

Senedd Cymru
Y Pwyllgor Deddfwriaeth, Cyfiawnder
a'r Cyfansoddiad
Gwneud i Gyfiawnder weithio yng
Nghymru
MJW 13
Ymateb gan: Plismona yng Nghymru

Welsh Parliament
Legislation, Justice and Constitution
Committee
Making Justice work in Wales
Response from: Policing in Wales

Policing in Wales, comprising the four Chief Constables and four Police and Crime Commissioners, is pleased to provide an initial response to the consultation by the Senedd's Legislation, Justice and Constitution Committee.

We consider it important to provide early thoughts to allow for further engagement as the Committee develops its work. On that basis, we would like to highlight to you the submissions made to the Commission on Justice in Wales, both in writing and orally as the views expressed by both Chief Constables and Police and Crime Commissioners are still pertinent. In addition, we have taken the opportunity to flag some other emerging issues for consideration at the appropriate time.

The links to the original submissions are set out below followed by the additional views of Policing in Wales for consideration by the Committee.

Original Submissions to the Commission on Justice in Wales

Police and Crime Commissioners

<https://gov.wales/sites/default/files/publications/2018-08/Submission-alun-michael-police-and-crime-commissioner-south-wales.pdf>

<https://gov.wales/sites/default/files/publications/2018-07/Submission-from-police-and-crime-commissioner-for-north-wales-arfon-jones.pdf>

<https://gov.wales/submission-justice-commission-police-and-crime-commissioner-dyfed-powys>

<https://gov.wales/submission-justice-commission-police-and-crime-commissioner-gwent>

<https://gov.wales/sites/default/files/publications/2019-04/Oral%20evidence%20to%20the%20Justice%20Commission%20from%20the%20Police%20and%20Crime%20Commissioners.pdf>

<https://gov.wales/sites/default/files/publications/2019-04/Oral%20evidence%20to%20the%20Justice%20Commission%20from%20the%20Police%20and%20Crime%20Commissioners.pdf>

Chief Constables

<https://gov.wales/sites/default/files/publications/2019-01/Submission%20to%20Commission%20on%20Justice%20in%20Wales%20from%20the%20Welsh%20Chief%20Constables.pdf>

<https://gov.wales/sites/default/files/publications/2019-03/Oral%20evidence%20to%20the%20Commission%20from%20Chief%20Constables.pdf>

Additional Comments

Further to the oral and written evidence originally submitted to the Commission on Justice in Wales, the four Police and Crime Commissioners and four Chief Constables acting as Policing in Wales, would offer further observations as follows:

- In addition to fulfilling our statutory duties, Policing in Wales contributes positively and proactively to important cross cutting work addressing criminal and social justice issues in Wales. These include community cohesion and work to both prevent and reduce Violence Against Women, Domestic Violence and Abuse and Sexual Violence. The highly successful work between Welsh Government, Policing and Wales and other partners on the latter, was highlighted at the Policing Partnership Board for Wales meeting chaired by the First Minister on June 18th 2020, along with areas where more progress can be made. In spite of the constitutional position of policing operating as a non-devolved service within a largely devolved delivery environment, joint working to deliver improvement has proved effective.
- The ongoing Covid 19 public health crisis has posed a range of challenges for Policing in Wales and as we move out of a response position to one of recovery, delivery of effective criminal and civil justice services are critical. Although accurate data is currently not available to establish the full extent of backlogs that have continued to build up across the system in Wales, it is known that that they are significant and accelerating. Policing in Wales has sought to innovate and generate a sense of urgency in addressing this issue, working across devolved and non-devolved agencies and departments and other partners. Progress has been made, but the demand that is building up in the justice system is significant and without concerted effort, there is a risk that offenders and perpetrators will not be brought to justice and victims will be denied the justice that they urgently need.
- In Wales there are already 662 cases waiting for a Crown Court trial – though the true total is much higher because of the large number of cases that have not passed through the magistrates courts in recent months. Of those, 117 are multi-handed cases. Ten of those involve 7 or more defendants. At best the use of Court Buildings will meet 25% of the total demand as long as social distancing is required in the second half of this year when there is a

need for at least 200% of normal capacity to avoid a large and increasing backlog.

- A further challenge emanating from the current pandemic has been the divergence of approach in terms of regulations and guidance across the administrations of the United Kingdom, with announcements from Central Government often failing to make clear which details apply only to England. From the start the four Commissioners pressed the Policing Minister on this issue. Great credit can and should be given to Police Officers and PCSOs on the measured and sensitive way in which regulations have been implemented, with enforcement being utilised as a last resort. There will be an appropriate time, however, when all parties reflect on the experience of developing and implementing the Health Protection Regulations, the impact of the divergence in approach between administrations and what learning can come about to support future delivery.