



Home Office

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Dear Colleague,

CRIME AND DISORDER ACT REVIEW – IMPLEMENTATION IN ENGLAND

As you may be aware, there are a number of developments in train which will have a bearing on the working of Crime and Disorder Reduction Partnerships (CDRPs). I thought it would be helpful to write to let you know where we are with a number of these developments and, in particular, to draw your attention to some legislative changes which will take effect quite shortly. Firstly, however, I would like to emphasise that we recognise the enormous impact that many of you are having on community safety and recognise that many partnerships are contributing to significant reductions in crime and disorder in their local communities. I am especially aware that some partnerships are the focus of increased efforts to reach the PSA 1 target and, as such, are working hard to attain further reductions in crime and disorder.

We have sought to bring the various developments outlined in this letter together under the banner of the CDRP Reform Programme to ensure that a coherent approach to these initiatives is achieved. This programme is being overseen by the CDRP Reform Steering Group, which includes representatives of a number of key stakeholder groups, as detailed in Appendix 1. Please note that a similar letter is being sent to partnerships in Wales.

This letter covers changes to the Crime and Disorder Act 1998, including what will be repealed and what new provisions are being introduced, and when these changes will occur. The letter then provides more detail about the new national standards for CDRPs, the guidance surrounding the changed requirements and the legislation surrounding overview and scrutiny. Finally, I wanted to let you know about the progress in the development of the joint assessment framework for policing and community safety ('APACS'), and of the new crime strategy.

1. CHANGES TO THE CRIME AND DISORDER ACT

Some of you will have been involved in the review of the Crime and Disorder Act (CDA) 1998 and made suggestions about the working of CDRPs. The recent Police and Justice Act 2006 took these forward and introduced some important changes to

what we ask of CDRPs, most of which will be introduced in the summer of 2007. Where we refer to 'summer 2007', we are unable to give a specific date at present but will convey this when it is decided. We will be publishing formal guidance, but we wanted to take this early opportunity to outline some of the main changes and the way in which they may affect partnerships. The provisions affecting CDRPs are contained within sections 19-22 and Schedules 8 and 9 of the Police and Justice Act, which can be found at <http://www.opsi.gov.uk/acts/acts2006/20060048.htm>.

2. WHAT WILL BE REPEALED BY THE NEW PROVISIONS?

On commencement in **summer 2007**, Schedule 9(3) of the Police and Justice Act 2006 will repeal two main duties on CDRPs:

- The duty to produce three yearly audits and strategies - the 2005/08 will be the last audit and strategy in the current format;
- The duty to report annually to the Secretary of State in England or Wales on a partnership's work and progress.

One of the key findings of the CDA review was that three year audits are resource intensive and often seen as a distraction from delivery, tying up key partnership staff in their production. Many CDRPs already review and revise their three year strategies on an annual basis to reflect shifting patterns of crime, anti-social behaviour and substance misuse. This is reflected in the new requirements for annual strategic assessments and annual three year rolling plans, which are explained below and in greater detail in the accompanying annex.

3. WHAT NEW PROVISIONS ARE BEING INTRODUCED FOR CDRPS?

The Police and Justice Act includes some new duties on CDRPs that will support the increased effectiveness of partnerships as partners work together to tackle the problems of crime, anti-social behaviour and substance misuse. These will be commenced by **summer 2007**.

Increasing the scope of CDRPs

Schedule 9(4) of the Police and Justice Act 2006 increases the scope of Section 17 of the 1998 Act (the 'mainstreaming' crime reduction requirement) to include anti-social behaviour, substance misuse and behaviour that adversely affects the environment. This reflects the priorities that many of you are already tackling as you respond to the concerns of your communities and will be formally commenced from summer 2007.

Information Sharing

Section 115 of the Crime and Disorder Act 1998 gave partners (the responsible authorities and probation committees) the power to share information for the purposes of reducing crime and disorder. Schedule 9(5) of the Police and Justice Act strengthens this by introducing a new **duty** on the same agencies. This duty (Section 17A) will require these agencies to share depersonalised data, already held in a depersonalised format, for the purposes of reducing crime and disorder. We believe that this will enable partnerships to address some of the problems that they had experienced previously in sharing information. Regulations will specify the minimum

data sets that CDRPs will be legally obliged to share and may give details of when they are to be shared and in what form. These regulations are currently being worked on in close consultation with stakeholders and will be commenced by summer 2007.

4. NATIONAL STANDARDS

Schedule 9(3) also enables the Home Secretary to introduce regulations regarding the working of CDRPs. These will be in the form of a framework of **National Standards** which will be introduced by **summer 2007**. The CDA review findings formed the basis for an extensive consultation over summer 2006, through which stakeholders' views on the content of national standards were sought. We greatly appreciated the valuable contribution that over 1000 stakeholders made to these consultations, and are grateful to the representatives who worked on the findings and recommendations following these events. In taking forward the national standards, the CDRP Reform Steering Group have agreed to frame these national standards around six core strands of business which can determine CDRP effectiveness. These are:

- Empowered and Effective Leadership
- Intelligence Led Business Processes
- Effective and Responsive Delivery Structures
- Community Engagement
- Visible and Constructive Accountability
- Appropriate Knowledge and Skills

Although complying with national standards may mean changes for some partnerships, we believe that for many they will enshrine the work that you are already doing. Details of these national standards and what they mean for partnerships are set out in Appendix 2, but more detailed guidance will be published in the summer to help you implement them.

We are currently working with stakeholders and Government Offices for the Regions to establish how best to help CDRPs as you implement these regulations. Further, we are discussing how to best monitor and assess partnerships in the delivery of the national standards. In all such arrangements, the aim of assessment will be to support effective delivery rather than produce unnecessary burdens or distractions. In addition, it is our intention to review the regulations and whether they have helped partnerships in their delivery of community safety.

5. GUIDANCE ON CHANGED REQUIREMENTS

These legislative changes will be accompanied by guidance to CDRPs in **summer 2007**. This will set out different options for meeting the national standards in ways that will improve delivery in your local area. The guidance will be produced in a clear modular format and will signpost examples of effective practice that it may be useful for you to consider when implementing the necessary changes in your CDRP. It will also include guidance on the information sharing provisions.

6. OVERVIEW AND SCRUTINY

Sections 19-21 and Schedule 8 of The Police and Justice Act 2006 introduce

provisions for the establishment of Overview and Scrutiny Committees for crime and disorder matters. These should be introduced by **April 2008**. The provisions extend the remit of overview and scrutiny committees to include the ability to scrutinise CDRP activity in community safety and should support the increased accountability of the CDRP for decisions and outcomes. Work is developing on the drafting of the regulations affecting this provision and so further details will be available in due course.

The Community Call for Action (CCA), the tool by which members of the community can trigger a response by community safety partners on issues of community safety and local concern, will also be fully implemented by **April 2008**.

7. ASSESSMENTS OF POLICING AND COMMUNITY SAFETY (APACS)

In case you are not already aware, as part of the drive to ensure safer communities and better protect the public the Home Office and its delivery partners have pledged to deliver a simpler performance framework for crime, drugs and policing. This single framework will help rationalise the central performance landscape in which local delivery bodies operate and better align work at both national and local level to improve performance in these important areas of community safety. A more unified framework will support the publication of performance assessments that give the public a clearer picture of amongst other things how crime and disorder is being tackled in their area.

Over the coming year, the development of this framework, operating under the name APACS will be progressed in partnership with key stakeholders. Ministers have now agreed with stakeholders that a joint programme team will develop the framework with seconded members from the stakeholder groups. This group will oversee strategic decisions on APACS and will be looking to consult stakeholders as widely as possible. A letter from the Minister for Policing, Security and Community Safety and a joint statement about the development of this framework are available from <http://www.crimereduction.gov.uk/crimereduction011.htm>.

The intention is to commence APACS in April 2008, with the first assessments published in 2009, reporting on the 2008/09 year. This will enable the new system to be aligned with the core proposals of the Local Government white paper, including delivery of community safety through vehicles such as Local Area Agreements operative in all areas in England and the new public service agreements that will come out of the 2007 Comprehensive Spending Review (CSR).

8. NEW CRIME STRATEGY/NEW PSAs

You may also be aware that a new crime strategy is being developed, which will cover the next PSA period from 2008/09 to 2010/11. Over the past twelve years significant reductions in crime have been achieved, in which partnerships have played an absolutely key role. But there is more to do. The Home Office financial settlement from the Comprehensive Spending Review is flat (i.e. no additional funding compared to the current period), so we will need to reduce crime within

tighter resources, meaning that our effort and resources need to be rigorously targeted where they will have greatest impact.

The crime strategy will outline a differentiated approach to Anti-Social Behaviour and volume crime, serious violent crime, and organised crime & terrorism. This focus will be reflected in the new suite of PSAs. These will introduce a greater level of flexibility in tackling volume crime and increase the efforts made to reduce harm through addressing violent crime. The crime strategy will also outline where we will focus national effort to achieve the greatest impact on crime, as well as continued focus on cross-cutting drivers of crime such as drugs and alcohol. A second key aspect of the strategy will be to describe how the government and delivery partners will work together to continue to tackle crime: in particular, ensuring that partnerships have the flexibility to make decisions on local crime priorities that can also be included in Local Area Agreements, whilst supporting national priorities and ensuring meaningful community engagement. The National Standards will play an important role in supporting improved performance in these areas and enabling partnerships to be responsive to their communities' needs.

The crime strategy is currently scheduled for publication by early summer 2007. We have discussed the early stages of the development of the crime strategy with a number of partnerships at an event in January, and will seek further comments on the strategy as it develops, through Government Offices for the Region.

9. NEXT STEPS

The partnership provisions in the Police and Justice Act and the accompanying regulations will be commenced by summer 2007. The guidance will also be published in the summer. In the interim, you may wish to consider how you can prepare your partnership for this move to national standards and the other legislative changes. We are aware that, to meet the national standards, some CDRPs will need to make more changes to the way they do business than others. We are therefore in the process of gathering information about readiness. You may like to discuss your own capacity and capability issues with the government office for your region. You can also direct general questions on the legislation to: joy.johnston7@homeoffice.gsi.gov.uk and on the guidance to: michelle.burns6@homeoffice.gsi.gov.uk. Any questions on the Community Call for Action should be addressed to: john.derrick@homeoffice.gsi.gov.uk.



 Gareth Hills

Appendix 1 – Stakeholder Groups

The following are represented on the CDRP Reform Steering Group

Association of Chief Police Officers
Association of Police Authorities
Audit Commission
Chief Fire Officers' Association
Communities and Local Government
Department of Health
Her Majesty's Inspectorate of Constabulary
Home Office Regional Deputy Directors
Local Government Association
National Health Service Confederation
Partnership Performance Support Unit, Home Office
Police Reform Unit, Home Office
Society of Local Authority Chief Executives and Senior Managers (SOLACE)
Superintendents' Association
Welsh Assembly Government
Welsh Local Government Association

In addition, representatives of the following Home Office colleagues and other government departments:

Department for Constitutional Affairs
Department for Culture, Media and Sport
Department for Environment, Food and Rural Affairs
Department for Education and Skills
Department of Trade and Industry
National Offender Management System
Youth Justice Board

Appendix 2 – National Standards

This annex seeks to give you an indication of the content of the national standards. Given that these regulations are still being developed, we have not been able to go into great detail here. However, the broad direction of travel will not change.

1. Empowered and Effective Leadership

1.1 What is the aim?

The CDA review and the resulting consultation on its implementation found that having the right people around the partnership table was integral to good partnership working. These people need to be empowered by the authorities that they represent to make decisions on their behalf.

1.2 What will be covered?

National standards will outline that senior representatives of responsible authorities should provide strategic oversight for the CDRP through a strategy group. In order for leadership to be effective, national standards will also outline what the responsibilities of these responsible authorities will be in terms of the production and implementation of strategic assessments and three year plans, refreshed annually, for the delivery of community safety.

2. Intelligence Led Business Processes

2.1 What is the aim?

The CDA review found that intelligence-led decision making lies at the heart of effective delivery and recommended that CDRPs take an intelligence led, problem-solving and outcome orientated approach to community safety. Specifically, this requires effective and timely sharing of information between contributing partners and regular strategic analysis of this intelligence to inform priority setting and resource allocation. The review also recommended that partnerships should adopt a business process and the exact nature of this model was discussed extensively through the consultation process.

2.2 What will be covered?

Strategic assessments and three year plans, refreshed annually, will replace the requirement for triennial audits and strategies. Strategic assessments will be performed at least annually and should include the analysis of information from partners and from the community to identify the trends and patterns of crime, disorder, anti-social behaviour, crime against the environment and substance misuse. To enable information sharing, CDRPs will need to have information sharing protocols. The partnership's three year plan will outline how the priorities identified through the strategic assessment will be delivered. In two tier areas, district strategic assessments will need to be aggregated into a county level community safety agreement which can feed these priorities into the Local Area Agreement and should enable the identification of county wide priorities and opportunities for cross-border working.

3. Effective and Responsive Delivery Structures

3.1 *What is the aim?*

CDRPs need to be able to respond quickly and effectively to the needs of their communities on community safety and crime reduction. The structure of the CDRP needs to facilitate the delivery of priorities identified through the analysis of intelligence.

3.2 *What will be covered?*

Discussions with stakeholders have identified structures that should facilitate this response. As outlined above under 'empowered and effective leadership', the national standards will mandate a strategic group made up of all the responsible authority members and open to other partners. This group will be responsible for the commissioning of the strategic assessment and the agreement of a plan and should meet throughout the year to provide strategic leadership. Beyond this group, the structure of the CDRP will not be prescribed. However, the strategic group will have a duty to consider how best to structure their joint resources and whether to set up action groups to focus on the priorities identified through the strategic assessment. These action groups may focus on particular themes or crime types or on geographical areas and will oversee day to day activity. The structure of the CDRP, in terms of the action groups, should be regularly reviewed to ensure it is still effective. In two-tier areas, the regulations will require a community safety co-ordinating structure at top-tier county level to bring together the district-level CDRP strategic assessments. The purpose of this will be to feed into the Local Area Agreement and identify opportunities for cross-border working, for example through joint action groups.

4. Community Engagement

4.1 *What is the aim?*

Since community safety matters greatly to local people and CDRPs play a crucial role in delivering it, it is important that CDRPs continue to consult with a range of local agencies and people and involve them in improving their quality of life.

4.2 *What will be covered?*

The partnership plan will need to have a section on community engagement setting out how the community will be consulted and informed about community safety issues. It will also be necessary for community intelligence and priorities to influence the partnership's strategic assessment and plan for the coming year. In engaging with their communities, partners will be under an obligation to recognise diverse groups within their local areas and target to those groups who will be most effected by the partnership plan. This should take account of the ways in which individual partner agencies already engage the community.

5. Visible and Constructive Accountability

5.1 *What is the aim?*

Communities need to know what the CDRPs in their area have undertaken to achieve so that they can hold them to account for delivery against these objectives.

5.2 *What will be covered?*

A summary of the partnership plan should be brought to the attention of communities as deemed appropriate by the responsible authorities. National standards will also define *face the people* sessions, proposed as part of the *Respect* agenda. Senior representatives of the responsible authorities will have to hold meetings that are open to the public regularly throughout the year to discuss community safety issues.

6. Appropriate Knowledge and Skills

6.1 *What is the aim?*

It is essential that community safety practitioners have the relevant skills and knowledge to fulfil their roles and responsibilities within the partnership context and that the partnership as a whole is equipped to deliver community safety outcomes effectively.

6.2 *What will be covered?*

National standards will require the responsible authorities to consider the CDRP's capacity to deliver the national standards and the key outcomes for delivering CDRP and local area agreement priorities and targets. The guidance will outline various ways in which responsible authorities can improve the knowledge and skills of community safety practitioners.