

Who should be involved

Issues for consideration

1. Responsible authorities
2. Role of responsible authorities
3. Division of responsibilities
4. Co-operating bodies
5. Role of co-operating bodies
6. Invitees to participate
7. Assessing the audit and strategy process

1. Responsible authorities

The CDA 98, as amended by the PRA 2002, makes it clear that the duty to undertake audits and develop strategies to tackle crime and disorder (including anti-social behaviour) and the misuse of drugs locally, rests jointly with a number of organisations known as responsible authorities. Section 5(1) of the Act states that the responsible authorities to each local government area are:

- the council for that area, and, where the area is a district and the council is not a unitary authority, the council for the county which includes the district i.e in two-tier authorities, both district and county councils are responsible under the legislation. Under section 5(4), "local government area" means:
 - in relation to England each district or London Borough, the City of London, the Isle of Wight and the Isles of Scilly
 - in relation to Wales, each county or county borough;
- every chief officer of police any part of whose police area lies within the area;
- every police authority any part of whose police area so lies;
- every fire authority any part of whose area so lies;
- if the local government area is in Wales, every health authority the whole or any part of whose area so lies; and
- if the local government area is in England, every Primary Care Trust the whole or any part of whose area so lies.

2. Role of responsible authorities

In respect of the audit their role is to:

- carry out a review of the levels and patterns of crime and disorder (including anti-social behaviour) and the misuse of drugs in the area, taking due account of the knowledge and experience of persons in that area

- act in association with Co-operating Bodies
- invite the participation of ‘invitees to participate’
- prepare an analysis of the results of the review
- publish locally a report of that analysis
- obtain the views of the public on that report

In respect of the strategy their role is to:

- formulate a strategy taking account of the analysis and the responses to it setting out:
 - agreed objectives of the responsible authorities, co-operating bodies and invitees to participate
 - short and long term performance targets
- publish a document which must include:
 - details of the co-operating bodies
 - details of the review
 - the analysis of the results of the review
 - the strategy, including in particular:
 - the objectives and who is responsible for achieving them **and**
 - the performance targets

Responsible authorities must submit copies of their strategies and published document to the Secretary of State (section 6A CDA 1998 as amended by the PRA 2002) and are also required to submit a report to the Secretary of State each year on the implementation of their published strategies during the preceding 12 month period. Further guidance for partnerships on the content and timing of the annual report will be published shortly.

The Act also states that responsible authorities shall undertake these duties in partnership with ‘co-operating bodies’ and ‘invitees to participate’.

3. Division of responsibilities

Guidance issued on 21 November 2003 confirmed the criteria for the integration of Drug Action Teams (DATs) and Crime and Disorder Reduction Partnerships (CDRPs) in unitary authorities and closer working of partnerships in two-tier authorities. The structure of partnerships, and the boundaries within which they are operating, will affect the division of responsibility for crime and disorder and drugs audits, strategies and reports.

In unitary/metropolitan authorities, DATs and CDRPs should operate on an aligned basis as a single partnership. These integrated partnerships are therefore responsible for producing crime and disorder and drugs audits, strategies and reports. In terms of format, they will be able to decide whether to produce combined or separate documents; if separate the documents will need to be cross-referenced and complementary.

In two tier authorities, county level strategic planning of the drug strategy is critical. It is recommended that partnerships adopt one of the approaches

described below, both of which ensure that strategic planning of the drug strategy takes place at county level whilst allowing responsible authorities to meet their statutory responsibilities at district level.

- DATs and CDRPs should, where practicable, work jointly to produce county-wide crime and disorder and drugs audits, strategies and reports. Such an approach can yield economies of scale and greater synergy. It will support strategic planning by agencies serving the county as a whole. If this approach is adopted, the audits, strategies and reports must have the agreement of all CDRPs and be comprehensive in their coverage of crime and disorder and drugs issues in each CDRP area. Each CDRP will still be required to publish and consult locally on the joint audit and publish the joint strategy locally (this is a requirement of the legislation). Again, in terms of format, partnerships will be free to decide whether to produce combined crime and disorder and drugs audits, strategies and reports or separate documents (e.g. one audit document covering crime and disorder and a separate audit document covering drugs). If separate, the documents will need to be cross referenced and complementary.
- Where the above approach is not practicable, each CDRP will be required to produce crime and disorder and drugs audits, strategies and reports for their local area. CDRPs are expected to agree the drugs element of these documents with the county DAT in order to ensure consistency with the county-wide audit, strategy and report produced by the DAT*.

* Note: the Crime and Disorder Act 1998 (as amended) places statutory requirements on responsible authorities operating at district level. District level CDRPs need to address the impact of drugs misuse on their local communities. However, that does not detract from the importance of county level strategic planning of the drug strategy. As a result, DATs in two-tier authorities are expected to produce county-wide drugs audits, strategies and reports. This will ensure consistent approaches within unitary and two-tier authorities to auditing, planning and reporting within the revised framework for local delivery of the drugs strategy.

4. Co-operating bodies

Section 5(2) of the Act states that the responsible authorities shall act in co-operation with the following:

- every probation board, any part of whose area lies within the area

The Secretary of State also requires responsible authorities to act in co-operation with the following in relation to each local government area:

Parish Councils in England
Community Councils in Wales
NHS Trusts
Governing bodies of schools
Proprietors of independent schools
Governing bodies - further education

5. Role of Co-operating Bodies

Co-operating bodies represent those local groups or agencies who can provide a significant contribution to tackling crime and disorder and drugs misuse in the local area. In formulating a strategy, the Act requires that objectives must be set for the co-operating bodies and other contracted agencies. To achieve this, co-operating bodies should be a key element of both the audit and strategy development process and important partners in the implementation and on going development of the strategy. Co-operating bodies should be able to provide salient data or information to improve the understanding of local crime and disorder and misuse of drugs problems, contributing to the benefit of the local community as well as deriving benefit to the core functions of their respective agencies.

These bodies should be able to bring the benefit of their knowledge and expertise and details of their ability to help support partnerships' initiatives through early interventions either as part of their core work or working together with other constituent partnership agencies.

It is necessary to understand the role and requirements of these other agencies and to identify what they can contribute in terms of information, resources and ideas. It is also helpful to help them understand what benefits they can reap from partnership working in terms of their work and core functions.

The Act also places a legal obligation on them to:

- co-operate fully in the work of the auditing and strategy setting process
- help deliver the objectives set out in the crime and disorder and drugs strategy

6. Invitees to participate

Invitees to participate represent a range of local groups and organisations who are both involved and engaged in their local community. The list of invitees to participate under the Act is not exhaustive and every effort should be made to encourage the active involvement of local groups and communities.

Section 5 (3) invitees to participate include:

Social landlords
Drug Action Teams / Drugs and Alcohol Teams
Training and Enterprise Councils
Voluntary Organisations - Youth
Crown Prosecution Service
Crown Court Manager
Magistrates Court Committee
Neighbourhood Watch committee
Victim Support Service member

Service Police

Ministry of Defence Police

Public transport / School transport providers and operators

Passenger Transport Executives and Passenger Transport Authorities

Bodies providing services to:

- women, young, elderly, physically and mentally disabled
- minority ethnic groups, gay and lesbian groups
- residents

Any body not in the above whose aim is reducing Crime and Disorder and the harm caused by drug misuse:

Religious body

Company

Retail body

Trade union

Medical practitioner

Body representing medical practitioners

Higher education governing body

Many of these groups gather large amounts of information from their day-to-day activity. These groups can help provide a fuller understanding of prevalence and factors underlying crime and/or the misuse of drugs in the local community. Invitees to participate can be particularly helpful in areas where there is a lack of data on the extent of drug related harms in that area. It can also be useful to work with agencies that can give a fuller picture of particular geographical areas or specific minority groups.

Involving invitees should be seen as a core aspect of the audit and strategy process. Their local knowledge of dealing with victims and perpetrators will be invaluable in both understanding the problem, in considering how to find solutions and in implementing and monitoring initiatives. Examples of other agencies that you might wish to involve in the audit include treatment agencies, accident and emergency departments and voluntary agencies.

Partnerships should also consider how to involve victims and witnesses in the audit and strategy process, and be aware of and make the appropriate links to the work of Local Criminal Justice Boards. The **Victims and Witnesses National Strategy** published in July 2003 set out how the Government plans to ensure that victims and witnesses get a better deal from the Criminal Justice System and recommendations in the strategy will be taken forward in the recently published **Domestic Violence, Crime and Victims Bill 2003**. Partnerships will also want to be aware of the **National Strategy for Restorative Justice**, published in July 2003 which highlights the role that restorative justice can have in increasing the satisfaction and confidence of victims.

7. Assessing the audit and strategy process

Section 2 of the Home Office Self-Assessment Framework for CDRPs and DATs provides the framework for partnerships to assess their own working practices in undertaking crime and disorder and drugs audits and formulating and implementing crime and disorder and drugs strategies.

Further Information

Audit Commission (2003) Victims and Witnesses: Providing Better Support
www.audit-commission.gov.uk/reports/NATIONAL-REPORT.asp?CategoryID=english^576&ProdID=7CF96FD1-C357-4fe8-AD04-CC1783620077

Home Office (2003) A new deal for victims and witnesses - a national strategy to deliver improved services www.homeoffice.gov.uk/docs2/vicwitstrat.pdf

Home Office (2003) [Civil Renewal: A New Agenda](http://www.homeoffice.gov.uk/inside/speeches/index.html). The Edith Kahn Memorial Lecture - www.homeoffice.gov.uk/inside/speeches/index.html

Home Office (2003) Drug Action Team and Crime and Disorder Reduction Partnership integration/closer working – further guidance - www.crimereduction.gov.uk/integration.htm

Home Office (2003) National Drug Strategy Performance Management Framework Resource Pack www.drugs.gov.uk

Home Office (2003) Restorative Justice: the Government's Strategy
www.crimereduction.gov.uk/workingoffenders42.htm

Home Office (2003) Self-Assessment Framework for Crime and Disorder Reduction Partnerships and Drug Action Teams – www.crimereduction.co.uk/selfassessment/

Home Office (2003) Tackling Witness Intimidation: an outline strategy
www.cjsonline.org/library/pdf/witness_intimidation_strategy.pdf

TSO (1998) Tackling Drugs to Build a Better Britain - www.drugs.gov.uk/ReportsandPublications/NationalStrategy