

Warwickshire Anti-Social Behaviour Strategy 2012-2015

December 2012

Foreword

Anti-Social behaviour (ASB) remains a high priority in Warwickshire, confirmed by the 2012 strategic assessment. All agencies remain committed to the reduction of ASB incidents and to making the most effective use of available resources. Anti-social behaviour affects the quality of life of our citizens, impacts directly upon levels of fear of crime and is linked with several crime types, including criminal damage, arson and harassment.

There is an expectation for all partners involved in Community Safety Partnerships to consider anti-social behaviour when developing Partnership Plans.

This strategy and accompanying action plan have the support of all members of Safer and Stronger Partnership Board. Its fundamental aim is to improve the quality of life for people across the county by tackling the causes and effects of anti-social behaviour in individuals, families and communities.

We define ASB as:

“behaviour which causes or is likely to cause harassment, alarm or distress to one or more people who are not in the same household as the perpetrator”.

The following examples of behaviours are included in this definition of ASB:

- **Nuisance behaviour**- general rowdy behaviour and nuisance, prostitution, aggressive begging, street drinking, animal nuisance
- **Noise Nuisance** - loud music, playing ball games near to people's houses.
- **Intimidation or harassment** - Malicious phone calls, offensive material through letter boxes.
- **Environmental quality issues** - Litter, dog fouling, fly tipping, abandoned vehicles, dumped rubbish.
- **Aggressive and threatening language and behaviour** - Verbal and physical abuse including threatening and offensive gestures.
- **Violence against people and property** – ASB-based vandalism, violence, arson, criminal damage.
- **Hate behaviour** - ASB based on targeting individuals because of their perceived differences. This includes race, gender, religion, sexual orientation, and disability.

Underpinning our strategy we have agreed the following principles. We aim to:

- employ a victim centred approach when addressing anti-social behaviour
- balance enforcement of standards with provision of support for the individuals, families and communities involved
- focus on prevention and causes of ASB, recognising that both short and long-term measures will be necessary
- work in partnership to ensure co-ordinated approaches, focusing on what works and sharing good practice
- listen to the individuals and communities affected by ASB and avoid demonising any sections of the community

- ensure early intervention where problems occur
- target effort on areas and groups that are most affected by the negative consequences of ASB, to ensure work undertaken has the maximum possible impact
- Support communities to tackle ASB themselves.

National Strategic Context

Putting Victims First; More Effective Responses to Anti-Social Behaviour

The government has recently published its proposals on anti-social behaviour and is committed to the following:

- concentrating on supporting victims, in order to stop such behaviour;
- ensuring that the perpetrators are punished;
- for authorities to take their problems seriously;
- to protect victims from further harm.

Local agencies should focus their response to ASB on the needs of the victims through:

- Identifying high risk victims at the first point of contact or at the earliest opportunity, offering support, ensuring concentration on risk reduction
- Frontline professionals having more freedom to use early intervention informal measures, such as Acceptable Behaviour Contracts (ABCs) or restorative approaches to stop perpetrators, prior to any formal approach
- Improving our understanding of victims' experience and the impact of ASB upon their quality of life. Some people with a disability or long term health condition can be affected disproportionately by the effects of ASB
- Community Triggers which will give victims and communities the right to get action where a persistent problem has not been addressed. In Warwickshire, we will review our processes once this power is introduced
- Community Harm Statements which will ensure that communities can get their voices heard, through a standard template, to present evidence of community harm to courts, and for casework and partnership working
- Restorative justice which will enable communities to have a say in the way that an offender can make amends for their crimes, getting them to face up to the consequences of their actions
- Neighbourhood Justice Panels which can be used for low-level crime and ASB, facilitated by representatives of the local community
- A speeding up of the eviction of anti-social tenants through a new mandatory route for both private and social landlords, to reduce the length of time possession takes
- A focus on long term solutions by addressing the underlying issues in order to prevent ASB happening in the first place

The proposed streamlining of the current powers are summarised in the table below:

Dealing with Antisocial Individuals

Proposals		Benefits of New system
1.	Criminal Behaviour Order- available on conviction for any criminal offence, and can include prohibitions and support, to stop future behaviour which could lead to further ASB or criminal offences.	The new order supports changes to behaviour to prevent re-offending, rather than simply prohibitions to stop the person from doing something (e.g. going to a particular place). The ASBO only included prohibitions on behaviour.
2	Crime Prevention Injunction – a purely civil order with a civil burden of proof, making it much quicker and easier to obtain. The injunction would also have prohibitions and support attached and a range of civil sanctions for any breach.	The civil standard of proof requires proof ‘on the balance of probabilities’ rather than ‘beyond reasonable doubt’ which will make injunctions quicker to get. This means that problem behaviour can be addressed more quickly. Police officers and other professionals can give evidence on behalf of the community, which protects vulnerable witnesses. The new injunction contains support to change behaviour rather than just stopping the person from doing something, to help reduce re-offending. Sanctions for breach are civil, not criminal, which prevents people getting a criminal record unnecessarily.

Dealing with ASB in the community

Proposals		Benefits of New system
1	Community Protection Notice – to deal with particular problems which affect the community's quality of life, and direct the person responsible to stop causing a nuisance and/or require them to ‘make good’	The notice can be used in a variety of situations (not addressed by the powers it is directly replacing), allowing areas to respond flexibly to local issues as they arise. The notice will also extend the powers the police have to deal with noise nuisance – currently dealt with by Local Authorities, many of whom do not have out of hours services.
2	Community Protection Order (public space) – An order to deal with ongoing/persistent ASB in a public place, applying restrictions to how the public space can be used.	The order can be used in a variety of situations (not addressed by the powers it is directly replacing), allowing areas to respond flexibly to local issues as they arise. The order allows local areas to make decisions without having to go through central government, with oversight provided by communities and the Police and Crime Commissioner.

3	Directions Power – a power to direct any individual causing or likely to cause crime or disorder, away from a particular place, and to confiscate related items.	The new power will not require the police to designate a 'dispersal zone', which will reduce bureaucracy for the police and allow them to act more quickly to address problems in an area.
4	Community Protection Order (closure) – An order which could be used to close a premise temporarily, or for up to six months.	Bringing the premises closure powers together and simplifies the system, whilst keeping the benefits of the existing system in providing respite to communities.

Changes to ASB recording

Previous categories of recording ASB incidents included a range of headings, under the definition of ASB. However, these did not enable call handlers or practitioners to consider the risk involved for the caller, other individuals or the community as a whole. Recording ASB categories have changed, to reflect a case management rather than an incident based approach.

The three new ASB categories for recording by police, are:

- Personal
- Nuisance
- Environmental

These simplified categories are designed to change the emphasis from merely recording and responding to incidents, to identifying those vulnerable individuals, communities and environments, most at risk and therefore in need of a response before the problems escalate.

ASB - Personal

'Personal' identifies ASB incidents that the caller, call-handler or anyone else perceives as either deliberately targeted at an individual or group or having an impact on an individual or group, rather than the community at large. It includes incidents that cause concern, stress, disquiet and/or irritation through to incidents which have a serious adverse impact on people's quality of life, from minor annoyance to the risk of harm, deterioration of health and disruption of mental or emotional well-being, resulting in an inability to carry out normal day to day activities through fear and intimidation.

ASB – Nuisance

'Nuisance' includes incidents where an act, condition, thing or person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general, rather than to individual victims, where behaviour goes beyond acceptability and interferes with public interests, including health, safety and quality of life. Individuals and communities will have differing expectations and levels of tolerance of what goes beyond acceptable behaviour, which will be considered in each situation.

ASB - Environmental

'Environmental' includes incidents where individuals and groups have an impact on their surroundings, including natural, built and social environments. This is about encouraging reasonable behaviour whilst managing and protecting the environment so that people can enjoy their own private spaces as well as shared or public spaces. People's physical settings and surroundings are known to impact positively or negatively on a sense of well-being. The perception that nobody cares about the quality of a particular environment, can cause those affected to feel undervalued or ignored.

Encouraging Active and Safer Communities

Home Office analysis indicated that people living in areas with strong informal social control, experienced lower rates of crime and perceived ASB, compared to people in otherwise similar neighbourhoods. Baroness Newlove reported on her experiences when visiting active communities across the UK, and set out her vision for creating more active and safer communities, as detailed below.

- Residents feel safer in their area; know and can rely on, their neighbours; and feel happy to live there,
- The community has a sense of pride and ownership in their area, looking at how they can improve the neighbourhood, rather than relying solely on agencies.
- People feel confident and willing to intervene and challenge behaviour
- Parents take responsibility for their children
- People within the community, have the skills, resources and support to set up their own groups and projects, and these are growing in number and thriving. But if they feel out of their depth or threatened, there is a clear mechanism from agencies to support them – they do not feel abandoned
- People who do the right thing are celebrated.
- Savings made by active communities are used to benefit those communities.

Baroness Newlove's vision of active communities, coupled with the Big Society agenda, sees agencies building community engagement and participation into tackling ASB in the future. Communities are not only involved in identifying what their local issues are, but also in how the problems are addressed.

The Current Position in Warwickshire

In Warwickshire, ASB appears to have decreased substantially over the year. However, using the 3 new categories of ASB, it has not been possible to compare 2011/12 to 2010/11.

ASB in Warwickshire 2011/12

Anti-Social Behaviour Incidents	Warwickshire Areas					% of Total ASB Incidents
	North Warks	Nun & Bed	Rugby	South Warks	Warks Total	
<i>Environmental</i>	210	481	246	504	1,441	7%
<i>Nuisance</i>	1,567	4,949	2,626	6,097	15,239	70%
<i>Personal</i>	563	1,653	949	1,880	5,045	23%
Total Anti-Social Behaviour Incidents	2,340	7,083	3,821	8,481	21,725	100%
Proportion of Anti-Social Behaviour Incidents	11%	33%	18%	39%	100%	

ASB Review

Agencies across Warwickshire have recognised that changes to the way that ASB was addressed were required and had reviewed current strategic approaches and delivery mechanisms. It was clear that there was:

- Limited concentration on the needs of victims, as the focus had been on the offenders and their needs.
- There was little in the way of risk assessment of the harm being caused to victims as a result of ASB, especially the most vulnerable victims.
- There were few common structures or processes across the county, as all districts were working in a different way, with different staff and different working practices

Her Majesty's Inspectorate of Constabularies (HMIC) inspected how ASB was being addressed in each police force, compared to the previous inspection in 2010. Overall there had been a significant improvement in each area, but some areas had improved more than others.

Although there had been improvements in the way that repeat and vulnerable victims were identified at the point of report, there was still no consistent identification of victims. The key improvement is with the questioning carried out by the call-handler, as some victims are not getting the support they need, when they need it.

Additionally, incidents were not being recorded in the right category, so personally targeted victims, were more likely to be at higher risk of harm than other victims.

The report for Warwickshire police showed that there had been improvements since 2010 as follows:

- Strong partnership arrangements were in place, with regular meetings to decide how best to use resources, with appointed staff to advise on the best way to tackle problems
- The police consulted widely on a new ASB policy to strengthen its approach particularly focusing on victims (Warwick district pilot)

However, areas for further improvement include:

- The force not consistently identifying vulnerable victims and repeat callers at first point of contact
- Performance management and analysis of ASB could be strengthened at strategic level
- The force should consider conducting a force-wide ASB profile to fully understand the risks of harm caused by ASB
- Further staff training is needed to identify and respond to ASB incidents
- Satisfaction with the way police dealt with the problem was improved but is still lower than the national average.

ASB has been the subject of a multi-agency review over the past few months, resulting in a pilot project in Warwick District, which is now being rolled out across the county.

The project developed a risk assessment system, to identify vulnerable victims of ASB and ensure that there is support for them at an early stage. This has already ensured that vulnerable victims, were identified earlier and supported across agencies, with their risk being significantly reduced. A countywide database is being developed, for all agencies to use. This will ensure that all vulnerable victims are supported at an early stage, and that agencies co-ordinate their response to deal effectively to reduce the risk and take positive action against the perpetrators of ASB.

Warwickshire Anti-Social Behaviour Action Plan 2012-13

The countywide ASB action plan sits alongside this document and will be revised annually, based on analysis and partner input. All Community Safety Partnerships have ASB as a priority in their action plans, with their own actions at local level.

Anti-social behaviour is one of the priorities set out in the Community Safety Agreement. Performance in relation to ASB will therefore be measured through the CSA delivery plan, and reported to the Safer and Stronger Partnership Board. Due to the changes in ASB recording, 2011/12 was the baseline year and no target was set. The target for 2012/13 therefore is to reduce ASB from that baseline.

