

The Executive

On 13 June 2006

Report Title: **Police & Justice Bill (Crime and Disorder Act Review)**

Forward Plan reference number (if applicable):

Report of: **Assistant Chief Executive, David Hennings**

Wards(s) affected: **All**

Report for: **Non-key decision**

1. Purpose

1.1 To inform Members of the current proposals under Part 3 of the forthcoming Police and Justice Bill, which relate to the review of the Crime and Disorder Act 1998. Comments from Haringey's perspective have been highlighted.

2. Introduction by Executive Member

2.1 The Police and Justice Bill was published in the House of Commons on 25 January 2006 and contains recommendations relating to the review of the Crime and Disorder Act 1998. These recommendations are designed to further consolidate the work of local partnerships in preventing and reducing crime, fear of crime, anti-social behaviour, disorderly behaviour affecting the environment and substance misuse.

2.2 The Safer Communities Partnership is well established. Considerable work has been done over the past few years to improve partnership structures, information sharing and analysis. Haringey is, therefore, in a favourable position to implement new proposals but will await further detail following the consultation exercises during the Summer 2006.

3. Recommendations

3.1 That Members note the proposed changes, the timetable and early comments from a Haringey perspective

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4. Executive Summary

4.1 This report outlines the main proposals in the Police & Justice Bill which relate to the work of Crime and Disorder Partnerships (CDRPs). These proposals address structures, accountability and governance, delivery, mainstreaming and standards.

4.2 Overall, Haringey welcomes the thrust of the proposals but awaits the detail, which will emerge from the planned consultation events during the Summer. The Haringey CDRP – Safer Communities Executive Board - has already made progress on some of the recommendations, especially in relation to data/auditing and arrangements for neighbourhood working. Haringey is ahead of most or all London boroughs in this respect.

5. Reasons for any change in policy or for new policy development (if applicable)

5.1 None at this stage

6. Local Government (Access to Information) Act 1985

6.1 Briefings from the Home Office and the Local Government Information Unit were used as reference documents

7. Background

7.1 This Bill builds on a series of significant reports since 2000, which include 'Calling Time on Crime' HMIC (2000) and two Audit Commission reports (2002 and 2004), which aim to improve outcomes from partnership working.

7.2 The Bill is also running in parallel with the development of a new Local Government White Paper examining the relationship between Crime and Disorder Partnerships (CDRPs) and Local Strategic Partnerships (LSPs). Officials are, therefore, ensuring that the two dovetail and reinforce each other.

7.3 The partnership landscape has altered considerably since the introduction of the Crime and Disorder Act in 1998. A review was, therefore, considered overdue and was undertaken between November 2004 and January 2005 with the aim of making CDRPs more effective vehicles for tackling crime, anti-social behaviour and substance misuse at the local level.

7.4 The participating bodies were the Home Office, Local Government Association, the Association of Chief Police Officers and the Association of Policy Authorities. It should be noted that the detail of how these proposals will actually be implemented within individual partnerships has yet to be crystallised. The Home Office is overseeing a

series of stakeholder consultation events at which this detail will be explored and Haringey will be represented at some of these of these. The Bill is due to become law by December 2006.

8. Description

8.1 The review proposes changes in the areas of: Governance and Accountability, Structures, Delivery, Mainstreaming and National Standards. The overall objectives are:

- To reduce the bureaucratic burden on Crime and Disorder Partnerships (CDRPs)
- To streamline delivery of partnership outcomes
- To improve inter-agency working
- To strengthen the visibility and democratic accountability of CDRPs

Governance and accountability

8.2 Proposals in this area aim to improve the public visibility and accountability of CDRPs in their localities. A set of clearly understood minimum national standards for community safety work is recommended. This should help clarify for the public and all participating bodies what is expected from the partnership and also aims to improve community engagement, especially in relation to socially excluded groups.

8.3 An enhanced role is anticipated for Overview and Scrutiny Committees to scrutinise the work of CDRPs and to co-opt members of the wider partnership into the process with an active role envisaged for the relevant Executive Member. A precedent for this approach exists in relation to the health service under the Health and Social Care Act 2001.

8.4 Provision for a 'community call for action' is included in the Bill to enable members of the public or community groups to hold the CDRP to account if it has failed to address important community safety issues. It is intended that ward Councillors and representatives of the CDRP will work closely in neighbourhoods to prevent an appeal to the Executive or ultimately to the Overview and Scrutiny Committee.

8.5 The Crime and Disorder Act review, carried out by the Home Office this year, states: "It would seem clear that the local authority cabinet member with responsibility for community safety must be a member of the Local Strategic Partnership: it is at the LSP where the strategic decisions affecting Crime and Disorder Reduction Partnerships will be made under our new model, and it is also here where the Local Authority Agreement is managed. Having the community safety portfolio holder fully engaged with these key processes will be essential."

Comments: Haringey welcomes the introduction of national standards, which is overdue and should bring greater understanding and recognition of the work of CDRPs. Wider representation on Overview and Scrutiny panels should be welcomed. However, further discussion and clarity is required about the exact membership and roles in relation to other partnership bodies (see structures below). There is a need to be

mindful not to overburden existing partners and to ensure a clear division of responsibilities. It also raises the question of the level of accountability and compliance of non-Council services to such a process eg the court system.

In relation to point 8.4, Haringey now has a dedicated Police Safer Neighbourhood Teams (SNTs), in each ward and the Council are also rolling out a neighbourhood model across the borough with a strengthened team in the 7 area assembly areas. The work of the SNTs will be driven for the most part by locally identified priorities and overseen by a ward panel. The ward panels will report into multi-disciplinary neighbourhood boards. These arrangements should go a long way to satisfying the community that their needs are being met. However, close and effective partnership working between Council neighbourhood management teams and SNTs on the ground will be crucial. Co-ordinated communication, problem-solving, and resource management will be key.

Structures

- 8.6 The Bill proposes a split between the strategic and operational functions of CDRPs. This is aimed at entrusting LSPs with setting the overall strategic direction of community safety work in the context of a co-ordinated LAA. This would leave the CDRP to plan and secure the operational delivery of those strategic aims.

Comments: Haringey recognises the benefits that could follow from firmer strategic links being made across the work of the LSP. This should go beyond the Safer and Stronger LAA block to look at how the work around young people, wellbeing, better places and worklessness contributes to achieving community safety and vice versa. If the Haringey Strategic Partnership is going to steer the overall strategic direction, it will need to receive and duly consider evidence-based and informative reports of what is happening on the ground. It will also need to cement its role in strategic decision-making and dynamic performance management.

Given the wide ranging responsibilities of the HSP it may be difficult for them to replace the strategic role of CDRPs due to basic time constraints. It also reduces local flexibility in determining how strategic partnerships are most effectively organised.

There is potential for significant overlap between the membership and roles of an extended Scrutiny Committee, a revised HSP and the CDRP. As already stated, there is a need to be mindful of maximising the time and efficiency of those partners who regularly attend several partnership boards, and ensure that roles are properly defined.

Delivery

- 8.7 This aspect of the Bill is further promoting the use of the National Intelligence Model (NIM) as a vehicle for co-ordinating data and analysis. It is proposed that a six-monthly 'strategic assessment' be produced by the partnership to replace the current police quarterly report and that this be part of a rolling audit and planning process using real time data and information. This would replace the requirement for a 3-year crime and drugs audit. There is also a proposal to strengthen information sharing and to extend the list of agencies bound by information and data sharing legislation. It will be a requirement on all CDRPs to have a signed Information Sharing Protocol (ISP).

8.8 In an attempt to further reduce bureaucracy, it is also proposed that the annual review of partnership work should be presented to the public as a short and informative document to replace a formal annual report to the Home Office and regional bodies.

Comments: Haringey CDRP is ahead of the game in this area and welcomes all the above recommendations. The CDRP already has a signed ISP, although further work is required during the year to maintain dynamic exchange of information. The partnership has also moved the traditional strategic assessment beyond the police to include data and analysis from other partners. Haringey has a corporate Information Sharing Group and a Safer Communities Data Analysts' Group in place. The CDRP welcomes the recommendations on reporting back progress to communities and Haringey's public annual review is already underway.

Many of these proposals aim to reduce some of the administrative burden on CDRPs and, as such, are welcome. However, further streamlining and co-ordination of performance management is also needed, if partnerships are to spend more time on problem-solving and analysis and less on administration.

Mainstreaming

8.9 There is a significant recommendation in the Bill, which extends the definition of section 17 of the C&D Act (mainstreaming requirement) to include anti-social behaviour, behaviour adversely affecting the environment and substance misuse. This will require all relevant agencies and service departments to build in considerations to cover crime, disorder and all the above issues into their governance and decision-making processes.

8.10 The Bill intends to place a duty rather than a power on key partner agencies to share relevant depersonalised data in the interests of preventing crime, substance misuse, disorder and anti-social behaviour. The list of responsible agencies may well be extended by primary or secondary legislation.

Comments: The contribution by key services (and their impact on) preventing and reducing crime and related problems needs to be more clearly understood and flagged up. However, Section 17 has proved to be of limited value in mainstreaming and so this change may have little impact. Preparations for the Local Area Agreement should assist with this.

In relation to point 8.9, 30 partner agencies in Haringey have signed the Information Sharing Protocol and the benefits of this will be further promoted during the year. Progress on information and data sharing is best progressed through good quality relationships with partners which build up trust and are underpinned by solid processes. Partner agencies also need to see the outcomes which can be achieved from data sharing and Haringey's multi-agency information and data analysts' groups are making good progress in this respect. Having a duty rather than a power is, therefore, unlikely to bring further benefit.

9 Consultation

- 9.7 The Home Office is running a series of consultative workshops with representatives from the CDRPs during the Summer months.
- 9.8 It is unlikely that any of the proposals contained in the Bill would meet with public disapproval.

10 Financial Implications

- 10.7 The Home Office has calculated that their recommendations will result in some overall savings in reduced bureaucracy and increased efficiency. A large percentage of community safety work relies on external funding and there will be continued pressure for partnerships to mainstream community safety work over time.

11 Recommendations

- 11.7 To note the report

12 Comments of the Director of Finance

- 12.7 At this time, there are no additional comments to make.

13 Comments of the Head of Legal Services

- 13.1 The Police and Justice Bill was published in the House of Commons on 25 January 2006. The London Borough of Haringey, as a Responsible Authority, has a statutory duty to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder including anti-social and other behaviour adversely affecting the local environment as well as the misuse of drugs in their area pursuant to s6 of the Crime and Disorder Act 1998 as amended by s97 & s98 Police Reform Act 2002 and s1, Clean Neighbourhoods & Environment Act 2005.
- 13.2 These statutory partnerships are known as Crime and Disorder Reduction Partnerships (CDRPs). In relation to this report one of the key aspects of the Bill is to ensure that Local Authorities work together with the Police to ensure the more effective workings of these Crime and Disorder Reduction Partnerships. Any introduction and implementation of proposals pursuant to the Bill by the Council will need to take into account the European Convention of Human Rights, the Human Rights Act 1998 and any council and departmental policies in relation to enforcement and ensure education of those within our borough takes place.

Equalities Implications

- 13.7 The proper implementation of these proposals would impact favourably on socially excluded and disadvantaged communities.

14 Use of Appendices / Tables / Photographs

- 14.7 None

Ref: Safer communities/reports/cembPJBillMay06.doc