

POLICING AND CRIME BILL

The Government announced its intention to introduce a Policing and Crime Reduction Bill in its draft legislative programme in May 2008. Building upon this, and the Government's commitment to introduce the necessary legislation to implement the *Policing Green Paper* as soon as possible (as set out in the Government Consultation Response document), a Policing and Crime Bill, is being brought forward and is being introduced in Parliament in December 2008.

The Policing and Crime Bill will:

- increase the effectiveness and public accountability of Policing;
- protect particularly vulnerable members of our society including women and children;
- prevent crime and disorder from taking root in our communities;
- reduce crime by improving the recovery of criminal assets and international judicial co-operation; and
- enhance security planning at UK airports.

The main elements of the Bill are as follows:

Policing

The Bill will implement a number of key priorities from the Government's Policing Green Paper to increase police accountability through measures designed to;

- place a **duty on Police authorities to have regard for the views of the public on policing in their area** when discharging their functions and to **give HMIC a power to similarly have regard for the views of the public on policing** when conducting their inspections;
- strengthen the independence and status of the Senior Appointments Panel for Chief Officers;
- facilitate **more effective collaborative working of police forces at regional, cross-regional and national level** by improving operational processes and clarifying governance arrangements;
- include measures to **reduce bureaucracy** through repeal of unused or unwanted HO legislation.

Protecting Vulnerable Groups

The Bill will help protect vulnerable groups through measures to:

- **tackle demand for prostitution** by introducing a new strict liability offence and increasing police powers to close premises associated with prostitution for a set period;
- protect vulnerable individuals **by widening the circumstances in which sex offender prevention orders and foreign travel orders can be applied**
- allow the Criminal Records Bureau to disclose 'right to work' checks to employers who request to use this service.

Low level crime and disorder

The Bill will help prevent low level crime and disorder taking root in our community and disorder by:

- introducing a **new setting of mandatory likening conditions around the sale of alcohol;**
- **strengthening police powers to deal with young people drinking alcohol in public;**
- **toughening the penalties for those premises who sell alcohol to young people,** and those people who refuse to stop drinking in public when asked to by the police;
- providing for the mutual recognition of football banning orders between E&W and Scotland to **clamp down on football hooliganism on both sides of the border.**
- giving **greater powers to local people** and Local Authorities to control the **opening and regulation of lap-dancing clubs**

Organised and International Crime

The Bill will implement the main recommendations of the Asset Recovery Action Plan, help protect the public, and reduce organised and international crime by:

- strengthening the arrangements for **recovery of assets obtained through criminal means;**
- improving the arrangements for judicial co-operation in relation to extradition and **streamlining the process of extradition;**
- making a number of small amendments to customs powers to **strengthen the ability of agencies to seize criminal cash at the border.**

Airport Security

The Bill will implement the key recommendations of the Independent Review of Airport Policing by requiring the majority of airports to agree a local airport security plan with key stakeholders and allowing the police to recover policing costs. These measures will bring benefits to industry and the public by ensuring:

- **improved inter-agency co-operation** in establishing airport security arrangements with **greater clarity of roles and responsibilities;**
- a **systematic regular assessment of how threats to an airports are being mitigated;**
- local stakeholders, including the police, border agencies and other private sector parties, will become partners in the process of agreeing and delivering a security plan for their airport;
- **greater confidence for all in airport security,** both locally and nationally as Airport Security Plans will help ensure more effective deployment of resources to mitigate threats
- a **consistent funding process** for dedicated police activities at airports that ensures police authorities are reimbursed by airport operators for agreed dedicated policing costs, in turn **benefiting the taxpayer.**

The Better Regulation Executive guidance requires the Government to publish an Impact Assessment (IA) when it introduces any legislation likely to:

- Impose a cost on the private sector in any one year;

- Cost the public sector more than £5m; or
- Attract high levels of political or media interest.

IAs have been prepared in respect to 12 provisions in the Policing and Crime Bill. The individual Home Office IAs are available on the Home Office website: <http://www.homeoffice.gov.uk/about-us/publications/regulatory-impact-assessments/> with the IAs prepared by MoJ (on Probation Authorities and CDRPs) and DfT (on airports policing) being available on their respective websites. A cost benefit of each summary is outlined below. The remaining provisions in the Bill did not fulfil the criteria for requiring an IA. The costs identified in IAs are economic rather than financial – the Financial Statement in the Explanatory notes provides the expected real world cost of the Policing and Crime Bill.

The Bill contains 4 provisions that will have an impact on business or the voluntary sector, namely

Provision	Key Benefits	Economic Cost
Safeguarding Vulnerable Groups Amendment	<ul style="list-style-type: none"> • To decrease the burden on employers when performing checks on employees working with vulnerable people, whilst maintaining the planned level of protection to vulnerable groups. 	Annual: £0
Code of practice for alcohol retailers	<ul style="list-style-type: none"> • Alcohol will be sold more responsibly than under the current voluntary standards • The number of illegal sales of alcohol, both to children and intoxicated people, will be reduced • There will be a beneficial impact on levels of crime and disorder and on people's health in the short and long term. • Savings will be made by enforcement agencies, licensing authorities, and the NHS. 	<p>The provision in this Bill to allow the Home Secretary to draw up a code of practice will, in itself, have no costs.</p> <p>However, the provisions contained in the code will impose a cost to industry. That cost cannot be estimated until the content is finalised following further consultation.</p>
Lap Dancing licensing	<ul style="list-style-type: none"> • Allows the public a greater chance to raise objections about where lap dancing establishments operate and recognises that local people have legitimate concerns about where lap dancing clubs are associated • Gives local authorities more power to reject applications for lap-dancing clubs or impose conditions on licences. • To bring the licensing of lap-dancing clubs in line with other sex establishments such as sex shops and sex cinemas. 	£0 – any costs will be recoupable through licence fees charged

<p>Airport Policing Provisions</p>	<ul style="list-style-type: none"> • Mandatory risk assessments and airport security plans, • A transparent process to determine the need for any dedicated police presence at airports • A process that clarifies where there might be a role for a dedicated policing presence at individual airports • Abolish the current legislative system of 'designation' at airports and require all airports with an agreed, dedicated police presence to pay for that service, • An effective dispute resolution process. 	<p>Annual (designated airports): £12m-£17m</p> <p>Annual (public sector): £0.1m</p>
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The remaining provisions meet the Public Services Threshold Test (either on grounds of cost or potential political/media interest), namely:

Provision	Key Benefits	Economic Cost
<p>Probation Authorities becoming a responsible authority on CDRPs/CSP</p>	<ul style="list-style-type: none"> • Develop a co-ordinated and improved partnership-driven approach to reducing re-offending • Strengthen the role of the Probation Service on the CDRP/CSP • Facilitate closer working between CDRPs, CSP, LCJBs and LSPs • Help CDRPs/CSP meet crime reduction targets by reducing offending and tackling social exclusion • This will reduce re-offending, improve understanding of the link between crime reduction and reducing re-offending and improve cost-effectiveness in those areas. 	<p>Annual: £2.385m</p>
<p>Introduction of the offence of persistently possessing alcohol in a public place</p>	<ul style="list-style-type: none"> • To reduce the number of children who persistently drink alcohol in public places. • To reduce the associated harms, both to the health of the young people and those that arise as a result of alcohol fuelled crime and disorder. • To improve the public's perception of alcohol related crime and disorder in their local community. 	<p>One off: £4.5m Annual : £6m</p>

NPIA IT procurement/collaboration	<ul style="list-style-type: none"> • A more efficient and effective decision making model for the procurement and development of Police ICT systems and services • Improvements to information systems which provide services to the public • Development of a plan for convergence in systems which will support common processes and efficiencies • Creation of a strategic national approach to procurement of police ICT to reduce costs and establish a more strategic supplier base. 	Annual: £3.4m
Police powers to close premises associated with prostitution	<ul style="list-style-type: none"> • Increase of police powers to tackle brothels • Prevention of brothels reopening on the same premises once one has been closed down • To prevent further exploitation of trafficked women who have been forced into prostitution • To decrease the harm that brothels cause to the local community. 	Annual: £2.6m
New offence of paying for sex with a person controlled for gain	<ul style="list-style-type: none"> • To deter sex buyers from paying for sex with prostitutes controlled for gain • Reduce demand for prostitutes' services • Reduce the numbers of prostitutes that are exploited by traffickers and pimps • Reduce the rewards for those who traffic or exploit others 	Annual: £0.4m
Referral orders for soliciting	<ul style="list-style-type: none"> • Introduction of a rehabilitative penalty for those convicted of loitering or soliciting in order to deliver an overall reduction in the numbers involved in street based prostitution. • Improve health and safety of street based prostitutes • Improve local communities in red light areas in terms of safety and quality of life through causing an overall reduction in the numbers involved in street based prostitution 	Annual: £0.18m
Persistent kerb crawling	<ul style="list-style-type: none"> • Reduce demand for prostitution leading to a decrease in supply of prostitution • Decrease in supply of prostitution which is heavily linked to exploitation and trafficking. • Reducing the demand for prostitution can help tackle the associated problems of drug use, nuisance and anti-social behaviour and which for many communities will be their primary experience of prostitution. 	Annual: £0.5m

Amendments to the Extradition Act	<ul style="list-style-type: none">• Provide for the UK to receive, process and action alerts for wanted persons via Schengen Information System II (SISII)• Provide for the UK to transfer all "live" alerts to SIS II from current systems.• Implementation of SISII may act as a deterrent to criminals to carry out activity in the UK	Annual: £16.95m
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