



Safer Policy and Performance Board

**Tuesday, 17 September 2013 at 6.30 p.m.
Council Chamber, Runcorn Town Hall**

A handwritten signature in black ink that reads 'David Walsh'.

Chief Executive

BOARD MEMBERSHIP

Councillor Shaun Osborne (Chairman)	Labour
Councillor Norman Plumpton Walsh (Vice-Chairman)	Labour
Councillor Susan Edge	Labour
Councillor John Gerrard	Labour
Councillor Robert Gilligan	Labour
Councillor Valerie Hill	Labour
Councillor Miriam Hodge	Liberal Democrat
Councillor Darren Lea	Labour
Councillor Martha Lloyd Jones	Labour
Councillor Paul Nolan	Labour
Councillor Pauline Sinnott	Labour
Vacancy	Co-Optee

*Please contact Lynn Derbyshire on 0151 511 7975 or e-mail
lynn.derbyshire@halton.gov.uk for further information.*

The next meeting of the Board is on Tuesday, 12 November 2013

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.		Page No.
1. MINUTES		
2. DECLARATION OF INTEREST (INCLUDING PARTY WHIP DECLARATIONS)		
	Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
3. PUBLIC QUESTION TIME		1 - 3
4. SSP MINUTES		4 - 9
5. PERFORMANCE MONITORING		
(A) PERFORMANCE MANAGEMENT REPORTS QUARTER 1, 2013-14		10 - 19
6. DEVELOPMENT OF POLICY ISSUES		
(A) DRAFT HATE CRIME AND HARASSMENT REDUCTION STRATEGY AND ACTION PLAN		20 - 80
(B) SAFEGUARDING ADULTS UPDATE		81 - 84
(C) DOMESTIC ABUSE AND SEXUAL VIOLENCE		85 - 154
(D) BONFIRE REMOVAL INITIATIVE		155 - 156
(E) DRAFT NIGHT TIME ECONOMY SCRUTINY REVIEW REPORT & RECOMMENDATIONS		157 - 186

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Safer Policy & Performance Board

DATE: 17 September 2013

REPORTING OFFICER: Strategic Director, Corporate and Resources

SUBJECT: Public Question Time

WARD(s): Borough-wide

1.0 PURPOSE OF REPORT

1.1 To consider any questions submitted by the Public in accordance with Standing Order 34(9).

1.2 Details of any questions received will be circulated at the meeting.

2.0 RECOMMENDED: That any questions received be dealt with.

3.0 SUPPORTING INFORMATION

3.1 Standing Order 34(9) states that Public Questions shall be dealt with as follows:-

- (i) A total of 30 minutes will be allocated for dealing with questions from members of the public who are residents of the Borough, to ask questions at meetings of the Policy and Performance Boards.
- (ii) Members of the public can ask questions on any matter relating to the agenda.
- (iii) Members of the public can ask questions. Written notice of questions must be given by 4.00 pm on the working day prior to the date of the meeting to the Committee Services Manager. At any one meeting no person/organisation may submit more than one question.
- (iv) One supplementary question (relating to the original question) may be asked by the questioner, which may or may not be answered at the meeting.
- (v) The Chair or proper officer may reject a question if it:-
 - Is not about a matter for which the local authority has a responsibility or which affects the Borough;
 - Is defamatory, frivolous, offensive, abusive or racist;
 - Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - Requires the disclosure of confidential or exempt information.

- (vi) In the interests of natural justice, public questions cannot relate to a planning or licensing application or to any matter which is not dealt with in the public part of a meeting.
- (vii) The Chairperson will ask for people to indicate that they wish to ask a question.
- (viii) **PLEASE NOTE** that the maximum amount of time each questioner will be allowed is 3 minutes.
- (ix) If you do not receive a response at the meeting, a Council Officer will ask for your name and address and make sure that you receive a written response.

Please bear in mind that public question time lasts for a maximum of 30 minutes. To help in making the most of this opportunity to speak:-

- Please keep your questions as concise as possible.
- Please do not repeat or make statements on earlier questions as this reduces the time available for other issues to be raised.
- Please note public question time is not intended for debate – issues raised will be responded to either at the meeting or in writing at a later date.

4.0 POLICY IMPLICATIONS

None.

5.0 OTHER IMPLICATIONS

None.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 **Children and Young People in Halton** - none.

6.2 **Employment, Learning and Skills in Halton** - none.

6.3 **A Healthy Halton** – none.

6.4 **A Safer Halton** – none.

6.5 **Halton's Urban Renewal** – none.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE
LOCAL GOVERNMENT ACT 1972**

8.1 There are no background papers under the meaning of the Act.

REPORT TO: Safer Policy and Performance Board
DATE: 17 September 2013
REPORTING OFFICER: Chief Executive
SUBJECT: Specialist Strategic Partnership minutes
PORTFOLIO: Community Safety
WARD(s): Boroughwide

1.0 PURPOSE OF REPORT

The Minutes from the last Safer Halton Partnership meeting, which are subject to approval at the next meeting of the Safer Halton Partnership, are attached for consideration.

2.0 RECOMMENDATION: That the minutes be noted.

3.0 POLICY IMPLICATIONS

3.1 None.

4.0 OTHER IMPLICATIONS

4.1 None.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 Children and Young People in Halton

None.

5.2 Employment, Learning and Skills in Halton

None.

5.3 A Healthy Halton

None.

5.4 A Safer Halton

None.

5.5 Halton's Urban Renewal

None.

6.0 RISK ANALYSIS

6.1 None.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

8.1 There are no background papers under the meaning of the Act.

**DRAFT
SAFER HALTON PARTNERSHIP**

At a meeting of the Safer Halton Partnership Wednesday, 15 May 2013 at The Board Room - Municipal Building, Widnes

Present	S. Bell	Public Health
	J. Bucknall	Integrated Commissioning Manager
	M. Cleworth	Cheshire Police
	J. Davidson	Cheshire Probation Service
	J. Duff	Faith Representative
	D. Gordon	Community Safety
	A. Jones	Democratic Services
	Cllr Osborne	HBC
	D. Parr	Chief Executive
	N. Sharpe	Halton Housing Trust
	E Sutton-Thompson	Policy & Resources
	A. Waller	Cheshire Fire and Rescue Service
	D. Walton	Trading Standards
	J. Williams	Commissioning - Learning Disability, Autism and Transition

Action

SHP65 WELCOME & INTRODUCTIONS

David Parr welcomed everyone to the meeting and introductions were made around the table.

Apologies had been received from Dave Cargill, Dwayne Johnson, Mike Andrews, Sarah Boycott, Lorraine Crane, Neil Ellwood, Gareth Jones and Linda Smallthwaite.

SHP66 MINUTES OF THE LAST MEETING

The minutes of the meeting held on 18 February 2013 were agreed as a correct record.

SHP67 TASK GROUP UPDATES

The following Task Group Updates were received:

- a) Alcohol Harm Reduction Group – 979 licensed premises were visited in quarter 4. Noticeably higher drunken ASB in Widnes than in Runcorn. An incident at the Chambers in Runcorn involving the door staff was under investigation. In the meantime the door staff in question

had been removed and a new door company had been appointed. Noise complaints had been received from residents regarding the Fiddlers Three, noise levels were being monitored by Environmental Health who had also received complaints.

- b) Quarterly Alcohol Update – Progress on the Alcohol Action Plan was presented. This had been developed within the scope of the Health and Wellbeing Strategy using a set of core principles and was a 'live document'. Comments from the Partnership were invited on this.

Alcohol Related Harm data from 2008/9, 2009/10, 2010/11, 2011/12 and 2012/13 was presented to show comparisons. Debate took place over the low numbers of young people presenting in Accident and Emergency (A&E) and the problems encountered with their referral pathways. It was suggested to invite the Alcohol Liaison Nurses to a meeting of the SHP so that they could provide an insight to the Partnership from a front line perspective. Simon Bell would approach the PCT regarding this.

David Parr advised the Partnership of the Council's intentions with regards to a 'minimum pricing policy' on alcohol; this was discussed by the group. It was noted that the Partnership supports this Policy and would support a proposal to take this to full Council for ratification.

- c) Anti-Social Behaviour (ASB) – Overall ASB for Halton had decreased, with a 20% reduction in Runcorn but a 1% increase in Widnes. Youth related ASB had increased this quarter due to an increase of 17% in Widnes; but there was a 27% reduction in Runcorn. It was hoped that local processes being used in Runcorn could be replicated in Widnes. The group discussed a recent joint operation that took place between the Police and Halton Housing Trust as an example of agencies working well together to produce positive outcomes.
- d) ASB Victim & Witness Service Impact Report – The report assessed the impact that the Victim and Witness Service had on Police demand / calls for service; identified gaps in service use location of residence and minority groups; and assessed feedback from service users.
- e) Domestic Abuse – Tracey Coffey had taken over the Chair position of the Halton Domestic Abuse Forum

(HDAF). A pilot perpetrator program was currently under development and funding was available to deliver a 26 week programme for 8 male perpetrators. The Home Office had amended the definition of Domestic Abuse to (a) include 16 and 17 year olds as victims of domestic abuse and (b) has spelt out that controlling and coercive behaviour is also domestic abuse.

- f) Substance Misuse – An unannounced inspection by the Care Quality Commission (CQC) on 21 February 2013 deemed the service fully compliant. The Recovery Event that took place on 26 April 2013 was a success and provided positive feedback for the service. This feedback would be used to make service improvements in the future.

Unemployment was still an issue for those that had recovered or were recovering from drug dependency. Work was planned with the NW National Treatment Agency (Public Health England), the Department of Works and Pensions and CRI, to increase joint working with a view to increase the number of former or current drug users accessing employment. It was noted that the Drug Strategy and Action Plan (2013) would be consulted upon in the coming weeks and be formally presented to the Partnership in September.

Councillor Osborne praised the services available in Halton for victims of domestic abuse and for those who required access to substance misuse services.

- g) Navigate Offender Management – *Prolific priority offenders* had seen a 78% reduction in convictions. *Repeat offenders* had seen a 28% reduction in convictions. There were 200 fewer offences than would have been without the scheme.
- h) Partnership Tasking & Coordination – Bechers and Upton Green Estates still proved to be problematic. This was complicated by the reluctance of people in the area to name individuals involved. A longer term approach was being considered by Partner agencies. The Gathurst Court area had the highest incidence of ASB currently. Evidence gathering for potential ASBO's was underway and ongoing.

It was noted that PC Mick Gill was the Halton Schools Liaison Officer and that Riverside College was included within his remit. Wade Deacon and Saints Peter and Paul had their own schools based officers.

- i) Hate Crime – Figures only up very slightly. It was noted that no reports were made via the Third Party Reporting Centres. The Halton traveller transit site was being expanded.

RESOLVED: That

1. The updates be noted; and
2. The Partnership supports the Council's proposal to introduce a minimum pricing policy on alcohol.

SHP68 POLICE & CRIME COMMISSIONER

It was noted that there were presently no updates to report.

SHP69 POLICE CRIME PANEL

In the absence of Dave Cargill, David Parr provided the following update on the Police Crime Panel (PCP). It was confirmed that the Panel would consist thirteen members: 5 Labour Members, 5 Conservative Members and 3 Independent Members.

A draft protocol document was being drawn up and a full meeting of the Panel was planned for the end of June 2013, where a Chairman would be elected.

Councillor Osborne, also a Member of the PCP stated that he was involved in arranging a public meeting in the near future and would share the details of this when known.

SHP70 ITEMS FOR INFORMATION

The following items were provided for information:

- a) Blue Lamp Report – Runcorn
- b) Blue Lamp Report - Widnes

Meeting ended at 4.00 p.m.

REPORT TO:	Safer Policy & Performance Board
DATE:	17 September 2013
REPORTING OFFICER:	Strategic Director, Communities
PORTFOLIO:	Health and Wellbeing
SUBJECT:	Performance Management Reports, Quarter 1, 2013 – 14
WARD(S)	Borough-wide

1.0 **PURPOSE OF THE REPORT**

1.1 This Report describes the progress of key performance indicators, milestones and targets relating to Safer Halton in Quarter 1 of 2013-14. This includes a description of factors which are affecting the service.

2.0 **RECOMMENDATION: That the Policy and Performance Board:**

- i) **Receive the Quarter 1 Priority Based report**
- ii) **Consider the progress and performance information and raise any questions or points for clarification**
- iii) **Highlight any areas of interest or concern for reporting at future meetings of the Board**

3.0 **SUPPORTING INFORMATION**

3.1 The Policy and Performance Board has a key role in monitoring and scrutinising the performance of the Council in delivering outcomes against its key health priorities. In line with the Council's performance framework, therefore, the Board has been provided with a thematic report which identifies the key issues in performance arising in Quarter 1 2013 – 14.

4.0 **POLICY IMPLICATIONS**

4.1 There are no policy implications associated with this Report.

5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 There are no other implications associated with this Report.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

There are no implications for Children and Young People arising from this Report.

6.2 **Employment, Learning & Skills in Halton**

There are no implications for Employment, Learning and Skills arising from this Report.

6.3 **A Healthy Halton**

There are no specific implications for health arising from this Report.

6.4 **A Safer Halton**

The indicators presented in the thematic report relate specifically to the delivery of the priorities for a Safer Halton.

6.5 **Halton's Urban Renewal**

There are no implications for Urban Renewal arising from this Report.

7.0 **RISK ANALYSIS**

7.1 Not applicable.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 There are no Equality and Diversity issues relating to this Report.

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.

Safer Policy & Performance Board Priority Based Report

Reporting Period: Quarter 1 – 1st April 2013 – 30th June 2013

1.0 Introduction

This report provides an overview of issues and progress against key service area objectives and milestones and performance targets during the first quarter of 2013/14; for service areas within the remit of the Safer Policy and Performance Board.

The report has been structured by the following key priorities for Safer PPB, as identified in the Directorate and Corporate Plans:

- Community Safety
- Safeguarding and Dignity (including Consumer Protection and Substance Misuse)
- Domestic Violence

The way in which the Red, Amber and Green, (RAG), symbols have been used to reflect progress to date is explained at the end of this report.

2.0 Key Developments

There have been a number of developments within the Directorate during the fourth quarter which include:-

Community Safety Team

ASB victim & witness support

Victims in a number of known problem locations across the borough are being supported with action taken against perpetrators such as;

- Closure order served on a resident causing ASB – evicted following court order.
- Following written correspondence and conversation with landlord for a particular perpetrator – inspection of property taken and tenant has received letter outlining how the reported ASB could put result in eviction.
- ASBO files/applications compiled against a particular perpetrator by PCSO and interim ASBO gained
- Notice Seeking Possession served on perpetrator allied to Sound Abatement Notice being served. Offending equipment will be seized if there are further incidents.
- Compilation of ASBO file for main protagonist – interim ASBO granted

ASB Enforcement

- Partnership Tasking vehicle out fortnightly – NPU's now putting additional weekly Tasking Vehicle out
- Increased CST intelligence reports have resulted in 23 ASB warning letters to parents for:-
 - i) the use of mini motos.
 - ii) youths with alcohol.
 - iii) nuisance behaviour
- Acceptable Behaviour Contract (ABCs) - 10 in April, 1 in May, 18 in June
- 5 potential ASBOs started with witness statement being taken etc - some at final consultation stage

- Summer and Whit holiday ASB planning meeting held with NPU Inspectors
- Work undertaken to reduce ASB in three known problem locations including;
 - i) identifying offenders using covert and overt cameras
 - ii) visiting suspects
 - iii) commencing ASBO files for ring leaders
 - iv) issuing verbal warnings to youths involved in ASB activity

Alcohol Harm

- Pub watch in Runcorn starting up again
- 6 pubs in Runcorn NPU area have agreed to adopt ArcAngel – team are working with Police HQ Communities unit to progress a media launch in due course
- Street pastors in Widnes have gone live - launch event (PCC attended) 1st June
- 8 letters and health related packs sent to adults directed to leave Widnes town centre due to drunkenness (sec 27 notices).

Partnership T&C

- Halloween/ Mischief / Bonfire planning group commenced – will now meet monthly
- Fire initiative re lockable bins started with HBC and HHT
- New bridge contractors to be announced in June – consideration needed for a crime impact survey
- Operation Staysafe (24th May) – 51 bottles of alcohol seized, 6 children taken to place of safety as intoxicated, 2 children taken directly home

Integrated Offender Management

- Q4 performance figures show Persistent and Prolific Offenders re-offending down 76% and Repeat Offenders down 39%
- Student from Chester University (social worker) successfully placed in team for work experience.
- Team working with probation to work on test cases to challenge the new LAPSO governance which now restricts full term recall.
- DVD developed with a victim from legal high overdose for training across Cheshire – (drugs day delivered at Wade Deacon)

Schools Liaison

- Started PHSE work with The Grange year 8 students on ASB.
- Meetings with Riverside College to discuss presentations to both students and young adults who would benefit from input on e-safety.
- Currently assisting Halton PCSOs with training aids and guidance for Primary School presentations.
- Met with the new School Based Officer, Pete White, to discuss working together on The TWISTA project for disaffected teenage students.
- Setting up a firearms awareness course for Halton safeguarding heads
- Interviewed the eight Halton candidates for work experience week on 5 July, and will be helping facilitate this event at police HQ

Organised Crime disruption

- Partnership Inspector has met with probation to arrange license conditions for high risk perpetrators when released – comprehensive constraints agreed that mirror gang injunctions
- Briefing from Merseyside police given at Widnes re injunction evidence gathering
- Visit with Knowsley area community safety team re sharing practices
- Briefing chaired by C/Supt Boycott given to strategic partners at Runcorn Town Hall

3.0 Emerging Issues

Community Safety team

- Anti Social behaviour incidents going up slightly in anticipated seasonal rise caused by school holidays – police and partners activities being directed at hot spot areas
- Preparation for Creamfields festival in Halton

Bonfire and mischief planning well under way – Police and Cheshire Fire would support additional distraction activities e.g. firework displays across Halton to reduce ASB on these key nights.

4.0 Risk Control Measures

Risk control forms an integral part of the Council's Business Planning and performance monitoring arrangements.

As such progress concerning the implementation of all high risk mitigation measures will be monitored in Quarter 2 and Quarter 4. However no high risks have been identified for this service area.

5.0 Progress against high priority equality actions

Equality issues continue to form a routine element of the Council's business planning and operational decision making processes. Additionally the Council must have evidence to demonstrate compliance with the Public Sector Equality Duty (PSED) which came into force in April 2011.

As a result the Board will receive further information following the completion of the Annual Equality Assessment which will be undertaken during Quarter 3.

There have been no high priority equality actions identified in the quarter.

6.0 Performance Overview

The following information provides a synopsis of progress for both milestones and performance indicators across the key priorities that have been identified for Safer PPB, as stated in the Directorate and Corporate Plans.

Key objectives and milestones

Ref	Milestones	Q1 Progress
CCC1	Conduct a review of Domestic Violence Services to ensure services continue to meet the needs of Halton residents	
CCC1	Ensure specialist support services for victims of a serious sexual offence continue to be fit for purpose	

Supporting Commentary

CCC1: Conduct a review of Domestic Violence Services:

A report is currently being prepared by the Commissioning Team for discussion at Executive Board.

CCC1: Ensure specialist support services for victims of a serious sexual offence are fit for purpose:

The Cheshire SARC service is being jointly delivered by the St Mary's SARC in Manchester together with Rape and Sexual Abuse Support Centre (RASASC) in Cheshire.

St Mary's SARC provides forensic examinations for clients of all ages while RASASC provides aftercare services for those aged 13 and over including counselling, support and access to an Independent Sexual Violence Advisor (ISVA) who provides support through the criminal justice system.

Children under the age of 13 and their families receive support from the SARC Child Advocate and the NSPCC in Cheshire.

RASASC provide ISVA services to those over the age of 13 with effective referral pathways and communication between the SARC and RASASC ISVAs.



RASASC have received 33 new referrals have been made this quarter, with 4 of those under the age of 17.

All SARC clients contacted within 24 hours of referral; all other clients contacted within 72 hours of referral. Where phone contact could not be made, a letter was sent to the client therefore the longest wait time for contact would be between 3-5 days.



27 initial meetings were arranged – there were 8 DNAs and 19 initial meetings were completed in total.

ISVA hours for this quarter were 115; counselling hours were 214.

Key Performance Indicators

Ref	Description	Actual 2012/13	Target 2013/14	Quarter 1	Current Progress	Direction of Travel
CCC21 SCS / 1	Reduce the Actual Number of ASB incidents recorded by Cheshire Police broken down into youth and adult incidents (Previously CCC25 [12/13], NI 17)	7228	To maintain and reduce ASB incidents	1929	?	
CCC 22 SCS / SH2	Reduce the number of Arson incidents (previously NI 33) (previously CCC26 [12/13], total deliberate fires per 10,000 pop)	435	514	162	?	
CCC 24 SCS / SH6	Reduce repeat incidents of domestic abuse within the MARAC Cohort (Previously CCC28 [12/13], PA18 [12/13], NI32)		Currently under discussion following CAADA review		?	N/A

Ref	Description	Actual 2012/13	Target 2013/14	Quarter 1	Current Progress	Direction of Travel
CCC 25 SCS / SH7a & HH12	Increase the % successful completions (Drugs) as a proportion of all in treatment 18+ (New Measure) (Previously CCC29 [12/13])	New target	Target to be agreed		?	N/A
CCC 26 SCS / SH8a	Reduce the number of individuals re-presenting within 6 months of discharge (Drugs) (Previously CCC31 [12/13])	New target	Target to be agreed		?	N/A
CCC 27 SCS SH7b & HH11b	Increase the % successful completions (alcohol) as a proportion of all in treatment 18+ (Previously CCC33 [12/13])	New target	Target to be agreed		?	N/A
CCC 28 SCS SH8	Reduce the number of individuals re-presenting within 6 months of discharge (alcohol) (Previously CCC34 [12/13])	New target	Target to be agreed		?	N/A
CCC 29 SCS / SH11	Reduce the re-offending rates of repeat offenders (RO's in the Navigate IOM Scheme – NEW). (Formerly NI 30) (Previously CCC35 [12/13])		To maintain and reduce offending rates for ppo 40% reduction and RO's: 4% reduction	PPO 76.47% RO 39.78%	?	N/A
CCC 30 SCS / SH13	Reduce the use of custody (Ministry of Justice proposal) (Previously CCC36 [12/13])	10	10	2	✓	↑
CCC 31 SCS / SH14	Reduce the proportion of individuals within the navigate cohort whose offending is substance misuse related (Previously CCC37 [12/13])	New measure	Target to be set once baseline established	See comment	?	N/A
CCC 32 SCS / SH16	Reduce Serious acquisitive crime rate (per 1000 population) (Previously NI 16) from: <ul style="list-style-type: none"> • Domestic Burglary • Theft of motor vehicle • Theft from motor vehicle • Robbery (personal and business) (Previously CCC38 [12/13])	1652	To maintain reduction in serious acquisitive crime	474 (3.77 per 1000 population)	?	↓
CCC 33 SCS / SH17	Assault with injury crime rate (per 1000 population) (Previously NI 20). (Previously CCC39 [12/13])	1074	To maintain reduction in injury crime rate	196 (1.56 per 1000 population)	✓	↓
PA 3	Percentage of VAA Assessments completed within 28 days	86.73%	82%	88.15%	✓	↑

Ref	Description	Actual 2012/13	Target 2013/14	Quarter 1	Current Progress	Direction of Travel
PA 4	Percentage of VAA initial assessments commencing within 48 hours of referral	77.76%	65%	31.03%		

Supporting Commentary

CCC21: Reduce the actual number of ASB incidents:

Numbers have increased by 6% this quarter across Halton. (105 more recorded ASB incidents when compared to the same quarter last year)

The rise in Runcorn recorded in ASB during April 2013 can be attributed to an increase in the number of neighbour disputes between several families who are now in receipt of support from the Victim and Witness coordinator.

The rise in Widnes recorded in ASB during June 2013 can be attributed to an increase in Victoria Park, Brandon and Bechers around mini motos and youths. Both the Children and Enterprise Commissioned service and the Community Safety Team are paying enhanced attentions in the area to enforce where necessary and encourage improved behaviours. An increase also in neighbour disputes is being managed by the Victim and Witness Coordinator.

CCC22: reduce the number of arson incidents:

Deliberate fire incidents were at their lowest in 2012/13 in Halton and this trend continued across the whole of Cheshire.

In Halton, there was a 22% year on year decrease, mostly attributed to the 24% decrease in small deliberate fires (formerly NI33ii) often linked to anti social behaviour.

Incidents of this type also decrease nationally, with every Service in England recording a decrease. This has never been seen before and was linked to the above average rainfall experienced during the year.

It must also be noted however, that Cheshire Fire and Rescue Service undertake Community engagement activities and internal incident and intelligence scrutiny that have also led to a reduction of these incidents. Some examples of these are:

- Youth engagement activities including: RESPECT, the Phoenix Project, 2 X Fire Cadet units, Princes Trust and Fire Station Community Garden at Runcorn.
- Established Police Notification Reporting (PNR) process so deliberate fire information and intelligence gathered by fire crews is user friendly and accessible between partners.
- Following every deliberate fire a report is completed and sent a 'single point of contact' (SPOC) in the Police. Each of the stations in Halton produce a monthly arson report to identify trends and peaks in arson activity which is shared with partners from the Borough Community Safety Team. Areas of high activity are reported to the Halton Tasking and Coordination Group, in order to shape a multi-agency approach to the problem.
- Each of the stations have dedicated 'arson routes' which are reviewed monthly to encompass the areas of greatest anti-social fire activity. Crews patrol the areas in their fire appliances to act as a deterrent and provide reassurances to the community. They actively knock on doors and remind residents to stow away bins and likewise, businesses to arrange for skips to be removed once full.
- Advertising/ Marketing on fire appliances ref crime and arson prevention.
- Fitting of Domestic Fire Retardant Letter box covers to the vulnerable.
- Fire Safety Enforcement activity in areas of high risk for arson.
- Joint SMART Water/crime prevention/home fire safety initiatives with Police and Partners.
- Multi-agency Halloween and Bonfire initiatives.

CCC24: reduce repeat episodes of domestic abuse:

We are currently exploiting the CAADA recommendations.

CCC25: increase the percentage of successful completions of drug treatment:

New measure under discussion

CCC26: reduce the numbers of individuals re-presenting to drugs services within six months of discharge:

New measure under discussion

CCC27: increase the percentage of successful completions of alcohol treatment:

New measure under discussion

CCC28: reduce the numbers of individuals re-presenting to alcohol services within six months of discharge:

New measure under discussion

CCC29: reduce the re-offending rates of repeat offenders:

There is no comparable data for this time last year as the way the measure is recorded has changed

CCC30: reduce the use of custody for young people:

Performance has

CCC31: reduce the proportion of individuals whose offending is substance misuse related:

The current strategic navigate report includes data for those on the scheme where offending is influenced by substance misuse. However it does not capture specific data in relation to a reduction in reoffending because substance misuse has reduced or ceased.

CCC32: reduce the serious acquisitive crime rate:

The cumulative figure per 1,000 (based on population of 125,700) for Serious Acquisitive Crime within Halton is 3.77 for the period April 2013-June 2013 which equates to 474 crimes of which; 312 crimes were in Widnes and 162 in Runcorn.

CCC33: reduce the assault with injury crime rate:

The cumulative figure per 1,000 (based on population of 125,700) for Assault With Injury Crime within Halton is 1.56 for the period April 2013-June 2013 which equates to 196 crimes of which; 112 crimes were in Widnes and 84 in Runcorn.

PA3: percentage of adult abuse assessments completed within 28 days:




On track to achieve target by the end of the year.

PA4: percentage of adult abuse initial assessments commencing within 48 hours of referral:

Q1 performance is lower than expected - work is on-going to ensure we achieve the target by end of year.




7.0 Explanation of Symbols

Symbols are used in the following manner:

Progress	Objective	Performance Indicator
Green	 Indicates that the <u>objective is on course to be achieved</u> within the appropriate timeframe.	<i>Indicates that the annual target <u>is on course to be achieved</u>.</i>
Amber	 Indicates that it is <u>uncertain or too early to say at this stage</u> , whether the milestone/objective will be achieved within the appropriate timeframe.	<i>Indicates that it is <u>uncertain or too early to say at this stage</u> whether the annual target is on course to be achieved.</i>
Red	 Indicates that it is <u>highly likely or certain</u> that the objective will not be achieved within the appropriate timeframe.	<i>Indicates that the target <u>will not be achieved</u> unless there is an intervention or remedial action taken.</i>

Direction of Travel Indicator

Where possible performance measures will also identify a direction of travel using the following convention

Green	 Indicates that performance is better as compared to the same period last year.
Amber	 Indicates that performance is the same as compared to the same period last year.
Red	 Indicates that performance is worse as compared to the same period last year.
N/A	Indicates that the measure cannot be compared to the same period last year.

Operational Director Initials

PMcW - Paul McWade – Operational Director Commissioning & Complex Care
SWB - Sue Wallace Bonner – Operational Director Prevention and Assessment

REPORT TO: Safer Policy and Performance Board

DATE: 17 September 2013

REPORTING OFFICER: Emma Sutton-Thompson, Principal Policy Officer

PORTFOLIO: Community Safety

SUBJECT: Draft Hate Crime and Harassment Reduction Strategy and Action Plan

WARD(S) Borough-wide

1.0 **PURPOSE OF THE REPORT**

1.1 To present the Board with the draft Hate Crime and Harassment Reduction Strategy and Action Plan as part of a wider consultation process.

2.0 **RECOMMENDATION: That: the Board agree and comment on the draft Strategy and Action Plan before it's submission to Executive Board and Strategic Partnership Board for approval.**

3.0 **SUPPORTING INFORMATION**

3.1 It is a statutory responsibility to produce a Hate Crime and Harassment Reduction Strategy and Action Plan, and this was adopted in Halton during 2011. This Strategy and Action Plan has now been reviewed and updated, following the launch of the Government's plan to tackle Hate Crime "Challenge It, Report It, Stop It: The Government's Plan to Tackle Hate Crime" March 2012. This document follows the "Hidden in Plain Sight Inquiry into Disability-Related Harassment" and the later "Out in the Open Tackling Disability related harassment – A manifesto for change", both published by the Equality and Human Rights Commission.

3.2 "Challenge It, Report It, Stop It: The Government's Plan to Tackle Hate Crime" sets out the aims of the Government to tackle Hate Crime in all its forms. The document provides an overview of all the activity either already underway or proposed by various Whitehall departments. The Plan calls on all Government departments to support councils, the police and other local agencies to meet three key objectives:

- Challenging the behaviours and attitudes that foster hatred and encouraging early intervention to reduce the risk of incidents escalating;

- Encourage more victims to come forward and report hate crime; and
- Improve the response to hate crime by better identifying and managing cases

The Plan also calls on councils and other local partners to work jointly with the criminal justice system to bring offenders to justice, by, for example, making available information on hate crime and local support services.

3.3 Cheshire Constabulary has responded to the Government's Plan to tackle hate crime by updating their Hate Crime Action Plan. We have worked in conjunction with Cheshire Constabulary and aligned our Action Plan with theirs. The attached Action Plan is based on the Criminal Justice Board's plan.

3.4 The revised Strategy and Action Plan continues to promote effective and co-ordinated action against hate crime. We continue to work with the Safer Halton Partners, including the Police, voluntary sector support groups and the council to gain a better understanding of reported incidents within Halton. We are also looking at how we can better support victims by developing confidence in the criminal justice system to bring perpetrators to justice, more alliance of services and reporting mechanisms and more importantly preventing hate crime from occurring in the first place.

4.0 **POLICY IMPLICATIONS**

4.1 There are no direct policy implications from the review of the Hate Crime and Harassment Strategy and Action Plan.

5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 None identified.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

Hate Crime impacts negatively on the lives of young people leaving victims afraid and destroying their self-confidence. Hate incidents and crimes can occur in schools, on the internet and in their neighbourhoods, often giving victims no escape from the abuse and having a long-lasting impact on victim's lives. Preventing hate crime and educating young people will have a positive impact on their lives.

6.2 **Employment, Learning & Skills in Halton**

Hate crime negatively impacts on the lives of victims destroying their confidence. This makes it difficult for victims to gain employment

and access training. Hate crime can occur in the work environment, with victims leaving employment to escape their abusers. Tackling hate crime will have a positive impact on this priority.

6.3 A Healthy Halton

Hate crime has a significant impact on the victim's physical and mental health, so bringing offenders to justice and supporting victims of hate crime will positively impact on victim's health.

6.4 A Safer Halton

Hate crime is a criminal offence taken seriously by the police and is a priority for the Safer Halton Partnership. Partners are working together to bring offenders to justice, support victims and encourage reporting and most importantly prevent incidents from occurring in the first place.

6.5 Halton's Urban Renewal

Hate crime has a negative impact on communities, making residents fearful and can be accompanied by criminal damage, hate graffiti and anti-social behaviour, sometimes creating no-go areas or areas where people avoid in the evenings or after dark. By tackling and preventing hate crime we will also have a positive impact on environment and regeneration.

7.0 RISK ANALYSIS

7.1 By not working with partners to tackle hate crime and incidents we would risk perpetrators not being brought to justice, incidents going unreported and victim's suffering abuse which would be likely to escalate.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 Hate crime is based on prejudice and targets victims based on their identity, therefore tackling hate crime has a positive impact on equality and diversity.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

9.1 None under the meaning of the Act.

Hate Crime and Harassment

Reduction Strategy

2012-16



Table of Contents

1.0 Introduction 4

2.0 Defining and Identifying Hate Crime and Harassment 4

3.0 Local Strategy – Safer Halton Plan..... 6

4.0 Current Reporting Arrangements 9

5.0 Aims and Objectives for Halton..... 11

6.0 Partners involved in the delivery of the Strategy..... 11

7.0 Governance..... 11

8.0 Hate Crime Action Plan 12

APPENDICIES

Appendix A – Legislative Framework 32

Appendix B – Current Hate Crime Reporting Centres..... 37

Appendix C - Third Party Reporting Form..... 39

Appendix D - Current National and Halton Data 44

1.0 Introduction

- 1.1 Hate crime affects the residents of Halton. Hate crime is the targeting of individuals, groups and communities because of their identity and it can have a devastating and psychological effect on its victims. Whilst it is often perceived that hate crime affects a small number of individual victims, the nature of hate crime is that it is based on prejudice, hostility or hatred towards a particular group in society, and therefore it has a wider impact on the confidence and cohesion of the wider community.
- 1.2 Hate crime is widely accepted amongst public authorities to be under reported, where many perpetrators target victims at a level that will not be reported. Some victims do not even realise that they have been a victim of a hate crime and will not report the incident as they either do not know how to report, or feel they will not be taken seriously. Hate crimes are often tolerated by victims, who then go on to suffer severe trauma and a distress which will affect their everyday lives.
- 1.3 Victims often suffer repeat attacks, which will cause further trauma and may also then impact on the victim's family and wider community. Hate crime can breed mistrust, alienation and exclusion. Experiencing a hate crime as an individual or witness may leave the person feeling angry, fearful, isolated, distrustful and afraid to make new friends or to leave their homes.
- 1.4 The Safer Halton Partnership understands the importance in addressing this crime and the action plan sets out the steps it will take to ensure that all relevant services work together to prevent hate crime and provide support for victims, encourage reporting of incidents and take effective action against perpetrators.

2.0 Defining and Identifying Hate Crime and Harassment

2.1 What is hate crime?

2.2 The Home Office defines hate crime as any criminal offence committed against a person or property that is motivated by an offender's hatred of someone because of their:

- race, colour, ethnic origin, nationality or national origins
- faith/religion
- gender identity
- sexual orientation
- disability

2.3 It is important to recognise the difference between a hate crime and a hate incident. All hate crimes are incidents, but not all hate incidents are hate crimes. The distinction between a hate '*crime*' and a hate '*incident*' is outlined below:

Hate Crime is any criminal offence where anyone believes the victim has been targeted because of their race/ethnicity, religion/belief, gender/gender identity, disability, age, sexual orientation or any other actual or perceived difference.

Hate incidents are incidents that do not constitute a criminal offence but cause alarm, distress or harassment where anyone believes the victim has been targeted because of their race/ethnicity, religion/belief, gender/gender identity, disability, age, sexual orientation or any other actual or perceived difference.

2.4 A **hate crime** is targeted victimisation which can take many forms. The three main categories are:

- **Physical attacks and criminal damage** - such as physical assault, damage to property or pets, offensive graffiti and arson;
- **Threat of attack** – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints; and
- **Verbal abuse, insults and other offensive behaviour**- offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes and bullying at school or in the workplace.

2.5 As well as resulting in physical injury, hate crime can affect people's mental health and quality of life and increases their fear of crime. It can lead to anger, insecurity, stress and depression and isolation can leave some people afraid to leave their home. Hate crime can happen anywhere and at any time, the main types are:-

Isolated Incidents - People may experience a hate crime as a one-off event; the perpetrator may be acting on their own or as part of a group, under peer

pressure or under the influence of alcohol and drugs. One-off events can happen in any situation such as when people are on public transport, on the street, at a take away, sports ground, etc.;

Cyber - Individuals can be sent offensive text messages or emails or they may be contacted or targeted through a social media site such as Facebook or Twitter. Attacks can be anonymous and therefore it might be difficult to locate the source and secondly can be a very public way of attempting to intimidate an individual. Additional issues for people are that these 'virtual' hate crimes can occur anywhere and can happen 24/7;

Environment - A community group might be targeted entering or leaving the venue at a particular location. Local residents who belong to a community group may also be targeted as the hate crimes widen to include others by association, for example, a gay pub may cause local residents to target neighbours they suspect might also be gay;

Association - People may experience a hate crime just due to their being at a particular location, perhaps while visiting a friend or partner, even though they may not be from the group that the perpetrator is targeting. For example, someone who is not from the LGBT community, but who is exiting from or standing outside a LGBT venue might be targeted or friends or relatives of people with a learning disability being targeted during a visit to the disabled person; and

Neighbours - Verbal abuse, usually delivered near the victim's home, is the main form of hate crime experienced by people, with the perpetrator usually, although not always, being known to the victim. The majority of these hate crimes go unreported as people may fear reprisals or simply feel that no appropriate action would be taken following a report to the police or other organisations. In some instances, unreported hate crimes may continue for a number of years, with individuals, couples or whole families being targeted.

2.6 It can be difficult to identify the causes of hate crime from one individual to another and between one hate crime and another as there are often many factors involved. A hate crime may stem from intolerance towards people with different beliefs or lifestyles leading to a sustained level of antisocial behaviour that may last over a number of years. Equally a hate crime can be a 'flash in the pan' one off event in a public place aiming to intimidate or harass an individual. It is important to establish and understand the motivation of the offender in order to help address hate crime. Furthermore, local, national and global events can influence levels of hostility to certain groups.

2.7 Media coverage of events and certain groups, such as refugees, asylum seekers, and migrant workers, can affect a local situation. Looking at levels of reported hate crime and harassment in recent years, significant evidence demonstrates that hate crime trends follow major national incidents. Following the London Bombings in July 2005, there was a steep increase in the number of race and faith hate crimes, with 273 incidents reported compared with only

41 in the same period of the previous year. In the three days following the bombings, Police recorded 68 faith hate crimes in the capital alone. A similar rise in racially and religiously aggravated offences was reported between September and November 2007, following the national security incident at Glasgow Airport and the attempted bombing of London's Tiger Tiger restaurant.

2.8 Regardless of where or when any hate crime takes place, it can have devastating effects and its impact may last well beyond the period during which the hate crime was experienced having an effect on how people interact with their local community and/ or society at large. People may believe that no action can or will be taken and therefore resist reporting. A number of reasons for non-reporting have been put forward:

- the victim does not understand that a crime has taken place;
- a lack of confidence in the police and/or the criminal justice system;
- victims do not understand the reporting options available to them;
- victims feel that hate crimes occur too frequently to report;
- victims feel that what happened was not serious enough to report;
- victims feared that they would be victimised for reporting and there may be retribution or an escalation of incidents as a result.

2.9 Whatever the reason, the outcome remains the same – crimes are not reported and perpetrators are not brought to justice and remain potentially able to reoffend. This strategy and action plan sets out to improve awareness of the importance of reporting hate crimes and incidents and the options available by which to do so.

3.0 Local Strategy - Safer Halton Plan

Responsibility for managing crime and disorder across Cheshire and Halton sits within the remit of the Safer Halton Partnership (SHP), which has existed since the introduction of the 1998 Crime and Disorder Act. The partnership comprises of Halton Borough Council, Cheshire Police, Heath Care Service providers, and Probation and Victim Support who work together to reduce crime and antisocial behaviour within the borough. The SHP board is currently jointly chaired by the Police Chief Superintendent and Chief Executive for Halton Borough Council. The Safer Halton Partnership vision statement (*as set out in the Sustainable Community Strategy*) is:-

“To ensure pleasant, safe and secure neighbourhood environments with attractive, safe surroundings, good quality local amenities and the ability of people to enjoy life where they live.”

The Safer Halton priorities, which include hate crime, are listed below.

- Safeguarding Young People
- Crime Reduction

- Reducing Anti-Social Behaviour
- Reducing Alcohol Harm and Disorder
- Reducing vulnerability of being a victim of hate crime and domestic abuse
- Reducing the Re-Offending rate of Repeat Offenders
- Community engagement, Consultation and Participation

Tackling hate crime forms a key part of our approach to making Halton a safer place to live. Harassment is recognised as one of the major contributing factors to unnecessary stress. It often leads to depression for the victim and can have a devastating effect on their quality of life. The same can be said for hate crime victims.

Partners have been working to ensure that the data reported through an established framework is robust and that everyone involved understands what exactly is being reported, where and how often. There has also been a combined effort to raise the awareness of hate crime incident reporting and to ensure colleagues, and Halton's residents, are clear about how to report and what to report.

Local and Pan-Cheshire Hate Crime Scrutiny Panels have now been put in place, following a review and monitoring process by Cheshire Police. Halton is also now involved with the Crown Prosecution's Local Involvement and Scrutiny Hate Crime Panel. Halton's hate crime and hate crime incident figures go to the Adults and Children's Safeguarding Boards on a quarterly basis, as well as other groups within the Partnership structure (see item 4).

Tackling hate crime is an intrinsic part of the Halton LGBT (Lesbian, Gay, Bisexual and Transsexual) Strategy. This strategy is being prepared as part of our Children's Trust Equality and Diversity action plan. Despite the origins as a Children and Young People initiative the strategy will benefit the whole LGBT community. A hate crime reporting campaign is being undertaken and a number of actions have already been completed.

The attached Action Plan is based on that adopted by the Criminal Justice Board and Cheshire Police. Whilst some actions are quite specific to those Partners, they have been included in this plan to ensure that everyone involved is aware of the work being undertaken to reduce hate crime and harassment, and improve the lives of our residents. The Action Plan will support the Partnership's aim of working better together, with partners and stakeholders to understand community cohesion issues in Halton, share experiences and data, raise the profile of cohesion and help reduce tensions that could potentially escalate into hate crime incidents.

3.4 Bullying in Schools

The Halton Children's Trust has developed an Anti-Bullying Policy and Charter to which all schools can sign up. These documents ensure a consistent approach is taken to address bullying across schools in Halton. The Anti-Bullying Charter introduces a Halton Children's Trust Charter Mark to give

accredited recognition to schools, with three levels of bronze, silver and gold. Each level builds upon robust anti-bullying practise and policy across five standards; school involvement, policy, curriculum, training and support. Achievement and progress can be matched against the qualifying criteria at each level of the award.

There is also an Anti-bullying Operational Group which currently sits under the Halton Children's Trust. This group has worked with schools to support victims of bullying and to provide guidance, advice and tools to parents and staff in mitigating the impact bullying can have on young people, their educational attainment and emotional wellbeing. The Group has also led on the planning and running of an annual regional anti-bullying conference. There is a recommendation that this group looks at widening its membership and remit to include adult victims of bullying, looking at the larger safeguarding issues related to identifying and supporting vulnerable individuals of whatever age. Discussions have started to take this forward.

3.5 Prejudice based bullying

The Race Relations Act 2000 recommended that schools record, deal effectively with and report to the School Governors and the Local Education Authority all racist incidents which happen in or travelling to and from their school. Whilst this has never been a legal requirement it is considered good practice and an effective means of counteracting racism in schools.

Recent national thinking has recommended that schools extend their reporting systems to recording, dealing with and reporting on bullying incidents which are based on prejudice against any persons protected characteristic or characteristics, including perceived characteristics.

A prejudice based bullying incident is any incident which is or is perceived to be, by the victim or any other person(s), one of which is motivated by an individual's protected characteristic(s), or perceived characteristics(s).

The Council has produced guidance to help schools deal with all prejudice based bullying, which should be read in conjunction with the Anti-Bullying Charter.

The recording process involves schools classifying prejudice based bullying incidents according to a four point scale of reporting:-

1. No offence intended or taken
2. Hurt or distress was caused but offending behaviour unlikely to be repeated
3. Hurt or distress was caused and the person responsible had previously been warned of unacceptable behaviour
4. Hurt or distress was caused and the behaviour was based on substantial hostility and prejudice may be repeated

Schools will decide the appropriate action to be taken at each level of prejudice based bullying incident. The number of each level of incidents should be summarised and reported to the local authority at the end of each term.

- 3.6** The Halton Safeguarding Adults Board have in place an Anti-Bullying Policy 2011. The Policy aims to ensure a unified approach is practised across agencies when dealing with bullying behaviour towards adults (i.e. people 18 years of age or over) whose circumstances render them vulnerable to abuse. This would include, for example, people with learning disabilities, mental health problems, physical disability or sensory impairment and older people in need of support.

4.0 Current Reporting Arrangements

- 4.1 There are a number of methods by which a member of the public may report a hate crime as set out below:

- An emergency call to the police;
- A non-emergency call to the police;
- In person to the police;
- Through the [police force website](#);
- Via the [True Vision website](#);
- Via the post to the police:

Cheshire Constabulary Headquarters
Clemonds Hey
Oakmere Road
Winsford
CW7 2UA

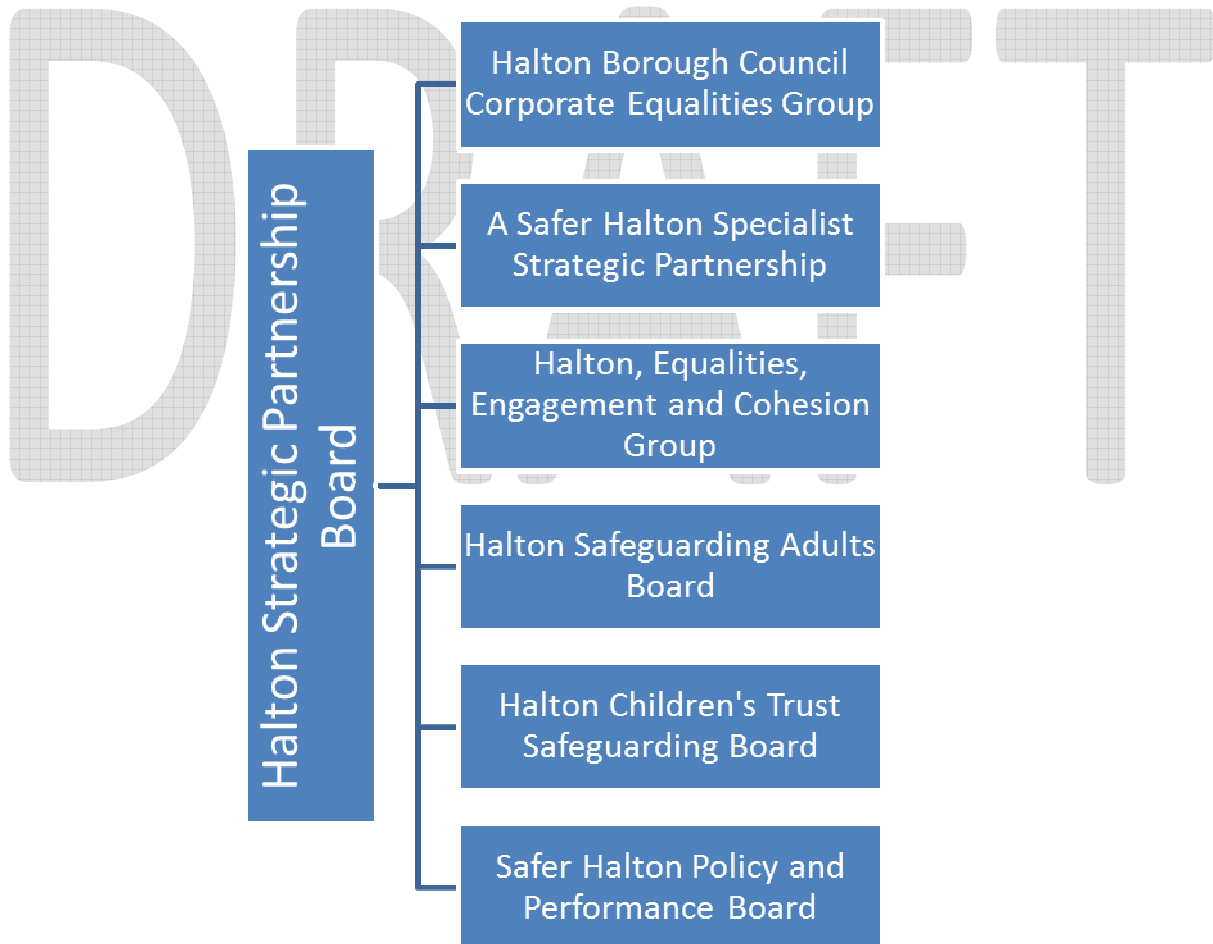
- Through a third party reporting centre; (listed in **Appendix B**) and
- Through a referral from another agency in the borough.

- 4.2 Reporting centres are a way to overcome the communication boundaries that sometimes exist between the police and local communities. They enable victims of hate crime to report their incident in an environment of their choosing where they feel confident. Victims are able to report anonymously which will still enable the police to gather information on the levels of hate crime and hot spots to information share. The centres ensure a victim led approach and also ensure victims who may not have previously reported incidents get the relevant help and support they require. Reporting centres provide a clearer picture on what is happening and where. This allows police resources, communities and agencies to work together to tackle hate crime.

- 4.3 Nominated staff within each reporting centre has received training and support on dealing with reports of hate crimes and incidents from Cheshire Police. There is an electronic form which is completed within the centre and submitted to the relevant Cheshire Police officer (**Appendix C**). The designated officer

inputs the information on to the force’s system and the normal operating procedures then apply. Incidents are coded by Cheshire Police to clearly differentiate reported incidents into hate “crimes” and hate “incidents”.

- 4.4 Raising awareness sessions have also been carried out with front line service providers across Halton, as well as targeted service user groups. These sessions are different and separate to those delivered by Cheshire Police on how to report a hate incident. The awareness sessions are more to do with recognising that vulnerable victims may not wish to report an incident to a Police Officer, however they will share the information with someone they have an existing relationship with, such as a health visitor or social worker. The sessions give these front line colleagues the knowledge to report on incident as a 3rd party.
- 4.5 Data on hate crimes in Halton are reported through the Halton Strategic Partnership Board via this framework:



5.0 Aims and Objectives

5.1 The key aims of this Strategy are to:-

Increase victim and community confidence in the criminal justice system by:

- Doing what matters to the Victim
- Doing what matters to the Community
- Doing whatever is in the best interest of the Offender
- Doing what is in the Public Interest

6.0 Partners involved in the Delivery of the Strategy

6.1 It is important to keep local communities informed of what actions are being undertaken. It is essential that this strategy and the progress in its delivery, is shared and discussed with the residents of Halton, through all appropriate means and forums.

6.2 This strategy is an active and working document. It has been developed to bring about further and real improvements in tackling hate crime and harassment in Halton local communities and neighbourhoods. This action plan will be delivered by the following partners working together:

- Halton's Community Safety Team
- Cheshire Police
- Youth Offending Service
- Victim Support
- Housing Providers
- Voluntary & Community Groups
- Cheshire Probation Service
- Halton Borough Council Safeguarding Adults Services
- Halton Borough Council Children and Young People's services

7.0 Governance

7.1 The work will be monitored and evaluated by members of the Safer Halton Partnership who will then review the successes gained and areas in which we still need to develop.

7.2 Success of the actions contained within this strategy will be partly monitored via the Cheshire Police's Satisfaction Survey, which will indicate if people are satisfied with the service received.

7.3 Additionally, hate crime and incident statistics provided by the dedicated Cheshire Police Officer will be monitored to evaluate the success of this strategy, both in relation to the number of incidents reported and the number of crimes detected.

8.0 Action Plan

NOTE: This plan is based on that adopted by the Criminal Justice Board and Cheshire Police, and whilst some actions are quite specific to those Partners, they have been included to ensure that everyone involved is aware of the work being undertaken.

Aims:

Increase victim and community confidence in the criminal justice system by:

- **Doing what matters to the Victim**
- **Doing what matters to the Community**
- **Doing whatever is in the best interest of the Offender**
- **Doing what is in the Public Interest**

Doing what matters to the victim

Action	Owner	Rationale	Measures	Update
<p>Develop a directory of services including advocacy services to support hate crime victims to both report crimes/incidents and gain advice and support</p> <p>To identify pathways for victims into</p>	<p>All Agencies/local authorities</p>	<p>Cross-Government Action Plan on Hate Crime</p> <p>Mencap Stand By Me campaign</p> <p>To address undetected hate crimes where the</p>	<p>Victims signposted to appropriate support and facilities</p>	<p>Police</p> <p>The Force website carries details of all Community Reporting Centres across the area, which provides help and support together with reporting facilities.</p> <p>http://www.cheshire.police.uk/advice-information/hate-crime.aspx</p> <p>YOT</p> <p>Victims of all types of crime are offered a menu of services from</p>

advocacy services and help improve access and increase referrals.		offender is known through supporting victims to take the matter to court following a complaint		HWYOT, including Restorative Justice processes
2. Explore opportunities for victims to be involved in future development of support services	Police/victim support/partner agencies	Cross-Government Action Plan on Hate Crime Hidden in Plain Sight Inquiry into Disability Harassment 'Out in the Open'	Better understanding of public attitudes. Services tailored to local concerns. All agencies working with minority organisations to increase involvement from minority communities.	Police The Force Hate Crime advisor works with minority support groups to build the confidence of service users to report any hate crimes and incidents. Focus sessions held with minority groups to ensure service user opinions and experiences are known and incorporated into future services. Continue support for existing engagement activities e.g. Carers Support Groups
3. Carry out mystery shopper survey of 3 rd party/ Community Reporting Centres to ensure all centres remain up to date.	Office of the PCC	Cross-Government Action Plan on Hate Crime	Gaps identified and appropriate action taken.	The Police Authority carry out a 'mystery shopper' survey of the 3 rd Party reporting centres every few years. Relevant feedback is given around identified gaps. Refresher training has been delivered to those centres requiring it.
Vulnerable people highlighted in police	Police	'Hidden in Plain Sight'	All partners carry out risk assessments to identify	Multi-Agency Meetings (MAM) to discuss cases where there is a threat

and other partner risk assessments and information shared to reduce their risk of victimisation			vulnerable people and share data When appropriate cases taken to the MAM meetings for discussion	of repeat incidents or risk of harm.
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Doing what matters to the community

4. Raise awareness across Cheshire of what hate crime is across all five categories	All Agencies	Cross-Government Action Plan on Hate Crime. EHRC report 'Out in the Open'	Increased understanding of hate incidents and hate crimes at a local level will inform action to prevent hate crime and the escalation of hate crime. Development of early interventions and local initiatives to raise confidence in minority communities. Increase the number of reported incidents of hate crime	Police The hate crime advisor attends multiagency conferences, support groups and community events to publicise hate crime. The Force website has a full explanation of all categories of hate crimes and incidents and how to report and carries the electronic 'True Vision' site for online reporting. http://www.cheshire.police.uk/advice-information/hate-crime/true-vision.aspx Safer Halton Partnership Safe in Town, the scheme is about providing a safe sanctuary for people with learning and physical disabilities and is being piloted in several areas across Cheshire.
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				Hate Crime awareness raising sessions to front line service providers, community and voluntary groups
5. Ensure that the views of communities are considered in order to identify local concerns	All Agencies	<p>Cross-Government Action Plan on Hate Crime</p> <p>Hidden in Plain Sight Inquiry into Disability Harassment Mencap Stand By Me campaign</p> <p>Cheshire Constabulary Equality Objectives 1 & 2</p> <p>Partnership Community Engagement Strategy</p>	<p>CSPs will be equipped with the information and guidance necessary to devise and deliver local hate crime action plans.</p> <p>All agencies develop approaches for effective joint working.</p> <p>Implement the Community Engagement Strategy Action Plan to share consultation findings and avoid duplication. Carry out health checks against the action plan to identify how partners use consultation findings to change the way services are delivered.</p>	<p>Police The hate crime advisor and local partnership officer work with individuals and local support groups to identify vulnerable individuals and their concerns.</p> <p>Focus sessions held to ensure service user opinions and experiences are known and incorporated into future services.</p> <p>Safer Halton Partnership Develop and keep up to date the Hate Crime Strategy for Halton.</p> <p>Halton Strategic Partnership Board Community Engagement Strategy health check to be completed and recommendations put forward</p>
6. Undertake consultation with	All Agencies	Cross-Government	Communities will be engaged with local efforts to	Police Focus sessions held to ensure

<p>local communities on strategies and plans</p>	<p>Hidden in Plain Sight Inquiry into Disability Harassment Mencap Stand By Me campaign 'Out in the Open' Cheshire Constabulary Equality Objective 2 HSPB Community Engagement Strategy</p>	<p>Action Plan on Hate Crime</p> <p>tackle hate incidents and hate crimes and be enabled to hold local agencies to account for their performance in delivering action on hate crime.</p>	<p>service user opinions and experiences are known and incorporated into future services. Local authorities use this information to develop relevant hate crime strategies.</p> <p>Extensive consultation was conducted in respect of the Constabulary Equality Objectives set in April 2012.</p> <p>http://www.cheshire.police.uk/about-us/equality-diversity-and-human/equality-objectives.aspx</p> <p>HSPB Residents' Survey to address community safety and hate crime issues. Next survey will be 13/14</p>
<p>7. Develop partnership working to incorporate advice, guidance and best practice on how to prevent and tackle hate crime</p>	<p>All Agencies</p>	<p>Cross-Government Action Plan on Hate Crime Hidden in Plain Sight Inquiry into Disability Harassment</p>	<p>Professionals will be equipped with detailed guidance on the circumstances and processes</p> <p>Adult and Children's safeguarding boards to work</p> <p>Police A Hate Crime Scrutiny Panel has been formed. Each BCU local scrutiny group feeds into the overarching panel.</p> <p>The Diversity Monitoring Review Group (DMRG), which is multiagency reviews hate crime</p>

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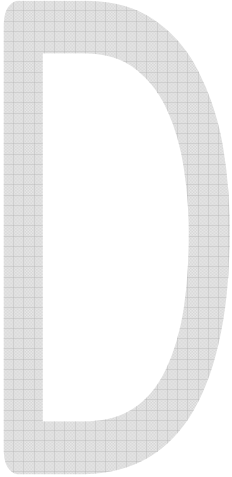
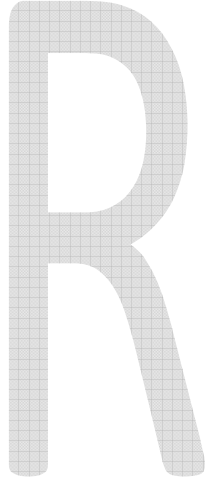
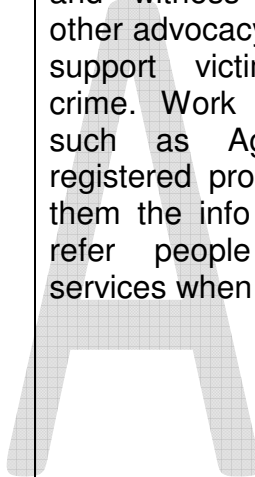
		<p>Out in the Open</p>	<p>with other agencies to develop learning from case reviews.</p> <p>All partner agencies work with local partnerships on Hate Crime Panels to develop approaches for effective joint working, including data sharing.</p>	<p>across the force area on a quarterly basis.</p> <p>http://www.cheshire.police.uk/about-us/equality-diversity-and-human/equality-information.aspx</p> <p>A Hate Crime Sgt (Alison Ross) has been appointed for a 6 month period to look at the way hate crime was investigated across the Force area and to identify possible ways to improve crime investigation, staff training and support for victims.</p> <p>Close links to Safeguarding teams are being developed to ensure information is appropriately shared and all agencies are aware of each other's work. Hate Crime case studies be taken to both Safeguarding Boards to identify how partners could have responded differently to help prevent hate crime.</p> <p>Probation Membership of DMRG – Police lead. Sharing hate crime data across the agencies.</p>
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				<p>CPS A Local Scrutiny and Involvement Panel for Cheshire and Merseyside is in place. The LSIP is chaired by the Chief Crown Prosecutor and includes representatives from a range of voluntary and community sector organisations. File scrutiny will focus on Trans Hate Crime later in the year.</p>
<p>8. Create multi-agency training programme on hate crime for key partner agencies</p>	<p>Police, Safer Halton Partnership and CPS</p>	<p>Cross-Government Action Plan on Hate Crime Out in the Open</p>	<p>Local services will be better equipped to support victims and witnesses in hate crime cases. This will help encourage victims and witnesses to come forward to ensure equal access to justice and facilitate successful prosecutions.</p>	<p>Police The hate crime advisor delivers hate crime training to key partner agencies staff including, PCT, NHS, CWaC, HBC, WBC, Community support groups and local colleges.</p> <p>A Hate Crime Sgt has been appointed for a 6 month period to look at the way hate crime was investigated across the Force area and to identify possible ways to improve crime investigation, staff training and support for victims.</p> <p>CPS Disability Hate Crime Training course was devised to help improve</p>

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				<p>the knowledge and skills of prosecutors in relation to DHC cases. Every Prosecutor in the Area, including the Chief Crown Prosecutor and Deputy Chief Crown Prosecutor will have completed the training by the end of the year.</p> <p>Training on Transgender issues is being delivered to CPS Merseyside-Cheshire prosecutors and members of the CPS Merseyside-Cheshire LSIP. The LSIP also includes representation from the Trans community.</p>
9. Develop procedure for good hate crime governance	Sub group?	Cross-Government Action Plan on Hate Crime	<p>A good practice product. The practice guidance will provide practitioners with the tools for improving practice on hate crime.</p>	<p>Probation Cheshire Probation Trust has developed practice guidance around hate crime for staff that links to CPS guidance. This will ensure that more hate crime offenders can be identified.</p>
10. Identify and develop effective systems for hate crime/incident reporting at a local level	All Agencies	Cross-Government Action Plan on Hate Crime	<p>Reporting of Hate Crimes and incidents will be more accurate and consistent.</p> <p>Staff have increased awareness and recognition of hate crime/incidents.</p>	<p>Police Community (3rd Party) Reporting Centres and individual community/partner reporters have been set up across the Force area. Leaflets, stickers and posters advertise these services.</p>

				<p>Repeat, victims, offenders and locations are identified and appropriate action taken</p> <p>Map pathways into victim and witness support and other advocacy services that support victims of hate crime. Work with partners such as Age UK and registered providers to give them the info they need to refer people into these services when appropriate.</p> <p>An initiative specifically targeting hate crime against taxi drivers has been set up across the Force area. This advertises to offenders offences of hate crime and encourages drivers to report incidents.</p> <p>Probation Cheshire Probation Trust has a hate crime incident form and reports to the police any incidents that require reporting.</p> <p>YOT HWYOT's database does not allow for specific hate crime identification and therefore information gathering has to be completed manually. However on an individual case basis if an offence is identified as a hate crime specific interventions can be done with the young person relating to Race and Religion, Disability, Gender and Sexuality</p>
<p>11. Introduce local Hate Crime Scrutiny Panels to ensure aims and objectives are achieved.</p>	<p>All Agencies/local authorities</p>	<p>Cross-Government Action Plan on Hate Crime Hidden in Plain</p>	<p>Gaps in the evidence on the nature and extent of hate crime will have been mapped.</p>	<p>Police A Force wide Hate Crime Scrutiny Panel has been created.</p>

		<p>Sight Inquiry into Disability Harassment</p> <p>Out in the Open</p>	<p>Increased understanding of hate incidents and hate crimes at a local level will inform action to prevent hate crime and the escalation of hate crime.</p> <p>All partner agencies work with local partnerships on Hate Crime Panels to develop approaches for effective joint working.</p>	 <p>H:\Hate Crime Scrutiny Panel T of R. (This is Attached at the end of the document)</p> <p>There are also local hate crime scrutiny groups on each BCU.</p> <p>The Hate Crime Advisor sits on all relevant Hate Crime, Equality and Safeguarding groups across the Force area ensure that information and good practice is shared in relation to all aspects of hate crime.</p> <p>Safer halton partnership Hate Crime case studies are to be reported to Safeguarding Boards and the Safer Halton Partnership to identify what could have been done differently by partners to achieve a better outcome for the victim</p> <p>YOT HWYOT as a single agency would not undertake its own hate crime scrutiny panel but would be involved if required by either Halton or Warrington LA</p> <p>CPS</p>
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				A Local Scrutiny and Involvement Panel for Cheshire and Merseyside is in place. The LSIP is chaired by the Chief Crown Prosecutor and includes representatives from a range of voluntary and community sector organisations.
12. Work to increase the number of hate crimes/incidents reported and successful outcomes achieved	All Agencies/local authorities	<p>Cross-Government Action Plan on Hate Crime</p> <p>Hidden in Plain Sight Inquiry into Disability Harassment</p> <p>Out in the Open</p> <p>CC Equality Objective 1</p>	<p>Increased reporting of hate crimes with more cases being brought to successful conclusions.</p> <p>Increased community cohesion and victim confidence in the criminal justice system.</p> <p>Transport providers develop reciprocal reporting arrangements and work in partnership</p> <p>Increase referrals to victim and witness support services and use restorative justice to prevent escalation of incidents</p>	<p>Police</p> <p>The hate crime advisor and local partnership officer work with individuals and local support groups to build confidence amongst members of minority communities and encourage the reporting of all hate incidents.</p> <p>A Cheshire wide Hate Crime Scrutiny Panel has been created, which includes representatives from local minority communities.</p> <p>Good news stories about hate crime cases that had been dealt with in a positive manner, published in relevant newsletters to increase confidence of minority groups. Also share these case studies with safeguarding groups and the Safer Halton Partnership and the council Safer Halton PPB.</p>

				YOT All HWYOT are aware of the definition of a Hate Crime and the views of the victim are always sought in terms of Restorative Justice Processes
13. Carry out gap analysis to identify any barriers to reporting and how these can be addressed	Sub group	Cross-Government Action Plan on Hate Crime Out in the Open	Gaps in the evidence on the nature and extent of hate crime will have been mapped including reporting especially from marginalised groups.	Police Hate Crime Location maps have been produced. This provides a new data set showing details of Repeat Hate Crime Locations

Doing whatever is in the best interest of the Offender

14. Reduce offending and reoffending of hate crimes/incidents across Cheshire, by working with perpetrators.	Cheshire Probation Service/HMCS	Hidden in Plain Sight Inquiry into Disability Harassment	Fewer hate incidents and hate crimes will occur. More cohesive and resilient communities	Probation Cheshire Probation Trust has a 14 session individual programme – Promoting Human Dignity (PHD) – for offenders convicted of hate crime. This is court mandated as a Specified Activity Requirement. Information leaflets have recently been revised to take account of the Government Hate Crime Action Plan. Guidance and training for staff, including court staff, has
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				been put in place to ensure greater awareness of hate crime and what PHD covers to be able to work with all offenders connected to hate crime to challenge their thinking and reduce the opportunities for reoffending.
15. Secure the provision of a programme to educate prisoners convicted of hate crimes or who demonstrate hate motivated behaviour	Cheshire Probation Service/HMPS	Hidden in Plain Sight Inquiry into Disability Harassment Out in the Open	Fewer hate incidents and hate crimes will occur. Increased community cohesion and victim confidence in the criminal justice system.	Probation See above re PHD programme available in the community. There is currently no hate crime programme available in Cheshire prisons.
16. Ensure that all prisoners convicted of hate crime or who demonstrate hate motivated behaviour can access and complete a programme that helps them address this behaviour	Cheshire Probation Service	Hidden in Plain Sight Inquiry into Disability Harassment Out in the Open	Fewer hate incidents and hate crimes will occur. Increase use of restorative justice and referrals to victim and witness support	Probation PHD available in the community.

Doing what is in the Public Interest

<p>17. Identify resources and funding from internal and external sources to develop a range of publicising materials e.g.: posters leaflets etc.</p>	<p>All Agencies</p>	<p>Cross-Government Action Plan on Hate Crime Mencap Stand By Me campaign</p>	<p>Multiagency materials produced.</p>	<p>Police The Hate Crime Advisor and CWP have developed an easy read hate crime leaflet. This has been distributed to all partner and voluntary agencies.</p> <p>Probation Cheshire Probation Trust has already revised and will be putting sentence and offender leaflets in place.</p> <p>YOT HWYOT deal with a very small number of young people that are involved with hate crime incidents and/or offences. Therefore interventions are carried out on a one to one basis using an educational approach with the young person and utilising restorative justice principles wherever appropriate.</p>
<p>18. Develop partnerships across</p>	<p>Chair of subgroup</p>	<p>Cross-Government</p>	<p>CDRPs/CSPs will facilitate mechanisms to inform local</p>	<p>The Hate Crime Advisor works with members of the local NHS</p>

<p>non-CJS sectors to distribute publicising materials</p>		<p>Action Plan on Hate Crime</p>	<p>communities and local needs.</p>	<p>and PCT together with the CSPs and local support groups to ensure that all publicity material reaches the wider communities.</p> <p>Safer Halton Partnership Hate Crime work is promoted at Locality Area Forums, PACT Panels and other local area based meetings.</p>
<p>19. Provide information materials and training about the difference between hate crimes and hate incidents to ensure clarity and avoid raising expectations</p>	<p>Police and CPS</p>	<p>Cross-Government Action Plan on Hate Crime Mencap Stand By Me campaign Out in the Open</p>	<p>Increased understanding of hate crime and more accurate reporting.</p>	<p>Police The hate crime advisor and local partnership officer work with individuals and local support groups to build confidence amongst members of minority communities and encourage the reporting of all hate incidents. A Hate Crime Scrutiny Panel has been created.</p> <p>Safer Halton Partnership Ongoing training is being delivered, developing close links to Safeguarding teams to ensure information is appropriately shared and all agencies are aware of each other's work. Continue to review information on</p>

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				<p>Halton council's and other partner's website and update as necessary, ensuring there is sufficient information on what constitutes a hate crime, how to report it and where to go for advice and support. Ensure that all contact numbers and links are up to date.</p> <p>Specific work has been carried out with local LGBT and disability groups after specific gaps in services have been identified, through Halton Speak Out disability partnership, Halton Speak Out etc.</p>
<p>20. Develop protocols to agree the role of each agency within the hate crime process and to ensure that relevant information can be appropriately shared across all agencies</p>	<p>All Agencies Safer Halton Partnership</p>	<p>Cross-Government Action Plan on Hate Crime Out in the Open</p>	<p>Improved information sharing. Increased understanding of the nature and prevalence of hate crime.</p>	<p>Police The Hate Crime Scrutiny Panel has Information Sharing Agreement in place.</p>  <p>H:\ISA Hate Crime Scrutiny Panel Final.d (This is attached at the end of the document)</p> <p>Safer Halton Partnership Develop the Scrutiny Role of the SHP and Safeguarding Boards through the use of case studies</p>

<p>21. Set up reporting and monitoring mechanisms across all agencies and collect data in relation to number of hate crimes/incidents and attrition rates at each stage of the process</p>	<p>Hate Crime Scrutiny Panel</p>	<p>Cross-Government Action Plan on Hate Crime Hidden in Plain Sight Inquiry into Disability Harassment</p> <p>Out in the Open</p>	<p>Increased understanding of the nature and context of hate crime.</p>	<p>Police The Diversity Monitoring Review Group (DMRG), which is multiagency reviews hate crime across the force area on a quarterly basis. The Hate Crime Scrutiny Panel has been formed.</p> <p>The hate crime advisor meets with BCU Partnerships Inspectors, local hate crime scrutiny groups and Partner Agency representatives to ensure all relevant data is collated and reviewed to identify any gaps.</p> <p>Probation Cheshire Probation Trust is part of the DMRG where such data is shared. CPT can share the numbers of PHD commencements and completions.</p>
<p>22. Report and analyse data and outcomes on a quarterly basis via Hate Crime Scrutiny Panels and the</p>	<p>All Agencies</p>	<p>Cross-Government Action Plan on Hate Crime</p> <p>Out in the Open</p>	<p>Improved local data collection and analysis on hate incidents and hate crime</p>	<p>Police A quarterly report is produced for the DMRG. The Hate Crime Scrutiny Panel reviews individual incidents and crimes and identifies any issues, which are</p>

<p>Diversity Monitoring Review Group</p>	<p style="text-align: center; font-size: 100px; opacity: 0.5;">DRAFT</p>			<p>then investigated by the relevant agency.</p> <p>Probation As above</p> <p>YOT HWYOT's database does not allow for specific hate crime identification and therefore information gathering has to be completed manually. HWYOT is in the process of implementing a new data base where such reporting in terms of specific areas will be easier to complete</p> <p>CPS The Strategic Lead chairs a quarterly meeting for internal staff, to review hate Crime performance data, explore case studies, share good practice and identify improvement actions.</p>
<p>23. Record and monitor when an uplift/enhanced sentence is announced in open court</p>				<p>HMCS</p>

		Disability Harassment Out in the Open	Justice Act 2003 is appropriately, consistently and transparently applied.	
24. Reduce the level of CJS attrition.	Police/CPS	Cross-Government Action Plan on Hate Crime Out in the Open	Increased successful outcomes at court	
25. Set up systems to enable the reporting of offending and reoffending rates across Cheshire in relation to all categories of hate crime	Police/CPS/HMCS/Cheshire Probation Service	Cross-Government Action Plan on Hate Crime Out in the Open	Increased understanding of the nature and context of hate crime. Increased awareness and recognition of hate crime/incidents, repeat, victims, offenders and locations.	Police Hate Crime Location maps have been produced. This provides a new data set showing details of Repeat Hate Crime Locations, Repeat Victims and Repeat Offenders (where the offender details are known). This information is shared with partner agencies at the DMRG
26. Monitor national initiatives and implement them locally if appropriate	All agencies	Cross-Government Action Plan on Hate Crime Out in the Open	CDRPs/CSPs and other local partners will have increased awareness of good practice both nationally and locally. Identify and implement interventions to prevent harassment occurring in the	Police The hate crime advisor carries out Environmental Scanning and liaises with hate crime advisors from other forces for relevant hate crime initiatives. Safer Halton partnership Safe in Town, the scheme is

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			<p>first place and develop responses to prevent escalation.</p>	<p>about providing a safe sanctuary for people with learning and physical disabilities and is being piloted in several areas across Cheshire.</p> <p>YOT Any Youth Justice Board initiatives are communicated through the YJB Bulletin which is distributed to all staff. These are then discussed at HWYOT Management Team Meeting in order to feedback/implementation to be agreed</p>
<p>Develop a school reporting system that incorporates all bullying information and details on hate incidents.</p>	<p>Schools/Cheshire Police</p>	<p>April 2013</p>	<p>Reduce the duplication of reporting mechanisms.</p>	<p>Sharps system in all secondary schools but not primary.</p> <p>Where appropriate consider restorative justice in response to incidents for example in schools and with youth groups</p> <p>Halton Borough Council has developed a prejudice based bullying reporting system and are piloting in schools. This sits alongside a new Anti-Bullying policy and Charter Mark.</p>

National Legislation and Policy Developments

The Macpherson Inquiry into the racist murder of the black teenager Stephen Lawrence laid the groundwork for the legal recognition of racist hate crime. In the years that followed, it has been recognised that hate crime on the basis of religion, sexual orientation, gender identity and disability came into existence. National legislation in the UK follows the principle that crimes motivated by hostility, prejudice of hate towards an aspect of a person identity should be treated differently to other crimes.

There have also been a number of policy documents written in the past by a range of public bodies on the various strands of hate crime. Key documents to note are:

The **Equalities Act 2010** (section 149) put in place a 'Public Sector Equality Duty'. This means that a public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and person who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Protected characteristics - The Act defines a number of characteristics which are protected: -

- (a) Age
- (b) Disability
- (c) Gender reassignment
- (d) Marriage and civil partnership
- (e) Pregnancy and maternity
- (f) Race
- (g) Religion or belief
- (h) Sex
- (i) Sexual orientation

The Equalities Act is overarching and has replaced other legislation including:-

The Racial and Religious Hatred Act 2006 – As of October 2007 this act makes provision about offences involving stirring up hatred against persons on racial and religious grounds.

The Domestic Violence, Crime and Victims Act 2004 – As part of this act the Victims Code of Practice came into effect from April 2006 giving victims the right to information about the crime within specified timescales. It also sets out the minimum

levels of enhanced services that should be offered to “vulnerable” victims of crime by criminal justice agencies.

The Criminal Justice Act 2003 created a range of new racially and religiously aggravated offences and sets of provisions for the following offences:

- Assaults (section 29)
- Criminal Damage (section 30)
- Public Order Offences (section 31)
- Harassment (section 32)

The act also introduced tougher sentences for offences motivated by hatred of the victim’s sexual orientation or disability, and this must now be taken into account when sentencing as an aggravating factor, in addition to race or religious motivation.

The Powers of Criminal Courts (Sentencing) Act 2000 – This act requires the court to consider racial or religious hostility as an aggravating factor when sentencing for an offence.

The Protection from Harassment Act 1997 – This act allows the courts to grant an injunction to restrain any actual or threatened harassment.

Public Order Act 1986 Part III Incitement To Racial Hatred Under this Act it is an offence to commit an act that is threatening, abusive or insulting and which is intended or likely in all the circumstances to stir up racial hatred.

Football Offences Act 1991 (Amended by section 9 of the Football (Offences and Disorder) Act 1999) An offence is committed when a group of people, or one person acting alone, chants something of a racist nature at a designated football match. To prove this offence, the prosecution has to show that the chanting was threatening, abusive or insulting to another person because of that person’s colour, race, nationality (including citizenship) or ethnic or national origin.

Crime and Disorder Act 1998 (As amended by the Anti- Terrorism, Crime and Security Act 2001) This contains a number of specific offences of racially or religiously aggravated crime. These offences carry higher maximum penalties than the basic offence equivalents. The Act places a duty on the courts to treat more seriously any offence.

Human Rights Act 1998 This places a duty on all public authorities to uphold and promote human rights in everything they do. This means that their policies, programmes and services should ensure that individuals are autonomous, safe and can participate in the decisions that affect their lives; further, that they are treated fairly, with dignity and respect and that the rights of the wider community are also safeguarded.

Criminal Justice Act 2003 S145: in addition to the specific offences created by the Crime and Disorder Act 1998, this places a general duty on courts to treat more seriously any offence that can be shown to be racially or religiously aggravated or

motivated. S146: places a duty on courts to increase the sentence for any offence aggravated by the demonstration or motivation of hostility based on the victim's disability (or presumed disability) or sexual orientation (or presumed sexual orientation)

Racial and Religious Hatred Act 2006 Under this Act an offence is committed if a person uses threatening words or behaviour, or displays any written material which is threatening, if he intends thereby to stir up religious hatred. Abusive or insulting words or behaviour intended to stir up religious hatred is not enough.

Possession, publication or distribution of inflammatory material is also an offence. The offence can be committed in a public or private place, but not within a dwelling unless the offending words and behaviour were heard outside and it was intended that they were heard. For an offence to have been committed, the defendant must have intended to stir up religious hatred.

Criminal Justice and Immigration Act 2008 This amends the Public Order Act 1986 to include incitement to hatred on the grounds of sexual orientation

Anti-Social Behaviour, Crime and Policing Bill was introduced during May 2013. The Bill is expected to receive Royal Assent by summer 2014. The Bill sets out the Government's continuing commitment to protect the public from crime, serious disorder and anti-social behavior by giving local police forces the ability to take decisions that fit the needs of the area they serve and to ensure that they are accountable to local people for these decisions.

Equality and Human Rights Commission: 'Hidden in plain sight', Inquiry into disability related harassment, August 2011, made several recommendations to public authorities with regards to addressing and investigating disability hate crime, as well as supporting victims.

The key recommendations for the purposes of this action plan are:

- Always consider whether a victim of anti-social behaviour is disabled, and whether their disability is part of the motivation for the harassment.
- When responding to anti-social behaviour and crime against disabled people (particularly the police, local authorities and housing providers), agencies should consider whether such harassment is disability –related.
- Where the behaviour is identified as disability-motivated, agencies should apply the relevant legal and policy frameworks.
- Where crimes have been committed, police should investigate them thoroughly and gather evidence to identify perpetrators. This should include consideration of how to support disabled people and how to identify other corroborating sources of evidence.
- Ensure that systems are in place to identify repeat victims. Urgent action should be taken to bring repeat harassment to an end rather than dealing with incidents as isolated events.
- Implement a corporate approach to adult protection, with training for all public facing staff and their managers on identifying and referring people at risk of harm.

- Develop and implement partnership approaches to prevent harassment and safeguarding adults at risk of harm.
- Provide information to the public about reporting harassment that they are experiencing or know a disabled person is experiencing.
- Public authorities should challenge cultures of disbelief of disabled people who make allegations of crime.

Out in the Open: Tackling disability related harassment: A manifesto for change The follow up report to Hidden in plain sight makes recommendations in 7 strategic areas which it says need to be addressed if disability harassment is to be reduced:

- Improved reporting, recording and recognition of disability related harassment so disabled people know their account of being tormented or worse, is taken seriously at every stage.
- Gaps in legislation and national policy to be addressed, such as tougher use of sentencing for those found guilty of harassment and more involvement of disabled people in public life e.g. jury service.
- Adequate support and advocacy to be provided, especially for those with a learning difficulty who may need someone to speak up on their behalf or provide emotional support.
- Improved practice and shared learning. Government and others need to work together to drive up standards and learn from any mistakes.
- Better redress and access to justice. A disabled person's account should be equally as credible as a non-disabled person in a court of law.
- Improved prevention, deterrence and understanding of motivation. If research is invested in understanding why people commit these crimes, it will be easier to profile potential perpetrators and thus intervene earlier on.
- More transparency, accountability and involvement of disabled people in developing policies and responses to disability related harassment.
- Looking at authorities and other organisations which are handling the issue well, the Commission highlights their work in three main areas:
 - A commitment to monitoring Section 146 of the Criminal Justice Act and data sharing which will help to identify 'at risk' individuals;
 - Addressing cyber bullying; and
 - Tackling anti-social behaviour in social housing.

Challenge it, Report it, Stop it: The Government's Plan to Tackle Hate Crime - The plan provides a blueprint for the Government's role over the next three years to help set a national direction and support local efforts to combat hate crime. It is divided up into three key areas: prevention, increasing reporting and improving the operational response to hate crime.

Preventing hate crime

This section sets out the steps being taken by the Government to prevent hate crime from occurring by challenging the bigotry and prejudice that foster hatred. These include:

- Working with schools and voluntary sector partners to increase the resources available to help tackle bullying in schools.
- Developing a new cross-Government Disability Strategy, which will include action on changing attitudes and behavior.

Increasing reporting and access to support

This section sets out how the Government wants to make it easier for victims of hate crime to come forward and report offences.

- The Home Office and the Association of Chief Police Officers (ACPO) will be working with councils, police forces and housing providers to improve the handling of public calls about anti-social behavior so that hate crime victims can be better identified.

Improving the response to hate crime

This section of the plan focuses on the Government's goals and actions for the criminal justice system and calls on councils and other local partners to work jointly with the criminal justice system to bring offenders to justice by, for example, making available information on hate crime and local support services.

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APPENDIX B – Hate Crime Reporting Centres in Halton

Community Reporting Centres for Hate Crime in Halton

<p>Riverside College (Cronton) Cronton 6th Form Campus Cronton Lane Widnes, Cheshire, WA8 5WA</p>	<p>Riverside College (Runcorn) Runcorn Campus Campus Drive Runcorn, Cheshire, WA7 4RE</p>
<p>Riverside College (Kingsway) Kingsway Campus Kingsway Widnes, Cheshire, WA8 7QQ</p> <p>Open for students</p>	<p>Halton Speak Out The Old Police Station Mersey Road Runcorn Cheshire, WA7 1DF</p> <p>Phone No: 01928 588 526</p>
<p>Liverpool Housing Trust Priory House, Northway Runcorn, Cheshire, WA7 2FS</p> <p>Phone: 01928 796000 Open for Liverpool Housing Trust tenants</p>	<p>Affinity Sutton Housing (Widnes) 265 Cherrysutton Estate Widnes WA8 4TH Phone: 0845 217 8601</p> <p>(Open for all tenants on Wednesdays only)</p>
<p>Gay and Lesbian Youth Service Phone: 07747 473 829 for further information.</p> <p>Open for all LGBT young people</p>	<p>Riverside Housing Halton Brook Avenue Halton Brook Runcorn Cheshire, WA7 2NW</p> <p>All tenants of Riverside</p>
<p>Halton Citizens Advice Bureau – Widnes Office Unit 3, Victoria Buildings Lugsdale Road Widnes, WA8 6DJ</p> <p>Open to All</p>	<p>Halton Citizens Advice Bureau –Runcorn Office Ground Floor Grosvenor House Runcorn, WA7 2HF</p> <p>Open to All</p>
<p>Ditton Youth & Community Centre Dundalk Road Widnes Cheshire, WA8 8DF Club Tel No: 0151 420 0001 Community Centre No: 0151 423 3121</p> <p>Outreach mobile number is: 07724 615 988</p>	<p>Chapelfield Youth Club Chapelfield Community Centre Wilsden Road Hough Green Widnes, WA8 7XS Club Tel No: 0151 495 1662</p> <p>Outreach mobile number is: 07724 615 988</p>
<p>Murdishaw Youth Club Moorings Close Runcorn Cheshire, WA7 6DQ Club Tel No: 01928 710 273</p> <p>Outreach mobile number is: 07821 396 977</p>	<p>Palacefields Community Centre The Uplands Runcorn Cheshire, WA7 2UA Club Tel No: 01928 797784</p>

CRMZ Kingsway Widnes WA8 7QE 0303 333 4300	West Bank Youth Club Transporter House Mersey Road Widnes WA8
	Grangeway Youth & Community Centre Grangeway Runcorn Cheshire, WA7 5HA Club Tel No: 01928 583 320 Community Centre No: 01928 569 474
West Runcorn Youth Centre Russell Road Weston Point Runcorn, Cheshire, WA7 4DP Club Tel No: 01928 581 722	Duke of Edinburgh West Runcorn Youth Centre Russell Road Weston Point Runcorn, Cheshire, WA7 4DP Club Tel No: 01928 581 722
Castlefields Community Centre Chester Close Castlefields Runcorn, WA7 2HY Phone No: 01928 563 839	Upton Community Centre Hough Green Road Widnes WA8 4PF Phone No: 0151 423 1386
Halton Housing Trust Daresbury Point Green Wood Drive Manor Park, Runcorn, WA7 5LT Phone No: 0800 195 3172 or 0303 333 0101	Halton Housing Trust Foundry Lane Widnes WA8 8TZ Phone No: 0800 195 3172 or 0303 333 0101
Murdishaw Community Centre Barnfield Avenue Murdishaw Runcorn, Cheshire, WA7 6EP Phone No: 01928 718 285	Staff within Halton's Direct Link Contact Centres have also been trained and can be contacted via the Council's main number: 0303 333 4300
Staff with Halton's One Stop Shops have also been trained. These are drop-in facilities and do not have phone numbers:	
Widnes Direct Link One Stop Shop 7 Brook Street Widnes Cheshire, WA8 6NB	Halton Lea Direct Link One Stop Shop Concourse Level Rutland House Halton Lea, Runcorn, WA7 2ES
Runcorn Direct Link One Stop Shop Church Street Runcorn Cheshire, WA7 1LX	True Vision Website (owned by the Association of Chief Police Officers) www.report-it.org.uk

Appendix C: Third Party Reporting Form



ELECTRONIC FORM FOR COMPLETION

Please e-mail to

hate.crime.reporting@cheshire.pnn.police.uk

ABOUT THE INCIDENT

Are you the victim or a witness?

- Victim Witness Third party

What do you think motivated this crime?

- Racism Faith Disability
- Homophobia (sexual orientation) Transphobia (gender)

Tell us about the incident in your own words, giving as much detail as possible *(please use a separate sheet if necessary):*

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When did the incident take place?

Time Day Date

Where did it happen?

Street name / location

Town / City

Were there any injuries?

Yes (if 'yes' please give details)

No

Did any loss or damage to property result from the incident?

Yes (if 'yes' please give details)

No

ABOUT THE VICTIM

Age

Gender

First language

(please state whether you require a translator.)

To help us deal with hate crime correctly, please tick how you would describe yourself.

Faith

- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Rastafarian
- Sikh
- Other
- No religion
- Prefer not to say

Sexual Orientation

- Heterosexual
- Bisexual
- Gay/Lesbian

Ethnicity

- White British
- White Irish
- Any other white background
- White & Black Caribbean
- White & Black African
- White & Asian
- Any other mixed background
- Indian
- Pakistani
- Bangladeshi
- Black Caribbean
- Black African
- Any other black background
- Chinese
- Any other ethnic group
- Gypsy
- Traveller community
- Prefer not to say

ABOUT THE OFFENDER(S)

How many offenders were there

Do you know them?

Yes

No

If 'yes' please give names and if possible addresses).

Can you give a description?

(Consider age, gender, height, ethnicity, build and clothing).

DRAFT

Please describe any distinguishing marks or features about the person.

Was a vehicle used?

Please describe the vehicle e.g. colour, make, model

PERSONAL DETAILS

The details you have provided to us so far will be recorded for monitoring purposes.

If you wish this incident to be investigated please include how you would prefer to be contacted.

Your name

Your address

Postcode

Telephone number

E-mail

Please tell us how you would prefer to be contacted e.g. only at a certain time or location.

Agency contact for help and support

Do you agree to this information being passed to your local agency partnership?

Incident details only

Yes

No

My details

Yes

No

Office use

Appendix D

Hate Crime - National data

Hate crime and harassment is recognised as a national issue. In September 2012, the Home Office published statistics on hate crimes recorded by the police in England and Wales for the first time. In 2011/12, 43,748 hate crimes were recorded by the police, of which:

- 35,816 (82 per cent) were race hate crimes
- 1,621 (4 per cent) were religion hate crimes
- 4,252 (10 per cent) were sexual orientation hate crimes
- 1,744 (4 per cent) were disability hate crimes
- 315 (1 per cent) were transgender hate crimes

Race hate crimes accounted for the majority of hate crimes recorded in all police forces.

Disability crime includes crimes against those with learning difficulties or mental health issues. Research by Mind found that 71% of people with mental health needs had been subjected to a disability hate crime at least once in the preceding two years. Mencap's "Living in Fear" survey found that 88% of people with learning disabilities had been subjected to a disability hate crime or incident in the preceding year and that the effect on them can be "cumulative and devastating".

Nationally we know that hate crimes are hugely under-reported, estimates suggest that a mere 20-30 per cent of all hate crimes are actually reported to the police. In addition, it is difficult to know how to interpret fluctuations in the numbers of reports of hate crime incidents. There are several possible explanations for reports of hate crime increasing for example such as:

- More crimes taking place
- Projects encouraging people to report
- People having more confidence in reporting structures

Nationally most hate crime perpetrators live in the same neighbourhood as their victims and the majority of hate crimes happen near to the victim's home while they are going about their daily business.

Since 2006/07, the number of hate crime cases referred to the Crown Prosecution Service for decision by the police has steadily increased from 14,133 to 15,519. The proportion of these cases charged has also increased from 59.4% to 72.0%.

Over the same period, the proportion of decisions not to prosecute for evidential or public interest reasons has dropped from 20.7% to 16.8%. This trend over time suggests that aspects of investigation and prosecution are improving as we become better at recognising and responding to hate crime across all strands.

Between 2006/07 and 2010/11, the proportion of successful convictions across all types of hate crime has increased from 76.8% to 82.8%, while the number of

prosecutions has also increased from 12,535 to 15,284. Of successful outcomes, 85.5% involved a guilty plea.

The most commonly prosecuted cases were offences against the person and public order offences (44.3% and 36.3% respectively).

Hate Crime - Halton in Context

Demographics

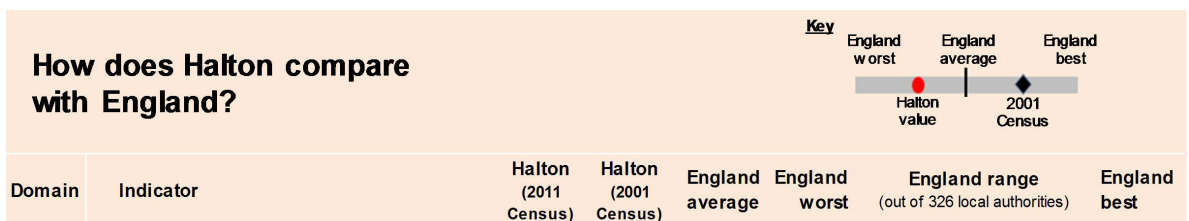
General - Halton has a population of 125,700 (2011 census), split 48.8% male and 51.2% female. Of these:-

- 24,900 are children and young people (20% of the population) and
- 82,300 are people of working age (65% of the population).
- 18,500 are older people (15% of the population).

The population of Halton has increased by 7,600 (6.4%) since the 2001 census.

Deprivation is a major issue in Halton, 21 of the 79 'Super Output Areas' fall in the 10% most deprived areas in England. Over a quarter of children – around 7,000 – live in poverty (*IMD 2010 and HMRC, 2011*). In the longer term, the older people age group (65+) are projected to grow by 33% from 17,300 in 2010 to 25,700 in 2025 (*ONS population projections 2010*). Around 1 in 5 working age people are claiming an out of work benefit in Halton.

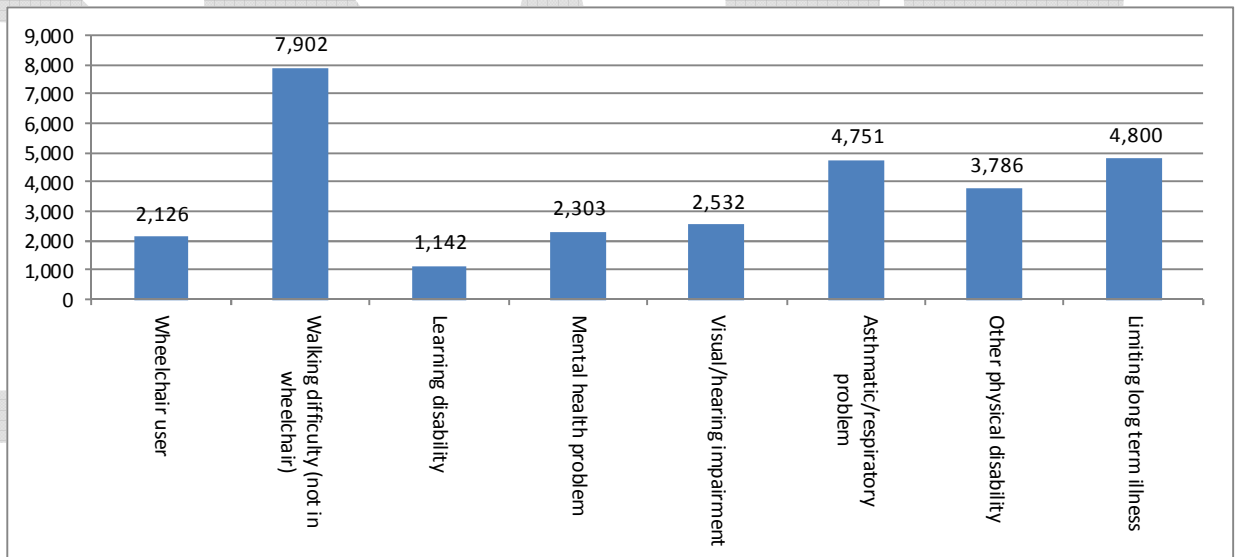
Health and disability - Health in general remains a major issue in Halton, with Halton experiencing amongst the lowest life expectancies in the country and highest levels of alcohol abuse and cancer rates. (*DoH Health Profile 2012*). When compared with England, a higher percentage of Halton residents stated that their daily activities are limited (either a little or a lot) by their health, with 9,865 people in Halton stating their health was bad or very bad. Halton has a higher percentage of Disability Living Allowance claimants than England. (*DLA claimant counts, DWP*) and also a higher proportion of people providing 20+ hours of unpaid care (7,010 people) per week than England.



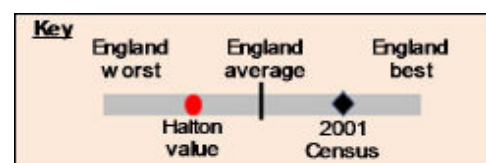
Limiting illness	1	limited a lot	11.6%	n/a	8.3%	14.2%		4.4%
	2	limited a little	9.8%	n/a	9.3%	13.2%		6.0%
	3	not limited	78.6%	n/a	82.4%	74.0%		88.8%
	4	limited a lot: Age 16 to 64	5.9%	n/a	3.6%	7.2%		1.2%
	5	limited a little: Age 16 to 64	5.6%	n/a	4.6%	6.4%		2.9%
	6	not limited: Age 16 to 64	54.1%	n/a	56.5%	46.9%		72.2%
Health	7	Very good health	46.7%	n/a	47.2%	38.2%		57.8%
	8	Good health	31.6%	n/a	34.2%	28.5%		37.8%
	9	Fair health	13.9%	n/a	13.1%	8.7%		18.3%
	10	Bad health	6.1%	n/a	4.2%	7.3%		2.1%
	11	Very bad health	1.7%	n/a	1.2%	2.2%		0.6%

The 2010 Strategic Housing Market Assessment SHMA found that an estimated 15,104 households in Halton contained someone with a support need, representing 29% of all households in the Borough. People with a walking difficulty were the most predominant group, affecting 7,902 households (15% of all households) as shown in figure 1.1.

Figure 1.1 - Households containing someone with a support need



Ethnicity - The majority of residents (97.8%) in Halton are white and 2% non-white as set out in the table below. As can be seen by the chart on the right, the number of white residents is proportionately high compared to other English areas and the non-white population in Halton is low compared to other English areas. Christianity is the main religion in Halton, well above the national average. However, this has dropped from the 2001 Census with more people stating no religion (a trend seen nationally). As at January 2012, Halton had 82 Gypsy and Traveller Caravans. From the 2011 School Census the main first language apart from English was Polish.



Ethnicity	5	% white	97.8%	98.8%	85.5%	29.0%		98.9%
	6	% non white	2.0%	1.1%	14.5%	1.1%		71.0%
	7	% no people in household have English as a first language	0.6%	n/a	4.4%	0.3%		24.3%
	8	% of pupils w hose first language other than English (primary)	0.9%	n/a	16.8%	0.9%		77.8%
	9	% of pupils w hose first language other than English (secondary)	0.9%	n/a	12.3%	0.4%		70.4%
	10	% No English Identity	15.5%	n/a	29.9%	13.5%		75.7%

The ethnicity of the 2% non-white population in Halton is shown below.

Ethnicity	Percentage of Halton population (source 2011 census)
White	97.8%
Mixed/Multiple Ethnic groups	1.1%
Asian	0.6%
Black/ African/ Caribbean/ Black British	0.2%
Other Ethnic Group	0.1%

Hate Crime Data

The table below shows hate crime data for Halton, Cheshire and England and Wales national data for 11/12. Halton is shown to have lower levels of religious and transphobic hate crime than Cheshire or nationally and similar levels of homophobic and racist hate crime to Cheshire. However homophobic hate crimes are higher than those nationally and racist hate crimes slightly lower. Halton has a higher percentage of disability hate crime than Cheshire and slightly higher than that seen nationally in 11/12. This may reflect the fact that Halton has higher numbers of people who consider themselves in poor health or with an illness that limits their daily activities, compared with national data.

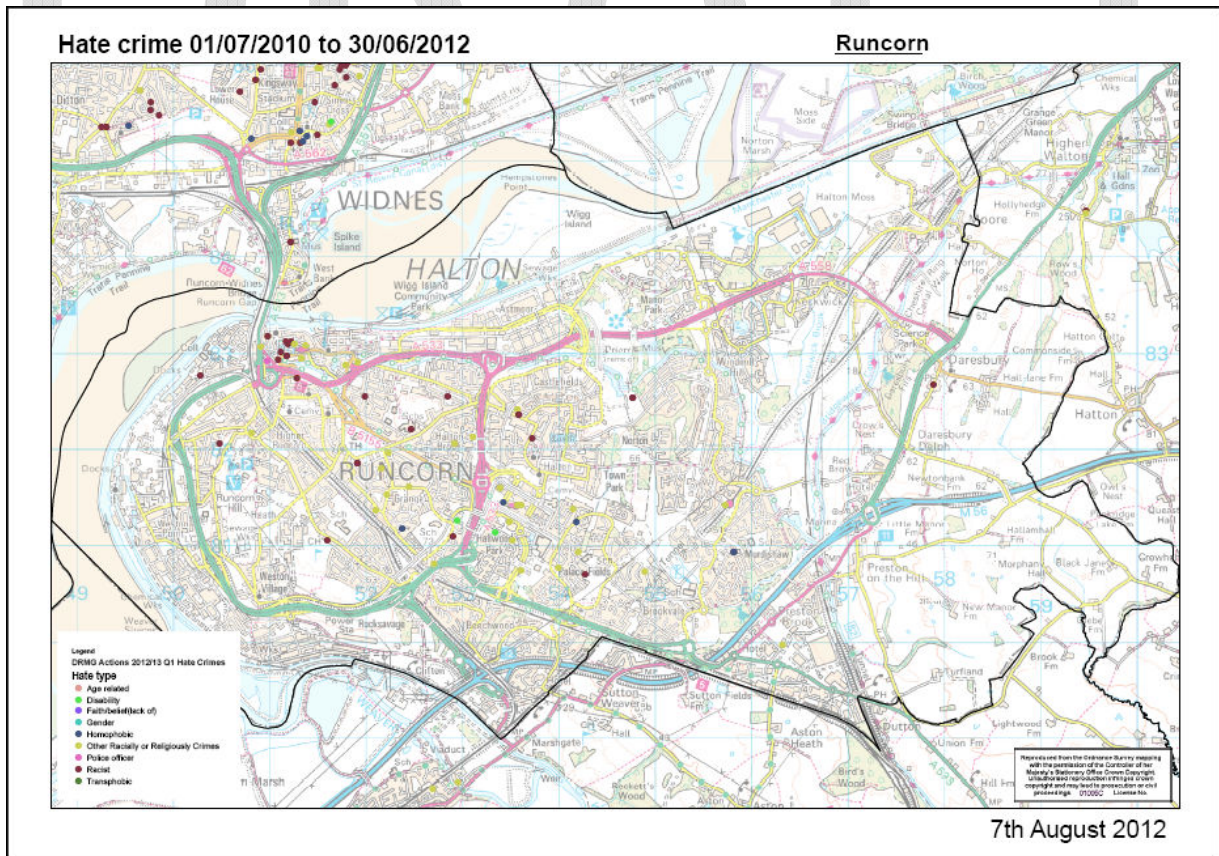
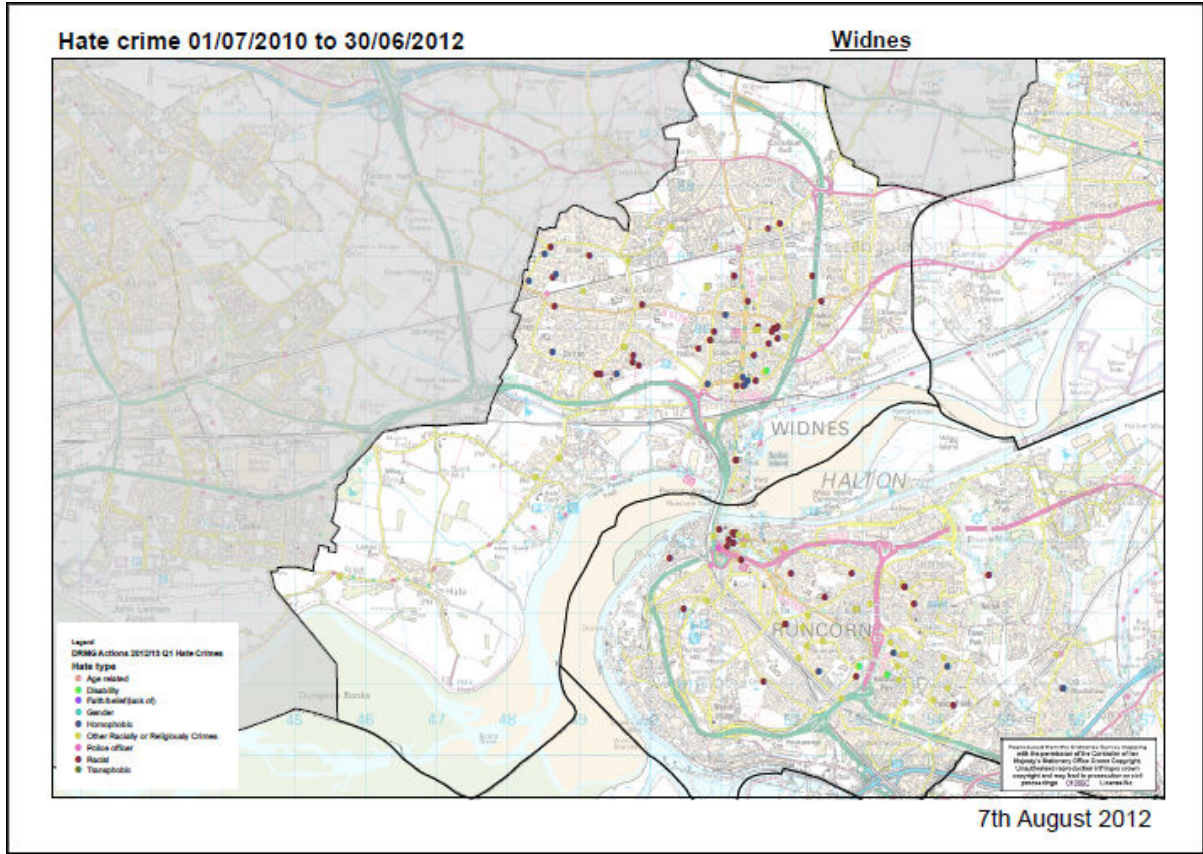
	Hate Crime Data for Halton		Hate Crime Data for Cheshire <i>Source: Home Office Hate Crimes England and Wales 2011/12 tables</i>		Hate Crime national data	
	11/12	Percentage	11/12	Percentage	11/12	Percentage
Religious		0%	1	0.2%	1,621	3.7%
Transphobic		0%	4	1.1%	315	0.7%
Disability	3	4.9%	7	1.9%	1,744	4%
Homophobic	10	16.4%	58	16.2%	4,252	9.7%
Racist	48	78.7%	289	80.5%	35,816	81.9%
Total	61		359		43,748	

The table below shows the number of hate crimes in Halton over the last three years. The vast majority of hate crimes in Halton reflect the national picture and are race-related (82.5%), with 15.1% homophobic related and 2% disability related. Over the last three years there have been no religious or transphobic motivated hate crimes reported in Halton. Of the racially motivated hate crime in Halton, the majority relate to Asians, which may reflect the fact that Asians are the largest ethnic minority in the borough (0.6%).

	Hate Crimes Halton data			Totals	Percentage (of total over the three years)
	9/10	10/11	11/12		
Religious					
Transphobic					
Disability	1		3	4	2.3%
Homophobic	10	6	10	26	15.1%
Racist	46	48	48	142	82.5%
Total	57	54	61	Total 172	

Nationally most hate crime perpetrators live in the same neighbourhood as their victims. Using national data the majority of hate crimes happen near to the victim's home while they are going about their daily business, again a pattern reflected in Halton and shown on the maps below which highlight the location of hate crimes across Widnes and Runcorn. Cyber hate crime nationally is also on the increase, again a pattern reflected in Halton.

Approximately 50% of all hate incidents reported to the police in Halton are classed as hate crimes, with detection rates of approximately 30-40%, which is higher than for other crimes. However there are a significant number of crimes that are classed as undetected, even though the offender is known, because the victim does not want to take the matter to court. Work is underway to support victims through the complaints process and any resulting actions.



Cheshire Hate Crime Scrutiny and Involvement Panel

Draft Terms of Reference

The purpose of Scrutiny and Involvement Panel is to provide the key local community engagement mechanism for the Area.

The Panel will support the Cheshire Constabulary in progressing 'Challenge it, Report it, Stop it – The Government's Plan to Tackle Hate Crime' and encourage greater community involvement, increased transparency and more meaningful scrutiny. It will provide a clear mechanism to ensure that local crime and anti social behaviour concerns are identified and prioritised.

The Panel will be a partnership working together to improve the way in which the Service meets its core aims: to protect the public, support victims and witnesses and bring offenders to justice or offer other long term problem solving outcomes.

The Panel will meet on a bi-monthly basis.

The overarching aims of the Panel are to:

- Ensure that Cheshire police considers the views of communities in order to identify local concerns.
- Undertake scrutiny of Hate Crimes/incidents and cases of local interest to improve local performance and support victims and witnesses effectively.
- To pro-actively initiate contact with minority groups and identify issues affecting them.
- Increase victim and community confidence in the criminal justice system by:
 - Doing what matters to the Victim
 - Doing what matters to the Community
 - Doing whatever is in the best interest of the Offender
 - Doing what is in the Public Interest



Information Sharing Agreement

Reference Number	CC/ISA/100
Agreement Date	June 2012
Partners	Cheshire Constabulary
	Hate Crime Scrutiny Panel

Summary Sheet

ISA Reference	CC/ISA/100
Purpose	To create a system of information sharing between Cheshire Constabulary and the Hate Crime Scrutiny Panel. This agreement is written to facilitate the sharing of information and make sure that all links between the two organisations are formalised.
Partners	Cheshire Constabulary Hate Crime Scrutiny Panel
Date agreement came into force	June 2012
Date of agreement review	Six Months after coming into force, then annually
Agreement Owner	Cheshire Constabulary
Agreement Author	Dan Howarth – Force Information Sharing Officer
Protective Marking	Not Protectively Marked

Version No.	Amendments	Authorisation
v1.0	Initial Draft	Dan Howarth

1. Introduction

- 1.1 Cheshire Constabulary are committed to partnership working and are continually looking for opportunities to work more closely with identified partners to detect, prevent and reduce crime and anti-social behaviour.
- 1.2 This agreement outlines the need for the Constabulary and the Hate Crime Scrutiny Panel to work together to alleviate crime and anti social behaviour in the Cheshire area.
- 1.3 Cheshire Constabulary and the members of the Hate Crime Scrutiny Panel are dedicated to the analysing and reducing all hate crime in the Cheshire area.

2. Purpose

- 2.1 The purpose of this agreement is to enable action to be taken against crime and anti-social behaviour in Cheshire. It will incorporate measures aimed at:
 - Facilitating a coordinated approach that targets hate crime and associated anti-social behaviour.
 - Facilitating the collection and exchange of relevant information.
 - Ensuring that the sharing of information meets one or more of the policing purposes.
- 2.2 It also seeks to increase the confidence of residents of Cheshire and users of its services. By formalising and monitoring the sharing of information, Cheshire Constabulary can provide a more effective service to the residents of Cheshire.

3. Partners

This agreement is between the following partners:

Cheshire Halton & Warrington Race and Equality Centre
Cheshire Centre for Independent Living
Dial House, Disability Rights Centre
Body Positive Cheshire & North Wales
Sean Kennedy

And **Cheshire Constabulary, Clemonds Hey, Oakmere Road, Winsford, Cheshire, CW7 2UA**

4. Powers

For the purpose of information sharing, this agreement fulfils the requirements of the following:

- Common Law Powers of Disclosure
- The Crime and Disorder Act 1998 (Section 115)
- The Data Protection Act 1998 (Section 29(3) & 35(2))
- The Freedom of Information Act 2000
- The Human Rights Act 1998 (Article 8)
- The Rehabilitation of Offenders Act 1974

5. Process

5.1 This agreement has been formulated to facilitate the exchange of information between partners. It is however, incumbent on all partners to recognise that any information shared must be justified on the merits of each case.

6. Types of Information to be shared

6.1 Cheshire Constabulary may share:

- Anonymous and statistical information about hate crime in Cheshire.
- Redacted and depersonalised summaries of hate crime incidents.

7. Constraints on the use of the Information

7.1 The information shared must not be disclosed to any third party without the written consent of the agency that provided the information. It must be stored securely and deleted when it is no longer required for the purpose for which it is provided.

7.2 Any police information shared is only valid at the time of provision, and should only be used for the purpose as requested. It should not be used for any subsequent investigations which should be subject to a new request for information.

7.3 Any information shared will be proportionate and necessary for the purpose for which it is being shared.

8. Roles and Responsibilities under the Agreement

- 8.1 Each partner must appoint a single point of contact (SPoC) who must work together to jointly solve problems relating to crime. The sharing of information must only take place where it is valid and legally justified.

Police SPoC

Title: **Deborah Ardern – Diversity Coordinator, Communities Unit**
Contact Details: 01606 36 2003

Partner Agencies

Shantele Janes, Director

Cheshire Halton & Warrington Race and Equality Centre
The Unity Centre, 17 Cuppin Street, Chester, CH1 2BN
Tel: 01244 400730

Lynne Turnbull CEO

Cheshire Centre for Independent Living
Oakwood Lane
Barnton
Northwich
Cheshire
CW8 4HE
Telephone: 01606 872760

lynne.turnbull@cheshirecil.org

Keith Roper – General Manager

Disability Rights Centre and Community Café
DIAL House
Hamilton Place
Chester, CH1 2BH

01244 345655

Keith Roper

k.roper@dialhousechester.org.uk

Mark Gavin

Outrite Project Officer
Outrite Project
Body Positive Cheshire & North Wales
PO Box 321
Crewe
CW2 7WZ

mark@bpcnw.co.uk

Sean Kennedy

seankennedy999@hotmail.com

07720 537733

- 8.2 SPoCs must meet regularly to discuss and prioritise incidents of criminal or anti-social behaviour. Both contacts have a responsibility to create a file or folder that can record each individual request for information and the subsequent decision. It must include copies of the request for information, details of the data accessed and notes of any meeting, correspondence or phone calls made in relation to this request.
- 8.3 Any request for information must meet one or more of the policing purposes.
- 8.4 The designated police officer must ensure that the request meets a policing purpose. Where the information refers to a victim or witness, their written consent must be obtained.
- 8.5 All SPoCs are volunteers who will be vetted to an appropriate standard by Cheshire Constabulary before they are accepted to the panel.

9. Specific Procedures

- 9.1 SPoCs for each organisation will meet bi-monthly to discuss hate crime incidents and initiatives in Cheshire. At these meetings the SPoCs will read and discuss ongoing or recent hate crime cases in Cheshire. The cases will be analysed and appropriate action will be planned.
- 9.2 No information will be removed from the meeting. All paper copies distributed will be collected in. The signature of this document will be a clear acknowledgement of Cheshire Constabulary procedures and acceptable confidentiality measures.

10. Information Sharing Procedure

- 10.1 This agreement is drawn up in accordance with the Force Information Sharing Procedure, which contains guidance on the information sharing processes to be adhered to.

11. Review, Retention and Disposal

- 11.1 Partners to this agreement undertake that personal data shared will only be used for the specific purpose for which it is requested. The recipient of the information is required to keep it securely stored and dispose of it correctly when the purpose it has been requested for has been served. The Force may also want to request a copy of the partner's information security policy (where applicable) when sensitive personal data is shared.
- 11.2 Files containing information from partner sources will be reviewed in line with force policy.
- 11.3 The recipient will not release the information to any third party without obtaining the express written authority of the partner who provided the information.
- 11.4 Managers will ensure that access to information received from the Constabulary will only be granted to those staff/members who **need** to see the information.

12. Review of the Information Sharing Agreement

- 12.1 This Information Sharing Agreement will be reviewed six months after its implementation and annually thereafter. The nominated holder of this agreement is Cheshire Constabulary. It is based on the national template for Information Sharing which forms part of the guidance issued on the Management of Police Information by the Association of Chief Police Officers (ACPO) and the Home Office.

13. Indemnity

- 13.1 The Hate Crime Scrutiny Panel, as receivers of police information will accept total liability for a breach of this Information Sharing Agreement should legal proceedings be served in relation to the breach.

14. Signature

By signing this agreement, all signatories accept responsibility for its execution and agree to ensure that staff are trained so that requests for information and the process of sharing itself is sufficient to meet the purposes of this agreement.

Signatories must also ensure that they comply with all relevant legislation.

Signed on behalf of Cheshire Constabulary:	
Title:	
Rank/Position:	
Date:	

Signed on behalf of Hate Crime Scrutiny Panel:	
Title:	
Rank/Position:	
Date:	

REPORT TO:	Safer Policy & Performance Board
DATE:	17 September 2013
REPORTING OFFICER:	Strategic Director, Communities
PORTFOLIO:	Health & Wellbeing; Community Safety
SUBJECT:	Safeguarding Adults Update
WARD(S)	Borough-wide

1.0 **PURPOSE OF THE REPORT**

1.1 To update the Board on key issues and progression of the agenda for safeguarding 'vulnerable adults' (i.e. adults at risk of abuse) in Halton.

2.0 **RECOMMENDATION: That the Board: note the contents of the report**

3.0 **SUPPORTING INFORMATION**

3.1 The Integrated Adult Safeguarding Unit is now fully operational and funded jointly with the CCG. The Unit operates with a multidisciplinary team, including: Social Workers, Positive Behavioural Analyst, GP, Registered Nurse and Pharmacy Technician. This integrated approach ensures that the unit has the right mix of skills and knowledge to enable them to lead on the investigation of complex safeguarding investigations across Health and Social Care.

3.2 Events at Winterbourne have highlighted the particular vulnerability of people with learning disabilities/Autistic Spectrum Disorder who challenge services. There is now a strong and growing evidence base for the effectiveness of behaviour analytic approaches and these have been shown to significantly reduce the frequency, intensity and duration of challenging behaviour. Having a Positive Behaviour Analyst within the Unit helps to focus exclusively upon that group of people who are funded (in part or fully) by the NHS and who exhibit behaviour that challenge services.

3.3 The Unit are currently undertaking a 6 month service user/carer engagement pilot which will help to identify improved approaches to raising public awareness and learning from service user experiences.

3.4 From 1st April local authorities became the Supervisory Body for the

Deprivation of Liberty Safeguards in hospitals - a role previously undertaken by Primary Care Trusts. Hospitals apply to local authority Supervisory Bodies where they think they may need to deprive a patient of their liberty to treat them. Preparation for the transfer of the Supervisory Body responsibility from hospitals to the local authority has been ongoing since 2012. This has also included a joint review with St Helens local authority of the role of the MCA co-ordinator. The MCA steering group has developed and led a transition group which has overseen the safe transfer of all necessary functions of the role.

- 3.5 An initial meeting has been held which brought together leaders from different faith groups, HBC staff and key partners. It was noted that meaningful engagement with the faith sector would help HBC achieve some of our own policy goals around community empowerment, integration, encouraging active citizenship, responsible service delivery and even poverty reduction and safeguarding agendas. These meetings are to be developed and to continue.
- 3.6 As part of the Multi-Agency Safeguarding Adults Learning and Development Strategy, a Safeguarding Adults E-learning course was developed and is available via the HBC Internet website. Since 2010-11, the E-Learning course has constituted our Basic Awareness training course and the completion rates have steadily increased to 499 during 2012/13.
- 3.7 Further E-learning modules have been developed to provide training on Dignity in Halton, Safer Recruitment, and Children Safeguarding Basic Awareness. Such training has the potential to prevent abuse, promote safe practice, reduces the time away from the workplace and can be completed at a convenient time to the individual.
- 3.8 Seven Elected Members have attended Safeguarding Adult's/Children's Alerter training and further dedicated training is planned for 2013/14
- 3.9 From September 2012 the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged into the Disclosure and Barring Service (DBS) and CRB checks are now called DBS checks. The new Disclosure and Barring Service helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. The changes have been staggered across the intervening year and the whole process has yet to be fully implemented.

4.0 **POLICY IMPLICATIONS**

- 4.1 A review of existing policies and procedures will be completed this year.

5.0 **FINANCIAL IMPLICATIONS**

5.1 None identified.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

Safeguarding Adults Board (SAB) membership includes a Manager from the Children and Enterprise Directorate, as a link to the Local Safeguarding Children Board. Halton Safeguarding Children Board membership includes adult social care representation. Joint protocols exist between Council services for adults and children. The SAB chair and sub-group chairs ensure a strong interface between, for example, Safeguarding Adults, Safeguarding Children, Domestic Abuse, Hate Crime, Community Safety, Personalisation, Mental Capacity & Deprivation of Liberty Safeguards.

6.2 **Employment, Learning & Skills in Halton**

None identified.

6.3 **A Healthy Halton**

The safeguarding of adults whose circumstances make them vulnerable to abuse is fundamental to their health and well-being. People are likely to be more vulnerable when they experience ill-health.

6.4 **A Safer Halton**

The effectiveness of Safeguarding Adults arrangements is fundamental to making Halton a safe place of residence for adults whose circumstances make them vulnerable to abuse.

6.5 **Halton's Urban Renewal**

None identified.

7.0 **RISK ANALYSIS**

7.1 Failure to address a range of Safeguarding issues could expose individuals to abuse and leave the Council vulnerable to complaint, criticism and potential litigation.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 It is essential that the Council addresses issues of equality, in particular those regarding age, disability, gender, sexuality, race,

culture and religious belief, when considering its safeguarding policies and plans. Policies and procedures relating to Safeguarding Adults are impact assessed with regard to equality.

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.

REPORT TO:	Safer Policy and Performance Board
DATE:	17 September 2013
REPORTING OFFICER:	Strategic Director, Communities
PORTFOLIO:	Communities
SUBJECT:	Domestic Abuse and Sexual Violence
WARDS:	All

1.	PURPOSE OF REPORT
1.1	To update the Safer Halton Policy and Performance Board in relation to the activities being supported across the Borough in response to domestic abuse and sexual violence.
2.	RECOMMENDATION: That members of the Board consider and comment on any aspect of this report.
3.	SUPPORTING INFORMATION
3.1	Halton Domestic Abuse Forum (HDAF) Strategic Group was established to provide overall direction, control management and guidance for the response to Domestic Abuse and Sexual Violence within Halton. The group acts as a multi-agency partnership board of lead officers and key representatives, which take strategic decisions aimed at tackling domestic abuse and sexual violence in their widest forms and provide support to all victims within our area. The Forum is responsible for determining and implementing policy, coordinating activity between agencies, and facilitating training. It evaluates the responses we have locally for victims, children living in households where domestic violence is a feature and considers provision for perpetrators. The Forum promotes inter-agency cooperation, encourages the development of effective working relationships between different services and agencies, based on mutual understanding and trust. The forum focuses on developing and sustaining a high level of commitment for the protection of adult victims' children and young people affected by domestic abuse.
3.2	The Home Office definition of domestic abuse has been amended from March 2013 with two important changes: firstly, the inclusion of and the recognition of 16 and 17-year-olds as victims of domestic abuse and; secondly, spelling out controlling and coercive behaviour in the definition strengthens the message that all domestic violence is abuse but not all domestic abuse is violence. Many victims are constantly being controlled by their partners but may not realise the implications on their safety and

	safety of their children.
3.3	<p>Women experience an average of 35 incidents of domestic abuse before reporting an incident to the police. It's one of the most under reported, under discussed and under researched social problems in the UK. Keir Starmer, the Director of Public Prosecutions, said the UK is at "risk of developing a new culture of domestic violence". While the numbers of domestic violence incidents has fallen over the past decade, the trend has been bucked by an increase in domestic violence among young people. Young women aged between 16 and 19 are at the highest risk of sexual assault (17.9%), stalking (8.5%) and domestic abuse (12.7%). The impact of the new Home Office definition to include 16 and 17 year olds may have future resource implications.</p>
3.4	<p>It is far to simplistic to assume that by removing the perpetrator from the family setting, the issues of domestic abuse will disappear. In many cases victims are not supportive of the perpetrator being removed from the family setting and will continue to have a relationship with the perpetrator for numerous and various reasons including financial dependence, emotional dependence, cultural norms and religious beliefs. In many cases, victims will feel that they cannot cope without the perpetrator. Subsequently, Halton have recognised the importance of offering locally delivered perpetrator interventions that will address their behavior and seek to prevent further domestic abuse.</p> <p>In response, a locally delivered perpetrator programme is currently under development. Initial discussions with Halton Clinical Commissioning Group (CCG) and a locally commissioned provider with have been well received; funding is in place to deliver one 26 week programme for 8 male perpetrators. The programme will be initially delivered as a pilot however, if successful the CCG have agreed to assist in determining a sustainable pathway.</p> <p>This service will only be available to adult male perpetrators as some of the content will be delivered in a group setting.</p> <p>The service will:</p> <ul style="list-style-type: none"> • To deliver a 26 week (RESPECT) perpetrator programme and evidence based one to one interventions for men wishing to change their abusive behaviour. • To ensure that perpetrators are supported to change and sustain their motivation. • To liaise with existing victim focussed support services in order to identify current or previous partners as well as children. • To maintain the safety of the victim and children throughout the

	<p>process.</p> <ul style="list-style-type: none"> • To maintain interdependencies across pathways and organisations. <p>The local provider is undertaking training to enable them to facilitate this training in October 2013, the intention is to launch the Voluntary Perpetrator Programme in November 2013.</p>
<p>3.5</p>	<p>The Children and Enterprise Directorate are currently commissioning a service for children and young people affected by domestic violence, based on an analysis of need in Halton. This service will provide:</p> <ul style="list-style-type: none"> • Support to parents that are victims of domestic abuse which gets parents to understand the impact of domestic abuse on how they parent and how domestic abuse has an impact on the children and young people's behaviour. • Direct work around children/ young people safety planning where the young person is still in the situation • Longer term recovery work therapeutic approach where the perpetrator is no longer within the family. • Support social care with pre- court proceedings process and provide information and assessments where required. <p>It is intended that this service will be commissioned by September 2013, with the service starting from October 2013.</p>
<p>3.6</p>	<p>Following the amendment of the definition of domestic violence to include 16 and 17 years old young people, the government has funded Co-Ordinated Action Against Domestic Abuse (CAADA) to support local authorities to train a Young Persons Independent Domestic Violence Advocate (YIDVA), and to develop performance reporting systems to help each area to identify their local issues. The YIDVA for Halton has recently started and will be attending training by September 2013.</p>
<p>3.7</p>	<p>Rape and Sexual Abuse Support Centre (RASASC) have published a review of the service (Cheshire and Merseyside) - Supporting survivors: The value.</p> <p>This report summarises the hard and soft findings of the review and the importance of the service in the current environment - an environment that is financially challenging but where demand is increasing. The profile of sexual violence has increased on the political, health and criminal justice agenda, but better funding is required to enable RASASC to support and counsel more survivors through the legal system and beyond, and to launch vital prevention schemes.</p> <p>RASASC acknowledges all forms of sexual violence including rape, sexual assault and childhood sexual abuse, sexual harassment, rape in marriage, forced marriage and so-called honour-based violence, female genital</p>

	<p>mutilation, trafficking and sexual exploitation, and ritual abuseii. The organisation’s mission is to support survivors of these sexually violent crimes, and advocate on their behalf. RASASC employ a staff team of Independent Sexual Violence Advisors; Specialist Counsellors; Senior Management; and Specialist Administrators. Time lapsed since the event, gender, ethnicity and migrant status of the survivor is irrelevant.</p>
4.	POLICY IMPLICATIONS
4.1	There are no policy implications contained within this report.
5.0	IMPLICATIONS FOR THE COUNCILS PRIORITIES
5.1	<p>A Healthy Halton</p> <p>To remove barriers that disable people and contribute to poor health by working across partnership to address the wider determinants of health such as unemployment, education and skills, housing, crime and environment.</p> <p>Examples:</p> <ol style="list-style-type: none"> 1. Preventable cause of death 2. Preventable cause of infant mortality 3. Preventable cause of mental health 4. Preventable cases presenting at A & E
5.2	<p>Employment, Learning and Skills in Halton</p> <p>Women who are unemployed have been found to have the highest risk of domestic violence. This links to vulnerability such as lack of financial resources to leave, greater social isolation, less access to informal and formal support networks and potentially more forms of abuse available to the suspect.</p> <p>To maximise an individuals potential to increase and manage their income and mange their income, including access to appropriate, supportive advice services assisting victims to develop better financial management skills and to address debt through appropriate sign posting.</p>
5.3	<p>Children and Young People in Halton</p> <p>Children and young people in Halton are emotionally, physically and sexually healthy and Children and young people will feel safe at home, in school and in their communities. For example, ensuring homes are healthy safe environments through offering support to parents and providing access for aftercare support for victims of sexual violence whether a child or young person.</p>

5.4	<p>A Safer Halton</p> <p>To understand and tackle the problem of domestic abuse in all its forms. For example, through ensuring adult victims have access to protective and supportive measures reduces the level of domestic incidents and the subsequent impact on the environment with regards to crime and ASB.</p>
6.0	<p>RISK ANALYSIS</p>
	<p>These are contained within the report.</p>
7.0	<p>FINANCIAL IMPLICATIONS</p>
	<p>Services are delivered via commissioning services to ensure that they deliver value for money and achieve the desired outcomes</p>
8.0	<p>EQUALITY AND DIVERSITY ISSUES</p>
8.1	<p>In the Crown Prosecution Service has published a comprehensive report on the numbers and nature of cases of false allegations of domestic and sexual violence in the UK. It revealed that the number is far lower than is commonly thought (and encouraged by some sections of the press), and that those that are made, far from being malicious, often involve vulnerable people. This national report will help move debate onto the real solutions to improving justice for women and girls, including the provision of specialist support services.</p>
9.0	<p>LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972</p>
	<p>None under the meaning of the Act</p>



Supporting survivors: The value

A service review of Rape and Sexual Abuse
Support Centre (Cheshire & Merseyside)



“I have found the confidence and strength to move on both socially and in my career. I recently got a new job and career plan with the encouragement of my worker.

“The support of RASASC and my counsellor has been invaluable to my recovery. The sessions and approach were tailored specifically to my needs. I was provided with techniques to take home with me and work on self-esteem issues. I cannot express enough how greatly the support provided to me has improved my quality of life.”
Raped by her partner, aged 25

Contents

1. Foreword *by John Dwyer - Police and Crime Commissioner for Cheshire*
2. Recommendations
3. Introduction
 - a. *Evolution of RASASC within a challenging environment*
4. The RASASC service
 - a. *RASASC service model*
 - b. *The survivors supported and empowered by RASASC*
 - c. *Client satisfaction*
5. Impact of the work of RASASC
 - a. *Health and welfare impacts*
 - b. *Justice impacts*
6. The business case
7. Plans for the future
8. Summary and closing statement

The authors Crosby-McKenna, Cousins and Scott for Amplify Communications thankfully acknowledge the fantastic work carried out by RASASC and the survivors of rape and sexual abuse who bravely shared their experiences.

Publishing Information

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First published July 2013.

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1. Foreword

In recent months, sexual abuse has been at the centre of unprecedented, and in many ways very welcome, media attention. One of the most important truths highlighted by the Savile scandal in particular has been the length of time it takes many victims to come forward, in part because of a historical lack of support and justifiable fear that they would not be taken seriously or believed by the justice system.

Thankfully now, attitudes are changing. As a society, we are becoming better at supporting survivors and we recognise the value of counselling and of providing help and guidance through the judicial system. Specialist support services, like the Rape and Sexual Abuse Support Centre (RASASC) in the North West of England, enable survivors of both recent and historical abuse to come to terms with what has happened to them and to seek retribution through the courts if they want to.

Abuse is not something that can be easily forgotten or dealt with internally. Often the psychological effects can have a traumatic impact on a survivor's relationships, physical health, mental wellbeing and employment and education opportunities. Support structures and planned, coordinated specialist counselling are vital in overcoming the deep-seated problems that abuse causes. The social consequences of abuse are profound and overarching, and services like RASASC are only recently beginning to get the recognition they deserve for the work they do.

Abuse can affect anyone, from any walk of life. RASASC is a support service available to all survivors aged 13 and over regardless of gender, sexual orientation, race, religion, and immigration status. It does not discriminate and its doors are open to all who are referred to the service. Thanks to RASASC, clients who report sexual violence to the police feel supported to seek justice.

Services like RASASC do not exist in a vacuum. Support requires funding and, all too often, this kind of support is seen as an easy target when it comes to spending cuts. This is wrong and short sighted. These services support people, change lives and save money in the long term. Each adult rape in the UK is estimated to cost £96,000 in after care and legal costs. Accessing effective support reduces the emotional cost for the survivor. Timely support reduces the economic burden. RASASC services deliver a model of best care at an average cost of just over £1000 per survivor.

RASASC's service model is excellent at dealing with the consequences of abuse, but more robust and secure funding would allow the service to move into areas of preventative care, to stop these crimes and abuses from even occurring, saving potential victims long term trauma. The effect of recent cuts has been to replace three-year funding contracts with one-year funding contracts, leaving RASASC in an unstable situation and unable to make any plans for the future.

It is plainly a mistake to neglect to adequately fund a service model that has shown to be effective in both cost and delivery. This report clearly sets out the strength and value of the RASASC service and makes a compelling case for continued and increased funding of the service. I call on those statutory agencies responsible for the care of survivors in the North West to secure RASASC's future, so that it can continue to help survivors live their lives, seek justice and move on from the abuse they have suffered.

John Dwyer, Police and Crime Commissioner for Cheshire

2. Recommendations

Commissioners and Rape and Sexual Abuse Support Centre (Cheshire and Merseyside) [RASASC], should consider this report along with the wider guidance on the duties of health, police and local authorities in respect of supporting survivors of sexual violence.

Health Commissioners

This report reinforces key recommendations for commissioners outlined in *The report of the Taskforce on the health aspects of violence against women and children (March 2010)*ⁱ. The planning and commissioning of good quality services to support survivors of sexual violence must be a priority.

- I. Commit to ensure funding for RASASC over the medium and long-term.
- II. Assess local needs of, and local services (including RASASC) for, victims of recent and historic sexual violence and ensure that appropriate commissioning arrangements are in place.
- III. Increase access to effective support and reduce failure to attend rate by ensuring commissioning plans give survivors timely access to a choice of services and service providers, including RASASC.
- IV. Ensure locally agreed pathways include RASASC. Commissioners, with their partners in Local Strategic Partnerships, should ensure that this pathway is appropriately funded.
- V. Put greater value on services provided to male and transgender survivors as well as women and children.

Local authorities

- I. Commit to funding RASASC over the medium and long-term. This security will allow RASASC to develop its service and provide support to current and future survivors of sexual violence.
- II. Conduct a Joint Strategic Needs Assessment (JSNA) of survivors of recent and historic sexual violence. This too, will highlight the value of RASASC in meeting the needs of survivors within the local community.

Police and Crime Commissioners:

- I. Ensure all officers understand the importance of making a timely referral of survivors of recent and historic sexual violence to RASASC to gain rapid access to an Independent Sexual Violence Advisors (ISVA) and counselling.
- II. Improve systems to track the progress and outcomes of crime reports of both recent and historic sexual violence. This will paint a clear picture on a local level of where progress in reducing attrition has occurred, and where more needs to be done.
- III. Continue to ensure that trained police officers are assigned to cases of rape and sexual abuse.

RASASC

- I. Work with local police and crime commissioners to ensure that progress of sexual violence reports by RASASC supported clients are better tracked. This will prove the effectiveness and value of ISVAs.
- II. Maintain a record of ethnic background for all clients. This will identify level of progress made in reaching and supporting survivors from black and minority ethnic groups.
- III. Maintain a record of disability and long term medical conditions reported by clients. This will identify level of expertise gained in supporting vulnerable clients with disabilities.
- IV. Take action to ensure the Local Authority, Clinical Commissioning Groups, NHS Commissioning board and Healthwatch commit to quality planning in services for survivors of sexual violence.

3. Introduction

Amplify Communications Limited was appointed by Rape and Sexual Abuse Support Centre (Cheshire and Merseyside) [RASASC] to analyse the services it offers to survivors of rape and sexual abuse.

The response is **Supporting survivors: The value**. This report summarises the hard and soft findings of the review and the importance of the service in the current environment - an environment that is financially challenging but where demand is increasing. The profile of sexual violence has increased on the political, health and criminal justice agenda, but better funding is required to enable RASASC to support and counsel more survivors through the legal system and beyond, and to launch vital prevention schemes.

RASASC acknowledges all forms of sexual violence including rape, sexual assault and childhood sexual abuse, sexual harassment, rape in marriage, forced marriage and so-called honour-based violence, female genital mutilation, trafficking and sexual exploitation, and ritual abuseⁱⁱ. The organisation's mission is to support survivors of these sexually violent crimes, and advocate on their behalf. RASASC employ a staff team of Independent Sexual Violence Advisors; Specialist Counsellors; Senior Management; and Specialist Administrators. Time lapsed since the event, gender, ethnicity and migrant status of the survivor is irrelevant.

"Since my sessions with my counsellor started I have improved in many ways. For example I'm now a lot more confident and excited about my future. I was having sessions throughout the exam period and my success in my exams is partly thanks to the amazing support I received from my counsellor! Thank you for everything you have done for me!"
Survivor of recent rape (by her mum's partner), aged 17

There is a real need for RASASC to secure longer-term funding from its partners, the police, NHS and local authorities. Longer term funding will provide the stability RASASC needs to implement future plans for growth, to increase service reach, participate in prevention work and continue to effectively counsel the growing list of referrals.

3a. Evaluation of RASASC within a challenging environment

Each year in England and Wales:

- 404,000 women survive a recent sexual offence (spectrum includes rape, sexual assault, indecent exposure and unwanted sexual touching)ⁱⁱⁱ
- 72,000 men survive a recent sexual offenceⁱⁱⁱ
- Around 90 per cent of survivors of the most serious sexual crimes knew the perpetrator
- Children under 16 account for 34 per cent of rapes reported to the police^{iv}
- Sexual abuse in childhood (in children under age of 16) affects 16 per cent of children^v
- 24 in 100 recorded crimes of rape of a female result in a detection or a sanctionⁱⁱⁱ
- 30 in 100 recorded crimes of rape of a male result in a detection or a sanctionⁱⁱⁱ
- 30 in 100 recorded crimes of sexual assault of a female result in a detection or a sanctionⁱⁱⁱ
- 30 in 100 recorded crimes of sexual assault of a male result in a detection or a sanctionⁱⁱⁱ
- Each adult rape is estimated to cost over £96,000^{vi}

RASASC is an affiliated (but fully autonomous) member of charity Rape Crisis (England and Wales) and Survivors Trust (England and Wales). It continues to work in close partnership with Sexual Assault Referral Centres, health and social care services, the police and local authorities.

Changes in government policy and commissioning within health, criminal justice and local authorities have increased the need for RASASC to operate with short-term and partially-funded contracts. In stark contrast to funding reductions, a ten per cent growth in the number of referrals of survivors to RASASC has occurred during each of the last three years and will continue to increase as education and awareness of sexual violence, and the support available, increase and stigma regarding survivors is effectively removed.



RASASC counsellors

4. The RASASC service

4a. RASASC service model

RASASC offers:

- A service model of best practice counselling, support and advocacy to women, men, transgender and young people who have experienced recent and historic sexual violence (provided at no cost to the survivor)
- A client-centred model of empowerment that respects the rights of the client
- Access to an Independent Sexual Violence Advisor (ISVA)
- Evolving service provisions that responds to changes in need
- This results in positive short, medium and long-term benefits for the survivor and, as a consequence, long-term cost savings for the health service, police, local authority, social services and wider society.

RASASC's service value is the provision of community-based support, tailored towards the needs of individuals who have experienced sexual violence. Survivors can make a self-referral for RASASC support or be referred by others. Examples of referrers include health workers within SARCs and hospitals, GPs, police officers, social workers and addiction / substance misuse workers.

Figure one: the different referral pathways and services operated by RASASC

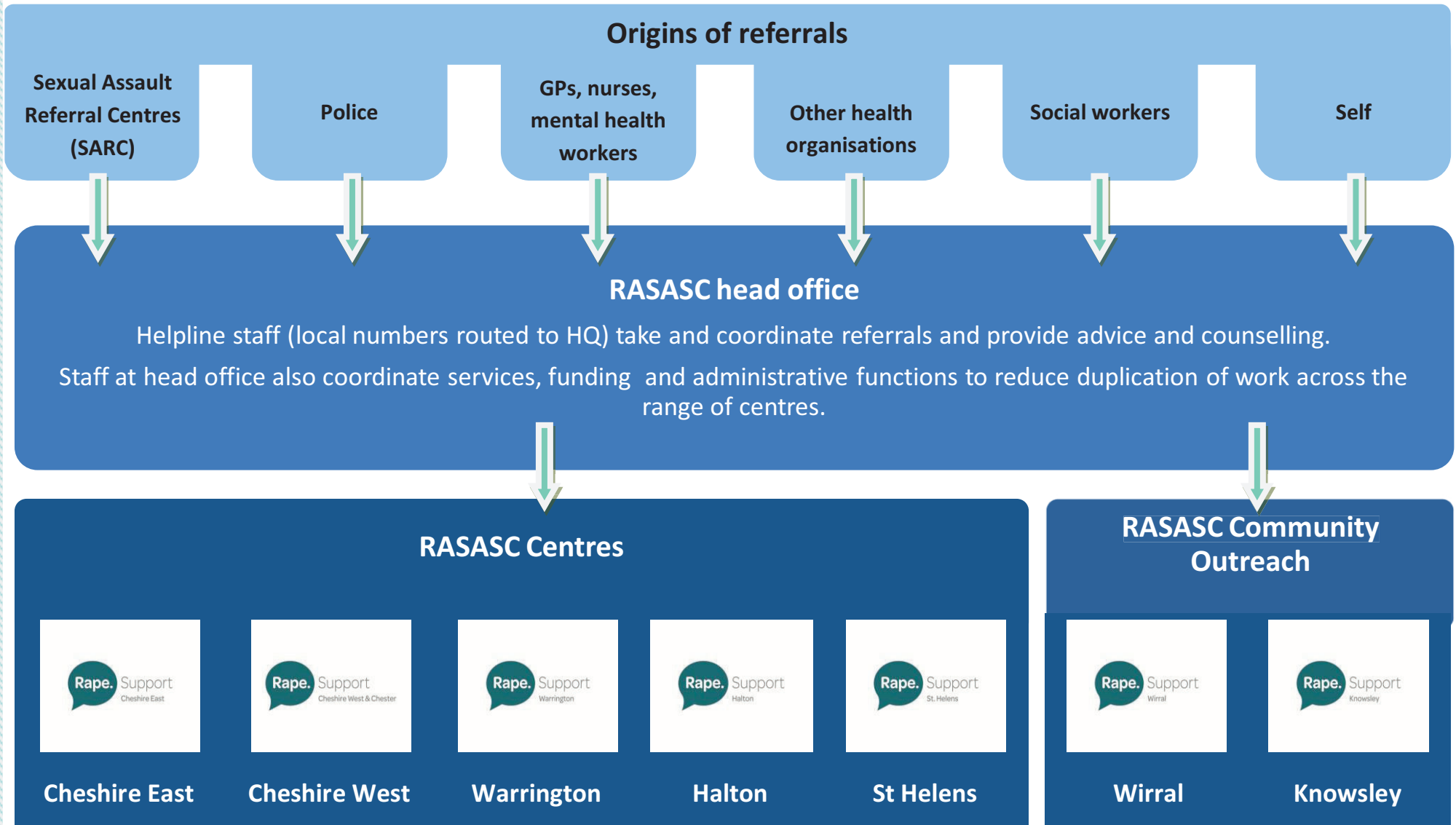
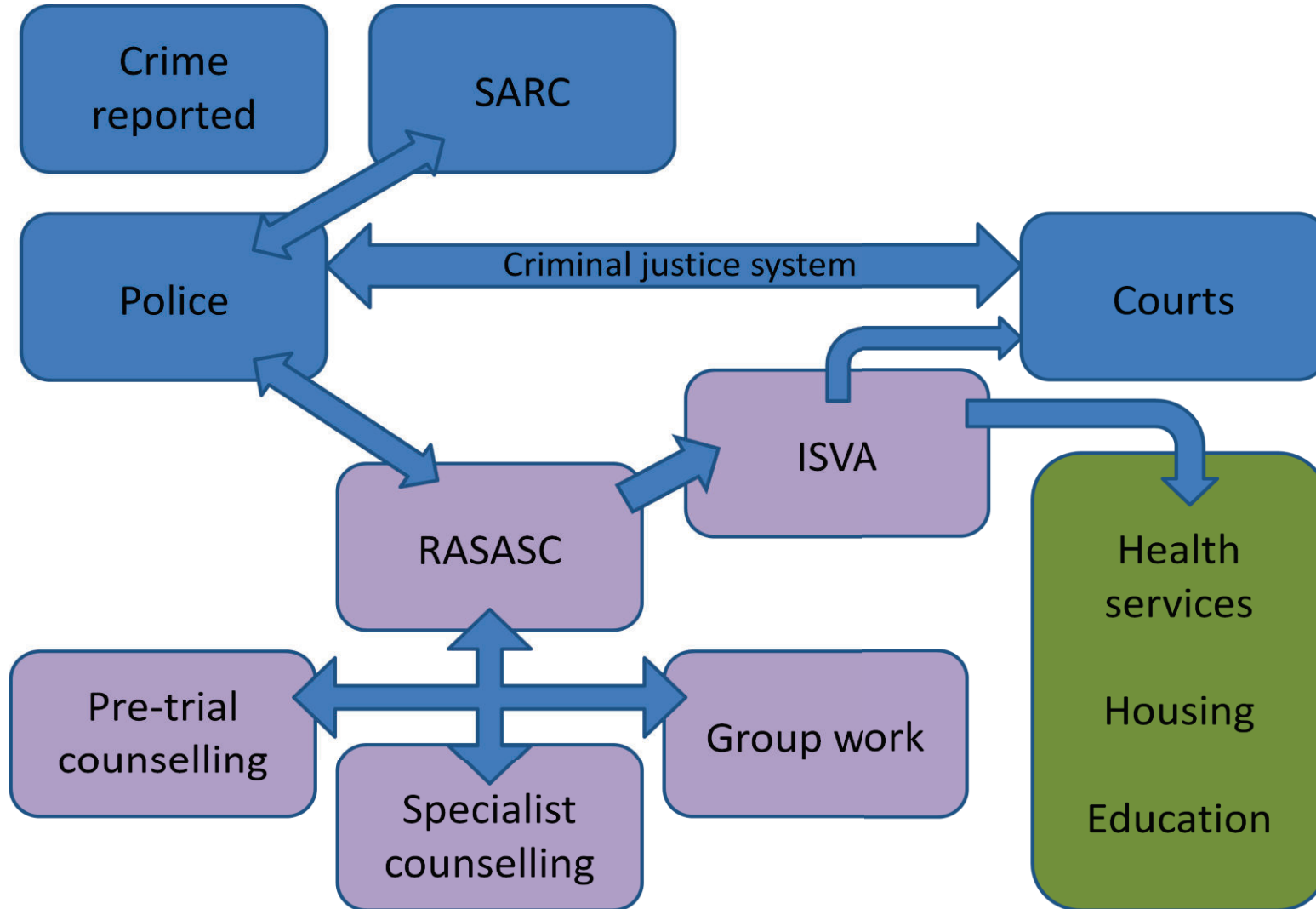
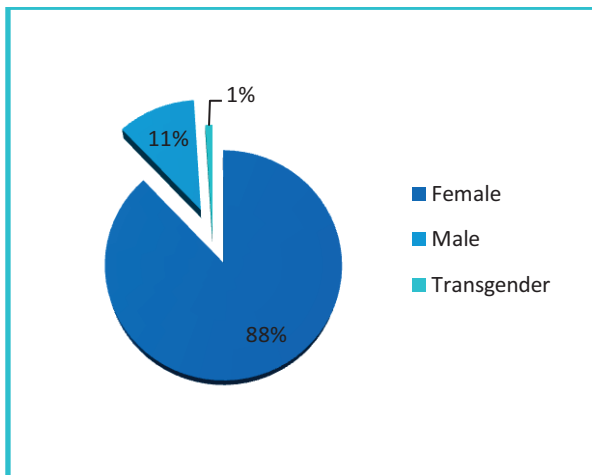


Figure two: A possible journey of a survivor of recent sexual violence



4c. The survivors supported and empowered by RASASC

Figure three: clients by gender



RASASC’s youngest service user in 2012 was aged 13 and the eldest was 80. RASASC support survivors aged 13 and over, of any gender, sexual orientation, race, immigration or social class.

A high proportion of RASASC’s clients were hard to reach due to either poor mental health and/or the fact that the sexual violence took place a significant period of time ago (and therefore is less likely to achieve a positive justice outcome).

Figure four: sexual violence by type

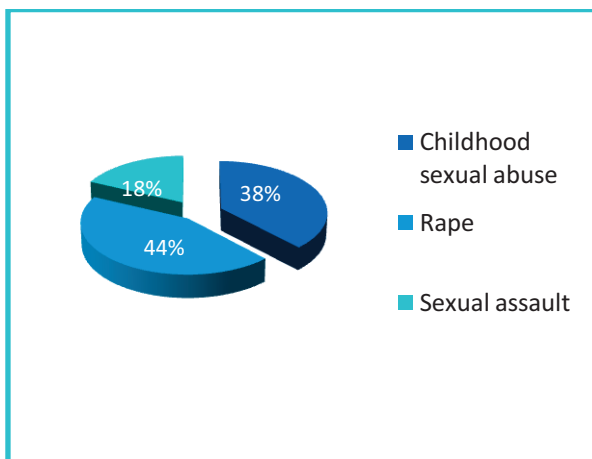


Figure five shows that 30 per cent of all referrals received by RASASC are survivors of recent sexual violence. Of these survivors, 83 per cent went on to report the crime to the police - much higher than the national average reporting rate of 20 per cent. RASASC attributes this high reporting rate to the work of ISVAs and a strong partnership with police and the local SARC.

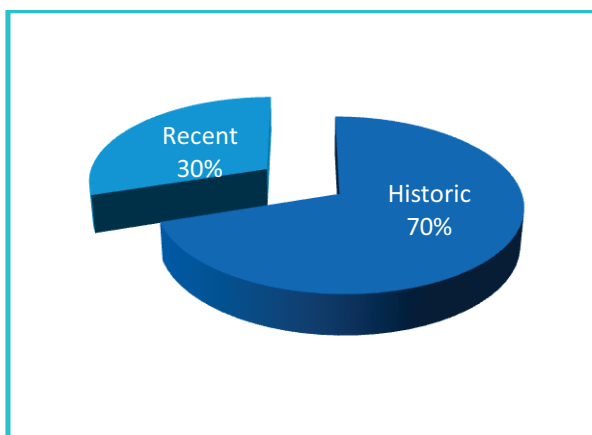
“I feel since I met [ISVA] my journey has been supported from day 1. [My ISVA] has been a huge help in my recovering progress.

I felt listened to, believed, supported, understood and very much guided. I never felt I could get to where I am now mentally or emotionally. But with [my ISVA’s] help I am further on than I ever thought I could be.

That’s helped so much in my recovery, to heal and move on in my life to a much better place. I’m more at peace now.”

Survivor of childhood sexual abuse (by a family member), aged 34

Figure five: ratio of violence experienced by clients - historic to recent



RASASC acknowledges that its services are under-used by members of black and ethnic minority communities. RASASC believes that a multi-agency partnership backed by adequate funding would increase service accessibility. As a result more survivors from black and minority ethnic groups could be supported, reducing the burden on their families and local communities.

4d. Client satisfaction

Satisfaction scores for 2010-11 showed that, overall, 98 per cent of clients responded positively. In total, 88 per cent of clients ranked the service they received from RASASC as excellent and 10 per cent ranked the service as good.

“My life has changed so much in the last few months for the better. I would not have recovered if I had not attended this service. I already work but am more confident in work.

“This service has changed my life, I was just living with not much meaning. The work I have done with [my counsellor] has helped me to move forward in my life and make good changes. [My counsellor] is a great counsellor. I wouldn’t have got this far without her. I just hope this work can carry on. There are plenty more people needing help - like I did.”

***Survivor of childhood emotional, physical and sexual abuse (by her father and others)
aged 40***



RASASC consultation room



RASASC counselling room

“My worker [ISVA] has been great and helped me through a very difficult time in my life. I thank her so much for the support I have felt. She has been the best and made me realise that there is more to life. She understood me whenever I have had a feeling inside. I trust her 100% with all that I have said!”

Survivor of recent sexual assault, aged 18

“I feel the service provided could not be better or more friendly. I personally would not change them. I feel much better/confident in myself [after counselling]. I feel that these sessions helped me concentrate and move on in my studies, as I have had someone to vent to.

“I feel that these sessions are the best thing to have happened to me, since I told my dad [about the abuse] in August 2011. They have improved my confidence, my trust in people and made me accept and move on from what has happened to me. I recommend these sessions to anyone who has been through similar circumstances. I will miss them but I am happy to move on!”

Survivor of childhood sexual abuse (by her grandfather), aged 18

5. Impact of the work of RASASC

The Home Office estimate that the financial cost incurred by each adult rape is £96,000. This figure includes emotional and physical health treatment costs, criminal justice costs and lost economic contribution^{vi}. The longer a survivor is in crisis and unable to access effective help and support, the greater the potential for increased cost. Client groups least likely to engage with statutory services include survivors of historic sexual violence and people with poor mental health and/or substance misuse problems. And one in three imprisoned female offenders is a survivor of sexual abuse^{vii}.

“But a good service saves money in the longer term, by preventing many years of ill-health and instability in those who have been victims.”^{viii}”

“The simple fact is that when victims receive the support they need when they need it, they are much more likely to take positive steps to recovery. This should be our goal.”^{ix}”

5a. Health and welfare impacts

Sexual violence has direct health consequences and is a risk factor for a wide range of long-term health problems including:

- poor mental health (including co-morbidities)
- substance misuse
- trauma (including maternal and foetal death)
- unwanted pregnancy and abortion
- sexually transmitted infections and risky sexual behaviour

Source: Taskforce on the health aspects of violence against women and children (March 2010)¹

Figure six: the importance of specialist sexual violence counsellors

Across the client group, RASASC specialist support leads to a reduction of:

- Short to long term mental health problems. Survivors are taught coping techniques and strategies, and effectively supported to deal with the underlying trauma caused by sexual violence.
- Addiction issues and substance misuse. The survivor’s mental health and self-esteem improves following counselling, and then they are supported by RASASC and referred to access an appropriate substance misuse service.
- Future trauma. The survivor is empowered to develop good self-esteem and healthy relationships.
- Sexually transmitted infections, unwanted pregnancies and abortions. The survivor’s underlying trauma is treated and the survivor is supported to access statutory sexual health clinics and screening.

RASASC support all survivors including those who typically avoid statutory services

Empirical evidence suggests that survivors of historic sexual violence, those who misuse substances or those with poor mental health are least likely to access support and counselling through the statutory sector. RASASC is the non-statutory option in Cheshire and Merseyside. It successfully engages many ‘hard to reach’ survivors. For example:

- 70 per cent were survivors of historic, childhood sexual violence
- 85 per cent were noted as showing poor mental health
- 1 per cent were transgender
- 14 per cent reported addiction issues (the majority of who were male survivors of sexual violence in childhood).

“It is vital that women can seek help in safe places they know are not linked to the police, immigration or social services. Many of these specialised services have been supporting women in overcoming the violence they have experienced for over three decades. They are essential life-lines that can take the form of listening, information and advice, advocacy, counselling, shelter, protection, self-help and support to become activists themselves. Crucially, unlike many of the statutory services, voluntary sector organisations support women who have experienced violence in the past, as well as those currently experiencing violence.”

To increase the successful take-up of counselling and support among survivors who are hard to reach, it is essential to fund RASASC services. RASASC are identified by clients as non-statutory and thus non-threatening. Many clients also perceive RASASC as without a hidden agenda (for example not seeking a conviction or reduction in health spending). Client groups also identify that RASASC has long-term expertise in supporting survivors of sexual violence. They assume that RASASC counsellors and ISVAs have a better understanding of the topic, and won't be over whelmed or judgemental by what the survivor reveals. This helps survivors to feel safer.

“Fear that they would not be believed, or would be blamed, was one of the reasons that the women I spoke to often felt more comfortable reporting to specialist women’s services, such as rape crisis centres.”^{xii}

“You cannot understand how good it feels to be listened to after being ignored for over 30 years.”
Survivor of childhood abuse (by a family member) aged in her 40s

RASASC has the flexibility and skills to empower survivors to make their own counselling effective

Sexual violence is extremely disempowering and re-empowerment of survivors is a key goal of therapy. RASASC counsellors (working to the British Association of Counselling and Psychotherapy ethical framework) use an integrative client focused model to encourage re-empowerment. RASASC enables survivors to work in true partnership with their counsellors, to take ownership of their own counselling and recovery. This is achieved by offering a service flexibility that statutory providers cannot match. Survivors make a range of well-informed decisions about the type of counselling and support they want to receive, and can opt for the type of service they believe are most relevant to their personal need.

Offering survivors no real choice in the type of counselling, therapy and provider they access disempowers them further. Enabling the survivor to make informed choices is crucial to increasing take up of health and support services.

Removing the trauma of sexual violence results in better self-management of mental health

RASASC counsellors have the experience and expertise to identify signs of hidden crisis, poor mental health and the many ways that post-traumatic stress can show in the survivor's behaviour (for example anger, withdrawal, low self-esteem, self-loathing, depression, self-harming and risky sexual behaviour). The survivor is taught a wide range of self-help strategies to deal with these symptoms in a safer way, as well as counselling to deal with the underlying trauma. This puts the survivor in control of managing their recovery and mental health. As a result of re-empowerment, improved self-esteem, increased trust in the counsellor, and sometimes physical support, RASASC staff enables many survivors to re-engage with their health professionals. This includes seeking further help for poor mental health.

“The support of RASASC and my counsellor has been invaluable to my recovery. The sessions and approach were tailored specifically to my needs. I was provided with techniques to take home with me and work on self-esteem issues. I cannot express enough how greatly the support provided to me has improved my quality of life”

Survivor of sexual violence (by her then partner), aged 25

RASASC gives survivors access to seamless services across a wide range of statutory services

RASASC works very closely with statutory agencies to provide clients with one contact point for a joined up, seamless service that encompasses as necessary: counselling, health, social services, housing, police, justice and education. Counsellors and ISVAs advocate on behalf of the survivor with a matrix of service providers. This is to help survivors deal with practical considerations that arise from sexual violence (for example, access to urgent medical care, sexual health screening and re-housing or safer-housing). These are issues that, although extremely important, can be overlooked by other statutory agencies who are appointed to perform specific duties. It also reduces the risk of vulnerable survivors having to engage with an extremely complex matrix of providers on their own and potentially falling into gaps in provisions.

The on-going support of RASASC workers enables many survivors to finally access statutory services (for example sexual health screening) that they typically avoid. This has benefits for the individual and can benefit their families and future partners too. For example, sexual health screening can be extremely invasive to a survivor. Yet it is important to their own health that they are treated for any sexual infections as soon as possible, and similarly important to the health of any future children and sexual partners.

Access to safer housing is extremely important. Enabling a vulnerable survivor to live independently from the abuser reduces the risk of further sexual violence.

Reduction in failure to attend rates incurred by statutory services

The relationship between counsellor and survivor is fundamental in facilitating change. Confronting and accepting the sexual violence that occurred is a huge emotional task for the survivor. RASASC counsellors support the survivor to address feelings and memories that they might have hidden away as a coping method. Particularly vulnerable clients include those who only disclosed childhood sexual abuse after an event triggered re-traumatisation. Breaking that trust, or referring a survivor to a service or counsellor whom they don't trust, is a waste of commissioning resources. It increases attrition rates and failure-to-attend rates. It also decreases the potential effectiveness of the support and counselling.

“The service has given me time to reflect on the past when I can't at home. I would have been on my own and probably still self-harming. I was already in uni when I started counselling but may have dropped out if it wasn't for the support of the ISVA originally and then the counsellor. I think that my recovery process (although it is not over) would not have been as successful if I hadn't of had the support from this service.”

Survivor of rape (by her male acquaintance), aged 20

5b. Justice impacts

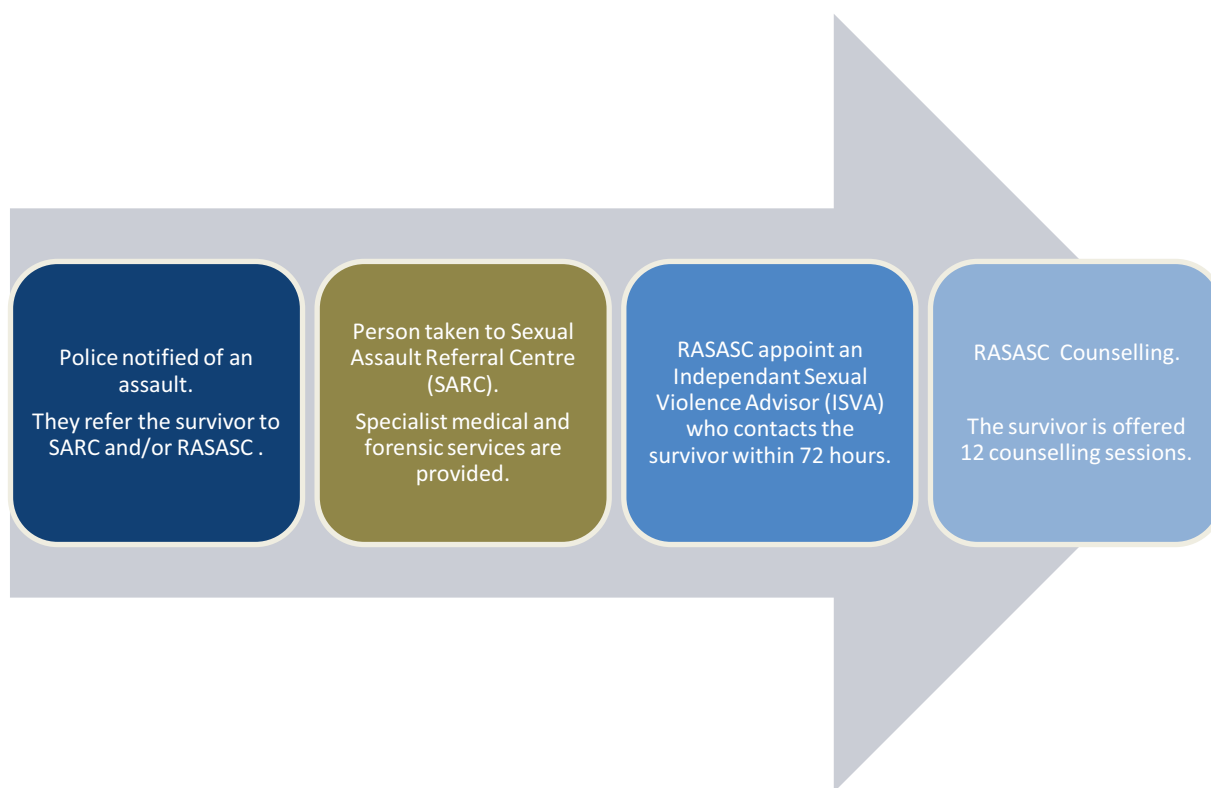
RASASC partnerships with the police result in:

- Increased reporting of rapes and sexual abuse
- Reduced attrition from survivor non-compliance
- Increased support for the majority of survivors whose cases end in attrition or a not guilty verdict
- Reduced reoffending among survivors of sexual violence.

“Everyone who has been involved with my issues and [court] case has been wonderful. I feel I have the strength to do everything I can to move on and deal with things. I am blown away by how lovely everyone is, kind and supportive. This service has massively helped me come to terms with my trauma, I am eternally grateful to all that have helped me.”

Survivor of rape (by a stranger), aged 33

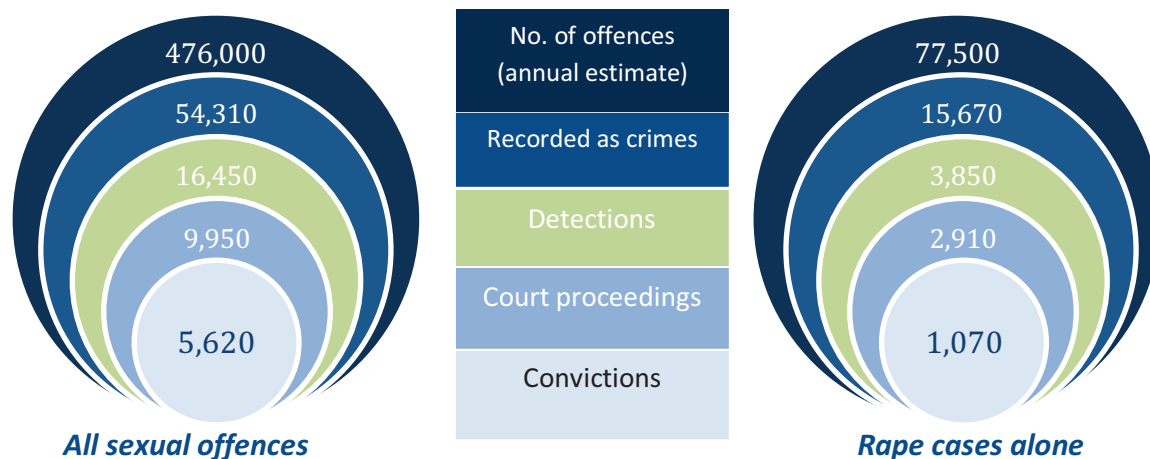
Figure seven: Immediate sexual assault referral process from a local police force



The national picture of justice for survivors and sexual violence

Evidence suggests that the overwhelming majority of sexual violence offences (recent and historic) go unreported. Of the cases reported to the police and recorded as a crime, a successful conviction is secured in only a minority. Recent data on sexual offences in England and Wales revealed that less than one fifth of recorded sexual offences and rapes result in court proceedingsⁱⁱⁱ. This data also revealed that in 2011, of the cases that proceeded to court, the conviction rate was 60 per cent for all sexual offences, dropping to 45 per cent in cases of rape against a man and 40 per cent in cases of rape against a woman. Furthermore the whole process takes on average 497 days from first report to the end of the court case.

Figure eight: progress of prosecutions for sexual offences in England and Wales



These figures are based upon the three year average, and taken from An overview of sexual offending in England and Wales. Statistical bulletin. Ministry of Justice, Home Office and the Office for National Statistics. 10 January 2013. Diagram is not to scale.

Partnership between RASASC and the police increase justice – the local picture

Partnership working between RASASC and the local police force is benefitting survivors of recent and historic sexual violence. Cheshire and Merseyside police are instrumental in the referral process, with 45 per cent of all RASASC's client referrals originating from the police and local SARC.

Referring a survivor to RASASC gives them access to an ISVA and counselling. During the last three years (2010 to 2012) the six ISVAs employed by RASASC have supported over 1500 survivors.

"We recommend that Independent Sexual Violence Advisors be seen as an intrinsic part of the way rape complainants are dealt with, as the service that enables the rest to operate effectively and a crucial part of the way in which the State fulfils its obligations to victims of violence."^{viii}

Increased reporting of sexual offences and reduced rates of attrition

Nationally, attrition and under reporting of sexual violence is a huge barrier to justice. On a local level the extent of the issue is unfortunately, unquantifiable because local police forces don't currently collate data relating to attrition, reporting and prosecution rates for sexual violence. However RASASC's own data shows that support from RASASC leads to an increase in reporting of sexual violence and reduced attrition from non-compliance. Of the clients supported by RASASC, 70 per cent overall (and 83 per cent of those recently offended against) reported the sexual violence to the police. Attrition from withdrawal of complaint did not occur in any of these cases, bucking the national trend of a third of rape cases ending in these circumstances^{xi}.

Increased conviction rates of perpetrators of sexual violence

Of sexual offences proceeded against in Cheshire and Merseyside in the last three years, approximately 62 per cent resulted in a conviction. Of rape offences proceeded against, approximately 39 per cent resulted in a conviction (see figures nine and ten). This represents a very modest increase in conviction rates against the national average, but more work is needed to improve justice outcomes. The evidence supports the view that 'victim' support through an ISVA and the effective working partnership between RASASC, local police forces and SARC are the mechanisms for further improvement.

“...it was clear that support from women’s services help women to have the confidence to report, and to remain within the criminal justice system. The services they provide must be supported; they are crucial in supporting women through the criminal justice system and beyond.”^{xii}

Figure nine: defendants proceeded against and found guilty at all courts for sexual offences, 2009-2011^{(1) (2)}

Proceeded against in:	2009	2010	2011
Cheshire	142	121	132
Merseyside	191	238	239
2 force total	333	359	371
Found guilty in:			
Cheshire	83	78	85
Merseyside	104	123	145
2 force total	187	201	230
Proportion of those taken to court, found guilty (both forces) %	56	56	62

Figure ten: defendants proceeded against and found guilty at all courts for rape, 2009-2011⁽¹⁾⁽²⁾

Proceeded against in:	2009	2010	2011
Cheshire	25	29	41
Merseyside	48	60	57
2 force total	73	89	98
Found guilty in:			
Cheshire	15	12	15
Merseyside	18	26	23
2 force total	33	38	38
Proportion of those taken to court, found guilty (both forces) %	45	43	39

(1) The figures given in the table on court proceedings relate to persons for who these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

(2) Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Source: Justice Statistics Analytical Services - Ministry of Justice.

RASASC supports all survivors, including those who are least likely to see their abuser convicted

Few survivors of historic sexual violence report the crime to the police, and a small proportion of the historic crimes of sexual violence reported result in a criminal conviction. The reasons for low prosecution rates and low reporting rates are many, including lack of probable evidence, fear of not being believed and the survivor avoiding statutory services.

RASASC ISVAs have the skills and build the vital trust needed to empower a survivor to access and engage with the justice system. This is evidenced by the high reporting and zero attrition from withdrawal rates. RASASC ISVAs and counsellors also have the vital skills, expertise and trust required to explain the justice processes and to support survivors to understand and come to terms with potential attrition and decisions not to proceed with a criminal prosecution. Without this help, these decisions can be overwhelming and damaging to the survivor’s health and wellbeing, further disengaging the survivor from the criminal justice system and the local police force.

“...the majority of women still choose not to report the [sexual] violence to the police. Thus statutory provision only deals with a tiny fraction of the problem”^x.

6. The business case

RASASC is different

The way that RASASC records its calls is different, and perfectly illustrates the integrated, compassionate service offered. Other similar services count each call individually; RASASC is only concerned about recording the number of people referred to the service. So rather than 300 calls, last year RASASC directly helped 300 people, from the point of first contact all the way to closure. That is 300 lives directly improved, and extrapolated to victims' partners, children, family and friends shows RASASC has had a huge, socially beneficial, impact on the local area.

The figures behind the RASASC service

Only when we delve behind into the figures behind these 300 calls does this impact become even more apparent.

- One face-to-face counselling session costs RASASC £50 to provide. Each session last for one hour.
- The information line, open 9:00-4:30pm five days a week, costs £50,000 a year to run. This includes the training of advisors, making them available to receive calls, following up these calls with appointments to counsellors, and distributing advice and information material. Each year this line handles over 1,000 calls which at a conservative estimate also equates to a £50 cost per call.
- RASASC runs six stand-alone centres, providing counselling and ISVA support. Individual ISVA support costs between £500-£1000, depending on the individual and amount of support they require. All these costs are met by RASASC, meaning each of these centres requires running costs of between £70,000 and £100,000 each year to provide the current, oversubscribed, service.

What the figures tell us

As demonstrated, the costs of providing the right care and the right support to each individual can be high. Cumulatively, these individuals add up. This is because the service is user intensive, responsive and bespoke depending on the needs of the individual.

But at the same time, this data demonstrates how efficient RASASC services are, with the overwhelming majority of funds directed to the front line. There is no marketing budget, no communications budget, and very little in the way of admin costs. Funds provided to support people are spent directly on services helping them.

Of the total organisational income for 2011 (£568,399), £474,279 was spent directly on advice counselling and support. That is 83% of all money spent. The remaining money was spent equally prudently. £6,557 was spent on admin to support this (such as IT and repairs). The organisation's trustees claimed no benefits, remuneration or expenses.

This also shows that even the smallest reduction of grants or funding will immediately impact on these services. RASASC's costs are largely fixed and structural, therefore offering little room for manoeuvre. There is nothing to trim, and any reduction in funding will instantly lead to a reduction in the capacity and quality of the services provided for the small percentage of survivors who are able to access them.

When considering future funding, we have to bear in mind that this service is still inexpensive compared to the personal and societal costs of abuse, and far, far cheaper than inevitably dealing with the consequences further down the line. Ultimately for this report, the consequences of inaction or delayed interventions are immeasurable.

Figure eleven: the direct service cost of two RASASC clients**Client one: Rachel**

Rachel was recently raped by someone she knew. The offence was quickly reported to the police who alerted RASASC, and organised for Rachel to be taken to the Sexual Assault Referral Centre.

RASASC appointed an Independent Sexual Violence Advisor (ISVA) to help Rachel. The ISVA supported Rachel in her 'Achieving Best Evidence' interviews with the police, and continued to liaise and advocate on her behalf throughout the criminal justice proceedings. The ISVA was also there, supporting Rachel throughout the court proceedings, it didn't matter that the process took more than a year before the offender was found guilty.

The ISVA also gave Rachel the confidence to start a bespoke RASASC counselling programme. In total Rachel accessed 12 counselling sessions. Three of these sessions were 'pre-trial counselling sessions'. The aim was to re-empower Rachel to move on from the trauma.

The support from RASASC was free and invaluable to Rachel. The direct service cost was £1600. This consisted of 1 x ISVA, 3 x pre-trial counselling sessions and 9 x counselling sessions.

Client two: Jean

RASASC first's contact with Jean was six months ago when he rang the helpline. He needed to talk about the historic sexual abuse that he'd experienced during his childhood. The offender was a member of his close knit family. Unfortunately Jean didn't feel able to engage in the services offered by RASASC. Confused he acknowledged that he needed help, but was wary of 'opening the flood gates'.

Thankfully, one month after making his original phone call, Jean rang again. During the call, the advisor helped Jean to identify the impact that the abused continue to have on him. Importantly, the advisor gave Jean options to regain control and reassured him that no one at RASASC would pressurise him to report the crime to the police.

Jean agreed to attend a meeting at RASASC's nearby Rape Support centre. Jean was currently taking medication to control his long-term diagnosis of depression. He had no contact with his abuser, and hoped that dealing with the trauma caused by the abuse would have a positive effect on his mental health.

A programme of twelve one to one counselling sessions was agreed with Jean.

The support from RASASC was free and invaluable to Jean. The direct service cost was £700. This consisted of 2 x helpline calls and 12 x one to one counselling sessions.

7. Plans for the future

Future development of the service would ideally include employment of:

- Specialist young people's ISVAs
- Community outreach workers to work on prevention programmes (see next point)
- Male project outreach worker to increase service take up among male survivors
- Specialist mental health worker to help the high number of clients with poor mental health
- Specialist equalities and inclusion outreach worker to ensure that the service is accessible to people from black and minority ethnic groups.

Work in partnership with statutory agencies on sexual violence prevention work

RASASC is the perfect partner to local police forces in prevention programmes. The organisation is community-based and skilled at working with vulnerable groups, children, young people and adults. They also have links to survivors willing to speak out to challenge the perception of what constitutes sexual violence, what an abuser is and what a survivor is.

Within prevention initiatives, RASASC counsellors could provide specialist insight into what influences risk of vulnerability to sexual violence and precursors to abuse or grooming. They can work closely with individuals judged to be a high risk of sexual violence to empower the individual and discourage risky sexual behaviour. The organisation would also like to help police forces develop a preventative and educative programme for young people and children. This programme would support adults, young people and children to identify behaviours that are an act of, or could lead to, sexual violence.

"[The police] need to work with other agencies to reduce the level of sexual violence overall in their communities. We recommend a local arrangement that recognises that a criminal case will represent but one part of the support needed for a victim of rape^{viii}."

Work to increase accurate portrayals of sexual violence in the media

RASASC hopes to better influence the local media to ensure that a more accurate picture of sexual violence is portrayed. This includes ensuring that the myths surrounding attrition and unhelpful aspersions on justice outcomes are dispelled.

"Some of the victims I spoke to mentioned the focus the media place on stranger rapes and felt that this can sometimes mean that victims of historical abuse have less confidence in the criminal justice system because successful prosecutions of historic cases rarely make the headlines. The police also felt that media reporting of low conviction rates, without highlighting the support that is available for victims, or that conviction rates for cases that go to court are at the highest they have been for ten years, dissuade victims from reporting or continuing with a case as it seems from the outset that they are unlikely to get a conviction.^{xii}"

On-going funding instability is restricting growth

Funding instability is severely restricting RASASC's blueprint for the future. Currently, only aftercare is being funded and preventative work largely ignored. This approach is short-sighted as better investment now in prevention work could potentially save the local and national economy a great deal of unnecessary expense in the future. It also allows many more people to experience sexual violence. Better investment in the website now, for example, could help even more survivors to access support, reducing long-term costs to society.

8. Closing statement

I commissioned this report to evidence the value of the service RASASC provide to survivors of rape and sexual violence. It clearly demonstrates how crucial this service is and how cost effective our model is - delivering the right support at the right time.

I would like to extend my thanks, first and foremost, to Amplify Communications for producing such a thorough analysis of our service. I am also enormously grateful to John Dwyer, Police and Crime Commissioner for Cheshire for his endorsement of this piece of work. I would like to personally thank the staff and volunteers at RASASC, whose ongoing dedication and hard work sustains our service. Finally, and most importantly, I would like to thank those survivors who have courageously spoken out and allowed us to use their experiences to show the true value of what we do.

Clearly, some progress has been made in reporting and investigating rape and sexual violence, and in access to health and support services for survivors. Thankfully, more survivors are being referred to our services, but much more is needed if we are to offer all survivors the required level of support. We need sustained improvement in processes relating to the Crown Prosecution Service and policing. We need health agencies to fully recognise the far-reaching mental and physical impacts of sexual violence and prioritise access to specialist counselling and support as part of the survivor's care and treatment plan. We need politicians to remain focused on their commitment to policy in this area.

“Obviously, even in times of austerity, rape must be investigated and prosecuted, and victims cared for. There cannot be impunity for perpetrators of such a serious violent crime. If this is to be done with due regard for economy then we need priorities. What we have learnt from the review suggests to us that care for victims and protection of those who are vulnerable to rape should be a higher priority than it is now.”^{ix}

At RASASC, we need to maintain and grow our service to meet increasing demand. We can't do this alone. We need you to support us so we can support survivors.

Julie Evans, Operations Manager, RASASC

Helen Wardman, Counselling Services Manager, RASASC

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CHARGING PERVERTING THE COURSE OF JUSTICE
AND WASTING POLICE TIME
IN CASES INVOLVING ALLEGEDLY FALSE
RAPE AND DOMESTIC VIOLENCE ALLEGATIONS

Joint report to the Director of Public Prosecutions

by

Alison Levitt QC, Principal Legal Advisor,

and the

Crown Prosecution Service Equality and Diversity Unit

FOREWORD

Director of Public Prosecutions

The Crown Prosecution Service has come a long way in dealing with cases involving violence against women and girls (VAWG). In the last year (2011-12) we have seen the conviction rate rise to 73%, delivering the lowest attrition rates ever recorded.

This report is the product of the first ever study, by the Crown Prosecution Service, of the number and nature of cases involving allegedly false allegations of rape or domestic violence, or both. This is in many ways a trailblazing report, the first time we have clear evidence about the prosecution of this important issue. The report outlines the key findings of that review and the steps that we plan to take in response.

In recent years both the police and prosecutors have put a great deal of effort into improving the way we investigate and prosecute sexual offences. The results of the changes and improvements which have been made are encouraging. Our committed and specialist staff have prioritised performance in these important and difficult cases. We have bolstered training, policies and guidance for rape and domestic violence specialists. Closer working with the police and specialist services has helped to address the types of ingrained practices which can ignore, or even add to, the victimisation of women and girls. We are not complacent, however, and in particular, events over the last 12 months show that there is still more that we must do to improve.

In recent years we have worked hard to dispel the damaging myths and stereotypes which are associated with these cases. One such misplaced belief is that false allegations of rape and domestic violence are rife. This report presents a more accurate picture.

At the outset it is important that we acknowledge the very damaging impact that a false allegation of rape or sexual assault – be it either malicious or misguided – can have on the person falsely accused. Reputations can be ruined and lives can be devastated as a result. Such cases will be dealt with robustly and those falsely accused should feel confident that the Crown Prosecution Service will prosecute these cases wherever there is sufficient evidence and it is in the public interest to do so.

However, these cases can be extremely complicated. In November 2010, the Court of Appeal considered an appeal against sentence in the case of Ms A, who ultimately pleaded guilty to perverting the course of justice on the basis that she had falsely retracted true allegations of rape she had made against her husband. This case underlined the need for police and prosecutors fully to investigate and carefully to consider the circumstances in which an allegedly false claim of rape, sexual assault, or domestic violence is made.

Following this case and in order further to support prosecutors in their decision-making, I published new legal guidance on perverting the course of justice in July 2011¹. For a period of 17 months, I also required CPS areas to refer all cases involving an allegedly false allegation of rape, domestic violence, or both, to me personally to consider.

This report outlines the key findings from the review of those cases and the steps that we plan to take. Importantly, what it shows is that charges brought for perverting the course of justice or wasting police time for an allegedly false allegation of rape or domestic violence need to be considered in the context of the total number of prosecutions brought for those offences. In the period of the review, there were 5,651 prosecutions for rape and 111,891 for domestic violence². During the same period there were 35 prosecutions for making

¹ [Guidance Perverting the Course of Justice - Charging in cases involving rape and/or domestic violence allegations](#)

² Note - false allegation data is related to 'victims' alleging rape or domestic violence where a charge of PCJ or WPT has been made; whereas rape and domestic violence prosecution data is related to 'defendants' prosecuted for these offences. CPS rape and domestic violence victim data does not allow for direct comparison; however equivalence in volume can be indicated

false allegations of rape, 6 for making false allegation of domestic violence and 3 for making false allegations of both rape and domestic violence.

Furthermore, the report shows that a significant number of these cases involved young, often vulnerable people. About half of the cases involved people aged 21 years old and under, and some involved people with mental health difficulties. In some cases, the person alleged to have made the false report had undoubtedly been the victim of some kind of offence, even if not the one which he or she had reported.

This review has highlighted the complex nature of these cases. Prosecutors need to look critically at the behaviour and credibility of all those involved, not just the person making the complaint.

In addition, the events of the last year have demonstrated that there is an urgent need for an informed national debate about the proper approach to the investigation and prosecution of sexual offences. That debate needs to extend well beyond the CPS and the police.

I know that this report will help us to ensure that we are able to make consistent and sound decisions in cases involving allegedly false allegations. I hope, too, that it will help to inform the wider debate. I look forward to working with colleagues and stakeholders on these important issues.

INTRODUCTION

1. In January 2011, the Director of Public Prosecutions³ decided to require all CPS Areas to refer to him any case in which a person who was said to have made a false complaint of rape and/or domestic violence was being considered for prosecution. He wished personally to oversee all charging decisions⁴ in these cases, because of the particular difficulties and sensitivities which can arise.

2. This report analyses the 159 charging decisions⁵ made over a seventeen month period between January 2011 and May 2012. Of these:
 - (a) 121 involved an allegedly false allegation of rape⁶,

³ 'DPP'

⁴ In this context, 'charging decision' refers to the decision as to whether to prosecute for an offence, to offer an out of court disposal, or to take no further action

⁵ The expression 'decision' correlates with the number of suspects, not the number of cases, because in a small number of cases there was more than one suspect, in relation to each of whom an individual decision had to be made

⁶ In this report, 'rape' is used to include those who complained of other sexual assaults. The breakdown is as follows: 105 suspects alleged rape; ten alleged rape and sexual assault and six alleged other sexual offences.

- (b) 27 involved allegedly false allegations of domestic violence, that is to say, assaults of a non-sexual nature between adults who are or have been intimate partners or family members⁷, and
 - (c) 11 involved both rape and domestic violence.
- 3. In this report the expression 'suspect' is used to describe the person who has allegedly made the false complaint and is being considered for prosecution.
- 4. Whilst it is not an exact science, it may be instructive to compare the figures for those prosecuted for making a false allegation with the number of prosecutions for rape, sexual assaults and domestic violence which took place during the same period⁸:
 - (i) there were 5,651 prosecutions for rape, and 35 prosecutions⁹ for making false allegations of rape.
 - (ii) there were 111,891 prosecutions for domestic violence, and 6¹⁰ for making false allegations of domestic violence.

⁷ The Government definition of domestic violence from March 2013 states that it is: *Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological; physical; sexual; financial and emotional.* The full definition is available on the Home Office website.

⁸ In England and Wales

⁹ There is a possibility that a small number of these original allegations were made before January 2011

¹⁰ See footnote 7

(iii) there were a further 3 people charged with making false allegations of both rape and domestic violence.

5. It will be seen that there were a large number of prosecutions for rape and domestic violence but that only a very small number of individuals were prosecuted for having made a false complaint.

BACKGROUND

6. In November 2010, the Court of Appeal dealt with the case of *R v A*¹¹. The facts were as follows:

- i. Ms A had reported to the police that she had been raped on three occasions by her husband, against a background of other domestic violence. As a result of her complaint, he was arrested and charged.
- ii. Some weeks later, Mrs A told the police that she no longer wished her husband to be prosecuted and that, whilst what she had said was true, they were now reconciled and she wanted to retract her allegations. Following careful consideration, the CPS Area decided that the prosecution should continue, because cases involving serious offences such as rape are not merely a private matter between the parties.

¹¹ [2010] EWCA Crim 2913

- iii. Upon being told that the case would continue, Mrs A said that she had lied in her statements and that her husband had never raped or otherwise assaulted her. This meant that there was no longer any evidence against him and therefore the case was stopped. The decision was made to charge Ms A herself with perverting the course of justice on the basis that she had made false allegations against her husband, who had as a result spent some time in custody awaiting trial.

 - iv. However, after she was charged, Ms A then said that in fact the original allegations had been true. As a result she was further charged (in the alternative) with perverting the course of justice, on the basis that she had falsely withdrawn a true allegation. This situation is known as a “double retraction”.

 - v. Ms A pleaded guilty, but on the basis that her original allegations of rape were true and she had lied when she said that they were not. She was sentenced by the Crown Court to eight months’ imprisonment, which was reduced by the Court of Appeal to a community order.
7. This case caused the CPS to consider whether the decision to prosecute Ms A had been in the public interest, because prosecuting her for falsely retracting her allegations involved of necessity accepting that she had in fact been a victim of rape.

8. As part of a package of measures intended to increase public confidence in the way that the CPS handles rape allegations, the DPP announced he would introduce legal guidance on how to deal with cases involving allegedly false rape and domestic violence allegations and that he would require CPS Areas to refer all such cases to him for approval. In February 2011, he launched a public consultation process which included a roundtable discussion with interested parties and stakeholder groups in order to get expert views as to the factors that prosecutors should consider when dealing with these difficult and sensitive cases.

9. Final guidance, informed by the roundtable and consultation responses, was published in July 2011 ([link](#)). It seeks to strike a balance between ensuring that genuine victims who retract truthful allegations (often as a result of pressure or violence) are not prosecuted, whilst recognising the need to protect the innocent from false allegations of rape or domestic violence. It recognises that not only is it inherently unfair and undesirable that genuine victims should be at risk of prosecution, but that that it might have the effect of deterring other victims from coming forward. However, it also reminds prosecutors that perverting the course of justice is always a serious offence; it is important to prosecute those who make false allegations of serious crime and to deter others who might be minded to do so.

ANALYSIS OF DECISIONS REFERRED TO THE DPP FOR APPROVAL

Overview

10. Between January 2011 and May 2012, the police referred 159 suspects to the CPS for charging decisions to be made.

Allegedly false rape allegations

11. There were 121 suspects whose cases involved allegedly false rape complaints. Of these, 35 were prosecuted: 25 for perverting the course of justice and ten for wasting police time.

Allegedly false domestic violence allegations

12. There were 27 allegedly false allegations of domestic violence. Of these, six were prosecuted: five for perverting the course of justice and one for wasting police time.
13. There were in addition eleven decisions involving allegedly false allegations of both rape and domestic violence, of which three suspects were prosecuted for perverting the course of justice.

Table 1: Breakdown of all decisions made

Decision	Rape	Domestic violence	Rape and domestic violence
Total suspects referred for charge	121	27	11
Charge PCJ	25	5	3
Charge WPT	10	1	0
No further action	75	21	8
Out of court disposal	11	0	0

The Suspect

14. Of the 159 suspects, the vast majority (92%¹²), were female. Only thirteen of those suspected of making false allegations were men (eight involving rape and five involving domestic violence).
15. Nearly half of the suspects were aged 21 or under¹³, of whom eleven were aged under sixteen. The majority of young suspects had made an allegation of rape rather than one of domestic violence.

¹² 146 suspects

¹³ 72 suspects (45%)

Table 2: Suspect data: Age related to allegation

Age of suspect (total number)	Allegation			
	Rape (% ¹⁴)	domestic violence (% ¹⁵)	Both (% ¹⁶)	Total (%)
Under 16	10 (8%)	0 (0%)	1 (9%)	11 (7%)
16 - 17	16 (13%)	2 (7%)	0 (0%)	18 (11%)
18-21	36 (30%)	5 (19%)	2 (18%)	43 (27%)
Total (% of cases)	62 (51%)	7 (26%)	3 (27%)	72 (45%)

Those against whom allegedly false allegations had been made¹⁷

16. 98% of those who had been accused of rape or domestic violence were men, and the majority were over 21¹⁸.

¹⁴ % of all suspects involved in a rape allegation

¹⁵ % of all suspects involved in a DV allegation

¹⁶ % of all suspects involved in both a DV and rape allegation

¹⁷ The expression 'complainant' is confusing, and 'victim' is inappropriate in this context

¹⁸ Data relating to age was only available in 71 of the decisions; therefore, it cannot be relied on statistically for the purposes of this report. The sex of twelve of those accused was not recorded. Of the remaining 144 people who had been accused, and where this data was available, 98% or 141 were male and 2% or three were female.

Relationship between the suspects and those they had accused

17. 84%¹⁹ of suspects had identified a person as being their alleged attacker. The majority²⁰ of these cases involved allegations of rape.
18. A relationship of some kind between the suspect and the person he or she had accused was recorded in 106 of the decisions. For 54%²¹ of the suspects that relationship was or had been an intimate one.

Table 3: Type of relationship

Type of relationship	Rape (% ²²)	Domestic violence (% ²³)	Both (% ²⁴)	Total (% ²⁵)
Intimate	25 (37%)	21 (78%)	11 (100%)	57 (54%)
Family	11 (16%)	5 (18%)	0 (0%)	16 (15%)
Acquaintance	32 (47%)	1 (4%)	0 (0%)	33 (31%)
Total	68	27	11	106

¹⁹ 134 suspects

²⁰ 96 or 72%

²¹ 57 suspects

²² % of 68 suspects involved in rape allegations where a relationship was recorded

²³ % of 27 suspects involved in DV allegations where a relationship was recorded

²⁴ % of 11 suspects involved in a DV and rape allegation where a relationship was recorded

²⁵ % of 106 cases where the relationship was recorded

Common themes

(This section should be read in conjunction with the Lessons Learned section which follows)

Third party reporting

19. In 38%²⁶ of all decisions, the initial complaint of rape or domestic violence had been made by someone other than the suspect:
- 92%²⁷ of these related to rape
 - 6%²⁸ related to domestic violence and
 - 2%²⁹ related to both domestic violence and rape.
20. More than half³⁰ of the suspects who were under 18 had not contacted the police themselves, the initial report having been made by someone else. All but one of these decisions involved an allegation of rape.
- 21 It was a feature of these cases that the suspect later reported that the whole thing had spiralled out of control and he or she had felt unable to stop the investigation.

²⁶ 61 suspects

²⁷ 56 suspects

²⁸ 4 suspects

²⁹ 1 suspect

³⁰ 55% or 16 out of 29 suspects

CASE STUDY 1

The suspect was a girl of 14 who had been in a relationship with a young man aged 17. Her father became aware of the relationship and made it clear that, given the age difference, he did not want it to continue. However, the girl continued with the relationship without her father's knowledge and had sex with her boyfriend. When her father found out and confronted her she said that she had not wanted to have sex. Her father contacted the police and the girl gave an account to officers in which she said that she was not a willing participant in the sexual activity that had taken place.

The young man was arrested and admitted to having sex with the girl but said that it had been consensual (he was subsequently prosecuted for penetrative sexual activity with a child). As police investigated the offence they discovered evidence which cast doubt on the girl's allegation that she had been raped, including conversations and text messages with friends which undermined her account. She was arrested and interviewed and admitted that she had consented to sex. She said that she made the allegation to her father because she did not want him to think badly of her and once it was reported to the police she felt under pressure to continue with it.

The case passed the evidential stage of the full Code test however a prosecution was not required in the public

interest. Whilst the young man involved had been arrested and interviewed in relation to the rape allegation he had in fact committed an offence by having sex with the suspect when she was 14. Had this been reported to the police, it is likely that he would have been arrested and interviewed. The rape allegation did not appear to have been motivated by malice and it was clear that the suspect had not fully understood the seriousness of making a false allegation. There was evidence that the young man had had sexual relationships with other underage girls and he had plainly exploited the suspect's affection for him knowing that she was too young to consent. In addition the suspect had significant personal mitigation, had expressed remorse and appeared to present a low risk of reoffending.

CASE STUDY 2

The suspect was a man aged 20 who was having a relationship with a woman. He told his mother he had been raped by a man. His mother called the police to report the offence and the suspect then repeated the allegation, adding more detail. The other man was arrested; in interview he accepted having sex with the suspect but said that it was consensual. As the investigation progressed the police uncovered evidence that caused them to doubt the truth of the allegation and the suspect was arrested.

When interviewed by the police he admitted that he had been struggling to come to terms with his sexuality. He had on two occasions had sex with a man; it was after the second occasion that he had told his mother he had been raped, because he had felt guilt, shame and depression about his sexuality.

The case passed the full Code test and the suspect was charged with perverting the course of justice.

Mental health

22. 18%³¹ of suspects had a mental health problem that had been identified by a medical assessor. Of these, all but one had made an allegedly false rape allegation (three had alleged both rape and domestic violence and one domestic violence alone).

CASE STUDY 3

The suspect was in her forties and at the relevant time, she was having a relationship with a man, X. The suspect had told her adult son that another man (Y) had raped her. A third person contacted the police, who attended and found the suspect drunk and with cuts to her arms. The suspect

³¹ 29 suspects

alleged that Y and others had been at her house, drinking alcohol and he had taken her upstairs and raped her; she said that her partner X (a man with a history of domestic violence) already knew about the rape: she had told him because he had *“popped his head round the door and seen her in bed with Y”*.

Y was arrested and interviewed under caution. He said that he had had consensual sex with the suspect.

After further investigation, the suspect was arrested for perverting the course of justice. She had a number of “informal” conversations with the police in which she said she had not been raped and had made a false allegation because she felt guilty for having consensual sex with Y. She was then interviewed (without a solicitor present) and accepted and repeated her earlier admissions.

However, further enquiry revealed that the suspect had a significant learning disability (she was in the lowest 1% of the population), was unlikely to have the mental capacity to understand the consequences of making a false statement and would have “just have gone along with whatever happened”. An educational psychologist who assessed her remarked that it would be wrong to assume that she had “common sense” knowledge.

The only evidence that she had not been raped came from

her admissions. There were significant concerns as to the admissibility of those admissions. Even were they admissible, there was an issue as to whether the prosecution would be able to prove that she had in fact intended to pervert the course of justice.

Those points, whether taken alone or together, meant that there was insufficient evidence to provide a realistic prospect of conviction

Alcohol and drugs

23. Alcohol and drugs were a feature in 33% of the decisions, in the sense that 53 suspects had taken drugs or drunk alcohol or both, either at the time the incident had allegedly taken place, or at the time the report was made. It is important that it is not perceived or suggested that the consumption of alcohol or drugs provides any excuse for making a false complaint, nor that it indicates either way that a complaint may be more likely to be false or true. However prosecutors are reminded that in some cases excessive consumption of alcohol may be an indication of vulnerability particularly in circumstances where the suspect is very young.

Table 4: Suspect - alcohol and drugs

	Rape	Domestic violence	both
Alcohol (43)	37	5	1
Drugs (7)	7	0	0
Alcohol and drugs (3)	3	0	0
Total (53)	47	5	1

24. A number of suspects for whom alcohol and drugs were a feature also had mental health issues. Again this may be an indicator of vulnerability.

Previous convictions

25. 28%³² of suspects had previous convictions some of which related to false allegations:

- Two had convictions for perverting the course of justice arising from false rape allegations
- One had a conviction for perverting the course of justice arising from a false domestic violence allegation

Previous convictions may be relevant as bad character but the guidance reminds prosecutors of the need to ensure that

³² 44 suspects

there is sufficient evidence of the falsity of the incident under consideration.

Evidential issues

26. It can be a significant challenge for the police and prosecution to obtain evidence that the original rape or domestic violence allegation was, in fact, false, given that the prosecution has to prove this to the criminal standard.

27. In cases where it was possible to prove this, the prosecution relied on:
 - evidence from other witnesses,
 - CCTV footage,
 - proof that injuries were in fact self-inflicted,
 - telephone evidence (including in one case apparently threatening texts which the suspect could be shown to have sent to herself),
 - proof that the suspect had manufactured evidence.

28. There were some unexpected features. In more than one case, the person who had been accused of rape was able to produce mobile phone footage which clearly demonstrated that the sex had been consensual.

CASE STUDY 4

The suspect alleged that she had met a man in a night club and then got into a car with him and two others. During the car journey she said that the car had stopped, one of the passengers had got out and then pinned her down and raped her. CCTV footage from outside the nightclub supported the suspect's account to the extent that it demonstrated that whilst with one man she had met two others, they all then got into a car and the car drove off.

The police were able to trace the three men shown in the CCTV. They were arrested and interviewed. All three said that the suspect had met one of them in a nightclub and she had asked for a lift home. As they drove she would not give them meaningful directions and they became annoyed with her. They stopped the car and told her to get out; she refused because she said she was "in the middle of nowhere". Eventually one of the men physically removed her from the car.

One of the men filmed what happened on his mobile telephone, because he had an instinct that a false allegation might be made against them. The footage showed the suspect being lifted from the car and the car driving off. On the footage the men can be heard asking her, and the suspect is heard accepting, that the men had not done anything to her.

The woman later admitted to the police that the rape allegation was false and she had made it because she was angry at being left by the side of the road. The case passed both stages of the full Code test, the woman pleaded guilty and was given a suspended prison sentence.

29. However, in some cases the mobile phone footage had the effect of protecting the suspect, in that it showed that she had not “consented” in the way alleged.

CASE STUDY 5

The suspect was 18, she had met a man whilst on a night out and returned with him to a hostel where he was staying. She had sex with the man in a dormitory room in which four of his friends were staying. Whilst in the room two other men had sex with her and some of what took place was filmed using mobile telephones. After leaving the hostel in the early hours of the morning the suspect was approached by a police officer who saw that she was in shock, upset and heavily intoxicated. She told the officer that she had consented to having sex with the first man but not the other two and that she had been filmed. She gave a brief account to the police that night, however a few days later she refused to pursue any complaint. The men were arrested that night for rape. They told the police that they believed she had

been consenting and said that what happened had been recorded.

Footage was recovered from the mobile telephones of two of the men. The footage provided a mixed and incomplete picture of the sexual activity that had taken place. Whilst it appeared that the suspect may have been consenting, she could not clearly be seen because the view of her was largely obscured by the men around her. What could be heard from the footage was that the men were exerting pressure on her to perform sex acts and that, aware of how intoxicated she was, they had deliberately sought to humiliate and degrade her. She was in a vulnerable position lying in a confined space on a bottom bunk in the corner of a room with which she was unfamiliar.

It was concluded that there was insufficient evidence to prosecute the suspect. One of the main reasons was that the footage showed only those parts of the incident that the men had chosen to record and a court was likely to have some doubts over whether the suspect had consented to everything that had happened in the room.

30. It became apparent that many of the conventional assumptions made in other cases needed closer examination. For example, there is a presumption that people do not admit things contrary to their own interests. However, this is often shown not to be true in domestic

violence cases, where victims may be put under pressure to admit to having made a false allegation.

CASE STUDY 6

The suspect was 32 years old. She was addicted to alcohol and had a number of mental health issues. She contacted the police and alleged that she had been raped by her ex-partner. She was plainly drunk during the telephone call to the police. Her former partner was arrested.

Over the course of the next few hours the suspect repeatedly changed her stance, first refusing to make a statement and then agreeing, then giving a perfunctory account but refusing to be medically examined

Her ex-partner was interviewed under caution: he accepted seeing her that evening, but denied that they had sex.

The suspect made a series of telephone calls to the police later that same day, the content of which was increasingly bizarre. In one she said that she wanted to be arrested for lying and that she didn't want her ex-partner to be in custody because he didn't do it. In a later telephone call she said that she wanted to be arrested, that she was not being believed about being raped and that she wanted to be arrested for wasting police time. She then telephoned the police and said that she had, in fact, been raped.

She was arrested and interviewed under caution. She said that

the allegation had been false and that in fact she had had consensual sex with her ex-partner (he of course had denied that they had had sex at all).

The suspect was known to have made allegations of rape in the past, but these could not be proved to have been false. There were serious doubts about the “confession” she had made, during which she had variously repeated and retracted the initial account. At one stage, she told the police that she had been threatened and that it was for that reason that she was withdrawing her allegation.

The view was taken that a jury would not be able to be sure that she had not been raped; it was not possible to exclude that at the time she was interviewed she may have felt under threat.

There was therefore insufficient evidence to provide a realistic prospect of conviction.

31. Some of the cases involving younger suspects showed a clear failure to think about (or even awareness of) the seriousness of making an allegation of rape. For example, one case involved the suspect accusing someone randomly selected from Facebook which appeared to have been done without any thought as to the consequences. Some suspects admitted lying to provoke a reaction or divert attention from their own behaviour from their parents, partners, or friends.

KEY LESSONS LEARNED

Proving the falsity of the original complaint

32. It is axiomatic that, in dealing with these cases, the prosecution must be able to prove to the criminal standard that the initial complaint was in fact false.
33. In some cases, there was clear evidence which demonstrated that the initial allegation was false, for example, CCTV or employment records which provided an alibi for the person accused. However, in other cases, there was evidence which would tend to suggest that the initial allegation of rape or domestic violence might in fact have been true.
34. There was some evidence of investigators (and to a lesser extent) prosecutors reaching the conclusion that if no prosecution could take place for rape or domestic violence then this demonstrated that the allegation was false. But this is to confuse where the burden and standard of proof lies.

CASE STUDY 7

The suspect initially said that she had been sexually assaulted and violently attacked by her husband, and that he threatened to kill her. She said that as he sexually assaulted her, he tried to force her to kiss him and that in an effort to resist

she bit his tongue. She had some injuries, including scratches to her neck. Her husband, who was outside shouting when the police arrived, had an injury to his tongue and accepted when he was interviewed that he had picked up a knife during the incident (albeit that he said that he had done so in self defence).

The suspect later told the police that she had fabricated the allegation of sexual assault.

There was however, evidence about the circumstances of their relationship which suggested that the suspect had been placed under pressure to withdraw the allegation. It was concluded that the prosecution was unable to prove to the criminal standard that the allegation was false, indeed, taking into account evidence such as the injury to the husband's tongue, it appeared more likely that it was true. There was therefore insufficient evidence to provide a realistic prospect of conviction for perverting the course of justice.

The need for care when relying on admissions made by the suspect in interview

35. In the ordinary course of things it is generally safe to assume that a person will only make admissions if those admissions are true: that is because a person is more likely to be truthful about matters that are contrary to their interests than matters which are in their favour.

36. Cases arising from an initial allegation of rape or domestic violence may, however, give rise to different issues. As set out above, in the case of A, Ms A was initially prosecuted on the basis that she had made a false allegation of rape against her husband after she told the police that she had lied. In fact, she was later to say that she had made that “admission” because they were by then reconciled and she wanted to halt the prosecution which had been brought against her husband. As the Lord Chief Justice noted in the appeal against sentence:

“Experience shows that the withdrawal of a truthful complaint of crime committed in a domestic environment usually stems from pressures, sometimes direct, sometimes indirect, sometimes immensely subtle, which are consequent on the nature of the individual relationship and the characters of the people who are involved in it.”

37. It follows that prosecutors must make sure that they carefully examine any admission and the terms of it, bearing in mind that there may be understandable reasons why a person has retracted what is in fact a true allegation of rape or domestic violence.

38. In addition, an evidential difficulty may arise where there is no evidence of the falsity of the initial complaint other than an admission in interview. Prosecutors may be faced with two conflicting accounts with no way of proving which version is true. As the legal guidance notes:

“Prosecutors should avoid charging two alternative counts of perverting the course of justice in a case. It is not proper for the prosecution to charge two mutually inconsistent counts and then invite the jury to choose which one it prefers”.

39. There is therefore a need to consider whether other evidence exists which tends to support one version of events over the other. There may, for example, be independent evidence which establishes the falsity of the complaint or factors in the case which mean that it can properly be concluded that the initial account is false. Prosecutors should, however, take care to ensure that they do not use “rape myths” or stereotypes to prove the falsity of a complaint or to influence their approach to the case. Where necessary, prosecutors should challenge investigators if such assumptions have been incorporated into reports. It is, for example, well known that many rape cases will result in no visible physical injuries to the victim. The lack of injuries should not, therefore, be taken into account as a factor which tends to support the falsity of the allegation unless there is a clear evidential basis such as the suspect saying that s/he was repeatedly punched and kicked.

Fabrication of evidence

40. In nine of the decisions there was evidence which demonstrated that the suspect had clearly fabricated evidence. Plainly this would be capable of supporting the proposition that the suspect had made a false allegation of

rape or domestic violence. However, on closer analysis it became clear that in some cases there was at least a possibility that the suspect may have been trying to bolster a true allegation out of fear that s/he wouldn't be believed.

The need for care in examining the terms of the complaint

41. This point in the main related to allegedly false allegations of rape. There were cases in which careful scrutiny revealed that the suspect had not in fact made a clear allegation at all (and this was particularly true when the suspect was either young, or where someone else had initially reported it on his or her behalf). For example, in one case, when making the allegation, the suspect had repeatedly stated that she "*felt*" that she had been "*taken advantage of*" and that she could not remember precisely what had happened to her because she had been drinking alcohol. On close examination it could be seen that she had not explicitly alleged rape and what she was saying may have accurately reflected her state of mind; therefore there was nothing to show that what she was saying was untrue.

42. In another case, it was plain that the suspect did not understand the legal definition of consent. Thus although she said in answer to a question put to her that she did not "*consent*" to sexual intercourse, it became clear that she did not understand what the word meant.

43. There were also cases in which the complaint made to the police was on the basis that the complainant thought that s/he “might” have been raped, but could not recall because s/he had drunk alcohol or taken drugs. This underlines the need for the police to ensure that when the suspect uses terms such as rape or consent that it is clear what is actually being alleged.

Previous convictions / previous reports of rape

44. There has been a great deal of work undertaken in relation to challenging the myths and stereotypes about what constitutes rape, as to who can be a victim and how victims behave. An example of a myth is that a person is unlikely to have been the victim of a sexual offence on more than one occasion. In fact, research indicates that a person may be targeted precisely because s/he is vulnerable, and as a result there is every possibility that s/he may have been a victim of rape or other violence on more than one occasion.
45. In some of the cases referred to the DPP, investigators and prosecutors sought to rely on a previous complaint of rape or domestic violence which had not resulted in a prosecution as evidence that the allegation under consideration was false. There was a lack of appreciation that the earlier allegation had no probative value unless it could be shown not merely that there had been no prosecution but that it was also provably false.

46. In addition, if the victim had made a number of other complaints in the past there was evidence that this became a self-fulfilling prophecy: each time she complained, investigators or prosecutors would see that this was perhaps the third or fourth time she had reported that she had been raped and would regard that as evidence of unreliability, thereby ensuring that the present allegation would not be prosecuted either.

Intention

47. The legal guidance makes it plain that as a matter of law, intention is not the same as motive; however, the motive of the suspect is likely to be of importance if the public interest stage is reached.
48. To prove an allegation of perverting the course of justice, the prosecution must prove either an intent to pervert the course of justice or an intent to do something which, if achieved, would pervert the course of justice. Where the prosecution case is that a false allegation has been made, all that is required is that the person making the false allegation intended that it should be taken seriously by the police. It is not necessary to prove that she/he intended that anyone should actually be arrested. Similarly, to prove an offence of wasting police time in this context, the prosecution are required to establish that the suspect knowingly made a false complaint to the police.

49. Some of the cases, particularly those involving young suspects, raised issues about whether the suspect had the requisite intention. This often arose in cases where the young person had initially told a parent or guardian that they had been raped and it was then the parent or guardian who reported it to the police. Such cases require careful analysis.

Young suspects who are themselves victims of sexual assault

50. In more than one case, a young person (below the age of consent) reported that she³³ had been raped, the man she had accused denied raping her and claimed that she had consented to having sex. In some of these cases it became clear that the rape allegation was false, but the girl had been having consensual sex with the older man. However, he claimed that he believed that she was 16 or over and the prosecution could not prove to the criminal standard that that belief was unreasonable. In these cases the prosecutor needs to take great care before criminalising the young woman concerned; in some cases a prosecution was needed but it had also to be remembered that by definition such girls are themselves victims of an offence.

CASE STUDY 8

The suspect was fifteen; social services had been involved in her upbringing because there were concerns that she may

³³ In all cases in this category the suspect was female and the person she accused male

have been exploited by older men. She was in a relationship with a man, X, aged 18.

X's parents had contacted the police to report concerns about his violent temper and the suspect herself had also reported domestic violence incidents to the police. During the three weeks before she reported the rape allegation, the suspect contacted the police on a number of occasions. On one occasion, she dialled the police but hung up before the call was answered. The police called her back: she was tearful and said that she found out that X was being unfaithful. She was given advice about future behaviour. She contacted the police about a week later and said that she had been assaulted by X over a period of a fortnight and he had intimidated her into changing her account in the past. Bruising to her legs was seen and photographed by officers. Five days before the suspect made the rape allegation, X contacted the police and said that she had hijacked his MSN account and was sending messages. He also said that she was repeatedly trying to contact him – they had separated and she was not taking the split well.

The initial report the suspect made was one of assault, not rape. She said that X had wrapped a belt around her neck, causing bruising. Obvious bruising was seen by police officers. As is standard practice, the police completed a domestic violence questionnaire, whilst doing so they asked the suspect “[Does X] *do or say things of a sexual nature that makes you feel bad or that physically hurt you or someone*

else". She told the police officer that on a number of occasions, he had continued to have sex with her after she told him to stop because it was painful. The officer told her that this was rape, and noted "[her] *face dropped as if she hadn't realised this was the case*".

The suspect then gave a video interview in which she talked about being assaulted with the belt and said that X had continued to have sex with her against her will on up to ten occasions.

X was arrested and interviewed. He accepted that he had caused bruising with a belt, but said that this was at the suspect's request during consensual sex. The police spoke with a number of the suspect's friends, who indicated that she had said that she liked "rough sex" and being strangled during sex. The police gained access to her Facebook site, which contained the following entries on the day on which the assault with the belt was said to have taken place "*I think tonight was one of the best times of my life*" then later "*lol, I like belts*". Further, it was suggested that she had made the report to the police after a disagreement with X.

The suspect was arrested and interviewed. She denied that she had willingly tried sex with belts and said that she did not write the Facebook entries. She then denied telling the police that X had forced her to have sex and said that he did not rape her at any point. In relation to the matters previously reported as rapes, she said that although she had

initially refused his advances, she had eventually succumbed and agreed to have sex with him. Thus she appeared to admit to having made false allegations.

It was notable that the suspect did not suggest that the incident with the belt occurred during sex, and the accounts of the other witnesses and the Facebook entries cast doubt on what she said, particularly her suggestion that her Facebook account was altered. It was more likely that the injuries were caused during sex and that the suspect had purported to give consent to this.

However, she was only 15. Although the law states that adults can consent to common assault level injuries which are sustained as part of sado-masochistic activity, the suspect was not an adult. As such, even on X's account, he may have committed an offence of assault as well as offences under the *Sexual Offences Act 2003*, given the suspect's age. Therefore in law the suspect had been assaulted (even if not in the way she initially alleged). It was therefore concluded that there was insufficient evidence to provide a realistic prospect of conviction on the basis that she had made a false allegation of assault.

In relation to the rape allegations, the suspect had given different accounts. When she was interviewed under caution, she told the officers that X had told her what to say. It was noted that she had previously reported to the police that after she had reported incidents of domestic violence he

had told her to alter her accounts, and at the time that she was interviewed, the couple had reconciled. In addition his parents had also reported that he had been violent.

The conclusion was that it was not possible to prove to the criminal standard that she had not been raped. Therefore there was no realistic prospect of conviction. It was suggested, however, that social services might wish to consider their involvement with the suspect, given the facts of this matter.

Level of charge

51. Making an untrue report that a crime has taken place will usually amount to both the offences of wasting police time and perverting the course of justice. The latter is considerably more serious than the former³⁴.

52. In considering the level of charge, regard must be had to the *Code for Crown Prosecutors*, which provides:
6.1 Prosecutors should select charges which:
 - a) *reflect the seriousness and extent of the offending supported by the evidence;*
 - b) *give the court adequate powers to sentence and impose appropriate post-conviction orders; and*

³⁴ wasting police time is triable only in the Magistrates' Court, with a maximum sentence of six months' imprisonment, whereas perverting the course of justice can be tried only in the Crown Court and carries a maximum sentence of life imprisonment

c) enable the case to be presented in a clear and simple way.

6.2 This means that prosecutors may not always choose or continue with the most serious charge where there is a choice.

53. The legal guidance on dealing with cases involving allegedly false complaints of rape and domestic violence provides some assistance. It states that perverting the course of justice may be the more appropriate charge where the allegation was prolonged for a period of time, where the person against whom the allegation was made was arrested, charged or even prosecuted, where other evidence had been fabricated or created to support the false allegation and / or where the complaint was malicious. A charge of wasting police time might be more appropriate where there was an admission that the complaint was false after a short period of time, where the alleged perpetrator was not named or identified, and where the complaint was not malicious.

54. The offence of wasting police time is a summary only offence: therefore proceedings can only be brought against a suspect within the six month summary time limit. The relevant date is the date on which the complaint was made, not the date on which the falsity of the complaint was suspected or detected. After the expiry of the statutory time limit, a suspect cannot be charged with or cautioned for an offence of wasting police time. A question may therefore arise as to what to do where it is clear that the case ought

properly to be charged as wasting police time but the statutory time limit has now expired, leaving a choice of charging the more serious offence or taking no further action. An analogous situation can arise in relation to assaults: the legal guidance on offences against the person provides:

From time to time, there may be exceptional circumstances where a case would ordinarily be considered more suitable for being charged as Common Assault under this Charging Standard, but more than six months has passed since the incident complained of. In such circumstances it may be appropriate (where the injuries were more than 'transient and trifling') to charge an offence of ABH, but great care must be taken in making such a decision.

Such a course of action may be argued as being an abuse of process, and it is therefore necessary to clearly establish the reason for not bringing summary proceedings within six months (or laying a protective information within that time). Issues around the nature and complexity of the investigation will be relevant, as will be the stage at which the case was referred by the police. In determining whether the preferring of a charge of ABH in these circumstances is manifestly an abuse of process, or whether in fact it would be regarded as an affront to justice for proceedings not to be brought, reference should be had to the Legal Guidance chapter on Abuse of Process.

55. When considering a case which could be charged as either offence and the six month statutory time limit has expired, prosecutors should consider using a similar approach in order to determine whether a case that might ordinarily have been dealt with as wasting police time ought instead to be dealt with as perverting the course of justice if the alternative

is that otherwise the offender would escape prosecution entirely.

Public interest factors

56. The *Code for Crown Prosecutors* sets out a number of public interest factors which should be considered by a prosecutor deciding whether, in a particular case, the public interest tends in favour of or against a prosecution. The legal guidance on dealing with these cases provides additional public interest factors which may be relevant.
57. The relevance of a “double retraction” at the evidential stage has been set out above. If there is sufficient evidence, then the background and context are likely still to be highly relevant at the public interest stage. The guidance specifically highlights the need for care in cases involving “double retractions”. It provides:

“If all the circumstances lead the prosecutor to believe that it was the original retraction rather than the allegation of rape and/or domestic violence which was false, then she/he will need to give very careful consideration to whether a prosecution for the retraction of the original allegation is likely to be in the public interest. Any decision to prosecute in such circumstances is likely to be highly exceptional. This is because as a matter of logic, if the original allegation was or may have been true, then it follows that the suspect may have been a victim of rape or domestic violence”

58. There were some cases where the allegation itself was demonstrably false but it was clear that the suspect had been the victim of rape or domestic violence on other occasions. In such cases the public interest ought carefully to be considered: if the suspect has been the victim of a serious crime, to prosecute him or her for a single instance of making a false allegation risks further victimising him or her.

59. In one case, the initial allegation was of a serious assault but it was provable that the injury had been self-inflicted. The suspect did, however, have other serious injuries which, it was accepted were caused by the person against whom the initial allegation was made (albeit that he said that these were caused accidentally). There was also some evidence to suggest that sexual offences may have been committed by him against the suspect. Therefore, although there was sufficient evidence to provide a realistic prospect of conviction in relation to the incident under consideration the well-founded concern that the suspect was a victim of domestic violence and / or sexual offences meant that a prosecution was not required in the public interest.

60. In all cases, prosecutors should make sure that the police have conducted comprehensive enquiries into the background both of the suspect and the person against whom the allegation was made. This may necessitate contacting organisations which have offered support to the suspect and person against whom the initial allegation was made, such as IDVAs. If the suspect is a youth, contact

should also be made with Social Services and the Youth Offending Service.

61. A number of cases involved suspects with mental health issues and / or those who were otherwise vulnerable. In one case a suspect who had mental health issues made a telephone call to the police and alleged that she had been raped by an unnamed individual. Soon after the police arrived, she admitted that the allegation was false and that she had made a false report because she wanted food and shelter.
62. Whilst motive is not to be equated with intent, it may be considered at the public interest stage as a relevant factor tending either in favour of or against prosecution. In three cases, the suspects lied to try to hide their sexual activity (two from partners and one from a parent). One made the allegation in revenge for the collapse of a relationship and one suspect was trying to hide his sexuality. Two suspects admitted lying in order to provoke a reaction (one from her ex-partner and one from a friend) and a young person said she was afraid of comments from class mates if she admitted that she had had sex.

CONCLUSION

63. The review has allowed us to examine the suggestion that false allegations of rape and / or domestic violence are rife. It is plain that there were a large number of prosecutions for

rape and domestic violence but that only a very small number of individuals were prosecuted for having made a false complaint. It also emphasises the complex issues that can arise in these serious cases. Each case must carefully be examined on its own merits to assess exactly what has been alleged and the background that led to the making of the complaint. Where both stages of the full *Code* test are met these cases will be dealt with robustly.

March 2013

REPORT TO: Safer Policy and Performance Board

DATE: 17th September 2013

REPORTING OFFICER: Strategic Director - Communities

PORTFOLIO: Community Safety

SUBJECT: Bonfire Removal Initiative

WARD(S): Borough-wide

1. PURPOSE OF REPORT

- 1.1 To receive a verbal update on the planning and proposed operation of the 2013 Bonfire Removal Initiative.

2. RECOMMENDATION: That:

- 2.1 The Policy & Performance Board receive and comment upon the verbal update.**

3. SUPPORTING INFORMATION

- 3.1 Each year, the Safer Halton Partnership delivers a 'Bonfire Removal Initiative' which sets out to improve community safety by removing unauthorised and uncontrolled bonfires before they are ignited. The Initiative, which has been successfully operating in Halton since 1999, covers 'Mischief Night' and not only results in the physical removal of unauthorised bonfire material and debris, but also includes preventative measures being put into place in known 'hot spot' areas and education and community safety messages being delivered across the borough.
- 3.2 Members will receive a verbal update on the success of the 2012 Initiative as well as information on the planning and proposed operation of the 2013 Initiative.

4. POLICY IMPLICATIONS

- 4.1 There are no policy implications associated with this report.

5. OTHER/FINANCIAL IMPLICATIONS

- 5.1 Financial and resources implications will be included in the verbal report presented to Members at the Board meeting.

6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

No direct impact

6.2 Employment, Learning and Skills in Halton

No direct impact

6.3 A Healthy Halton

Reducing the risk of nuisance, crime and harm potentially associated with unauthorised bonfires shall have an overall beneficial affect on wellbeing.

6.4 A Safer Halton

The Bonfire Removal Initiative contributes towards the Council's strategy for improving environmental standards and reducing environmental crime. This will have a positive impact upon the Safer Halton Priority, and also contribute towards the 'Cleaner, Greener, Safer' agenda.

6.5 Halton's Urban Renewal

Green public spaces in hotpot areas will be protected by temporary fencing and Smiths SD, HBC Environmental Protection and Fire will be working together to ensure they are visible and more importantly public open spaces are kept safe and clean from debris and fires.

7. RISK ANALYSIS

7.1 All Partnership organisations have been involved in the planning process. All organisations are responsible for their risk assessments and briefings. The Community safety Team and Police will carry out joint briefings which include full risk assessments.

8. EQUALITY AND DIVERSITY ISSUES

8.1 There are no equality or diversity issues as a result of this report.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

9.1 There are no background papers within the meaning of the Act.

REPORT TO:	Safer Policy and Performance Board
DATE:	17 September 2013
REPORTING OFFICER:	Strategic Director, Communities
PORTFOLIO:	Community Safety
SUBJECT:	Draft Night Time Economy Scrutiny Review Report and Recommendations
WARD(S)	Borough-wide

1.0 **PURPOSE OF THE REPORT**

- 1.1 To present the Board with the draft Scrutiny Review of the Night Time Economy Report and recommendations.

2.0 **RECOMMENDATION: That: the Board note and comment on the draft Night Time Economy scrutiny review report and recommendations.**

3.0 **SUPPORTING INFORMATION**

- 3.1 This report (attached as Appendix 1) was commissioned by the Safer Policy and Performance Board. A scrutiny review working group was established with seven Members from the Board, Operational Director, Community Safety Manager, Commissioning Manager and Principal Policy Officer.

The report was commissioned because the night time economy brings many positive benefits to the borough, from job creation, spending in our local economy and provision of a diverse range of activities for local people, including restaurants, arts centre, ice rink, cinemas, etc. However, to continue the development of our thriving night time economy, it is important that it is accessible, safe, clean, well-managed and offers a range of activities to suit residents across a wide age range and attract visitors to the borough.

The scrutiny review was conducted through a number of means between November 2012 and August 2013, as follows:

- Monthly meetings of the scrutiny review topic group;
- Presentations by various key members of staff from the Council and partners (detail of the presentations can be found in *Annex 2*);

- Provision of information; and
- Visit to the CCTV Control Room.

4.0 **POLICY IMPLICATIONS**

4.1 Existing policies are endorsed by the report.

5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 The recommendations highlighted within the Action Plan will require resources to undertake, mainly from operational teams.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

N/A

6.2 **Employment, Learning & Skills in Halton**

N/A

6.3 **A Healthy Halton**

Elements of the Night Time Economy Scrutiny Review impact on this priority, for example, underage alcohol sales and alcohol reduction plan. Implementing a six-month report on test purchasing, along with the continued monitoring of underage sales will ensure our good performance is maintained.

6.4 **A Safer Halton**

The scrutiny review report and recommendations support the Council's strategic priority of a Safer Halton. Taking on board the recommendations from the report will be positive steps to improving all aspects of the Night Time Economy for the residents of Halton.

6.5 **Halton's Urban Renewal**

N/A

7.0 **RISK ANALYSIS**

7.1 The report and recommendations support the Council's strategic priority of a Safer Halton. Taking on board the recommendations from the report will be positive steps to improving the Night Time Economy for the residents of Halton.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 The implementation of the recommendations will help to improve the Night Time Economy for all residents within Halton.

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

9.1 None under the meaning of the Act.



*Safer PPB Night
Time Economy
Scrutiny Review*

DRAFT
Report
August 2013

CONTENTS

Contents	Page	Paragraph
Purpose of the report	3	1.0
Structure of the report	3	2.0
Introduction	3	3.0
Methodology	4	4.0
Evidence and Analysis with findings/conclusions and recommendations	4	5.0
Overall Conclusion	14	6.0

Annexes	Number
Topic brief	1
Methodology	2
Documents Considered including National Best Practice within the review	3
Action Plan	4

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1.0 PURPOSE OF THE REPORT

The purpose of the report, as outlined in the initial topic brief (at *Annex 1*) is to:

- Gain a better understanding of the issues relating to the night time economy in Halton, what works well and what could be improved?
- Examine the effectiveness of the current services that support the night time economy, how they work together and whether they deliver timely and effective action to address the needs of businesses and visitors to our night time economy
- Gain an understanding of the role of partner agencies in providing a safe, well managed night time economy in Halton
- Consider national and local best practice in relation to management of the night time economy
- Explore accreditation for the management of the night time economy in Halton, through the Purple Flag scheme. This scheme provides recognition that town centres are well managed and acts as an indicator for a safe night out, in the way that Green Flags do for quality parks and Blue Flags for safe and clean beaches.

2.0 STRUCTURE OF THE REPORT

This report is structured with an introduction, a brief summary of the methodology followed by evidence, analysis with findings/conclusions and recommendations. The annexes include the topic brief, methodology detail and an action plan to capture the recommendations from the scrutiny review.

3.0 INTRODUCTION

3.1 Reason the scrutiny review was commissioned

The night time economy brings many positive benefits to the borough, from job creation, spending in our local economy and provision of a diverse range of activities for local people, including restaurants, arts centre, ice rink, cinemas etc. However to continue the development of our thriving night time economy, it is important that it is accessible, safe, clean, well-managed and offers a range of activities to suit residents across a wide age range and attract visitors to the borough.

Management of the night time economy cuts across numerous council services including licensing, transport, environmental health, planning, community safety, trading standards, street cleansing and town centre management as well as services provided by partners including health

and policing. It is only by working together particularly in these times of austerity, that we will be able to develop a thriving night time economy. The scrutiny review will provide a good opportunity to look at our night time economy, what works well and what could be improved to provide a safe, accessible, well managed night time economy that meets the needs of residents and businesses and attracts visitors to the borough.

3.2 Policy and Performance Boards

This report was commissioned as a scrutiny working group for the Safer Halton Policy and Performance Board.

3.3 Membership of the Scrutiny Working Group

Membership of the Scrutiny Working Group included:

Members	Officers
Cllr Norman Plumpton Walsh (Chair) Cllr Pauline Sinnott Cllr John Gerrard Cllr Margaret Ratcliffe Cllr Darren Lea Cllr Martha Lloyd Jones Cllr Sue Edge	Paul McWade – Operational Director for Commissioning and Complex Needs Chris Patino – Operational Director for Community and Environment Mike Andrews – Community Safety Manager Debbie Houghton – Principal Policy Officer Amanda Lewis – Commissioning Manager

4.0 Methodology Summary

This scrutiny review was conducted through a number of means:

- Monthly meetings of the scrutiny review topic group;
- Presentations by various key members of staff and partners (detail of the presentations can be found in *Annex 2*);
- Provision of information;
- Visit to the CCTV Control Room

5.0 Evidence (summary of evidence gathered) and Analysis with findings/conclusions

5.1 Transport and the night time economy

Jeff Briggs, lead officer Transport Co-ordination gave an overview of bus services that operate during the hours of the night time economy in both Widnes and Runcorn. John Findlow, Licensing Enforcement

Officer also presented an overview of taxi licensing and the taxi service that operates in Halton. Key points raised were:-

- Very few buses run after midnight although a number of pubs and bars have late licenses until 3.30/4.00am with one in Widnes opening until 5am.
- The council has a responsibility to provide taxi ranks in proportion to the number of licensed vehicles, ten of which are located in town centres.
- Taxi services across the borough operate a reliable, cost effective (prices haven't gone up in 2.5 years) safe mode of transport out of town centres late at night.
- Key issues for taxi operators including future bridge tolls which will impact on taxi charges and costs and the negative impact of late night bridge closures which result in delays and increased costs for operators.

5.1.1 Conclusion

Getting people home quickly and safely following a night out is essential for a well-managed night time economy. However any additional services would need to be commercially viable and funded by the operators.

5.1.2 Recommendations:

- **Work with commercial operators to improve the late night bus services that they offer. In particular:-**
 - **Commercial bus operators be asked to consider funding a commercial bus service (funded by the operators) to and from the Hive and Runcorn. (The Topic Group recognise that this would not currently be commercially viable but may be in the future)**
 - **Commercial bus operators be asked to consider providing the funding to extend the late night service from Liverpool to Halton operating it as a pick up as well as a drop off service (To be funded by commercial operators if economically viable)**
- **Whilst it is recognised that there is currently no demand for a taxi rank at the Hive, this should be kept under review, in case this situation changes.**
- **Area Forums be consulted re: possibility of funding a pilot radio scheme for taxi operators in Halton**

- **If funding is available from businesses/transport operators, then consider a consultation exercise (survey) to determine who are accessing the HIVE, how individuals are traveling to and from the HIVE and to ascertain levels of demand for public transport and:-**
- **If commercially viable, bus operators should consider the potential to possibly fund the extension of the existing service routes to the HIVE e.g. Buses 79 and 82 – however this would be dependent on demand/potential future demand**
- **Consider the development of a transport app that will tell users the location of bus and taxi services, provide contact details etc, should funding become available**

5.2 Purple Flag

An overview of the Purple Flag scheme was given at the first meeting by Debbie Houghton and this was followed at a later meeting by a presentation by Dave Watson, from Warrington Borough Council. Dave had worked with partners to gain Purple Flag accreditation for Stockton Heath in Warrington. Key points from the discussion included:-

- Purple Flag five key elements
- Gap analysis against Purple Flag criteria
- Positive benefits of Purple flag accreditation
- Transition between daytime and evening economy
- Policing and other services active within the night time economy

It was agreed to complete a gap analysis for Halton against the Purple flag criteria as part of the Scrutiny Topic Group work.

5.2.1 Conclusion

Purple Flag criteria are considered best practice in the management of the night time economy. However due to the costs and the work involved, which extends beyond the remit of this Topic Group, it was agreed that applying for Purple Flag status is not appropriate at this time.

5.2.2 Recommendations:

- **Work towards the completion of a self- assessment/ gap analysis for the town centre areas in Widnes and Runcorn, using the Purple Flag criteria as a guide (consider both as 1 town centre).**

5.3 Licensing Enforcement

Bill Seabury (HBC Licensing Officer) and Chris Carney (Cheshire Police Licensing Officer) gave a presentation on licensing enforcement. The key points discussed included:-

- **Door Staff** training and the good working relationship with licensing officers
- **Communication through NightNet** -Radios within night time establishments which link through to the police and cctv control room to report any issues.
- **Forensic boxes** located within establishments and the role of staff in using them to collect evidence following incidents
- **Relationship** between police and council licensing staff and joint working to address licensing issues in Halton.
- **Role of licensing** - The licensing enforcement role is proactive and works with businesses. The police do patrols and have a passive drug dog to detect drugs and it is testament to the good working relationship that in a significant number of cases it is the pubs themselves that request licensing visits.

5.3.1 Conclusion

- The licensing role works well in Halton and there is a good relationship between the licensing teams in the council and police with landlords and door staff

5.3.2 Recommendations:

Members wanted to accompany the licensing team when they are visiting premises to observe. (This visit was cancelled due to unforeseen circumstances)

Whilst members recognise that it cannot be an enforceable condition through licensing, members were keen for establishments to be encouraged to participate in the PubWatch scheme, which is recognised as best practice.

Investigate the possibility of developing a mandatory Code of Conduct for licensed premises.

5.4 Alcohol related Crime Data

Mike Andrews, Community Safety Manager presented members with crime and alcohol related data for Halton. There discussion covered:-

- Number of people being arrested and taken into custody for being drunk and disorderly

- People drinking at home before they go out and incidents happening when they do go out and are turned away from bars for being drunk.
- High concentrations of off licenses in some areas which can cause problems as there is such easy availability of alcohol

5.4.1 Conclusion

There are links between alcohol and crime, although many of the problems result from drinking at home rather than in bars and clubs.

5.4.2 Recommendations:

- **Continue to monitor alcohol related crime through regular reports to the Safer PPB and work together with health services and others to encourage people to drink sensibly.**
- **Continue to promote Arc Angel, which is a national scheme, to licensed premises in Halton.**

5.5 Widnes Street Pastor Service

The Reverend Jeremy Duff gave an introduction to the Street pastor Service, a national scheme already in place in other areas and which is to be introduced in Widnes. Key aspects of the scheme and the issues discussed are below:-

- The Street Pastor service is essentially a good Samaritan scheme, where trained volunteers are on hand to offer assistance to those in need.
- The Widnes scheme will operate between 11pm and 4am at Victoria Square on a Saturday night.
- The Street Pastor Service was well received by members of the Scrutiny Topic Group

5.5.1 Conclusion

The Widnes Street pastor Service was well received by members, although was not operational at the time of the presentation.

5.5.2 Recommendations:

- **Members would like to go out and witness the Street Pastor Service in action when it is operational. This was agreed with the Rev Jeremy Duff but no date has been arranged.**
- **Review the Street Pastor Scheme and its success through a report to the Safer PPB in 6 months.**

- **If the Street Pastor Service is considered a success (following a review and report to the Safer PPB) members would like to ask the Runcorn churches to support a similar scheme to operate in Runcorn Town Centre.**

5.6 Underage Alcohol Sales

Phil Ramsden, Community Safety and Enforcement Team leader at Warrington Borough Council, gave an overview of the role of the joint Consumer Protection Service that he manages on behalf of Halton and Warrington councils. Key points discussed were:-

- Test Purchases and failure rates in Halton
- Parental responsibility - it is often parents who supply alcohol to their children rather than retailers selling illegally
- Responsible Retailers courses
- Role of Consumer Protection in raising alcohol awareness
- Operation Ice which targets the use of and supplying of fake IDs

5.6.1 Conclusion

The work of consumer protection in tackling underage sales is essential. Operation Ice was well received as a means of tackling the use and supplying of fake IDs. However the problem with parents supplying their children with alcohol is a more difficult issue and we know that this is a common problem in Halton.

5.6.2 Recommendations:

Continue to monitor underage sales to ensure that our good performance is maintained. Also we need to check the frequency of the test purchasing as part of the joint contract with Warrington Borough Council, with six monthly reports to the Safer PPB.

5.7 Alcohol Harm data for Halton

Amanda Lewis, Commissioning Manager for Halton presented a report on alcohol related health issues for Halton. Key areas discussed included:-

- Binge drinking culture
- Alcohol related hospital admissions
- Availability and cost of alcohol
- Attitudes and to alcohol and changing people's mind sets.

5.7.1 Conclusion

It is recognised that Halton and the North West has significant alcohol related health problems, which are worse than other areas.

5.7.2 Recommendations:

Tackling alcohol related health problems will continue to be a key priority for the council and its partners. We recognise that it is only by continuing to work together that we will start to address this problem. Six monthly update reports to Safer PPB.

5.8 Alcohol Harm Reduction Plan

Collette Walsh, Head of Alcohol at NHS Merseyside, Halton and St Helens presented the Alcohol harm reduction Plan and how this Plan builds upon the good work that has been happening to date. Key themes were:-

- Strong infrastructure for alcohol treatment in place in Halton
- Need to change hearts and minds and help people make informed choices about their drinking
- Drinking at home is the biggest health issue relating to alcohol
- Collection of A& E data on where people had their last drink, so we can work with those pubs and clubs
- Alcohol as a coping mechanism particularly in difficult times
- Work with GPs to identify vulnerable people at risk of becoming problem drinkers so we can help people much earlier.

5.8.1 Conclusion

Robust alcohol treatment services are now in place, but more needs to be done on changing attitudes to alcohol. Drinking at home remains the biggest problem. We need to work together to identify individuals who would benefit from treatment services particularly early intervention services.

5.8.2 Recommendations:

- **Look to introduce an alcohol free bar in Halton.**
- **The NTE Scrutiny Group recognise that we need to build on the existing partnership approach but we also need to investigate potential ways to get local landlords and businesses on board to bring about change. A possible example is for landlords who are often best placed to identify vulnerable people who regularly drink to excess working with health care teams to help signpost individuals to services where appropriate.**

5.9 Tales from behind the bar

Chris Patino, DM Community and Environment gave some background information on the Stadium, which has the largest alcohol sales in the borough. Chris was accompanied by Adam and Graham who have

worked at the Stadium for over 10 years. They gave members their perspective as bar managers on alcohol sales. At a later meeting John Caldwell (Stadium Bar Manager), gave a further perspective, reinforcing the points below. Key points discussed included:-

- Use of wristbands as proof of age
- Importance of common sense in dealing with individuals who are drunk
- Role of PubWatch
- Issue with people smuggling alcohol into the stadium to drink whilst attending an event

5.9.1 Conclusion

The Stadium is well managed and has systems in place to deal with underage drinking and managing those who become drunk whilst attending events at the Stadium. There are rarely any problems with drinking on match days and there is usually friendly banter between fans.

5.9.2 Recommendations:

- **We need to continue to monitor underage sales to ensure that our good performance is maintained. Also we need to check the frequency of the test purchasing as part of the joint contract with Warrington Borough Council**
- **Look to extend the wrist band scheme (used to identify over 18s following age checks) at the Stadium to other establishments**

5.10 Cleansing and the night time economy

Paul Wright, DM Open Space Services gave an overview of the council's approach to street cleansing and the issues we have to deal with that are associated with the night time economy . Key areas covered by the discussion include:-

- The council's approach to street cleansing. Particularly on a Saturday and Sunday morning
- Fast food wrappers are a significant problem
- The cost and scale of street cleansing associated with litter
- Role of volunteer litter pickers
- The council's approach to litter enforcement

5.10.1 Conclusion

The council's approach to street cleansing is effective with the resources we have available. However litter collection and disposal costs are significant. Fast food wrappers are a particular problem.

5.10.2 Recommendations:

- **The Council is currently exploring the opportunity of a scheme to enforce Fixed Penalty Notices. As yet no decision has been reached.**
- **Put information in 'In Touch' and 'Inside Halton' re: the amount and cost of litter collection**
- **Investigate the possibility of working with food establishments in town centres and colour coding packaging from each business establishment, so that we can identify where litter is from.**

5.11 Planning and the night time economy

Alasdair Cross, Team Leader Planning, Economy, and Transport Strategy gave an overview on the role of planning and how this relates to the night time economy. Key issues discussed:-

- The role of planning in influencing the night time economy by identifying / promoting land for night time economy uses or seeking to restrict the development of certain uses in certain areas.
- Planning permission and hot food takeaways
- Policy restrictions within the UDP
- Breakdown of unit planning classifications in town centres and how these have changed over time

5.11.1 Conclusion

Planning has a role to play in identifying land for night time economy uses in town centres. There are significant numbers of hot food takeaways and planning are tackling this issue by seeking to resist new fast food establishments, however the potential for this is limited in the town centres, until the UDP policies which relate to old use classifications can be updated. Existing planning permissions and established uses will remain.

5.11.2 Recommendations:

Planning policy is increasingly out of date (predating changes to Use Class Order). Delivery and Allocations Local Plan is being prepared.

5.12 Site Visit to CCTV Control room

Members of the Scrutiny Topic Group visited the CCTV Control Room at Runcorn town Hall. Stephen Rimmer accompanied members and gave them an overview of the service.

- There are 101 cctv cameras operating across the borough, covering the town centres, local centres, the Hive, bus station at Halton Lea, CRMz and cemeteries.
- The cctv control room has a direct phone line to the police and airwave radio. The control room is staffed 24 hours a day, 365 days a year.
- Currently there are six operators and one supervisor operating the system. The system is transferring to a wireless connection to save on phone charges.
- The cameras are operated by the control room staff. They can angle the cameras and zoom in or out to monitor events as necessary.
- Businesses registered through Shop Watch and Pub Watch can log into the control room system to report problems and communicate with staff and other businesses.
- All images are kept for a 31 day period, after which time they are deleted. The images are of good quality and on 542 occasions last year the images were used by the police

CCTV Report to Executive Board 28th Feb 2013
<http://members.halton.gov.uk/documents/s28502/CCTV%20Monitoring.pdf>

5.12.1 Conclusion

The CCTV control room has links with the police via radio and the Pubwatch radio schemes in Runcorn and Widnes and the images are of excellent quality.

5.12.2 Recommendations –

- **Investigate options to provide additional CCTV monitoring capability at peak times, possibly by using police officers on restricted duties. Other options may be possible but require further consideration due to Data Protection and cost issues.**

6.0 Overall Conclusion

This scrutiny review has been both a successful and a worthwhile exercise in terms of covering all the outputs and outcomes from the initial topic brief and gaining a sound knowledge and understanding of the issues affecting and resulting from the night time economy in Halton.

It is recognised that there is much good practice happening in Halton and our town centres are well managed through the excellent working relationships between the council and our partners and indeed businesses and the public.

There are recommendations for further improvement that have been identified from this scrutiny review and these have been arranged into an Action Plan at Annex 5 for ease of reference and monitoring.

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TOPIC BRIEF

Topic Title:	Night Time Economy
Officer Lead:	Operational Director (Commissioning and Complex Care)
Planned start date:	November 2012
Target PPB Meeting:	2013

Topic Description and scope:

A review of the current issues associated with the night time economy across Halton, focusing on understanding how services support businesses and visitors to our night time economy and the discharge of statutory responsibilities/duties and guidance relating to the night time economy.

Why this topic was chosen:

The night time economy brings many positive benefits to the borough, from job creation, spending in our local economy and provision of a diverse range of activities for local people, including restaurants, arts centre, ice rink, cinemas etc. However to continue the development of our thriving night time economy, it is important that it is accessible, safe, clean, well-managed and offers a range of activities to suit residents across a wide age range and attract visitors to the borough.

Management of the night time economy cuts across numerous council services including licensing, transport, environmental health, planning, community safety, trading standards, street cleansing and town centre management as well as services provided by partners including health and policing. It is only by working together particularly in these times of austerity, that we will be able to develop a thriving night time economy. The scrutiny review will provide a good opportunity to look at our night time economy, what works well and what could be improved to provide a safe, accessible, well managed night time economy that meets the needs of residents and businesses and attracts visitors to the borough.

Key outputs and outcomes sought:

- A better understanding of the issues relating to the night time economy in Halton, what works well and what could be improved?
- Examine the effectiveness of the current services that support the night time economy, how they work together and whether they deliver timely and effective action to address the needs of businesses and visitors to our night time economy
- An understanding of the role of partner agencies in providing a safe, well managed night time economy in Halton
- Consider national and local best practice in relation to management of the night time economy

- Explore accreditation for the management of the night time economy in Halton, through the Purple Flag scheme. This scheme provides recognition that town centres are well managed and acts as an indicator for a safe night out, in the way that Green Flags do for quality parks and Blue Flags for safe and clean beaches.

Which of Halton’s 5 strategic priorities this topic addresses and the key objectives and improvement targets it will help to achieve:

A Safer Halton:

Key Objective A: To investigate and tackle the underlying causes of crime and disorder and respond effectively to public concern by reducing crime levels, with a particular focus on reducing the levels of crime that disproportionately affect some of the more deprived areas

Key Objective B: To tackle alcohol and drug/substance abuse in all its forms, supporting the victims and their families and taking enforcement action against perpetrators.

Key Objective C: To tackle alcohol and drug/substance misuse problems and the resulting harm that is caused to communities, families and individuals.

Key Objective D: We will work together to reduce fear of crime and increase public confidence in the police, council and other agencies to respond to reports of crime and anti social behaviour and tackle any potential tensions within communities.

Nature of expected/desired PPB input:

Member led scrutiny review of the Night Time Economy.

Preferred mode of operation:

- Invite speaker from a council who have been awarded a Purple Flag for their management of the night time economy, to provide an overview of the process and associated costs and benefits.
- Meetings with/presentations from relevant officers within the Council to examine current practice regarding managing our night time economy
- Invite partners including the police and health services to give their perspective of the night time economy in Halton
- Accompany the police on a night shift in our town centres, to see the issues they have to deal with resulting from the night time economy.

Agreed and signed by:

PPB chair

Officer

Date

Date

METHODOLOGY DETAIL**a) Presentations**

The following officers gave presentations as part of this scrutiny review:

Name of officer	Title of Presentation
Jeff Briggs - Lead Officer Transport Co-ordination	Transport and the night time economy
John Findlow (JF) – HBC Licensing Enforcement Officer	Taxi Service in Halton
Debbie Houghton – Principal Policy Officer	Overview of Purple Flag Scheme
Mike Andrews – Community Safety Manager	Crime levels in Halton
Bill Seabury – Alcohol Licensing Enforcement Officer Chris Carney – Cheshire Police Licensing Officer	Licensing and the night time economy
Amanda Lewis – Commissioning Manager	Alcohol related Data for Halton
Collette Walsh - Head of Alcohol NHS Merseyside - Halton and St Helens	Alcohol Strategy and Action Plan
Dave Watson - Community Safety and Licensing Manager, Warrington Borough Council	Purple Flag Scheme Stockton Heath, Warrington
Phil Ramsden - Community Safety and Enforcement Team Leader, Warrington Borough Council	Under age Alcohol Sales
Reverend Jeremy Duff – Vicar at St Paul's Church, Widnes	Widnes Street Pastor Service
Paul Wright – DM Open Spaces Services	Cleansing and the Night Time Economy
Alasdair Cross – Team Leader Planning, Economy and Transport Strategy	Overview on the role of planning and how this relates to the night time economy
Chris Patino – OD – Community and Environment John Caldwell/ Adam/Graham (Stadium Bar manager and bar staff)	Tales from behind the bar



Communities Directorate

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Documents Considered including Best Practice within the review

National Guidelines:

Purple Flag Scheme

<http://www.purpleflag.org.uk/>

Halton Borough Council documents:

Corporate Plan – 2011 – 2016

Sustainable Community Strategy – 2011 – 2026

CCTV Report to Executive Board 28th Feb 2013

<http://members.halton.gov.uk/documents/s28502/CCTV%20Monitoring.pdf>

Safer PPB Night Time Economy Scrutiny Review
ACTIONS PLAN

Action No.	Action	Who	Timescale	Progress Update
TRANSPORT				
1	<p>Work with commercial operators to improve the late night bus services that they offer. In particular:-</p> <p>Commercial bus operators be asked to consider funding a commercial bus service (funded by the operators) to and from the Hive and Runcorn. (The Topic Group recognise that this would not currently be commercially viable but may be in the future)</p> <p>Commercial bus operators be asked to consider providing the funding to extend the late night service from Liverpool to Halton, operating it as a pick up as well as a drop off service (This would be funded by commercial operators if economically viable)</p>	Jeff Briggs		<p>Update from Ian Boyd For the operation of the night buses it would cost approximately £60,000 per annum in subsidy to the operators to provide such a service. This would be to provide two journeys around Widnes and Runcorn and due to the significant costs, would not be viable at this time.</p>

2	Whilst it is recognised that there is currently no demand for a taxi rank at the Hive, this should be kept under review, in case this situation changes.	John Findlow		It is recognised that demand is not currently there but this should be kept under review.
3	Area Forums be consulted re: possibility of funding a pilot radio scheme for taxi operators in Halton	Cllr Norman Plumpton Walsh/ Mike Andrews		
4	<p>If funding should become available, possibly from businesses/transport operators, then consider a consultation exercise (survey) to determine who are accessing the HIVE, how individuals are traveling to and from the HIVE and to ascertain levels of demand for public transport and:-</p> <p>If commercially viable, bus operators should consider the potential to possibly fund the extension of the existing service routes to the HIVE e.g. Buses 79 and 82 – however this would be dependent on demand/potential future demand</p>	Jeff Briggs		<p>Not planned at this time, but should be considered if funding should become available in the future</p> <p>Not commercially viable at this time but to be kept under review should demand change</p>
5	Consider the development of a transport app that will tell users the location of bus and taxi services, provide contact details etc, should	Jeff Briggs		No funding currently available but should be considered should this situation change

	funding become available			
6	Investigate options to provide additional CCTV monitoring capability at peak times, possibly by using police officers on restricted duties. Other options may be possible but require further consideration due to Data Protection and cost issues.	Stephen Rimmer		Needs further investigation prior to any action being taken
PURPLE FLAG AUDIT				
7	Work towards the completion of a self-assessment/ gap analysis for the town centre areas in Widnes and Runcorn, using the Purple Flag criteria as a guide (consider both as 1 town centre).	Mike Andrews/Debbie Houghton		Work on-going
LICENSING				
8	Members wanted to accompany the licensing team when they are visiting premises to observe. (This visit was cancelled due to unforeseen circumstances)			It was not possible to re-schedule the visit during the period of the review

9	Whilst members recognise that it cannot be an enforceable condition through licensing, members were keen for establishments to be encouraged to participate in the PubWatch scheme, which is recognised as best practise.	Mike Andrews		All licensed premises are members of Pub Watch, however their attendance cannot be made an enforceable condition on a premises licence.
10	Investigate the possibility of developing a mandatory Code of Conduct for licensed premises.			
STREET PASTOR SERVICE				
11	Members would like to go out and witness the Street Pastor Service in action when it is operational. This was agreed with the Rev Jeremy Duff.	Mike Andrews/Jeremy Duff		Widnes Street Pastor Service went live on 1 st June. It was not possible to arrange a visit during the Scrutiny Topic Group Review period.
12	Review the Street Pastor Scheme and its success through a report to the Safer PPB in 6 months.	Mike Andrews		Street Pastor Service Report has been planned into the Safer PPB Work Plan
13	If the Street Pastor Service is considered a success (following a review and report to the Safer PPB in 6	Mike Andrews		

	months) members would like to ask the Runcorn churches to support a similar scheme to operate in Runcorn Town Centre.			
TRADING STANDARDS				
14	Continue to monitor underage sales to ensure that our good performance is maintained. Also we need to check the frequency of the test purchasing as part of the joint contract with Warrington Borough Council with six monthly reports to the Safer PPB.	Eileen O'Meara		
HEALTH				
15	Tackling alcohol related health problems will continue to be a key priority for the council and its partners. We recognise that it is only by continuing to work together that we will start to address this problem. Six monthly update reports to Safer PPB.			Six monthly updates to be provided to the Safer PPB on alcohol related health issues.
16	Investigate the possibility of introducing an alcohol free bar in	Mike Andrews.		Mike Andrews to discuss with relevant

	Halton.			partners and to investigate a possible trial at the Select Stadium and report back to the Safer PPB, within the next 6 months
17	The NTE Scrutiny Group recognise that we need to build on the existing partnership approach but we also need to investigate potential ways to get local landlords and businesses on board to bring about change. A possible example is for landlords who are often best placed to identify vulnerable people who regularly drink to excess working with health care teams to help signpost individuals to services where appropriate.	Mike Andrews/Amanda Lewis		
COMMUNITY SAFETY				
18	Whilst members recognise that it cannot be an enforceable condition through licensing, members were keen for establishments to be encouraged to participate in the PubWatch scheme, which is recognised as best practice	Mike Andrews/ Licensing Team		

19	Look to extend the wrist band scheme (used to identify over 18s following age checks) at the Stadium to other establishments	Mike Andrews/ Licensing Team		
20	Continue to promote Arc Angel, which is a national scheme to licensed premises in Halton.	Mike Andrews		Generally establishments in Halton perform over and above the requirements of the Arc Angel standard, so they are performing well.
21	Continue to monitor alcohol related crime through regular reports to the Safer PPB and work together with health services and others to encourage people to drink sensibly.	Mike Andrews		
STREET CLEANSING				
22	The Council is currently exploring the opportunity of a scheme to enforce Fixed Penalty Notices.	Paul Wright		No decision has been made at the time of writing this report
23	Put information in 'In Touch' and 'Inside Halton' re: the amount and cost of litter collection	Paul Wright		
24	Investigate the possibility of working with food establishments in town centres and colour coding packaging	Paul Wright		This would involve the voluntary co-operation from food

	from each business establishment, so that we can identify where litter is from.			establishments and would need to be funded by the premises themselves
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