

**Commission on Justice in Wales
Oral Evidence Session
15 February 2019**

Present:	Commission members	Secretariat team
Mike Cunningham (CEO College of Policing)	Lord Thomas of Cwmgiedd, Chair, Simon Davies, Dr Nerys Llewelyn Jones, Professor Rick Rawlings, Professor Peter Vaughan	Andrew Felton, Secretary to the Commission, Dave Gordon, Chris James Rhys Thomas
Question area: Current difficulties the Welsh Police Forces are facing over the funding of apprenticeships		
<p>Immediately prior to my role as CEO of the College of Policing I was a HMI. Before that I was a Chief Constable in Staffordshire for 5 years and I had spent most of my career in Lancashire where I joined the force as constable. I have experience as a Chief Officer under both governance arrangements, namely Police Authority and Police and Crime Commissioner. I have been in my current post for one year.</p> <p>In terms of apprenticeships, I think all Chief Constables agree it is a new route for people entering the police services and in this the degree apprenticeship is one option for people to pursue. The apprenticeship route allows Chief Constables to draw on the apprenticeship levy. This is problem in Wales and I don't have an answer to how the problem is going to be solved. In practice, the Chief Constables in Wales are paying twice for constable coming through the apprenticeship route. Yet the Chief Constables see it as a good way to train officers. I believe apprenticeship to level 6 is the correct level to train constables but this view is not without controversy. I think it is right because of the complexity within which police officers must work and because of the types of decisions they need to make. Level 6 is degree level equivalent. Chief Constables in Wales are very exercised by this issue and although there is a temporary solution in place it is not sustainable in the long term. I have no sense that apprenticeship funding is under threat in England and as a result Chief Constables in English Forces are planning accordingly based on the levy. I would say that preparations across the country are very well developed.</p>		
Question area: Curriculum redesign in the light of the digital revolution and artificial intelligence		
<p>The digital challenges for policing offer major threats and opportunities for modern policing. In terms of threats, technology enabled crime is a very significant issue. Even the most basic crimes today have a digital element with evidence often on mobile phones. The College of Policing is the custodian of the national policing curriculum and there is a dedicated team that keeps track of digital developments and future training required. The College focuses on developing the curriculum and there has been a lot of focus on disclosure, including in the context of increasing digitisation. Training has therefore looked at the amount of evidence that can be available on digital devices. The College has a role in assisting the police service to assess future demand. This is important for workforce planning and in recent years there has been a focus on capacity. But there has also been a focus on building capability too. It is important that the curriculum is current and up to date and we use technology to deliver training. An example is the use of virtual reality for custody suite training and Gwent Police make use of this package of training.</p>		
Question area: Teaching Welsh law		
<p>The College of Policing does not currently provide for the teaching of Welsh law. It is clear to me that there was a need to adopt a more responsive approach to Welsh requirements principally around</p>		

Welsh language training. In the next few weeks we will appoint a dedicated member of staff from North Wales Police with Welsh language skills to create a more responsive approach to Wales and the needs of policing in Wales. I have spoken to the Welsh Chief Constables and Police and Crime Commissioners about this. Crucially, we are developing our own Welsh Language Scheme after engagement with the Welsh Language Commissioner. I think this is the right thing to do to support Welsh language service provision. In terms of training in Welsh law, this will be delivered locally through each police force. Whilst the College provides some training material in some areas of training such as policing public order matters and firearms, each Police Force will develop and tailor its own training in areas such as Welsh law. We are starting to develop Welsh language literature in line with our Welsh Language Scheme. I want to work with my new member of staff to identify priority areas for this, particularly public facing work such as recruitment material, processes and such like.

Question area: Response of College of Policing to potential devolution

My starting point here is that the College of Policing does a lot of work around the world. We do this because British policing has an enviable reputation. I am proud that the College is part of British policing. I work with the Chief Constables of Scotland and Northern Ireland to ensure that there is coherence around what the various Police Forces are doing. I am keen to ensure that where policing devolved, standards of recruitment which are evidenced based and fit for purpose would be maintained. In addition I would want to keep a strong relationship with any devolved arrangements.

We have three purposes in the College: -

1. people recruitment and development, including leadership, and I would hope we would continue to support that in Wales;
2. we are the place that holds knowledge about what works in policing, based on evidence, and I would hope Welsh Forces would continue to support and use the what works evidence base; and
3. we set consistent standards across the UK and this is important as crime is cross border and there are requirements for Forces to do mutual aid to help each other and work together.

I have little power to require Chief Constables to comply with national standards. I have limited power to require them to have regard to matters, such as codes on vetting and ethics. Other codes and standards are voluntarily adhered to by Chiefs. This is because they are based on evidence and best practice and it makes sense that Chiefs adhere to them.

Lord Thomas asked about working relations with Scotland and Northern Ireland and their respective colleges.

The College of Policing in England and Wales is slightly different. We are the professional body for policing and the colleges in Scotland and Northern Ireland do not purport to be that, they are more like training providers. But we do work with them around training standards, recruitment standards, curriculum development and so forth. We are looking to build the relationships albeit on a voluntary basis. Ideally, I'd like to see that relationship grow closer with much more engagement about developing the knowledge base. There is lots of talk about the public health approach to violent crime in Scotland and experience of policing divided communities in Northern Ireland which are rich sources of knowledge we can include in our evidence base going forward.

Lord Thomas asked about the title of the College.

As regards title, the College of Policing is relatively new. It was born of many parents who expected different things. It's akin to the Royal Colleges as a professional body parallel to those in the medical world. It is a standard setting body for policing. I define the College as a professional body in our three priority areas: -

1. we are the agency that sets professional standards for policing;
2. we are the knowledge centre for policing; and

3. we set the requirements for the workforce.

These are the three defining pillars of the College. We do little education provision. There are also big differences to the Royal Colleges. The College of Policing is a membership body. We offer services to people in different ways. If they join it gives them access to services around professional development. I think we will move away from that as my ambition is the College will offer its services to everyone in policing in the same way. In that way the College will be an open and accessible body. There is no need to pass exams and so forth as one needs to do with the Royal College.

Lord Thomas asked whether the College could operate at a federal level.

Yes, but it's not without challenges. The arrangements for policing with 43 separate Police Forces each with its own governance and Chief Constable who is operationally independent makes an approach of a national body setting standards quite a challenge. It's not a challenge we are unfamiliar with in policing. It has ever been that national standards have been set by one of the number of Chief Constables in the past, for example through ACPO. In the College we take that learning and become a single body that sets standards which ultimately are inspected by HMIC.

Lord Thomas asked about the governance of the College.

I am accountable to a Board. The College is incorporated as a company with one shareholder and it is a separate and independent legal entity. The Board is chaired independently. My appointment was approved by the Home Secretary. The College in that sense has a relationship with the Home Office at an operational level. It is an arms length body of the Home Office but I am a Chief Constable and so I am operationally independent. It is a complex set of accountability arrangements but I am confident that I know who I report to, namely the Board. The Home Secretary is the shareholder.

Peter Vaughan asked about the College becoming self financing.

It's not something that will happen in the foreseeable future. It would need police officers and staff to pay a membership fee and we are a long way off that. In reality the College has a lot more to do to add value to policing. I won't be seeking to achieve this anytime soon and reliance on Government grant will continue for some time.

Peter Vaughan asked about the operation of the HMIC in a devolved setting.

Devolution is a live issue across England as well. The elected mayors and their responsibility with big public sector budgets if it works well will be a model for other areas. Policing does not operate in a vacuum and there are systematic problems that are interconnected. Chief police officers with other public sector partners and voluntary agencies and I can't think of one sustainable community safety intervention that is delivered by a single agency. Increasingly, looking at problems a lot more systematically is what is required. This will test the inspectorate. It is right there is an inspectorate of policing but increasingly inspection will need to look at thematic issues and how agencies work together.

Peter Vaughan asked about governance.

The main point for me is that whoever holds the Chief Constables to account and how ever that is done, there is clarity about the demands of policing and clear lines are drawn between the person holding to account and the person being held to account. The operational independence of the Chief Constable is of huge value in British policing and must be preserved in any accountability arrangement. The more that PCCs, Boards and elected mayors look across a system and see policing as one strand of a multi faceted system the better I think that accountability is.

Peter Vaughan asked about different entry into police forces vis-à-vis graduate and non-graduate

recruits and their interoperability between Forces.

It presents a challenge. If someone wants to transfer to a Police Force with different entry qualifications we would have to look at some form of training enhancement. I respect individual Chiefs views on this but the standard we have set in England and Wales has been agreed by Chief Constables and I think it is the correct standard.