

Communities, Equality and Local Government Committee

Meeting Venue:
Committee Room 2 – Senedd

Meeting date:
9 February 2012

Meeting time:
09:15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Bethan Davies
Committee Clerk
02920 898120
CELG.committee@wales.gov.uk

Agenda

1. Introductions, apologies and substitutions

2. Local Government Byelaws (Wales) Bill: Stage 1 Evidence Session – North Wales Association of Town and Larger Community Councils

(9:15 – 10:00) (Pages 1 – 6)

Paper 1

Robert Robinson, Secretary to North Wales Association
of Town and Larger Community Councils

3. Local Government Byelaws (Wales) Bill: Stage 1 Evidence Session – National Parks (10:00 – 10:45) (Pages 7 – 8)

Paper 2

Iwan Jones, Director of Corporate Services, Snowdonia National Park Authority

4. Break (10:45 – 11:00)

5. National Assembly for Wales (Official Languages) Bill: Stage 1 Evidence Session – Commissioner with responsibility for the Welsh Language (11:00 – 12:00)

Rhodri Glyn Thomas, Commissioner with responsibility for the Welsh Language

6. Consideration of Evidence: Private Session

The Committee will be invited to resolve to exclude the public from item 6 of the

meeting in accordance with Standing Order 17.42(vi):

A Committee may resolve to exclude the public from a meeting or any part of a meeting where:

(vi) the Committee is deliberating on the content, conclusions or recommendations of a report it proposes to publish; or is preparing itself to take evidence from any person.

7. Papers to Note (Pages 9 – 10)

CELG(4)–04–12 : Paper 1 (Pages 11 – 17)

Letter from the Minister for Local Government and Communities – Response to the Communities, Equality and Local Government letter on Community Safety

CELG(4)–04–12 : Paper 2 (Pages 18 – 25)

Welsh Government response to the Committee's report on Disability related harassment in Wales

LGB Paper 1

Cymdeithas Cyngorau Trefi a Chymdeithasau Mwyaf Gogledd Cymru
NORTH WALES ASSOCIATION OF
TOWN AND LARGER COMMUNITY COUNCILS

PRESENTATION TO THE WELSH ASSEMBLY

COMMUNITIES, EQUALITY AND LOCAL GOVERNMENT COMMITTEE



Thursday 9th February 2012 at 9.30am

Robert A Robinson FRICS AILCM
Secretary to the Association

Alan Guinn
President of the Association

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1.00 The North Wales Association of Town and Larger Community Councils

- 1.01 The North Wales Association has been in existence for more than 30 years and currently has 31 members who predominately the larger Town Councils in North and Mid Wales.
- 1.02 The Association did discuss the Bylaws Bill at its meeting held on Friday 27th January 2012 in Llandudno.

2.00 The attendees

- 2.01 The persons attending the Committee on the 9th February 2012 are:

Alan Guinn - President of the Association

Robert Robinson - Secretary to the Association

3.00 Introduction

- 3.01 The Association thanks the Committee for the invitation to attend to give evidence on the Bill and is glad that it can represent the larger Town and Community Councils of North and Mid Wales on this important piece of legislation.
- 3.02 The only Council who is a member of the Association who has found the need to either make or update bylaws in the last few years is Welshpool although there are other member Councils who do have the need to implement bylaws for lands that they own.

4.00 The need for the Bill to deliver the stated objective of: 'empowering local authorities to take ownership for local laws'

- 4.01 Any procedure which makes the provision of bylaw making easier is welcomed.
- 4.02 There is the need to recognise training for Clerks where needed to enable them to complete bylaws within the guidance from the Welsh Assembly.
- 4.01 The experience of Welshpool in recently preparing bylaws was a good one and the staff at the Welsh Assembly were not only helpful but made it much easier to complete. It still took a long time, partly due the complicated process and partly because it was not a top priority item at Welshpool at the time.

4.02 The provisions allowing Town and Community Councils to be Legislative Authorities is welcomed and this will make it more likely that such Councils will update their bylaws more regularly.

5.00 The need for the Bill to deliver the stated objective of:
'providing a more direct means of enforcement through the use of fixed penalty notices'

5.01 For some Town and Community Councils, who have the resources, the direct enforcement suggested would work well.

5.02 Many Town or Community Councils do not have the resources to implement such schemes with often there only being a clerk, secretary and a contractor to upkeep land.

5.02 Town and Community Councils would need to train staff to implement such fines and penalties which carries a cost implication, often in Communities where the budget is small with little room for manoeuvre.

6.00 Whether the Bill achieves its stated objectives.

6.01 The Bill on face value appears that it could achieve the objectives.

6.02 The list of bylaws which a Town or Community Council appears to be as follows:

- Public Walks and Pleasure Grounds
- Open Spaces and Burial Grounds
- Public conveniences
- Mortuaries and post mortem rooms
- Baths, wash houses and swimming baths etc
- Public bathing
- Swimming and bathing pools not under local authority management
- Regulation and prevention of nuisance in market places
- Use of parking spaces
- Revoking bylaws

6.03 It is noted that Dog Fouling and Alcohol controls fall outside the Bill and are covered in other legislation.

6.04 The Association feels that such Dog Fouling and Alcohol controls on land which the Town or Community Council owns should be included within such bylaw provisions.

6.05 It is further noted that litter, cycling or horse riding controls are not specifically included and the Association feels that these should be expressly referred to for clarity.

7.00 The key provisions set out in the Bill and whether they are appropriate to deliver the objectives.

7.01 The Association feels that the key provisions are well set out and are appropriate to deliver the objectives subject to the comments in 8 below.

8.00 Potential barriers to the implementation of the key provisions and whether the Bill takes account of them.

8.01 The main barriers to the implementation of the Bill would be as follows;

- A) The ability of the Town or Community Council to complete such bylaws including the actual controls, accounting, chasing up fines and collecting them.
- B) Training being readily available to Clerks that need it to enable them to complete such work.
- C) The lack of prioritising such activity in some Town or Community Councils.
- D) With regard to the fines and penalties, it is very difficult to gain a conviction currently as the 'officer' who can take action is a County Council Officer and in a position where they have to cover such large areas. Also the Police in many areas do not have the capability to enforce nor in many cases a will to enforce.
- E) 10.04 Often when patrols are enforcing such bylaws they go in pairs, this is a cost which would be prohibitive for Town or Community Councils.

9.00 Whether there are any unintended consequences arising from the Bill.

9.01 The Association can not think of any unintended consequences from the Bill.

10.00 Other views of the Association

10.01 The Association would support the provision of a guidance booklet for Town and Community Councils in simple form and with sample provisions within it. The Association is sure that this would be completed anyway.

10.02 The PCSO's could, if empowered, be able to help with the enforcement of bylaws. However, they do not have these powers given to them in all areas. (Powys is one such case)

Robert A Robinson FRICS AILCM
Secretary to the Association
30th January 2012

Agenda Item 3

LGB Paper 2

1. Whilst simplifying the mechanism for creating bye-laws is to be welcomed Snowdonia National Park Authority have not in the past made use of the existing mechanism for creating byelaws, preferring instead to work with the public and other organisations to get buy in from interested groups rather than imposing a byelaw. Examples of such activities are the voluntary ban on mountain bikes for parts of the year on Snowdon and regulating the use of motor boats on Llyn Geirionnydd. It is not anticipated that the Bill will lead to a radical departure in Snowdonia National Park Authority's approach particularly as it appears to the Authority that the Bill (as currently drafted) means that the only area of change for the Authority will be the ability to revoke current byelaws without seeking confirmation from the Welsh Ministers (this being the only category marked "Legislating Authority" in Part 1 of Schedule 1).
2. Where agreement is not possible the Bill will simplify the mechanism for the creation of byelaws but primarily for County Council and County Borough Council and therefore has the potential to provide a more effective regulatory mechanism for such authorities but not National Park Authorities.
3. The sections of the Bill seem appropriate to achieve the desired effects of the Bill.
4. (a) Please see response to question 1 above.
(b) The Bill does streamline the procedure for making byelaws but only in certain limited categories none of which seem to include National Park Authorities save for the limited area of revocation outline in the response to question 1 above. It remains to be seen whether Local Authorities in general will make increased use of the same.
5. From a National Park Authority perspective there will be no real change in the barriers that we currently face in making a byelaw.
6. The procedures for making byelaws are fairly clear. For a National Park Authority it will remain a fairly complicated procedure.
7. Yes
8. (a) The Authority is disappointed to note that the power to issue fixed penalties for offences against certain byelaws seem to apply to any byelaws that can be issued by National Park Authorities. Were the Authority to consider issuing a byelaw at a future date the ability to issue a fixed penalty notice would be a major plus point in deciding whether or not to proceed with a byelaw as it simplifies enforcement. Consideration should be given to extend this provision to all byelaws issued.
(b) No
9. It is not anticipated that the Bill will have any significant financial implications as it is not anticipated that there will be any significant change in Snowdonia National Park Authority's current approach.
10. No
11. This seems a sensible provision in accordance with current accepted practice.
12. No other than none of the subjects referred to in the Schedules seem to extend to National Park Authorities and so the Authority has not considered the question in any great detail.

Communities, Equality and Local Government Committee

Meeting Venue: **Committee Room 2 – Senedd**

Meeting date: **Wednesday, 1 February 2012**

Meeting time: **10:00 – 11:20**

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This meeting can be viewed on Senedd TV at:

http://www.senedd.tv/archiveplayer.jsf?v=en_300000_01_02_2012&t=0&l=en

Concise Minutes:

Assembly Members:

Ann Jones (Chair)
Peter Black
Janet Finch–Saunders
Mike Hedges
Mark Isherwood
Bethan Jenkins
Gwyn R Price
Ken Skates
Rhodri Glyn Thomas
Joyce Watson

Witnesses:

Lyn Cadwallader, One Voice Wales

Committee Staff:

Bethan Davies (Clerk)
Leanne Hatcher (Deputy Clerk)
Rhys Iorwerth (Researcher)
Gwyn Griffiths (Legal Advisor)

1. Introductions, apologies and substitutions

1.1 The Chair welcomed Assembly Members and members of the public to the meeting.

1.2 The Chair said that as Rhodri Glyn Thomas and Peter Black were Assembly Commissioners, they would not be participating in sessions relating to the scrutiny of the National Assembly for Wales (Official Languages) Bill.

1.3 The Chair welcomed Alun Ffred Jones, who was substituting for Rhodri Glyn Thomas during item 2, in accordance with Standing Order 17.48.

2. Agreement of approach for Stage 1 scrutiny of the National Assembly for Wales (Official Languages) Bill

2.1 The Committee formally agreed the approach to the scrutiny of the National Assembly for Wales (Official Languages) Bill.

3. Local Government Byelaws (Wales) Bill: Stage 1 Evidence Session – One Voice Wales

3.1 The Committee received evidence from Lyn Cadwallader, One Voice Wales.

4. Private Session

4.1 The Committee agreed to exclude the public from items 4 and 5 of the meeting in accordance with Standing Order 17.42(vi).

5. Inquiry into the provision of Affordable Housing – Consideration of emerging themes

5.1 The Committee considered the key themes and noted that the draft report will be considered at a forthcoming Committee meeting.

6. Consideration of Committee Forward Work Programme

6.1 The Committee agreed the following resolution, in accordance with Standing Order 17.17:

“The Equality, Communities and Local Government Committee resolves to establish a task and finish group, in accordance with Standing Order 17.17, to assess the impact of budget cuts on participation in the arts in Wales.

The membership of the task and finish group is as follows: Ann Jones, Bethan Jenkins and Joyce Watson

The Chair of the task and finish group shall be: Ann Jones

The task and finish group shall cease to exist on 30 April 2012, or when it has reported, whichever is the earliest.”

6.2 The Committee agreed the terms of reference for the group.

6.3 The Committee agreed that the next inquiry would be on the Welsh Premier League. Subject to a few minor amendments the Committee agreed the terms of reference.

Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref SF/CS/0229/12

Ann Jones AM,
Chair, Communities, Equality and
Local Government Committee

25th January 2012

Thank you for your letter highlighting the recommendations made by the Committee with regards to Community Safety. As I said in the debate on Community Safety in Plenary on 18 January, it is very important that the people of Wales feel safe in their homes and their communities. We have made great strides in recent years towards achieving our goal of making Wales a safer country – giving people that sense of security.

The cuts in public sector funding are concerning, but we are working hard with our partner agencies to try to minimise the impact on community safety. I will address the specific recommendations in turn in the attached Annex.

Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities

Written Response to the Communities, Equality and Local Government Inquiry on Community Safety

January 2012

Recommendation 1

The Committee intends to keep a close eye on these developments and will hold a further evidence session this time next year to consider their implications for Wales.

Response: Accept

I too am concerned about the impact of the Home Office spending cuts on frontline policing. As the Committee is no doubt aware, I meet regularly with the four Chief Constables of Wales, as well as the Chief Executives and Chairs of the Police Authorities of Wales. At these meetings, they keep me informed of the key issues affecting them. Funding cuts and potential job losses have been on the agenda for some time and will continue to be so. I have urged the police to think carefully about how they can work collaboratively in order to save money and I am receiving information which indicates that they are doing so. I will continue to monitor the situation.

Financial Implications: None. Any associated staff costs can be drawn from divisional budgets.

Recommendation 2

The Welsh Government should work closely with the four police forces to ensure communities are engaged in a continuous process of consultation in order to maintain their confidence in policing.

Response: Accept

As set out above, the Welsh Government already has close working relationships with the police and we are committed to doing everything we can to promote closer links between the police and the public. Our commitment to introduce an additional 500 CSOs in Wales reflects this. The four police forces each hold neighbourhood policing activities and events, such as Police and Communities Together (PACT) meetings, that encourage engagement with the public. I will continue to monitor this situation at my regular meeting with senior police officials.

Financial Implications: None. Any associated staff costs can be drawn from divisional budgets.

Recommendation 3

It is important the Welsh Government works with the Police forces to monitor the impact of police station closures, as this, coupled with the proposed closures of local courts could have consequences for victims and offenders.

Response: Accept

Once again I will monitor this situation through my regular meetings with senior police officials. I would expect that where police stations have closed, police would still make every effort to ensure a visible presence in the affected communities. The presence of an additional 500 CSOs across Wales will help ensure a reassuring presence in our communities.

Financial Implications: None. Any associated staff costs can be drawn from divisional budgets.

Recommendation 4

In our view, the Welsh Government should provide detailed information about how it intends to ensure sufficient funding is available in the longer term for these types of services and posts. The Welsh Government should also publish plans on how it intends to cover these issues remain priorities for the newly elected Police and Crime Commissioners and Police and Crime Panels.

Response: Reject

I accept that the complex nature of funding arrangements where posts are jointly funded by the Welsh Government and Home Office can make future planning difficult for partners in Community Safety Partnerships. However, I am not able to give commitments for the Welsh Government to ensure sufficient funding in these circumstances as we are not able to 'plug the gap' where funding is withdrawn from other sources. I can however, give assurances over Welsh Government funding and have set these out below.

Youth Justice

The Safer Communities Fund (SCF) is the main vehicle for implementation of the All Wales Youth Offending Strategy delivery plan 2009-11. It distributes funding on an established formula basis to the 22 Community Safety Partnerships (CSPs) in Wales, to enable local youth justice projects and initiatives aimed at preventing children and young people from offending. The level of the fund in 2011-12 is £4.5m.

An increase of 5% has been agreed for the Youth Justice Budget lines for 2012-13 and officials are currently examining the way forward to utilise this increase effectively. The indication for 2013-14 is for a further 5% rise.

Officials are in the process of engaging with partners across Wales to consider the need for a 'Prevention of Youth Offending (Wales) Bill'. This Bill would seek to strengthen the devolved services that support young people who have offended, or are at risk of offending. Additionally work is ongoing to tighten up the grant criteria to ensure that projects deliver results in line with the proposed bill, and that the fund is distributed in line with the Regional Footprint boundaries in 2013-14.

Substance Misuse

The vast majority of funding allocated to Community Safety Partnerships is for frontline services and any cut to the budget would almost certainly impact on them and could potentially result in a decreased level of service provision.

The budget also enables the Welsh Government to deliver on its Programme for Government commitments to reduce the harm associated with substance misuse and to reduce the level of crime and fear of crime. The Welsh Government recognises this and has protected substance misuse revenue budgets at existing levels until 2013-14.

There has been a reduction in substance misuse capital budgets in line with other Welsh Government capital budgets over the three-year period 2011-12 to 2013-14. However, by 2013-14 the capital funding will still be £1m more than the 2010-11 budgets, thereby allowing the programme of improvements to substance misuse facilities to continue.

To-date, from the criminal justice aspect of the substance misuse policy, cuts have not materially affected services either within custody suites or related services provided by the Police and funded by Welsh Government.

In relation to the Drug Intervention Programme (DIP), the budget settlement for 2012/13 has now been set; a further cut of 8% has been administered. Every effort is being made to ensure that service provision continues to be fully supported. Due to this substantial cut, officials who manage DIP are presently considering how best to reduce management costs across all areas, including a review of staffing levels.

'Front line' practitioners (ie. drug workers etc) are not yet materially affected given they are funded via commissioned contracts but again, were further cuts to be delivered, then this will affect services. However, as I have already stated above, although I recognise the benefits of programmes such as the Drug Intervention Programme, the Welsh Government is not able to pick up the funding gaps left by Home Office cuts.

Domestic Abuse

The Welsh Government remains firmly committed to delivering its Programme for Government commitments to reduce the rates of domestic abuse and violence against women. This is fully evidenced by our ongoing funding for

tackling domestic abuse and violence against women which remain at previous levels during an extremely difficult economic climate. With specific regard to the Community Safety Partnership (CSP) Domestic Abuse Coordinators and the Independent Domestic Violence Advisors in Wales, there has been no reduction in financial support which remains at the same level as 2010-11. The capital funding for improving much needed services in this area was initially set at £700,000 as per previous years. However, additional capital funds have been provided through under spends in my wider capital budget in order to complete the roll out of 'One Stop Shop' domestic abuse facilities across Wales by March 2012. This further investment has seen the overall capital funding for domestic abuse services exceed £1.2 million since 2010-11.

The cuts to CSP funding identified in your letter relate to Home Office crime reduction funds and are not within our control - anti social behaviour coordinators, for example, are a Home Office responsibility. I have previously written to the UK Government expressing my concern over the significant reductions in local crime reduction funding and the impact they are having on the wider community safety agenda in Wales.

Priorities for Police and Crime Commissioners

The incoming Police and Crime Commissioners will determine priorities for their force areas upon appointment, through the development of a Police and Crime Plan. Under the Police Reform and Social Responsibility Act 2011, Police and Crime Commissioners are under a duty, when exercising all their functions, including the development of plans, to have regard to the priorities of other authorities such as councils, providers of probation services, chief officers of police, fire and rescue authorities and local health boards.

I am taking steps to help partner agencies make sure they are in the best possible place to make the case to Commissioners for continuation of funding. I have written to Nick Herbert MP, the UK Government Minister for Policing, to inform him of my intention to write to local authorities in Wales and encourage them to make appropriate nominations to Police and Crime Panels. I have received a favourable response to this letter and will be writing to local authorities shortly.

My officials are working with Home Office officials to ensure that Welsh Government colleagues, who work with partner agencies with an interest in community safety issues, are kept fully up to speed on the introduction of Police and Crime Commissioners. They will disseminate information to partners.

In addition, officials from the Welsh Government, the Welsh Local Government Association (WLGA), Police Authorities of Wales, Association of Chief Police Officers Cymru and the Police Federation are represented on a group that meets monthly and considers the impact of Police and Crime Commissioners and Panels on Welsh communities. This means that any issues can be acted upon quickly.

Committee will be aware that I am not in favour of the introduction of Police and Crime Commissioners, but they are a reality and I am concerned that we now need to get the best possible outcome for Wales. I currently enjoy a productive working relationship with the four police authorities in Wales and would hope to build a similar professional relationship with the Commissioners when they are elected in order to continue to make sure that Wales' best interests are recognised.

Financial Implications: None. Any associated staff costs can be drawn from divisional budgets.

Recommendation 5

The Welsh Government should seek assurances from ACPO Cymru that domestic abuse will remain a key priority for the four police forces in line with the Welsh Government's Strategy for tackling domestic abuse and violence against women.

Response: Accept

The Welsh Government is already working closely with ACPO Cymru and enjoys strong and positive relations in tackling domestic abuse in Wales. The Head of the Community Safety Division routinely meets the Chief Constable for Gwent who has the UK lead for domestic violence on behalf of the police service. The Welsh Government has also funded the appointment of Wales' first Anti Human Trafficking co-ordinator, Mr Bob Tooby, who took up post on 4 April 2011.

Financial Implications: None. Any associated staff costs can be drawn from divisional budgets.

Recommendation 6

The Welsh Government should provide information on how it intends to monitor and evaluate how effectively this funding has been used and its impact on local communities, including how the CSOs will be designated and used and how effective they are and what they deal with.

Response: Accept

My officials are currently developing a programme of work to monitor and evaluate the use of the funding provided for the new Community Support Officers. I am not able to provide further information at this stage as details are still being finalised.

Decisions on the deployment of the CSOs are a matter for individual police forces. We have indicated where we would like these additional officers to be

assigned – for example, we have said we would like to see a close alignment with Communities First areas which would mean they would be assigned to areas where there is greater need. Ultimately this is an operational police matter and not something in which we can be involved.

Financial Implications: Provision for the costs of evaluation is included in the budget for this programme: this sits within the Local Government and Communities MEG. Any staff costs associated with monitoring and evaluation can be drawn from divisional budgets.

Agenda Item 7b

CELG(4)-04-12 : Paper 2

Written Response by the Welsh Government to the Communities, Equality and Local Government Committee's Report On Disability Related Harassment in Wales

I welcome the Communities, Equality and Local Government Committee's report and recommendations on disability related harassment in Wales. I fully believe that incidents of disability-related harassment, violence and hate crime are shocking and unacceptable. We all have a duty to protect the most vulnerable in society and to ensure that disabled people and those with long term health conditions are able to live a life without fear.

Although current work has been taken forward through our Community Cohesion Strategy, I want to ensure that a stronger strategic direction to tackle hate crime is made a priority across Government portfolios and with our partners across Wales. The importance of this issue is evident within the Programme for Government and within the emerging potential areas for Welsh Government equality objectives.

I support the committee's recommendations to take forward a framework for action across Wales. I want an overarching framework to tackle all forms of hate crime to be underpinned by strong consultation and with clear evidence based on current research and data. This approach will then be supported by tangible and deliverable action plans by working with our stakeholders to set up action driven groups across the hate crime strands. These will explore current practice and will look to develop new working programmes to take forward approaches across Wales.

I want to continue to build the evidence base and I am committed to commission research in 2012 to examine the perpetrators of hate crime and motives. I also want to support the need to pilot and evaluate the impact of developing a MARAC for disability-related harassment through the All Wales Diversity Police Group. This is an important step to tackle disability-related harassment and to safeguard high-risk victims through enhanced partnership working.

I also think that there is an excellent opportunity under the new Specific Equality Duties, which will be in place by 1st April 2012 to work closely with public sector organisations to tackle and respond to issues concerning hate crime across Wales.

I strongly believe that we have the clear commitment and drive across a range of partners and organisations across Wales to really make a positive impact to tackle hate crime. I want us all to take the lead to develop an innovative forward programme which will have a lasting impact on the lives of people across Wales.

Detailed Responses to the report’s recommendations are set out below:

The Committee recommends that:

1. The Welsh Government should bring forward a disability-related harassment framework, drawing together all existing work in Wales and setting a strategic direction. This should be developed with the Disability Hate Crime Action Group as a steering group.

Response : Accept

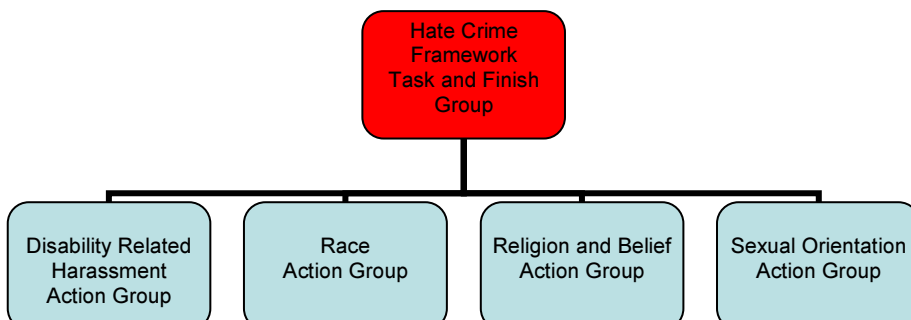
The Welsh Government will develop a framework for action which will encompass all forms of hate crime, including disability-related harassment, race, religion and sexual orientation and transgender. This will be developed through a Welsh Government Cross-departmental Task and Finish Group, which will also include partners to develop and take forward a framework for Wales.

There is a need to develop an overarching framework which will look to identify key policy and practice areas to establish current and future priorities to tackle hate crime. This will build upon the current and emerging evidence available throughout Wales, including evidence from the Committee’s findings, the Equality and Human Rights Commission inquiry into disability-related harassment and the All Wales Hate Crime project.

There will also be further work commissioned by the Welsh Government to examine the motives of perpetrators committing hate crimes which will take place during 2012, where findings will be fed into the framework. It is essential that the framework will build in effective communication and consultation during development with stakeholders across Wales.

The Welsh Government wants to support the development of the framework by setting up delivery based groups along each of the strands to produce deliverable action plans. There will also be a representative from action groups on the main Task and Finish Group. My officials will include looking at where existing forums are in operation that will have the relevant understanding and capacity to act as an effective action group. For example the existing Disability Hate Crime Action Group could take the lead to deliver this related strand.

My officials will develop a structure with internal and external stakeholders to take forward (as highlighted below):



Financial Implications – To be scoped by officials, including relevant costs to develop consultation events and the capacity of action groups to deliver identified initiatives.

The Committee recommends that:

2. This plan should establish accountability across Ministerial portfolios and encourage partnership working between government departments, local authorities, health boards, voluntary organisations and other relevant agencies such as the police.

Response: Accept

The commitment to tackle hate crime is evident both within the Programme of Government and within the emerging potential areas for Welsh Government equality objectives which provides a clear indication of the need to take forward work across Wales.

There will be representation within the Task and Finish Group from relevant policy areas. This will help to develop the action based framework and to ensure accountability across Ministerial portfolios which can then be fed to stakeholders. Relevant actions and policy direction will then need to be embedded within the framework across the full range of policy areas.

My officials have already established contact with key policy departmental leads and there is already existing evidence of hate crime related work. This includes developed guidance for bullying across the relevant protected characteristics, community cohesion for schools and further/ higher education and a Hate Crime Toolkit for Housing. This work needs to be built upon and taken forward across Wales.

The enhancement of relations across partners is integral to the delivery of identified actions through the framework. These relationships will be evidenced through specific action groups within the strand related approach, which will consist of relevant organisations across Wales. This will encourage actions to be explored in term of current and future work.

It will be important to engage with stakeholders during specific policy areas during the development of the framework. This will include taking into consideration emerging approaches and practice and needs to build on the current landscape and practice. Relevant expertise will then need to be fed into emerging approaches.

There will be a number of consultation events held throughout Wales during the development stages of the framework. This will ensure that the scope and

aims are set in context and are able to reflect and be responsive to current and future work throughout Wales.

Financial Implications – To be scoped by officials, including relevant costs to develop capacity and to hold consultation events across Wales.

The Committee recommends that:

3. The framework should cover the provision of training to front-line staff in public authorities.

Response: Accept

The training of front line staff is an essential aspect to increase reporting rates, including through third parties. The framework will explore the most effective mechanisms and will also examine examples of current practice.

The development of Welsh Specific Equalities Duties will also enable public sector authorities to emphasise the need to increase work and understanding concerning hate crime. It is important that front line staff can be fully aware of reporting mechanisms for hate crime and can respond effectively to incidents and to raise awareness and understanding.

The framework will explore the need to develop specific guidance for public authorities and other organisations throughout Wales. In order for there to be common guidance and understanding which is consistent and is embedded effectively.

Financial Implications – To be scoped by officials, there could be cost implications to develop guidance for front line staff.

The Committee recommends that:

4. The Welsh Government should pilot the use of MARACs in relation to disability-related harassment, using the model of domestic abuse as good practice.

Response : Accept

The All-Wales Police Diversity Group will be taking forward a sub-group to focus on the development of a pilot MARAC in Wales to focus on disability-related harassment. This will consist of representation across all four police force areas, Crime Prosecution Service, Welsh Government and with key organisations throughout Wales. The Welsh Government is supportive of this approach and will help to scope the feasibility to implement a pilot model.

There is a need to explore current practice, where for example Gwent Police are about to start piloting a hate crime risk assessment process and Wrexham Council have undertaken informal multi agency work around hate crime. The model of domestic violence will provide a clear blueprint in terms of how the MARAC model can operate successfully and focuses on the need to share information across agencies. This previous expertise and understanding needs to be incorporated during the development of this model.

It is important that an evaluation of any future MARAC is built into future progress to review the potential to roll this out throughout Wales.

Financial Implications – To be scoped by officials, there could be cost implications to develop the initial model.

The Committee recommends that:

5. The Welsh Government should monitor how many public authorities have established disability-related harassment as an equality objective under the specific equality duties. These objectives should be evaluated on their outcomes and good practice should be shared.

Response : Accept

The Welsh Government will work closely with the Equality and Human Rights Commission (EHRC) to firstly scope what objectives have been set by organisations throughout Wales. The EHRC have recently written to public sector organisations across Wales to collate this information. Objectives set concerning tackling hate crime and disability related harassment can then be mapped.

Through the development of the framework it will then be important to engage with public sector organisations where hate crime objectives have been set, where good practice can be scoped and shared. The framework will then look to evidence examples of good practice and this will also aid public sector authorities to deliver outcomes through objectives.

The EHRC will be key partners to evaluate outcomes going forward and the Welsh Government will take a leadership role to influence good practice throughout Wales.

Financial Implications – None.

The Committee recommends that:

6. The Minister for Equality should discuss how human rights will be built into the forthcoming Social Services Bill with the Deputy Minister for

Social Services, and provide a note to the Committee on the outcome of this meeting.

Response : Accept

A meeting will be set up shortly to discuss how human rights can be built into the forthcoming Social Services Bill and I will provide a note of the meeting to the committee on the outcome.

I am aware that the Equality and Human Rights Commission has recently met with the Deputy Minister for Social Services to discuss the Social Services Bill and I intend to build upon these discussions. My officials will work closely across portfolios during the development of the Social Services Bill going forward.

Financial Implications – No cost.

The Committee recommends that:

7. The Welsh Government's framework should standardise and co-ordinate third-party reporting centres to ensure consistency of provision and coverage across Wales.

Response : Accept

I am fully aware that there are current projects which have set up third party reporting centres, such as a pilot project within Torfaen. It is important that current practice can be mapped and evaluated to assess potential strengths and weaknesses and to then develop examples of practice throughout Wales.

This approach will form a key part of the framework and it will be important for the Welsh Government to work closely with the Disability Hate Crime Action Group to assess current practice. The framework will then build in examples of successful working through third-party reporting centres which will influence consistency across Wales.

Financial Implications- No cost.

The Committee recommends that:

8. The framework should encourage the use of existing resources to raise awareness of disability-related harassment among disabled people.

Response : Accept

Through the development of strand based action groups and plans within the framework, there will be a key focus to evaluate what can be undertaken by organisations throughout Wales to encourage the use of existing resources to raise awareness of disability related harassment. This will be built within the forward programme and the Disability Hate Crime Action Group will play a significant role to work with disabled people to raise awareness.

It is essential to feed in views from disabled people during the development of the framework and action plan, which will ensure that there is a need to raise awareness and an identification of how barriers can be overcome. This will link strongly with the development of the Independent Living Framework in Wales. It is clear that hate crime can be a significant barrier for disabled people to take part in community life and there is a need to strengthen work and understanding throughout Wales.

This work will also need to be taken forward across Welsh Government portfolios through the framework, where for example housing providers and public transport can have a key role to play to increase understanding and awareness.

Financial Implications – None. This recommendation will look to utilise existing resources.

The Committee recommends that:

9. The Welsh Government should issue guidance to local authorities and relevant agencies on data sharing, specifically how authorities can work to recognise patterns of low level harassment before they become a hate crime.

Response : Accept

The need to share information is a significant barrier to ensure that a joined up partnership approach can be taken to reduce levels of hate crime. This will include exploring patterns of low level harassment to ensure that preventative work can be put in place to tackle any issues at an early stage. This will be explored as part of the development of the MARAC pilot with police forces across Wales and it is important to firstly identify where issues around data sharing are taking place.

The Welsh Government will then work across portfolios to explore how barriers can be overcome and will then identify and assess the need to put in place guidance for local authorities and relevant agencies. This will form a key part of the framework and it will be important to work with partners across Wales to clearly identify effective systems.

Financial Implications – To be scoped by officials, including relevant costs to develop guidance.

The Committee recommends that:

10. The Welsh Government should include a long term aim in the replacement Single Equality Scheme from 2012 to change cultural attitudes towards disabled people in Wales.

Response : Accept

The Welsh Strategic Equality plan and objectives will be the long term replacement for the Single Equalities Scheme from 2012. The emerging potential areas for Welsh Government equality objectives have also included hate crime to take forward work.

The need to change cultural attitudes towards disabled people in Wales is an important issue. I am aware of a recent petitions campaign by MENCAP Cymru to tackle learning disability hate crime and I fully recognise and support the need to develop effective approaches. There will also be strong links with the Independent Living Framework to tackle negative attitudes.

Through the community cohesion programme there will be an outcome to increase understanding and awareness. I have recently announced funding for Regional Community Cohesion Co-ordinators across Wales during 2012. A key part of this role will be to identify current practice and work ongoing within each region and to effectively look to influence partners to explore practice, including through training.

Schools will also have a key role to play in order to help to change cultural attitudes and I am pleased that Toolkits have recently been developed through anti-bullying with a specific section on disability related harassment. I am pleased that hate crime and bullying are within the Programme for Government and the Specific Equalities Duties together and it is important to develop a forward programme which can have a lasting impact on attitudes.

Financial Implications – None. Any additional costs will be drawn from existing programme budgets.