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**Working to Prevent Drug Dealing and Drug Related Crime in Cardiff following the outbreak of Covid-19**

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**Reason for the Report**

1. To facilitate Members consideration of how the Community Safety Partnership is addressing drug dealing and drug related crime in Cardiff, this report provides:
  - An overview of the Community Safety Partnership Board;
  - Summary of UK- wide legislation relating to drugs
  - Overview of the current Welsh Government Strategy and;
  - Definitions of Drug-Related Activity and Crime;
2. Members are reminded that under the Police and Justice Act 2006, this Committee serves as the Council's Crime and Disorder Scrutiny Committee with the purpose of assessing the Community Safety Partnership as a whole, as opposed to scrutinising the individual work of each responsible authority who make up the Board.

**Scope of Scrutiny**

3. When considering the Committee's Work Programme for 2020/21, Members agreed to undertake a piece of work to assess how the Community Safety Partnership (CSP) is addressing and preventing drug dealing and drug related crime in Cardiff following the outbreak of Covid-19. To inform their work, Members requested:
  - A profile of all forms of drug dealing and drug related crime in Cardiff, prior to the initial Covid-19 lockdown in March 2020 and as it currently stands.

- The measures in place to prevent and tackle this issue including detailed understanding of the enforcement routes.
  - To discuss local issues and receive insight into any associated challenges in addressing this problem.
  - To receive an update on the relevant recommendations put forward by the 2018 joint [Task & Finish inquiry](#) and;
  - To engage with an individual previously involved in drug related activity who has engaged positively with reform opportunities; to understand the drivers for entering into such activity and to receive their perspective on preventive measures.
4. Representatives from the following organisations have been invited to attend the Committee meeting to share their knowledge, views and perspectives of drug dealing and drug related crime and how the CSP can work towards addressing the issue:

- **Community Safety Partnership**

*To provide an overview of the CSP structure and governance arrangements, a profile of drug dealing and drug related crime in Cardiff, insight into how the Partnership is working to prevent drug dealing and drug related crime and any associated challenges. To also include an update on progress made on the relevant recommendations of the 2018 Task & Finish inquiry. Witnesses will include senior officials and officers from the Community Safety Partnership.*

- **South Wales Police**

*To provide insight into the enforcement routes and operations in place to address this issue and for Members to explore with frontline individuals their knowledge and experience on this matter. Witnesses will include relevant senior and front line police officers and representation from a neighbourhood policing team.*

- **An Individual with lived experience**

*To provide an overview of the drivers which led them into drug related activity, insight into the accessibility of such activity and share their perspective on preventative measures.*

5. During the meeting, Committee Members will have the opportunity to:
- Consider the current standing of drug dealing and drug related crime in Cardiff and discuss any known local challenges or issues;
  - Hear detail of the enforcement routes and operations deployed by South Wales Police.
  - Explore the drivers into drug related activity;
  - Assess how the CSP is addressing and preventing drug dealing and drug-related crime in Cardiff and determine if it is being proactive and preventative in its approach.

### **Structure of Papers**

6. Attached at **Appendix A** is a briefing note prepared by the Community Safety Partnership. The note includes sections on;
- ❖ Structure of the CSP;
  - ❖ Drug dealing and drug related crime in Cardiff before the initial Covid-19 lockdown in March 2020 and as it currently stands;
  - ❖ How drug dealing and drug related crime is being addressed by the CSP and any associated challenges in addressing this issue;
  - ❖ Update on any recommendations of the CASSC & CYP inquiry on youth involvement in drug dealing relevant to this work.
7. **Appendix B** is a briefing note provided by St Giles Trust which provides an overview of county line activity.
8. Attached at **Appendix C** is a background paper prepared by the scrutiny researcher setting the current context, including data and statistics of drug dealing and drug related crimes at a national and local level during the pandemic period and insight into drug use and public perceptions of safety in more deprived and less deprived communities in Cardiff.

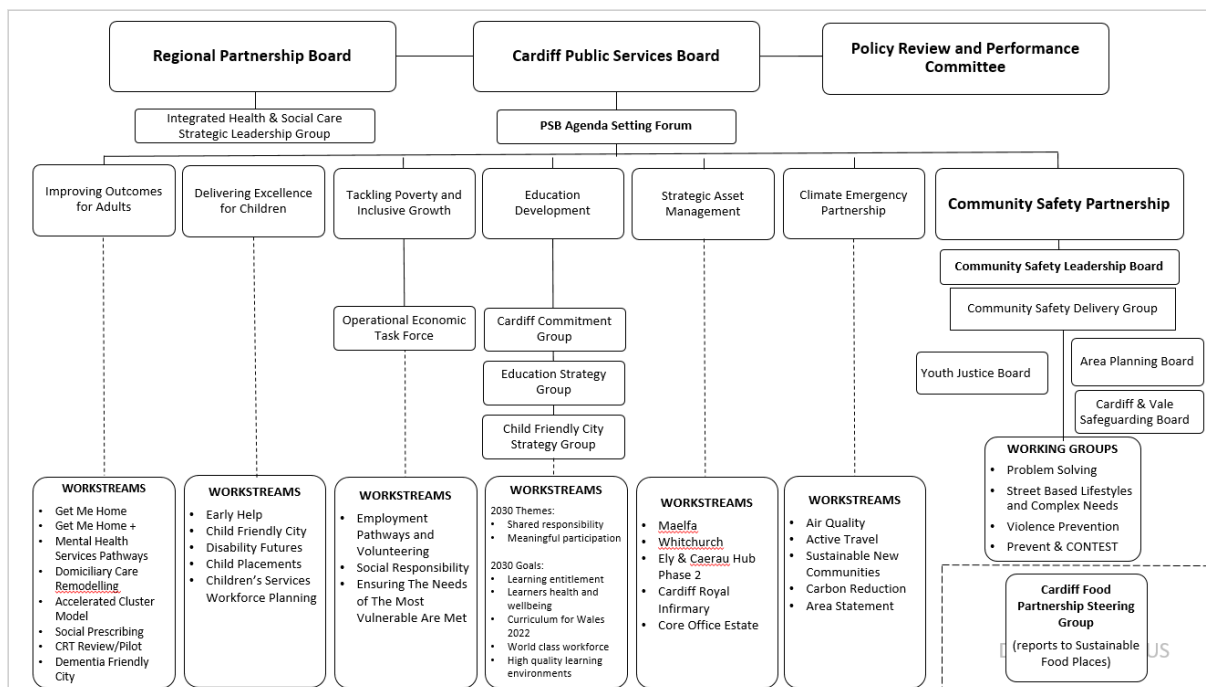
## Community Safety Partnership Background

9. Under the Crime and Disorder Act 1998 a number of 'responsible authorities' in each local authority area were required to establish partnerships to develop and implement strategies to tackle crime, disorder, misuse of drugs, anti-social behaviour and other behaviour adversely affecting the environment in their area. In Wales these are known as Community Safety Partnerships (CSP).
10. Section 17 of the Crime and Disorder Act 1998 places a legal duty on the responsible authorities to take account, during the exercise of their various functions, of the potential impact on community safety. It states that, '*Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies, to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent crime and disorder in its area.*'
11. The 'responsible authorities' in the Cardiff's CSP comprise: Cardiff Council; South Wales Police; Police & Crime Commissioners Office; Cardiff & Vale University Health Board and Area Planning Board; South Wales Fire & Rescue Service, FOR Cardiff, Cardiff Third Sector Council National Probation Service, Safer Wales and Violence Prevention Unit
12. In Cardiff, the Community Safety Partnership, originally known as 'Safer Cardiff', was integrated into the Local Service Board arrangements as a sub-group; this was recommended by the Welsh Government in their 2012 statutory guidance, *Shared Purpose – Shared Delivery*.
13. In 2016, the Local Service Board was replaced by the creation of Cardiff's Public Services Board (PSB). The Well-being of Future Generations (Wales) Act 2015 prescribed the establishment of PSBs for each local authority area in Wales with a duty to improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals.

14. For Members reference, below is a structure of the Public Service Board which includes detail of its sub groups and the work streams relevant to those groups. Members are to note that the work streams of the Community Safety Partnership are referred to as ‘thematic sub-groups’ in Appendix A.

15. For the Community Safety Partnership, those work streams / thematic sub-groups are;

- Problem Solving Group – *identifying issues and developing partnership solutions*
- Street Based Lifestyles and Complex Needs
- Violence Prevention
- Prevent and CONTEST



16. The Community Safety Leadership Board provides strategic direction of the CSP and is co-chaired by Cllr Lynda Thorne, Cabinet Member for Housing and Communities and Alun Michael, South Wales Police and Crime Commissioner. The Community Safety Leadership Board is supported by its Community Safety

Delivery Group which reflects on the work being undertaken by the work streams / thematic sub-groups and escalates relevant matters to the Leadership Board.

17. It is to note that whilst all strategic and operational activity is first considered by the Community Safety Leadership Board issues can sometimes be escalated to the Public Service Board on an exceptional basis.

### **Strategic Direction of CSPB**

18. The overarching strategic direction for community safety is set by the UK Government, which has responsibility for law and order, security and immigration, and the Welsh Government, which has devolved responsibility for many policies, funding, organisations and agencies that play an important role in community safety, such as health boards and fire and rescue authorities. At a regional level, Police and Crime Commissioners set direction via their Police and Crime Plans. At a local level, CSPs reflect local views on the priorities for strategic direction and retain statutory responsibilities, including the requirement to undertake an annual strategic needs assessment.

### **UK Wide Legislation Relating to Drugs<sup>1</sup>**

19. The following UK-wide legislation governs the control and use of drugs:

- **The Misuse of Drugs Act 1971**

This Act is intended to prevent the non-medical use of certain drugs, Drugs subject to this act are known as 'controlled drugs' and to enforce this law the police have the power to stop, detain and search people on 'reasonable suspicion' they are in possession of a controlled drug. The Act divides drugs into three classes – Class A (*examples include: cocaine, ecstasy et al.*) Class B (*examples include spice, cannabis et al.*) and Class C (*examples include anabolic steroids, minor tranquilisers et al.*).

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<sup>1</sup> <https://www.drugwise.org.uk/drug-laws/> Accessed Friday 9 April 2021.

Offences under the Misuse of Drugs Act can include possession of a controlled drug, possession with intent to supply, production, import and exporting et al.

- **Psychoactive Substances Act 2016**

This Act makes it an offence to produce, supply, offer or possess psychoactive substances, that is, any substance intended for human consumption that is capable of producing a psychoactive effect but excludes legitimate substances, such as food, alcohol, tobacco, nicotine, caffeine and medical products from the scope of the offence, as well as controlled drugs, which continue to be regulated by the Misuse of Drugs Act 1971.

- **The Medicines Act 1968**

This law governs the manufacture and supply of medicine and divides medical drugs into three categories – prescription, pharmacy medicine and general sale lists. The enforcement of the Medicines Act rarely affects the general public.

- **Customs and Excise Management Act 1979**

Together with the Misuses of Drugs Act, the Customs and Excise Act penalises unauthorised import or export of controlled drugs.

- **Road Traffic Act 1972**

This law makes it an offence to be in charge of a motor vehicle while 'unfit to drive through drink or drugs'. The drugs can include illegal drugs, prescribed medicines or solvents.

- **Drug Trafficking Act 1994**

Makes it an offence to sell articles for the preparation or administration of controlled drugs – such as cocaine snorting kits

- **Crime and Disorder Act 1998**

This Act introduced, for the first time, enforceable drug treatment and testing orders, for people convicted of crimes committed in order to maintain their drug use.

## Welsh Government Strategy

20. The Welsh Government has a Substance Misuse Delivery Plan 2019-2022 which aims to ensure that people in Wales are aware of the dangers and the impact of substance misuse and to know where they can seek information, help and support if required. The strategy also sets out a number of actions for Welsh Government and key partners including; responding to co-occurring mental health problems, partnership working with housing services, consistent service for those with substance misuse problems and improving access to support services.

## How the UK Drug Laws are Enforced

21. There are a number of controls to restrict the supply and use of drugs in the UK undertaken by the following agencies –
- Enforcement agencies: Serious Organised Crime Agency (SOCA)<sup>2</sup>, Police Forces;
  - Prison Service;<sup>3</sup>
  - Medicines and Healthcare products Regulatory Agency (MHRA)<sup>4</sup>.
22. There are 43 police forces and more than 132,000 police officers in England and Wales. Policing is the joint responsibility of the Home Secretary, Chief Constables and Police and Crime Commissioners.
23. Maximum penalties under the Misuse of Drugs Act are:

Drug class	Possession	Supply
Class A	7 years + fine	Life + fine
Class B	5 years + fine	14 years + fine
Class C	2 years + fine	14 years + fine

Source: <https://www.drugwise.org.uk/drug-laws/> Accessed Friday 9 April 2021

<sup>2</sup> SOCA is an intelligence-led agency formed by the amalgamation of the National Crime Squad, National Criminal Intelligence Service, HM Revenue and Customs, and UK Immigration section with the responsibility of tackling organised crime.

<sup>3</sup> The Prison Service is responsible for preventing drugs being used and smuggled into prisons.

<sup>4</sup> MHRA is an executive agency of the Department of Health and aims to safeguard the health of the public by ensuring medicines and medical devices are safe.



## Definitions of Drug-Related Activity and Crime

24. Drug related crime falls into three types:

1. crimes of supply;
2. crimes committed as a consequence of dependency or intoxication and;
3. crimes of possession of illegal substances.

According to statistics published in 2020, there were around 175,000 drug offences recorded by the police in England and Wales in 2019/20. This is 13% higher than 2018/19<sup>5</sup>.

25. The term County Lines is when an organised crime group (or urban gang) from an area such as London, Birmingham and Liverpool extend their drug dealing enterprise across county boundaries. This is known as a running a 'county line'. Organised crime groups often use young people or vulnerable adults to deliver their drugs, coercing them with payment or gifts or by forcing them through intimidation and violence.

## Way Forward

26. In order to understand what preventative work is currently being done by the Community Safety Partnership to address this issue, the following key individuals have been invited to attend the Committee meeting:

- Alun Michael, Co-Chair of the Community Safety Leadership Board - Police & Crime Commissioner for South Wales
- Cllr Lynda Thorne, Co-Chair of the Community Safety Leadership Board and Cabinet Member with responsibility for Community Safety
- Chief Superintendent Wendy Gunney, Co-Chair of the Community Safety Delivery Group – South Wales Police
- Sarah McGill, Co-Chair of the Community Safety Delivery Group and Corporate Director for People and Communities

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<sup>5</sup> House of Commons Briefing Papers, Drug crime: Statistics for England and Wales, published October 2020. Accessed Friday 9 April 2021.

- Sian Sanders, Operational Manager – Cohesion & Community Engagement
- Jenny Rogers, Community Safety Manager

27. Representatives from South Wales Police have also been invited to provide insight into the enforcement routes, detail on operations deployed to address the matter and to share their first-hand experience.

28. An individual, with lived experience of drug activity will also address committee. Providing Members with an overview of the drivers which led them into drug related activity, insight into the accessibility of such activity and share their perspective on preventative measures.

29. At the start of the meeting, the Community Safety Partnership Board will provide a presentation to Committee as detailed in paragraph 3 of this report, this will be followed by an immediate opportunity for Committee Members to ask any questions arising.

30. Committee will then receive a presentation from representatives of South Wales Police along with entering a Q&A session to explore the information provided in their presentation, the officers first-hand accounts of addressing this issue and to gain their insight and perspective on the matter.

31. Members will then enter into a Q&A session with an individual previously involved in drug related activity.

32. Following all evidence sessions; the Community Safety Partnership will then be invited to comment and reflect on discussions at the end of the meeting. Members will then decide if they wish to feed any comments, observations or recommendations to the Partnership for their consideration.

## **Legal Implications**

The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to the Cabinet/Council will set out any legal implications arising from those recommendations. All decision taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirements imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be taken having regard to the Council's fiduciary duty to its taxpayers; and (he) be reasonable and proper in all the circumstances.

## **Financial Implications**

The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

## **RECOMMENDATIONS**

The Committee is recommended to:

- i. Consider the information set out in this report and its subsequent appendices;
- ii. Consider the information provided by witnesses to this meeting;
- iii. Decide whether it wishes to relay any comments or observations to the Community Safety Partnership and;
- iv. Decide the way forward with regard to any further scrutiny of this issue.

**Davina Fiore**

**Director of Governance & Legal Services**

**13 May 2021**