



An Anti-social Behaviour Strategy For South Cambridgeshire

August 2005



Index

1. Purpose of the Anti-social Behaviour Strategy
2. What is Anti-social Behaviour
3. Anti-social Behaviour in South Cambridgeshire
4. The Anti-social Behaviour Task Group and Caseworker
5. Diversion and early intervention
6. Restorative Justice Intervention (for under 18s)
7. Work with and in Community
8. Environmental management
9. Terminology
10. Enforcement
11. Using ABCs (and other voluntary agreements) in South Cambridgeshire
12. Other Measures
13. The processes for identifying ASB
14. The Anti-social Behaviour Task Group
15. The Anti-social Behaviour Action Plan 2005-2008
16. Links to the Anti-social Behaviour Forum (ASBIT)

Appendices

Appendix 1 Referral form for agencies

Appendix 2 Incident reporting forms for residents

Appendix 3 Procedures for dealing with Anti-social Behaviour

Appendix 4 Crime and Disorder Reduction Partnership Structure

1. Purpose of the Anti-Social Behaviour Strategy

Our focus is on behaviour that has a significant, negative impact on quality of life of our communities, but does not take the form of serious criminality.

The Crime and Disorder Act (1998) was introduced in response to growing public concerns about crime and disorder in local communities. A strand of this strategy requires Crime and Disorder Reduction Partnerships (CDRPs) to address anti-social behaviour (ASB) from individuals or groups who cause alarm, distress or harassment within the community. The Anti-Social Behaviour Act (2003) enables and encourages the police and local authorities to work together with local people to tackle ASB.

The South Cambridgeshire ASB Strategy should be read in conjunction with the Community Safety Strategy and the Crime and Disorder Audit produced by the CDRP.

At a national level the Government has provided new legal tools to assist the police and local authorities to combat incidents of serious and persistent ASB. One of these tools is the Anti-Social Behaviour Order (ASBO), which may be applied for only by the police, local authority or other social landlord, in consultation with each other. Further information about ASBOs, Parental Control Agreements, and Acceptable Behaviour Contracts can be found in number 11 in this document. To enable South Cambridgeshire CDRP to meet the requirements of central government they have formed an Anti-Social Behaviour Task Group to address incidents of ASB across the district.

2. What is Anti-Social Behaviour?

ASB does not have to be criminal, but it can include, criminal, homophobic or racist acts. Behaviour that puts people in fear of crime can amount to ASB where it causes harassment alarm or distress. In addition it can be behaviour that incites people to commit crimes or violent acts. ASB also includes behaviour that would, or has the potential to be detrimental to the quality of life of a resident or visitor to South Cambridgeshire.

Our focus is on criminal and non-criminal behaviour that has a significant, negative impact on others' quality of life, but does not take the form of serious criminality. For the purpose of this strategy, the definition adopted by the CDRP will be based upon the primary definition from the Crime and Disorder Act (1998).

ASB is described in the Act as:

- causing harassment, alarm or distress
- to individuals not of the same household as the perpetrator
- not reasonable in all circumstances
- requiring interventions from the relevant authorities;
- criminal prosecution and punishment may be inappropriate because the individual components of the behaviour:
 - are not prohibited by criminal law or
 - in isolation, constitute relatively minor offences.

The main forms of ASB

Interpersonal/malicious ASB is directed against specific individuals, groups or organisations that cause harassment, alarm or distress.

Examples include:

- intimidation or threats
- vandalism directed at individuals or groups
- threatening behaviour
- serious verbal abuse/verbal harassment
- hoax or malicious calls (including sms text and email)

Environmental ASB is behaviour that – deliberately or through carelessness – degrades the local environment, such as:

- dog-fouling
- allowing animals to roam
- noise nuisance
- setting fire to rubbish
- graffiti
- abandoned vehicles
- littering
- fly-tipping
- arson
- vandalism
- criminal damage
- high and persistent levels of noise

ASB restricting access to public space refers to threatening or physically obstructive behaviours that stop people using public spaces, such as:

- intimidating behaviour by groups of people
- aggressive begging
- street drinking and drunkenness
- under-age drinking
- obstructive use of vehicles
- vehicle related nuisance and inappropriate vehicle use
- drug abuse and dealing in public places
- use of motor-bikes in areas that would cause disruption or danger to others.

This is not an exhaustive list and the ASB Caseworker will be guided by the Crime and Disorder Acts.

3. Anti-Social Behaviour in South Cambridgeshire

The extent of ASB in South Cambridgeshire is difficult to measure. Certain types of behaviour such as vandalism and graffiti, intimidation by large groups of people, noise, uncontrolled pets and street drinking go largely unreported and therefore not recorded by the police for the CDRP to measure.

4. The Anti-Social Behaviour Task Group and Caseworker

The ASB Task Group is committed to improving the reporting of ASB and the development and monitoring of suitable indicators. Reports about ASB can be received from a variety of sources. Complaints about perpetrators are usually made to the Police, Local Authority or housing association. They will initially investigate problems. These organisations and others will complete Incident Reporting Forms when they receive information from a member of the public. Individuals witnessing ASB can also record the information and submit the data to the ASB Task Group or a partner agency.

In some cases those involved in ASB may graduate to serious crime or are simultaneously involved in both. Therefore a range of ASB and criminal justice interventions may be applied to the same individuals.

The South Cambridgeshire ASB Caseworker is developing close links with the Prolific and Other Priority Offenders Strategy Group (POPOS) in order to ensure effective communication and intervention by partner agencies with regard to persistent offenders and how they are dealt with.

5. Diversion and Early Intervention

Responding to ASB is not simply a matter of addressing misbehaviour; it is also about promoting tolerance, diversity and respect for others. It is also about finding ways we can intervene at an early stage with children and young people who may be at risk of engaging in ASB or are perpetrators of minor ASB, to prevent progression to a criminal career. This will be achieved by developing close links with other agencies and ensuring effective mainstream provision is in place. Social Services, and Educational Welfare may also be involved. Once other agencies are involved they can provide support and guidance for parents of at-risk children.

Diversion channels the energies of young perpetrators or potential perpetrators of ASB into constructive activities to develop skills and boost self-confidence. Some diversionary skills are targeted at those most at risk of offending whilst others have a broader scope. Diversion can include:

- Specific schemes and projects for at-risk young people (Connections Bus Project/ Arson Task Force (ATF) Fire Setters)
- Provision of local youth groups and organisations, located in the villages
- Provision of after-school clubs and holiday clubs/activities
- Arts and Sports activities
- Community Development activities
- Connexions service interventions

Diversionary activities can be incorporated into an Acceptable Behaviour Contract, for example Joe Bloggs is encouraged to attend ATF Fire setters project once a week.

6. Restorative Justice Intervention (for under 18's)

Restorative justice can be used where individuals are involved in or affected by crime or anti-social behaviour. The aim is to communicate via a facilitator to address the harm caused and find solutions as to how that harm can be repaired.

When referrals are made to the group the officer in the case and the ASB Caseworker will decide if the referral is suitable for restorative justice intervention, it will then be referred to the Restorative Justice Co-ordinator based at the Youth Offending Service. Restorative Justice can be used in conjunction with ABC's.

7. Working with and in communities

Statutory agencies need to work closely and co-operate with local communities by engaging with community groups, and by consulting as widely as possible.

8. Environmental management

Environmental management is about 'designing out' the potential for crime, disorder and ASB by making it harder to commit. It is also about the maintenance and up keep of the environment by the community and relevant agencies. It can include:

- Planning for sustainable communities – designing out the social and physical causes of crime and ASB when planning new housing developments
- Providing play spaces for children and more distinct areas for young people
- Minimising opportunity for ASB (eg street lighting, toughened glass, anti-graffiti paint, defensible space)

- Removing signs that ASB is acceptable (eg through rapid clean-up of graffiti and removal of abandoned vehicles)
- Encouraging environmentally responsible behaviour (eg by providing litter bins and dog mess bins)
- Controlling the 'precursor ingredients' of ASB (eg tighter enforcement of restrictions on sale of alcohol glue and other solvents and spray paints to children and in some cases, large quantities of eggs; closing disorderly licensed premises)

9. Terminology

GUARDIAN AWARENESS PROGRAMME (GAP) – this is a police intervention initiative aimed at young people under the age of 18 years. It seeks to involve the parents or guardians of young people who are considered to be at risk of offending or being offended against. The aim of GAP is to reduce the likelihood of young people becoming vulnerable to the risk of involvement in crime, or anti-social behaviour, either as victims or offenders.

GAP forms are used where an officer may come across groups of young people causing nuisance to residents, underage drinking or smoking, young people found in "Hot Spot or Offence locations" at night. The officer obtains the young persons details. GAP letters are sent to the guardian of that young person informing them of the circumstances in which the young person was found. If 3 GAP Forms are submitted for the same individual within a twelve month period, their details should be brought to the Task group or a PSG where an ABC should be considered in partnership with other agencies.

It should be noted that this is only a guide and that it is at the officer's discretion as to whether a young person could be considered for an ABC whether they have had one or three GAP letters.

ACCEPTABLE BEHAVIOUR CONTRACTS (ABCS) are voluntary agreements between perpetrators of ASB and the relevant authorities. They are usually used for individuals aged 10 and above, can also be used for adults. If a perpetrator subject to an ABC continues to behave anti-socially, this can be regarded as grounds for an application for an ASBO.

PARENTAL CONTROL AGREEMENTS (PCAS) are similar to the ABC's but are for children under 10, the parent or guardian signs the agreement on the child's behalf.

ANTI SOCIAL BEHAVIOUR ORDERS (ASBOS) are civil orders that exist to protect the public from behaviour that cause harassment, alarm or distress. An order contains conditions prohibiting the offender from specific anti-social acts or entering defined areas and is effective for a minimum of 2 years. The orders are not criminal penalties and are not intended to punish the offender. It is only when they are breached that punitive measures can be taken by the court.

ABCs and PCAs will be monitored by the anti social behaviour caseworker along with the local beat officer and or housing officer. The contracts will last for 6 months during which time the individual will be monitored and will be required to attend at least one review meeting during that time. Because ASBO's can be made public, monitoring can also come from the public and the community in which the perpetrator lives. As well as the local officer and any other agency involved. A Police National Computer marker and police intelligence databases should be updated also on what conditions are on the ASBO

10. Enforcement

The Anti-Social Behaviour Act 2003 introduced many new powers. The major enforcement tools we have are:

CRIMINAL PROSECUTION

- A perpetrator of criminal ASB may be arrested, charged and punished

CIVIL ENFORCEMENT

- **Anti-Social Behaviour Orders:** Magistrates' courts can give ASBOs to perpetrators over the age of Ten, Post-conviction ASBOs can be passed following a sentence for a criminal offence. Breach of the conditions of an ASBO can result in a five-year prison sentence for adults
- **Individual Support Orders:** Can be made by the court through the civil ASBO application on a young person (under 18) the court are obliged to make an ISO if this will help prevent further ASB.
- **Parenting Orders:** S324 and schedule 34 of Criminal Justice ACT 2003 provides the court with a new power to make a parenting order for a first offence. The appropriate officer, probation, YOS or SW should make recommendations on the proposed terms of the Parenting Order in the report to the court.

However parenting work should always be recommended on a voluntary basis, while it is possible to make a parenting order without there having been an offence committed, intervention should be done on a voluntary basis and intervention work with the young person also.

- **Orders requiring parents or guardians to attend counselling or guidance,** with respect to children who have truanted or engaged in ASB.
- **Child Safety Orders** can be issued by magistrates' family proceedings court to prevent children under ten becoming involved in ASB or crime. Such an order will place the child under the supervision of a responsible officer normally for up to 3 months.
- **Injunctions or evictions:** Social landlords can apply for ASB injunctions where tenants have engaged in behaviour causing nuisance. Social landlords can apply for possession on the grounds of ASB in the locality of the property or by visitors to the property.
- **Excessive noise at night:** South Cambridgeshire District Council has the power to deal with noise at night through warning notices, and where necessary, further action.

FIXED PENALTY NOTICES (FPNS)

- Police and Police Community Support Officers (PCSOs) can issue FPN's for offences such as disorderly behaviour while drunk in a public place. They can also issue FPNs for dog-fouling, littering and riding a bicycle on a footpath.

VOLUNTARY CONTRACTS

- **Acceptable Behaviour Contracts (ABCs):** These are agreements between the perpetrators of ASB and the relevant authorities. If a perpetrator subject to an ABC continues to behave anti-socially, this is often regarded as grounds for an application for an ASBO

11. Using Acceptable Behaviour Contracts (and other voluntary agreements) in South Cambridgeshire

- Identification of areas with high levels of ASB and Identification of individuals involved in ASB.
- Involving parents/guardians of identified individuals of young people known to be perpetrators of ASB in the ABC process.
- Encouraging individuals to participate in diversionary activities and implementing this into the contracts.
- Drawing up ABCs setting out expected standards of behaviour in meetings with the police, SCDC (eg housing staff), ASB Caseworker, the perpetrators and parents/guardians
- Monitoring of the contract for 6 month periods.
- Parenting Contracts: Schools, LEAs and the YOS can arrange Parenting Contracts for parents of children who have been excluded from school, truant, or have engaged, or likely to be engaged, in ASB.

12. Other measures

- Removal of truants: in schemes agreed with the LEA, the police have the power to pick up truants and return them to school or another safe place
- Child Curfew Schemes: local authority can apply to establish local child curfew schemes to deal with the problem of unsupervised children under the age of 10 on the streets late at night.
- Dispersal of groups: local authority and Police need to agree that a Dispersal Order is required in an area where there has been serious and persistent ASB, the police then have the power to disperse groups of two or more in those designated areas.
- Bans on street drinking: the consumption of alcohol can be prohibited in public places designated by the local authority.

13. The Process for identifying ASB

Where it is felt that the behaviour of individuals cannot be changed using the existing powers available to agencies, such as the enforcement of tenancy agreements or that the behaviour requires the attention of a number of agencies, the case will be referred to the ASB Caseworker. The Caseworker will then determine whether the behaviour falls within the definition agreed by the partners for ASB. This will be considered in terms of whether the behaviour is:

- serious
- causing likely to cause harassment, alarm or distress
- persistent over a period of time
- cannot be dealt with adequately through the prosecution of perpetrators for a single one-off incident or criminal act.

To assist the caseworker to gather evidence, officers from relevant agencies will collate Incident Reporting Forms or statements from individuals in local communities who wish to. Depending on the type of behaviour being considered by the caseworker, they may seek to make early interventions to try and prevent the behaviour continuing. The Caseworker will make contact with the Youth Service to consider alternative interventions such as diversionary work. Targeted work with young people will normally include the Connexions, and/or the Youth Offending Service. Where drug use has been witnessed the Caseworker will contact the Drugs Support Worker and the DAT if appropriate. If the behaviour of individuals does not change after initial contact the caseworker may, after consulting with the key agencies, begin the process of developing an Acceptable Behaviour Contract (ABC) or taking other appropriate action.

Where it is thought necessary to protect an individual, a group of people or a community, and it is a reasonable and proportionate action to take, the Caseworker will convene a Problem Solving Group (PSG) to consider an application for an Anti-Social Behaviour Order (ASBO) or alternative intervention.

Striking the right balance- Enforcement and Prevention

Enforcement is an important element of efforts to tackle ASB; ASBOs in particular are powerful tools. However, there are of course limitations and risks associated with the use of ASBOs and other enforcement remedies:

- Enforcement can displace problems from one area to another (section 30)
- Enforcement action against individuals may exacerbate existing problems. For example, some ASBO conditions make it harder for the perpetrator to find, or keep, a job; where tenants are evicted from social housing they may become homeless, or may move to the private rented sector where their behaviour is subject to fewer controls.
- The naming of ASBO recipients can sometimes restore community confidence but it may also make the perpetrators more socially excluded – or, on the other hand, may enhance their status among their friends
- Effective enforcement often depends on the willingness of witnesses to step forward, which may necessitate action against witness intimidation

14. The ASB Task Group

The Task Group

The ASB Task group meets on a monthly basis. The partners that attend the meeting are the Youth Offending Service, Education Welfare, Youth Service, Fire Service, Police, Connexions, Social Services and Housing providers. The aim of the meeting is to discuss referrals and complaints that have been received by any agency about an individual or hotspot areas. All partners that attend the meeting are signed up to an information sharing protocol. The meeting is confidential. The group will look at cases on an individual basis and will always try to deal with cases using a three pronged approach, prevention, diversion and enforcement. All agencies will have a say in how best to deal with a particular case or what action to take.

The group will also discuss monitoring of current ABC's and ASBO's and any breaches that may have occurred. If a case is very involved and requires further agencies to be represented, ie Section 30 or application for an ASBO, then a separate Problem Solving Group will be called to discuss this case alone. Representatives at the meeting can also refer cases to the group and discuss any ASB related issues that have arisen since the last meeting.

Task Group Action Points:

- Investigate through PSGs referrals of serious, persistent ASB taking appropriate action to change the behaviour of perpetrators;
- Promote early interventions;
- Support victims and witnesses where possible;
- Review and improve the operation of the group in line with national guidance and other local initiatives;
- Review, and where necessary improve, the reporting mechanisms for recording incidents of ASB;
- Set targets for reducing ASB in enforcement and preventative work to measure success;
- Publicise the options for dealing with cases of ASB and the responses that the ASB Task Group will take in response to reports of serious and persistent ASB.
- ASBO Publicity protocol: this ensures that all agencies involved with an individual have a chance to comment on proposed extent of publicity for ASBO applications.

15. ASB Action Plan 2005-2008

The strategic aim of the Action plan is to develop effective action to tackle anti-social behaviour in South Cambridgeshire. The objectives are to target problem individuals, focusing on prevention and enforcement, to reduce the amount of criminal damage occurring in the district and reduce the number of malicious fires.

1. Identify Hot Spot areas in South Cambridgeshire
2. Responding to Hotspots
3. Target Problem individuals
4. Responding to problem individuals
5. Monitoring underage sales of alcohol and test purchasing
6. Targeting arson attacks on abandoned vehicles
7. Introduce arson awareness and consequences to all south Cambridgeshire Village Colleges as part of education programme
8. Liaise with Parish and District Councils (environmental health) with regards to environmental improvements

16. Links to the ASB Forum (ASBIT)

Anti Social Behaviour Implementation Team is a multi agency strategic group tasked with reducing anti social behaviour across Cambridgeshire through partnership.

It seeks to:

- Promote inter-agency partnership co-operation
- Impact on Government, Force, CDRP and YOS ASB priorities
- Promote best use of legislation and other tools to tackle ASB
- Promote good practice within Cambridgeshire
- Advance information sharing and tracking in relation to ASB
- Determine performance measures for ASB reduction
- Identify and remove barriers to ASB reduction.

Appendix I: Referral form for agencies

Case referral to asb task group (south cambs)

Organisation referred by: Date of referral

Please attach a summary of the case and detail here a brief overview of the problem:

| | | | |
|---------------------------------------|-----|--------|------|
| Level of seriousness/Risk Assessment: | Low | Medium | High |
|---------------------------------------|-----|--------|------|

Name of alleged perpetrator(s)/ hotspot/area

Date of birth

Type of ASB:

- Noise Nuisance
- Intimidation/Harassment
- Drugs/Substance misuse/drug dealing
- Rowdy Behaviour
- Nuisance Behaviour
- Criminal Damage/Vandalism
- Litter/Rubbish
- Vehicle related nuisance & inappropriate vehicle use

Household Details/Family Composition (including age)

Address

Landlord

Special Needs / Medical / Mental Health Issues (provide details)

Other agencies involved (provide contact details if known)

Action taken to date

Details of Action taken to date:

| |
|--|
| |
|--|

Suggested Course of Action:

* Is this suitable for Restorative Justice

| |
|--|
| |
|--|

Chronological Summary of Case attached - if not why?

Yes

No

| |
|--|
| |
|--|

Case Considered by Referral Group:

Decision to accept

Yes

No

Reasons:

| |
|--|
| |
|--|

Suggested Lead Officer/Agency

| |
|--|
| |
|--|

Appendix 2: Incident reporting form for residents

South Cambridgeshire District Council **Anti social behaviour – incident report sheet**

| Date/Time of incident | Nature of incident and any action taken (ie: police called) | Witnessed by |
|-----------------------|---|--------------|
| | | |

Appendix 3: Procedures for dealing with ASB

In the first instance a complaint of anti-social behaviour is usually made to the police, registered social landlord, or local authority.

(Encouragement for people to report ASB is frequently publicised in local media)

Within 10 days the agency that the report is made to will pass it on to the relevant agency or begin the ASB process themselves.

An initial decision will be made establishing whether the complaint fits the remit of the Crime and Disorder Act 1998 or Anti-Social Behaviour Act 2003.

The initial agency will fill in a referral form, which draws together the relevant information

This form will be submitted to the ASB caseworker who will then take it to a meeting of all the relevant agencies.

The group may then decide that the complaint does not fit the remit of the Crime and Disorder Act 1998 or Anti-Social Behaviour Act 2003 and recommend other action or no action if the complaint is considered to be unfounded or malicious. At all stages of the process mediation will be considered and recommended if appropriate.

In the problem-solving group the agencies will discuss the problem and consider various options:

1. Need for more information or additional agencies involved
2. Action by one or more agencies that would resolve the problem
3. Starting an enforcement process

If option 3 is chosen, there are various remedies available:

- Acceptable Behaviour Contract
- Anti-Social Behaviour Order
- Section 30 Dispersal Order
- Tenancy enforcement
- Injunctive action
- Other legal remedy routinely used by the other agencies (eg police, LA environmental health or planning departments)

All the work around the above remedies will be done within the auspices of the multi-agency problem-solving group. The choice of remedy will be dependant on the circumstances of the individual and the behaviour complained of.

Appendix 4: South Cambridgeshire Crime and Disorder Partnership Structure

C&D Partnership Group – Meets Quarterly

SCDC, Cambridgeshire County Council, Police, Fire and Rescue Service, South Cambs Primary Care Trust, The Probation Service, Youth Offending Service, Connexions

Lead Officers meet with the Officer Support Group

Officer Support Group

Priorities as Identified in the Audit and Strategy

Prolific and other priority offenders

Vehicle Crime

Burglary

Domestic Violence

Drugs and Alcohol

Anti Social Behaviour

Community Cohesion

There will be cross over work initiated between task groups if and when appropriate

For further information contact:

Anti-Social Behaviour Caseworker
Cambourne Business Park
South Cambridgeshire Hall
Cambourne
Cambridge
CB3 6EA

01954 713070



produced by South Cambs Graphics team