

Report



Meeting CORPORATE STRATEGY AND CO-ORDINATION SELECT COMMITTEE

Date 21st March 2005

agenda item number

REPORT OF THE CHAIR OF CORPORATE STRATEGY AND CO-ORDINATION SELECT COMMITTEE

TACKLING CRIME AND ANTI-SOCIAL BEHAVIOUR SEMINAR

1. Purpose of report

- 1.1 To inform Members of the information received at the Tackling Crime and Anti-Social Behaviour Seminar held on 10th March.

2. Background

- 2.1 This Committee has been scrutinising the crime statistics for Nottinghamshire and arranged this seminar to disseminate its work to the rest of the Council. The seminar briefed Members on the work of the Crown Prosecution Service, the Magistrates' Courts, the Arson Task Force and the Youth Offending Service with a particular emphasis on anti-social behaviour.

3. Information

- 3.1 **Kate Carty, Chief Crown Prosecutor, Nottinghamshire Crown Prosecution Service** explained that the CPS is bound by the Code for Crown Prosecutors which means that it only brings cases where there is a realistic prospect of conviction (i.e. a better than 50/50 chance of success) and where it is in the public interest to proceed.

- 3.2 Ms Carty stated that the relationship of the CPS with the Police had fundamentally changed since July 2004 in that the CPS no longer merely reviewed evidence provided by the Police post-investigation; instead they now engaged in a 'Prosecution Team' approach, advised on the 'best' possible charges at an early stage and suggested additional lines of enquiry, where necessary.
- 3.3 In addition, the CPS now provide a far greater level of support to complainants and witnesses in court cases by way of their Victim and Witness Units which are resourced to be able to take the time to advise witnesses of the progress of cases towards court rather than merely send out orders requiring witnesses to attend court, as has happened in the past. Ms Carty was confident that better supported witnesses would mean more cases won.
- 3.4 Anti-Social Behaviour Orders: Ms Carty explained that the CPS could apply for an ASBO upon conviction of a defendant where appropriate. The CPS has a joint protocol with key partners in relation to ASBO's. However, ASBO's are not a 'cure-all' – there remains the problem of some young offenders wearing ASBO's as a 'badge of honour.'
- 3.5 **Graham Hooper, Clerk to the Justices, Nottinghamshire Magistrates' Service** outlined how Justices' Clerks make sure that lay Magistrates are properly advised on legal matters and how Magistrates are an independent branch of the judiciary not subject to political influence.
- 3.6 Mr Hooper emphasised how the judicial decisions of Magistrates were only as good as the evidence upon which they were based. The Magistrates' Court system is adversarial, unlike the inquisitorial Magistrates' Courts systems in place in other countries (such as France) which means that Magistrates are not in a position to demand that further evidence is gathered.
- 3.7 Mr Hooper explained that ASBO's are used where an offender has caused harassment, alarm or distress to someone not of the same household. Such orders are injunctive and can therefore only be used to create prohibitions e.g. not to go into a certain area. ASBO's are granted by way of a civil application and therefore are dealt with in the Magistrates' Court. The duration of an ASBO is two years or longer.
- 3.8 Mr Hooper added that there are statutory restrictions on the reporting of youth proceedings. Parties can apply for these to be lifted but not on the basis of 'naming and shaming.' Such applications are only likely to be successful where there is a benefit to alerting the local community.
- 3.9 **Stewart Key, Arson Task Force, Fire and Rescue Service** indicated that the aim of the Task Force is to reduce arson by 10% by 2010. Mr Key emphasised the heavy impact of arson on resources: 83 % of fire appliance

movement is arson related and in financial terms, such as the damage to the Wheldon School, estimated to be in the order of £8.5 million.

- 3.9.1 Mr Key stated that secondary fires (e.g. refuse bin, grass and derelict factory fires) were a tremendous risk to public safety since they tied up and diverted firefighting resources from genuine emergencies.
- 3.9.2 **Karl Phillips, Youth Offending Service Manager** explained that Youth Inclusion Support Programmes sought to divert 8-12 year olds away from further criminal activity. YISP's are currently financed by the Children's Fund and with the support of Crime and Disorder Reduction Partnerships they hope to achieve 100% coverage from April 2005.
- 3.9.3 YISP's seek to facilitate the provision of mainstream services e.g. education which some as young as eight years old are already locked out of. YISP's are a voluntary pre-court system which utilises a holistic approach within a multi-agency framework.
- 3.9.4 Mr Phillips indicated that the YISP service was currently providing support to 250 young people with probably another 25 or 30 in need of support.

4.0 Presentation to Corporate Strategy Select Committee

- 4.1 Unfortunately, due to overrunning the seminar had insufficient time to hear from Chris Walker, Safer Communities Manager. Mr Walker therefore kindly agreed to make a presentation on 'Making our Communities Safer' to Corporate Strategy Select Committee on 21st March.

5.0 Recommendations

It is recommended that:

- 5.1 Members note and comment on the content of the seminar.
- 5.2 Members comment, and ask questions, on the presentation by Chris Walker, Safer Communities Manager.

**COUNCILLOR DARRELL PULK
CHAIR OF CORPORATE STRATEGY AND CO-ORDINATION SELECT
COMMITTEE**

Background Papers: None

