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VEMT – Vulnerable, Exploited, Missing or Trafficked

Redcar and Cleveland are committed to keeping all our children safe from exploitation

**COMMUNITY PROTECTION WARNING/COMMUNITY PROTECTION NOTICE**

**Background**

CPW/CPNs were introduced by the ASB Crime and Policing Act 2014, Community Protection Warnings (CPWs) and Community Protection Notices (CPNs) are intended to deal with on-going problems of nuisance which have a negative effect on the community’s quality of life. The notice will direct the individual, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again, such as:

* An individual who regularly allows their dog to foul in a communal garden.
* A group regularly taking the same route home late at night whilst drunk, making noise and waking their neighbours.

Community Protection Notices are designed to have a broad use and should focus on how victims and communities are affected.

NOTE: Breach of a CPN is a criminal offence.

**When can a CPN be issued?**

A CPN can only be issued if the organisation is satisfied that the conduct of the individual, business or organisation is:

* Having a detrimental effect on the quality of life of those in the area
* Persistent or continuing in nature, and
* Unreasonable

## Who can you issue a CPN to?

A CPN can be issued to any person aged 16 or over, a business, or an organisation. If a young person is aged 16-18 years, consultation must take place with South Tees Youth Justice Team beforeany further action is taken.

If a CPN is being issued to a business, it must be issued to the most appropriate person who can reasonably control or affect the behaviour, either in person or posted to them. Such as shop owner of a small shop, store manager of a major supermarket. The CPN is considered issued from the time the notice is posted.

If the owner cannot be determined, the issuing officer can post the CPN on the premises, provided reasonable enquiries have been made to identify them e.g. Land Registry check.

**Issuing a Community Protection Warning**

Before a CPN can be issued, a written warning must be issued to the person committing the anti-social behaviour. It must state that if the individual does not cease, they could be issued with a CPN. The CPN must also:

* Outline the behaviour that is considered anti-social.
* State the time by which the behaviour (or its impact) is expected to have changed\*
* Set out the potential consequences of not complying with a CPN, and the sanctions if breached.

**Issuing a Community Protection Notice**

If the recipient of the Warning Letter has not ceased their behaviour within the timescales set, a CPN can be issued.

The aim of the CPN is to stop behaviour and put in place steps to ensure it will not reoccur. It should be adapted to the situation and can include any or all the following:

* A requirement to stop doing specific things.
* A requirement to do specific things.
* A requirement to take reasonable steps to achieve specific results within the set timescales.

**What happens if they fail to comply with a CPN?**

Failure to comply with a CPN is a criminal offence under Section 48 of the Act. If an individual is convicted, they may receive a level 4 fine (up to £2,500 for an individual, up to £20,000 for a business or organisation) or the following sanctions:

* Fixed Penalty Notice (FPN)
* Remedial Action
* Remedial Orders
* Forfeiture Orders
* Seizure
* Criminal Behaviour Orders
* Closure Orders

**How will CPW/CPNs be used for VEMT cases?**

For the purpose of VEMT, we aim to use them as a disruption tool for individuals responsible for exploitation, cuckooing and those involved in the illicit supply of substances.

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S/VEMT/Community Protection Orders

**Who can use it?**

* Local Council officers
* Police officers
* PCSOs if designated the power by their Chief Constable
* Social landlords if designated the power by the local council

**Community Protection Warning and Notice Flowchart**

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Behaviour occurring that is having a detriment effect on the community

Consultation with ASB Team / Neighbourhood Police Team / YOS / Housing Provider / VEMT (or any other relevant agency)

If appropriate

Contact made with perpetrator to discuss issues

CPN process explained and verbal/written warning issued

Behaviour continues

Contact made with perpetrator to discuss further incidents

If no reasonable explanation given – CPW to be issued

Inform CSG

No further incidents in 12 months

CPW Discharge letter sent

Unreasonable behaviour continues

No further incidents in 12 months

CPW Discharge letter sent

CPN issued

Unreasonable behaviour continues

All incidents recorded in case chronology throughout

Appropriate breach action taken

All incidents recorded in case chronology throughout

Appropriate breach action taken