



Home Office

Rapid assessment of powers to close 'crack houses'

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Rapid assessment of powers to close 'crack houses'

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Executive summary

Background

Part 1 of the Anti-Social Behaviour Act 2003 introduced new powers specifically designed to close 'crack houses'. The legislation enables the police to serve a closure notice, with immediate effect, on premises used in connection with the production of class A drugs (associated with the occurrence of disorder or serious nuisance) subject to obtaining a closure order in court within 48 hours.

The new provisions, enacted on 20th January 2004, are primarily police powers, with a requirement to consult with the relevant local authority in seeking a closure. Previously, practitioners relied on powers contained in a number of pieces of legislation to close 'crack houses' with varying degrees of success (such as Misuse of Drugs Act 1971 and Housing Act 1996). This report examines the implementation of the new provisions in four case study areas. Some of the main lessons learned from the research are outlined below.

Key Findings

1. Effectiveness of the new powers

The research identified that the new powers had been broadly positive in their effect, in particular:

- Local practitioners welcome the new powers as an essential addition to the tools available to tackle class A drug premises.
- The introduction of legislation targeted specifically at class A drug premises has stimulated activity to close 'crack houses'.
- Both previous and new powers are effective tools in closing down 'crack houses'. They are, on occasion, used together and should therefore not be seen as one replacing the other.
- Early indications are that closure under the new powers can be achieved swiftly, at its quickest, in less than 48 hours.

- Although practitioners are not carrying out coordinated cost analysis, early indications are that, though the individual use of new powers is more costly, cost benefits are brought about by greater success rates.

2. Challenges

The research has highlighted some challenges surrounding the implementation and use of the new powers including:

- A need for enhanced partnership working amongst the various agencies to support vulnerable residents affected by 'crack houses' and the closure process.
- Further improvements are required for training of staff across relevant agencies to ensure that they are aware of the closure process under the new legislation.
- Blockages within the court process due to adjournments can delay implementation of the new powers.

3. Learning points

The research identified a number of learning points in using both the new powers and those which are previously, and still, available to close 'crack houses'. These are discussed in further detail in the main body of the report.

Partnership working

- Development of protocols which encourage more effective joint working with the police and other agencies to increase the speed and effectiveness of closures.
- Partnership working with street and neighbourhood wardens, local NDC programmes and the local authority's environmental services department where possible.
- Engaging local communities so as to identify care provision for the vulnerable and meet local needs.
- Working with Registered Social Landlords to ensure they receive training on the use, protocols and implications of the new powers
- Developing relationships with new partners to meet local needs, e.g. mental health service providers.
- Dedicated Anti-Social Behaviour unit staff provide a useful coordination role between agencies, tenants and community members.

Home Office Development and Practice Reports draw out from research the messages for practice development, implementation and operation. They are intended as guidance for practitioners in specific fields. The recommendations explain how and why changes could be made, based on the findings from research, which would lead to better practice.

Training

- Training provision for police officers on use of the new powers.
- Using housing staff specialising in supporting 'crack house' closures to ease the burden of existing duties on generic staff.
- Designated Social Services' staff trained specifically to liaise with partners before and during the closure process.
- Sharing of expertise to enable wider involvement in the closure process.

Supporting 'crack house' residents

- Early intervention by Social Services in the closure process at a strategic and operational level to support vulnerable tenants.
- Drug Action Team procedures for fast-tracking 'crack house' residents into treatment following a closure as well as distributing drugs services information during police operations.
- Drugs treatment workers have a clearly defined role in the closure process to ensure their 'association' with the police and partners does not alienate drug users.

Supporting local communities

- An increase in communities' confidence in the authorities as, under the new legislation, premises which have blighted communities for years have been able to be closed.
- Formal and informal processes in place for communication with community members and groups as well as provision of information of any action taken and ongoing support once premises are closed.
- Provision of community drugs education and drug support services, alongside action to close 'crack houses', in order to build community resistance to drugs.

The courts and legal issues

- Training provided for all court staff involved in the closure process.
- Clear details and signposting to legal advice providers are included on the closure notice itself, backed up by attending officers recommending that tenants seek legal advice.
- The likelihood of landlord compensation is prevented by the courts providing written warnings to all landlords explaining that if they do not take action then a closure order will be applied to address the problem.
- The presentation of evidence to court is strengthened by using a standard format for evidence, enabling courts to become familiar with the style and approach.

1. Introduction

The use and dealing of class A drugs are increasingly identified as significant crime and disorder problems which are particularly detrimental to some of our inner city communities. Class A drugs have been linked with street level violent crime and community disorder, acquisitive crime, gun crime and sex work, thereby having damaging effects on local communities, undermining regeneration and reducing social capital.

The use and dealing of the class A drug, crack cocaine, has been identified as a specific problem requiring attention additional to the activities in place to tackle drugs generally. The National Plan to Tackle Crack (2002)¹ outlined this balanced approach, and identified a particular need to review the law and the powers necessary to close 'crack houses'².

As part of the wider programme to disrupt local class A drug markets, and with the intention of providing immediate relief to local communities, the Anti-Social Behaviour (ASB) Act 2003 (Part 1) introduced new³ enforcement powers for the police to work in consultation with local authorities to enable speedier closure of 'crack houses' and "other locations which cause disorder or serious nuisance to the local community through association with class A drugs".

The new powers to close 'crack houses' have been in operation since January 20th 2004. In order to study the change in powers to close 'crack houses', the Home Office commissioned Crime Concern to carry out a rapid assessment in four sites across England. This is the first research to examine the impact of the new powers on the speed and rate of 'crack house' closures and the costs involved in exercising the powers.

This report sets out the findings of this research. These early investigations aim to provide greater understanding of the application of the powers and the challenges faced in implementation, and highlight emerging good practice for practitioners nationally.

Research aims and objectives

Specifically, the research set out to examine and compare:

a) The processes to close a 'crack house':

- using 'previous'⁴ powers;
- using 'new' powers.

b) The rate and speed of closures throughout the process:

- using the 'previous'⁴ powers;
- using 'new' powers.

c) The estimated cost of closures:

- using the 'previous'⁴ powers ;
- using 'new' powers.

In addition, key challenges and good practice indicators in implementation of the previous and new powers were examined throughout the whole of the research process.

Methodology

The study examined the change in powers to close 'crack houses' in four research sites⁵ with known problems associated with class A drugs, and in particular crack cocaine. Throughout the report these will be named as A, B, C and D.

The rapid assessment comprised a variety of research techniques:

a) Desk-based research

National and local documentation relating to the application of new and previous closure powers was examined, specifically:

- 1 Link <http://www.drugs.gov.uk/ReportsandPublications/NationalStrategy>
- 2 The ASB Act 2003 refers to 'class A drug premises'. The more commonly used terminology for these premises is 'crack houses'. The terms will be used interchangeably throughout the report. It is important to note, however, that the powers apply to all class A drugs, not just crack cocaine.
- 3 Throughout this study 'new powers' refer solely to the powers to close 'crack houses' included in the ASB Act 2003.
- 4 Throughout this study, 'previous powers' refers to the powers available to close 'crack houses' prior to the enactment of The ASB Act 2003. The main previous powers are contained within the Misuse of Drugs Act 1971, The Local Government Act 1972 and The Housing Act 1996. They are also used after the introduction of the new powers.
- 5 The sites were identified by the Home Office and agreed to take part in the research.

- 'Notes of Guidance for Part 1 of the ASB Act 2003'
- Local process documentation in each of the four sites, including local policy and protocols from the police, local authority and other relevant agencies for the use of new and previous powers.⁶

b) Data analysis

Sites were asked to provide quantitative data on a case-by-case basis to enable analysis of the time taken and costs incurred in closing a 'crack house' using both previous and new powers. Reporting templates were designed to allow systematic collection of this data.

The sample requested from sites comprised data for up to ten closure cases using the new powers from between the initial enactment date of 20/01/2004 – 30/06/2004, when the research commenced, and for up to ten closure cases under previous powers between the comparable dates 20/01/2003 – 30/06/2003. Where more than ten closures had been carried out during the time periods, a random sample was requested.

Data requested to demonstrate time taken to close a 'crack house' was based on time intervals throughout the closure process, for example, *date of decision to use closure powers, date of local authority consultation, date of making a closure order by the court and date of a premises closed and sealed*. The data requested was designed, at the most basic level, to identify the quickest and slowest applications of the powers. However, the data also allowed for more complex analysis to identify specific stages of the closure process which impact on the speed of closure.

Data requested to establish the costs of closing a 'crack house' using previous and new powers covered costs incurred across partner agencies, for example *Police Officer time, Housing Officer time, court costs and physical closure costs*.

c) Structured interviews

Structured face-to-face interviews were carried out with up to ten agency representatives in each of the research sites; agencies included the police, local authority housing and social services departments and drug treatment agencies. Details of the agency representatives interviewed are provided in Appendix 1.

All interviews were tape recorded and transcribed by a Home Office approved transcriber to ensure accuracy. Interview transcripts were subsequently analysed systematically utilising QSR NVIVO software.

The interviews provided multi-agency perspectives on:

- the closure process using new and previous powers;
- current and potential involvement of key agencies in the closure process and partnership working;
- the effectiveness and impact of new and previous powers in closing 'crack houses';
- obstacles to effective working and emerging good practice.

Limitations of the research

This is a descriptive report based on interviews with 31 respondents across four research sites. The interview data is supplemented, where available, by quantitative data supplied by local agencies. At all sites, processes for recording information on 'crack house' closures using both new and previous powers are at a developmental stage. This affected the validity of the quantitative data analysis since much of the site data requested had not been systematically recorded. This only became apparent as the study developed. In some instances there were gaps in data, which made comparison between the sites difficult. A lack of recorded data on use of the previous powers was particularly evident. As a result, the findings rely largely on qualitative rather than quantitative research to evidence differences in speed and cost between new and previous powers.

The structured interviews providing the qualitative research findings also had some limitations. As the research sites have developed different local structures to carry out 'crack house' closure, representatives interviewed were not always in directly comparable roles, differing between sites in terms of the agency represented, position and level of seniority. However, where comparisons are made, care is taken that they should be between respondents with similar responsibilities. Interview findings should be regarded as the views and experiences of the 31 interviewees rather than a reflection of the organisational position of the agency they represent, and as a result should therefore be considered indicative rather than conclusive. Where applicable, the number of respondents on which findings are based are given in the text.

Finally, the lack of documented procedures in some sites has led to a reliance on the interpretation of qualitative data when considering these elements of the study.

⁶ The sites were asked to provide copies of all their local policies, protocols and procedures relating to 'crack house' closures.

2. Context of the research

This section provides the context for the research and findings presented in this document, specifically:

- legislative framework of closure powers;
- a summary of previous closure powers;
- definition of terms used in the research;
- background information on research sites.

Legislative framework of closure powers

New closure powers

The powers contained in Part 1 of the ASB Act 2003 are designed to enable the police to close premises from which class A drugs are produced, used or supplied and which are associated with disorder or serious nuisance. The powers cover class A drugs as defined by the Misuse of Drugs Act 1971.

Some of the key features of the new powers are detailed below:

- a closure notice can be served if authorised by a police officer not below the rank of superintendent. The authorising officer must be satisfied that:
 - there is reasonable suspicion of class A drug production, supply or use occurring at the premises within the last three months and that the use of the premises was associated with disorder or serious nuisance,
 - the relevant local authority has been consulted and where possible been given enough notice to put in place effective housing management solutions and prevent homelessness,
 - reasonable steps have been taken to identify interested persons.
- the service of a notice temporarily closes the premises to the entire public, except the owner or those who habitually reside there, until the magistrates' court decides whether to make a closure order.
- the application must be heard by the magistrates' court not later than 48 hours after the notice was served. If satisfied that the relevant conditions are met, the court can make a closure order which closes the premises altogether for a period of up to three months, with possible extension to a maximum of six months.

Notes of Guidance have been produced by the Home Office to support those responsible for exercising the closure powers. One of the key differences of the new powers from those available previously is highlighted in the guidance:

*"It should be noted that whilst simultaneous charges against persons for the production, supply or possession of class A drugs may be brought at the same time as the application of this power they are not a precondition for the use of this power. It is not required to demonstrate that a specific individual is producing, supplying or in the possession of drugs, just that there are reasonable grounds for believing that such activities are occurring from the premises. This power is significantly different from the Misuse of Drugs Act powers as it applies to a place, not a person."*⁷

Previous closure powers

The new powers have not been designed to replace the range of other powers available to tackle 'crack houses', rather they are intended to enhance the range of powers to enable appropriate action. The key existing criminal and civil powers available are detailed below:

Criminal powers

- *Misuse of Drugs Act 1971*

Criminal powers primarily reside in the Act, which gives powers to the police to act against the use, manufacture and supply of controlled drugs by individuals in private tenancies.⁸ Under the Act it is a criminal offence to knowingly allow the use of cannabis or opium on premises (Section 8b) and to knowingly allow the supply of any controlled drug on a premises (Section 8d). The MDA is also the primary legal machinery for control and regulation of simple possession of drugs.

⁷ Anti-Social Behaviour Act 2003, Part One, Section 1–11, – Notes of Guidance, p3.

⁸ www.drugs.gov.uk/NationalStrategy/Communities/Toolkits/EstateHousingManagement/TheLaw

Civil powers

- *Housing Act 1996*

The relationship between tenant and landlord is regulated primarily by the various Housing Acts. Section 144 of The Housing Act 1996 allows a court to order possession of a dwelling if it considers it reasonable that the tenant or a person residing in or visiting the dwelling:

- has been guilty of conduct causing/likely to cause a nuisance or annoyance to a person residing/visiting/otherwise engaged in lawful activity in the locality; or
- has been convicted of using dwelling/allowing the dwelling to be used for immoral or illegal purposes; or has committed an arrestable offence in, or in the locality of, the dwelling.

Section 152 of The Housing Act 1996 permits a civil court to grant an injunction against anyone creating problems for their neighbours in council property. On application from a local authority the court may grant an injunction prohibiting a person from:

- engaging in/threatening to engage in conduct causing or likely to cause a nuisance or annoyance to a person residing in/visiting/otherwise engaging in lawful activity in residential premises controlled by the local authority or in the locality;
- using/threatening to use premises for immoral or illegal purposes;
- entering such premises or being found in the locality.⁹

- *Crime and Disorder Act 1998*

Section 1 of the Act created the Anti-Social Behaviour Order (ASBO) to control nuisance behaviour. An ASBO can be applied for by the police or local authority, in consultation with one another, against an individual or several individuals whose behaviour is anti-social. Applications for ASBOs are to the magistrates' court acting in its civil capacity, therefore cases need to be proved according to rules of civil evidence. The minimum duration for an order is two years. Breach of an ASBO is a criminal offence.

- *Local Government Act 1972*

Section 222 of the Act grants the power to a local authority to bring an injunction excluding persons from an area entirely. This power can be used against suspected operators of 'crack houses' in a similar way to an ASBO.

- *Compulsory purchase order*

Local authorities can seek a compulsory purchase order to control drug-related activity where private landlords are unwilling to apply the powers they have at their disposal.¹⁰

A detailed discussion of the effectiveness of these powers in relation to 'crack house' closures and this study can be found on page 29.

Definition of terms

'Crack house'

At the time this research was conducted 'crack house' was the term used for premises which were suitable for closure under the powers of the Anti-Social Behaviour Act 2003. In recognition of the broader application of the powers, and in reflection of the Act they are now being referred to as class A drug premises. Both terms are used interchangeably throughout this report.

'Crack house' closures

Under the new powers the definition of a 'crack house' closure has been standardised. However, under the previous powers, there were differences in definitions between each of the sites.

- Site A defined closures under the previous powers as 'crack house' closures.
- Site B differentiated between the actual 'closure' that is possible under the new powers, and the 'eviction' of the individual tenant or squatters which took place under the previous powers.
- Site C identified one 'closure' using housing powers.
- Site D did not identify any of their closures under previous powers as 'crack house' closures.

⁹ www.crimereduction.gov.uk/toolkits/rh020508.htm

¹⁰ www.drugs.gov.uk/NationalStrategy/Communities/Toolkits/EstateHousingManagement/TheLaw

Vulnerability

Issues relating to the 'vulnerability' of 'crack house' residents appear throughout the research. It is a term used by respondents from a range of agencies across a number of sites. It is a key consideration when closing class A drug premises.

The Home Office Guidance for the ASB Act 2003 notes the particular needs of 'vulnerable' people, "who may have social care and housing needs, related to mental health, age or some other cause"¹¹, and the implications of serving a closure order on them.¹² The guidance notes that "a...resident should be considered 'vulnerable' where it is considered that he/she would accept rehousing and where that person would benefit from a drug/alcohol treatment programme".¹³ Factors to be considered include:

- Does the habitual resident have any effective control over the use of his/her residence?
- Is the habitual resident a drug user but not a drug supplier?
- Has the habitual resident a proven record of compliance with a tenancy agreement?
- Is the habitual resident receiving Social Services support and making a positive response to this intervention?
- Would the immediate removal of the habitual resident substantially interfere with the activity of the premises?
- Should removal, therefore, be considered before closure or would it be best instigated alongside the closure of the premises?
- Has the habitual resident previously complied with the requirements of a drug/alcohol treatment programme?
- If resettled, is the habitual resident likely to continue meeting with drug suppliers, communal drug consumers or sex workers?

It further notes that "a...resident should be considered 'non-vulnerable' where that person is clearly not vulnerable and making an informed lifestyle choice. He/she should be considered 'non-vulnerable' when an offer to be considered under the 'vulnerable' option of the protocol is either declined or not responded to."

Other Central Government definitions

Vulnerability also forms an element of the Supporting People programme¹⁴ (as noted in the Guidance, 7.3.5), launched by the Office of the Deputy Prime Minister in 2003. Supporting People is a working partnership of local government, service users and support agencies. This programme aims to provide people from 12 defined 'vulnerable' client groups to receive housing-related services, which complement existing care services to enable them to live more independently. "People with alcohol and drug problems" are one of the named client groups, as are "ex-offenders and people at risk of offending and imprisonment".

Local variations – definitions by site

Vulnerability is defined differently by sites.

- Site A's 'Crack House Rapid Reaction Protocol' for social rented accommodation includes their definition:
"A tenant will be assessed as 'vulnerable' where it is considered that he/she would benefit from a formalised assessment and care plan"

and conversely,

"A tenant will be assessed as 'non vulnerable' where it is considered that he/she has clearly made a lifestyle choice to be involved or an offer under the 'vulnerable' option of the protocol is either declined or not responded to within seven days".

- The Site B Protocol refers to the identification of 'vulnerable' tenants, but does not give a definition of the term.
- Site C's protocol was being drafted at the time of this study. And thus no definitions of 'vulnerability' are in place. (Although in interviews they describe vulnerability as referring to adults who have mental health issues, and/or who have been exploited and are unable to extricate themselves from their situations, as well as households where children are involved.
- Site D's documentation makes no reference to 'vulnerability'.

11 From 7.3

12 From 7.4

13 From 7.5

14 <http://www.spkweb.org.uk>

Crack user

Throughout the report the term 'crack user' is used. It is noted that residents of 'crack houses' who use drugs are not necessarily only using 'crack'.

Background information on research sites

Site A

Local context

Site A is a large-sized city. Overall, the resident population is slightly younger than the England and Wales average.

Historically, Site A has been viewed as a city with substantial substance misuse problems, principally affected by its national transport links.

Local structures and partnership working

By May 2002 Site A's constabulary had developed a multi-agency rapid reaction protocol for tackling 'crack houses' based on similar work that had been conducted by the Metropolitan police.

The police, the City Council, Drug Action Team (DAT) and several housing associations were involved in developing the protocol, which outlines how each agency should respond to class A drug premises. The protocol is viewed as innovative as it outlines clear procedures for identifying and supporting vulnerable tenants.

The new power of closure introduced in January 2004 is viewed as an additional resource to the existing Rapid Reaction Protocol. Vulnerability of tenants is a key determinant in decision-making regarding use of powers i.e. where a tenant is deemed vulnerable local agencies will follow processes contained in the Rapid Reaction Protocol rather than using the new powers.

Site A's Constabulary has a dedicated ASB team who work closely with local beat managers to identify troublesome premises and work with local communities in gathering evidence of associated disorder. The City Council has recently created its own ASB team to work closely with the police to identify and close class A drug premises.

Site B

Local context

Site B is a densely populated inner London borough with a population of around 200,000,¹⁵ characterised by high levels of unemployment, crime and rented households. Again, residents at this site are somewhat younger than the UK as a whole.

Site B has a very high level of recorded crime compared with the UK average, and a history of violent crime and gun-related crime.

Local structures and partnership working

In Site B the closure of class A drug premises is coordinated and implemented through a local Home Office funded Multi-Agency Project. The project was established as a distinct service to reduce class A drug dealing and associated crime and disorder by developing a sustainable 'crack house' closure scheme within the borough.

The aims of the project are to:

- significantly reduce the number of active 'crack houses';
- involve and liaise with agencies to provide support for vulnerable tenants;
- prevent dispersal by active management of void and unlawfully tenanted properties;
- increase take-up of treatment for drug misuse.

The project consists of a core multi-disciplinary team including:

- Team Leader – a Police Inspector, seconded from the Metropolitan police. Responsibilities include leading multi-disciplinary team, liaison with Metropolitan police, coordinating police activity and developing coordinated operations.

15 Source: Census 2001

- Housing Coordinator – housing professional from the local authority:
Responsibilities include coordinating housing service input, managing strategic housing issues, managing housing operational closure issues, e.g. linkages with social housing providers, mapping and displacement avoidance, inter-borough issues.
- Vulnerable Tenant Coordinator – social services professional from the local authority:
Responsibilities include developing/maintaining liaison with external providers working with vulnerable people, undertaking intervention and support work with vulnerable tenants (individual casework), developing vulnerable persons database.

A Project Steering Group meets monthly to support, advise and guide the project. Members include Home Office officials and senior officers from the Metropolitan police and the local authority.

The project target is the sustainable closure of 20 'crack houses' in the first year of operation and 100 in the second year.

Site C

Local context

Site C is a medium-sized city. The police, in partnership with the Drugs and Alcohol Action Team (DAAT) and Community Safety Partnership have worked hard to prevent the development of a crack problem identified in the late 1990s. This has been achieved through a range of initiatives, including a high profile enforcement approach to tackling drugs supply, and investment in drugs treatment services.

Local practitioners feel that this action has successfully kept the local crack problem in check. There has not been the extreme violence, use of firearms or very large numbers of people visiting houses that has often accompanied crack problems elsewhere. However, there have been problems with 'crack houses' located largely in the town centre within private housing stock.

Local structures and partnership working

The police have a clear lead on 'crack house' closures, strategically and operationally. The police closed five premises using new powers in the four months following enactment of the ASB Act 2003. The initial focus was on utilising the new powers to tackle persistent 'crack houses' rather than establishing local multi-agency protocols and agreements.

Site C does not have a team dedicated to tackling 'crack houses'. At the time of the research a police detective constable in the drugs squad was responsible for seeking closures using the new powers (identifying potential sites, and collecting and presenting evidence in court).

The DAT, police and other partners are currently struggling to produce a strategic multi-agency protocol owing to tensions between the treatment and enforcement agendas. Social Services have had limited involvement in closures to date and in one case made a counter-case against a closure. Over time more agencies have become involved, and whilst development of a multi-agency protocol is hindered at a strategic level, operational staff are working together effectively.

Site D

Local context

Site D is a large sized city. with a history of gun crime. However, recent targeted policing activity has had a marked effect on reducing the level of violent crime in the area.

The police force estimates that there are over 5,000 crack cocaine and heroin addicts in the surrounding county, with the city a focal point for drug-related activity.

Local structures and partnership working

At the time of the research Site D had no specific partnership procedures, structures or dedicated resources in place for combating class A drugs, although a number of agencies are working to address this issue.

A local 'crack house' protocol, written in 2002, was followed to some degree by operational staff but their work appeared to be largely driven by local needs and individual relationships. The Drug and Alcohol Action Team (DAAT), city council housing and police have good working relationships and have been successful in working together on a number of joint initiatives. In particular, responses to incidents of non-tenanted 'crack houses' have been successful.

3. Findings

The findings of the research are detailed in three main sections:

- i) implementation of 'crack house' closures;
- ii) effectiveness and impact of the powers;
- iii) cost of closures.

Throughout this chapter, findings are presented with key challenges and good practice guidance highlighted. The views of interviewees are reflected and in some cases directly quoted.

Implementing 'crack house' closures

Part 1 of the Anti-Social Behaviour (ASB) Act 2003 is the first piece of legislation that has been designed specifically to close 'crack houses' and other premises used in connection with the production, supply or use of class A drugs.

The research examined in depth the structures, mechanisms and processes in place across the four sites to allow implementation of these powers. This section presents the findings in terms of:

- individual agency roles and communication within agencies;
- partnership working, including:
 - local structures
 - referrals
 - assistance to 'crack house' residents
 - community engagement
 - decision-making;
- use of national and local guidance produced to support the powers introduced in the ASB Act 2003.

Individual agencies' roles in 'crack house' closures

As set out in the ASB Act 2003, Part 1, 'notes of guidance', whilst new powers are essentially police powers, other partners are expected to be involved in the closure process. It is a requirement of the Act that, at the very least, the police in an area consult with the local authority¹⁶ in use of the powers. However, the guidance explicitly states that it is also 'directly relevant to local housing authorities, Registered Social Landlords, housing advice providers, drug services and legal advice providers'¹⁷ who are affected by 'crack houses' and their closure.

Examination of roles of the police and other partner agencies involved in the closure process across the research sites (highlighting their involvement to date, key challenges faced and emerging good practice) is presented below.

Police

Current involvement

Under the ASB Act, the police have responsibility for closure of premises using new powers, providing they consult with the local authority. In all of the sites the police take the lead in 'crack house' closures under the new powers. It was estimated in one research site that *"the police do 90 per cent of the closure"*.

The role of the police under the new legislation is to identify potential closures, collect and collate intelligence, serve the closure notice, prepare for and attend court, obtain the order and close down the premises. In some of the sites, there is an individual officer with responsibility for taking action.

In general, across all research sites, only a small number of officers have been fully trained in using the new powers. It was suggested that wider understanding of the powers among officers would help improve the early identification of 'crack houses' and enhance intelligence-gathering required to support a closure.

Training would also spread the workload in some areas where currently only a small number of officers undertake all the closure work. It was highlighted in more than one site that only one or two officers have expertise in using the new legislation. As a result, when the officers are not available the closure process can be delayed.

16 As part of the discharge of their responsibilities as members of Crime and Disorder Reduction Partnerships under the Crime and Disorder Act 1998.

17 Anti-Social Behaviour Act 2003, Part One, Section 1 – 11, Notes of Guidance, p1.

Good practice

- A training package for police officers at all levels on use of the new powers and sharing expertise to enable wider involvement in closures.

Housing departments

Current involvement

Across all research sites, housing departments play a strategic and operational role in closures. As a landlord they have a responsibility for their properties and tenants, some of whom may be drug users and perpetrators of related anti-social behaviour. A housing officer in Site B commented that, “the majority” of ‘crack houses’ are in local authority properties.

The key roles of housing departments identified by respondents include:

- Providing information and intelligence to identify ‘crack houses’ and support closure.
Housing officers can play a key role in early identification of problem properties, which they then “flag up” to partners such as the police for joint action. In some areas, e.g. Site A, housing officers work in dedicated ASB Teams established to collect and supply evidence on Anti-Social Behaviour and neighbour nuisance to inform appropriate action.
- Liaising between the community and the police.
- Housing staff often thought they were in a better position to persuade residents to provide evidence, complete diaries of activity and build confidence in the closure process.
- Using tenancy powers under the various Housing Acts where appropriate (most effective with regard to void properties and unlawful tenants).

Local good practice

In Site B a dedicated Housing Officer is attached to the Local Multi-Agency Project and is heavily involved in the closure process. In addition, the co-located Housing Estate Safety Manager has been assigned responsibility for signing the Application for Closure Order enabling swift Local Authority consultation.

In another site it was reported that the Housing Department and police work together closely. A Housing Officer attends closures with the police, where the property is lawfully tenanted, in order to obtain evidence for an eviction and secure the premises. Where a property is not lawfully tenanted, housing officers work with the police to evict individuals occupying the premises before it is secured.

Key challenges

- *Lack of consultation between police and housing*
Respondents stated that, in some cases, housing officers have not been kept informed by the police of closures. It is believed that early involvement could have prevented a private landlord from suing the police for compensation for loss of earnings due to closure of a property.
- *Securing appropriate alternative accommodation to rehouse former ‘crack house’ residents*
Some respondents believed that occupants should not be rehoused because “all the work has then basically been for nothing and the residents will lose confidence in us”. Others (often police) recognise that it is necessary to distinguish between two different ‘types’ of ‘crack house’ residents, the “serious criminals” and the people who “want to get out of this lifestyle”. Opportunities need to be provided for people to change behaviour and provision of housing is a key element. Housing departments should react more strategically and consider their role with regard to supporting vulnerable tenants to prevent problems recurring.
- *Difficulties of providing housing support for vulnerable residents with drug misuse issues*
It can be difficult for housing providers to offer proactive support to vulnerable residents, owing to concerns with regard to exposure to possible prosecution if found to be aware of drug misuse occurring on their property.
- *Need to develop long-term approaches to tackling class A drug premises*
In Site B the housing representative suggested that the Housing Department could have a role (which may not be part of the core business plan) in considering preventative measures, e.g. “Identifying and tackling the prostitution side of the market which leads into the class A drug market would further enhance the probability of having sustainable closures of ‘crack houses’.”

Good practice

- Protocols in place for more effective joint working with the police and other agencies to increase the speed of closures (including early identification of class A drug premises and evidence collection), prevent claims by landlords or tenants for compensation or homelessness status. In many of the sites this was identified as a key area for development.
- Housing staff designated and trained to specialise in supporting 'crack house' closures rather than relying on generic staff in a team to take on closure duties in addition to existing duties. Having housing staff seconded to a specialist team is thought to have been beneficial in Site B.
- Where appropriate housing staff carry out joint operations i.e. housing staff attending closures to obtain evidence for eviction that can be sought during the closure period.

Registered social landlords (RSLs)¹⁸

Current involvement

The roles of RSLs in closures is generally seen as acquiring and providing intelligence to the police. In general, across the research sites, RSL involvement in dealing with 'crack houses' has increased since introduction of the new powers, as the legislation provides greater leverage and the ability to repossess a property more quickly. Across some of the sites, RSLs have been noticeably more proactive and are more inclined to attend partnership meetings to develop multi-agency responses to 'crack houses'.

It is recognised that there are wide variations in the involvement of different RSLs. While some are committed to working in partnership, and in several cases fund dedicated officers to deal with crime and disorder, others work in silo and singly prioritise rent collection. Respondents highlighted that greater RSL involvement in closures and better coordination across the range of RSLs that operate in any one area, is required.

Good practice

- Training provided for RSLs on use and implications of the new powers, including evidence gathering, tenancy agreements and the closure process. In Site D Anti-Social Behaviour Officers have provided such training, and provide ongoing advice and guidance.
- RSLs included in partnership working to tackle class A drug premises, including partnership procedures and protocols.
- RSLs advised to start possession proceedings at the same time as closure to enable evidence to be gathered for eviction during the period when the property is secured (as failure to do so may result in the resident reoccupying the premises and perpetuating the problem).

Social Services departments

Current involvement

It is recognised in the 'notes of guidance' that 'there will be heightened concerns and hence partnership action needed when the closure of a premises which may be home to a family, and especially children, is sought. In these cases it is essential that early contact is made with Social Services ... in order that the effects of closure are mitigated for such vulnerable persons'.¹⁹

Interviewees indicated limited involvement of social services in the closure process, in all sites other than Site B.

Many respondents consider Social Services to have a potential key role in the 'crack house' closure process, and in Site B a Social Services staff member has been seconded on to the 'Local Multi-Agency Project' team to:

"provide all the clients that we come into contact with, access to social care services which in reality could be anything from housing, welfare rights, access to detox and rehab, access to Social Services, elderly services, depending...on their individual need."

¹⁸ RSL representatives were not interviewed for this research, all of views expressed are those of partner agencies.

¹⁹ Anti-Social Behaviour Act 2003, Part One, Section 1 – 11, Notes of Guidance, p13.

The involvement of Social Services in the Local Multi-Agency Project has been beneficial in terms of increasing awareness and understanding amongst neighbourhood referral managers of the services available. As a result, the project now receives proactive calls regarding vulnerable clients.

Key challenges

- Lack of senior level support/involvement from Social Services.
Social Services are seen to have an important role, particularly if a closure involves children or vulnerable adults, but in some places there have been difficulties getting “*buy in at a senior level*”. Some said that Social Services’ contribution was “*absolutely none*”, and they would not even attend meetings when invited. This was thought by some to reflect the Government’s position on ‘crack house’ closures as more punitive than supportive. On the whole, Social Services were seen as getting involved in ‘crack house’ closures at the crisis stage, “*when it is too late*”.
- Lack of joined-up working to support children, young people and vulnerable adults affected by ‘crack houses’ and the closure process.
Partner agencies have indicated that early involvement of Social Services is required to provide support and even prevent the requirement for closure in some cases. Similarly, they need to be aware of closures taking place to provide the necessary interventions for children or vulnerable people.

Good practice

- Social Services’ involvement at a strategic and operational level to support vulnerable tenants. Early, planned involvement in ‘crack house’ closures is essential.
- Social Services’ staff designated and trained to undertake specific responsibility for liaison with partners in advance of and throughout the closure process. A seconded officer from Social Services acting as the Social Care Coordinator in the Local Multi-Agency Project team has worked particularly well at an operational level in Site B.

Drug Action Teams (DATs)/Drug and Alcohol Action Teams (DAATs)

Current involvement

Based on interviews with DAT/DAAT Coordinator/Strategy Managers across three of the sites, involvement tends to link to the development of drugs protocols and coordination of multi-agency working. They also play a role in monitoring the success of initiatives to tackle drug use and supply and other related work in the community.

The DAT coordinator in one of the sites works with police and housing department to facilitate fast-track access into drug treatment for people arrested using the ‘crack house’ protocol, particularly for those who are vulnerable. The DAT has also worked closely with the police using previous powers (providing advice on appropriate treatment agencies to deal with possible increased demand as the result of a raid). They also disseminate information, providing additional leaflets for the police to hand out whilst undertaking operations.

In Site A the DAT is leading on some remedial work with crack dealers to give them the opportunity to develop a new lifestyle.

Key challenges

- Encouraging greater DAT involvement, particularly to facilitate access to drug treatment.
Respondents from other agencies felt the DAT could play a valuable role in improving the involvement of treatment agencies.

Good practice

- DAT procedures for fast-tracking ‘crack house’ residents into treatment following a closure. The procedures should detail arrangements for joint working with the police to ensure access to treatment is offered at the time of a police raid.
- DAT coordinates dissemination of drugs services information during police operations.
- DAT addresses the need for strategic planning regarding prevention and resettlement relating to class A drug use to balance out enforcement focus of the new powers.

Drug treatment services

Current involvement

Only one treatment service representative, a Criminal Justice Interventions Programme (CJIP)²⁰ services manager, from Site C was interviewed and described the CJIP Team's role in the closure process using the new powers:

- Drugs workers from the CJIP Team accompany the police during closures to offer advice, outreach services and treatment to those being evicted. They can also make referrals to housing providers. Initially there were concerns that this might create barriers between drugs workers and users. However, once explained to drug users, it has not proved problematic.
- The Team is very responsive and provides support at very short notice, which gives them access to people prior to arrest, rather than through the arrest referral process.

The CJIP Manager commented that the Team did not have any direct involvement in 'crack house' closures prior to the introduction of the new powers. Involvement of CJIPs continues to be limited in some of the other sites, in some cases CJIP officers are informed by the police that a closure is taking place but do not attend closures with them.

Key challenges

- A lack of drug treatment services available specifically to attract crack users was identified.
- More effective marketing of drug treatment services to crack users, who are notoriously difficult to engage in terms of drug treatment provision, is required.
- Some residents in Site B felt that there was a lack of appropriate drug treatment provision for females. This was thought to be particularly problematic because of the number of female prostitutes linked to 'crack houses'.

Good practice

- Drugs treatment workers have a clearly defined role in the closure process to ensure their 'association' with the police and partners does not alienate drug users.

Anti-Social Behaviour (ASB) teams

Current involvement

The involvement of ASB Teams in the closure process varies across sites. Generally, local authorities have established different structures to address ASB locally, in many cases specialist teams have been set up, however, their roles and responsibilities and levels of resourcing vary.

Four members of the ASB Team in Site D highlighted that their role in the closure process is to:

- provide a link between the local authority and police;
- gather information and intelligence;
- coordinate partnership activity to ensure all the relevant agencies are on board;
- attend actual closures in some instances.

One of the ASB officers in Site D highlighted their involvement in a closure being:

"to ensure that things ran smoothly, to ensure that the contractors were there with the grills, that the property was properly secured, that the neighbours were aware of what was happening and that I was aware from the Police of a tenant being arrested...just to make sure that if the tenant came back I could explain...why the property has been secured, and how he could gain access to it."

Good practice

- Dedicated ASB staff provide a useful coordination and communication role between agencies, tenants and community members.

²⁰ Now renamed as Drugs Intervention Programme (DIP).

Legal advice centres

Current involvement

The new legislation stipulates that residents must be provided with details of independent legal advice via the closure notice. Several respondents felt this was particularly important because of the impact of the legislation on a tenant or owner of a property identified as a 'crack house'.

The provision of legal advice is also essential from the perspective of achieving a successful closure. Some cases have been adjourned when the tenant has not been legally represented. This led many to believe that the demands on legal advice services will increase as a result of the new powers.

Drawing on experience of recent appeals, two respondents from Site B believe that closure cases are seen as a profitable new area of work for the legal profession.

Key challenges

- Ensuring tenants have access to legal representation to reduce likelihood of challenges in court leading to adjournment.

Good practice

- Clear details and signposting to legal advice providers are included on the closure notice itself, backed up by attending officers recommending that tenants seek legal advice. Partners consider methods of evidencing when and what advice was given to a tenant for subsequent use in court.

Courts

The 'notes of guidance' (which are primarily aimed at the police and the courts) state that:

- the police must agree with court staff a date, time and place for a hearing, prior to the service of the Closure Notice;
- the date, time and place of the hearing must be on the face of the Closure Notice when it is served no more than 48 hours prior to that date;
- there are no requirements for specific magistrates to hear the case;
- the court can defer hearing of the application for the order by adjournment for 14 days.²¹

Current involvement

The scope of this research did not allow for engagement with court workers. Respondents from other agencies commented on the courts' role in application of the new closure powers and described different experiences across the sites.

In many cases, practitioners felt they had led the magistrates through the process, highlighting that in some cases the courts still need a lot of guidance and advice.

In Site A practitioners were very positive about the courts' involvement; in their experience the courts have been very supportive of the process, and they work effectively together: *"It is fantastic to see the receptiveness, the fact that they hear the evidence and have to do something about this"*. It was thought this might be because cases presented are solely those where there are significant problems, in terms of drug use and serious nuisance and impact on the community.

There were less positive reports about the courts from Site B respondents. They suggested that the courts are not sympathetic to the aims of the Local Multi-Agency Project, having continually given drug users more chances, and have not taken the negative experiences of local residents fully into account. Site B respondents would like to see the courts becoming more victim-focused. They also believe that the courts may exploit loopholes in the process i.e. by repeatedly adjourning cases.

²¹ Anti-Social Behaviour Act 2003, Part One, Section 1 – 11, Closure of Premises used in connection with the production, supply or use of class A drugs and associated with the occurrence of disorder or serious nuisance – Notes of Guidance, p14, 16.

Key challenges

- Courts adjourning cases
A 'teething problem' at one site occurred because the person who provides the evidence for the Superintendent to sign the closure notice needs to attend court to give evidence. On one occasion an alternative officer was used causing the court case to be adjourned.
- Courts granting compensation to landlords affected by closure
One respondent was frustrated that the court had granted a landlord loss of rent (£1,000), but suggested that to prevent this occurring in the future, written warnings should be provided to all landlords explaining if the landlord does not take action a closure order will be sought.

Good practice

- The likelihood of landlord compensation is prevented by providing written warnings to all landlords explaining that if the landlord does not take action then a closure order will be applied to address the problem.
- The presentation of evidence to court is strengthened by using a standard format for evidence, enabling courts to become familiar with the style and approach.
- Training provided for all court staff involved in the closure process.

Other partners

Street/neighbourhood wardens

In Site C the Street Wardens Intelligence Officer trawls through all incident reports on a daily basis, and disseminates information to the relevant agency. When the police identify a potential 'crack house' closure, the Intelligence Officer provides all incident reports relating to that property, which are then used in evidence. The role of the street wardens was seen as very important:

"They are the eyes and ears of the Council, and also the eyes and ears of the police because residents would sooner talk to a street wardens than they would to a uniformed police officer."

Neighbourhood Wardens were also applauded in Site A for their contribution towards intelligence collection, supporting the community and reducing fear of crime, *"we get a fantastic service from them."*

New Deal for Communities (NDC)

Respondents indicated that NDCs could have extra staff, good relationships with residents, and the flexibility and resources to focus on closures. An NDC within Site C is involved in 'crack house' closures in a number of ways:

- NDC Anti-Social Behaviour Officers gather intelligence relating to properties and individuals in the NDC area, feeding it into the 'crack house' closure process.
- The NDC provides funds for the resident subject to the closure to stay in a 'Bed and Breakfast' for five nights, so that they have time to find alternative accommodation.
- The NDC's mobile CCTV pods can be used to gather evidence for 'crack house' closures.
- The NDC has a Community Caretaker project and are negotiating a contract with the police to provide a low price service for 'crack house' closures. Project workers will clean up properties before they are sealed and carry out weekly checks around the properties during the term of the closure. This will ensure the police are not subsequently subject to claims for damage to properties.
- A dedicated Enforcement Officer and a Tenancy Support Officer, who deals solely with the private rented sector tenants and landlords, work closely with the police on closures.

Environmental services

As well as ensuring the properties being closed are free from rotting food, discarded needles and other rubbish, it was suggested by respondents that environmental services have a potential role gathering evidence to support closures.

Other suggested potential partners

- Mental health services

- Specialist voluntary services
- Youth Offending Teams
- Utility companies (to cut off water, gas and electricity)
- Professional witnesses from other agencies
- Fire Brigade (for intelligence and evidence provision)
- Community development workers

Good practice

- Partnership working with street and neighbourhood wardens, local NDC programmes and the local authority's environmental services department where possible.
- Relationship building with new partners to meet local needs, e.g. mental health service providers.

Effectiveness of communication within agencies

There was a broad range of responses across all sites. Of 30 respondents, 15 said that communication was adequate, good or excellent, with ten describing it as not very good, needing improvement or limited. There was also a spread of responses from different agencies, with none standing out as particularly good or poor at internal communication. Both strategic and operational staff also expressed a range of opinions about effectiveness within their agencies. It is not therefore possible to draw conclusions regarding agencies or sites where internal communication is effective. A number of examples of good and poor practice were identified however.

Key challenges

- Anecdotal rather than systematic information sharing.
- The lack of an holistic understanding of the process by staff.
- Poor training in the new legislation so that people are unaware of the process and what they can do.
- 'Crack house' closures being seen as specialist work, with community teams unfamiliar with the processes.
- General lack of communication between departments.

Good practice

- Keeping people informed about developments.
- Informing neighbourhood wardens of 'crack house' closures at an early stage.
- All relevant staff aware of and using national guidance to determine procedure.
- Shared awareness of what evidence is needed and how to obtain it.
- Housing inform local estate managers about 'crack house' closures locally and what role they can take.
- 'Crack house' closures incorporated into the local ASB strategy and procedure.
- Learning from each new closure shared with relevant colleagues to avoid potential problems.
- Weekly meetings to update officers on where 'crack houses' are in the area using a "crack map".
- 'Crack house' closures included in performance reviews and management reports.
- Colleagues are aware who the point of contact is.
- Information repeated regularly regarding the need to compile evidence.
- Internal written and verbal briefings and guidance provided as to what the powers are and how they can be used.
- Mechanisms in place for passing on information quickly.
- Specialist practitioners trained up.

Partnership working

Implementation of the new powers requires consultation²² between the police and the local authority. However, closing 'crack houses' can involve a broad range of other local agencies.

The next section explores partnership working in 'crack house' closure across the research sites, focusing on effectiveness, local structures, referral processes, assistance to 'crack house' residents, community engagement, local decision-making and use of guidance.

²² See Home Office Guidance 2.6 for the definition of consultation for the purposes of the ASB Act.

Effectiveness of partnership working

Three main views about and approaches to partnership working in closing 'crack houses' emerged:

- Some thought there was not enough partnership working:

"I was also keen to make sure that the use of the 'crack house' powers wasn't seen as just a police power. It was very clear to me they are a partnership power. It is about the impact these places have on communities, not just crime and drug dealing. It is that wider impact".

A police officer in Site A highlighted a lack of partnership approach; partners seemed to be "quite happy to rest the responsibility on the police", which results in a lack of support for vulnerable residents, particularly in relation to issues of rehousing.

- Others thought conversely that the police should be taking the lead. In some sites the police "get on with it", and although other partners are welcome to contribute, and the powers require a token 'consultation' with the local authority, the police "will not wait around for them to decide".
- Introduction of the closure powers was actually thought by respondents in one area to have contributed to better partnership working between the police and housing department. A housing representative felt that the way the two agencies work together has changed due to the fact the Act requires formal consultation. The same was true of others who worked within multi-agency Anti-Social Behaviour Teams:

"In the past the police would be going off... dealing with the criminal side of things and not looking at the civil aspects of things. We can now join both together which makes it far easier when taking practical action against individuals."

There were varying views on the changing police role under the new powers. Some thought that the police were acting more autonomously to close 'crack houses', whilst in two sites the police are perceived to be looking at the "problems more holistically than before" and "liaising more widely" with "a greater appreciation and understanding that to effectively deal with a problem they need to tap into resources of other agencies."

Partnership working with the police was seen by some to be most effective if based on personal day-to-day contact, rather than formal documentation.

Local communities are appreciative of this improved partnership working, as one estate safety manager stated:

"Obviously now local people can see a multi-agency approach and residents I speak to on estate committees that I go to, residents say they are quite glad that the Council and the police and we are also taking preventative measures working together."

Local structures in place for delivering 'crack house' closures and their effectiveness

Site A currently operates a three-tiered structure. At strategic level is the merged CDRP and DAT partnership, within which there are a number of drug-focussed delivery groups and an Anti-Social Behaviour delivery group responsible for 'crack house' closures. Respondents from Site A view this structure as very effective.

In Site A more local level ASB Teams are also being developed to deal with 'crack house' closures.

Site C has set up a working group to develop a multi-agency protocol for closing 'crack houses'. The work is progressing but getting buy-in at a senior level from some agencies in the Crime and Disorder Reduction Partnership (CDRP) is more problematic. In terms of more generic structures, the enforcement sub-group of the DAT is seen to tackle relevant vulnerability issues.

The Site B structure of the multi-agency Home Office-funded project comprises a co-located, dedicated Police Officer, Housing Officer and Social Worker managed by a steering group and is seen to be working very effectively. The Project is seen by those within it to work well because it is entirely focused on the crime and disorder emanating from class A drug markets and 'crack houses', has clear direction and multi-agency officers are co-located.

In Site D there was generally a lack of clarity regarding the existence of formal partnership structures among respondents. However, a number of structures were identified:

- Community Based Mobile Task Force and Anti-Social Behaviour Teams;
- Within the CDRP, regular meetings between police and housing to discuss anti-social behaviour;
- “Specialist Teams” comprising police and the Local Authority.

Apart from Site B, very few of the respondents commented on the effectiveness of current structures, although the “Specialist Teams” were described as effective.

Improvements that could be made to local structures

Respondents from Site A, Site B and Site D were positive about their current structures, and did not think any changes were required. Respondents from Site C are keen to have a protocol in place, with some but not all respondents believing that with this together with the current partnership working within the CDRP will be sufficient.

One respondent suggested that there needs to be a local multi-disciplinary Anti-Social Behaviour unit in each local authority area dealing with all local ASB issues and specifically working with victims of ASB.

Key challenges

- Embedding ‘crack house’ closure work within current partnership structures.

Good practice

- Clear partnership structures and processes.
- A dedicated operational team, where funds are available.

Communication between agencies

The research highlighted varying levels of effectiveness in communication between partners and different processes in each of the four sites. There was a random spread of types of service areas with different views.

The protocol developed by Site A to facilitate closures under previous powers laid foundations for multi-agency communication. In response to this issue, six respondents said that communication between agencies in Bristol was good, one thought it was patchy and another “improving”. A number of examples are given of what is working well in Site A:

- the Track and Supply Group of the DAT communicate well with community groups;
- senior level representatives on the DAT partnership are taking an active role;
- good partnership working throughout operational and strategic levels;
- commitment from police and housing and day-to-day contact;
- formalised structures and proper documentation.

The respondents who viewed communication in Site A as more patchy thought that although the processes in place were good, these were still reliant on working relations at ground level, and that “personalities” sometimes got in the way of what could be very effective partnership working. Another respondent identified good working between the police and housing, but thought that other partners were reluctant to attend meetings and contribute to the process.

In Site B four of the partners interviewed thought that communication between agencies was good, with two describing it as “patchy”. Respondents who thought it was good focused on their co-located project model, which gives them a “huge advantage”. Features include strong daily communication and coordination between the three individuals. They have regular communication with Registered Social Landlords and Housing Associations as well as community members locally, community forums and people working in the local communities “cleaners, builders and everyone else that has any information”.

Site C respondents held a range of views as to the effectiveness of communication in their site. One thought it needed improving, one patchy, one adequate, and three good. Lines of communication are good between key partners including housing, the police, treatment agencies and street wardens, with named individuals as contacts and effective weekly partnership meetings which deal with ‘crack house’ closures and case conferences are called when needed for individuals affected by closures. There is also seen to be senior level support for the “sharing of information and the deployment of resources to address problems”.

However, some suggest that the information is not always provided quickly enough to act. There was also a feeling that other partners are not sufficiently informed or geared up to respond.

In Site D there is a range of views about the effectiveness of inter-agency communication. Two respondents thought it needing improving, two thought it was patchy, two thought it was adequate and two thought it was good. What responses and researchers' experience indicate is that there is some good communication at operational level, but that there is a clear need for better communication at a strategic level. At present, referrals are seen to come through from the police "almost on an ad hoc basis" and the council workers are unaware of the premises that the police are considering closing. Communication has been seen to rely on individual working relationships and "personalities" and is viewed by respondents as "not systematic or guaranteed". One respondent identifies good information sharing with Social Services, but thus far no contact with other potential partners.

Key challenges

- Lack of commitment from partners, e.g. failure to attend meetings.
- Partners unprepared for their required role.
- Lack of good communication at strategic level impacts on good communication for operational staff.
- Lack of communication and systematic mechanisms in place, and reliance therefore on individuals.
- Slow sharing of information.

Good practice

- Having a multi-agency protocol in place.
- Senior level commitment to information sharing and involvement.
- Commitment from all key agencies.
- Daily contact between police and housing.
- Co-located multi-agency project.
- Formal mechanisms in place for communication with community members and groups.
- Informal communication with a broad spectrum of community members.

Ways to improve communication between agencies

Almost all respondents across all sites gave examples of how they felt communication could be improved between agencies. Two people in both Sites A and C said that they thought communication was already very effective and could not be improved in their area. The suggestions for improving communication around 'crack house' closure are as follows:

Box 3.1: Ways to improve communication

Information sharing

- A monthly monitoring protocol from the Police Data Monitoring Officer to disseminate information
- Systematic dissemination of problems encountered and good practice identified
- Regular update bulletins or newsletters giving an overview of the closures and performance to a wide audience
- Daily contact between police and housing
- Better information sharing with Social Services

Local structures and procedures

- A designated officer who is the central point of contact for all information and has responsibility for dissemination
- Named individuals within each agency or team
- A multi-agency contacts list of all named individuals
- Focused local structures, e.g. local ASB teams
- Informal channels of communication maintained – over-formalised processes can lose some of the necessary flexibility
- 'Crack house' closures as a standing item at team meetings
- Making sure lines of communication are always open
- Multi-agency problem-solving used

- Multi-agency 'crack house' closure committee that meets daily
- Co-location of all relevant personnel
- Local structures so that not reliant on individuals

Protocols

- Multi-agency protocols developed by local practitioners, and multi-agency protocol sessions and training to address local operational issues

Awareness raising

- Awareness raising for key agencies of their role in the process and getting commitment from them
- Letting people know that 'crack house' closures are effective and why
- Using a checklist of agencies who may need to be involved in a closure
- Raising awareness of the work being done including using agency intranets and internets
- Training of relevant staff

Referrals to other agencies

As a result of the 'crack house' closure process, the welfare needs of residents, particularly if 'vulnerable' will be presented. Response to these needs may well require intervention by a range of other partners. Referrals to key agencies are considered.

Referral to housing departments

Different pictures emerged for each of the four sites. In Site A, both formal and informal processes are in place. Formal processes have been in place since May 2002 under the multi-agency protocol developed for use of the previous powers.

In Site B, there are currently no formal referral processes, rather Local Multi-Agency Project team members take tenants to the housing office themselves, which, they note can be very time consuming. A 'fast-track protocol' is in development, which will outline procedures to support individuals with no proof of identity, a common problem which makes access to housing difficult.

Procedures are being developed in Site C to ensure that from the earliest stages Housing is aware of any issues, and in particular can respond to cases where vulnerable tenants are involved. In the meantime, referrals are made informally, through the standard channels, and information and support regarding housing are available from Addaction.

In Site D, respondents stated that no formal processes are in place, but described "very good" informal partnership working, with regular referrals and information passing both ways between police and housing.

Key challenges

- Rehousing former 'crack house' residents in terms of them being 'intentionally homeless' and because of their problematic background.
- Time consuming nature of assisting with housing.
- Providing housing at very short notice.

Good practice

- Referral protocols, which consider vulnerable tenants including those with no proof of identity.

Referrals to drugs treatment²³

Different approaches and various levels of development of referral processes were identified across the four sites.

Respondents highlighted the importance of providing timely drug treatment advice, in order to meet the needs of drug users at a point where they are motivated to seek treatment, for example at the time of a police raid.

23 Research shows that drugs treatment needs to be provided as part of an integrated package of care including housing, debt counselling etc. For detailed information see the National Treatment Agency's 'Treating crack and cocaine misuse: a resource pack for treatment providers' and 'Models of Care' http://www.nta.nhs.uk/publications/Models_of_care.pdf.

In Site A, respondents identified the DAT's role in dealing with cases centrally. The DAT is involved in the vulnerability assessment process for 'crack house' closures, at which point the need for treatment is assessed and referrals made to the relevant provider. However, some respondents suggested that it is still difficult to get people into treatment due to lack of funding. Others noted the pressure on drugs treatment services resulting from increased demand for their services following the increase rate of 'crack house' closures.

In Site B, the Local Multi-Agency Project makes referrals directly to local agencies including the DAT. The Social Worker in the team undertakes much of this work, for example, arranging and accompanying clients to assessments.

In Site C, the DAT Coordinator referred to the existence of "Working protocols that outline the process of referral with every drug treatment provider in Site C...it is all coordinated. I have five care coordinators for Site C so they coordinate that". However, it was unclear whether other agencies were aware of the protocol as it was not referred to by other respondents.

In Site C, Addaction arrest referral workers accompany the police on raids and carry out 'on the spot' assessments of all of the people in a 'crack house', including young people, provide support and make referrals to treatment where relevant. They also refer to the DAT and Social Services departments for drug treatment where appropriate.

Respondents in Site D indicated that clear procedures for referral to drug treatment services have not yet been fully developed.

Key challenges

- Providing assessment of treatment immediately at the time when it is needed.
- Lack of appropriate treatment provision, e.g. lack of provision for women.
- Sheer numbers of people requiring treatment.

Good practice

- A central referral process via the DAT.
- Protocols between the DAT and local drug services.
- 'On the spot' assessments at 'crack house' closures.

Other care provided:

- In Site A, the Youth Offending Team, mental health providers and the Salvation Army had all provided care.
- In Site B, referrals had been made to the local mediation service to address disputes, to GPs and in an increasing number of cases to translation services. The Local Multi-Agency Project is also keen to have drugs outreach workers on raids, but the funding is yet to be agreed. They have also made referrals to specialist prostitution workers.
- In Site C referrals had also been made to a local Christian group and CCOS, a local organisation working with children and prostitution.
- Site D made referrals to mental health providers.

Good practice

- Identification of local services that could provide care when appropriate, including mental health providers, the YOT, and voluntary sector²⁴ organisations including services for sex workers and mediation services.

Assistance to 'crack house' residents

Throughout the interviews, respondents highlighted the complex multiple needs of 'crack house' residents. In some cases, they are particularly vulnerable people (for example with learning difficulties) who have been coerced into letting their property be used for drug dealing. In other cases, women residents can be under the influence of a partner, who is often their drug dealer. The residents often have problematic poly-drug use and related health and welfare problems.

24 see www.ncvo-vol.org.uk

Respondents identified a number of specific agencies that were doing good work as well as speaking about the approaches taken in their sites. A small number of respondents said that assistance was not actually required, whilst others noted that numbers of 'crack house' residents did not want to receive assistance and were increasingly difficult to engage. It was also noted that often people changed their minds about drug treatment after the initial referral was made.

A range of areas for improvement was identified, with most respondents making some suggestions, mainly focussing on drugs treatment and housing. Some of the suggestions are locally specific, but a number could have relevance nationally. These improvements, as well as what is currently working well, are explored, site by site, in the following paragraphs.

Site A

Here, respondents thought that the following areas were working well:

- Access into treatment.
- A partnership approach, taking a balanced view of the individual and their situation, recognising when someone needs help.

In terms of improvements, all of the responses focused on developing a long-term strategic approach with early intervention as key. It was suggested that the 'crack house' legislation should be viewed as part of a wider drugs strategy, with consideration of the treatment provision needed at an early stage in the closure process. Along with this suggested approach, however, was an awareness of the need for drugs services to be seen to be separate from the police in order to maintain users' confidence and a recognition that "creative thinking" was needed to take this forward. Early warning to people about the implications of continuing their behaviour was suggested as well as the long-term planning and provision of support for individuals and their families.

Site B

In site B, responses from interviewees regarding the benefits of the help offered to 'crack house' residents were:

- Getting clients into treatment (although disputed by a different respondent, see below).
- Taking an holistic and "caring" approach and recognising "people as people".
- Trying to empower people and build up their self esteem.
- Focusing on support and "getting (people) into services and behaviour change".
- Providing a committed and consistent "human face of the project".
- Offering people help with housing on the condition that they seek help for their drug problem.
- Being persistent and following clients. "My initial approach is to give people a card, then what I will do is if I see them on the street again, or if there are a number of properties that we are closing down, then I will still be talking to them. I will go up to them and approach them so it is about being persistent, it is not just seeing it as a one-off contact".
- Offer support throughout the process and after the closure order, which gives people more opportunity to engage and to take up treatment opportunities.

However, the main focus of improvement was on the significant lack of provision of drugs treatment. This needs developing in terms of outreach:

"There needs to be quicker access to care, quicker treatment, there needs to be outreach workers that are available and can show up in 30 or 40 minutes, while these individuals are still in the flat. Rapid response".

Also in terms of the availability of treatment places for crack users, which are too few especially for women and poly-drug users. Speed of access to these places was also seen to be far too slow.

Housing was also seen as a problem in Site B. Respondents were finding an increasing number of cases when they cannot help people with housing, because they "can't refer them to homelessness because homelessness won't accept them because they have a home and the home is empty".

One respondent in Site B indicated that a "huge amount of services" is needed to improve for people who are vulnerable. They note that Housing and Social Services use very different definitions of 'vulnerability' (Social Services relating to risk of harm to self or others, whilst Housing considers issues such as English as a first language, for example). This respondent notes that in the case of 'crack houses' an individual can be vulnerable to exploitation from others simply because they have a drink problem, and that in Site B there is "a whole swathe of people who are vulnerable" whom they have not got the capacity to help.

Site C

Assistance to 'crack house' residents in Site C is being well provided in terms of:

- Arrest referral and drugs treatment.
- The crack-specific service.

Despite these readily available areas, nearly all respondents identified rehousing following closure as the area that needed improving. Their replies indicated that very little was presently in place, and that 'crack house' closures were increasing homelessness. It was suggested that, at a senior level, housing providers need to focus on provision for this group of people. Supported tenancies were also suggested for this client group.

Other areas for improvement suggested were early intervention with drugs treatment and support as well as Social Services generally.

Site D

The following are what respondents found were working well:

- "Street people" have very speedy access into treatment.
- Good partnership working in the inner city, with a focus on prostitution, involving health, Social Services, DAT, prostitute outreach, youth workers, the youth inclusion project and New Deal.

Almost all of the respondents in Site D agreed that what needed improving most is access to drugs treatment, both in terms of increasing the speed of referral (fast-track) to overcome long waiting lists and increasing the number of places available. It was also recognised that there is currently access via arrest referral, but people who were not arrested fell outside this process and need to be informed about treatment opportunities.

Negotiating with vulnerable tenants about their rehousing was also raised as an area for development, with the focus of trying to move them away from the problem areas. Another area for development regarding assistance was provision for victims of 'crack houses'.

Key challenges

- Having the resources in place to deliver early intervention.
- Maintenance of sufficient separateness of the police and drugs agencies in the eyes of service users.
- Lack of provision of drugs treatment.
- Slow access routes to drugs treatment.
- Perceived lack of treatment available for poly-drug users.
- 'Homelessness' status creating obstacles to housing provision, with the potential for increasing levels of homelessness.
- Differential definitions of 'vulnerability' between agencies.
- Potentially very large numbers of 'vulnerable' people requiring assistance.

Good practice

- All agencies taking an holistic and caring view of the individual's needs.
- Empowerment of vulnerable 'crack house' residents.
- Agencies providing a consistent professional contact.
- The professionals being persistent with the support and intervention they are offering.
- Arrest referral to drugs treatment.
- Involving relevant voluntary sector agencies to provide support and intervention.
- Speedy access to treatment.
- Good partnership working focused on providing assistance to 'crack house' residents'.
- 'Crack house' closures to be embedded in the wider local drugs strategy.
- Early intervention and early warning of the implications of residence in a 'crack house'.

Change in care under new powers

In response to this question, there were a large number of people who were unable to answer, and in each site some people who thought that there had been no changes, while others thought there had, and in others contradictory responses were given. The responses suggest that in each site, key partners need to clarify together what their policies and procedures are under the new powers. Different sites gave quite different responses, to a great extent reflecting the length of time that they had been closing 'crack houses'.

In Site A one respondent noted that there is "*continual development and continual improvement...and awareness of being more holistic*", but found it difficult to ascertain whether changes had taken place as a result of the new powers, or other new initiatives. Another thought that there was more potential for care because of raised awareness of provision and more money being put into it. Two respondents were concerned that the new powers could lead to a lower standard of care because fewer checks were needed prior to closure/eviction, and thus vulnerable people's needs were not going to be met.

In Site B the project's new social work post was seen to offer a key change in provision, with a "*humanistic...individual*" approach. Furthermore, the overall coordination offered by the project is seen to enable a better understanding of a 'crack house' resident's vulnerability.

Site C are just starting to work in partnership looking at care provision, particularly early intervention for vulnerable tenants. One respondent indicated that although provision of care had not changed, under the new powers it was being delivered more quickly.

In Site D only one respondent identified any change, which was that there is a lower level of care because ex-residents of 'crack houses' were seen to be intentionally homeless.

Key challenges

- Less access to housing for ex-'crack house' residents, who are being viewed as intentionally homeless.
- Meeting the needs of vulnerable residents within the speed of closures under the new powers.
- Prioritisation of enforcement over the provision of care.

Good practice

- Early intervention for vulnerable tenants.
- Taking an holistic approach to residents' needs.
- Working in partnership to identify and plan care provision.

Community engagement

Effective community engagement activity is essential both to achieve the closure of class A drug premises and to build community resistance to drugs in the longer term.

A number of steps have been taken in the research sites to support local communities through the closure process. Much of the activity focuses on developing or utilising existing mechanisms to enhance communication between professionals and community members. Measures include:

- utilising street wardens and other estate-based officers to gather evidence and disseminate information on 'crack houses' and the closure process;
- sharing information at residents' meetings, community councils and tenants' panels;
- holding community surgeries in local venues immediately prior to a 'crack house' closure to share information and listen to residents' concerns;
- carrying out high visibility joint patrols following a closure process e.g. bringing police, housing officers, police community support officers (PCSOs) and neighbourhood wardens together to provide a reassuring visible presence and demonstrate that agencies are working together to tackle 'crack houses';
- providing widely publicised telephone 'hotlines' to report incidents of drug dealing and drug misuse confidentially;

- publicising services available from drugs treatment agencies, offering a point of information and support for families of users, or others who have been affected by class A drugs;
- providing community drugs education via specialist officers from the local Drug Action Team.

One of the key challenges for the police and other local agencies tackling class A drug premises is balancing the pressure to focus resources on enforcement, "closing as many properties as possible", with the need to provide ongoing support to communities following a closure.

It was recognised across all of the sites that more can be done to support local communities, as one respondent put it, "we struggle in the community engagement side of it, in providing support services and building up communities' resistance to drugs".

Box 3.2: Respondents highlighted a number of areas of good practice and recommendations to support communities further

- hold local "community gatherings" to "celebrate" following the closures, providing the opportunity to share information about the process and 'what happens next';
- develop effective publicity strategies, utilising local press, TV and radio to provide community reassurance, share information and celebrate the success of 'crack house' closures;
- provide witness support groups to encourage community members to support the closure process and provide case evidence;
- carry out environmental improvements in the areas affected by 'crack houses', to improve the physical appearance of areas, making places look and feel safer;
- improve coordination of voluntary and statutory services to build the capacity of local communities and strengthen their resistance to drugs in the long-term.

Key challenge

- Resourcing community engagement activity as a long-term solution in addition to enforcement activity involved in closing class A drug premises in the short-term.

Good practice

- Clear lines of communication between local service providers and local communities affected by class A drug premises. Community members able to report issues relating to class A drug premises quickly and confidentially. Community members informed of any action taken and ongoing support provided once premises are closed.
- Witness support mechanisms in place to encourage community members to provide evidence supporting closure cases.
- Investment in environmental improvements to raise the physical quality of the area and 'design out' crime.
- Preventative strategies set to address causal factors behind 'crack houses'. Community drugs education and drug support services provided to build community resistance to drugs.

Decision-making

Basis upon which closure decisions are made in each case, how they are made and by whom

This has been considered site by site. A range of different rationales was given, which on the whole considered key areas of tenure, vulnerability and impact on the community as well as a number of other issues.

Site A

There is a lack of consistency in the responses from Site A, which makes it difficult to give exact details on the basis upon which closure decisions are made. Respondents also suggest that their decision-making process has not changed significantly with the advent of the new powers. Two respondents say that they consider level of nuisance, vulnerability of the residents and tenure. One respondent suggests that they consider level of nuisance as well as the intelligence they have got about the address, and one other respondent suggests that they look at the tenants and the local area when deciding which powers to use. Discussions of this issue elsewhere in the study indicate that the vulnerability assessment plays a key role in the decision about which powers to use.

In terms of how closure decisions are made, almost all respondents said that the police make the decision in consultation with the Local Authority Housing Anti-Social Behaviour Team Manager. One respondent outlines that they are trying to make the decisions when possible in their case conferences hosted by the superintendent. Internally within the police the decision is made by the local sector inspector, beat officers and the Superintendent. They note that *“the Superintendent does get quite involved with the closure of the ‘crack houses’. He doesn’t just sign the bit of paper. He asks all the difficult questions that the judge is going to ask”*.

Site B

In Site B there was a shared view of their reason for making decisions about closures. Five of the six respondents indicated that the decision is based on tenure. If there is a tenant, then new powers would be used, whereas if the property is void, then previous housing powers are likely to be used. One of the respondents states that they never base their decision on vulnerability, rather that vulnerability issues are dealt with by the project social worker. However, one of the respondents does say that almost all of the lawful tenants are vulnerable in some way; *“elderly males who have been befriended by prostitutes who then allow the dealers in, people with mental health issues who are bullied, coerced into using the property or drugs users who sell the keys to the property for crack or money and allow the flats to be taken”*.

The majority of respondents indicate that it is the dedicated police officer who leads the project who makes the decision based on information received from weekly meetings with the BCU and then consultation with the Local Authority. Thus far the Local Authority has always been in agreement with the police, however, it is noted that if they disagreed, the police might well still proceed with the closure. One other police officer says that they make decisions themselves about which powers to use based on the intelligence they have about the premises and then liaise with the team on the project. Two respondents suggested that the decision-making is a joint decision that lies with the project team.

Site C

There is a lack of consistency amongst respondents about when they would use different powers. Two respondents indicated that the impact on the community was the only factor. One respondent indicated that tenure was the determinant. One respondent said that decisions were based both on vulnerability and impact on the community and one other respondent explained that a decision would depend on whether the resident is *“somebody who is renowned in the drugs field”* as well as consider their vulnerability and move them as necessary.

Nearly all respondents, though, felt that if the new powers are being used, the police make the decision to close a property, with one respondent noting that they do this following consultation with the Local Authority. The decision is based on evidence in the form of *“intelligence logs and possibly statements from local residents”* gathered over a *“period of time”*.

Site D

A range of responses was also given here. Two respondents explain that their decision-making is based primarily on vulnerability and tenure, but that community impact would also be considered. One respondent states that the decision is based only on tenure. One respondent suggests that it is vulnerability and impact on community and another respondent asserts that tenure is not relevant and that the new powers would be used in all cases.

As far as how the decisions are made, four respondents indicate that it is primarily a police decision, which three mention is made in consultation with the Local Authority’s Assistant Director of Legal Services. Two police sergeants are seen to make the decision themselves in consultation with their legal departments. Two respondents working as ASB officers said that the ASB Teams make decisions in conjunction with the police and Local Authority. Another respondent suggested that in some cases Housing make the decision themselves, but their response suggests this is not in cases when the new powers are to be used.

Key challenge

- Balancing the needs of the vulnerable ‘crack house’ resident with those of the local community.

Good practice

- Having a clear and agreed policy on the basis for ‘crack house’ closure decisions.
- Local clarity required by all partners regarding the procedure for decision-making.

Guidance

Home Office Guidance – who uses it and usefulness

Analysis shows that the Home Office guidance is used by approximately half of the people interviewed in each site (four or five respondents). It has been used by police, housing, ASB officers and DAT coordinators in this study, and by people in operational and strategic positions alike.

- It is seen as by most respondents to be useful, and there was general consensus about the document. Key features identified were the simplicity and plain English, clear layout, comprehensiveness, precision and practical application, and easy accessibility on the Internet. The chart is also mentioned as particularly useful.

Home Office Guidance – improvements that could be made

Suggestions are made in terms of the structure and content of the Guidance, although on the whole the feedback was positive:

- inclusion of an executive summary;
- making available standardised, detailed draft templates for systems and processes and forms. These would flag up the questions asked in court and ensure that the process runs as smoothly as possible;
- policy documents for all involved in the process including the courts, covering standardised procedures, information outlining the reasons for the new powers, proportionality and human rights. This would assist judges to process the closures effectively;
- it is noted that the Guidance states that within 14 days the matter will be dealt with by the courts. This is not always taking place within this timeframe and this needs to be recognised;
- more focus on procedures when children are involved, homelessness and the securing of premises;
- update regularly to incorporate good practice based on experience.

These improvements would save time and assist courts to process closures effectively and deal with appeals and enquiries.

Some respondents raised concerns that the courts have been working directly to the legislation, rather than referring to the Guidance regarding closures. One view is that if courts referred more to the Guidance *"a lot of the strange decisions wouldn't have been occurring because (the courts would) understand the ethos of the legislation"*.

Those who said that they were not using the Guidance came from the agencies interviewed who are less involved in the closure process, i.e. Social Services, DAT, community safety and ASB. Three people from both Site D and Site C said they had not used the Guidance, whilst there were two from Site A and one from Site B. The reasons for not using the Guidance included a lack of direct involvement in the closure operation. Others simply said they had not seen nor used it.

Local guidance for 'crack house' closures – usefulness and improvements

The study reviewed the relevant documents made available by each of the sites, and asked representatives in each site for their views on these. Differing details were given by respondents. The differences appear, on the whole to result from different interpretations of the term 'guidance'.

Multi-agency partners developed a *'Crack House' Rapid Reaction Protocol* for social rented accommodation in May 2002 to enable them to use the previous powers effectively. The protocol covers the whole closure process and includes a definition of vulnerability, details of the use of previous powers (Housing, Misuse of Drugs and ASB legislation), and template letters for consulting the Local Authority, DAT and local residents. This is seen to be guidance that has worked well because it is based on good practice. It is also described by partners as giving clarity about roles and responsibilities. The protocol is currently being updated in light of the new powers, and based on experience of implementing the previous powers. The amended Protocol is also due to be signed up to by the Site A Housing Partnership, which importantly includes RSLs and will be broadened to cover issues such as homelessness.

Site B Local Multi-Agency Project has a number of different documents. Strategic direction is outlined in their delivery plan. Their operational work under the new powers is guided by their *"Rapid Action Protocol for 'Crack House' Closures for Site B"*, which is based on national good practice and provides detailed guidance for delivering a planned, effective, multi-agency approach to the closure process. They are developing an ASB policy, within which they are intending to tackle displacement. This is not seen as a static document, but one which will be continually improved based on experience and identified good practice.

Other respondents also detail information-sharing protocols, which are already in place. The Project has also made briefing packs for the police and Local Authority giving them guidance on how to present evidence based on local and national good practice.

Site C did not have any guidance for the use of the previous powers. For use of the new powers they are developing a multi-agency protocol, which will include a directory of useful agencies and checklists for implementing the process.

There is marked lack of consistency regarding the situation in Site D. Four of the respondents indicate that there is no local guidance, some noting that they have been using the national guidance. Others describe a number of different documents which serve as local guidance. One person details their 'crack house' Protocol, which was in place previous to the new powers and covers housing legislation. This is said to be used on certain occasions, but not sufficiently frequently. They see this as "good" as it considered vulnerable tenants and partnership working with drugs agencies. The other documents received by the researchers were the 'Problem Solving Policing Closure Notices', which are two case studies, which provide some guidance about the closure process under the new powers.

Good practice

- A local multi-agency protocol agreed for the closure process and all of the options, which draws on the HO Guidance as well as local approaches and developed good practice
- Identification of a local definition of vulnerability
- Proformas of consultation letters drawn up
- A checklist of information required for court

Effectiveness and impact of powers

This section of the findings examines the effectiveness of both the previous and new powers in place to close 'crack houses' and the speed of closure under the powers. Consideration is then given to the impact of the powers on the number of closures, the rate of closure and on local communities.

Effectiveness of previous powers

Prior to the enactment of the new powers, a number of different powers were available to the police and local authorities, which could be used to deal with 'crack houses', although none of these was initially developed to address the specific issues associated with class A drug premises. Throughout this section these powers will be referred to as 'previous powers'.

Box 3.3: Previous powers for use in 'crack house' closures

- The Misuse of Drugs Act (1971)
- Housing Act (1996)
- Compulsory purchase orders
- Tenancy agreements
- The Crime and Disorder Act (1998)
- The Police Reform Act (2002)
- The Local Government Act (1972), section 222
- Theft Act (1968)

Misuse of Drugs Act (1971)

Most respondents did not comment on the effectiveness of powers introduced by this legislation, however, six indicated quite categorically that they were not effective in closing 'crack houses'.

The powers were described as "virtually useless" at removing tenants from properties, with two respondents highlighting that they had no impact on privately owned properties. Respondents in Site D and Site B did highlight some efficacy in various circumstances, particularly with regard to void premises, and in conjunction with referral to relevant social housing providers.

Powers were also considered to be heavily reliant on police involvement.

Key challenges

- Little impact on tenant removal.
- Ineffective with private premises.
- Heavily reliant on police action.

Good practice

- Work in partnership with social housing providers.

Housing Act (1996)

This legislation was seen to provide the most effective previously available powers. Even so, ten people described Housing Act powers as ineffective, whilst nine indicated that they were effective only to some extent. Most responses to this question came from housing and police representatives, with a similar proportion of both services viewing the powers as 'not effective' and 'moderately effective'. Views held differed little across all sites, with Site C finding them least effective.

Interviewees who thought the powers to be of some use provided scenarios to illustrate their applicability, although almost all of them added the caveat that the powers were slow to implement and not consistently effective.

In Site B, Housing Act powers were described by one participant as an "important tool in the bag with which to tackle 'crack house' closures". They noted that, significantly, a closure order (under the new powers) is against a property, not against an individual, so that in order to evict the tenant Housing Act powers need to be used. The closure order can serve as supporting evidence in this process.

One person also noted that Housing Act powers require exceedingly strong evidence. A protocol agreed between police and housing staff in Site A was seen to be workable but action was 'slow and difficult', although:

"what was effective was the way the police supported the housing agencies in acquiring the evidence to obtain an action under the Housing Act. That was very good, that helped in terms of partnership working".

Inserting clauses in tenancy agreements prohibiting anti-social and illegal behaviour was seen as one way of applying Housing Act powers to closing 'crack houses'. Again, however, this strategy was reported to be slow and not failsafe.

The key drawback to the effectiveness of Housing Act powers was reported to be the protracted time needed for implementation. In some cases there was concern that powers provided by the Act were just "not appropriate for this kind of serious problem". One particular example given illustrates this point:

"you couldn't close properties down. It would take months. In cases which I've dealt with where we've had class A drug dealing with firearms at an address where the tenant's refused to leave...[and use of the powers failed to secure eviction] the associated disorder continues and ...neighbours still live in fear. So there was no power at all."

The courts were seen as an obstacle by a number of people because "they do not like evicting secure tenants". Another respondent noted that Social Services interventions can also halt evictions being sought using Housing Act powers.

Key challenges

- Slow to implement.
- Frequent failure to secure eviction.
- Court resistance to pursue eviction.
- Social service interventions, which stop or delay the process.

Good practice

- Partnership working between housing and the police in evidence collection.
- Clause inserted into tenancy agreements prohibiting anti-social and illegal behaviour.
- Housing Act powers used in conjunction with new powers to evict a tenant from a premises following a closure period.

Compulsory purchase orders (CPOs)

In Site A attempts were made to close a well-known dealing premises in the area using a CPO. Although taken out over two years ago, progress was such that action could only be taken at around the same time as the new powers became available, and ultimately it was these that were used to close the premises.

CPOs had not been used in any of the other sites as they are seen to be of limited effectiveness and very slow. It was also noted that whilst the purchase is in process the 'crack house' remains open.

Key challenges

- Powers are very slow to implement.
- Use of the powers is limited to premises owned by individuals, which the local authority is in a position to purchase.

Tenancy agreements

Differing views were held regarding effectiveness of implementing powers provided within tenancy agreements.

Two participants from Site D thought that the powers were "very, very strong". One said that they had used recently amended breach of tenancy clauses to go to court for either injunction or possession.

Seven participants, from Site C (4), Site B (2) and Site D (1), reported partial effectiveness. The process involved is seen to be considerably quicker than that associated with using Housing Act powers (taking about six weeks in some cases), despite needing an order from the Court.

One Site B respondent also explained how clauses in tenancy agreements are used to warn tenants of the penalties associated with breach of tenancy and stated that these have, on occasions, been successfully used to evict people from premises voluntarily.

Tenancy agreements were sometimes seen to be ineffective because of the difficulty of enforcing them, as the courts are seen to be unwilling to give possession orders for what may seem to be disproportionately minor breaches of tenancy conditions.

Key challenges

- Difficult to enforce as the courts are often unwilling to grant possession

Good practice

- Additional ASB clauses included in tenancy agreements
- Private landlords encouraged to use tenancy agreements

Other previously available powers

Three site representatives from Site B and Site D said that **ASB legislation** was not effective, with two respondents from Site B stating that ASBOs were "unwieldy and not appropriate" and "not useful...very bureaucratic".

Site B interviewees highlighted a number of additional powers which could be utilised:

*"I think it is **Section 111 of the Local Government Act** can exclude people from the area...Kensington and Chelsea used it to exclude I think eight dealers from an area of Notting Hill...If you want the details it's actually on their Council website".²⁵*

*"In untenanted flats a lot of the 'crack houses'...are extracting electricity...**Under the 1968 Theft Act**, extraction of electricity is a criminal offence....In a void premises where the electricity is being extracted the police present them with an option, either they leave the premises now, or they will be arrested for extraction of electricity.... This would allow the Council to get the individuals out and secure the premises".*

25 link to website: <http://www.rbkc.gov.uk/pressrelease/pressrelease.asp?id=1219>

Good practice

- All alternative legislative powers available are considered.

Although the previous powers were, and still are, a useful tool in combating 'crack house' closures, using them alone has caused a number of problems to arise. These include their slow implementation and a heavy reliance on the police.

Effectiveness of the new powers

Very positively, eleven of the 28 respondents from across all four research sites said that in their experience use of the new powers was always effective. Five were housing representatives, three police, and two community safety practitioners and there was also one person from each of Social Services and ASB.

The overwhelming consensus regarding the effectiveness of the new powers is that they give additional impact to the powers already in place (18 responses).

In Site B it was reported that the increased speed of closure offered by the new powers has proved particularly effective in that *"dealers are not willing to open new 'crack houses' within the borough because the word on the streets is that they will be closed relatively quickly"*.

Although the new powers are effective, a number of respondents felt, as with previous powers, they appeared to do little to reduce displacement. Their feeling was that drug dealers, users and prostitutes simply move on, often to other 'crack houses'.

Speed of closure

A key aspect of this research was to examine the speed of closure using the previous and new powers, and to identify the factors, which obstruct slow the closures down or act as levers for quicker closure.

Box 3.4: Evidence from data

Data on old powers was only available in two sites, Site A and Site C:

- In Site A (based on evidence from three cases) it took on average almost two years (660 days) from first decision to use powers contained in the Misuse of Drugs Act to closure.
- In Site C (based on evidence from six cases) it took on average 207 days from first decision to use eviction powers under the Housing Act to closure.

Speed of closure using previous powers

Where class A drug premises are void properties or there are no lawful tenants, closures using previous powers can be very quick, taking *"a few minutes to at most a few hours"* as the local authority can close such properties immediately.

However, if the tenants are 'legal', then *"there's no quick fix under the old legislation at all"*. Moreover, 'crack houses' can be up and running again within days if not hours of a police raid. Some closures documented in the sites using previous powers have taken more than three years.

Speed of closure using new powers

The majority of respondents (22) indicated that it is considerably quicker to close a 'crack house' using the new powers. Site representatives stated that closures using new powers were being achieved within two weeks, indeed this is the target timescale adopted in Site A.

In Site A, the police and Local Authority had been unsuccessfully struggling to close a 'crack house' for 12 months; once the new powers were available the property was closed within two weeks.

A number of respondents described similar experiences and highlighted that the new powers have enabled agencies to close 'crack houses' which they have been struggling with for *"months, if not years"*.

Box 3.5: The main reasons given for new powers being speedier in achieving closure

- The new powers are more targeted as they are specifically designed to deal with the nature of class A drug premises with evidence required focusing on the property rather than an individual.
- The lower burden of evidence required to close a 'crack house' using new powers than was required using previous powers of eviction or prosecution under the Misuse of Drugs Act. For example, hearsay evidence from the community can be used without community members needing to give evidence in court.
- The process is viewed as a streamlined, clearly defined process, which is easy for officers to carry out.
- The police do not need to engage in lengthy and complex consultation with other agencies to pursue a closure.

The procedures contained in the ASB Act legislation enable 'crack houses' to be closed in a minimum of 48 hours.²⁶

Box 3.6: Evidence from data²⁷

- The average time taken across all four sites from the date of first decision to use new powers to closure was ten days. In Site B and Site D the average was just five days (with a closure taking as little as 24 hours in Site D and 48 hours in Site B).
- Once a closure notice has been served on a property, the average time taken to closure across all of the sites was four days.
- Across all the sites, properties were closed within 24 hours of the making on a closure order by the court.

Closures using new powers have been achieved in as little as 48 hours in the research sites. The quickest closures were attributed to:

- effective multi-agency information gathering systems.
- dedication of individual officers working overtime to pull together intelligence, crime reports and statements in a short period of time.
- Magistrates' support and understanding of issues relating to class A drug premises and the closure process.

The slowest closures were attributed primarily to delays in the court process, falling into two main areas:

- very heavy cross-examination in the civil courts.
- general challenging and lack of support/cooperation by the courts, including inappropriate use of adjournment.

Issues with adjournment²⁸ and appeal were highlighted across sites:

"the problem is that the [ASB] Act isn't particularly clear. It states that cases can be adjourned to a maximum of 14 days but it does not state that the case can only be adjourned once, so several of the courts have interpreted it as, providing each adjournment is not more than 14 days, the court can keep adjourning on a rolling basis" (Site A).

Other causes of adjournment have included insufficient evidence/intelligence, cases where children or vulnerable adults are involved and also *"as barristers get smarter"* with more experience and case law of defending clients against the new powers.

In Site D, a case took five weeks from serving the notice to closure. The case was adjourned three times for the following reasons:

- the defendant had not sought legal advice (12 days);
- the defendant's solicitor had been told it was regarding an ASBO (Anti-Social Behaviour Order) and therefore needed *"time to read the evidence"* (14 days);
- insufficient time to hear the evidence (1 day).

26 For detail see the Notes of Guidance that accompany the ASB Act 2003 Part One, Section 1- 11.

27 The full data analysis is presented in Appendix 2 for information.

28 Even if there is an adjournment at court regarding the 'Closure Order', the 'Closure Notice' is still in effect during this period with a Power of Arrest.

Aside from the court process, a number of other possible obstacles to speedy closure were identified:

- insufficient evidence/intelligence gathered;
- time taken to consult with the local authority (getting various people's signatures can slow things down, as can a lack of availability of the necessary officers);
- only one officer leading closure activity causing delays during a period of leave;
- difficulty securing property swiftly due to funding;
- lack of awareness of new powers among RSLs;
- cases where firearms are involved (where entering the property is more dangerous).

In Site A the first closure was the slowest, owing to the need to develop new procedures alongside implementation of the closure process, and the need to produce all necessary templates from scratch:

"We had to generate all the paperwork, all the check sheets, the certificates to be issued to tenants. All that had to be produced from the guidance notes. There were no examples of what it should look like in that document."

Ensuring appropriate Social Services provision is accessed in support of vulnerable tenants also led to a protraction in time from first identification of premises to closure, although in Site A this was described as only an extra "couple of days".

Rehousing was raised by two respondents as a key area which can slow down closure, simply in terms of "getting somebody somewhere else to live".

Speeding up the process using new powers

Box 3.7: Suggested methods of speeding up closure using new powers

- Pre-book court time within a 48hour period – in a case in Site A it took more than two weeks to file for a court date.
- Train police staff to ensure that the process is not reliant upon one individual taking forward a case.
- Train housing officers to identify 'crack houses'.
- Establish procedures for recording evidence of ASB more rigorously.
- Develop systems for gathering evidence across partners e.g. street and neighbourhood wardens, tenancy enforcement officers, police, etc: local knowledge held by housing officers and beat officers is seen as crucial.
- Introduce standardised proformas for collating evidence to provide a more coherent presentation to the courts.

Key challenges

- The court process.
- The appeals process.
- Working effectively with vulnerable tenants and children.
- Continuity of casework.
- Lack of trained staff.
- Gathering sufficient evidence.
- Funding to secure property.
- Dealing with firearms.
- The lack of RSL's awareness of the closure process.
- Ensuring 'crack house' tenants receive legal advice prior to court

Good practice

- Court staff trained in the use of the powers and the overall closure process.
- All staff involved in closures are aware of the appeals process.
- Effective evidence gathering mechanisms are in place.
- Progress of closures does not rely on one key individual.
- Information on closure process publicised to social landlords.
- Protocols with social services and homeless persons unit to provide rehousing services developed and implemented.
- Proformas for all documents developed.

The impact of the new powers

The effects of the new powers on the number of closures, the rate of closure and on communities are key aspects of the impact of this legislation considered here.

Impact of the new powers on number of closures

In Site B it was noted that although 144 closures were affected in the year prior to the introduction of the new powers, the majority of these were on void premises, and they were not *“problematic addresses”*.

A greater number of closures are projected for this year. In addition to utilisation of new powers, the number of properties being closed in Site B using previous powers is increasing. An increase in targeted resources to tackle ‘crack houses’ in general, rather than an introduction of new powers, is seen to explain increased closure numbers overall.

In Site D 60 or 70 void premises were closed before the new powers were enacted. These closures were affected by *“going to the premises with the local Housing Officers, identifying persons on the premises were not the lawful tenants and were not seeking rights to stay in the premises and these people were asked to move and the premises were then secured”*.

Impact of the new powers on rate of closure

Of all 20 respondents who commented, 16 people, covering all sites, suggested that the rate of closures had increased following introduction of the new powers. Two interviewees from Site D indicated that they felt that the impact was minimal, one person said that they provided *“useful backup”*, whilst one person felt unable to comment on impact on rate at this stage.

A range of reasons was given for this increased closure rate:

- Using powers in a wider geographical area – In Site A new powers are now used across the city, whereas the previous protocol applied to a smaller, specific area.
- Quicker closures – Closing premises more quickly means that the number and rate of closures can be increased.
- More robust legislation – New powers are more straightforward and therefore less easily contested.
- Increased evidence – Intensive evidence-gathering targeted at specific properties allows increased rate of closure.
- Pressure on landlords – In Site C publicity about the threat of closure involving private rented housing has led to private landlords evicting tenants themselves.
- Complementary projects – In Site B introduction of local partnerships project was cited as contributing to increasing rates of closure as well as new legislation.

Key challenges

- Effective use of the new powers.

Good practice

- Coverage of a wide geographical area.
- Intensive evidence gathering.
- Local dedicated partnership project.
- Working closely with private landlords.
- Closures well publicised.
- All relevant officers are trained to have full knowledge of the new powers.

Impact of the new powers on local communities

The closure of class A drug premises using the new powers is reported to have immediate, extremely positive effects on local communities affected by ‘crack houses’. One respondent described *“a huge reduction in the amount of Anti-Social Behaviour complaints, street warden reports, and crime in the area”*. The ability of the police and local authority to close ‘crack houses’, which in many cases have operated in and debilitated local communities for years, is reported to:

- *Increase community confidence and morale.*
Community members recognise that something can be done about 'crack houses' and they can contribute to the process. The closure of a property is seen to send out the message that 'crack houses' will not be tolerated and leads to community members feeling they can "start to get on with their lives again". In one area in Site D, residents "suddenly allowed their children to play out in the street, and the number of lawful residents who wanted to give up their houses in that area to move, has dropped by 100 per cent". Similarly, in Site B, residents are described as being "perfectly happy because they can let the kids go out and play now".
- *Increase confidence of staff in police, local authority and other agencies involved.*
Staff feel they have the ability to tackle the problems effectively using the new powers, "we feel we can gather evidence very quickly, that the process isn't going to take months, which in turn has raised the will of staff to seek closures. There is an excitement and a buzz about the place" (Respondent from Site C).
- *Enhance community cohesion/engagement.*
Action has encouraged residents to take more active roles in local community issues. For example, in Site B, residents are attending estate community meetings and "have an increased sense of ownership of their own area. Residents are working with Council officers, walk round the estates showing them areas that may need securing and identifying areas where people are taking crack".
- *Increase community support for the police, local authority and other local agencies.*
Whereas the inefficacy of previous powers had in some areas made "the police and the authorities seem impotent in the eyes of the local community".

The new powers have also sent out a preventative message highlighting that in addition to being liable to criminal proceedings, tenants who allow drug dealing or use could lose access to their homes.

Implementation costs

The cost of implementing closure is a key consideration for local agencies involved in the closure process. Both statistical data and interview responses provide a picture of the costs of new powers, opportunities for reducing costs, appropriate resourcing and comparative costs of new and previous powers.

Analysis of costs of new powers

Site B was the only site to provide a detailed analysis of police costs²⁹ linked to 'crack house' closure using new powers in cases of differing levels of 'risk' (relating to the execution of a warrant). These risks are defined as follows:

- Low risk: Operations where intelligence checks reveal that there is little or no risk to officers.
- Medium risk: Operations where intelligence checks reveal increased risk from the occupiers, either in the numbers present at the property or in their likely response to police. There would be no information regarding the use of firearms nor would there be a hostile response expected from others outside the premises.
- High risk: Operations where intelligence checks reveal an increased probability of hostility to police, either from the occupants or groups outside the premises, there would be a proportionally higher risk. This classification is also likely to be applied where the premises contained a large number of unknown persons, such as cafes and clubs.
- Firearms operations where intelligence checks reveal the presence of firearms on the premises or access to them by the occupants.

The costs detailed in Table 3.1 include the execution of a warrant and costs specific to the closure process (including review of existing intelligence, evidence gathering, consultation, authorisation and time spent preparing for and attending court). The data also detail additional costs accrued where a case is opposed in court.

²⁹ Site A, Site C and Site D were unable to provide comprehensive evidence of the cost of closures on a case-by-case basis. Some data were provided covering variously police time, housing officer time and physical closure costs (presented in Appendix 3); however, it does not provide a useful basis for comparative analysis of site costs.

Table 3.1: Case study of costs of new powers

	Cases unopposed in Court			Cases opposed in Court		
	Execution of warrant	Additional Closure Order Costs	Total	Execution of warrant	Additional Closure Order Costs	Total
Low risk	£728	£848	£1576	£728	£1588	£2316
Medium risk	£1148	£848	£1996	£1148	£1588	£2736
High risk	£1661	£848	£2509	£1661	£1588	£3249
High risk + Firearms	£2200	£848	£3048	£2200	£1588	£3788

As indicated, police costs of using new powers range from £1576 (in circumstances of 'low risk', where the closure order is not opposed in court) to £3788 (where the case is 'high risk, involving firearms' and opposed in court).

Additional costs may also be incurred by partner agencies, such as local authority officer time, and boarding up costs to secure a closed property. In Site B the Local Authority has its own supply of security doors and shutters, which can be installed for as little as £50 per property. RSLs who employ private contractors can charge up to £150 to fit security with ongoing weekly rental of £25-30 per week.

Cost elements of new powers

The cost of staff time emerged in all of the sites as the most expensive aspect of closure under the new powers. A range of stages of the closure process which incur costs was identified in all sites:

- investigation costs – including police, housing and other estate-based officers (e.g. officers from RSLs and NDCs, caretakers, neighbourhood wardens etc.);
- legal costs – including time costs of solicitors and court costs;
- physical closure costs – including cleansing, security and boarding-up;
- tenant support costs – homelessness support, rehousing, short-term B&B costs until court authorised closure.

Costs of using previous powers are also incurred since new powers are often used in conjunction with previous powers, for example using powers under the Misuse of Drugs Act to enter a property or Housing Act powers to evict tenants following a closure period.

Opportunities for reducing costs

Ten respondents could not see how the costs of using the new powers could be reduced. Others highlighted possible cost savings in the following areas:

- *Reducing evidence-gathering costs* – the process could be speeded up (thereby reducing costs of staff time) by improving information sharing between the police and housing.
- *Reducing court costs* – courts could be removed from the process. The police could be given the power to close a 'crack house' and the tenants the option of appealing through the courts.
- *Reducing physical closure costs* – suggested across the sites that there is scope to reduce the costs of cleansing and securing properties by utilising existing local authority services rather than police contracting work out (which is likely to be less cost-effective in terms of economies of scale). In Site C the option of utilising an NDC-funded not-for-profit contractor is being explored in terms of reducing physical closure costs.
- *Reducing housing/resettlement costs* – respondents in Sites A and B suggested costs could be reduced by linking activity that results in a closure order to tenancy agreements. As a result, housing would not have to apply subsequently and separately for possession of the property.

Other associated costs

In Site C respondents highlighted that there had been cases where private landlords have received compensation for loss of earnings due to the closure of their property. It was suggested that sufficient early warning to private landlords of the closure process should negate this cost. In addition, it was suggested that private landlords should take financial responsibility for the securing of the property, which should be paid 'up front'.

Good practice

Reduce costs by:

- Improved information sharing between the police and local authority.
- Existing local authority services utilised to secure closed 'crack houses'.
- Linked closure orders and tenancy agreements to enable more direct possession of the premises.

Appropriate resourcing

There were mixed opinions across sites regarding the adequacy of local resources available for 'crack house' closures. Even in Site B, where a dedicated team is funded, some respondents believe that resourcing is not sufficient. In Site A and Site D, more often than not, respondents believe there are not enough resources directed to funding 'crack house' closures locally.

Respondents who suggested local funding was insufficient, largely did not specify what extra funding is required, apart from a site representative in Site C who stated that further resourcing is required to ensure greater input from Social Services and Housing departments. However these services may want to consider the marginal benefits of investing in this sort of activity.

Comparative costs of new and previous powers

Several respondents suggested that the closure process using the new powers is more expensive than the process of using any one of the previous powers. However, because the new powers are more effective and generally work 'first time', in the long-term they are more cost-effective. Respondents highlighted a number of cases where numerous attempts had been made using previous powers, which still did not result in the successful closure of a property.

Twenty site representatives believe that closure using the new powers is more cost-effective than those using old powers. Representatives on the whole used their knowledge of the closure process to estimate costs; only one or two were able to quote actual figures.

Box 3.8: The main reasons given for new powers being more cost-effective

- less officer time needed to gather sufficient evidence;
- less time in court than is required to obtain an eviction or ASBO;
- a single police 'raid' conducted to achieve closure, where a property would be raided several times to convict an individual of supply/possession using the Misuse of Drugs Act;
- in Site B it was suggested that because the new powers are more effective in closing 'crack houses', more resources need to be allocated to meet the demand to target more properties.

4. Conclusions

Conclusions

This report has examined the use of the powers within the Anti-Social Behaviour Act 2003 (Part 1) which allow police and the local authority to act swiftly to close down premises where they believe drugs are being used, dealt or produced. The report has shown that while new legislation has brought new opportunity it has also brought new challenges.

A number of themes have consistently surfaced throughout the study and are worth highlighting at this stage. They are presented as key issues to consider as partners set about implementing the new powers, and should underpin agency work at both strategic and operational levels.

Partnerships

Partnership working is now a prominent feature of the policy landscape. The issues faced by communities are often complex and require a multi-agency approach, and this is definitely the case with drug use and the problems associated with their misuse. This study has illustrated how local partnerships at the research sites often held the answers to the challenges that they faced.

Despite continual use of the term 'partnership' over recent years, agency staff can often have a very different understanding of what a partnership actually is and does. Three types or styles of 'partnership' working are clearly identifiable from the study: partnerships within agencies; partnerships between agencies; and partnerships between agencies and the local community. What is also clear is the need for clear, open and constant communication at all levels of local service providers and local communities affected by 'crack houses'.

There appeared to be a feeling of clear benefits from a dedicated multi-agency unit at Site B where housing and Social Services staff facilitated not only greater partnership involvement but also gave important on-the-job training to partners. Following on from this, it's clear that with these being new powers there is an important challenge to evaluate and re-evaluate the processes involved. It is clear that this is only achievable through constant communication both formal (in the form of protocols etc.) and informal day-to-day contact (such as with local neighbourhoods).

Again, with these being new powers it is clear that agencies benefited from building relationships with new partners where this helped to strengthen community responses and meet local need. Working in partnership helped to identify and plan care provision which can in turn encourage speedier access to treatment. This study has also sought to make an input into what improvements can be made to local structures to improve communication for partners to work together more effectively.

Protocols

The development of protocols to facilitate information sharing and effective partnership has also become standard practice with the arrival of new legislation. Often agencies with different priorities and different ways of working find maximising the benefits of partnership working complicated. These difficulties are not insurmountable however. It is possible to meet individual needs without compromising partnership principles, by providing a framework for information sharing and joint working as well as clarity on decision-making. This can be achieved effectively through protocols which establish shared expectations about the range of information to be exchanged and the manner in which it will be exchanged. All relevant staff should therefore be aware of national guidance on the new legislation and using it to determine course of action. However, previous powers are still effective and, when used alongside the new powers, provide a helpful tool in achieving 'crack house' closures.

It is clear that in this study all sites identified the development of protocols as a priority, and some have already begun to do that to increase the speed and effectiveness of closures. In this case it is clear that any joint framework, supplemented by discussion and training, should: provide clear expectations of the role of each agency; provide professionals with a clear, and agreed way of working; and a way of keeping communication open and consistent. What is also clear though is that any protocols should also be kept under review to ensure that they remain relevant, as emerging good practice within agencies develops and changes.

Training

Clearly, as agencies find their feet with the new powers the importance of training becomes ever more apparent. In connection with building stronger partnership working, all of the sites identified that they would benefit from training to all staff. A number of the research sites continue to deliver formal and informal training through their service providers.

There was also an apparent feeling that larger organisational training was needed particularly for police officers and court officials, who would come into contact with the legislation on a day-to-day basis. As time passes, however, training continues to be delivered on the job. There was a recognition of the importance to share expertise of specific staff (such as those from Social Services or housing departments) who were designated and trained to specialise in supporting 'crack house' closures, as well as generic staff in a team to take on closure duties in addition to existing duties. This, in turn, enables wider involvement in the closure process.

Vulnerable tenants

One final issue that consistently runs through this report is the vulnerability of tenants. While this legislation is concerned with anti-social behaviour, tenants evicted as a result of crack house closures are sometimes vulnerable adults with learning difficulties and special needs, who have been coerced into letting crack dealers and users into their property.

Policies, procedures and codes of conduct are all good measures that can be used to help vulnerable tenants, but they will only be effective if frontline staff can implement them. There is a clear need for the local agencies (in the shape of the police, Social Services and treatment providers for example) to work together, both on a strategic and operational level, prior to the closure to put support in place for vulnerable tenants who will find themselves evicted as a result of the closure. Early intervention and early warning of the implications of residence in a 'crack house' is recommended. Professionals need to be persistent with the support and intervention they are offering. It is also essential to provide aftercare and follow-up to these vulnerable tenants re-housed as a result of a closure to ensure the same problem does not re-occur.

Final thoughts

This study has highlighted that, while agencies continue to find their feet working with the new powers, they appear to be encouraging partnership working, speeding up the process of closing 'crack houses' and potentially providing cost-effective means of tackling local drug problems. These powers appear to be an important addition to the toolkit for local agencies to tackle drug problems in their areas, providing immediate relief and long-term benefits for communities in distress.

Appendix 1: Details of research site representatives interviewed

Table A1.1: Agencies represented across research sites

	Number of respondents per agency at each site			
	Site A	Site B	Site C	Site D
Police Officers	5	2	2	3
Housing Officers	2	3	1	-
Anti-Social Behaviour	2	-	-	4
Community Safety	-	-	3	-
Drug Action Teams	1	-	1	1
Social Services Dept.	-	1	-	-
Drug Treatment Workers	-	-	1	-
Total	10	6	8	8

Table A1.2: Position, agency, and involvement in the closure process of respondents interviewed, by site

Site	Job title/agency	Service area	Strategic/ operational	Direct/indirect involvement	Dedicated/ generic post
Site A	ASB Coordinator	Police	Operational	Direct	Generic
	Head of Housing Management	Housing	Strategic	Indirect	Generic
	DAT Coordinator	DAT	Operational	Indirect	Generic
	Beat Manager	Police	Operational	Direct	Generic
	Inspector	Police	Strategic	Indirect	Generic
	Deputy Inspector	Police	Operational	Direct	Generic
	Housing Officer & Area Manager	Housing	Strategic + Operational	Direct	Generic
	Deputy Chief Inspector	Police	Strategic	Direct	Generic
	LA ASB Team Manager	Housing	Strategic	Direct	Generic
	Inspector	Police	Operational	Direct	Generic
Site B	Housing Coordinator, Crackdown project	Housing	Operational	Direct	Dedicated
	Estate Safety Manager	Housing	Strategic	Indirect	Generic
	Social Care Coordinator, Crackdown project	Social Service	Operational	Direct	Dedicated
	Police Constable	Police	Operational	Direct	Generic
	Estate Safety Manager	Housing	Operational	Direct	Generic
	Team Leader, Crackdown project	Police	Strategic + Operational	Direct	Dedicated
Site C	DAT Coordinator	DAT	Strategic	Indirect	Generic
	Enforcement Team Manager, Council	Housing	Operational	Direct	Generic
	Detective Constable, Drugs Unit	Police	Operational	Direct	Generic
	Superintendent, Operations	Police	Strategic	Direct	Generic
	Criminal Justice Services Manager, AddAction (Drugs Treatment Services)	Drugs Treatment	Operational	Direct	Generic
	Community Safety Manager, NDC area	Community Safety	Strategic	Direct	Generic
	Street Wardens, Intelligence Officer	Community Safety	Operational	Direct	Generic
Site D	Drugs Strategy Manager	DAT	Strategic	Indirect	Generic
	ASB Coordinator	ASB Team	Operational	Direct	Generic
	Chief Inspector	Police	Strategic	Indirect	Generic
	Sergeant (ASB)	Police	Operational	Direct	Generic
	ASB Team Leader	ASB	Operational	Direct	Generic
	ASB Officer	ASB	Operational	Direct	Generic
	Sergeant (Beat)	Police	Operational	Direct	Generic
	ASB Team, Housing Adv	ASB	Operational	Direct	Generic

Appendix 2: Speed of closure using new powers

New Powers Analysis	Site A (based on 8 cases)			Site B (based on 10 cases)			Site C (based on 5 cases)			Site D (based on 3 cases)		
	Lowest	Highest	Mean	Lowest	Highest	Mean	Lowest	Highest	Mean	Lowest	Highest	Mean
Time taken from first complaint to closure	68	8,700	1,635	17	2,135	726	75	105	89	6	726	248
Time taken from first consultation to closure	16	1,030	185	3	12	5	2	16	5	n/a	n/a	n/a
Time taken from first complaint to reopening	188	8,772	3,068	107	2,587	732	119	239	168	816	816	816
Time taken from first consultation to reopening	77	1,102	590	85	95	91	35	152	86	n/a	n/a	n/a
Evidence Gathering Period												
Time taken from start of the evidence gathering process to end of the evidence gathering process	15	6,760	1,001	10	65	24.3	2	11	7.4	5	730	248
Closure Process												
Time taken from first decision to use new powers to closure	16	21	19	2	12	5	4	25	12	1	12	5
Time taken from the closure notice served to closure	1	11	3.5	1	12	4.3	2	15	5	2	2	2
Time taken from police Superintendent authorising closure notice to closure notice served	1	19	6.4	2	12	4.8	1	2	1.2	1	1	1
Time taken from closure notice served to making of a closure order by the court	1	11	3.4	2	14	6.1	2	15	5	1	1	1
Time taken from a closure order by the court to closure	1	2	1.1	1	1	1	1	1	1	0.5	0.5	0.5

N.B. Many of the cases included in the analysis are historic cases (pre introduction of the new powers), for example one case dated back to the 1980s. This should be borne in mind when considering data relating to time taken from first complaint, first consultation and start of the evidence gathering process.

Appendix 3: Estimated costs of closures using new powers

Table A3.1: Estimates costs of closure using new powers in Sites A, C and D

Cost Elements	Site A (based on 7 cases)			Site C (based on 5 cases)			Site D (based on 3 cases)		
	Lowest	Highest	Mean	Lowest	Highest	Mean	Lowest	Highest	Mean
PC (hours/£cost)	£396	£1350	£571	£540	£630	£570	£0	£338	£193
Sergeant (hours/£cost)	£110	£594	£192	£70	£70	£70	£140	£271	£201
Inspector (hours/£cost)	£27	£648	£131	£80	£140	£92	-	-	-
Superintendent (hours/£cost)	£38	£76	£49	£25	£25	£25	£0	£13	£4
ASB Coordinator (hours/£cost)	£68	£169	£109	-	-	-	£0	£65	£22
Housing Department time (hours)	£34	£34	£34	-	-	-	-	-	-
Boarding-up and other closure costs (£)	-	-	-	£240	£360	£336	£400	£400	£400
Total case costs (£)	£579	£1991	£1085	£1075	£1105	£1093	£593	£1086	£824

N.B. Data were also requested on capital, revenue costs and marginal costs relating to Social Services, drug services, court time and any other cost implication, however, information was not systematically recorded and could not be estimated.

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Notes

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