

## Communities Overview and Scrutiny Committee 13<sup>th</sup> June 2012

### Anti-social Behaviour Update

### Report of the Strategic Director for Communities

#### Recommendations

1. That the Committee agrees that anti-social behaviour (ASB) remains a priority for Warwickshire and endorses the approach being taken by the County Council and its partners to reduce the impact of ASB on individuals and the community in Warwickshire.
2. That the Committee, in the light of proposed legislation, endorses the proposal to prepare for this by developing a new Tackling ASB implementation plan in collaboration with partners.
3. To agree any areas for further scrutiny, as appropriate.

#### 1.0 Background and Context

*"I don't know what to do anymore. I just keep taking the pills but I'm getting worse. I need help before this kills me."*

(Female victim of anti-social behaviour)

- 1.1 Anti-social behaviour is a broad term often used to describe the day-to-day incidents of nuisance; disorder and low level crime such as public order offences; criminal damage and intimidating behaviour which make many people's lives in Warwickshire a misery on a daily basis.
- 1.2 The term has come to include any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life. Examples include littering; vandalism; public drunkenness; aggressive dogs and noisy or abusive neighbours.
- 1.3 ASB is defined by the Crime and Disorder Act 1998 as "behaving in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator". Whereas The Housing Act 1996 defines the legal definition of anti-social behaviour in

relation to social housing. ASB covers a wide range of actions therefore the responsibility for dealing with this is shared between a number of agencies, particularly the police, councils and social landlords.

- 1.4 It should be noted that there is some overlap between ASB and some criminal offences (e.g. damage; harassment and public order)
- 1.5 There is an expectation on all partners involved in Community Safety Partnerships (CSPs) to consider ASB when developing Partnership Plans. This report describes the general situation regarding ASB in Warwickshire and the specific actions of the County Council's Community Safety Team. It recognises but does not detail the contribution of other partners such as the Police and District and Borough Councils.
- 1.6 **Tackling the long term drivers of ASB**

Excessive consumption of Alcohol is a contributing factor to some ASB. This Committee scrutinised the Warwickshire Alcohol Implementation Plan on 30<sup>th</sup> June 2011. Since then a new national Alcohol Strategy has been published and the Drug and Alcohol Action Team are currently updating the Implementation Plan to reflect changes and initiatives some of which will have an effect on ASB.
- 1.7 Illicit drug use and dependent alcohol treatment is addressed through the new recovery-focussed treatment service and user and carer support commissioned by the Drug and Alcohol Action Team.
- 1.8 Problems caused by troubled families, where ASB is often a trigger for intervention, will be addressed through a new programme designed to turn around the lives of the most troubled families in in the county.
- 1.9 There are also national plans to tackle aspects of mental health especially amongst the young. In addition irresponsible dog ownership is to be discouraged.
- 1.10 **Recording of ASB**

Changes to the way in which anti-social behaviour incidents are recorded by the Police came into effect on 1st April 2011. For the previous 5 years the police had been using the fourteen categories of ASB as defined by the National Standards for Incident Recording for dealing with incidents that fall short of being notifiable crimes. Whilst these categories provided a suitable data set for recording ASB, they did not encourage call-handlers to consider the risk involved for the caller, other individuals or the community as a whole if the ASB continued
- 1.11 ASB recording in 2011/2 reflects a 'case management' ethos rather than an 'incident based' approach. 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.

1.12 The three new ASB categories are:

- (1) Personal – designed to identify 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. At one extreme of the spectrum it includes minor annoyance; at the other end it could result in 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
- (2) Nuisance - captures those incidents where an act or person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general rather than to individual victims. It includes incidents where behaviour goes beyond the conventional bounds of acceptability and interferes with public interests including health, safety and quality of life. Just as individuals will have differing expectations and levels of tolerance so will communities have different ideas about what goes beyond tolerable or acceptable behaviour.
- (3) Environmental - deals with incidents where individuals and groups have an impact on their surroundings including natural, built and social environments. People’s physical settings and surroundings are known to impact positively or negatively on mood and sense of well-being. The environment can change as a result of people using or misusing that space.

NOTE: Some incidents can be recorded in more than one category. For example ‘deliberate small fires’ could be classified as Nuisance, Environmental, Criminal or all three.

1.13 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.

1.14 **Priority Setting**

Based on the strategic assessments produced by the Warwickshire Observatory, all 4 CSPs have now adopted tackling ASB as a priority for 2012/13

Each CSP sets its own local priorities and details vary slightly but all cover:

- Alcohol’s contribution
- Young People
- Town centre based disruption
- Public perception of behaviour

1.15 Each year a Community Safety Agreement is prepared with and agreed vision for community safety work across the county. A reduction in Anti-social behaviour is one of the main outcomes. The CSA identifies ways that work can be coordinated to address common priorities.

**1.16 Performance**

In 2011 it was reported that recorded incidents of ASB in Warwickshire had decreased by 19% during the three-year period from 2008/9 to 2010/11 (15% reduction in North Warwickshire Borough; 19% in Nuneaton and Bedworth Borough; 27% in Rugby Borough; 12% in Stratford District and 23% in Warwick District) The majority of the recorded incidents being attributed to 'rowdy/nuisance behaviour'

Nuneaton and Bedworth reported the highest number of ASB incidents in Warwickshire (31% of total equating to 66 incidents per 1,000 residents compared to the county average of 48 per 1,000)

Due to the above-mentioned changes in the way that ASB was to be recorded, it would not be possible to make direct comparisons between 2010/11 and 2011/12 ASB performance. It was therefore proposed that 2011/12 should be a benchmarking year in respect of ASB recording and that no annual target should be set.

1.17 Ongoing performance in respect of the new ASB categories was monitored throughout 2011/12 and the Safer Warwickshire Strategic Group was regularly updated on available ASB trend and performance data.

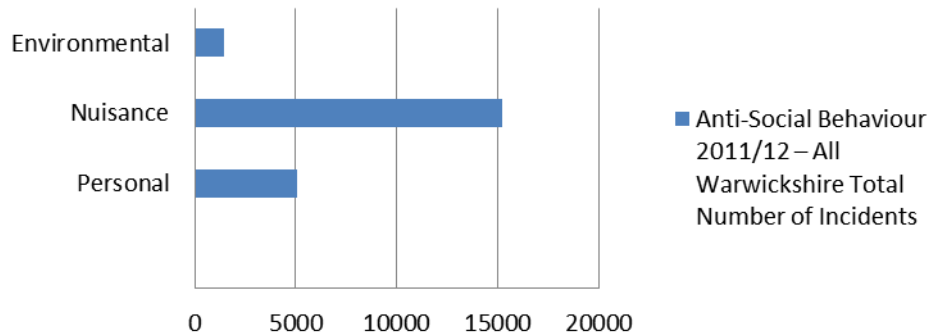
1.18 The 2011/12 end of year data was as follows.

**Anti-Social Behaviour 2011/12**

<u>Anti-Social Behaviour 2011/12 – All Warwickshire</u>	
<u>Type</u>	<u>Total Number of Incidents</u>
Personal	5,045
Nuisance	15,239
Environmental	1,441
<b>All</b>	<b>21,725</b>

(Source: Warwickshire Police)

## Anti-Social Behaviour 2011/12 – All Warwickshire Total Number of Incidents

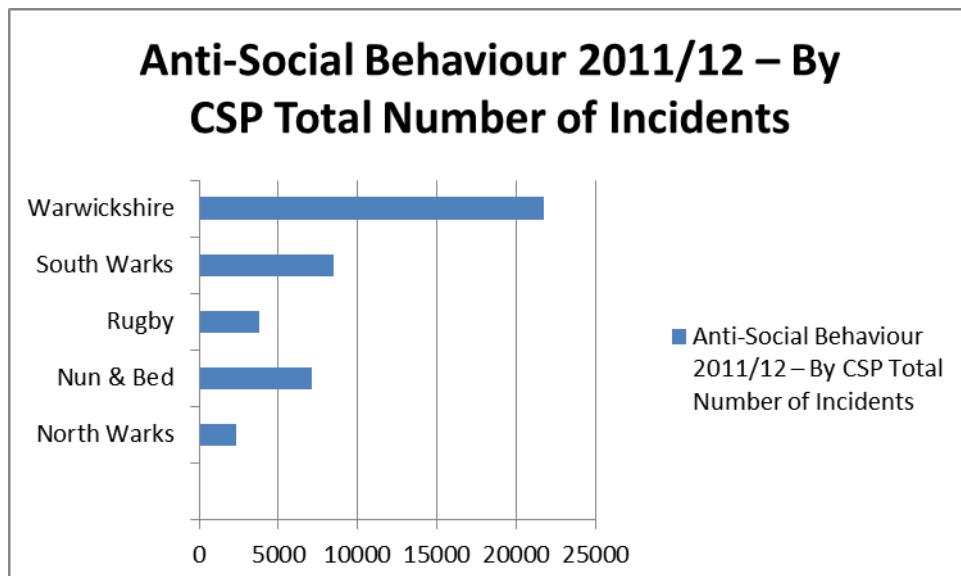


### Anti-Social Behaviour 2011/12 – By CSP

<u>CSP</u>	<u>Total Number of Incidents</u>
North Warks	2,340
Nun & Bed	7,083
Rugby	3,821
South Warks	8,481
<b>Warwickshire</b>	<b>21,725</b>

(Source: Warwickshire Police)

## Anti-Social Behaviour 2011/12 – By CSP Total Number of Incidents



- 1.19 In previous years reported incidents of criminal damage has been used as a proxy measure for ASB and public confidence in the Police and Partners. Here is the data for 2011/12.

iQuanta Comparative Data 2011/12 – Criminal Damage by CSP						
<u>CSP</u>	<u>Rate per 1000 pop 11/12</u>	<u>Av. Rate - Most Similar Group 11/12</u>	<u>Rate per 1000 pop 10/11</u>	<u>iQuanta Rank 11/12</u>	<u>iQuanta Rank 10/11</u>	<u>iQuanta Status*</u>
North Warks	10.39 ↑	9.83	9.52	11 <sup>th</sup>	3 <sup>rd</sup>	Worse
Nun & Bed	13.91 ↓	12.66	14.37	12 <sup>th</sup>	11 <sup>th</sup>	Worse
Rugby	10.72 ↓	9.83	11.14	13 <sup>th</sup>	13 <sup>th</sup>	Same
South Warks	7.90 ↓	8.52	10.07	7 <sup>th</sup>	10 <sup>th</sup>	Better
<b>Warwickshire</b>	<b>10.06 ↓</b>	<b>10.10</b>	<b>11.18</b>	<b>3<sup>rd</sup></b>	<b>5<sup>th</sup></b>	<b>Better</b>

(Source: iQuanta)

\* Year end ranking compared to 10/11 position.

Note: iQuanta is a national performance database which enables Police Forces and partners to compare their performance with similar areas.

### 1.20 Warwickshire County Council (WCC) Action

ASB (and specific areas of crime - usually burglary dwelling and/or vehicle crime) is tackled by our Community Safety Project Officers (CSPOs). Activities are targeted in areas where specific problems have been identified and generally include on-the-ground joint-working involving WCC CSPO's, Police, District and Borough Council Officers, Neighbourhood Watch (NHW) and local residents' groups.

#### 1.21 Positive outcomes of projects include:-

- Public reassurance
- Increase in Neighbourhood Watch membership
- Briefing local people on the issues and identifying solutions that can be applied by citizens agencies or both
- Partnership building between agencies i.e. high-viz jackets supplied by WCC enhancing sense of identity and establishing 'team membership'

1.22 A possible consequence of activities can be a raised level of awareness leading to an increase in reported ASB. This is to be expected given that local people feel empowered and NHW membership encourages the reporting of incidents.

#### 1.23 Specific local projects are detailed below.

- (1) ASB Reporting Card – a contact card for victims and witnesses. Distributed across Warwick District identifying the agencies that can respond to specific issues.
- (2) Tackling late-night parties in Newbold.

- (3) Portobello Way ASB problems (Youths congregating on new housing development) - Multi agency team has worked to reduce ASB problems in the area. The team consists of County and District Council, Councillors, Housing associations, Community groups and the Police. The work was featured in the Courier Newspaper.
- (4) Joint work with Victim Support, who usually only support victims of actual crime, to tackle ASB in villages.
- (5) Stratford District - work with Multi agency ASB operational group. Project Officers attend monthly meetings and work with partners to identify and take action against ASB perpetrators and in identified 'Hotspot' areas.
- (6) Hams Hall - Working with the Business Improvement District (BID) Company to tackle street racing and other nuisance from vehicles. This ongoing work has included obtaining a High Court injunction and preparing a viable scheme for a gating order.
- (7) A high percentage of the reported ASB incidents in Nuneaton and Bedworth have related to 'Nuisance motorcycles'. CSPO's have put together a multi-agency action plan to tackle the problem. The innovative 'Dob Em In' campaign focuses on residents being empowered and encouraged to report incidents and perpetrators. This community-generated intelligence has then led to enforcement activity being taken.
- (8) There are a number of other multi-agency action plans to deal with identified hotspots through area forums. E.g. Ansley Common – targeting activity in a specific location with the intention of deterring offenders.
- (9) In locations where there is only one complainant, leaflet drops take place to encourage further reporting by other residents to try and determine the true scale of the problem.
- (10) CSPs have different tasking arrangements depending on need. These meetings are usually led by the Police and discuss current ASB issues. The appropriate agency, frequently WCC is then 'tasked' to take action such as site visits and instigate crime prevention techniques.
- (11) Participation in local partnership events such as 'Your Town Your Choice' evenings targeting 18-30 year olds in Leamington and Stratford.

## **2.0 Response to HM Inspectorate of Constabulary comments and proposals for the future of ASB**

2.1 Earlier this year HM Inspectorate of Constabulary raised the following issues in respect of ASB in Warwickshire:

- (1) Ability to identify repeat and vulnerable victims
- (2) Improve information sharing
- (3) IT system/ Capacity to record
- (4) Standardised Process Force wide

- 2.2 In response to this a Pilot Project has been set up. The group consists of representatives from the Police, County Council (Community Safety), Warwick District Council (Community Safety and Housing Officers), Registered Social Landlord's, Victim support, Environmental Health, and Mental Health Services.
- 2.3 The aim of this group has been to develop a process to deal with all of the above concerns and implement an agreed process for responding to ASB. Warwick District was chosen to pilot the new process and it is planned to 'roll out' the new system to other areas including Nuneaton, Bedworth, Rugby and Stratford Upon Avon.
- 2.4 When personal ASB incidents or nuisance are reported, the receiving agency completes a Risk Assessment Matrix (RAM) for the caller/victim.
- 2.5 Following the completion of the RAM, if the victim is identified as High risk, the information is passed to the District Council's ASB Officer, who will coordinate a partnership response with the relevant agencies. Low/medium risk are still addressed but on a more local basis.
- 2.6 The County Council is leading on the procurement of a suitable database for the sharing of information quickly but securely. The bringing together of reports and intelligence from partners has already revealed high risk victims that may otherwise have been missed.
- 2.7 **Future of ASB**  
Proposals under the Government's 'Putting Victims First' White Paper published in May 2012 include the following:
- (1) Focusing on victims, continuing support and early identification of vulnerable victims.
  - (2) Empowering communities
  - (3) Simplifying the relevant powers
- 2.9 The proposed new powers are as follows:
- (1) The Crime Prevention Injunction – an injunction available to a wide range of agencies, which can be used quickly to protect victims by dealing with anti-social behaviour by private tenants and owner occupiers, as well as social tenants (addressing a criticism of the existing ASB Injunction)
  - (2) The Criminal Behaviour Order – an order available on conviction for any criminal offence which will allow courts to attach positive requirements to ensure perpetrators deal with the underlying issues that are driving their behaviour (addressing a criticism of the ASBO), as well as including prohibitions to immediately protect victims.
  - (3) The Community Protection Notice – designed to deal with particular anti-social behaviour impacting on a community's quality of life (for example to deal with noise, litter or graffiti).
  - (4) The Community Protection Order (public space) – a locally determined order which could impose controls on behaviour in public places, for



example controlling drinking in public as well as preventing other behaviour which has an impact on quality of life.

- (5) The Community Protection Order (closure) – simplifying the current complex number of powers available to close premises that are a magnet for trouble.
- (6) The Direction Power – a simpler and less bureaucratic power to enable the police to disperse situations to protect victims without needing to go through a long and slow process to designate an area in advance.

- 2.10 There are also plans to speed up the process of eviction for ‘nightmare neighbours’ who make victims lives a misery through a new mandatory route to possession for anti-social behaviour for both private and social landlords.
- 2.11 The above-mentioned legislative proposals will be published as a draft Bill for pre-legislative scrutiny with possible further consultation with those affected by ASB and practitioners. A coordinated response from the wider Warwickshire Partnership will be organised as required.
- 2.12 It is important that ASB remains a priority in Warwickshire. By working in partnership and by each agency taking action where it is possible to do we may continue to reduce ASB in the county.

### **3.0 Timescales associated with the decision/Next steps**

- 3.1 Significant changes in the way ASB is enforced and delivered may be occurring in the next few years as the proposals in the White Paper are implemented. In the meantime the new arrangements for assessing risk and supporting vulnerable people can be rolled out across the county.
- 3.2 In November 2012 the new Police and Crime Commissioner will be elected and will be expected to drive and oversee ASB processes. It is vital that our partnership is prepared to demonstrate its fitness for purpose on this issue. We should aim to have a coherent Implementation Plan in place by November.

#### **Background Papers** (Please list below, with electronic links where applicable)

<p>Putting Victims First: More Effective Responses to Anti-social Behaviour. May 2012 <a href="http://www.official-documents.gov.uk/document/cm83/8367/8367.pdf">http://www.official-documents.gov.uk/document/cm83/8367/8367.pdf</a></p> <p>Focus on the victim: Summary Report on ASB call-handling trials <a href="http://www.homeoffice.gov.uk/publications/crime/asb-focus-on-the-victim">http://www.homeoffice.gov.uk/publications/crime/asb-focus-on-the-victim</a></p>
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