very rarely used. Concern was raised that this could result in time spent setting up a Scheme that requires time and resources to follow up which will never be taken up by those in the communities. The issue around resourcing, including financial was discussed; concern was raised as to how this could be practically delivered, as it was felt that without central resourcing this would be incredibly difficult to do.