

HOUSING AND COMMUNITY SAFETY ADVISORY COMMITTEE
08 October 2014 at 7.00 pm

At the above stated meeting the attached presentations were shown:

6. Presentation on Young Carers (Pages 1 - 8)
- Fiona Watkins, VAWK
12. Modern Slavery (Pages 9 - 20)
- Video clips and presentation by the Community Safety Manager to advise and inform on this issue
13. Anti-Social Behaviour Act 2014 (Pages 21 - 36)
- Lesley Bowles*
- Short presentation on the new legislation by the Community Safety Manager.

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Kent Young Carers



A service of Voluntary Action within Kent



Definition

We define a Young Carer as...

- A child aged 5-18 who is supporting someone at home due to that persons illness, disability, mental health or substance misuse issue.
- The care can be practical and/or emotional.

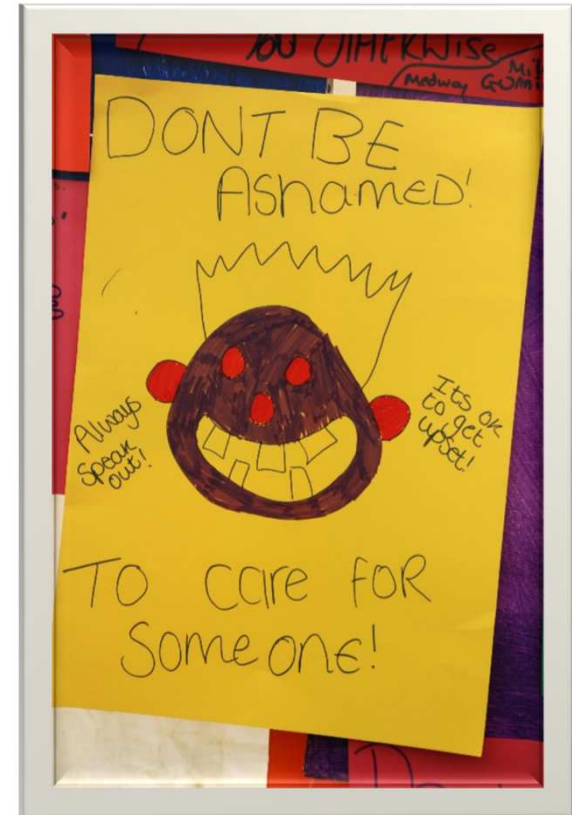


Introduction

Kent Young Carers is a county wide service

Young Carers receive the support they need to:

- Reduce the risks of their situation escalating
- Socialise with their peers
- Enable them to have some respite from their caring responsibilities
- Engage with education and learning



Kent Young Carers Provides:

- Information, advice and guidance
- Single Point of access through the KYC hub
- Social media and dedicated website
- Opportunities to socialise with peers at “Chill Clubs”.
- Short breaks
- One to one support
- Support in and for schools
- Individual bursaries and grants
- Signposting
- Opportunities to have their voice heard
- Support to engage with community based support and respite
- Advocacy on behalf of the young carer and their family
- Opportunities to learn new skills/workshops
- Participate CAF/TAF and as a Lead Professional



Sevenoaks District

There are 215 Young Carers registered with us aged 5-18 living in the District (KPHO estimate 400).

We run 3 Chill Clubs:

Edenbridge - once a month - Children's Centre - 5-18yrs

Sevenoaks - once a month - Otford Memorial Hall - 5-18yrs

Swanley - fortnightly - Swanley Youth Centre - 8-18yrs

KYC has a dedicated support officer for the SDC area.



Involvement

How you can support Kent Young Carers:

- Raise awareness of the service
- Display leaflets in your office/venue
- Refer Young Carers for our support
- Look out for 'hidden' Young Carers in harder to reach groups eg. substance misuse households, traveller communities
- Improved links with GPs/ Health practitioners
- Sponsor a Young Carer to attend a respite activity
- Donate so we can set up a hardship fund



Kent Young Carers Hub



0300 111 1110

info@kentyoungcarers.org.uk

www.kentyoungcarers.org.uk

Twitter [@KentYoungCarers](https://twitter.com/KentYoungCarers)

Facebook [Kent Young Carers](https://www.facebook.com/KentYoungCarers)

Thank you!



Modern Slavery Bill

Kelly Webb
Community Safety Manager



Definition of Human Trafficking

- **Human trafficking** - The illegal movement of people, typically for the purposes of forced labour or commercial sexual exploitation
- Human trafficking is a crime against the person because of the violation of the victim's rights of movement through coercion

Definition from Oxford Dictionary

Definition of Slavery

- **Slavery** is a system under which people are treated as property. Often slaves can be bought and sold. Slaves can be held from the time of their capture, purchase or birth, and deprived of the right to leave.

Definition from Wikipedia

National Perspective

- This Bill has now been committed to a Public Bill Committee. The Public Bill Committee is expected to meet on **Tuesday 14 October 2014**. The Public Bill Committee will scrutinise the Bill line by line.
- The Modern Slavery Bill will be discussed at the Public Bill Committee on Tuesday 14 October 2014
- The Bill is expected to be in place by **April 2015**
- The Modern Slavery Bill is the first of its kind in Europe, and one of the first in the world, to specifically address slavery and trafficking in the 21st century.
- It will give law enforcement the tools they need to target today's slave drivers, ensure perpetrators are severely punished and improve support and protection for victims.

What the Bill will enforce

- The Modern Slavery Bill will strengthen the response of law enforcement and the courts
- The Bill will ensure victims receive the protection and support they deserve
- The Bill consolidates the current offences relating to trafficking and slavery.
- The Bill will create two new civil orders to prevent modern slavery
- It will establish an Anti-Slavery Commissioner
- Make provision for the protection of modern slavery victims.
- A full copy of the bill will be available on the members portal

Human Trafficking - Kent Perspective

- According to Kent Police there are 1000 prostitutes working in Kent of which 80% are believed to be through human trafficking
- These women and men are subject to being moved around after 2-3 days, drug induced (usually heroin) so that they become addicts and do not leave their “master/gang leader”
- They can become human trafficked through thinking they will get a better life in the UK, paying off a debt (personal or family members) or family members being held to ransom to make them work
- Gangs that have been identified as leading the human trafficking in Kent are Albanian and Lithuanian
- Victims can often face more than one type of abuse and slavery, for example if they are sold to another trafficker and then forced into another form of exploitation

Slavery - Kent Perspective

- Slavery of agricultural work is where workers are paid up to £1 a day. Farmers that go through agencies may not necessarily know that they are paying for slaves, The agency would keep the remainder of the money
- Workers will have all their passports taken away
- Workers will sleep sometimes in vans or very run down buildings/out buildings with up to 20-30+ people in one room
- Kent Police's Special Branch based at Folkestone are working with local authorities to address the problem
- If a victim presents themselves to Kent Police or if they intercept slavery or human trafficking they will be taken to the UK Human Trafficking Centre until they find them a place of safety

Sevenoaks District what we can do

- Kent Police would like to work with us to offer awareness training to members and all front line workers including our partner agencies
- This will be incorporated into, and work in conjunction with, the Safeguarding Policy
- This training will be available from January 2015
- The training will ensure that all victims are dealt with appropriately and safely

What we can look out for

- The Modern Slavery website advises on the following 7 signs to spot
- **Physical Appearance** - Victims may show signs of physical or psychological abuse, look malnourished or unkempt, or appear withdrawn
- **Isolation** - Victims may rarely be allowed to travel on their own, seem under the control and influence of others, rarely interact or appear unfamiliar with their neighbourhood or where they work
- **Poor Living Conditions** - Victims may be living in dirty, cramped or overcrowded accommodation, and / or living and working at the same address
- **Few or No Personal Effects** - Victims may have no identification documents, have few personal possessions and always wear the same clothes day in day out. What clothes they do wear may not be suitable for their work

What we can look out for continued

- **Restricted Freedom of Movement** – Victims have little opportunity to move freely and may have had their travel documents retained, e.g. passports
- **Unusual Travel Times** - They may be dropped off / collected for work on a regular basis either very early or late at night
- **Reluctant to Seek Help** - Victims may avoid eye contact, appear frightened or hesitant to talk to strangers and fear law enforcers for many reasons, such as not knowing who to trust or where to get help, fear of deportation, fear of violence to them or their family
- More information can be found at www.modernslavery.co.uk or by contacting their help line 0800 0121 700



Thank you



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Anti-Social Behaviour Crime & Policing Act 2014

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Kelly Webb
Community Safety Manager



Agenda Item 13

Background Information

- The Anti-Social Behaviour Crime & Policing Act 2014 received Royal Assent on 13th March 2014 and will begin to take effect from 20th October 2014.
- The Act replaces nineteen pre-existing measures with six new measures for tackling anti-social behaviour and providing protection for victims and communities.
- The community trigger and community remedy will empower victims and communities, giving them a greater say in how agencies respond to complaints of anti-social behaviour and out-of-court sanctions for offenders

New Powers

- Civil Injunctions
- Criminal Behaviour Order
- Dispersal Power
- Community Protection Notice
- Public Spaces Protection Order
- Closure Power Notice and Order
- Community Remedy
- Community Trigger

Civil Injunctions

- Recently the Home Office have said that the Civil Injunction power will not be available to use until 15 Jan 2015. This is due to changes to the civil legal aid system and amendments needing to be made to the Legal Aid, Sentencing & Punishment of Offenders Act 2012. Anti-Social Behaviour Orders can continue to be used until the Civil Injunction can be enforced.
- To stop or prevent individuals engaging in anti-social behaviour.
- It is a civil order for anyone over the age of 10yrs old. A civil rather than criminal standard of proof is required – it is awarded on balance of probabilities that the person has engaged or is threatening to engage in behaviour capable of causing nuisance and annoyance
- Can prohibit individuals from engaging in certain behaviour and can require them to engage in positive interventions
- Applicants – Local Authority, Social landlords, Police, Transport for London, Environment Agency, NHS Protect
- Power of arrest can be applied
- Can be fixed or indefinite period for adults but can be a maximum of 12 months for under 18s

Criminal Behaviour Orders

- Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti social individuals who are also engaged in criminal activity
- The court must be satisfied beyond reasonable doubt that they have engaged in behaviour that has caused or likely to cause harassment, alarm or distress and that the Order will help prevent them from engaging in such behaviour.
- The applicant can only be Prosecution in the criminal case (usually CPS) but can apply for a Criminal Behaviour Order at the request of the Police or Council who would then become responsible for the cost of the Criminal Behaviour Order
- The anti-social behaviour does not need to be part of the criminal offence the individual are in court for.
- Will prohibit individuals from engaging in certain behaviour and can also require them to engage in positive interventions
- Can be fixed for a period of not less than 2 years or for an indefinite period

Dispersal Power

- The dispersal power is a flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community. The Council is not able to use this power
- There is no statutory requirement to consult the local council with the new dispersal power, but the authorising officer may consider doing so in some circumstances.
- Must specify the area to which it relates and can determine the time and the route to leave the area by
- Can confiscate any item that could be used to commit anti-social behaviour, crime or disorder
- Use in a specified locality must be authorised by a police inspector and can last for up to 48 hours
- A direction can be given to anyone who is, or appears to be, over the age of 10

Dispersal Power continued

- A person who is under 16 and given a direction can be taken home or to a place of safety. The community should be considered before using the dispersal power
- Breach is a criminal offence
- Failure to comply with a direction to leave: up to a level 4 fine and/or up to three months in prison although under 18s cannot be imprisoned
- Failure to hand over items: up to a level 2 fine (£1000)

Community Protection Notice

- To stop a person, business or organisation committing anti-social behaviour which spoils the community's quality of life
- Behaviour has to have a detrimental effect on the quality of life in the locality, be of a persistent or continuing nature and be unreasonable
- Imposes requirements to stop doing specified things, requirements to do specified things and a requirement to take reasonable steps to achieve specified results
- Written warning has to be issued informing the perpetrator of the behaviour, requesting them to stop and the consequences of continuing
- Council Officers, Police Officers, PCSOs, if they have delegated powers and social landlords

Public Spaces Protection Order

- Designed to stop individuals or groups committing anti-social behaviour in a public space
- Behaviour has to have a detrimental effect on the quality of life in the locality, be of a persistent or continuing nature and be unreasonable
- Restrictions and requirements set by the council after consultation with Police, PCC and other relevant bodies
- Can be blanket restrictions/requirements or targeted against certain behaviours/times
- Can be enforced by Police Officer, Council Officers and PCSOs, if they have delegated powers
- Breach is a criminal offence
- The maximum duration of a PSPO is 3 years so they can be shorter. They can also be varied if other problems are faced in the area during that time.

Closure Notice & Order

- **Closure Notice**
- To allow the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder
- To be used if the following has occurred or will occur if power not used – nuisance to the public or disorder near premises
- Last for up to 48 hours
- Can be served out of court but cannot prevent owner or occupants accessing premises
- **Closure Order**
- To allow the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder
- To be used if the following has occurred or will occur if power not used – disorderly, offensive or criminal behaviour, serious nuisance to the public or disorder near the premises
- Needs to be applied for through the courts after Notice has been served
- Can close a premise for up to 6 months and can restrict all access

Community Remedy

- The Police and Crime Commissioner (PCC) has recently consulted with members of the public, community groups and local authorities on the options to be included in a community remedy menu.
- The PCC needs to have the community remedy document in place by October 2014 and the findings from the consultation will support the development of the final proposals to be agreed between the PCC and Chief Constable.
- The Act requires each local policing body (and therefore not the Council) to prepare a community remedy document for its area with a list of actions to be carried out by a person who has:
 - engaged in anti-social behaviour or has committed an offence; and
 - is to be dealt with for that behaviour or offence without court proceedings

Community Remedy continued

- The community remedy document will be used by the police as part of the existing process for delivering community resolutions
- It is proposed that this will give victims of low-level crime and anti-social behaviour a say in the punishment of perpetrators out of court
- The community remedy may also be used by the police when a conditional caution or youth conditional caution is given, as a means of consulting the victim about the possible conditions to be attached to the caution

Community Trigger

- **Home Office Guidance states** - To be defined by the local agencies but not more than: 3 complaints in the previous 6 month period. May also take account of: The persistence of the anti-social behaviour; the harm or potential harm caused by the anti-social behaviour; the adequacy of response to the anti-social behaviour.
- The Act also enables the public to request a review of the actions taken to deal with anti-social behaviour complaints, referred to as the Community Trigger. Government has conducted various pilots around the Country to test how differing criteria would be activated and how the review process would work in practice.
- The decision is left to all local authorities to decide what the criteria for their area will be and how the review process will take place

Community Trigger continued

- In Kent, it is being adopted as one policy, but with adaption to local needs
- The application for the trigger will be considered by the Community Safety Unit at its daily tasking meeting to decide whether or not the trigger threshold has been met at which point the Community Trigger application will be validated and a review will be initiated.
- If the Community Trigger has not been met, there will be a full reply whether by letter or e-mail, which will list all the incidents that were reported and the actions that have been taken by the partner agencies and how to report future community safety incidents.
- If the Community Trigger is met a review will be initiated, partners and agencies that form part of the case review will be share relevant information in a timely fashion. If information is not provided this will be recorded as part of the review findings.

Community Trigger continued

- The process from beginning to end will last no longer than 25 working days and the applicant will be contacted and notified as appropriate during this time
- There will be a final review after 6 months, by which point any actions set as part of a plan created by the recommendations and findings will need to be completed. This will be communicated to the resident and the case closed if no further action is required.
- If the applicant requests a secondary review of the way their application for a Community Trigger was dealt with or are not satisfied with the way their Community Trigger review was carried out then the borough/district council will initiate an independent panel to conduct a second stage review.
- A review panel made up of senior members of the Community Safety Partnership together with an elected District Council Member who could be the Portfolio Holder for Housing and Community Safety or a deputy

Thank you

