

# News story: A New Chapter for Welsh devolution

From:

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A new chapter in Welsh devolution was launched today as the Wales Bill received Royal Assent.

A new chapter in Welsh devolution was launched today (Tuesday January 31st) as the Wales Bill received Royal Assent.

**Alun Cairns, Secretary of State for Wales, said:**

The Wales Act 2017 delivers what I've always intended – a clearer, stronger and fairer devolution settlement for Wales based on a reserved powers model.

The provisions in this Act will make a real difference to the lives of everyone living in Wales. The powers being devolved to the National Assembly and Welsh Ministers have a real purpose and will enable them to decide the speed limits on Welsh roads; whether fracking should take place in Wales and how new gaming machines should be licensed.

With more powers, comes more responsibility. The new Welsh rates of income tax will make the Welsh Government more accountable to the people of Wales for the money they spend and doubling capital borrowing to £1bn will help the Welsh Government to invest in infrastructure.

This truly marks the coming of age of Welsh devolution. I will be working closely with the National Assembly and the Welsh Government in the coming months on plans to bring the new Welsh devolution settlement into force.

The Wales Act 2017:

- Introduces a new reserved powers model of devolution for Wales. The National Assembly will be able to legislate on anything not reserved to the UK Parliament.
- Devolves powers to the National Assembly and Welsh Government in areas including consenting for new energy projects, fracking, sewerage, teachers' pay, licensing gaming machines in new premises, speed limits,

pedestrian crossings and traffic signs.

- Provides a comprehensive package of water and sewerage devolution.
  - Opens the door for the Welsh Rates of Income Tax to come on stream.
  - Enables the National Assembly to change its name and take control of its own affairs.
  - Devolves control of National Assembly elections and local government elections in Wales.
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## [Press release: Record numbers of working people bringing employment disputes](#)

- Since the introduction of Employment Tribunal fees, record numbers have brought forward disputes
- Thousands more to benefit from extended scheme to waive fees for lowest paid
- Government committed to making sure people from all backgrounds can access justice

More than 92,000 people brought forward workplace disputes last year – the highest number since employment tribunal fees were introduced.

A government review, published today (31 January 2017), has found that the introduction of tribunal fees, as well as free mediation services, have dramatically changed how workplace disputes are resolved.

Since fees were introduced in 2013, a record number of people have sought to resolve disputes either through tribunals or conciliation.

Ministers are committed to making sure people from all backgrounds can access justice, and have today published proposals to expand the 'Help with Fees' scheme which waives fees for the lowest paid.

That would see the monthly threshold for full fee remission increase from £1,085 to £1,250 – broadly the equivalent of someone earning the National Living Wage. There are additional allowances for people living as couples and those with children.

Justice Minister Sir Oliver Heald said:

It is right that those who can afford to should contribute to the cost of Employment Tribunals.

Under our reforms, record numbers are bringing forward disputes in tribunals or through the ACAS conciliation service.

Costs should not prevent anyone bringing claims, so we are extending our Help with Fees Scheme and will introduce a Green Paper on further legal support measures.

The Prison and Courts Bill will also bring more people online, making it even simpler and easier to access justice.

Under the extended Help with Fees scheme, more people would not pay a fee and others would contribute less than under current arrangements. The extended scheme would benefit the disabled, women, BAME individuals, and the young, who all feature disproportionately among low income groups.

We have also decided to exempt from fees a small number of proceedings related to payments made from the National Insurance Fund, as in most cases the applicant is unable to conciliate or recover fees.

While many have chosen not to bring employment tribunal claims, the review found nothing to suggest they have been prevented from doing so, and that higher numbers turning to ACAS is a “positive outcome”. It also found:

- in 2015/16 there were more than 92,000 workplace disputes notified to Acas – the highest number since Employment Tribunal fees were introduced
- tribunal users are contributing up to £9 million a year in fee income, in line with expectations

The review found evidence that some have found fees off-putting – even if affordable or if they may have qualified for fee waivers.

Our consultation, launched today alongside the review, seeks to raise awareness of the Help with Fees scheme, and highlight how thousands more would qualify for help.

The government is investing more than £700 million to modernise courts and tribunals, and over £270 million more in the criminal justice system.

Ministers will bring forward further plans to improve legal support in a Green Paper by early 2018, while the Prison and Courts Bill, due to be published shortly, will make it simpler to access justice and enable thousands more people to bring cases online.

## **Notes to editors**

- Fees were introduced for proceedings in the Employment Tribunals and the Employment Appeal Tribunal in July 2013.
- The review has undertaken a detailed, thorough analysis of the evidence. We have concluded that fees have been generally successful in meeting the original objectives.
- Employment Tribunals are at the forefront of our vision for a

modernised, reformed justice system. Specific proposals for employment tribunal reform were recently set out in a consultation, published by the Department for Business, Energy and Industrial Strategy on 5 December. The government will bring forward our plans in due course.

- The review into employment tribunal fees has today been published here – <https://www.gov.uk/government/consultations/review-of-the-introduction-of-fees-in-the-employment-tribunals>.
- The consultation document, which runs until 14 March 2017, has also been published.
- For more information call the MOJ press office on 020 3334 3503 or 020 3334 3529.

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## **Press release: Smoother, safer M6 journeys from £550,000 Lancashire resurfacing project**

From:

First published:

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Part of:

A £550,000 Highways England project which includes resurfacing sections of the southbound M6 between Forton Services and Broughton north of Preston, will get underway next week.

The work involves resurfacing across 3 lanes and the hard shoulder between the services south of junction 33 at Galgate and junction 32 at Broughton Interchange with the M55 – providing safer, smoother journeys for drivers.

Highways England project manager Peter Gee said:

This is routine work to tackle wear and tear along the carriageway. To minimise any inconvenience to drivers the carriageway will remain open at all times during the day with 2 lanes running.

During the overnight work, 1 or 2 lanes will be open apart from a couple of overnight carriageway closures when we are resurfacing.

The project, which includes hardening the motorway verge, will start on Monday 6 February and is due to be completed by Saturday 4 March. The resurfacing itself is taking place between Monday 13 February and Sunday 19

February, requiring 2 full overnight closures of the southbound carriageway between junctions 33 and 32 and a diversion using the A6.

The 2 overnight closures of the southbound carriageway from junction 33 to junction 32 will take place between 10pm and 5am on both Wednesday 15 and Thursday 16 February. On these evenings access to the southbound Forton Services will be closed at 5.30pm and no one will be able to leave the services after 8pm. The services along the northbound carriageway will remain open throughout.

A 50 mph speed limit will be in operation throughout the work.

### **General enquiries**

Members of the public should contact the Highways England customer contact centre on 0300 123 5000.

### **Media enquiries**

Journalists should contact the Highways England press office on 0844 693 1448 and use the menu to speak to the most appropriate press officer.

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## **[Press release: Highways England begins vital maintenance work on M6](#)**

Highways England is beginning structural repairs to damaged concrete and renewing the waterproofing of the elevated road structure on the northbound carriageway around junction 7 for Great Barr.

As part of the work, new expansion joints will also be installed on the carriageway designed to allow movement within the structure and also add further water protection.

Highways England project manager, Jessica Kenny said:

If we don't act now, water will cause more damage in the structure corroding the steel reinforcement bars and causing further damage to the concrete itself. Therefore, leaving it alone is not an option and it would mean bigger and more disruptive roadworks in future.

The work, starting on 20 February, is part of Highways England's plan to build a modern and resilient road network. It forms part of an investment programme over the next five years and this latest work is part of a series

of essential bridge maintenance schemes across the region.

It has been designed to be completed before a similar but much larger scheme gets under way on the M5 junction 1 to 2 Oldbury viaduct.

Highways England plans to complete the work on the M6 within seven weeks with three narrow lanes introduced during the weekday to protect the workforce. Both the entry and exit slip road will remain open during the day with some closures in place overnight.

Information on the scheme, including a map of diversion routes and closure details, is available on the Highways England website. Drivers can get live traffic updates on the [Traffic England website](#) or by following [@HighwaysWMIDS](#) on Twitter.

The Highways England Customer Contact Centre is also available 24-hours-a-day on 0300 123 5000.

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## **[Speech: Speech to the International Parking Community annual conference](#)**

Many thanks to the International Parking Community (IPC) for inviting me to speak at this event today.

I thought I'd start by giving you some background to my role – apologies if you've heard this before.

I was appointed by Home Secretary in 2014 but am independent from government. I oversee compliance with the surveillance camera code of practice. It contains 12 guiding principles which if followed will mean cameras are only ever used proportionately, transparently and effectively.

My remit applies to England and Wales and my role is threefold to:

- encourage compliance with the code
- review the operation of the code

- advise on any amendments to how the code should develop

Relevant authorities (police, police crime commissioners (PCCs), local authorities and non-regular police forces) must pay due regard to the code. It holds relevant authorities to account having a statutory responsibility to do this. For other organisations adoption of the code is voluntary.

The government wants an incremental approach to the regulation of surveillance cameras in England and Wales. To reflect that I don't have any powers of enforcement. In fact, I don't believe I require them. Based on what I've seen, many organisations who are required to comply are complying or close to compliance. However, it's a real risk for local authorities and other organisations to ignore the code and doing so would risk reputational damage through appearing unwilling to engage with the public or follow good practice.

So, maintaining public confidence is an incentive for complying with the code.

And there's no getting away from it: surveillance cameras are everywhere in the UK. A survey by the British Security Industry Association carried out 3 years ago estimated up to 6 million CCTV cameras in the UK. It's said that in an urban area on a busy day a person could have their image captured by around 300 cameras on 30 different systems.

In the 3 years since the survey we've seen body-worn video (BWV) rolled out by most police forces and by other organisations as well as the use of unmanned aerial vehicles – drones – take off and there's automatic number plate recognition (ANPR) cameras too. I will talk about this in more detail later.

So, that 6 million figure can only have gone up – all these camera types fall within the scope of the code. These figures are indicative of the scale of surveillance, yet give no real indication whether surveillance is necessary nor of compliance with good practice or legislative requirements or meeting any standards at all.

In the 3 years that I've been in post one of my mantras has been 'we must raise standards', so I thought it might be worth highlighting a few successes from the past few years that we've had in that area:

- a self-assessment tool which is easy to use enabling any organisation using surveillance cameras in public places to identify where they are meeting the 12 guiding principles or where they are falling short; it allows them to develop an action plan to show due regard to the code (85% of local authorities have completed the tool)
- a third party certification scheme where such organisations can apply to be assessed for compliance with the code by an independent certification body and if successful use the commissioner's certification mark for 12 months or 5 years – an outward sign of inward compliance with the code (over 40 organisations are certified against code)
- a passport to compliance – formerly an operational requirement document

that puts responsibility for system development in the hands of those that operate them; the passport to compliance will aim to reduce technical jargon to enable procurement experts within organisations to have the ability to properly hold suppliers to account, where non compliance of the code is evident (this is out for testing)

- a list of recommended British, European and international standards published on the commissioner's website for CCTV operators, installers, maintainers, manufacturers as well as CCTV monitoring companies

## **Parking on private land: how is this relevant to you**

Under the Protection of Freedoms Act 2012, the Secretary of State issued the surveillance camera code of practice with 12 guiding principles on the appropriate and effective use of surveillance camera systems.

The government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is:

- in pursuit of a legitimate aim
- necessary to meet a pressing need
- proportionate
- effective
- compliant with any relevant legal obligations

I am determined to drive up standards in the industry and provide reassurance to communities that public space surveillance is well managed. My goal is that all overt surveillance camera systems are used transparently and that the cameras protecting the public comply with relevant regulation, particularly the code.

## **Why the parking sector**

There is a wide increase in the use of technology in general such as automatic facial recognition, BWV, ANPR, UAVs etc. All these can provide massive benefits to society but at what cost? We only have to look at Operation Champion to see the problems with unchecked use of surveillance (where more than 200 cameras were installed without consultation in a largely Muslim area using funds set aside to tackle terrorism. This sparked outrage and the cameras were removed wasting tax payers money).

Do we run the risk of the UK becoming a bigger surveillance society? A balance needs to be achieved between using technology to improve processes and ensuring the privacy of individuals.

The question is how do we achieve the correct balance?

The use of ANPR has recently become a common theme among many of the big private parking companies. Therefore this topic is particularly relevant today.

ANPR offers parking companies a competent system for issue tickets to vehicles contravening parking conditions on private land. However, is the use



of this surveillance mechanism proportionate and how can you ensure that it is being used in compliance with the relevant regulations? The ability to access the DVLA database for registered keeper details means that this data is personal data and therefore is subject to rules under data protection act.

## **Legitimacy of surveillance**

In 2014 the government announced plans to ban the use of CCTV in parking enforcement as it considered the local authorities use of 'spy cars' was being used as a 'cash cow' by councils. It wanted to end the plague of parking fines being sent in the post.

The Deregulation Act 2015 brought this into effect and prohibited the use of devices for parking enforcement, except in specified places, such as outside of schools and bus lanes. This was to curb the abuse of power by the local authority and to avoid devices being used as revenue generators for councils. The use of ANPR for parking on private land can be viewed in the same manner. Is the use of this form of intrusive surveillance legitimate? If yes, then how can we evidence that?

## **Accuracy of data**

ANPR is not without issues though and there are a number of challenges with using this form of surveillance. How do you know that the information provided by the ANPR camera is accurate for example? The fact that a camera has captured a vehicle entering and then leaving an area does not necessarily mean that the vehicle has been parked for that length of time.

For example if a ticket is issued purely on the basis of a camera capturing entry and exit of a vehicle this could be challenged by the driver who could request evidence that the vehicle was actually parked for that length of time.

Another issue around accuracy of information provided by ANPR is a first in last out scenario where a vehicle arrives and parks for a few minutes in the morning and does that same in the evening. If the camera setting is a first in last out one it could issue a ticket on the basis of parking from morning till evening rather than 2 separate half hour periods.

We have to ask ourselves what exactly this information means. What is it telling us? Principle 12 of my code mentions the need to ensure the accuracy of any databases or reference. We need to make sure that data is checked before it is acted upon.

## **Compliance to the Surveillance Camera code of practice and the IPC code**

The use of any form of overt surveillance must adhere to a legitimate and pressing need.

As you will be aware over the last few weeks, there has been a lot of discussion over parking in hospitals. According to the Sun, 'hospitals raked

in a record £125 million in car parking fees over the past year, despite the Health Secretary's vow to end the tax on sick charges. Shockingly last year's real figure is thought to be as much as £190 million.'

As parking companies, there must be a way to address this in order to provide transparency to the members of the public. In areas where ANPR is used, it is absolutely essential that the industry gets this right. Completing my self assessment tool could provide a solution and help evidence the fact that these car parks are being operated in compliance with my code.

I have been working with the IPC to incorporate my code into their code of practice and I am grateful to Will and John who have been instrumental in making this happen speedily.

This means that as a member of IPC, in order to comply with the IPC's code of practice, you should also be able to demonstrate also comply with my code.

You will find this in section 3.5 of the code which states that 'operators should have regard to the surveillance camera code of practice when using surveillance cameras.'

Under the IPC's code of practice non compliance with the code could lead to withdrawal of membership as well as the company being reported to DVLA. You will find detailed information about implications of non compliance in part E – schedule 2 of the accredited operator code of practice.

I have put in place a number of tools that will help you to demonstrate compliance to the code. These are my self assessment tool and third party certification.

The self assessment tool is a simple questionnaire that guides you through the 12 principles and helps you to develop an action plan to improve compliance.

Completing this tool will show you how closely you are complying with the code.

The third party certification scheme is for those that are compliant and want to evidence this with a certification mark and a certificate.

More information on these tools can be found on my website.

## **What's in it for parking**

While the code mentions the importance of relevant authorities showing regard to the code, it goes further to encourage compliance from other sectors that use public space surveillance to adopt the code voluntarily. The parking sector falls into this category of voluntary adopters of the code. The importance of this cannot be over emphasised.

A number of voluntary sectors have adopted the code and already achieved certification. These include some universities, housing associations and most recently Marks & Spencer. None of these organisations have to comply but they

have seen the benefits in adopting the code.

So what are the benefits?

Complying with the code provides many benefits, some of which are:

- protecting members of the public
- transparency on how surveillance is used in parking
- improve standards of operating ANPR surveillance within the parking section
- protect the integrity of the industry by ensuring that information used to issue tickets is accurate
- provide consistency across the parking sector
- safe costs on appeals where surveillance cameras show accurate information
- ensure that where ANPR is being used they are compliant with the code of practice which in turn will uplift public confidence in this challenging sector
- adopting the code will help to uplift standards in the parking industry
- potential for reduction in cost through value management and efficiency checks on systems.

## **Strategy**

So, we have had some good successes and you may be thinking: I know he's consulting on a national strategy (I hope you know I am!), things seem to be improving without one. Well, the surveillance camera sector is massive and is an industry that will continue to grow – there was a £2,120 million turnover in the UK in 2015 on video and CCTV surveillance. That's virtually enough to buy a Premier League football club!

Think about the surveillance camera industry and all the organisations and people that have a vested interest:

- local authorities
- police forces
- installers, manufacturers, consultants and designers
- government and regulators
- members of the public
- all commercial and business sectors

The list goes on – all of these groups often (but not always) are working in isolation, independently of each other.

So, considering the amount invested in the sector and the many groups involved in keeping the public safe – some already working together, there is a need for an overarching, coherent strategy that underpins the use of surveillance cameras bringing together all relevant groups.

As I said, I've been in post for almost 3 years now and during that time have been continually impressed by the support, encouragement and engagement across the range of stakeholders. What is clear is the energy for greater co-

ordination to improve compliance and raise standards in the world of surveillance cameras. There is certainly an appetite for an over-arching surveillance camera strategy.

This approach was agreed by my advisory council in January and partnership working is at the heart of the strategy – there are 10 work strands all led by an industry expert giving up their time voluntarily to drive this ambitious strategy forward as one coherent plan for the surveillance camera industry.

And it is an ambitious strategy with long-term objectives and delivery plans which extend beyond 2020. My vision for the strategy is quite simple:

The public are assured that surveillance cameras in public places are there to keep and make them feel safe, and that those cameras are deployed and used responsibly as well as transparently in a manner which is proportionate to their legitimate purpose.

And I will do this by providing direction and leadership in the surveillance camera community, to enable system operators to understand best and good practice, and then demonstrate compliance with the principles of the SC code and any associated guidance.

The strategy aims to provide direction and leadership in the surveillance camera community to help system operators to understand best and good practice as well as their legal obligations, such as those contained within the Data Protection Act and the Private Security Industry Act, and then to apply that understanding to demonstrate compliance with the principles of the code and any other associated guidance.

It will provide a blueprint and a delivery plan that will afford significant operational cost benefits, economies of scale, enhanced training opportunities and more focused direction for manufacturers and suppliers. The end result being a more transparent, efficient and effective approach to public space surveillance – benefitting the public who will be safe in the knowledge that surveillance cameras are there to keep them safe and protect them.

This is not the first attempt at a national strategy for surveillance cameras in England and Wales. The 2007 CCTV strategy attempted to do this with regard to CCTV. It was an ambitious, systematic and innovative approach but for a number of reasons much of it didn't move from recommendations into delivery. Much of today's strategy owes a lot to the remnants of the 2007 CCTV strategy.

As I said there are 10 work strands to this strategy each with its own objectives – I won't go through these but you can find them in the draft strategy document on my website.

But briefly, in consultation through their networks the strand leads have identified high level objectives. They each work towards and support achieving the vision and mission.

Each of the strategic objectives will have a supporting delivery plan setting out specific action and outputs which contribute towards achieving the strategic mission. The delivery plans are owned by strand leads.

## **Consultation**

This draft strategy has been 10 months in development – I've been working with the strand leads and many others to get it into shape and now we are ready to consult on it.

So, I welcome views from anyone whether they are an expert in the industry or a member of the public – the strategy is designed to benefit them so their input will be invaluable to making sure it meets their needs when we begin work on delivering its objectives in 2017. The consultation is open now and you can submit your views via an online survey on my website – the consultation will remain open until 6 December.

Once we have gathered and analysed responses we will feed them back into the strategy to make it even better and publish the final document and delivery plans in 2017.