

# SERIOUS VIOLENCE DUTY



Briefing Paper for Safer Plymouth Executive

## 1. Purpose

The purpose of this briefing is to provide an update regarding the Home Office 'Preventing and Reducing Serious Violence' – Draft Guidance for Responsible Authorities 'May 2021 for the Safer Plymouth Executive Group. There are a series of recommendations on next steps which will require decisions to be made on if and how Safer Plymouth will carry this work forward. Each individual responsible authority will need to individually consider their specific roles and responsibilities as set out in the appendix 1.

## 2. Background and Rationale

- The intention to legislate for a new Serious Violence Duty was announced in the Queen's Speech in December 2019. The duty is one of many provisions included within the Police, Crime Sentencing and Courts Bill, introduced to Parliament in March 2021. Following its passage through Parliament, we expect that the **Duty will come into force no sooner than 2022/3.**
- A key part of the Government's wider programme of work to **prevent and reduce serious violence; taking a whole-system approach** to understand the causes and consequences of serious violence, focused on prevention and early intervention.
- It will require organisations to **work together to plan, share data, intelligence and knowledge**, to generate evidence-based analysis of the problem and solutions to prevent and reduce serious violence in local areas.
- It will provide sufficient flexibility for relevant organisations to work together in the most **effective local partnership** for any given area. Some areas will have established VRU's, in other areas existing partnerships such as CSP's will be the identified partnership.
- In recognition of their role in this area, we will also amend the Crime and Disorder Act 1998 to ensure that tackling serious violence is an explicit priority for **Community Safety Partnerships.**

## 3. The Following Authorities will be subject to the duty

- **the police,**
- **local authorities,**
- **justice - youth offending teams, probation**
- **fire and rescue, and**
- **health authorities.**

**Educational institutions** and **prisons/youth custodial establishments** will be under a separate duty to co-operate with core duty holders. There will be a requirement for the partnership to consult with all such institutions in their area.

Duty holders will work together to establish a **local strategic needs assessment** see **appendix 2**. The guidance makes clear that this assessment and resulting strategy can be 'incorporated into existing products' i.e. embedded in a refreshed local strategic crime assessment, but we would need to be mindful that the resulting assessment will be subject to greater scrutiny and evaluation and could require a significant overhaul of resource to meet standards required. Options for external monitoring and compliance include the OPCC.

They will develop and publish a **local strategy** which will outline the collective action they intend to take, including (but not limited to):

- A summary of the local problem profile;
- How the chosen partnership will work together;
- Actions including specific interventions / preventative action;
- Engagement plans with voluntary and community organisations and young people; and
- Identified funding streams or resources

As with the assessment we can embed within existing strategies and plans, e.g. Plymouth Plan, Domestic Abuse Strategy but would need to demonstrably meet strategy requirements. There is a plethora of existing good practice available from the existing VRU's to assist along with the PHE guidance in **appendix 3**.

#### **4. Core Principles**

- a. The Duty does not require the creation of new multi-agency structures. Senior leaders in the responsible authorities should use existing local structures where possible to comply with the requirements of the duty to work together to prevent and reduce serious violence in their local areas and, ultimately, to improve community safety.
- b. The Duty requires the specified authorities to collaborate and plan to prevent and reduce serious violence. In doing so, local areas are encouraged to adopt the World Health Organisation's definition of a public health approach, which can be summarised as follows:
  - Focussed on a defined population;
  - With and for communities;
  - Not constrained by organisational or professional boundaries;
  - Focussed on generating long term as well as short term solutions;
  - Based on data and intelligence to identify the burden on the population, including any inequalities;
  - Rooted in evidence of effectiveness to tackle the problem.

## 5. Defining Serious Violence

The bill provides that, for the purposes of this duty, violence includes violence against property and threats of violence but does not include terrorism. It also provides that in considering what amounts to serious violence in any given area account must be taken of a number of factors, which are:

- a. the maximum penalty which could be imposed for any offence involved in the violence;
- b. the impact of the violence on any victim;
- c. the prevalence of the violence in the area,
- d. the impact of the violence on the community in the area.

Some types of crime such as homicides, weapons offences and county lines activity are specified as in scope; however there is considerable local flexibility to include other areas of crime such as domestic abuse and modern slavery according to local need. New and emerging threats can also be incorporated.

## 6. The Local Area

Plymouth would be the defined area but there is considerable scope for cross border working – see **appendix 4**

## 7. Data Sharing and Intelligence

In order to collaborate effectively partnerships are expected to share data and intelligence. This should primarily consist of sharing aggregated and anonymised data but may also include data pertaining to individuals to inform the strategic, tactical and operational response to serious violence in the local area.

Examples given include:

- hospital data on knife injuries,
- the number of exclusions and truanancies in local schools,
- police recorded crime,
- local crime data,
- anonymised prison data,
- areas of high social services interventions
- intelligence on threats such as county lines including the activity of serious organised crime gangs and on drugs markets.

Our commitment to a trauma informed approach in Plymouth would mean that we would also look to incorporate lived experience intelligence in our assessments and strategy.

There will be resource implications to Safer Plymouth partnership as we undertake this work (**appendix 4**) which will require some pooling of existing resources.

## 8. Engagement

The Safer Plymouth model of significant engagement with VCSE groups as evidenced through our existing thematic work would stand us in good stead for this element of the duty. We will need to consider more formalised and robust engagement with children and young people under the new Act, although existing forums in the city would provide appropriate vehicles for this.

## 9. Recommendations and next steps

- **Formal agreement that Safer Plymouth is the right partnership to deliver the duty with a commitment to pooling resource and budgets according to need as set out in the new legislation**
- **Establish a new thematic group to lead and develop work in this area to include engaging new partners (e.g. representatives from education authorities, prison services), resource mapping, identifying workforce development needs and ensuring analytical capacity in place**
- **Consult on changes with existing theme groups as appropriate and facilitate movement of participants between themes to best meet areas of expertise**
- **Agree on Public Health Lead for Thematic Group to facilitate expertise in best practice in line with appendix 3**
- **Agree formal liaison methods with OPCC to support an effective Peninsula approach**
- **Develop a Safer Plymouth structure chart which indicates where technical leads and data analysts will be providing support to the thematic lead**
- **Have new groups operational and with terms of reference updated ready for sign off at October Safer Plymouth Executive**
- **Seek appropriate sign off through Health and Well-being board and organisational governance structures**

## Appendices

1. <https://www.gov.uk/government/publications/serious-violence-duty-draft-guidance>
2. <https://www.gov.uk/government/publications/serious-violence-duty-strategic-needs-assessments>
3. <https://www.gov.uk/government/publications/preventing-serious-violence-a-multi-agency-approach>

### 4. Safer Plymouth Response to OPCC Peninsula Consultation Response

1. We welcome the public health approach and focus on early intervention and prevention of serious violence. The drive towards increased pooling budgets and directing resource to areas of greatest need is laudable, but the reality of stretched budgets for some of the key statutory partners has to be recognised as a factor which will impact on ambitions and success of this work.
2. We would strongly request that any additional funding to support prototyping of new work to prevent serious violence is made available over a period of time that enables the impact of work to be effectively evaluated. Also that funding is made available to support collaboration rather than competition for limited resource. If a public health approach is at the centre of the strategy, then we need to talk about generational cross-party funding which is sustainable and reliable (i.e. 10+ years).
3. Flexibility to work across local authority boundaries and opportunities to collaborate could be particularly beneficial for the Peninsula. We have already established strong and effective partnership working in relevant work streams including domestic abuse and sexual violence which could support the development of a similar approach to broader serious violence partnership. Also helpful in the context of working within the same Force/ PCC area.
4. Whilst recognising that high quality data and intelligence is rightly centred in this guidance, there will be additional burdens on organisations to provide this in a timely, GDPR compliant manner within considerable resource constraints. Engaging the diverse 'education authorities' who may have very different working arrangements could prove resource intensive. Will there be additional burdens funding for Local Authorities as with the DA Act to enable development of effective needs assessment/analytical support/ IG arrangements etc.?
5. The pragmatic approach to a serious violence strategy, with recognition that this may be embedded within existing plans, is helpful in avoiding a plethora of strategies which overlap but sit separately. It will be important for this bill to complement DA Act measures, Draft Victims Bill and VAWG strategies.
6. Would like to have seen more detail/ opportunity to consult on Offensive Weapons Homicide Reviews