

Frequently Asked Questions: Crime and Disorder Act Review

The Crime and Disorder Act (CDA) Review

When was the review conducted?

A review of the partnership provisions of the Crime and Disorder Act 1998 was carried out between November 2004 and January 2005.

Who conducted the review?

The review was carried out by the Home Office, the Local Government Association, the Association of Chief Police Officers and the Association of Police Authorities.

Who was consulted in the course of the review?

Over 450 key stakeholders and practitioners attended four regional seminars held towards the end of 2004, and many contributed through e-questionnaires and submissions. Representatives of other key central Government departments were also involved.

What were the aims of the review?

The Government's overall objective in carrying out the review was to strengthen the visibility, responsiveness, membership and role of local partnerships. The aim is to make them the most effective possible vehicle for tackling crime, anti-social behaviour and substance misuse at a local level.

The partnership landscape has changed substantially since Crime & Disorder Reduction Partnerships (CDRPs) were first created. This, coupled with the introduction of Local Area Agreements and the changing role of local government, presents new challenges for CDRPs and Community Safety Partnerships (CSPs). Changes in the Criminal Justice System and the delivery of the police reform agenda will also impact on how CDRPs/CSPs do business. The review will help to ensure that all CDRPs/CSPs are in the best position to adapt to a changing delivery landscape and meet new challenges.

What were the findings of the review?

The review findings were published in January 2006 and are available on the Crime Reduction Website (www.crimereduction.gov.uk/partnerships60.htm). The findings are presented under five main headings: Structures, Delivery, Governance & Accountability, Mainstreaming and National Standards.

What are the key proposals?

The findings of the Crime and Disorder Act Review proposed that a number of changes to partnership working could improve the effectiveness of Crime and Disorder Reduction Partnerships and Community Safety Partnerships. These proposals are summarised at **Annex B**.

What is the Police and Justice Bill?

The Police and Justice Bill received its first reading on 25th January 2006 and proceeded through the House of Commons Committee Stage in the week

commencing 20th March. The Bill contains a number of measures intended to make CDRPs the most effective possible vehicle for tackling crime, disorder, the misuse of drugs, alcohol and other substances, anti-social behaviour and behaviour adversely affecting the environment. These measures have arisen from the findings of the CDA Review. The legislative proposals include:

- amending the existing requirement on CDRPs to undertake three yearly audits and develop three year strategies, requiring them instead to produce an annual three year rolling plan and six monthly strategic assessments (to be covered by National Standards – see below);
- repealing the requirement on CDRPs to provide an annual report to the Home Secretary;
- placing a duty on named agencies to share aggregate, depersonalised data, when doing so is in the interest of preventing crime, disorder and substance misuse (the Act currently provides only a power to share the data);
- extending the list of agencies that share such data to encompass all CDRP “responsible authorities”. In practice, this means adding Fire and Rescue Authorities to the list;
- introducing an order making power to vary the list of agencies that are listed under listed as relevant authorities for information sharing purposes;
- requiring agencies to mainstream consideration of anti-social behaviour, behaviour adversely affecting the environment and substance misuse, as well as crime and disorder (of which they are already obliged to take account);
- introducing an order making power to vary the list of agencies that are required to mainstream consideration of such matters;
- introducing an order making power to allow the alteration of the list of “responsible authorities” that comprise CDRPs;
- taking a new power to define national standards for partnership working with which CDRPs will be required to comply;
- extending the powers of local authority scrutiny committees to include scrutiny of CDRPs.

What is the likely timetable for the Bill?

The legislative timetable for the Bill means that Royal Assent is likely to be sought in late Autumn 2006, with implementation of the proposed measures stemming from the CDA review following thereafter.

When are these proposals to be rolled out?

The timetable for rollout of the changes has not yet been finalised. The new provisions will not be rolled out until the legislative changes contained in the Police & Justice Bill have gained Royal Assent. In preparation, the detailed scope and content of specific proposals emanating from the review (see below) are to be worked up over the coming months in consultation with stakeholders.

How can CDRPs, DATs, Youth Offending Teams, Local Criminal Justice Boards and their partners get involved?

The Community Safety and Local Government Unit, in collaboration with the Government Offices for the Regions and the Welsh Assembly Government, will be holding a series of regional consultation workshops in the early Summer 2006 to discuss the proposals with stakeholders. All CDRPs and Drug Action Teams/Drug and Alcohol Reduction Teams will be invited to attend these events. Representatives from LCJBs and YOTs will also be welcome. Details will be circulated in the coming weeks.

This is an on-going consultation process and we would encourage stakeholders to share their comments with us through the CDA Review e-mail address: cdareview@homeoffice.gsi.gov.uk

CDA Review: Specific Proposals Q & A

Structures

Why do the CDRP's strategic functions need to sit at Local Strategic Partnership (LSP) level rather than elsewhere?

The Police and Justice Bill will be introduced in a crime reduction landscape that is very different to that of 1998 when CDRPs were first introduced. Specifically the local landscape has been changed and improved through the arrival of Local Criminal Justice Boards, Local Area Agreements and Local Strategic Partnerships. For this reason, with particular reference to the LSP role and the important role CDRPs have to play in the delivery of the LAA Safer and Stronger Communities Block, we believe that key strategic functions of CDRPs should in future rest at the top tier Local Strategic Partnership level. The details of how this will work in practice will be subject to consultation through the stakeholder events over the summer.

How will this split work in two-tier areas?

This will be subject to further consultation with stakeholders at the regional events in Summer 2006.

Delivery

Why does the duty to share depersonalised information not extend to all information that is needed for crime and disorder purposes?

The use and exchange of data identifying particular individuals is, quite rightly, carefully controlled. But the same legislative restrictions do not apply when data does not refer to specific people or when it has been 'cleansed' to a point when individuals are no longer identifiable. Although much less problematic

in terms of the legal framework, this kind of “depersonalised” information is still not always shared between agencies, and it is this data that should be shared freely among partners in a CDRP. By extending section 115 to a duty to share information, as opposed to a power, we believe that information sharing between responsible authorities will be increased and strengthened, with resulting benefit to local community safety.

How will the proposals around improved delivery work? In particular strengthening section 115 (data sharing) of the CDA by placing a duty on responsible authorities to share depersonalised data?

The proposals within the CDA Review and the Police and Justice Bill aim to streamline and improve delivery by CDRPs. The proposals aim to do this is by, amongst other things, improving information sharing between the responsible authorities within partnerships. We are proposing to do this in two ways. Firstly by strengthening section 115 of the CDA 1998 to create a duty to share depersonalised data that is already held in this format, and secondly by using the National Standards guidance to require all CDRPs to have information-sharing protocols agreed by all partners. The details of these information-sharing protocols and what depersonalised information should be covered by the new duty will be subject to further consultation at the regional events.

Governance and Accountability

Who will lead on overview and scrutiny in areas where two tier authorities exist?

Overview and Scrutiny will most likely already exist at both the County and District level. The detail around the exact role of County and District Committees will be subject to discussion at the stakeholder events and will be linked to the discussions around the strategic and operational split of CDRP functions.

[The Bill introduces provisions](#) for local government areas that share a CDRP (in merged CDRP areas), to set up joint-scrutiny arrangements.

The CDA Review Findings Report says that police authorities will be co-opted onto Overview and Scrutiny committees - how will this work?

Although details will be included in the regulations - one very viable option mentioned in the Findings Review is to co-opt the Police Authority to sit with the Overview and Scrutiny Committee when it is looking at the CDRP’s work. It is proposed to give the Home Secretary the power to designate who should be co-opted to sit with the Committee in the Police and Justice Bill.

How will the proposals contained within the Bill affect local people?

The measures outlined within the Police and Justice Bill emphasise the responsibilities of CDRPs to engage and empower local people. The detail of community engagement will be set out through guidance, to be contained within the National Standards, which will set out the requirement on CDRPs to provide regular reports to local people. This includes ‘Face the People’ sessions as set out in the RESPECT Action Plan. The RESPECT Action

Plan is available to view and download on the Home Office Website (<http://www.homeoffice.gov.uk/documents/respect-action-plan>).

The Community Call for Action will empower local people by enabling local communities to hold the police, local authorities and their partners to account if they have failed to deal effectively with a community safety problem in their local area. Details of how these measures will take effect, and the specific responsibilities of the CDRP, the individual CDRP partners, officers and Local Authority elected members will be provided prior to their implementation. This will be subject to more detailed discussion at the stakeholder events.

Mainstreaming

How do these measures alter the current arrangements regarding mainstreaming?

The proposals within the Police and Justice Bill broaden the definition on section 17 so that agencies take account of not just crime and disorder, but also the misuse of drugs, alcohol and other substances, anti-social behaviour and behaviour adversely affecting the environment. Measures within the Bill also provide the appropriate national authority with the power to add to the list of responsible authorities by the means of secondary legislation.

Guidance regarding mainstreaming will be included within national standards.

National Standards

Why is there a need for national standards? Isn't this simply adding more bureaucracy and detracting from front line delivery?

During the eight years since the CDA 1998, it has become increasingly apparent, largely through stakeholder feedback, that a broad set of principles or standards are needed to clarify what is expected of agencies when working in partnership. The National Standards will be expected to provide this, whilst still allowing partnerships a degree of autonomy in how they work.

What will be covered by the national standards?

Within the framework of regulations to be known as National Standards the appropriate national authority may make regulations making further provision in connection with the formulation, implementation and review of partnerships' strategies. The intention is for the National Standards to set out clearly understood minimum standards for the way that CDRP/CSPs conduct their business of delivering safer communities. Regulations within this framework will be subject to consultation with stakeholders in the coming months, and amongst other things, will compel CDRPs to:

- implement a NIM framework
- produce annual three year rolling plans
- undertake regular strategic assessments
- use intelligence led problem-solving approach to support business processes such as performance, risk and financial management ;
- take account of the information sharing reforms set out in the new section 17A and the amendments to section 115.

- engage communities in crime and disorder, misuse of drugs and anti-social behaviour prevention and reduction ;
- achieve clarity around inter-agency, and local democratic governance and accountability arrangements
- recognise the principles that govern information sharing by developing and implementing information sharing protocols.

How will the Police National Intelligence Model be applied to partnerships?

The National Intelligence Model (NIM) provides a framework that, applied sensibly, will bring benefits to effective CDRP working. It is likely that the model will have to be adapted before it can successfully be applied to partnerships. The Community Safety and Local Government Unit are currently working with stakeholders and stakeholder organisations to outline how the NIM might be best adapted for the partnership environment. Stakeholders will be able to discuss this in more detail at the regional consultation workshops in the Summer.

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