



THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

DECISION RECORD FORM

REQUEST: For PCC approval.

Title: Use of Proceeds of Crime Income to fund the Heroin Assisted Treatment Programme

Executive Summary:

The Proceeds of Crime Act 2002 gives power to the police and other public bodies to confiscate assets and cash from individuals who are convicted of offences or on the balance of probability have benefited from their illegal activity.

The Home Office operates the Asset Recovery Incentivisation Scheme (ARIS) and for cash forfeitures the PCC receives 50% of the assets recovered and the Home Office the other 50%.

For non-cash confiscation orders these are shared as follows: Home office 50%: Investigation 18.75%: Prosecution 18.75%: and Enforcement 12.5%.

There is an expectation that monies returned to agencies will be used to recover more criminal assets and also, where possible, to fund local crime fighting priorities for the benefit of the community.

It is estimated that around 90% of ARIS monies nationally are re-invested in further asset recovery work – funds are used to defray costs incurred in conducting financial investigations, prosecutions and enforcement of orders and also to build capacity to enable even more assets to be recovered from criminals. The remainder funds local crime fighting priorities and community projects.

The Home Office monitors the use of ARIS funds to assess issues of propriety and regularity. All asset recovery partners are required to account for their use of ARIS payments at the conclusion of the financial year.

To date all of the funding recovered in Cleveland, relating to work aligned to the Proceeds of Crime Act, have been re-invested into further asset recovery with any funds unused earmarked for future use.

The Earmarked Reserve relating to this area has now grown to just over £500k.

The Middlesbrough Heroin Assisted Treatment (HAT) programme has been organised and part funded by the PCC along with the clinical team led by Daniel Ahmed of the Foundations Medical Practice and has the following aims:

- Reduce the number of street deaths caused through heroin addiction.
- Promote independence, long term recovery and desistance from offending behaviour.
- Provide respite for local residents and businesses so often the victims of crime to fund addiction.
- Remove the health risks associated with street heroin and drug litter.
- Free up the substantial public resources, including health and police, currently dealing with the problem.
- Cut off the funding stream to drugs gangs

Participants in Middlesbrough's ground breaking new drug treatment have called the scheme "life changing" as early findings show their offending has reduced significantly since its launch. The current 11 participants were known to have committed in excess of 900 crimes however since entering the scheme only one participant, to date, has re-offended.

These early findings show significant benefits in relation to Crime fighting and therefore the PCC is proposing to invest the Proceeds of Crime funding into ensuring that this work can continue while at the same time being funded through income recovered from criminals.

The pilot scheme is funded in partnership with South Tees Public Health, Foundations Medical Practice, Durham Tees Valley Community Rehabilitation Company and Tees and Wear Prisons Group with the PCC allocating £131,287 to support the delivery of this scheme which has an overall cost of £441,512

The PCC wishes to encourage partner agencies to continue to invest in the programme - at the same time, the PCC also wishes to underpin the programme with ARIS money in accordance with his public statements of intent to that effect .

Decision:

The PCC is asked to approve that the continuation and development of the Heroin Assisted Treatment Programme is funded from the income that is received from the confiscation and recovery of money from criminal activities in line with the Proceeds of Crime Act.

The PCC is also asked to approve that the allocation of the ARIS monies, including the Earmarked Reserve, to be invested in the HAT programme are to be negotiated by the OPCC, taking account of arrangements negotiated in respect of Partner contributions and approved by the PCC CFO.

OPCC Lead Officer: Michael Porter

Contractor Details (if applicable):

Implications:

Has consideration been taken of the following:	Yes	No
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(If yes please provide further details below)

Decision Required – Supporting Information

Financial Implications: (Must include comments of the PCC's Chief Finance Officer where the decision has financial implications)

The proposed use of the funding is in line with the expectation that the ARIS funding can be used to support local crime fighting priorities and community projects and therefore is an appropriate decision for the PCC to make.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

Having read and considered such information as has been provided at the time of being asked to express this view, the Chief Executive is satisfied that this report does not ask the PCC to make a decision which would (or would be likely to) give rise to a contravention of the law.

Equality and Diversity Implications

Heroin Assisted Treatment will be accessible to anyone regardless of background, gender, ethnic group, sexual orientation.

This treatment option will allow a diverse group of people who are experiencing substance use disorder to benefit from enhanced protective factors of Heroin Assisted Treatment, targeted those individuals who have failed to benefit from existing treatment services.

Human Rights Implications

None arise.

Sustainability Implications

The level of funding received in relation to the Proceeds of Crime Act is unlikely to be sufficient to sustain the forecast level of costs associated with the Heroin Assisted Treatment Programme on a permanent basis and therefore if the early positive signs of this scheme continue then a longer term sustainable method of supporting this scheme will be required.

Risk Management Implications

None arise.

OFFICER APPROVAL

Monitoring Officer

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed 

Date 4/3/2020

Police and Crime Commissioner:

The above request HAS my approval.

Signed 

Date 0/3/20