Premises Closure (‘Crack House’ Closure) Policy

Reference No. P07-2012

Implementation date and Version Number (of this version) 21 September 2012 1.0

Linked document Reference No / Name.
• Dorset Police ASB Policy and Procedure;
• Cannabis Factory Procedure;
• Over arching information sharing protocol (OAISP);
• Multi Agency Protocol for High Risk Victims of ASB;
• Hate Crime Policy;
• Statute: Premises Closure Notice for disorder/nuisance, Section 11A of the Anti-Social Behaviour Act 2003

Suitable for Publication Yes
Policy Section Procedure Section No - Restricted

Protective Marking External Version – Not Protected

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE FORCE INTRANET POLICIES SITE.
1 Policy Section

This policy is aimed primarily at all Police Officers and Police staff whose responsibilities involve tackling premises being unlawfully used in the production or supply of Class A drugs, related offences, and the impact caused by such circumstances. It sets out our approach to identifying those individuals and communities who are suffering the effects of Anti-Social Behaviour (ASB) and in particular to identify and target premises which are being unlawfully used in the production or supply of Class A controlled drugs which is associated with the occurrence of disorder or serious nuisance to members of the public. These premises are often referred to as ‘crack houses.’

The purpose of this document is to provide clear and effective structures and guidance allowing local managers and officers to robustly manage these problems within their areas of command. In addition, it sets out how Dorset Police will work together with our Partner Agencies and the public, to effectively tackle and manage drug related Anti-Social Behaviour within our communities in a prompt, consistent and ethical way.

1.1 Statement of Intent – Aims and Rationale

Dorset Police aims to:

1. Promote clear and consistent guidance for all relevant staff and business areas. This will be delivered in the form of this Policy and Procedure, supported by information and guidance provided within the Dorset Police intranet pages (Territorial Policing-ASB);

2. Ensure offences and premises are correctly identified and managed by local teams by utilising intelligence led forums. The Neighbourhood Police Inspector will take overall supervisory responsibility and will report to DMM / DIM / WIM / TCG* as appropriate, based on their assessment and requirements for support, resources and risk to the organisation; (* Daily Management Meeting / Daily Intelligence Meeting / Weekly Intelligence Meeting / Tasking and Co-ordinating Group);

3. Ensure effective consultation and engagement with our communities and our partner agencies to manage closure orders, and the impact the circumstances may cause;

4. Work with all partners who will consult and lawfully share information with other statutory agencies, having due regard to the Overarching Information Sharing Protocol, and the Multi agency protocol for high risk victims of anti social behaviour to ensure an appropriate level of support to victims and witnesses of ASB and the management of offenders;

5. Promote the use of core performance measurements on which it can be evidenced that Dorset is safer and Dorset feels safer (utilising performance data produced by DORMIS (Dorset Police Management of Information System);

6. Promote the use of positive and balanced media releases. This will be managed by the Neighbourhood Inspector and the media and corporate communications department (MCCD).
Rationale:
These aims are underpinned by specific Dorset Police priorities;

Dealing effectively with the crime and Anti-Social Behaviour most affecting local communities
This priority focuses on identifying and reducing the crime and Anti-Social Behaviour most affecting local neighbourhoods, with specific emphasis on bringing prolific and priority offenders to justice and reducing the harm caused by alcohol and drugs. It recognises the importance of working with partners to ensure that community concerns are recognised and dealt with appropriately.

Protect vulnerable people and communities
This priority focuses on identifying and supporting those people and communities who are especially vulnerable and need particular protection.

When severe nuisance and anti social behaviour occurs in residential areas, it undermines people’s sense of personal safety and their confidence in their community. In some communities there are particular premises that are a constant focus for severe ASB, often related to the production or supply of Class A drugs, making the lives of those living nearby a misery. The Closure Order applies to all tenure types, so that those in privately owned or rented accommodation cannot evade the law if they cause serious nuisance to their neighbours. Even the threat of such an Order can prove a sufficient deterrent to force unruly people to behave with greater consideration for their neighbours.

Taking robust action against such unruly neighbours and problem premises will help build public confidence and make people feel safer in their homes and communities.

1.2 Visions and Values
Dorset Police is committed to the principles of “One Team, One Vision” – A Safer Dorset for You

Our strategic priority is to achieve two clear objectives
To Make Dorset Safer
To Make Dorset Feel Safer

In doing this we will act in accordance with Our Values of:
- Integrity
- Professionalism
- Fairness and
- Respect
1.3 Securing Trust and Confidence

The document seeks to achieve the Priority to Make Dorset Feel Safer by Securing Trust and Confidence. Research identifies that this is achieved through delivering services which:

1. Addresses individual needs and expectations
2. Improve perceptions of order and community cohesion
3. Focus on Community Priorities
4. Demonstrate Professionalism
5. Express Force values
6. Instil confidence in staff
7. Inform communities of positive interventions and outcomes

2 Standards

2.1 Legal Basis

- **Section 17 of the Crime and Disorder Act 1998**, places a requirement on specified bodies (including the Police and Local Authorities) to do all they reasonably can to prevent crime and disorder in its area, including Anti Social and other behaviour adversely affecting the local environment.

- **The Anti-Social Behaviour Act 2003** provides the legal basis for Premises Closure notices and orders (Class A drugs). In particular **Section 1** gives police the power to issue a closure notice and **Section 4** of this Act creates offences of remaining in or entering property subject to a closure notice or order.

- **Premises Closure Notice for disorder/nuisance, Section 11A of the Anti-Social Behaviour Act 2003** gives police powers to issue a closure notice in respect of premises associated with persistent disorder or nuisance; there is **NO** requirement for drugs to be present. The provisions are very similar to closure notices/orders when premises are being used for Class A drugs.

In the exercise of their functions, the Force must consider the **Equality Act 2010** and the Single Equality Duty, having due regard for the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

- Advance equality of opportunity between people who share a protected characteristic and those that do not which involves:
  - Removing or minimising disadvantages suffered by people due to their protected characteristics.
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
• Foster good relations between people who share a protected characteristic and those who do not.

2.2 People, Confidence and Equality Impact Analysis

During the creation of this document, this business area is subject to an assessment process entitled “People, Confidence and Equality Impact Assessment (EIA)”. Its aim is to establish the impact of the business area on all people and to also ensure that it complies with the requirements imposed by a range of legislation.

2.3 Monitoring / Feedback

The ASB reduction officers, within the Community Safety Department, will monitor the application of the policy on an ongoing basis and formally review annually with due regard to the Force Control Strategy Delivery Plan.

Feedback relating to this policy can be made in writing or by e-mail to:

Sgt 1639 Goodwin
Territorial Policing
Dorset Police Force Headquarters
Winfirth
Dorchester DT2 8DZ
Rachel.Goodwin@dorset.pnn.police.uk
3 Consultation and Authorisation

3.1 Consultation
(A hard copy signed by all persons is required for version 1.0 and any major amendment. For minor amendments completion of the consultation section is at the discretion of the business manager)

<table>
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<tbody>
<tr>
<td>Police Federation</td>
<td>Clive CHAMBERLAIN</td>
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<tr>
<td>Superintendents Association</td>
<td>Supt. Mark COOPER</td>
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<td>UNISON</td>
<td>Debi POTTER</td>
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<tr>
<td>Other Relevant Partners (if applicable)</td>
<td>John FERGUSON (Community Safety Team)</td>
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3.2 Authorisation of this version
(A hard copy signed by all persons is required for version 1.0 and any major amendment. For minor amendments a typed name and date is sufficient)

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<th>Name</th>
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<tbody>
<tr>
<td>Prepared:</td>
<td>Sergeant Rachel GOODWIN</td>
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<td>Quality assured:</td>
<td>Supt. Jane NEWALL</td>
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<td>Authorised:</td>
<td>Supt. Jane NEWALL</td>
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<td>Approved:</td>
<td>ACC VAUGHAN</td>
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4 Version Control

4.1 Review

Every policy or procedure is subject to a process of continuing review, depending on its risk factors (as assessed within the corresponding EIA). The date of the next scheduled review is given below. However, if changes in legislation or circumstances make it necessary, the policy should be reviewed and updated sooner.

| Date of next scheduled review | 21 September 2013 |

4.2 Version History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Reason for Change</th>
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<tr>
<td>1.0</td>
<td>Sept 2012</td>
<td>Initial Document</td>
<td>Sgt 1639 Goodwin</td>
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4.3 Document History

| Present Portfolio Holder (Relevant Chief Officer) | ACC VAUGHAN |
| Present Document Owner (Head of Department, Divisional Commander or a Senior Manager) | John FERGUSON (Community Safety) |
| Present Owning Department | Territorial Policing - Community Safety Team |
| Details only required for version 1.0 and any major amendment ie 2.0 or 3.0: | Name of Board: N/A |
|                                                                 | Date Approved: |
|                                                                 | Chief Officer Approving: ACC VAUGHAN |

Template version Feb 2011