

**FEAR OF CRIME AND ITS EFFECT ON CARDIFF COMMUNITIES**

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**Reason for the Report**

1. To provide Members with background information to inform their scrutiny of partnership working in Cardiff to tackle crime and disorder and community safety issues. This report provides: an overview of the Community Safety Partnership (CSP); a summary of the strategic direction of Cardiff's CSP; and a summary of available information regarding public perception of crime.

**Background**

2. 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 (CSPs).
3. The 'responsible authorities' in Cardiff comprise: Cardiff Council; South Wales Police; South Wales Police Authority; South Wales Fire Authority, the National Probation Service (South Wales Area) and Cardiff & Vale University Health Board.

4. 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.*'
5. Section 17 seeks to ensure that the strategies, plans and budgets of the responsible authorities are considered from the standpoint of their potential contribution to the reduction of crime and disorder. As a statutory duty, failure to consider crime and disorder in the exercise of its functions can leave a local authority open to legal challenge if it has not done all it 'reasonably' can. The Courts will look for evidence that the authority has a coherent plan for complying with Section 17 and that this plan is being implemented.<sup>1</sup>

### **Overview of Cardiff's CSP**

6. In Cardiff, the Community Safety Partnership, originally known as 'Safer Cardiff', was integrated into the Local Service Board (*Cardiff Partnership Board or CPB*) arrangements; this was recommended by the Welsh Government in their 2012 statutory guidance, *Shared Purpose – Shared Delivery*, on integrating partnerships and plans.
7. In 2016, the CPB 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.

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<sup>1</sup> Home Office (11/00) - *Briefing Note - Anticipating the Impact of Section 17 of the 1998 Crime and Disorder Act.*

## **Strategic Direction of CSP**

8. 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.

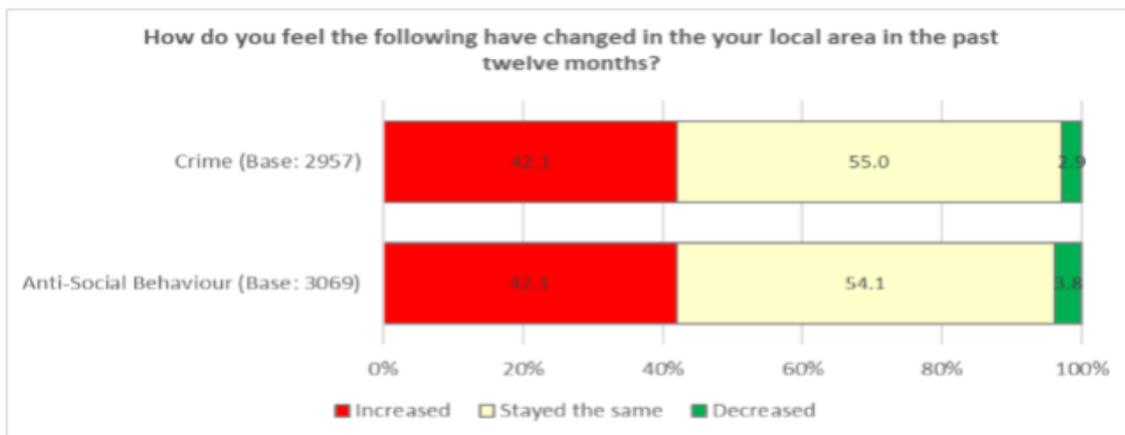
## **Crime and Disorder Scrutiny**

9. Sections 19 and 20 of the Police and Justice Act 2006 (*as amended*) included a requirement that local authority scrutiny structures should consider crime and disorder matters, which did not have to be undertaken by a distinct Committee.
10. The Crime and Disorder (Overview and Scrutiny) Regulations 2009, which support the Act, elaborates on these requirements. In Wales from the 1st October 2009 (and in England from 30 April 2009) every local authority must have a scrutiny committee in place to:
  - I. review or scrutinise decisions made or action taken by the responsible authorities in connection with the discharge of crime and disorder functions;
  - II. make reports or recommendations to Council or Cabinet, as determined by responsibility for function, in connection with the discharge of those functions.
11. It was agreed that Cardiff Council's Community & Adult Services Scrutiny Committee would absorb these new responsibilities, given that community safety formed part of its existing terms of reference.

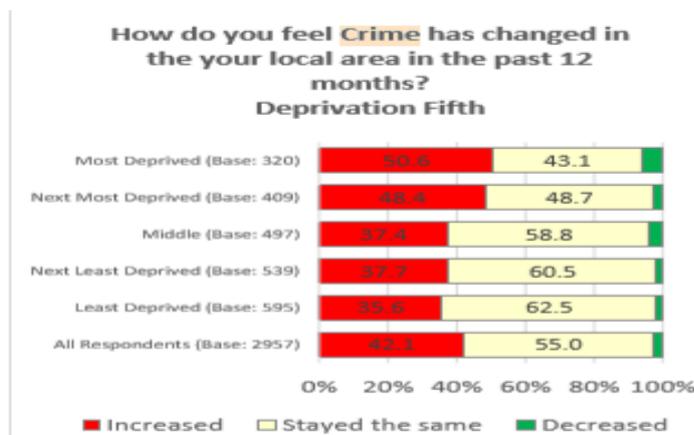
12. As set out in Welsh Government guidance, the role of crime and disorder scrutiny is to scrutinise the partnership as a whole and the partners who compromise it insofar as their activities which relate to the Partnership itself, as opposed to scrutinising the individual work of each responsible authority.

### Fear of Crime

13. Although the ASK Cardiff 2018 findings provide the overview that crime rates are dropping in Cardiff, more than two in five respondents (42.1%) believed crime and anti-social behaviour had increased in their local area over the past 12 months.



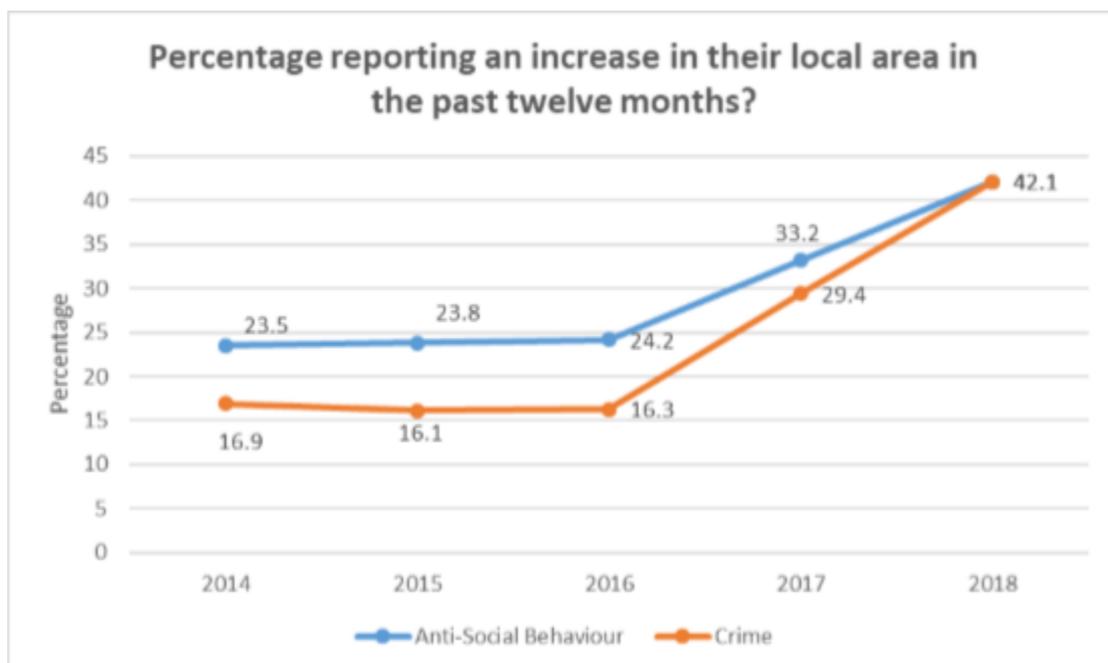
14. Half (50.6%) of respondents from the most deprived areas believed crime to have increased in their area in the past 12 months, compared to a third (35.6%) of residents in the least deprived areas.



15. In addition, half (51.9%) of respondents in the 'Southern Arc' were dissatisfied with the level of anti-social behaviour. By deprivation score, there was a 36.4%

difference in the level of dissatisfaction between the most and least deprived areas of the city.

16. These responses show a worrying trend in Cardiff communities' perception of crime, whilst also indicating a possible correlation between a negative perception on how crime is addressed between demographics.
17. Trend analysis over the past five years shows a significant and growing increase in the percentage of respondents believing crime and anti-social behaviour to be increasing in their local area.



### Principal Drivers of Insecurity across different Neighbourhoods

18. Many agree that some form of community engagement activity is fundamental in gaining community intelligence. However questions have arisen toward the best approach in gaining such data.

19. The Police Practice and Research; An International Journal, sets out that the principle drivers for a neighbourhoods insecurity as:

- Major Crimes – especially if widely reported in the media;
- Members of community living close to a crime scene who have been disaffected by the police response;
- Residents, who may have lived in their community for a substantial amount of time, will have a collective memory of local incidents which they will interpret as a marker of growing threat;
- Youth related disorder;
- Fly-tipping;
- Litter;
- Dog mess;
- Speeding cars and inconsiderate parking.

### **Scope of Scrutiny**

20. As part of the Committee's work programme discussion for 2019/20, and following receipt of the ASK Cardiff 2018 results, Members agreed to undertake a piece of work around the fear and perception of crime within Cardiff communities and the effectiveness of the CSP in addressing this issue. In addition, Members also wished to gain information on:

- I. The factors which contribute to the public's perception of crime and safety.
- II. Why the perception of crime may differ within certain localities in Cardiff.

21. Levels of crime vary significantly across the city, following patterns of income and health inequality. The significant disparities between crime levels in Cardiff neighbourhoods are likely to continue unless work is undertaken to reduce them. Developing joined up approaches in protecting the city's residents, especially those most vulnerable is crucial.

22. Being safe and feeling safe consistently ranks as top priorities for both residents and visitors of Cardiff.

23. Fear of crime is a significant issue for many people and can cause problems for partners who find it difficult to reconcile this perception with the reality that many areas hold falling crime levels. However, this can be interpreted by local people as an unwillingness to respond to problems which they “know” exist in the local community, irrespective of the evidence which has been gathered by sources such as the council and the police.
24. Academics suggest that part of the problem in addressing perception and feeling of safety, is that for all the talk of consulting and engaging with communities, partners have ultimately failed to find ways to ‘see like a citizen.’ (Herbert, 2006). With too much of a focus on centrally set performance indicators, the police fail to understand and address the key factors in shaping levels of neighbourhood security (Innes, 2012).
25. It is for this reason why the delivery of community safety needs to be addressed in order to ensure it attunes with the needs, wants and expectations of a community. Scrutiny can play a vital role in resolving this impasse, setting out a way forward for local people and professionals.

## **Way Forward**

26. In order to understand what work is currently being done by the Community Safety Partnership in addressing this issue, key individuals have been invited to attend the Committee meeting:
- Alun Michael, Co-Chair of the Community Safety Leadership Group - Police & Crime Commissioner for South Wales
  - Cllr Lynda Thorne, Co-Chair of the Community Safety Leadership Group and Cabinet Member with responsibility for Community Safety
  
  - Chief Superintendent Stephen Jones, Co-Chair of the Community Safety Delivery Board – South Wales Police
  - Sarah McGill, Co-Chair of the Community Safety Delivery Board and Corporate Director for People and Communities

- Gareth Newell, Head of Performance & Partnerships
- Alison Jones, Interim Community Safety Manager
- Lee Patterson, Community Education Officer / Child Friendly City Survey

27. Representatives from FOR Cardiff a business led, not for profit organization who aim to ensure Cardiff city centre is vibrant and welcoming, have also been invited to provide their viewpoint on this issue from a business community perspective.

28. At the start of the meeting, the Chairs of the Community Safety Boards will provide a presentation to Committee setting out:

- Current crime statistics for Cardiff;
- Specific statistics relating to the more deprived areas of the city;
- The ASK Cardiff 2019 results for community safety;
- What the Cardiff CSP is doing to address community confidence and overall community well-being.

30. Representatives from FOR Cardiff will also be requested to present Committee Members with their perspective on how the fear of crime is effecting Cardiff's business community.

31. Following evidence from the witnesses and a Q&A session, Members will be able to decide if they wish to feed any comments, observations or recommendations back to witnesses and to Cabinet for their consideration.

## **Legal Implications**

32. 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**

33. 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;
- ii. consider the information provided by witnesses to this meeting;
- iii. decide whether it wishes to relay any comments or observations to the Cabinet Member for Housing and Communities and witnesses; and
- iv. decide the way forward with regard to any further scrutiny of this issue.

**Davina Fiore**

**Director of Governance & Legal Services**

**2 January 2020**