

LGA submission to the Crime and Policing Bill Committee

15 April 2025

1. About the Local Government Association (LGA)

- The LGA is the National Voice of local government. We are on the side of councils: promoting their work, supporting them to improve and helping them make a difference to people, places and the planet.
- We aim to be the best membership organisation we can be. As the national membership body for local authorities, we provide the bridge between central and local government and we help councils deliver the best services to their local communities.
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2. Anti-social behaviour

1.1. Respect orders

- Respect Orders are intended to replace Civil Injunctions for adults. They will be able to *proscribe* behaviours such as entering town centres and *prescribe* behaviours such as undertaking alcohol and drug treatment. A breach of the orders will be a criminal offence. Both proscribed and prescribed behaviours could lead to pressures on local authority resources. The main change from the Civil Injunctions they replace is that breach of the Order is a criminal offence, whereas before a breach of the Injunction was contempt of court. This should make it easier for action to be taken where the order is breached.
- The Bill creates a new duty for Police and Crime Commissioners (PCCs) to promote awareness of the ASB Case Reviews in their police force area and provide a route for victims to query decisions via their office. It is important that implementation of this takes into account the Government's intentions to bolster the role of the Victims Commissioner in ASB case reviews and the implementation of the Victims and Prisoners Act. Without coordination, there could be parallel case reviews taking place on the same case, leaving victims confused and frustrated.
- The Bill introduces new ASB data reporting requirements by creating a power for the Home Secretary to make regulations requiring local bodies, such as councils and social housing providers, to report specified ASB data to the Home Office. This will require more resource.

1.2. Vehicles associated with ASB

- Swifter removal of vehicles used in antisocial activities is expected to reduce nuisances like noise pollution and dangerous driving, leading to safer and more peaceful neighbourhoods. The prospect of losing their vehicles may discourage individuals from engaging in disruptive activities, fostering a more respectful community environment.
- Whilst the anticipated reduction in antisocial incidents could lead to long-term savings

in public safety expenditures, increased collaboration between councils and police may require further resources.

1.3. Public Space Protection Orders (PSPOs) and Community Protection Notices (CPNs)

- The Bill proposes increasing the upper limit for a fixed penalty notice for breaches of a Public Spaces Protection Order (PSPO) or a Community Protection Notice (CPN) from £100 to £500.
- Higher fines may discourage individuals from engaging in prohibited activities, leading to improved compliance with PSPOs and CPNs. Stricter enforcement can contribute to cleaner and safer public spaces, enhancing the quality of life for residents.

1.4. Flytipping

- The LGA was not aware prior to publication of the Bill that it would propose councils are issued with statutory guidance on the use of flytipping powers. The Bill itself and the explanatory notes are vague on why these are needed. The suggestion seems to be that councils are not using enforcement powers as much as they should and are using them inconsistently. However it needs to be remembered that councils get blamed for failing to enforce when it is a shared responsibility with the Environment Agency. Councils do not have powers to take enforcement action against large scale flytipping or where criminal activity is involved. Statutory guidance would need to be clear on this point.
- An effective response to flytipping can only be developed at a local level. Councils use a range of actions to tackle and prevent flytipping, with enforcement being one part of the strategy.
- Adequate and long-term funding is crucial for councils to effectively prosecute flytippers, develop litter strategies, and implement best practice.
- The LGA wants to work with the Government and the sentencing council to review court guidance, ensuring stringent fines for the worst offenders and providing adequate funding for councils to investigate and prosecute flytippers. Councils face financial challenges in prosecuting flytippers, with fines issued by courts often lower than civil penalties. It is essential for courts to properly prosecute to deter repeat offenses.
- The Government should remove the cap on fixed penalty notices for fly-tipping, littering and graffiti.

1.5. Rural Crime

- With greater police resources allocated to more urban areas, we have seen a growing presence of organised crime in more rural communities. This includes links to country lines, gang related activity and the use of knives.
- The Bill emphasises the importance of neighbourhood policing, which is vital for rural areas where police presence may be limited. Strengthening community policing efforts can lead to better prevention and response to crimes affecting rural populations.
- The Bill could include measures such as greater cross-border co-operation between police force areas and between England and Wales. It could also include training for

police on rural crime, dedicated rural crime taskforces and the marking and registration of farming equipment.

3. Cuckooing

- Community Safety Partnerships (CSPs) tell us that cuckooing is a growing problem and the nature of it is changing. Case studies from councils were used to argue for the provisions contained in the Bill. The Bill will make it an offence to exercise control over another person's dwelling without their consent for the purpose of enabling the dwelling to be used in connection with the commission of specified criminal activity.
- The specified criminal activity includes the types of criminal activity that cuckooing is typically used to facilitate, for example, drugs offences, sexual offences and offensive weapons offences. The offence will carry a maximum penalty on indictment of five years' imprisonment or a fine (or both).
- To support implementation of the offence and strengthen the wider response to cuckooing, the Government will publish guidance for police and other operational partners. The guidance will help improve identification of cuckooing and support professionals to take effective action against perpetrators and identify the best pathways to support and safeguard victims.
- The LGA's Modern Slavery Network will be publishing case studies from councils.
- It is essential the cuckooing provisions take into account the emerging Violence Against Women and Girls strategy and the Government's aspirations around Modern Slavery.
- By criminalising cuckooing, law enforcement gains a specific tool to prosecute offenders, potentially reducing the prevalence of this exploitative practice. The legislation aims to safeguard individuals susceptible to exploitation, including those with disabilities, substance dependencies, or experiencing social isolation. Addressing cuckooing may lead to a decrease in related criminal activities, such as drug trafficking and violence, thereby improving overall community safety.
- Residents may become more vigilant and proactive in reporting suspected cases of cuckooing, fostering a collaborative approach to community safety. Councils may need to allocate resources to support victims of cuckooing, including providing alternative housing and social services. Local authorities will likely work closely with police to identify and address instances of cuckooing, necessitating coordinated efforts and information sharing. This may require resources.

4. Sexual offences

3.1. Child exploitation and youth diversion orders

- We welcome the fact that the focus on child criminal exploitation recognises that children and young people are themselves the victims. We hope the measures will support increased disruption activity and may result in fewer children being recruited. It is however crucial that this is seen alongside safeguarding the child; their safety is paramount and they must not be inadvertently penalised.

- On youth diversion orders, we broadly welcome the focus on greater support for children and young people if they are involved in terrorism related activities. However, we are aware that this is likely to be small numbers of children and young people involved and a very specialist area which staff will need to be supported to respond to young people's needs. This is a specialist area of work with children and young people that bridges many services and requires specific and complex legislation to be negotiated. The youth justice workforce will require detailed and robust training to effectively support children and young people, manage risk and ensure consistency across the country. There also needs to be consideration of joint working with other parts of the system such as PREVENT.

3.2. Mandatory reporting

- The mandatory reporting duty will require those working in specified roles (including children's social workers, teachers and those in healthcare) to report child sexual abuse in specific circumstances:
 - The individual witnesses abuse occurring (including via an audio or visual recording)
 - A child or perpetrator communicates to the individual something which would cause a reasonable person in the same role to suspect a child sex offence had occurred.
- Child sexual abuse is a horrific crime and the LGA supports the mandatory reporting duty, which should be introduced alongside wider work to prevent these offences occurring in the first place.
- We do, however, have concerns around implementation that must be addressed to ensure that the duty achieves its aim of protecting children:
 - **Training and support for those working with children:**
 - Multiple reports, including by Ofsted and the Home Office, have identified a lack of skills and confidence amongst professionals in responding to child sexual abuse. A duty must not be placed on professionals without the accompanying training that will enable them to identify and respond to child sexual abuse effectively.
 - **Support for victims:**
 - The Independent Inquiry into Child Sexual Abuse and the Centre of Expertise on Child Sexual Abuse both highlighted a significant shortfall in the provision of specialist support for children and young people who have experienced sexual abuse. There is a particular shortfall in dedicated support for boys, children from ethnic minority backgrounds and disabled children. If this duty identified more victims of sexual abuse, it is imperative that services are in place to provide appropriate support.
 - **Safe spaces for children:**
 - Children have expressed concern (including to the Children's Commissioner's Office and IICSA) about losing control of their decisions and knowing any disclosures would be immediately escalated could be a barrier to talking. Professionals already walk a fine line between confidentiality and building trust with children, and keeping them safe. We

must ensure that guidance accompanying the duty recognises the importance of safe spaces for children to share concerns, and professional judgement, and that sometimes professionals will need to work with a child over a period of time.

- **Pressure on children's social care:**
 - We expect the duty to result in an increase in referrals to children's social care, as has occurred in other jurisdictions where mandatory reporting has been introduced (e.g. parts of Australia and the USA). This is in a context in which children's social care departments receive more than three million initial contacts a year, and spending on children's social care increased by 11 per cent in the last financial year to £14.2 billion. It is vital that children's social care is adequately resourced to ensure that all referrals can be fully investigated and the best possible support provided, including where children need to be brought into care for their own protection.
- Clause 45(2) states that, under the duty to report suspected child sex offences, a notification must be made to a relevant police force, a relevant local authority or both. Given that a suspected child sex offence is both a safeguarding and a criminal issue, we believe that this is appropriate. All children's social care departments work closely with their policing colleagues, and will have arrangements in place to share information and ensure that children receive appropriate responses from all relevant agencies, as per the Working Together to Safeguard Children statutory guidance. However, this clause also highlights the vital importance of ensuring that all relevant practitioners, including those across social care and the police, receive appropriate training, and of co-producing clear guidance in support of the duty.

3.3. Managing sex offenders in the community

- We would expect procedures to be robust.

5. Resources

- There is a need for investment in councils' community safety and prevention work. Funding and service pressures are posing enormous challenges to local government. Councils are under severe financial strain. Inflation, wage pressures and growing demand and complexity of need mean that councils face a funding gap of £1.9 billion in 2025/26, rising to £4.0 billion in 2026/27, £6.0 billion in 2027/28, and £8.4 billion in 2028/29.
- Without adequate resources, councils cannot fully deliver on their critical role in crime prevention, youth intervention and Community Safety Partnerships (CSPs). Allocating funding directly to councils and CSPs, rather than solely through PCCs, would improve local flexibility, planning and outcomes. Everything councils do contributes to cohesive, resilient communities.
- People are feeling left behind. LGA annual resident satisfaction surveys show that the share of respondents that are satisfied with council service provision has fallen for every service area in the survey between 2016/17 and 2023/24. Satisfaction levels for each service have all fallen by between 3 and 16 percentage points since 2016/17.
- Local authority regulatory services are facing significant workforce challenges. Resourcing is a key cause of this. Charging on a 'polluter pays' principle could help

alleviate this problem through a fee for intervention for environmental health and trading standards services. The Government should work with councils to help address regulatory workforce challenges by providing funding to attract graduates into the regulatory professions similar to the [Pathways to Planning programme](#).

- **The Government should work with councils to:**
 - Introduce a single stream of long-term sustainable funding for three to five years for community-safety related services, paid directly to councils or CSPs rather than for example PCCs.
 - Provide additional funding to increase CSP capacity (such as additional analytical capacity, wardens, and CCTV), with local discretion about how it is used to achieve the Government's mission to 'take back our streets'.
 - Reform the duty and partnership landscape to ensure CSPs are equipped with the powers and partners to deliver.
 - Work with councils and the Association of Police and Crime Commissioners (APCC) to simplify and clarify overlapping community safety duties, ensuring resources are focused on delivery rather than bureaucracy.
 - Fund council services that prevent crime, such as those that address adverse childhood experiences and improve mental health and wellbeing.

6. Terrorism and national security

- While we broadly welcome the focus on tackling youth radicalisation and supporting young people more effectively, it needs to be noted that this is a specialist area of work with children and young people that bridges many services and requires specific and complex legislation to be negotiated. There needs to be detailed and robust training for the youth workforce to undertake this and to feel skilled to support young people and manage risk.
- We are concerned that Prevent Education Officers in many areas are in danger of redundancy as a result of [changes to Prevent funding](#). This is an example of the need for more join up between the Home Office and MHCLG as it makes no sense for the latter to be contemplating investing in cohesion while the former is dispensing with the services of those who have the skills needed to achieve MHCLG's aims. Prevent Education Officer funding could instead be replaced by counter-extremism or cohesion funding, which would ensure a smooth transition rather than recruiting officers from scratch.

7. Knives and offensive weapons

- While media attention often focuses on weapons like zombie knives and machetes, these accounted for only 4 per cent of knife-related homicides in the same period. Kitchen knives are the most commonly used weapons in homicides involving sharp instruments. In the year ending March 2024, over half of such homicides were committed with kitchen knives.

- Knife crime cannot be successfully tackled by dealing with supply of knives alone, and councils have shown that with adequate resources and strong relationships with partners, they can positively reduce knife crime through upstream intervention.
- The LGA also supports a public health approach to tackling knife crime. This has shown impressive results in Glasgow and has recently been adopted in Wales. Violence Reduction Units (VRU) were established in police forces in England to utilise this approach. The London VRU's statistics for knife crime with injury for those under 25 between 2019 to 2022 show a fall of 19 per cent, and a 28 per cent reduction in homicides over that period.