

**Tackling Violence
Action Plan
Implementation
Guidance
2008**

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Introduction

Although serious violence is thankfully a rare event in England and Wales, homicide and serious wounding remain a real worry for the public and feature heavily in the public debate about violent crime. Recently public concern has focussed on knife crime, guns and gangs. That is why the Government has set a key PSA ambition to 'reduce the most serious violence, including tackling serious sexual offences and domestic violence' (PSA 23(1)) and why 49 different local areas have identified Most Serious Violence (MSV) in their local area agreements.

The guidance will support local partnerships in developing targeted responses to the particular violent crime challenges they face within each area. It will provide information on tools, processes and structures to assist frontline practitioners to deliver change on the ground.

The guidance outlines the Government's response to Most Serious Violence (MSV) through both its Public Service Agreement (PSA) commitment to reduce MSV between now and 2013 and through driving forward the actions within the cross-Government Tackling Violence Action Plan .

The work of local partnerships is key to our aim to reduce MSV. The guidance sets out recommended actions for Crime and Disorder Reduction Partnerships (CDRPs) and Community Safety Partnerships (CSPs) to help tackle MSV.

The guidance sets out the key areas where CDRPs/CSPs should consider taking action at a local level:

- Steps to be taken to seek to understand the nature and extent of MSV within the local area through the collection and analysis of data on MSV
- development of an effective action plan for MSV
- Governance and operational structures for local work on MSV
- Arrangements on sharing information on violent crime between agencies
- Public protection arrangements and an exploration of how risk can be effectively identified and managed
- Guidance on how to monitor delivery and assess performance in relation to MSV locally; and finally,
- The guidance will document the breadth of guidance for specific crime types that comprise MSV and associated good practice for those crimes.

Our starting point is that **each area should tailor its approach to address local circumstances**. The guidance is not prescriptive but offers advice in key areas which will support CDRPs/CSPs in developing an effective strategic and tactical approach.

Section 1 – Most Serious Violence: The Context

1.1 Violent Crime

The broad category of 'Violent Crime' comprises a diverse group of offences, ranging from most serious violence, examples of which are homicide, attempted murder, serious wounding; and other violence against the person, examples of which are less serious wounding, threat or conspiracy to murder, harassment, assault without injury. According to the British Crime Survey (BCS), all violent crime has fallen by almost half (48%) since 1995¹.

The BCS shows that the substantial falls in violent crime since 1995 are evident for both violence with injury (57% decrease) and violence with no injury (37% decrease)².

Though the most serious forms of violence against the person constitute around 2% of all recorded violence and 0.3% of all police recorded crime in 2007/08³, it is recognised that they cause significant and disproportionate harm (physically and psychologically), both to victims and communities. They are also a key factor in the public's fear of crime.

According to '*Crime in England and Wales 2007/08 Findings from the British Crime Survey and Police Recorded Crime*', most serious violence against the person is concentrated in a small number of geographical areas. The average rate for England and Wales was 0.3 offences per 1,000 population in 2007/08. A comparison of local authority rates shows that the 21 authorities with rates more than twice the average for England and Wales represent ten per cent of the population but account for 26 per cent of offences of most serious violence against the person.⁴

For current statistics on geographical breakdown of violent crime against the person offences please see *Crime in England and Wales 2007/08: Findings from the British Crime Survey and Police Recorded Crime*, London: Home Office.

<http://www.homeoffice.gov.uk/rds/pdfs08/hosb0708.pdf>

Some forms of serious violence have historically been underreported (e.g. domestic violence and serious sexual offending) and domestic violence is often characterised by high rates of repeat victimisation and escalation in both frequency and severity of abuse. So underreporting would have a significant impact on our understanding.

1.2 Most Serious Violence (MSV)

MSV constitutes a sub-category of violent crime and covers a wide range of offences including:

- **Homicide** (consisting of murder, manslaughter and infanticide);

¹(2008) Kershaw, C. et al *Crime in England and Wales 2007/08: Findings from the British Crime Survey and Police Recorded Crime*, London: Home Office.

²(2008) Kershaw, C. et al *Crime in England and Wales 2007/08: Findings from the British Crime Survey and Police Recorded Crime*, London: Home Office.

³(2008) Kershaw, C. et al *Crime in England and Wales 2007/08: Findings from the British Crime Survey and Police Recorded Crime*, London: Home Office.

⁴(2008) Kershaw, C. et al *Crime in England and Wales 2007/08: Findings from the British Crime Survey and Police Recorded Crime*, London: Home Office.

- **Child Destruction** (a rare offence that involves illegal intentional destruction of a viable unborn child);
- **Wounding or other act endangering life**; Grievous Bodily Harm with Intent, Grievous Bodily Harm *without intent*⁵, Racially or Religiously Aggravated Inflicting Grievous Bodily Harm *with intent* and Racially or Religiously Aggravated Inflicting Grievous Bodily Harm *without intent*;
- **Causing death by driving offences** (Causing Death by Dangerous Driving, Causing Death by Careless Driving when under the influence of drink or drugs, and Causing Death by Careless and Inconsiderate Driving; and, Causing Death by Aggravated Vehicle Taking).

Attempt and conspiracy offences are normally recorded together with the substantive offence and therefore included in the basket of offences for MSV. The exception is murder where attempts and conspiracy are recorded as separate offences. Attempted murder is included within the category of MSV, though conspiracy to murder is not.

MSV can be separated into two broad categories:

- **Public space violence** – violence that primarily takes place in public, frequently by, among or targeted at groups of people.
- **Private or interpersonal space violence** – violence that primarily takes place in private, often within a domestic setting, usually between individuals who have or have had some form of relationship with each other. This includes domestic violence (including honour-based violence, forced marriage and female genital mutilation), a significant proportion of sexual violence and child sex offending, and trafficking for sexual exploitation.

For current statistics on risk of victimisation for specific violent crime types, by personal, household and area characteristics and a breakdown of victim-offender association please see *Crime in England and Wales 2007/08: Findings from the British Crime Survey and Police Recorded Crime*, London: Home Office.

<http://www.homeoffice.gov.uk/rds/pdfs08/hosb0708.pdf>

The break down of most serious violence by Home Office Counting Rules codes can be found at **Annex A**.

1.3 Public Perceptions of Violence

Despite substantial declines in violent offending since the mid-1990s, two-thirds (65%) of people have perceived crime in the country to have increased in the two years prior to 2007/08⁶.

It is therefore very important that this “perception gap” is tackled. The importance of public confidence is at the heart of the Policing Green Paper: *From the Neighbourhood to the National: Policing Our Communities Together* which sets out the Governments expectation that there will be a significant improvement in public

⁵ A separate offence of GBH without intent (offence codes 8F and 8H) was created in April 2008. The Counting Rules for all GBH offences were clarified at the same time, in order to ensure that these offences are recorded accurately and consistently by all police forces.

⁶ (2008) Kershaw, C. et al *Crime in England and Wales 2007/08: Findings from the British Crime Survey and Police Recorded Crime*, London: Home Office.

confidence over the three years from 2008-09. To deliver this, the relationship between the Home Office and the police service is changing and a **new single top-down numerical target** for the police is being introduced.

The new single **target** :

- Replaces all top-down numerical targets on individual forces - to increase public confidence that the police are tackling crime and the other issues that concern communities;
- Will result in a system where delivery of the Government's PSAs on crime and terror, justice and drugs and alcohol will be secured with more local ownership of change, less micro-management and still a focus on crime and criminal justice, but also on public confidence;
- Changes how police performance will be supported and challenged in future so that there is a greater role for local people and police authorities. It will also provide a sharper role for HMIC, who will take from the Home Office the tasks of monitoring force performance on an ongoing basis and initiating corrective action when standards fail to improve.

In order to measure public confidence and monitor performance against the new PSA, a new British Crime Survey question is to be used.

In addition to the new single target on public confidence, the Home Secretary has also introduced the new **Policing Pledge**. More on this can be found at: http://police.homeoffice.gov.uk/publications/police-reform/Policing_Pledge.pdf

Example of Effective Practice

The attached document is an example of a public perceptions survey, conducted in Liverpool. It is an exploration of young people's experience and perceptions of violence in Liverpool's nightlife.

The key objectives of the study were:

To provide a better understanding of the prevalence and characteristics of assaults in Liverpool's nightlife; to examine young people's perceptions of violence in Liverpool's nightlife, including areas most associated with violence; to explore the proportion of nightlife assaults that are not disclosed to police and identify reasons why victims and witnesses do not report such violence to police; to explore injuries and health treatment demands caused by nightlife violence and to develop a tool that can be used to examine these issues in other areas.

<http://www.crimereduction.homeoffice.gov.uk/tvap/tvap002a1.pdf>

Section 2 - The Government's Response

Given the disproportionate impact that serious violence has in relation to the harm experienced by victims and the fear that these types of crime can generate within communities, most serious violence is now the focus of the Government's long term violence strategy. This is reflected in both the Public Service Agreements (PSAs) and in the Government's Tackling Violence Action Plan.

2.1 Public Service Agreements

This focus on seriousness is reflected in the new suite of PSAs.

PSA 23 (Priority 1) which prioritises most serious violence will run from 2008 to 2013. This is because it is likely that only over a longer time period will it be possible to make a true determination of whether the level of these crimes has fallen - with relatively low numbers of crimes, normal random year-on-year fluctuation in levels can hide underlying changes.

- PSA 23 (Priority 1) - Make Communities Safer: Includes a commitment to reducing the prevalence of MSV offences, and prioritising serious sexual offending and domestic violence;

The other PSAs with a focus on serious violence run for the period 2008 to 2011, and include:

- PSA 23 (Priority 3) - Tackle the crime, disorder and antisocial behaviour issues of greatest importance in each locality, increasing public confidence in the local agencies involved in dealing with these issues.
- PSA 23 (Priority 4) - Reduce re-offending through the improved management of offenders
- PSA 24 - Improve the efficiency and effectiveness of the Criminal Justice System (CJS) in bringing offences to justice.

2.2 Baseline and Timescale for PSA 23 (1)

Progress on PSA 23 Priority 1 will be measured through a basket of offences of recorded offences including homicide, child destruction, wounding or other act endangering life and causing death by driving offences. Further details are set out in *PSA Delivery Agreement 23: Make communities safer [October 2007]*⁷

Overall MSV is a low volume crime which can be disproportionately impacted by a single adjustment or event, so we will need to include a consideration of whether any change may have arisen from random year on year variation. We can do this through comparing levels of ordinary fluctuation in historical data.

⁷ http://www.hm-treasury.gov.uk/d/pbr_csr07_psa23.pdf

2.3 Alcohol-related Violence and PSA 23 (1)

It is recognised that grievous bodily harm (GBH), both with and without intent, can be used as a proxy for the prevalence of alcohol related violent crime because success in tackling all types of alcohol-related violence should be manifested through improvements in the number of GBH offences. Progress on the alcohol-related violent crime outcomes sought both through PSA 25 as well as PSA 23 will be measured using this indicator.

Further guidance on tackling alcohol related violence can be found in the Home Office and Dept of Health Alcohol Strategy Local Implementation Toolkit.

2.4 Local Partnership Targets to Deliver PSA 23 (1)

Specific local targets are not directly set out as part of this PSA. However, local areas should take into account the relative level of most serious crime (both in entirety and in terms of individual crime types or themes such as domestic violence) experienced within their locality when considering local priorities.

Serious violence indicators form part of both the Assessments of Policing and Community Safety (APACS) framework and the National Indicator Set (NIS) for Local Government in England which underpins Local Area Agreements (LAAs):

- **APACS** is the Home Office's performance measurement framework for policing and community safety (see published guidance on these indicators⁸).
- The **NIS** is a single set of 198 national indicators that will underpin the performance framework for local authorities and local authority partnerships in England.

MSV Measure	APACS	NIS No.
Serious violent crime rate	SPI5.1 ⁹	NI15
Gun crime rate	SPI5.5	NI29
Knife crime rate	SPI5.6	NI28
Domestic homicide rate	SPI5.4	NI34
Repeat incidents of domestic violence (MARACs)	Placeholder ¹⁰	NI32
Serious sexual offences brought to justice	SPI6.4	
Related Measures		
Assault with less serious injury	SPI5.3	NI20
Serious violent offences brought to justice	SPI6.1	
Prolific and other Priority Offender re-offending	SPI10.1	NI30
Adult re-offending rate	SPI11.1	NI18
Youth re-offending rate	SPI11.2	NI19

Guidance is available on both APACS and the NIS¹¹ indicators

⁸ 'Guidance on SPIs for Policing and Community Safety': http://police.homeoffice.gov.uk/publications/performance-and-measurement/Guidance_On_SPIs_for_APACS08.pdf?view=Binary

⁹ Statutory Performance Indicator

¹⁰ SPI being considered for introduction in 2009/10

¹¹ National Indicators for Local Authorities and Local Authority Partnerships: Handbook of Definitions Annex 1 Indicator Definitions Stronger and Safer Communities': <http://www.communities.gov.uk/documents/localgovernment/pdf/735115.pdf>

Section 3 – The Tackling Violence Action Plan and Expectations of Local Partnerships

3.1 Existing Guidance

For further guidance on partnership working, local practitioners should read:
Delivering Safer Communities: A guide to effective partnership working Guidance for Crime and Disorder Reduction Partnerships and Community Safety Partnerships.

<http://www.crimereduction.homeoffice.gov.uk/partnerships/partnerships001.htm>

3.2 The Tackling Violence Action Plan (TVAP)

To underpin the delivery of PSA 23 (1) the Government published its first Tackling Violence Action Plan: *'Saving Lives, Reducing Harm, Protecting the Public: An Action Plan for Tackling Violence'*¹² in February 2008.

The Tackling Violence Action Plan (TVAP) sets out the Government's strategy over the three years to 2010/11 for prioritising most serious violence by seeking to bring about a number of changes within local communities that involve:

- Working towards reducing the number of homicides, serious wounding, and offences involving weapons.
- Aiming to reduce number of gangs operating in our communities and committing fewer violent offences.
- Equipping agencies to respond to domestic and serious sexual violence more effectively, providing better services for victims.
- Working to bring increasing numbers of serious violent offences, and in particular serious sexual offences, to justice, and to reduce serious re-offending.

A key objective of the Tackling Violence Action Plan (TVAP) is:

'To ensure that local agencies work together to identify those individuals in their communities who are involved or at risk of involvement in violence, either as perpetrators or as victims, and are in a position to respond appropriately and robustly to prevent re-offending'

3.3 Individual Actions for CDRPs/CSPs in TVAP

3.3.1 Information Sharing

Action 26. CDRPs/CSPs to develop mechanisms for sharing personal information between agencies about those involved in or at risk of involvement in violence, as part of core business.

Action 27. CDRPs/CSPs to develop mechanisms to share relevant information about violence between health services and the police, in order to target resources effectively.

¹² <http://www.homeoffice.gov.uk/documents/violent-crime-action-plan-08/>

3.3.2 Multi-agency Approaches for Vulnerable Victims

Action 31. Support CDRPs/CSPs to expand the Multi Agency Risk Assessment Conference (MARAC) approach to cover vulnerable victims of other forms of violence, for example gang related violence and hate crime.

3.3.3 Local Area Agreements

Action 45. Consideration to be given to including relevant improvement targets in Local Area Agreements in those areas that face particular challenges in terms of serious violence.

3.3.4 Developing Local Structures to Respond to MSV

Action 46. CDRPs/CSPs to develop a problem profile for violence that provides a clear picture of the local priorities.

Action 47. CDRPs/CSPs to access and, where appropriate, implement existing good practice with respect to serious violence.

Action 48. CDRPs/CSPs to develop a local action plan for violence which addresses identified local priorities.

Action 51. CDRPs/CSPs to consider establishing a dedicated strategic group for violence. Where appropriate, this should be accompanied by an additional tactical group and the appointment of a dedicated violent crime lead.

3.3.5 Actions by Crime Type

Action 5. Implement good practice in tackling gang-related violence.

Action 49. CDRPs/CSPs to develop appropriate responses to hate crime, guided by a new comprehensive, cross-government hate crime strategy.

Action 50. CDRPs/CSPs to demonstrate to Government Offices for the Regions that they are taking action to reduce the incidence of serious sexual offences, improve their investigation and prosecution, and provide effective victim care and support to minimise harm.

3.4 Summary

An effective CDRP response to serious violence will include:

- identifying, assessing and managing risk,
- supporting victims to reduce harm and bring more offences to justice,
- taking steps to understand the nature and extent of the most serious violence problems they face and
- working together across agencies to develop and drive forward appropriate action to address these.

Section 4 – Understanding the Problem

The Tackling Violence Action Plan outlines specific actions for CDRPs/CSPs to identify whether they have a local problem in relation to most serious violence and, if so, to agree local priorities and action for tackling the problem.

- To develop a problem profile [or a strategic assessment] for violence that provides a clear picture of the local priorities (**Action 46**).

4.1 Existing Guidance

Strategic Assessments - In October 2007, the Home Office published a toolkit on conducting a Strategic Assessment and provided a good practice template guide on the content and structure of a strategic assessment. We recommend that partnerships consult this guidance for further information.

<http://www.crimereduction.homeoffice.gov.uk/regions/Developing%20a%20Strategic%20Assessment.pdf>

<http://www.crimereduction.homeoffice.gov.uk/regions/Example%20A%20-%20SC%20Edits.pdf>

Problem Profiles – The Home office published guidance ‘*Tackling Violent Crime Programme: Guidance for problem profile analysis*’. We recommend that partnerships consult this guidance for further information.

<http://www.crimereduction.homeoffice.gov.uk/tvcp/tvcp02problemprofileguidance.doc>

4.2 What is the difference between a strategic assessment and a problem profile?

4.2.1 Strategic Assessments

A strategic assessment is an overarching assessment of all crime and disorder within an area, within which violence is often assessed and the planned response documented. All CDRPs/CSPs are statutorily required to undertake a strategic assessment that comprises an assessment of the nature and extent of crime, disorder and substance misuse within the local area and the CDRPs/CSPs’ resulting priorities and remedial action.

The statutory framework requires partnerships to include the following components in the strategic assessment:

- **analysis** of the levels and patterns of crime, disorder and substance misuse;
- **changes** in the levels and patterns of crime, disorder and substance misuse since the last strategic assessment;
- **analysis** of why these changes have occurred; and
- **assessment** of the extent to which last year’s plan was implemented.

Though it is acknowledged that strategic assessments will differ between partnerships, it is expected that most CDRPs/CSPs' strategic assessments **will include an assessment of the nature and extent of violent crime locally** or at least check their level of violence on a regular basis and at the very least annually for purposes of strategic assessments.

4.2.2 Problem Profiles

Problem profiles have emerged from policing practice guided by the National Intelligence Model (NIM). NIM is a business model which aims to ensure the effective targeting of resources based on information and intelligence. It is recommended that local CDRPs/CSPs undertake a problem profile of violent crime within their area and plan to review and refresh the profile on a regular basis (i.e. annually with a six monthly refresh).

According to NIM guidance¹³ a problem profile should:

- **Provide** a clear picture of a problem;
- **Show evidence** of information analysis;
- **Make recommendations** based on the analysis; and
- **Enable managers** to justify actions and allocate appropriate resources.

It is suggested that an effective problem profiling should always be asking 'Why?' as well as 'What?' By seeking to understand the reasons for violent crime problems it will encourage a proactive and preventative approach to tackling violent crime.

Recommendation: An assessment of violent crime within the local partnership's area can be either part of the overarching Strategic Assessment or comprise a full Problem Profile. Either approach must demonstrate an in-depth understanding of the nature and extent of violent crime within the area identified through robust analysis of data and a strong evidential basis for the agreed priorities.

4.3 Guidelines for Completing of a Problem Profile

The guidance below is taken from *Tackling Violent Crime Programme: Guidance for problem profile analysis* (the link to this guidance is on page 12).

4.3.1. Aims and Purpose of the Problem Profile

Outline why the problem profile is being prepared, who the target audiences are, and the terms of reference for the problem profile.

¹³ ACPO/Centrex (2007) Practice Advice: Introduction to Intelligence-led Policing
http://www.acpo.police.uk/asp/policies/Data/Intelligence_led_policing_17x08x2007.pdf

4.3.2. Strategic Drivers

The problem profile should be contextualised within the overall strategic framework for crime reduction and should include:

- **Details of how the profile fits** with the CDRPs/CSPs' targets, including Local Area Agreement (LAA) Improvement Targets and any other locally set targets;
- **How planned interventions** will contribute towards these targets;
- **What measures of success** are being used such as overall reductions in serious violence or more crime specific measures e.g. increases in reported domestic violence (with associated decreases in repeat victimisation).

4.3.3. Methodology

The problem profile should include information about the methodological approach to the collection and collation of data including descriptions of data used and justification for the use of certain data sets and proxy data:

- **Details of data sources** (including time periods, definitions used, and populations included);
- An **assessment** of the reliability of the individual data sets utilised and how they can inform the problem profile;
- **Details of what proxy data may be used**, and why, and how it can be interpreted should be included within the problem profile.

4.3.4. Limitations of the Report

The problem profile should include an account of the limitations of the data, for example:

- **Difficulties** with accessing the data;
- **Limitations** due to incomplete or missing data, and the impact this will have on the interpretation of the data and subsequent recommendations; and,
- Any **changes** in counting rules or crime classifications that will affect the results of the analysis.

4.3.5. Data Analysis

The analysis should cover¹⁴:

- Victim and offender profiles, including gender, age, ethnicity, and relationship between victim and offender;
- Details of repeat victimisation and offending;
- Location of offences, including hot spot areas, streets and addresses (for example licensed premises);
- Temporal analysis, including long term trends, 'hot' days and times, and links to events such as football matches or holiday periods;
- Details of alcohol and drug related offences, and use of weapons; and,

¹⁴ Source: Saving Lives. Reducing Harm. Protecting the Public: An action plan for tackling violence 2008-11
<http://www.homeoffice.gov.uk/documents/violent-crime-action-plan-08/>

- Information about the local response to offences, i.e. how many are reported to the police, and of those how many result in convictions.

Recommendation: The data analysis should be supported with commentary and contextual information to make clear linkages between the data and the agreed priorities.

Further guidance on data analysis can be found at [Annex B](#).

4.3.6 Recommendations for Further Action

The resulting recommendations should relate directly to the analysis and understanding of the problem. It should also include learning points and future steps to overcome these problems (e.g. collecting data in a different way, better compliance with flagging etc).

Section 5 – Developing Local Action Plans

A local action plan for serious violence will enable local partnerships to document and monitor progress against their priorities and actions identified through the problem profile.

- CDRPs/CSPs to develop a local action plan for violence which addresses identified local priorities (**Action 48**).

5.1 Existing Guidance

Detailed guidance on effective action planning can be found in the *Guidance for Crime and Disorder Reduction Partnerships*¹⁵. This section makes use of and builds upon that guidance.

<http://www.crimereduction.homeoffice.gov.uk/partnerships/partnerships001.htm>

5.2 Guidelines for Completing a Local Action Plan

It should be noted that the specific structures outlined below are not compulsory but are a guide for areas wishing to develop their response to serious violence.

A local action plan for violence should aim to:

- **Set out** the partnership's expectations in relation to reducing and tackling the most serious violence within its area over an agreed period of time (ideally three years);
- Include details of the **roles and responsibilities** of each partner agency in the delivery of the action plan's priorities;
- Contain **details of the resources** (both capital and revenue resources) that are available to deliver the actions within the plan;
- Document **how performance locally will be measured** and managed to ensure the accountability of all partners involved in tackling serious violence.

Annual revisions of both the problem profile and the plan will ensure that action is responsive to new or emerging priorities.

5.2.1 Community Engagement

It is important that the partnership consider including actions around community engagement; community consultation and also how the activities included in the action plan can be communicated out to the public in a positive and meaningful way. Identifying ways in which the community can be involved in both developing the plan and also in working to deliver the plan would be practical steps towards encouraging community engagement.

¹⁵ Delivering Safer Communities: A guide to effective partnership working
<http://www.crimereduction.homeoffice.gov.uk/partnerships/partnerships001.htm>

Community engagement was the subject of a major review conducted by Louise Casey in 2008.

'*Engaging Communities in Fighting Crime*'¹⁶ published in June 2008, examined how to better engage communities in the fight against crime and raise their confidence in the Criminal Justice System.

The report looked at five broad areas:

1. putting victims, witnesses and other law-abiding citizens first;
2. fighting crime and delivering justice for communities;
3. a new approach to crime statistics;
4. the citizen's role in tackling crime; and
5. freedoms and accountability.

It made a number of recommendations which seek to improve the ways that crime fighting agencies and the public work together to reduce crime and it made it clear that action should be taken to put the public and their interests at the heart of the services responsible for tackling crime and delivery justice.

5.2.2. Mitigating Risk within the Plan

It is good practice to include a **risk register or risk log** within the action plan. This should include the internal and external risks that may impact upon the delivery of the plan. Details that could usefully be included are:

- the **assessed severity** of the risk,
- the **likelihood** of the risk occurring,
- **who owns** the risk,
- **what action** is being taken to mitigate those risks and
- **who is leading** on such action.

5.2.3. Definitional Issues in Relation to Violence

Careful thought needs to be given to the definitions used within the action plan. Partnerships must ensure that all agencies who 'own' the action plan agree on definitions used. Certain crime types, for example sexual violence and hate crime are statutorily defined and are embedded within Home Office Counting Rules for recorded crime. However there are some forms of violent crime that do have more than one definition.

The Government and ACPO definition of domestic violence/abuse and a definition of gangs can be found at **Annex C**.

5.2.4. Links to Other Plans and Mapping Dependencies

Any action plan for violence should link to other related local plans and strategies to ensure that dependencies are mapped, including:

- Local alcohol strategies – the Home Office and Dept of Health Alcohol strategy local implementation toolkit recommends that a joint enforcement strategy for alcohol related crime should be covered in the alcohol strategy.

¹⁶ <http://www.cabinetoffice.gov.uk/crime.aspx>

- **Local Criminal Justice Boards plans** which include commitments to increase the number of serious violent and serious sexual offenders to justice;
- **Anti-Social Behaviour**
- **Reducing re-offending** – Further guidance on reducing re-offending and local engagement can be found at **Annex D**

Recommendation: Action to tackle violence can be included in the broader crime reduction action plan, but will need to be sufficiently detailed (including individual actions) and accompanied by SMART objectives, resource information and allocated leads. This will ensure all information needed by Government Offices and auditors are located within one place.

5.2.5. Governance of the Action Plan

The action plan needs to be linked into the overarching governance structure for CDRPs/CSPs to ensure it is fully supported, resourced and monitored.

Recommendation: If violent crime is a priority within the partnership area, it is recommended that progress on the violence action plan is a standing item on the CDRP strategic governance board agenda. This will seek to ensure accountability and give further impetus to action owners to complete their actions within the agreed timescales given.

Effective practice examples:

The linked document below is an example of a three year Violent Crime Action Plan from Blackpool.

<http://www.crimereduction.homeoffice.gov.uk/tvap/tvap002a2.pdf>

The linked document below is an example of a Violent Crime Action Plan from St Helens.

<http://www.crimereduction.homeoffice.gov.uk/tvap/tvap002a3.pdf>

Section 6 – Dedicated Violence Groups and Leads

- The Action Plan asked CDRPs/CSPs to consider establishing a dedicated strategic group¹⁷ for violence. Where appropriate, this should be accompanied by an additional tactical¹⁸, or operational, group and the appointment of a dedicated violent crime lead, or coordinator (**Action 51**).

It should be noted that different areas will have different titles for their violence groups, and the terms ‘strategic group’, ‘tactical group’ and ‘dedicated violence lead’ are suggested only as a guide. The resources allocated will clearly need to reflect local circumstances.

6.1 Guidelines for Structure of Strategic Group and Tactical Group

Outlined here are guidelines for suggested structures for various groups to tackle violent crime. They are not intended to replace existing strategic and tactical groups, if they are assessed as effective in both representation and foci, but as a guide for areas wishing to set up such groups or evaluate their existing structures.

6.1.1 Strategic Group

A strategic group for violence should be able to agree local priorities in relation to serious violent crime. It should comprise a group of authoritative members at a sufficiently senior level to be able to agree priorities and resources on behalf of their organisation.

The group should comprise a broad range of agencies across the local area, including both statutory and voluntary agencies and should be linked to the local crime and criminal justice partnerships (CDRP/CSP and LCJB).

A strategic group for violence may wish to consider the following functions:

- **Commissioning of problem profiling work** and agreeing local priorities as a result of the findings;
- **Providing governance and performance managing** actions to tackle serious violent crime;
- **Evaluating progress** and resolving implementation issues;
- **Identifying and influencing** the necessary resources required to tackle serious violent crime; and,
- **Effectively planning** for the future by creating sustainability and succession planning.

Representatives on the strategic group should be in a position to make high level decisions at meetings and commit their agency and/or resources to a proposed course of action.

¹⁷ These groups could operate under a number of titles: strategic group; steering group etc depending on local preferences however the core functions of such a group would remain the same.

¹⁸ As with the strategic group, these groups could operate under a number of titles: tactical group; operational group; action group etc depending on local preferences however, the core functions of such a group would remain the same.

6.1.2 Tactical Group

This group should consist of the key operational people as members would be responsible for implementing actions to tackle violent crime at a local level.

A strategic group for violence may wish to consider the following functions

- **Ensure the implementation** and delivery of an action plan to tackle violent crime
- **Be responsive to problems** as they occur and on a day-to-day basis.
- This group should **refer issues up** to the strategic group for resolution if required.

6.1.3 Summary

CDRPs/CSPs should establish a dedicated violent crime group, and depending upon the size of the CDRP either a Strategic group or Tactical group. It is considered best practice that at least one group is established, which can act as the co-ordinating body to meet the provisions of the TVAP.

It is a decision for each CDRP as to whether they establish these groups thematically or geographically, but most CDRPs/CSPs with dedicated violent crime groups have formed thematic groups as they already have established groups based on other crime themes, for example burglary or anti social behaviour.

6.2 Suggested Levels of Representation at Strategic and Tactical Group Level

Agency (and examples of their contribution)	Strategic group ¹⁹	Tactical group
Police (Access to a menu of tactical enforcement options; information and intelligence of risks posed by violent offenders or potentially violent offenders within the community)	Chief Superintendent/BCU Commander	Superintendent /Detective Chief Inspector or Chief Inspector with an operational remit (Ops ²⁰)
Local Authority (Links to relevant departments in the LA i.e. housing, education, environmental services etc)	Head of Community Safety	Community Safety Manager
Health (Identification of victims of violent offending who may not have reported the incident to the police)	PCT Chief Executive	
Probation (Information and intelligence on risks posed by violent offenders both those within the prison estate and being managed within the community)	Chief Probation Officer	Senior Probation Officer
Prisons (Information and intelligence on risks posed by violent offenders while in the prison estate and	Governor grade with partnerships portfolio	

¹⁹ A guide to the seniority of representation

²⁰ Operational

establishing links with partnerships where prisoners will be located upon release)		
Voluntary and Community Sector (Advocacy and specialist support services / represents the victims' views ²¹)	Service managers	Service deliverers/ practitioners
Crown Prosecution Service (Specialist prosecutors for victims of certain violent crimes and participation in Specialist Domestic Violence Courts. Can also feed into joint police/CPS training on violent crime issues such as domestic violence)	Chief Crown Prosecutor	
Her Majesty's Courts Service (Can seek to make court processes and court buildings more sensitised to vulnerable victims e.g. through the development of Specialist Domestic Violence Courts)	Area Manager or Justice's Clerk	
Youth Offending Team (Working with probation to ensure a that the particular risks posed by perpetrators and faced by victims are shared where appropriate)	YOT Manager	Service deliverers/ practitioners
Drug and alcohol services (Exploring how substance misuse services could be sensitised to victims and perpetrators of violent offending)	DAT Manager	Service deliverers/ practitioners
Fire And Rescue Service Assisting in organisation of multi agency visits to Licensed premises	Fire Service Station Officer	
Planning & Highways: Assisting in the "planning out" of violent crime in town and city centres based on "safe corridors" within city centres Assisting in the closure of certain highways that have an impact on reducing violence	Principal Planning officer Principal Highways officer	

Examples of other members (or those who could be represented as required) for either group, could include:

- Local residents;
- Community Groups;
- Independent Advisory Group members;
- Local businesses;
- Licensed Victuallers Association (representing publicans); and,
- Fire, rescue and ambulance services.

²¹ For violent crime, which often has such a grievous effect upon victims, the voice of the victim, and those directly supporting them, is a vital aspect in both the strategic steering and operational groups.

Recommendation: A mapping exercise of both the membership and foci of existing strategic and tactical violence and crime-related groups is recommended to a) minimise duplication; b) ensure the most effective structure is in place attended by the correct level of representation from each agency, and c) identify common themes arising across each group (i.e. information sharing) which may require a combined approach.

6.3 Governance

All violence groups should consider meeting regularly. As a guide, steering, or strategic groups should meet on a quarterly basis, with tactical or operational groups meeting at least monthly. The meetings should have a clear accountable structure (for example, including minutes of agreed actions) and actions should be completed promptly and their completion accounted for.

More frequent tasking meetings on violence issues should also be considered to provide a prompt response to emerging issues. These could be combined with the Police Basic Command Unit's daily tasking.

6.4 Dedicated Violence Lead

Where appropriate, a dedicated violence lead could coordinate both the steering arrangements of the strategic lead group and the activities of the tactical or operational group that would be implementing the activities detailed in the local action plan.

As a guide, the specific functions of a dedicated violence lead would be to:

- **ensure effective strategic and operational arrangements** are in place to oversee and progress action on violent crime and to ensure that these two groups are linked;
- **ensure that local protocols for information sharing** between agencies are developed and maintained;
- **organise systems for administration** of both groups, e.g. regular minutes and follow up actions;
- **arrange for the provision and analysis of local quantitative and qualitative data** to ensure that work is evidence driven and outcome focused; and,
- **link with Government Offices** to ensure that national initiatives and support are effectively disseminated locally (most GOs already have designated leads on serious violence).

The success of previous violence related work programmes have depended on the work of dedicated groups and leads. A key finding from a recent review of the first 23 Specialist Domestic Violence Courts²² (SDVCs) identified the need for a dedicated role to coordinate the work of agencies within the SDVC system alongside steering and operational arrangements to performance manage work locally and to ensure roles and responsibilities are identified, agreed and shared.

²² HMCS, Home Office, CPS (2008) Justice with Safety: Specialist Domestic Violence Courts Review 2007-08
<http://www.crimereduction.homeoffice.gov.uk/dv/dv018a.pdf>

Consideration could be given here to promoting sustainable business processes to ensure that the work of the partnership is not adversely affected by factors such as key staff leaving.

Recommendation: There may be scope for the pooling of partnership resources to support a Dedicated Violence post. This has occurred in some areas where an SDVC Co-ordinator has been resourced by a multi-agency approach

6.5 Engaging with partners

Agency	Examples of benefits
Police Force	The Police may be able to have access to a wider breadth of information and intelligence concerning victims and perpetrators of violence. In particular that more detailed information that specialist support services are often able to elicit from victims of inter-personal violence.
Local Authority	Local Authorities may be able to access evidence for more effective delivery i.e. housing services may benefit from partners sharing information about abuse being perpetrated within their housing stock.
Health and mental health	Health services may benefit from effective interventions to reduce violent crime through the positive impact a reduction in injuries resulting from violent crime will have upon A&E admissions and other health services
Probation and prisons	Offender managers may be able to access information from a wider range of sources on changes in the behaviour or circumstances of the offenders they manage
Voluntary and Community Sector (VCS)	The VCS will have a greater opportunity to influence strategic direction and to ensure the voice of the victim is present in discussions concerning the focus of work to reduce violence
Crown Prosecution Service	Interventions such as the Specialist Domestic Violence Court model, will enable the CPS to have access to better information about the particular vulnerabilities of victims and the risks posed by perpetrators as cases progress through the criminal justice process
Her Majesty's Courts Service	As for the CPS, interventions such as the SDVCs, will enable the judiciary to have access to better information about the particular vulnerabilities of victims and the risks posed by perpetrators to encourage them to make decisions based on safety and risk considerations

Drug and alcohol services	Drug and alcohol services may benefit from the identification by other agencies of the more 'hidden' or hard to reach substance misusers.
Fire & Rescue Services	Can assist in setting up of multi agency visits to licensed premises.
Planning and Highways	Planning depts can determine the design and layout of town and city centres which will have an impact on reducing the likelihood of violent crime. Likewise Highways sections can close roads in city centres to assist in controlling large numbers of people.
Data Analyst	Can define "hotspots" of violence based on geographical areas. Can also plot trends of violence based on times and certain dates.

Section 7 - Information sharing

The Action Plan contained actions for CDRPs/CSPs to develop mechanisms for:

- **Sharing personal information** between agencies about those involved in or at risk of involvement in violence, as part of core business (**Action 26**); and,
- **Sharing relevant depersonalised information** about violence between health services and the police, in order to target resources effectively (**Action 27**).

The Home Office reform document 'Rebalancing the Criminal Justice System', published in July 2006, states:

'We must do all we can to ensure we prevent serious violent crimes from occurring in the first place. We will ask our agencies to work in much closer partnership to prevent violent crime, and in particular to share information and intelligence'.

The benefits of Information sharing include:

- to enable the early identification of the risk posed by violent people who may be known to one agency or another, but not necessarily more widely, and not necessarily to the police;
- to increase public agencies' ability to protect the public. Where individual agencies do not have access to the information held about an individual by other agencies they are not able to accurately assess and manage the risk posed; and,
- to facilitate proactive multi-agency information sharing for the prevention of serious violence, can significantly improve public protection and intervene at an early stage to help prevent individuals becoming victims or perpetrators of such crimes.

7.1 Information Sharing: Scope of this Guidance

This guidance is intended to cover the processes and controls involved in the sharing of **personalised information between local agencies**, in order to identify and assess the risk of individuals becoming perpetrators or victims of violence. This is a highly complex area and the scope is very difficult to define – this guidance is intended to be pragmatic and is intended to take account of, but not duplicate, any pre-existing guidance on established models and processes, such as existing processes for sharing depersonalised information collected in Primary Care Trust Accident and Emergency departments. The sharing of depersonalised data in line with the Crime and Disorder (Prescribed Information) Regulations 2007 is covered by existing guidance in the 'Assess' section on p50.

http://www.crimereduction.homeoffice.gov.uk/guidance_for_effective_partnerships.pdf

Work on data sharing is currently being developed particularly through the Tackling Knives Action Programme. The Department of Health included their commitment in the NHS Operating Framework December 2008, where they stated:

'PCTs will work with CDRPs/CSPs to identify and effectively share information to support action on reducing violent crime, especially knife crime. This will include, wherever possible by March 2009, having local arrangements in place for collecting and sharing with police depersonalised A&E data on victims of violent assault in the nine Tackling Knives Action Programme (TKAP) areas in England.

There are plans in place to produce a toolkit of protocols and guidance²³ that can be used by local practitioners to share depersonalised information and to create a virtual support network for implementers in respect of data sharing between A&E Departments and CDRPs/CSPs.

7.2 Existing Guidance

This section should be read in conjunction with the Government guidance *Information Sharing: Guidance for practitioners and managers*.

<http://publications.teachernet.gov.uk/eOrderingDownload/00807-2008BKT-EN.pdf>

Alongside that document the following documents have been published:

- *Information Sharing: Pocket guide* containing a summary of the key decision making considerations from this document;
- *Information Sharing: Case examples* which illustrate best practice in information sharing situations;
- *Information Sharing: Training materials* available for local agency and multi-agency training, and for use by training providers; and
- *Information Sharing: Further guidance on legal issues*, summarising the laws affecting information sharing.

These documents were published in October 2008 by the Department for Children, Schools and Families and Communities and Local Government and are available at www.everychildmatters.gov.uk/informationsharing. The guidance supersedes the HM Government information sharing guidance published in April 2006.

This section is intended to supplement the existing guidance.

7.3 Information Sharing: Context of this Guidance

7.3.1 Review of Criminality Information

The Review of Criminality Information by Sir Ian Magee, published in July 2008, provides helpful context for this guidance. It makes the point that the landscape is vast, has numerous players and a complex maze of overlapping arrangements. It introduces the helpful concept of the **public protection network**, the collection of many organisations that need a common understanding of, a common approach to sharing of, and an agreed agenda for improvement in the management of, criminality information.

The Review gives a couple of definitions that we propose to adopt here:

²³ This is scheduled to be available late spring 2009

- **Public protection** is the safeguarding from harm of our communities and individuals within them.
- **Criminality information** is any information that is, or may be, relevant to the prevention, investigation, prosecution, or penalising of crime.

Recommendation 28 of the Review is that: where information sharing is both necessary and proportionate to support effective public protection, arrangements should be systematic, proactive and accountability clear.

It is worth pointing out here that although the focus of this guidance is multi-agency partnership working and information sharing, the Review suggests that much can be achieved with a focus on information management **within** individual organisations and that many improvements could be achieved with adherence to existing systems and processes.

The premise here is that public agencies will have access to valuable information about people at risk of becoming either perpetrators or victims of serious violence. Professionals should obviously alert police or other relevant authorities if they have good reason to believe an act of serious violence is about to be committed.

But this requirement goes beyond that. When an agency becomes sufficiently concerned about an individual whom they suspect may pose a risk of serious harm, they must consider sharing this information and a system should be in place to assess the risk and ensure appropriate action is taken to address that risk.

7.4 The Financial Case for Sharing Information

Information sharing arrangements have the potential to drive economies of both scale and finance.

There are numerous benefits to pursuing this work in terms of doing all that we can by working more closely together, to prevent serious violence, but there is also a significant financial case behind this proposal. Assuming there are, on average, 760 homicides per year and the average and social cost of each of these is £1.46m, the total annual cost of homicide is £1,110m.

Research by Surrey Police indicates that it could be reasonably assumed that one in ten homicides could be prevented by the processes set out in this guidance. This would mean a **quantifiable financial saving of £111m per year**. In addition, there will be savings to the criminal justice system and to health services from reduced incidence of lower level repeat offending.

This is the potential saving from examining one crime type, homicide where numbers are relatively small. We believe the approach can be extrapolated with other areas to produce similar efficiencies.

7.5 Partners involved in Sharing Information

- CDRP responsible authorities: Police; Local Authorities (incl. Social services, Education, and Housing), Health, Fire & rescue
- NOMS agencies
- YOTs
- voluntary organisations / charities

And there may be others – there is no prescriptive list.

In addition to the agencies involved, the community itself is a source of information. There needs to be a way to capture, assess and share intelligence.

For details of existing arrangements on information sharing in the public protection / community safety environment please [see Section 8.6](#).

7.5.1 Is there one way to share information?

No – it is up to every partnership to find a way that works for it. Many factors will vary: demographic factors, crime levels, existing partnership arrangements. Some may wish to expand existing MAPPA and/or MARAC arrangement, others to set up a new group, or one each for victims and perpetrators.

What this guidance attempts to offer is sufficient advice on models and protocols so that a suitable structure may be set up in each area to suit its own needs and circumstances. A process for managing risk may be through an existing group; the meetings may be any frequency; there may be 'virtual' meetings; the process may or may not have a dedicated administrator and so on. The point is that it must work for the partnership.

7.6 The legal position

Confusion about the seemingly complex legal requirements can cause doubts about sharing information. This can cause concern about getting it wrong. There is no single law that governs information sharing - there is a legislative and common legal framework of gateways and protections. While it is not possible to provide a comprehensive guide to the law here, it is possible to set out the position so it is clear that the sharing of information will almost always be lawful in the kinds of circumstances we are discussing here. We can make the framework work with us, not against us.

That said a statutory duty to share information will not in itself improve the way an organisation uses the information it holds and manages risk. There is an argument, therefore, that ensuring risk identification and management arrangements within individual organisations are working effectively should be the first priority.

7.6.1 Four questions to ask before sharing information

There are **four** questions to which the answer must be 'yes' in order for the sharing of relevant information to be legally sound:

1) Do you have a legal power to share information?

Section 115 Crime and Disorder Act 1998 provides a permissive gateway for data sharing. It gives anyone the power to disclose information to specific local agencies, where that disclosure is necessary or expedient for the purposes of a provision of the Act, including the prevention of crime and disorder.

This Act has subsequently been amended by Schedule 9 to the Police and Justice Act 2006 which creates a duty to share information with the appropriate CDRP agency where it is relevant to the reduction of crime and disorder but there is a specific qualification to this duty that there is no statutory requirement to share personalised information.

2) Are you in compliance with Article 8 of the European Convention on Human Rights and the Human Rights Act 1998?

The duty must be compatible with the Human Rights Act 1998 / ECHR. In particular, we must ensure that any duty would not infringe Article 8 of the European Convention on Human Rights - the right to privacy. (Article 8 includes respect for private and family life, home and correspondence.) Therefore the interference with a person's Article 8 rights must be necessary and proportionate for the purposes of public safety/prevention of crime – it must be in accordance with the law and necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, the protection of health or morals, or the protection of the rights and freedoms of others.

3) Are you in compliance with the common law duty of confidentiality?

Information may not lawfully be disclosed in certain circumstances of confidentiality unless certain exemptions apply – the key exemption for us which will apply in our kinds of circumstances is 'overriding public interest'

4. Are you in compliance with the Data Protection Act 1998?

The Data Protection Act 1998 is the key piece of legislation which regulates the processing of information, and the term 'processing' encompasses the disclosure of information to a third party. The Act must be complied with. Detailed information on compliance with the Act may be found in 'Public Sector Data Sharing – Guidance on the Law' (<http://www.foi.gov.uk/sharing/toolkit/lawguide.htm>)The most relevant points here are the first data protection principle – that data must be fairly and lawfully processed. In order for compliance with the first principle to be established, at least one condition from schedules 2 or 3 must be satisfied – these concern personal / sensitive personal data respectively. This will almost always be the case in the circumstances we are discussing because of the 'administration of justice' conditions in the schedules.

Is there any problem with the legality of sharing information?

Provided the conditions above are satisfied it is very unlikely that there will be a problem. Issues may exceptionally arise, such as where information cannot be evidenced e.g. where an informant cannot be identified.

7.7 The Process

Information sharing must be reasonable and proportionate. The initial control in the process should be some form of risk assessment within each agency. This should be carried out whenever an individual becomes known to that agency and is thought to possibly presenting a risk of serious violence, either as victim or perpetrator. As part of the process partnerships must consider how they will enforce whatever agreement they have in place, in whatever form it takes.

7.7.1 What needs to be in place?

First and foremost a commitment by the agencies concerned to share information in order to prevent serious violence, and then a clearly understood process to support that commitment. And whatever those processes, there is no substitute for professional judgment.

Code of Practice

The standard form of documentation would be a **Code of Practice** to establish the organisational approach to and practice of information sharing and management. It would normally apply to a single organisation but could also be used at CDRP level. A 'code' should outline the principles and standards of expected conduct and practice of the organisation and its staff. The form this will take will be determined by what already exists within the organisation – existing codes should be used and adapted as far as possible.

The code will normally seek to ensure there are steps in place to:

- process data fairly and lawfully;
- make a business case for sharing;
- take the necessary steps within the organisation to ensure data shall be adequate and relevant to the purpose of sharing information and that no further information than is necessary to achieve the purpose will be shared;
- ensure data is kept up to date and is not kept for longer than is necessary; and
- outline the organisations technical and administrative approach to data handling and sharing.

The Code of Practice should not be treated as an agreement in relation to a particular data sharing activity. Rather, it is a code and agreed level of standards for the organisation to uphold to in their day-to-day business. It shows a public commitment to management of personal information and can allow an organisation to briefly set out its policy and obligations to establishing and maintaining good practices on information sharing. It should be easy to understand and easy to use.

It can also be a useful tool to enhance transparency by communicating to other organisations, bodies and to the public, how the organisation approaches the issue of data sharing and their own standards, expectations and principles at a strategic level. It sets out expectations of engagement and can be used as a reference point.

For further guidance on producing a Code of Practice or Information Sharing Protocol (ISP) see **Annex E**.

Effective Practice Example

An example of how an effective structure can support good information sharing processes and the importance of information sharing in delivering positive outcomes can be found at **Page 42** of the Home Office guidance: *Delivering Safer Communities: A guide to effective partnership working. Guidance for Crime and Disorder Reduction Partnerships and Community Safety Partnerships*

http://www.crimereduction.homeoffice.gov.uk/guidance_for_effective_partnerships.pdf

Section 8 - Risk Identification, Assessment and Management

To reflect the importance the Government has placed on protecting the public, the Tackling Violence Action Plan includes a number of national commitments in relation to risk assessment and risk management.

The Government aims to:

- Strengthen arrangements for managing proactively those individuals who are identified as being at risk of committing serious violence (**Action 29**);
- Roll out Multi-Agency Risk Assessment Conferences (MARACs) to ensure that they are available with respect to all domestic violence victims by 2011 (**Action 19**);
- Support partnerships to expand the MARAC approach to cover vulnerable victims of other forms of violence, for example gang related violence and hate crime, by 2011 (**Action 31**).

8.1 Existing Guidance

This section should be read in conjunction with the National Policing Improvement Agency's guidance on *Protecting the Public: Managing Sexual Offenders and Violent Offenders*²⁴ and other risk focused guidance associated with particular violent crime types²⁵. This section is not intended to duplicate or supersede the guidance but to ensure the good practice it represents is shared with other local partners engaged in work related to public protection.

http://www.acpo.police.uk/asp/policies/Data/Domestic_Abuse_2008.pdf

8.2 Risk Factors

The relatively uncommon nature of sexual and violent offending creates difficulties in identifying patterns and commonalities and makes future prediction of risk particularly challenging.

Risk factors can be defined as:

*'Factors that increase the risk of occurrence of the onset, frequency, persistence, or duration of offending'*²⁶

It is important to be aware that risk factors can either be:

- **Static** – which largely relate to the suspect's previous behaviour, personal circumstances and offending history; or,
- **Dynamic** – relating to the suspect's personal circumstances and behaviour.

Examples of static and dynamic risk factors can be found at **Annex F**.

²⁴ Copies of the guidance can be obtained from the NPIA Specialist Operations Centre, email: soc@npia.pnn.police.uk

²⁵ http://www.acpo.police.uk/asp/policies/Data/Domestic_Abuse_2008.pdf

²⁶ Farrington, D. (2007) 'Childhood risk factors and risk-focused prevention' in Maguire, M., Morgan, R., and Reiner, R. (Eds.) *The Oxford Handbook of Criminology*, Fourth Edition, Oxford: Oxford University Press.

It should be noted that dynamic risk factors can rise as well as fall and can change rapidly. Thus, it is important to ensure that any risk assessments are regularly reviewed, in particular when new information is disclosed or when circumstances change.

There is some agreement on what constitutes the economic and social risk factors associated with more routine (and non-violent) offending including employment status and income; drug use; peer involvement in such offending; and incarceration for early offending²⁷. However, risk factors that have historically been associated with violent offending, for example mental disorder, are less well established.

8.2.1 Risk Factors and Domestic Violence

Though it must be emphasised that there is no scientific 'predictive formula' for identifying future harm, there are established domestic violence related risk factors associated with serious harm and homicide²⁸ that cover both the behaviour and circumstances of the suspect and the victim's circumstances. Account should also be taken of the victim's own perceptions of their safety.

The ACPO Guidance on Investigating Domestic Violence²⁹ outlines these risk factors and, routine and ongoing, risk assessment is an essential procedure for any agency coming into contact with victims of domestic violence/abuse (see 'Risk Assessment' below).

8.3 Risk Identification

Attempts to predict future risks posed by individuals have been largely based on one of two approaches:

- **Clinical** prediction where a professional judgement is made through interview and observational techniques; and,
- **Actuarial** risk assessment, or statistical predictions, based on similarities between an individual and groups of offenders, or between individual's behaviour and that behaviour of known previous offenders.

Both approaches have strengths and limitations and use joint risk assessment tools. Hybrid approaches, for example applying specialist judgement (which seeks to understand the context and drivers of risk) while at the same time applying a level of statistical rigour can enhance the predictive ability of the resultant tool.

8.3.1 Issues to Consider in Risk Identification

When carrying out a risk identification process, there are a number of issues to be aware of:

- Offenders, and potential offenders, are not a homogenous group. A range of risk assessment tools is required with the most appropriate tool being matched to both the offence and to the offender.
- Serious violence can be committed by individuals with a previous history or by those without any previous contact with the criminal justice system. There is a need to avoid stereotyping the 'violent offender'.

²⁷ Hudson, B. (2003) *Justice in the Risk Society*, London: Sage.

²⁸ ACPO Guidance on Identifying, Assessing and Managing Risk in the Context of Policing Domestic Violence

²⁹ http://www.acpo.police.uk/asp/policies/Data/Domestic_Abuse_2008.pdf

- People are often more at risk of violence in their own home from people they know than in public spaces from strangers. Deliberations about the allocation resources to risk should take account of this.
- Specific attention should be made to patterns of escalation and repetition in relation to risk, in particular in relation to domestic violence cases.

Regular risk assessments need to be thorough to ensure risk is neither over nor under-estimated.

8.4 Risk Assessment Tools

According to HMIC³⁰, risk assessment can be interpreted as the process of establishing:

- the **likelihood** of a behaviour or event occurring;
- the **frequency** with which it may occur;
- whom it will or may **affect**; and,
- the **extent** to which the behaviour will cause harm.

There is a range of risk assessment tools in place. The three main, accredited, tools used by the Police, Probation and the Prison Service are:

- **Offender Assessment System (OASys)** is a national standardised risk assessment tool used by the prison and probation services for all offenders.
- **Asset** is designed for people under the age of 18 and therefore used primarily by Youth offending Teams.
- **Risk Matrix 2000** is primarily for use with sex offenders.

There are also other specialist risk assessment tools relevant for specific offending behaviours, for example domestic violence. ACPO have been working with the domestic violence sector to develop a common risk indicator checklist for domestic violence, which incorporates risks linked to extended family violence including honour based violence and stalking.

8.5 Doing a risk assessment

It is recommended that all front-line personnel within public services and within those organisations where work links with public protection, are able to understand and identify risk. However, it is recommended that the assessment of risk and the allocation of a threshold level for risk (e.g. low, medium, high, very high), should be undertaken by specialist and trained personnel. Frontline personnel will therefore need to understand the triggers and paths for escalation of an identified risk.

It is crucial to effective risk identification and management to equip all those who come into contact with potential individuals of risk, with a clear and easy to follow referral process. If the risk is not referred it can get lost and that is a risk in itself.

³⁰ (2008) Her Majesty's Inspectorate of Constabulary – protecting vulnerable people, London: Home Office.

8.6 Existing Arrangements for Assessing Risk

8.6.1 Multi-Agency Public Protection Arrangements (MAPPA)

Existing Guidance on MAPPA and risk identification can be found at:

http://www.mappaleics.org.uk/images/mappa_guidance_2007_v2.0.pdf

MAPPA is the term that describes the statutory arrangements introduced nationally in 2001 to manage serious sexual and violent offenders, with the aim to protect the public and reduce the risk of re-offending. The arrangements bring together the Police, Probation and Prison Services into what is known as the MAPPA “Responsible Authority” (RA). The process is owned by the Ministry of Justice.

The RA is responsible for ensuring that effective MAPP arrangements are in place in their area and also bring together those agencies who are under a duty to co-operate with the RA, namely social services, housing employment, Youth Offending Team, health including mental health, electronic monitoring providers and victim services.

The key criterion for entry to MAPPA is a relevant conviction. Statutory guidance³¹ for the operation of MAPPA details the criteria under which offenders should be included in the arrangements. A summary is provided below:

- Offenders sentenced to custody for 12 months or more for a violent offence;
- Offenders sentenced to a hospital order with restrictions;
- Offenders who have committed a sexual offence who are required to comply with the notification procedures under the Sexual Offences Act 2003; and,
- Offenders who have a relevant offence or caution whom the RA has identified as presenting a serious risk of harm to others.

The cases will be screened and those requiring active multi-agency management will be referred to a MAPPA meeting.

Effective practice example

Within one police area, a pan-city gangs MAPPA has been established (spanning a number of local MAPPA areas) bringing together police and probation members of a multi-agency gangs unit, specialist counselling and mentoring services and other pan-city MAPPA agencies to share information and provide an effective and multi-agency response to the very specific risks posed and faced by gang nominals.

This monthly meeting is preceded by a Shared Priorities Forum meeting (using the Prolific and Other Priority Offender framework) where information is shared and risk management plans developed for gang nominals who do not fit the MAPPA criteria.

³¹ www.probation.homeoffice.gov.uk/output/page30.asp

Effective practice example

Within one area, a centralised 'MAPPA Support Unit' consisting of both police and probation staff, provides advice and coordination for local MAPPA areas. Advice on risk thresholds ensures a more consistent approach to risk across the area and this specialist team takes on the management of the more complex MAPPA cases.

8.6.2 Definitions of Levels of Risks within MAPPA

The categorisation of risk levels for MAPPA offenders is as follows

- **Low** – there are no significant, current indicators of risk of harm.
- **Medium** – there are identifiable indicators of risk of harm. The offender has the potential to cause harm but is unlikely to do so unless there is a change in circumstances – for example, failure to take medication, loss of accommodation, relationship breakdown, or drug or alcohol misuse.
- **High** – there are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.
- **Very high** – there is an imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious.

8.6.3 Multi-Agency Risk Assessment Conferences (MARAC)

The aim of the MARAC is to reduce repeat victimisation of identified high-risk victims of domestic violence³² by bringing together key agencies likely to come into contact with victims of domestic violence, and enables them to share information in order to obtain a full picture of victims' situations.

MARACs construct jointly and implement a risk management plan that provides professional support to all those at risk and that reduces the risk of harm.

Existing Guidance

MARAC Implementation Guidance is available from: info@caada.org.uk
MARAC Toolkits for agencies is available at: www.caada.org.uk/index.html

8.6.4 Local Safeguarding Children's Boards (LSCB)

The Children Act 2004 requires each Local Authority to establish a Local Safeguarding Children Board (LSCB), which is the key statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do.

The work of LSCBs is part of the wider context of children's trust arrangements that aim to improve the overall well being (i.e. the five Every Child Matters outcomes) of all children in the local area - whilst the work of LSCBs contributes to the wider goals of improving the well being of all children, it has a particular focus on aspects of the 'staying safe'.

³² As indicated through the use of a risk indicator checklist. See http://www.caada.org.uk/library_resources.html for a copy of CAADA's recommended MARAC risk indicator checklist

The LSCB will not in general be an operational body or one that delivers services to children, young people and their families. Its role is co-ordinating and ensuring the effectiveness of what its member organisations do, and contributing to broader planning, commissioning and delivery. It may however take on certain operational and delivery roles.

ContactPoint³³ is a basic online directory, available to authorised staff who need it to do their jobs. It is a key part of the Every Child Matters programme to improve outcomes for children. ContactPoint will be the quick way for a practitioner to find out who else is working with the same child or young person, making it easier to deliver more coordinated support.

Information available at: www.ecm.gov.uk/lscb

Any adult focused public protection arrangements need to ensure that their processes consider what child protection issues exist and coordinate with those arrangements underpinned by robust information sharing mechanisms.

Where either a MAPPA or MARAC meeting identifies a child in need and/or a significant risk to a child it will need to ensure that the LSCB is notified by making a Common Assessment Framework (CAF) referral.

8.6.5 Violent and Sex Offender Register

The Violent and Sex Offender Register (ViSOR) is the national database, accessible to all three members of the MAPPA RA (Police, Prisons and Probation) for the purposes of identifying, risk assessing and managing sexual offenders, violent offenders and Potentially Dangerous Persons (see below).

ViSOR can be used for:

- offender-management (it's primary purpose);
- identifying potential suspects for violent or sexual offences; and,
- as a management information tool.

ViSOR is also the primary tool for identifying those individuals who are identified as posing a risk of serious harm but who have not been convicted of, or cautioned for, any MAPPA qualifying offence.

8.7 Potentially Dangerous Persons

Evidence suggests that a previous conviction is not always a pre-requisite for future violent offending, for this reason the National Policing Improvement Agency's Guidance on Protecting the Public³⁴ identified Potentially Dangerous Persons (PDPs) as:

'A person who has not been convicted of, or cautioned for, any offence...but whose behaviour gives reasonable grounds for believing that there is present likelihood of them committing an offence or offences that will cause serious harm'

³³ Further information about Contactpoint can be found at <http://www.everychildmatters.gov.uk/deliveringservices/contactpoint/about/>

³⁴ (2007) NPIA 'Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders' can be obtained from from the NPIA specialist operations centre, email: soc@npia.pnn.police.uk or Telephone: +44(0)20 8358 5555

In 2008/09, four areas are piloting interventions with individuals or groups that fall within the PDP definition. Also, further work is being undertaken within National Policing Improvement Agency around PDPs. This guidance will be updated as this work develops.

8.8 Summary – Effective Risk Management

8.8.1 Recommendations for Effective Risk Management:

There are a number of recommendations which will form the framework for effective risk management

- Levels and types of risk management should be appropriately targeted to the specific risks posed by individuals.
- Risk assessments should be completed and reviewed regularly to minimise the issues around over or under-estimating risk.
- Clear and complete recording of information and decision-making will ensure a clearly auditable and defensible response to risk.
- Recognising the dynamism of risk, assessments should be regularly reviewed.
- While risk identification should be commonly undertaken among a broad range of public service practitioners, risk assessment should be undertaken by appropriately trained, professional staff.
- Encouragement should be given - where appropriate – to offender and victim involvement in decisions taken in relation to the risks they pose/face.
- Sufficient levels of resources should be allocated to risk assessment and risk management: in relation to both the coordination and administration of risk management procedures.
- There should be an acknowledgment among all agencies that ‘zero risk’ or a ‘risk free society’ is not achievable.
- Within any mechanism to manage risk, it is recommended that cases be dip sampled to ensure practice standards are reviewed; a consistency of response; and to seek to ensure that potential problems with the process are identified early³⁵.

8.8.2 What arrangements an effective risk management group should have

Similarly, there is a framework of arrangements which will help inform the effective practice of a risk management group.

- Attendees with the authority within their agencies to a) prioritise actions arising, and b) make an immediate commitment of resources to those actions.
- Information sharing agreement.
- Protocol for roles and responsibilities.
- Quality assurance procedures.
- A mechanism to respond to agencies that do not engage through non-attendance and not completing actions.
- Agreed criteria for referral into the group that should seek to identify the correct level of risk posed by individual cases.
- Mechanism should be in place to communicate with other public protection arrangements to avoid duplication of activity.

³⁵ Kemshall, H. (2003) ‘The community management of high-risk offenders: a consideration of best practice – Multi-Agency Public Protection Arrangements (MAPPA)’, *Prison Service Journal*, March 2003, No. 146, p.2-5.

Section 9 – Thematic Guidance and Implementing Good Practice

A key theme of the Government's Action Plan to Tackling Violence is the effective sharing and implementation of good practice on reducing serious violence (**Action 47**).

Throughout this guidance we have indicated where other useful guidance can be found. This section aims to document good practice by crime type.

A range of good practice can be found on the Home Office's Effective Practice database of projects that have been tried around the country:

<http://www.crimereduction.homeoffice.gov.uk/cgi-bin/epd/index.cgi>

9.1 Gun Crime and Gang-related Violence

9.1.1 Tackling Gangs: A Practical Guide

This guide sets out a range of key approaches to tackling violent street gangs used in the four Tackling Gangs Action Programme (TGAP) areas and other cities.

It aims to support local partnerships in devising a gangs strategy, and then in understanding the range of tools available to deliver that strategy. Each section provides a number of possible interventions that local areas might consider adapting to their local circumstances.

<http://www.crimereduction.homeoffice.gov.uk/violentstreet/violentstreet012.htm>

9.1.2 Advice for Parents

The HO has also published advice for parents on gangs, which can be found via this link: www.direct.gov.uk/gangs

9.2 Knife Crime

9.2.1 Knife crime- best practice guidelines

<http://www.crimereduction.homeoffice.gov.uk/violence/violence023.pdf>

9.3 Domestic Violence

9.3.1 Coordinated Community Response to Domestic Violence

The draft Coordinated Community Response (CCR) model of domestic violence illustrates the inter-relationship of agencies and levels of response for tackling domestic violence. It recognises and makes explicit that no one agency can deal effectively and safely with the effects of domestic violence.

Local partnerships can use and adapt this model to ensure that resources are targeted at the most vulnerable victims using the available public protection frameworks as a guide to safety.

<http://www.crimereduction.homeoffice.gov.uk/dv/dv014.htm>

9.3.2 Specialist Domestic Violence Courts Resource Manual

This Resource Manual is for use in those areas that are developing a Specialist Domestic Violence Court (SDVC). The Manual identifies 12 core components that each area setting up an SDVC should consider. For the SDVC to work effectively, close co-ordination of all these components is required and key individuals need to be identified and held to account for the delivery of their section of the service system.

<http://www.crimereduction.homeoffice.gov.uk/domesticviolence/domesticviolence59.htm>

9.3.3 Specialist Domestic Violence Courts Review – ‘Safety with Justice’

This report outlines the findings of a review of the first 23 SDVCs which aimed to:

- **Assess the performance** of SDVCs and develop a better understanding of the key components needed to deliver the measures of success;
- **Identify barriers** to delivery and good practice in relation to operating an SDVC; and,
- **Inform the ongoing development** of the SDVC Programme including a review of the core components and the subsequent updating of the National Resource Manual.

<http://www.crimereduction.homeoffice.gov.uk/dv/dv018.htm>

9.4 Sexual Violence

9.4.1 Sexual Violence and Abuse Action Plan and Implementation Guide

The purpose of the Action Plan is to:

- **Tell stakeholders and members of the public** what we are seeking to achieve in relation to sexual violence and abuse;
- **Identify the actions** we are taking to deliver our objectives;
- **Identify gaps** in existing work which require further consideration;
- **Increase transparency** and enable us to be held to account on delivery of our objectives; and,
- **Provide a platform** for developing a more strategic and holistic approach to tackling sexual violence and abuse.

<http://www.crimereduction.homeoffice.gov.uk/sexualoffences/sexual03.htm>

The Action Plan is supported by an implementation guide, which sets out the roles and responsibilities of key delivery agencies and partnerships in delivering the objectives of the Action Plan. It also includes a background section which explains how sexual violence and abuse fits with national targets and local delivery agendas.

<http://www.crimereduction.homeoffice.gov.uk/sexualoffences/finalimplementationguide.doc>

9.4.2 Sexual Violence – Guidance for CDRPs/CSPs

The Guidance for Local Partnerships on Tackling Sexual Violence aims to demonstrate to Crime and Disorder Reduction and Community Safety Partnerships that they have a crucial role to play in the prevention of these crimes, bringing perpetrators to justice, and providing services to victims.

<http://www.crimereduction.homeoffice.gov.uk/sexualoffences/sexual06.htm>

9.4.3 National Service Guidelines for Developing Sexual Assault Referral Centres (SARCs)

These guidelines highlight the Sexual Assault Referral Centre (SARC) as a model of good practice in the provision of immediate aftercare to victims of serious sexual violence. They have been produced jointly by the Home Office and Department of Health because they are relevant to the police and health services in equal measure.

<http://www.crimereduction.homeoffice.gov.uk/sexual/sexual22.htm>

9.5 Alcohol-related Violence

9.5.1 A Practical Guide for Dealing with Alcohol Related Problems: What You Need to Know

The aim of this Guidance is to outline the tools and powers available to practitioners and the key legislative provisions to tackle alcohol misuse strategically, signposting as necessary to more detailed guidance, which already exists.

This guidance is intended to assist all of those tasked with addressing the issues and problems presented by the misuse of alcohol. It is specifically aimed at practitioners and provides information to help them tackle those 'everyday' matters by outlining the powers and tools available.

<http://drugs.homeoffice.gov.uk/publication-search/drug-strategy/alcoholguide>

9.5.2 Tactical options for dealing with the night time economy

Please see section below on Tackling Violent Crime Programme

9.6 Tackling Violent Crime Programme (TVCP)

The TVCP aims to:

- **Work intensively** with practitioners in a small number of local areas with high volumes of more serious violent crime.
- **Improve police and CDRP performance** and partnership working, using practitioner support panels to enable better problem-solving of violent crime.
- **Use good practice and support mechanisms** to improve local strategies, help fund the implementation of those strategies and run additional enforcement campaigns where appropriate.
- **Ensure that local priorities and challenges** are effectively communicated back to the centre to inform ongoing policy development.
- **Identify and develop best practice** which can then be disseminated and embedded across England and Wales.

<http://www.crimereduction.homeoffice.gov.uk/tvcp/tvcp01.htm>

<http://www.crimereduction.homeoffice.gov.uk/tvcp/tvcp02tacticaloptions.pdf>

9.7 Youth Crime

Youth Crime Action Plan

The Youth Crime Action Plan was published in July 2008. It is delivering an extensive and comprehensive package of measures for children, young people and families, backed by £100 million of extra funding over the next three years to help prevent young people from getting involved in crime.

The YCAP focuses on three key areas:

- **tough enforcement where behaviour is unacceptable or illegal**
- **more** non-negotiable support to address the underlying causes of poor behaviour,
- **early intervention** to tackle problems before they become serious or entrenched

The plan is delivering extra investment in all areas of England to support families with the most entrenched and complex problems. In addition, there is an intensive programme of action for 69 priority local authority areas facing the greatest challenges.

<http://www.homeoffice.gov.uk/documents/youth-crime-action-plan/youth-crime-action-plan-08?view=Binary>

Annex A - Break down of most serious violence by Home Office Counting Rules codes

Most serious violence comprises the following crime categories:

1, 4_1, 4_2, 4_3	Homicide and Child destruction
2	Attempted murder
5	Wounding or other act endangering life
8_1 (part of), 8F and 8H using 2008/09 counting rules	Grievous Bodily Harm without Intent
4_4, 4_6, 4_8	Causing death by dangerous driving, Causing death by careless driving when under the influence of drink or drugs, and Causing death by Careless and inconsiderate driving
37.1	Causing death by aggravated vehicle taking

Although GBH without intent (part of the current HO offence code 8_1) is included in the list of offences covered in the MSV indicator, separate data for this has only been collected by the Home Office since April 2008³⁶.

The Home Office counting rules have recently been clarified to ensure that GBH without intent can be separately identified for inclusion within PSA23. This means that the Home Office does not currently hold data for all the offences within MSV prior to 2008/09.

³⁶ See the Home Office counting rules website for further details:
<http://www.countingrules.homeoffice.gov.uk/output/Page1.asp>

Annex B: Guidance for data analysis³⁷

As a guide, analysis of most serious violence (MSV) should:

- Cover as long a period as is practicable to identify longer-term trends, seasonal changes, and distinguish real, sustained trends from random fluctuations. Applying a three-month rolling average will help remove the effect of random variations.
- Be broken down into its constituent crime types and look at how these have changed over time. It would also be useful to give an indication of the proportion of all a) recorded crime and b) violence against the person that is counted as MSV.
- Include data from a range of partner agencies, for example surveys about public reassurance and safety, then this should also be incorporated into the analysis to give as broad a picture as possible.
- Include analysis of other non-violent crimes may be affected by initiatives to reduce violence, such as criminal damage. It may be worth considering these in any analysis to identify possible displacement or diffusion of benefit effects.
- Consider sexual and domestic violence-related offences³⁸ separately from other MSV to identify whether reporting is increasing as a result of work to improve the public's and victim's confidence that their report will be responded to effectively.
- Accurately identify which offences are alcohol related from the various police data bases accessed can be problematic, mainly due to inconsistencies in recording this information. The analysis should indicate whether an offence that is classed as alcohol-related is based on the account of the offender, the opinion of the victim or the judgement of the attending officer. Using data from other sources, such as the ambulance service or A&E departments may be able to provide additional information about this.

³⁷ Derived from Tackling Violent Crime Programme: Guidance for problem profile analysis
<http://www.crimereduction.homeoffice.gov.uk/tvcp/tvcp02problemprofileguidance.doc>

³⁸ Government and ACPO's definition should be used. This definition can be found at **Annex C**

Annex C Definitions of Domestic violence/abuse and Gangs

Domestic Violence/Abuse

The Government and ACPO has an agreed definition of domestic violence³⁹:

"Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults⁴⁰ who are or have been intimate partners or family members, regardless of gender or sexuality."

This includes issues of concern to black and minority ethnic (BME) communities such as so called 'honour based violence', female genital mutilation (FGM) and forced marriage.

However, there remains some variation in definitions of domestic violence with a small number of forces defining domestic violence as occurring between partners/ex-partners only, while other forces include those aged under 18 within their definition.

Gangs – Definition of gangs taken from [Tackling Gangs: A practical guide for Local Authorities, CDRPs/CSPs and other local partners](#)

1. THE HALLSWORTH & YOUNG DEFINITION (2004) – they argue that there are three types of groups commonly referred to as gangs.

Peer groups: relatively small, unorganised and transient entities that come together in public spaces. Delinquency and criminal activity are not integral to such a group's identity or practice. Offending is periodic, spontaneous, intermittent and opportunistic. Offences are often low-level nuisance or anti-social, with little to no engagement in serious assault or acquisitive crime.

Street gangs: relatively durable, street-based groups who see themselves and are seen by others as a group for whom crime and violence are essential to group practice and solidarity. Crime, especially violent crime, is instrumental as well as expressive, as it involves a distinctive form of culture and masculinity.

Organised crime groups: composed principally of individuals for whom involvement in criminal activity is an occupation and a business venture. In economic terms, organised crime groups exercise disproportionate control over the illegal means and forces of crime production.

2. The MMAGS definition

MMAGS' definitions are:

- **A gang:** a group of three or more people who have a distinct identity (e.g. a name or badge/emblem) and commit general criminal or anti-social behaviour as part of that identity. This group uses (or is reasonably suspected of using) firearms, or the threat of firearms, when carrying out these offences.

³⁹ ACPO refers to 'domestic abuse'

⁴⁰ An adult is defined as any person aged 18 years or over. Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or stepfamily.

- **A gang member:** someone who has identified themselves as being a member of a gang (as above), e.g. through verbal statements, tattoos, correspondence or graffiti. This identity is corroborated by police, partner agencies or community information.
- **A gang associate:** someone who offends with gang members (as above); or who is associated – by police, partner agencies or community information – with gang members. It also includes someone who has displayed, through conduct or behaviour, a specific desire or intent to become a member of a gang.

Annex D: Reducing Re-offending – Local Engagement

- Reducing re-offending is the responsibility of the National Offender Management Service (NOMS). Three key PSA targets – 23⁴¹, 25⁴² and 16⁴³ - all contribute to reducing re-offending and all demand a partnership approach - both across the CJS and beyond. Similarly the work on PSA 24⁴⁴ and 26⁴⁵ will also be strengthened by awareness of the contribution that tackling re-offending plays.
- Locally, however, the probation service only has statutory, offender management, responsibility for certain defined sections of the offender population. Key groups – most notably those serving custodial sentences of under 12 months – do not receive offender management.
- There have been a number of steps to embed reducing re-offending in the fabric of local partnership arrangements and strengthen the accountability that comes with that. Community safety issues in general and re-offending indicators in particular have achieved good coverage nationally in the new Local Authority Agreements. Over half of all **Local Area Agreements** selected focused on re-offending by prolific and priority offenders, which will allow a greater focus on prolific offending in the under 12 months group. Over seventy Local Area Agreements also included adult and youth re-offending amongst their top 35 priority objectives.
- Targets for LAAs with National Indicator 18: Adult re-offending will be set during the current LAA refresh period by end March 2009. Targets will be measured at local authority level and will provide an opportunity for community safety partners to measure their success at a local level for the first time.
- Probation areas also have a key role to play in taking this work forward with partners and from April 2009 reducing re-offending will become an increasingly important performance indicator for probation areas. In addition from February 2009, re-offending data will be published at local authority, probation area and regional level creating greater transparency and accountability to meet re-offending measures.
- The availability of local authority level data also allows the Ministry of Justice to become involved in the Home Office led work to map local area performance against the PSA 23, 24 and 25 delivery strands.
- The **Policing and Crime Reduction Bill** announced proposals to add Reducing Re-offending to the list of statutory duties for CDRPs/CSPs and, at the same time, change the status of probation on the Partnerships from that of a co-operating body to a responsible authority. We are currently in the process of consulting and developing guidance on how this will work in practice.
- We are also working with the Office for Criminal Justice Reform to strengthen and more clearly define the role of **Local Criminal Justice Boards** in regard to reducing re-offending. The 2008-09 Criminal Justice System Strategic and

⁴¹ PSA 23 – ‘Make Communities Safer’,

⁴² PSA 25 – ‘Reduce the harm caused by alcohol and drugs’

⁴³ PSA 16 – ‘Increase the proportion of socially excluded adults in settled accommodation and employment, education or training’.

⁴⁴ PSA 24 – ‘Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public’

⁴⁵ PSA 26 – ‘Reduce the risk to the UK and its interests overseas from international terrorism’

Business Plans highlighted the role of LCJBs in supporting work to reduce re-offending. The Crime Strategy also emphasised the importance of reducing re-offending when tackling crime. LCJBs can help make the case that investing in work with offenders helps achieve safer communities for all.

- The intention behind this work (and the alignment of PSAs) is to relieve tension between targets. So, for example, the conflict that used to exist between a target to reduce crime and bring more offences to justice has been resolved by expressing the number of offences brought to justice as a percentage of overall crime. Similarly it is increasingly recognised that a large proportion of crime is committed by those who have previously offended – therefore, reducing reoffending also directly helps reduce crime.

Annex E: Producing a Code of Practice

What are the benefits of producing a Code of Practice?

Producing your own codes of practice, and using it, will help your organisation to establish good and consistent practice and attitude towards sharing information appropriately. It will help strike a balance between sharing personal information and protecting the people it's about. This should engender the trust of the public and ensure that they understand, and participate in, the information sharing activities. Following a good quality code of practice will also give your staff the confidence to make well informed decisions, reducing the uncertainty that can surround information sharing.

Ultimately, the following of a code should make your information sharing more effective and will enhance the reputation of your organisation in the eyes of the people and customers you deal with

Who should the Code of Practice be aimed at?

The code should be a strategic document aimed to all individuals who are concerned with the organisation be that employees, other organisations you might share information with, members of the public or customers and service users who's information you might be sharing.

As an organisation you will want your employees to be clear on their responsibilities and the standards they should meet and to allow the data subjects know what standards they can expect from the data controller and what their rights are.

What should be contained within a Code of Practice?

The Code should set out the organisation's aims and activities and why information sharing takes place. This might be, for example, for the purpose of providing better, joined-up services, for research purposes or to detect and prevent fraud. In many cases, there will be more than one advantage from sharing data. For example, setting up a one-stop shop might also lead to financial savings and less opportunity for people to commit fraud. The secondary purposes should also be detailed as it is likely a public sector organisation will share information for a range of purposes in order to meet the government's vision.

Codes of Practice should be made available to any member of the public who wishes to see them, both on websites and in hard copy. This helps to demonstrate openness and accountability and makes clear the organisation's commitment.

How often should a Code of Practice be reviewed?

It is good practice to review your Code regularly. While there is no legal or statutory requirement you likely to want to review the Code every 12-18 months to ensure the reputation of your organisations is upheld, privacy needs of the individuals who's information you share are maintained and to deliver the best possible services.

Information Sharing Protocol

An ISP is a signed agreement between two or more organisations or bodies, in relation to specified information sharing activity. It relates to a specific sharing activity or purpose and should explain the terms under which both or all the organisations have agreed to share data and the practical steps that need to be taken to ensure compliance with those terms. Note that an ISP is not likely to be applicable in the circumstances we are concerned with here. This from the Information Commissioner's office is helpful:

“All organisations can accomplish information sharing lawfully by adhering to governing legislation and the principles of the Data Protection Act whether an Information Sharing Protocol is in place or not.

An Information Sharing Protocol is a useful tool in some circumstances. It is not a legal requirement.

There are two distinct types of information sharing. Organisations may share large amounts of data with one or more partner organisations on a regular basis, or practitioners may share information with each other on an ad hoc basis as individual situations require.

An Information Sharing Protocol is a useful tool with which to manage large scale, regular information sharing. It creates a routine for what will be shared, when and with whom and provides a framework in which this regular sharing can take place with little or no intervention by practitioners.

It is not a useful tool for managing the ad hoc information sharing which all practitioners find necessary. Most importantly it is not intended to be a substitute for the professional judgement which an experienced practitioner will use in those cases and should not be used to replace that judgement.”

Whether your area opts to develop a Code of Practice or ISP, what is important is evidence of a commitment and documentation of a process. This link to a specimen agreement may be helpful:

<http://www.crimereduction.homeoffice.gov.uk/infosharing21-00.htm>

Annex F – Examples of Static and Dynamic Risk Factors (taken from NPIA Guidance of Protecting the Public: Managing Sexual Offenders and Violent Offenders - 2007)

Static Risk Factors

Examples of static risk factors which relate to the suspect's behaviour, personal circumstances and offending history are:

- Previous criminality;
- Previous convictions;
- Previous physical assault by the offender;
- Previous sexual assault by the offender;
- Previous child abuse by the offender;
- Previous domestic violence by the offender;
- Evidence of escalating severity or frequency of assault by the offender; and,
- They have never lived in a stable intimate relationship.

Dynamic Risk Factors

Examples of dynamic risk factors which relate to the suspect's personal circumstances and behaviour are:

- Sexual interests (e.g., sexual preoccupation, sexual preference for children, sexualised violence preference, other offence related sexual interest);
- Distorted attitudes (e.g., adversarial sexual beliefs, child abuse supportive beliefs, sexual entitlement beliefs, rape supportive beliefs, rationalisations for offending, views women as deceitful);
- Management of relationships (e.g., feelings of personal inadequacy, distorted intimacy balance, grievance thinking towards others, lack of emotional intimacy with adults);
- Management of self (e.g., lifestyle impulsiveness, poor problem solving, poor management of emotions);
- Employment status and type of employment;
- High levels of hostility and aggression;
- Lack of self-control;
- Dishonesty;
- Substance misuse;
- Mental disorder;
- Use and availability of weapons;
- Grooming behaviour patterns; and,
- Access and proximity to victims.

