

**POLICY AND RESOURCES
CABINET BOARD**

28TH APRIL 2011

CHIEF EXECUTIVE'S OFFICE

**HEAD OF CORPORATE STRATEGY
P. GRAHAM**

INDEX OF REPORT ITEM

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SAFER SOUTH WALES: ANTI-SOCIAL BEHAVIOUR STRATEGY

1 Purpose of the Report

To consider and adopt the South Wales Anti-social Behaviour Strategy developed under the auspices of the Safer South Wales partnership group.

2 Background

Safer South Wales is a multi-agency, South Wales wide partnership group whose purpose is to provide strategic direction and co-ordination in respect of community safety and criminal justice issues across the South Wales Police area. The group, chaired by the Chief Constable, comprises representatives from regional partners such as South Wales Police, Wales Probation Trust, Fire Authorities, Health Boards and the Prison Service; and representatives from the seven local authorities in the South Wales area. The Head of Corporate Strategy, as lead officer for community safety, is the Council's representative on the Group.

When developing regional framework policies and strategies, the group is supported by the Safer South Wales Action Group (SSWAG), which comprises the senior South Wales Police community safety lead and the Community Safety Managers in each local authority area.

Recently, SSWAG have completed drafting a South Wales wide Anti-social Behaviour Strategy which was presented to Safer South Wales at the beginning of April. The Strategy was approved and recommended for adoption to each local authority and community safety partnership in South Wales.

3 Safer South Wales Anti-social Behaviour Strategy

The Strategy is attached at Appendix 1; a useful summary of the Strategy is set out after the introduction.

South Wales is one of the leading police areas in the country in terms of its approaches to anti-social behaviour. Our Anti-Social Behaviour Co-ordinator in Neath Port Talbot has played a major role in developing the strategy.

Most of the approaches and actions in the Strategy are based on good practice developed in Neath Port Talbot through the Safer Neath Port Talbot Partnership. Local implementation of the Strategy will proceed easily and effectively and will have little impact on our current practices and approaches.

4 Recommendation:

Subject to Members' views it is recommended that the Safer South Wales Anti-social Behaviour Strategy is adopted.

Reasons for Proposed Decision:

To contribute to high quality, consistent approaches to dealing with anti-social behaviour

Appendices:

Appendix 1 – Safer South Wales Anti-social Behaviour Strategy

Wards Affected:

All

Valleys Strategy:

Positive impact

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COMPLIANCE STATEMENT

SAFER SOUTH WALES: ANTI-SOCIAL BEHAVIOUR STRATEGY

(a) **Implementation of Decision:**

The decision is proposed for implementation after the three day call-in period.

(b) **Sustainability Appraisal:**

Community Plan Impacts

Economic Prosperity	-	no impact
Education & Lifelong Learning	-	positive impacts
Better Health & Well Being	-	positive impacts
Environment & Transport	-	positive impacts
Crime & Disorder	-	positive impacts

Other Impacts

Welsh Language	-	no impact
Sustainable Development	-	no impact
Equalities	-	positive impacts
Social Inclusion	-	positive impacts

(c) **Consultation**

There has been no requirement under the constitution for external consultation on this item.

SAFER SOUTH WALES

Anti- Social Behaviour Strategy

A Partnership Approach

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Chapter 6 – Taking a partnership approach to tackling ASB

Chapter 7 – Making a Difference

Introduction

Police forces, Local Authorities and other statutory and non-statutory agencies work together to improve community safety. Much of the co-ordination of this activity is carried out by Community Safety Partnerships (CSPs). CSPs are aligned with Local Authority boundaries.

Within the South Wales Police area the CSPs have formed a strategic partnership which is known as Safer South Wales.

The Safer South Wales Partnership (SSW) recognises that Anti-Social Behaviour (ASB) affects the quality of life within neighbourhoods and is of concern to communities.

The partnership is committed to tackling ASB, utilising all resources available including the full range of civil and criminal powers. We will send out a clear message that ASB will not be tolerated and that victims will be supported.

Priority will be given to those issues having the most impact on ASB. We will work to identify ASB and take positive and visible action, whilst keeping the public informed about the measures being taken to tackle ASB.

ASB causes significant harm to individuals and communities. It has a negative impact on the way that people perceive the services provided by the Safer South Wales Partnership. Tackling and not tolerating ASB has risen on the national agenda. Defining what constitutes ASB from a community perspective can be challenging.

Initially it is a subjective description of another's conduct (see Chapter 1). It can, however, take the form of criminal acts such as criminal damage, public disorder offences and harassment or occurrences that do not constitute a criminal offence yet have a detrimental impact upon the quality of life of those affected.

There are a wide range of actions and solutions available to deal with ASB and these will be delivered in a speedy and effective manner with the support of communities.

The SSW partnership recognises the need to prioritise tackling ASB. This strategy sets out our approach.

Summary

Chapter 1: What is anti-social behaviour?

- A wide definition is used allowing the focus to be on individuals, the victims and perpetrators,
- It has a wide impact: personally, economically and on social cohesion and development,
- Perpetrators can be any age .It is not just a matter of rowdy teenagers,
- The level of ASB reflects the health of a community and how the reputation of the Safer South Wales Partnership is regarded.

Chapter 2: Statement of purpose

- Safer South Wales will work in partnership to deliver improved performance and greater public reassurance.

Chapter 3: Understand the needs of our communities - Identifying and acting against anti-social behaviour

- The widest range of information will be used for this purpose and systems will be developed and maintained to do so,
- Action will consist of three elements,
 - Enforcement
 - Prevention
 - Diversion

Chapter 4: Supporting victims and witnesses

- Supporting victims and witnesses will be at the core of tackling ASB,
- Their needs will be identified and addressed.

- Identifying and providing additional support for vulnerable victims will be a priority.

Chapter 5: An incremental approach to tackling ASB

- The aim is to break the cycle and prevent individuals acting anti-socially
- Perpetrators will be engaged with whenever possible
- Action will be responsive and appropriate to the particular issue.
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Chapter 6: Taking a partnership approach to tackling ASB

- Safer South Wales will work together to seek long term solutions
- Innovation and best practice will be used to deal with the issues
- Local partnerships will be at the heart of the action

Chapter 7: Making a Difference

- Monitoring will take place using information from a wide range of sources
- The monitoring will have an emphasis on customer focus
- The use of powers will be monitored to ensure fairness but also to:
 - Identify good practice
 - Identify what works, and what doesn't, and why.

Chapter 1 – What is anti-social behaviour?

Anti Social Behaviour (ASB) is defined in the Crime and Disorder Act (1988) as acting “in a manner that causes or is likely to cause harassment, alarm or distress to one or more persons not of the same households as the perpetrator.

The Safer South Wales Partnership recognises that in order to understand the extent of harm that ASB is causing it is also helpful to consider whether incidents fall under the following general categories:

- **Personal threat**, i.e. incidents are deliberately targeted at an individual or group or having an impact on that individual or group, rather than the community at large.
- **Public nuisance**, i.e. incidents where trouble, annoyance, inconvenience, offence or suffering is caused to the local community rather than to individual victims.
- **Environmental**, i.e. the impact that individuals and groups have on their surroundings, including natural, built and social environments

We understand that even in communities where reports are at comparatively low levels ASB can have a serious impact on those affected by it. Quality of life can be blighted as well as the way people feel about their security and the neighbourhood in which they live in.

On a strategic level these perceptions severely hamper efforts to provide community renewal and cohesion.

ASB can impinge on the lives of many people. It can affect everyone living in areas where it occurs, especially those who are more vulnerable. The recently developed definition of vulnerability places emphasis on how the complainant is affected by ASB.

The nationally accepted definition of vulnerability is;

“A victim of ASB is vulnerable if the conduct in question causes an adverse impact on their quality of life. Adverse impact includes the risk of harm, deterioration of their health, mental or emotional wellbeing or an inability to carry out a normal day to day routine through fear.”

Those who work in particular services are also at risk, such as isolated staff in shops or service stations that are open in the evening or at night. People, who want to use local services such as leisure centres, libraries or colleges, particularly in the hours of darkness, will be hindered or prevented from doing so if they feel threatened or unsafe. The health of a town or city’s night time economy will be reflected by the level of ASB associated with it.

Substantial amounts of time and resources are spent on ASB related matters. On a monthly basis South Wales Police deals, on average, with 6,000 incidents of ASB. Many more matters are reported to and dealt with by Local Authorities and other agencies. It is self evident that dealing with ASB incidents in a timely manner, delivering effective and sustainable solutions, will reduce this commitment of resources as well as providing a high quality service.

The legislation dealing with ASB, starting with the introduction of Anti Social Behaviour Orders (ASBOs) in the Crime and Disorder Act 1998 heralded a different approach to dealing with ASB. It firmly embedded the principle that it has to be dealt with by a combined partnership of local responsible agencies, with powers being conferred on agencies, such as Local Authorities and social housing providers. It also established that such partnerships must deal with behaviour at an early stage rather than wait for a criminal offence to be committed.

We understand that the ability to make an accurate assessment of the harm being caused and taking swift and decisive action is crucial to achieving success.

The perception of the victim or person reporting ASB is the starting point of all such consideration. Collection of reliable and relevant information from as many sources as practicable should direct the search for resolutions. Playing down or dismissing the concerns is not an option.



Chapter 2 – Statement of purpose

Our aim is to improve the quality of life for people living, working, growing up and growing old in South Wales, by reducing ASB.



Safer South Wales will work in partnership to:-

- Identify and act against ASB
- Encourage the public to report ASB and wherever possible to become involved in tackling it
- Support victims and witnesses
- Communicate with the public
- Use an incremental approach to tackle ASB
- Take a holistic approach to tackling ASB
- Act without fear or favour

Our purpose is to keep South Wales safe.

Through utilising our partnership ASB database, we will share data to ensure that we have a clear understanding of the needs of our communities and the extent to which ASB is causing harm. We will then co-ordinate our activities to provide an effective inter-agency response.

We will encourage more partners to contribute information to the database to ensure that we have the best possible understanding of community needs.

An effective inter-agency response will be achieved through the commitment and participation of our staff who will;

- Listen to and understand the needs of our communities
- Identify the most vulnerable people within our communities who are being harmed by ASB.
- Respond to the concerns of communities and of individuals.
- Try to engage community members in resolving local ASB issues.
- Co-operate and collaborate with staff from all partner agencies.
- Update people about the actions we have taken and the results we have achieved.
- Improve community confidence in our ability to protect them from harm, by reducing ASB.

Chapter 3 – **Understanding the** **needs of our** **communities -** **Identifying and acting** **against ASB**

We are committed to meeting the needs of our communities with regards to tackling ASB. Safer South Wales possesses a great deal of information that can identify the incidents and patterns of ASB. We take all complaints of ASB seriously whether made in person, in writing or by telephone. Community engagement which will include our Partnerships and Communities Together (PACT) process will assist in this process.

It is recognised that the information that the police have will not provide the whole picture and a wide range of sources would have to be consulted for this to happen.

Building on the substantial progress already made, Safer South Wales will improve the identification of ASB by:

(1). Maintaining and enhancing protocols and systems for information exchange with partners.

A lead will be taken by the South Wales Polices' Communities and Partnerships Department in the work of ensuring that all agencies are provided with the best information from the widest variety of appropriate sources. With this they can identify ASB, where it takes place and those responsible.

There will be a swift and effective exchange of accurate information between agencies in the most efficient

manner. This will comply with all the legal requirements for such an exchange of information.

(2). Developing and strengthening communication with the public.

We will continue to develop effective and manageable ways to communicate with the public. Further development of Neighbourhood Management will support this.

Throughout our seven Community Safety Partnerships there is continuous consultation with the public both formally and informally. Further work will enhance these contacts and provide better means to record, exchange and analyse information.

(3). Development of systems to improve the identification of individuals involved in and places affected by ASB.

Safer South Wales will assess all incidents of ASB against risk categories to determine an appropriate response, taking into account the victim, the location and the offender. We have developed systems to identify ASB at first contact and to reassure the caller and explain how matters will be progressed.

We will apply common minimum standards when attending ASB incidents. This will mean treating victims and witnesses with sympathy and in confidence and thoroughly investigating the complaint and providing an enhanced service to vulnerable victims. Safer South Wales has developed an ASB Management Database. This will enable us to share and manage information in relation to victims, perpetrators and problem locations.

(4). Systems have been designed to identify individuals who repeatedly suffer from ASB and those who are vulnerable.

These systems support ,and are based on, the work that has proven successful in relation to repeat victims of crime, particularly Hate Crime where an effective repeat victim action plan system has been introduced. Similar processes will be utilised to provide an enhanced service to those who are vulnerable as a result of ASB.

When information about ASB is received, assessed and consulted on it is vital that a viable plan for action is swiftly drawn up and acted upon.

Action will entail:

- Enforcement
- Prevention and
- Diversion

Safer South Wales will support other forms of action. Successful interventions to stop and prevent ASB need to have all three elements in place to succeed. Whatever the course of action, its effectiveness has to be reviewed in a timely fashion.

Chapter 4 – Supporting victims and witnesses

We understand the importance of providing support to victims and witnesses in line with our vision to respond to their needs.

Prompt and appropriate attention on contact with victims and witnesses of ASB is essential for success. Additional support will be given by the provision of named points of contact, people who are knowledgeable and accessible. These points of contact will take action if required. The victims and witnesses will be told what is happening, why and when.

In many circumstances legal action regarding ASB can be supported by composite, “professional”, witness statements. These can protect individual witnesses from having to give evidence and so being identified. As a result this is a tactic that is often used and preferred. It is recognised, however, that such testimony does not carry the same weight as that of an individual whose own quality of life has been adversely affected by ASB, so first hand witnesses should be sought and encouraged.

By the very nature of what is happening to them, the victims, and often the witnesses, of ASB will be known and easily accessible to the perpetrators. It is likely that there will have been previous harassment and victimisation, so the chances of further intimidation when action, particularly court action, is taken are high.

This being the case-

- (a) When legal proceedings are undertaken, or considered, the support and protection of victims

and witnesses should be planned for at a very early stage.

- (b) The level of support offered should be considered on the basis of the witness’s vulnerability and the likelihood of intimidation being attempted rather than primarily based on its anticipated severity.

Staff within the Safer South Wales partnership agencies will keep victims and communities informed about our efforts and those of our partners to tackle ASB and will offer practical support to help victims of ASB. We will make perpetrators aware that their behaviour is unacceptable and that they will face enforcement action. Where we consider that victims or repeat callers have additional level of vulnerability our staff will undertake a Risk Assessment to ensure that further multi – agency support is provided.

Our support measures will include:

- Taking your complaint seriously and thoroughly investigating it
- Treating all information you give us with confidence and in accordance with legal requirements
- Providing you with appropriate support, working with our partners and other service providers where possible
- Considering the full range of criminal and civil actions that may be taken against the individuals(s) or group causing the problem.
- Using our database to case manage the co-ordination of responses such as arranging for any abusive, obscene or threatening graffiti to be removed.
- Ensuring that you have a single person to contact, together with their contact details.
- Keeping you informed about your case and providing you with updates within agreed timescales.

- Contacting you via telephone, text, emails, and letter or in person as
- Requested by you and at an appropriate time to suit you.
- Monitoring your satisfaction with the way we've dealt with your case
- Asking the court for special measures for vulnerable or intimidated victims and witnesses. We will support you in making sure you feel comfortable and protected.
- Responding to reports of ASB in line with our strategy and our standards of service delivery.
- Actively communicating to individuals and communities the actions that we have taken to tackle ASB.
- On occasions when staff within the SSW partnership agencies receive reports from members of the public on matters that affect their quality of life but do not fall within the behaviour that we define as ASB we will respond by giving advice and signposting to a relevant support agency.



Chapter 5 – An incremental approach to tackling ASB – dealing with perpetrators

The Safer South Wales partners have adopted an incremental approach when tackling ASB, which is outlined below. However, taking an incremental approach will not prevent action being escalated or being taken immediately at a higher level, should the circumstances require.

Upon receipt of information relating to anti-social behaviour, the Community Safety Partnership ASB Units will evaluate the report. On occasions no action may be required. This may be where information is unsubstantiated or the source of the information is considered unreliable.

The framework of the incremental approach is:

Warning:

When our staff encounter ASB or have a recent occurrence reported to them they will investigate the matter and speak to those alleged to be responsible. This discussion will focus on demonstrating to the individuals concerned the negative impact their behaviour is having on the community. They will also attempt to discover any underlying reasons for the ASB. If appropriate the contact will end with a request to change or stop the behaviour to prevent further effects of ASB

In many cases this low level intervention proves effective in addressing the ASB.

Warning Letter:

Our ASB Units will ensure that a letter and explanatory leaflet will be sent to the person identified, and, in the case of those under 16 years, their parent or guardian, warning of the consequences of any further incident.

The incident and personal details are recorded on the Partnership database.

Letter and Visit:

Upon a second incident being reported within a reasonable time after the first, a second warning letter will be sent to the offender and the parent/guardian, for those under 16 years old, detailing the two incidents complained of. Arrangements will be made for a visit to the offender's home. The visit will normally take place within 10 days of the occurrence being reported. Where the police are the referring agency, the Neighbourhood Inspector will arrange the visit. In other cases, the visit will be undertaken by the most appropriate person, such as, where the perpetrator is a young person, a member of the Youth Offending Team or Youth Worker. The object of the visit is two-fold. Firstly, to inform the offender that their behaviour is unacceptable and that an improvement is required. Secondly, to undertake an assessment with the perpetrator co-operation to establish a history and a current picture of the perpetrator lifestyle so as to provide the necessary support.

The assessment may lead to the offender being offered a referral to partner agencies, for example Social Services.

Case Conference:

This stage will only be reached in the more serious cases of anti - social behaviour. The purpose of the meeting will be to agree a course of action. Where it is likely that the case conference will be considering the implementation of a Parenting Control Agreement and/or an **Acceptable Behaviour Contract (ABC)**, careful consideration should be given as to who should attend.

ABCs will be formulated in discussion with the individual and if applicable a parent or guardian. A clear understanding of what is expected and what support is being offered should take place. An ABC will not be drawn up where no diversion or support is available. Each contract will reflect the individual circumstances of the offender whilst recognising the rights of the victim.

Reviews will take place periodically which will consider alleged breaches of the ABC and whether there is a requirement to move to the next stage.

Where an ABC is breached, this can be used as evidence in support of any subsequent Anti-Social Behaviour Order application. In exceptional circumstances an ABC can be agreed with an adult but is primarily designed for offenders aged between 10 and 18 years

Anti-Social Behaviour Orders:

Where other measures have been unsuccessful or where the behaviour is so serious an Anti-Social Behaviour Order may be applied for.

Conditions in an ASBO will consist of directions not to do certain things.

Anti-Social Behaviour Orders may be applied for on an Interim basis in urgent cases, that is to say the Court will be asked to make an Order restraining the behaviour for a short period of time until the matter can be brought to a full hearing.



Chapter 6 – Taking a partnership approach to tackling ASB

The Safer South Wales partnership fully supports using a problem solving approach and will work to provide the widest range of interventions to tackle ASB. The aim is to stop such behaviour as swiftly as possible and to prevent it reoccurring. When it comes to intervention the widest range of options should be considered from the start. There are often a range and number of reasons why individuals participate in ASB and the use of a combination of tactics, often provided by different agencies, working in partnership can provide the most effective answer to a problem.

Enforcement by the police can take the form of the incremental approach for an individual, already described above, alongside use of Dispersal Areas, Penalty Notices for Disorder, Closure Orders (Part 1, ASB Act) and visible patrolling by members of the 'Extended Police Family'. Many other tactics available will be used by agencies such as the Local Authority, Registered Social Landlords and Education.

Where ASB is prevalent in an area our trained staff will seek to identify underlying issues and take action that will address the root cause of the problem.

When a perpetrator of ASB is being reviewed or discussed all the issues – including social, educational, and employment circumstances will be considered so that the widest range of resolutions can be implemented.

Working in partnership involves agencies contributing a variety of views, options for action and solutions. SSW partners will work professionally and collaboratively to build stronger and more responsive services to provide partnership solutions to communities within the Neighbourhood Management framework.

Our partnership will seek to use every opportunity to undertake youth diversionary activity to break the cycle of ASB and will implement Restorative Approaches where the circumstances are appropriate.

We will utilise Community Safety Partnership Multi – Agency Victim Support Conferences to ensure that partnership solutions are implemented for those who are most vulnerable.

Consensus over plans of action will be sought at all levels and will be supported when reached.

Safer South Wales will receive advice on emerging national effective practice and any changes in relation to ASB legislation and will revisit this strategy and adapt it to reflect any changes.

Chapter 7 – Making a difference

The provision of a partnership response to ASB is a complex issue.

The Safer South Wales partnership recognises that we have to make full use of the information that each agency holds to understand the scale and nature of ASB within our communities.

We will utilise the findings of the British Crime Survey and local surveys to gain an understanding of community perceptions and concerns regarding ASB and ensure that we effectively share and interpret the information gained.

Through our Partnerships and Communities Together (PACT) engagement process will undertake a continuous dialogue to obtain a full picture of the impact that ASB has upon individuals in our community. This will enable Safer South Wales to provide a responsive service particularly to those who are vulnerable.

Our partnership is committed to monitoring the levels of ASB. Effective monitoring will assist in identifying vulnerable victims of ASB, locations of high volume of ASB and repeat callers.

We will increasingly use customer satisfaction data concentrating on outcomes that have the most impact on ASB. This will involve a wide range of internal and external processes to get in depth views of the locations and impact of ASB.

Locally, the effectiveness of dealing with ASB will be reviewed periodically. Joint monitoring will make this more effective and allow for lessons to be learnt and acted upon.

