EXPLANATORY MEMORANDUM TO

THE CRIME AND DISORDER STRATEGIES (PRESCRIBED DESCRIPTIONS) (ENGLAND) (AMENDMENT) ORDER 2007

2007 No. 1840

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order prescribes registered social landlords to be co-operating bodies with the responsible authorities of Crime & Disorder Reduction Partnerships (CDRPs) in England. The order also prescribes the Environment Agency to be an invitee to participate with the responsible authorities in their functions on the CDRP. The inclusion of each of these agencies will strengthen the ability of CDRP partners to effectively address crime and disorder in the community they serve.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 The Crime and Disorder Act 1998 (the '1998 Act') as amended by the Police & Justice Act 2006 established Crime and Disorder Reduction Partnerships between police, local authorities, fire and rescue authorities, Primary Care Trusts and police authorities. These partners are known as the 'responsible authorities'. The purpose of these partnerships was to ensure that all these agencies work together to tackle local crime and disorder. The 1998 Act as amended by the Police & Justice Act 2006 placed a central duty on these 'responsible authorities' within the CDRP to be accountable for the production, review and implementation of strategies to tackle crime and disorder in their community.

4.2 The five 'responsible authorities' are supported by representatives from additional agencies who have either a co-operating body status or invitee to participate status. The order grants the Environment Agency the status of invitee to participate, and registered social landlords become co-operating bodies, in order to support CDRPs to continue to be the most effective vehicles for reducing crime and anti-social behaviour.

5. Territorial Extent and Application

5.1 This instrument applies to England.

5.2 The Order relates to the provisions contained in the Crime and Disorder Act 1998 which refer to England only. Provisions to alter the

composition and status of agencies in Wales to support Community Safety Partnerships must be made by the National Assembly for Wales in accordance with Section 5 of the Crime and Disorder Act 1998.

6. European Convention on Human Rights

6.1 As the order is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy Background

7.1 As part of the CDRP Reform Programme we have been considering whether we have all the right people around the table. Registered social landlords are currently invitees to participate in CDRPs. The inclusion of registered social landlords as co-operating bodies and the Environment Agency as invitees to participate will support partners by offering access to intelligence on issues of anti-social, criminal behaviour and environmental crime. This involvement will assist the responsible authorities in their duties to formulate and implement strategies to reduce crime, disorder and the misuse of drugs in the area.

7.2 Intelligence led decision making lies at the heart of effective delivery. The process of sharing of information between contributing partners will support CDRP partners better inform priority setting and resource allocation. Making Registered Social landlords co-operating bodies will increase the opportunity for partners to access intelligence on issues of anti-social behaviour further improving the nature and focus of the partnership plan. In particular, the inclusion of registered social landlords will offer partners access to information on patterns of anti-social behaviour that has not come to the attention of the police or local authority members.

7.3 Registered social landlords currently share this information with local authorities and/or the police force at their discretion. The inclusion of this group into the CDRP as co-operating bodies will standardise this process and in doing so further increase partners' awareness of individuals who present a risk of being involved in anti-social behaviour.

7.4 As a result of the Clean Neighbourhoods and Environment Act 2005 the Environment Agency currently has to establish how they will address environment crime in their plans. Making the Environment Agency an invitee to participate in CDRPs will assist in tackling environment related crime and support responsible authorities achieve their functions, as outlined in section 6 and 7 of the Crime and Disorder Act 1998, to formulate and implement strategies to reduce crime and disorder and combat drug misuse in the area.

7.5 Extensive stakeholder consultation has been conducted across and within government departments. Communities & Local Government and the Housing Corporation have agreed to the alteration in status of registered social

landlords. Both departments are content with the arrangements established by the Home Office.

7.6 The Crime and Disorder Act 1998 set out the statutory framework for responsible authorities to work with other local agencies and organisations to develop and implement strategies to tackle crime, disorder, misuse of drugs and anti-social behaviour in their area. These statutory partnerships are known as CDRPs. The responsible authorities are:

- the police
- local authorities
- fire and rescue authorities
- police authorities
- primary care trusts in England
- health authorities in Wales.

7.7 The Crime and Disorder Act 1998 denotes three stages of accountability; responsible authorities, co-operating bodies and invitees to participate. Responsible authorities currently comprise five members, as amended by the Police Reform Act 2002 who have responsibility for establishing, maintaining and monitoring the audits and strategies established to reduce crime in their communities. Co-operating bodies comprise of agencies that are important in supporting the delivery of the audits and strategies developed. Invitees to participate are drawn from agencies whose knowledge will support CDRP members reduce crime and anti-social behaviour more effectively.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this order as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is insignificant other than a reduction in bureaucracy and an increased focus on delivery.

9. Contact

9.1 Michelle Burns at the Home Office: Tel: 020 7035 6174 or e-mail: michelle.burns6@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.