

# Cross-Party Group Minutes

## Meeting Minutes:

<b>Cross Party Group Title:</b>	Substance use and addiction
<b>Date of Meeting:</b>	17.01.2023
<b>Location:</b>	Main Hall, Pierhead Building, Cardiff

## In attendance:

<b>Name:</b>	<b>Title:</b>
Peredur Owen Griffiths MS/AS	Plaid Cymru Member of Senedd for South Wales East
Jane Bryant MS/AS	Labour Member of Senedd for Newport West
John Griffiths MS/AS	Labour Member of Senedd for Newport East
Mabon ap Gwynfor	Plaid Cymru Member of Senedd for Dwyfor Meirionnydd
Joyce Watson MS/AS	Labour Member of Senedd for Mid and West Wales
Dr Rob Jones	Guest Speaker, Cardiff Law School
Martin Blakebrough	CEO, Kaleidoscope
Gareth Llewellyn	Staff Cymorth Yr Aelod
Cris Watkins	Campaigns & Communications Officer, Kaleidoscope
Sector Wide CPG Distribution List	

## Summary of Meeting:

### CPG AGM

Peredur Owen Griffiths welcomed the group to the Annual General Meeting. He noted the proposal to change one word in the name of the CPG from 'misuse' to 'use' as Drug and Alcohol Service Providers have indicated 'misuse' is considered a stigmatising term.

The CPG voted in favour.

Peredur Owen Griffiths proposed that Kaleidoscope continue to provide Secretariat support to the CPG.

The group approved the nomination. (Crispin Watkins from Kaleidoscope to act as Secretary)

There was a call for candidates to stand to be Chair of the CPG for the next year.

Peredur Owen Griffiths stood to be Chair and was duly elected.

Jane Bryant MS congratulated Peredur on his re-election.



Peredur Owen Griffiths gave a brief summary of the work of the CPG during 2022 (as documented in the minutes of prior meetings).

It was noted that the CPG did not receive, hold or spend any funds during the previous year.

### **CPG Meeting Opening remarks and formalities**

Peredur Owen Griffiths MS welcomed everyone to the fourth meeting of the Cross Party Group on Substance Use and Addiction and thanked all of those involved in the life saving work of supporting those with substance use and addiction issues.

**This event sought to explore the challenges faced by people with substance use issues presented by the existing Welsh Criminal Justice arrangements, and opportunities for further Harm Reduction activities within those bounds.**

### **Summary of Speakers:**

---

#### **Introduction**

Dr Rob Jones asked 'Are people with substance use issues caught on the jagged edge of the Welsh Criminal Justice system?'

Dr Jones started by highlighting the history of the England and Wales Criminal Justice System. Post-devolution Wales has responsibility for a wide range of social policy including tackling substance use, whilst Criminal Justice remains reserved to Westminster. This is as distinct from the arrangements for England but also the devolved nations of Scotland and Northern Ireland and therefore leaves Wales as fundamentally different.

In fact Wales is unique that 'Wales is the only common law country in the world to have its own parliament and government but not its own justice system' (National Assembly for Wales' Constitutional and Legislative Affairs Committee 2012). This leads to complexity, challenges over joined-up policy, and a lack of clarity over accountability.

Dr Jones noted there is a chapter in his latest book on Criminal Justice outcomes in Wales, which show Wales' poor relative performance compared to other nations including very high imprisonment rates, particularly amongst women.

Structurally it was noted that the Senior Ministry of Justice personnel are highly London-centric, and as a result Wales does not have a strong voice in Whitehall. This is not deliberate, but simply because England is so much larger and the problems in English cities are so large relative to those in the population of Wales as a whole.

The Welsh Government has sought to focus on prevention and harm reduction rather than criminalisation and punishment. In other words, its approach has, in the main, been the antithesis of the dominant approach in the England and Wales criminal justice system as a whole since the advent of democratic devolution. There are particular issues around housing Prison leavers, where the Inspectorate suggested England should follow the Welsh policy in both 2010

and 2014, but the Welsh Government had to step back its approach as the Westminster policy did not change.

The Justice Committee and Home Affairs Committee do not look at Wales discretely, so the gaps between the Westminster and Cardiff systems are not explored. The Senedd likewise do not have clear accountability in this field so despite Senedd enquiries they struggle to be able to place recommendations for change on agencies controlled by Westminster.

As a result there we have a system which as organised is structurally and systemically dysfunctional. Specifically

- Comparatively speaking, it is a system that performs very poorly.
- It is a system in which effective policy-making is rendered extremely difficult; this even by the standards of a policy area that is notoriously complex and intractable.
- Moreover, it is a system that is poorly scrutinised and, at best, only weakly accountable.

The report of the Commission on Justice in Wales in 2019 'unanimously concluded that the people of Wales are being let down by the system in its current state' (Thomas Commission 2019: 8). In response they proposed the devolution of justice responsibilities to:

- enable the proper alignment of justice policy and spending with social, health, education and economic development policies in Wales, to underpin practical long-term solutions;
- place justice at the heart of government; [and]
- enable clearer and improved accountability.

The UK Government's response suggests that these recommendations will not be acted upon any time soon.

But there is no serious engagement from Conservative UK Government ,and Welsh Labour MPs appear to agree with them (again on the basis of a complete lack of engagement with the evidence - trivialisation, decrying devolution, deflection). So...what's next?

#### **Useful Links:**

- Dr Rob Jones on Twitter:  
<https://www.twitter.com/RDJones>
- Cardiff Law School Profile:  
<https://www.cardiff.ac.uk/people/view/2596654->

The group then split into a series of breakout groups and conducted round table conversations chaired by Senedd Members.

#### **Summary of Questions, Comments and Suggestions Raised:**

Groups discussed 'What could we do differently in Wales within the existing Criminal Justice arrangements with regard Harm Reduction? How could the Senedd help with this?'

The Chairs of each table fed back on the key discussion question.

- The Senedd could encourage the granting of Letters of Comfort by Police and Crime Commissioners and Chief Constables, to enable enhanced harm reduction approaches such as Drug Consumption Rooms.
- Those PCCs and Chief Constables with the vision to do so should be celebrated
- The Senedd should acknowledge the difference between Harm Reduction and Abstinence, and should support a person-centred approach that enables the individual to use the methods most appropriate to their need.
- Joined up services are vital, across specialist substance use services, NHS HMPPS, the police, mental health and homelessness services
- Long term structural multi-agency funding is key, rather than short term contracts that undermine attempts for innovation and strategic development
- Continuing to focus on substance use as a health issue, rather than a criminal justice issue, including increased emphasis on police using diversion techniques is key
- It was noted that diversion is used for other issues, such as speeding (education, rather than fines and penalties) and should be emphasised in this field as well
- Provision of naloxone in the prison and probation services could save lives
- Actively positively campaigning to address issues around stigma associated with substance use and addiction
- Campaigning for change to Magistrates Sentencing Guidelines (fines on homeless people for very small quantities of possession – one example owed £ thousands and ‘would have to live to 150’ to pay off their fines)
- When implementing Letters of Comfort and Diversion techniques, the consistency of policing approach is vital, and the Senedd should campaign for this
- The Senedd should also seek to better address the underlying traumas and causes that lead people to find themselves with substance use issues
- The recent proposal for some further devolution of Criminal Justice powers to Wales should be challenged since a piecemeal approach could do more harm than good.

-----  
Peredur thanked Dr Rob Jones and all the participants.

Martin Blakebrough closed the meeting by

Dr Rob Jones said he’d presented these slides on numerous occasions already, with the debate shifting over time. Gordon Brown’s report for further partial devolution is broadly where the debate is at the moment. Key to the question the tables discussed is to continue to highlight the limitations of the system. We could be sat here in 10 years talking about all the hard work people put in to making things work within the system, but without full devolution people will continue to be frustrated – and that word is central to the feedback Rob’s research has received. The system is structurally broken, with intractable problems here that cannot be addressed without that structural change.

