



House of Commons  
Welsh Affairs Committee

---

**Proposed Restructuring  
of the Police Forces in  
Wales: Government  
Response to the  
Committee's Second  
Report of Session  
2005–06**

---

**Fourth Special Report of Session  
2005–06**

*Ordered by The House of Commons  
to be printed Tuesday 4 July 2006*

**HC 1431**  
Published 10 July 2006  
by authority of the House of Commons  
London: The Stationery Office Limited  
£0.00

## The Welsh Affairs Committee

The Welsh Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Office of the Secretary of State for Wales (including relations with the National Assembly for Wales).

### Current membership

Dr Hywel Francis MP (Chairman) (*Labour, Aberavon*)  
Mr Stephen Crabb MP (*Conservative, Preseli Pembrokeshire*)  
David T. C. Davies MP (*Conservative, Monmouth*)  
Nia Griffith MP (*Labour, Llanelli*)  
Mrs Siân C. James MP (*Labour, Swansea East*)  
Mr David Jones MP (*Conservative, Clwyd West*)  
Mr Martyn Jones MP (*Labour, Clwyd South*)  
Albert Owen MP (*Labour, Ynys Môn*)  
Jessica Morden MP (*Labour, Newport East*)  
Hywel Williams MP (*Plaid Cymru, Caernarfon*)  
Mark Williams MP (*Liberal Democrat, Ceredigion*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/parliamentary\\_committees/welsh\\_affairs\\_committee.cfm](http://www.parliament.uk/parliamentary_committees/welsh_affairs_committee.cfm).

### Committee staff

The current staff of the Committee are James Davies (Clerk), Dr Rebecca Davies (Committee Specialist), Jane Trew (Committee Assistant), Sarah Colebrook (Secretary) and Jim Lawford (Senior Office Clerk).

### Contacts

All correspondence should be addressed to the Clerk of the Welsh Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 3264; and the Committee's email address is [welshcom@parliament.uk](mailto:welshcom@parliament.uk).

# Fourth Special Report

---

The Committee published its Second Report of Session 2005–06, Proposed Restructuring of the Police Forces in Wales, on Wednesday 22 February 2006. The response from the Home Office was received on 23 June 2006 and is published as the Appendix to this Report.

## Appendix

---

### **Government Response to the Second Report of Session 2005–06: The Proposed Restructuring of the Police Forces In Wales**

#### **Restructuring Process**

**1. We are concerned that the Government has adopted a one size fits all approach to the restructuring of the constabulary across England and Wales, without taking into account the unique political, geographic and cultural characteristics of Wales. Furthermore, a lack of understanding of the concerns voiced by the police forces and authorities in Wales has undermined the claim that a proper consultation was undertaken. We urge the Government to give further consideration to a more flexible approach to the criteria for reform in the remaining stages of its restructuring of the police forces. (Paragraph 27)**

The Government has not adopted a one size fits all approach to restructuring. The options put forward by police forces and police authorities last autumn were evaluated against the criteria set out by the then Home Secretary in September, these included factors such as geography and identity. The emergence of a mix of restructuring proposals across England and Wales from standalone forces to the establishment of sub-regional and whole region strategic forces is evidence that the determining factor has been the configuration that best meets the policing needs of each part of England and Wales. As the Home Secretary indicated in the House on 19 June, the Government is keen to engage in further discussion and dialogue with police forces and police authorities on the best way forward.

#### **Consultation**

**2. We congratulate the police forces and police authorities of Wales for the way in which they have responded to the difficult timetable laid down for them by the Government. We particularly congratulate the police authorities in Wales for their efforts to consult with the public during this time. (Paragraph 31)**

**3. We are unimpressed with the very short timetable set by the Government for the submission of a preferred option and business plan. It has limited the scope of the debate and impeded consultation with the police forces and police authorities. Furthermore this has removed the possibility of full consultation with the public. While we acknowledge the desire of the Government to get the job done, this should not be at the expense of doing it properly. (Paragraph 32)**

**4. We regret that the Government did not provide adequate information in a sufficiently timely manner in order to provide the forces and authorities with the necessary information upon which to base full consideration of the options. (Paragraph 36)**

**5. We conclude that the appearance of a 'done deal' has only added to the existing tensions and frustrations, which hindered genuine analysis of the issues and meaningful consultation with the public. This was not assisted by the announcements by the Secretary of State for Wales that he favoured the all-Wales option without having all the evidence before him. (Paragraph 37)**

The Government launched a debate on the fitness for purpose of the current 43 force structure as far back as November 2003 in the Green Paper “Policing: Building Safer Communities Together”.

Faced with the stark findings of HMIC’s report ‘Closing the Gap’ it was incumbent on the Government to respond quickly to the gap in protective services which is potentially placing communities at risk and leaving neighbourhood policing teams vulnerable to abstractions. The period of three months in the autumn of 2005 for submitting proposals for restructuring has been but a further stage in the process, which is not required by statute.

Any objections to the proposal will be given careful consideration by the Home Secretary before he makes a final decision whether or not to proceed with the merger. In the event that he so decides, the amalgamation order will be subject to a debate and vote in both Houses of Parliament.

In addition, as noted above, the Home Secretary has recently announced that no Orders for Home Secretary mergers will be laid before the summer recess. This will provide the opportunity for a further round of discussion with those affected.

## **Protective Services**

**6. We acknowledge the existence of a 'gap' in the provision of protective services in Wales. We welcome the opportunity to review the provision of protective services in Wales in order to guarantee a police service that offers a high standard of service and good value for money to the people of Wales. (Paragraph 41)**

We welcome the Committee’s acknowledgement of a gap in the provision of protective services in Wales.

## **All-Wales Police Force**

**7. We recognise that the creation of an all-Wales strategic force may have the potential to address the 'gap' in the provision of protective services in Wales; but information we have received raises serious questions about the capacity of an all-Wales police force to deliver Level 2 services in North Wales. We also share the serious concerns expressed to us that there is insufficient information upon which to base a considered opinion. Without that information it is not possible for us to conclude that an all-Wales strategic force is the best way forward for Wales, and we regret the Home Secretary's**

**premature announcement of the 6 February 2006, that an all-Wales force be established. (Paragraph 47)**

The Government welcomes the Committee's recognition that the creation of an all-Wales strategic force may have the potential to address the protective services gap. The case for amalgamation of the four existing forces in Wales, published on 3 February, set out our view that an all-Wales force offered the best policing solution for the people of Wales. We recognise that to meet fully the national standards for protective services identified by HMIC will require new investment over a period of years.

### **North Wales Police Force**

**8. We are concerned that the legitimate and genuine issues raised with regard to the specific nature of crime flows, transport structures, the identity and geography of North Wales have not yet been adequately addressed by Government. Furthermore, it has not yet convinced us that an all-Wales police force will either complement or replace the well-developed relationship that has been developed between North Wales and Cheshire police forces. We are further disappointed that there has been no opportunity to explore the possibility of formalising the present informal co-operation between North Wales police force and the police forces in Merseyside and Cheshire. Additional questions also remain about how that existing collaboration may work if the Cheshire force is subsumed into a larger force. (Paragraph 52)**

The creation of an all-Wales force will not remove the need for strategic forces to co-operate with each other to address cross-border serious and organised crime. We would expect an all-Wales force to continue to work closely with a new Cheshire and Merseyside strategic force. It is worth noting that Cheshire Constabulary did not put forward the option of a merger with North Wales Police.

### **Regional Command Structure**

**9. We welcome the Government's agreement to consider the necessary changes in statute to allow a regional command structure to operate in Wales, and ask the Government to remove the statutory limit of allowing only one Deputy Chief Constable. Such a move will have the potential to alleviate some of the concerns relating to the provision of policing in North Wales in the event of the creation of an all-Wales strategic force. (Paragraph 56)**

The Government tabled amendments at Commons Report Stage of the Police and Justice Bill to enable a police authority to appoint additional deputy chief constables with the consent of the Home Secretary. The amendments – to section 11A of the Police Act 1996 – are now contained in paragraph 16 of Schedule 2 to the Bill as introduced in the House of Lords on 11 May.

### **Funding Issues**

**10. We ask the Government to provide further detail and information about how they will manage the inevitable staff cuts following force amalgamation in Wales. (Paragraph 59)**

It is for the strategic force to determine the number of staff which it will require to run the merged force. We do not envisage reductions in police numbers as a result of mergers below Chief Officer level. Changes in the numbers of police staff are likely to arise as the merged force identifies efficiencies in the provision of support services. At the same time, the new force will need to consider whether additional staff posts are required in protective services and other parts of the force in order to strengthen its capability.

Staff transferring to the new force will be subject to the provisions of TUPE and consequently, should there be any redundancies, the terms for those leaving will be at least as favourable as those in precursor forces.

**11. We recommend that the set-up cost for any reconfigured police service in Wales be fully met by the UK Government, so that the practical day to day delivery of police services in Wales is not compromised in any way. Furthermore, it is imperative that any savings made as a result of force amalgamation in Wales, stay in Wales. We seek a guarantee from the Government that this will, in fact, be the case. (Paragraph 63)**

**12. We recommend that a review of the funding formula be part of any reconfiguration of the constabulary in Wales and that the review take into account the operational realities of policing in Wales. Any real terms decrease in the funding as a result of the restructuring would be unacceptable. We further recommend that the Government commits itself to ruling out any real term decrease in the funding settlement in Wales as a result of police force restructuring in Wales. (Paragraph 65)**

The Government has made a commitment to meet 100% of the net cost of restructuring. Moreover, we have indicated that the savings from restructuring can be retained by strategic forces for re-investment in policing.

## **Neighbourhood Policing**

**13. It is essential that the 'neighbourhood guarantee' given by the Minister be adequately funded to take into account the particular challenges of the provision of neighbourhood policing in Wales. The forces in Wales will not only face the additional financial burden of raising the standard of protective services; they may also have to meet the set-up costs of any restructuring. We seek assurance from the Government that appropriate additional funding be made available during any transition period, so that the high quality of neighbourhood policing in Wales is not compromised. (Paragraph 69)**

**14. The commitment to innovative neighbourhood policing in several areas throughout Wales, and in particular in North Wales, has been exemplary, and has had a positive impact on the community. We welcome the Minister's commitment to work on a 'neighbourhood guarantee' in order that the high standards set be maintained post restructuring. However, we reiterate our concern that neighbourhood policing be adequately funded, especially in the event of the levelling of the council tax precept throughout Wales. (Paragraph 74)**

The Government has invested significant sums in the rollout of neighbourhood policing through the Neighbourhood Policing Fund. With the £91 million of new money from the Chancellor in the recent Budget, we are expecting to allocate over £220 million this year

and £385 million next year to support the increase in PCSO numbers to 16,000 by April 2007 and 24,000 by March 2008.

In May the Government published a progress report on the implementation of neighbourhood policing. A copy of the report is attached.

Far from threatening the rollout of neighbourhood policing, the creation of an all-Wales force is essential to protect and preserve neighbourhood policing from being undermined by frequent abstractions, for example, to staff a major crime investigation team.

## Governance

**15. We welcome the Government's willingness to be flexible about the size of a Welsh strategic authority in order to guarantee representation of the 22 Unitary Authorities in Wales. We look to the Home Office to recognise the distinct political context in Wales, and demonstrate a flexibility in approach when considering a regional structure of governance for Wales in order to maximise public engagement with, and democratic accountability of, the police service in Wales. (Paragraph 80)**

**16. We regret the Government's hasty announcement to amalgamate the four forces in Wales. The timing of this announcement was unsatisfactory given that there are many outstanding issues yet to be adequately addressed. Furthermore, we are wholly opposed to the premature forced amalgamation of the Welsh authorities and forces. We maintain that in securing a high quality police service for Wales, the Welsh public would be better served by the urgent pursuit of a genuine and detailed consultation to seek both a public and professional consensus on this issue. (Paragraph 84)**

**17. Finally, we wish to reiterate our support for the constructive way in which the police forces and authorities in Wales have responded to the challenging and problematic timetable imposed upon them. (Paragraph 85)**

The Government has agreed to a strategic police authority of 43 members for a two year transitional period. The strategic police authority will include 22 Councillor members, one from each of the local authorities in Wales. We will review the size of the Authority when we come to implement the provisions of the Police and Justice Bill which provide for the reconstitution of the membership of police authorities.

The Government has tabled amendments to the Police and Justice Bill which will enable police authorities to delegate their functions to area committees (see now Clause 3 of the Lords Introduction print of the Bill). These changes – to section 107 of the Local Government Act 1972 – will enable an all-Wales police authority to establish a regional structure of governance for Wales.

We do not accept that the Government has acted hastily in seeking to address the stark findings of HMIC's report. As indicated above, the statutory period for submitting objections to the Home Secretary's proposals has afforded a further opportunity for consultation with local communities and the Home Secretary has announced that there will now be an opportunity for further discussion with those affected.

We share the Committee's support for the constructive way in which the four police forces and authorities in Wales have responded to the challenges identified in 'Closing the Gap'.