

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

Agenda Item 12
Brighton & Hove City Council

Subject: Update on Local Authority Crime and Disorder Committees

Date of Meeting: 16 June 2008

REPORT OF: Director of Strategy and Governance

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Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform the Committee of the statutory requirement for a crime and disorder committee, the powers of which will be implemented in the future.

2. RECOMMENDATION:

- (1) That the committee notes the contents of this report including the arrangements which currently are in place within the Crime and Disorder Reduction Partnership to achieve accountability to local communities and communities of interest.

3. RELEVANT BACKGROUND INFORMATION

- 3.1 In November 2004 the Government published the White Paper 'Building Communities, Beating Crime: a better police service for the 21st century'. The White Paper set out the Government's strategy for strengthening the ability of the police and their partners to prevent, deter, detect and reduce crime. The Paper set out three broad objectives to achieve this, namely:-
- To spread neighbourhood policing to every community with improved police responsiveness and customer service.
 - Further modernisation of the police to ensure the service is equipped and able to deliver these changes
 - Increased involvement of communities and citizens in determining how their communities are policed.
- 3.2 The Government also announced a review of Crime and Disorder Reduction Partnerships (CDRPs), with the review's aims:

- To make local partnerships more responsive and accountable to their communities
 - To identify key success factors and address low performing CDRPs.
 - To ensure CDRPs are intelligence led and are allocating resources to make the most impact.
- 3.3 The findings of this review and consultation subsequent to the White Paper were published in January 2006 and informed the content of the Police and Justice Bill.
- 3.4 The Bill received Royal Assent in November 2006 to become the Police and Justice Act 2006 ('the Act'). It is a wide-ranging piece of legislation, on aspects of police organisation and resourcing. The part of the Act that is immediately relevant to this committee is Part 3, which includes the requirement for each top tier and unitary local authority to have a 'crime and disorder committee', with responsibility and powers for overview and scrutiny of local crime and disorder matters.
- 3.5 Originally in this Act there was a mechanism outlined whereby members of the public would be able as a last resort to raise a 'community call for action' on a specific crime and disorder matter with their ward member which would be heard at the crime and disorder committee. However, this particular aspect of the new scrutiny powers was subsequently amended by the Local Government and Public Involvement in Health Act 2007, to limit the referral of crime and disorder matters to ward members only. At this authority, this extends members' existing powers very little, since according to both the previous and the new constitution, members are able to submit a letter to any committee on any issue relevant to the remit of that committee.
- 3.5 The Police and Justice Act outlined new 'powers' of the crime and disorder committees that would include powers to require information from certain other partner bodies and organisations, who would also be under a duty to consider and respond to any recommendations made by the crime and disorder committee. It is likely that the partner organisations and bodies included in this power would be those that constitute the local Crime and Disorder Reduction Partnership. However, guidance and regulations pursuant to the Act have not been published due to delays in the implementation of the scrutiny powers.

Delays in implementation of Crime and Disorder Committees

- 3.6 It was originally expected that the new scrutiny powers in the Act would come into force by April 2008, with guidance and regulations pursuant to the Act being published in the summer of 2007. However in June 2007, the Home Office wrote to all Crime and Disorder Reduction

Partnerships (CDRPs) giving an update on the implementation of the scrutiny provisions in the Act, an extract from which is given below:

"Local accountability and local involvement in policing are also going to be reviewed by Sir Ronnie Flanagan as part of his broader review of policing, announced by the Home Secretary in April this year. While not explicitly reviewing the role of partnerships or the potential role of Overview and Scrutiny Committees (OSC) / Community Call for Action (CCA), the review has at its core the same aims of improving accountability and local involvement. In view of this, and the need to consider the response to any recommendations coming from the review, Home Office ministers have decided to pause with policy development on crime and disorder OSC and CCA. They remain committed to enhancing local accountability arrangements for policing and crime, but believe that pausing on the implementation enables them to reflect the findings and recommendations of the Sir Ronnie's Review in policy on OSC and CCA."

- 3.7 The Flanagan Review published its final report on 8 February 2008. Although it was expected that the report would address local accountability mechanisms, the report instead discussed various models that could be considered, but failed to specifically make reference to local Crime and Disorder Committees within the meaning of the Police and Justice Act. In fact, after a general discussion about a broad range of accountability issues, the report defers any definite comment to the forthcoming Policing Green Paper, which is due in June 2008.
- 3.8 Upon publication, the Green Paper will be open for public consultation, which will delay further any implementation of the powers, and any accompanying guidance.
- 3.9 As stated above, the Brighton and Hove constitution includes provision for any member of the council to submit a letter to a committee on any issue relevant to that committee's terms of reference. Therefore, although there are currently no new statutory powers related to crime and disorder matters such as the power to compel responses from crime and disorder partners, members will still be able to raise a crime and disorder issue at this committee for members' consideration.
- 3.10 In addition, the Community Safety Forum whose membership includes police and co-opted representatives from all members of the CDRP including neighbourhood Local Action Teams and communities of interest will continue to provide an opportunity for questions to be raised from members of the public and from co-opted organisations. At its meeting on 25th February 2008, the Forum considered a comprehensive report on the review of the Crime and Disorder Act and on the potential new arrangements outlined in this report. The Forum

and CDRP are already compliant with new national standards, including for those which require increased visibility and accountability and working towards closer integration between neighbourhood policing and neighbourhood management.

4. CONSULTATION

- 4.1 The Community Safety Forum will ensure that as appropriate, consultation with local communities and communities of interest will take place about any new scrutiny arrangements which are to be put in place following the introduction of the Policing Green Paper.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising as a result of this report.

Legal Implications:

- 5.2 The legal implications are set out in the report above.

Equalities Implications:

- 5.3 There are no direct implications for equalities.

Sustainability Implications:

- 5.4 There are no direct sustainability implications.

Crime & Disorder Implications:

- 5.5 The scrutiny powers introduced by Part 3 the Police and Justice Act 2006, that are currently delayed in implementation, are intended to increase local accountability of crime and disorder issues. The Crime and Disorder Reduction Partnership does however, currently manage and deliver arrangements which effectively facilitate accountability for communities in neighbourhoods and communities of interest.

Risk and Opportunity Management Implications:

- 5.6 There are no direct risk and opportunity management implications

Corporate / Citywide Implications:

- 5.7 There are no direct corporate or citywide implications.

SUPPORTING DOCUMENTATION

None