

Rt Hon Alun Michael JP OStJ FRSA

Comisiynydd yr Heddlu a Throseddu De Cymru
Police and Crime Commissioner for South Wales



29 January 2021

**POLICE & CRIME COMMISSIONER RESPONSE TO THE HMICFRS REPORT:
'PRE-CHARGE BAIL AND RELEASED UNDER INVESTIGATION: STRIKING A
BALANCE'**

This report considers how forces are managing their responsibilities around pre charge bail and releasing individuals under investigation. I am pleased to note that the report focuses on how the system can be improved for the benefit of victims, and I support the two recommendations applicable to police forces. Efforts are already being made in South Wales Police to work towards the aims of these recommendations and I am confident that this is a topic that remains under constant scrutiny within the force.

As a Police & Crime Commissioner, you will be aware that I am responsible for the facilitation of compliance monitoring under the Victims Code of Practice. Monitoring the level of contact and engagement with victims to ensure that they consistently remain informed of the suspect's bail and Released Under Investigation (RUI) status, is undertaken through the Victims Code of Practice compliance monitoring process. I and my team are working to ensure we are confident that victims are provided with the opportunity to influence the conditions under which suspects are placed on bail, and this will transpire as we monitor criminal justice agency compliance against the Code.

It will be within our refined Victims Code Compliance monitoring process, launching in April 2021, that we intend to further examine these specific issues. We will do this by asking criminal justice agencies if the victims have been informed of the suspect being placed under their conditions, whether they were consulted, and any changes made to the conditions. I am committed to ensuring that this makes a difference and can go hand in hand with the points and recommendations made in this report.

The Chief Constable summarises his views on the report as follows:

'Protecting the most vulnerable in our communities will always be a priority for South Wales Police, and this includes the witnesses and victims of crime. We fully

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Mae'r Comisiynydd a'i dîm yn croesawu gohebiaeth yn Gymraeg neu Saesneg
The Commissioner and his team welcomes correspondence in Welsh or English

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acknowledge the recommendations made in the report, many of which are already in place in South Wales and will strive to continue to adapt and improve our response in this changing landscape.

Following the legislative changes to bail in 2017, South Wales Police made rapid improvements to the way in which risk assessment processes were conducted and ensured our internal processes properly considered the unique needs of victims as well as persons in custody.

Whilst further improvements are aspired to, it is positive that South Wales Police has embedded comprehensive policies in the management of pre-charge bail and the release of individuals under investigation (RUI). These policies adhere to national guidance and provides consistency in approach to ensure investigations are being progressed diligently and expeditiously, but more importantly victims and witnesses are safeguarded and kept updated.

We are supported in this approach by partners from the Crown Prosecution Service and Victim Focus. Continued focus on investigative standards, particularly for domestic abuse and violence, stalking, harassment, and violent crime more generally, is ongoing within the Force Criminal Justice and Investigations project.

We welcome the recommendation for the College of Policing to develop clear guidance in relation to updating suspects who are released under investigation and to ensure that all suspects associated with cases involving serious harm and risk are subject to bail with conditions to protect victims.

The recommendations for the Home Office will have an impact on the management of recording bail going forward, including a review of the legislation. South Wales Police will respond to any changes whilst maintaining the emphasis on safeguarding and timely investigations.

We welcome the recommendations of the inspection and will continue to scrutinise our own processes and learn from our peers and partners'.

I am grateful for the Chief's comments and his commitment to working towards the recommendations in the report. It is clear that any recommendations that involve process improvement to protect victims and ensure clear accountability and rationale

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for decisions around bail or RUI, are necessary and welcomed. I will use my Scrutiny & Accountability Board to track progress against this matter.



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