



guidance for councillors on tackling anti-social behaviour locally

Key questions on anti-social behaviour



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Anti-social behaviour is a key issue for local communities and therefore for local government. One in five people perceive high levels of disorder in their area - many of these people are living in the poorest and most run-down places. It is an almost universal concern in all council areas in England and Wales. LGA research in 2001 highlighted it as a key priority for councils over the coming three years.

Anti-social behaviour is also a key priority across government. In October 2003, the Together campaign was launched alongside a national action plan: 'Together: Tackling Anti-social Behaviour'. The campaign is about improving the response to anti-social behaviour across the country, putting victims and witnesses first, and generating a culture of no tolerance for anti-social behaviour. New resources for Crime and Disorder Reduction Partnerships (CDRP's), and a range of support and practical help from the government's Anti-Social Behaviour Unit including a the Together Academy, ActionLine and website to support practitioners are being provided to help achieve this.

The Anti-social Behaviour Act 2003 provides new tools which practitioners have asked for to tackle anti-social behaviour more effectively, including:

- powers to close crack houses quickly and easily;
- powers to disperse intimidating groups;
- powers to tackle flytipping, graffiti, litter and flyposting;
- powers to 'demote' tenancies and widening the use of injunctions;
- expanding the circumstances in which parenting contracts and orders are used.

These, along with a range of other tools already available to enable local authorities, police and other agencies to take action to put a stop to problems and protect individuals and communities who lives are blighted by anti-social behaviour. It is not a choice between preventing anti-social behaviour or taking enforcement action - it is about doing both - the twin track approach. Similarly alongside enforcement, people will need support to enable them to address their problems so that they adhere to standards of behaviour.

Local government has a critical role to play in this new drive. The 20,000 locally elected councillors of England and Wales are in a unique position at both ward and council level to both contribute to and communicate both local and central government's shared priority of creating safer and stronger communities. Members need to consider when addressing anti-social behaviour issues the need for an immediate response based on action, balanced with longer-term solutions.

What is this guide about?

Through the overview and scrutiny functions of your council you can ensure a citizen focus in tackling anti-social behaviour. This guide contains a series of questions you may want to have answered as an elected member. The questions are designed as a starting point to help you find out what is happening in your area, what more could be done and to help you think about key priorities. Each section provides signposts to further information.

What are the anti-social behaviour problems in your area?

Prompt: anti-social behaviour includes: vandalism, noise nuisance, harassment or intimidation, large groups engaging in threatening behaviour, begging, abandoned vehicles, graffiti, litter and underage drinking. The key issue is about the impact these problems have on victims, witnesses and the wider community. The Together campaign highlights the importance of taking action in this context. Are there a few families who are making the lives of others a misery on an estate? Are people fed up with graffiti and litter? Is there an area that people want cleaning up? Are people concerned that action is not taken when they make a complaint?

Existing sources of information, including the Crime and Disorder Reduction Partnership (CDRP) crime audit, local surveys, and citizens' panels should already provide this information. Councillors will also know from their surgeries what is of most concern.

Who is responsible for tackling anti-social behaviour?

Local government has statutory duties (with other key agencies) to plan, implement and deliver three year crime and disorder reduction strategies (section 5/6 Crime and Disorder Act 1998) within its local area. It has a statutory duty under section 17 of the Crime and Disorder Act 1998 to consider the implications of crime and disorder in all of its policy and service delivery. (LGA guidance on section 17 is available at www.lga.gov.uk)

The police service now has anti-social behaviour as a key national policing plan priority. Further details can be found on www.policereform.gov.uk

Every Crime and Disorder Reduction Partnership (CDRP) in England and Wales is receiving additional funding to improve their response to anti-social behaviour. CDRPs are expected to show that action to address anti-social behaviour is being taken according to local priorities and to have a lead person clearly accountable for this work.

The CDRP will need to co-ordinate the strategy to tackle anti-social behaviour but the solutions are not the responsibility of a single agency or organisation. Local residents and tenants, victims and witnesses, the police, social services, businesses and local government, as well as many other groups and individuals, all have a role and a responsibility.

Prompt - how is anti-social behaviour tackled in the CDRP audit and strategy? Are all key agencies represented at a senior level? Are council departments such as education, social services, housing, environment and youth offending teams all involved? Is there an executive portfolio lead on anti-social behaviour? Are there clear targets and actions with defined resources and timescales? Self assessments of CDRPs carried out in 2004 should highlight any identified gaps in relation to these issues.

The Comprehensive Performance Assessment in 2005/06 is being modified to measure effectiveness of councils in tackling anti-social behaviour. Further information can be found at www.audit-commission.gov.uk .

How does your council support victims and witnesses of anti-social behaviour?

Victims and witnesses of anti-social behaviour often experience repeated incidents, day after day. In many cases, the victim and perpetrator of anti-social behaviour live in close proximity to each other, often as neighbours. The intensity and frequency of these incidents, coupled with the 'closeness' of victim and perpetrator, means that the experience of being a victim of anti-social behaviour needs focused attention.

Many people do not come forward or feel unable to carry through their complaint. This may be related to fear of reprisal, concern that action will not be taken or that they will not be protected. Councils (often in conjunction with the police) can collect, collate and present evidence on behalf of vulnerable witnesses of anti-social behaviour. In all cases, however, witnesses are critical to taking effective action.

Victims and witnesses should be at the heart of the council's strategy on anti-social behaviour. Effective witness support is about systems and approaches that seek to improve success rates, while boosting the moral and confidence of witnesses, officers and the community.

The national Taking a Stand Awards recognises the work of individuals, local groups or projects that have taken a stand against anti-social behaviour. Go to www.takingastand.org for more information.

Prompt: what practical action and support is provided for witnesses and victims of anti-social behaviour? Are risk assessments carried out on a witness' home so that steps can be taken to maximise their safety? Is it made clear to witnesses what will happen where action is taken and how the council will help them? Are they given clear and full information and provided with support at each step in court proceedings? Does your council always consider whether immediate protection may be necessary to secure the safety of a witness, for example through injunctions or interim anti-social behaviour orders?

Further information on practical support and help for witnesses and victims is available at www.together.gov.uk

What is your council's approach to enforcement?

It is important for communities to set the standards of behaviour by which people are expected to live. If these standards are to be credible and respected, it must be clear to everyone that swift and effective action will be taken against unacceptable behaviour.

Prompt: does your council take clear and co-ordinated action on enforcement? Do staff know about the range of powers available to them and are they supported in taking enforcement action? Is there regular liaison with the courts and Crown Prosecution Service (CPS) so that they are aware of the council's approach to taking legal action to stop anti-social behaviour?

There are a wide range of powers available to enable agencies to respond to a range of problems at different levels, put a stop to anti-social behaviour and protect the community. For example:

- police, in consultation with the local authority can close down properties taken over by drug dealers and users of Class A drugs where they are causing anti-social behaviour. Premises can be closed down in 48 hours and remain closed for three months and up to six;
- dispersal orders can be used to tackle the problem of groups of people causing intimidation and distress to others - a major contributing factor to people's feelings of safety and their view of their local environment. Police can designate dispersal areas and people can be moved on where their presence or behaviour may result in a member of the public being harassed, intimidated or distressed;

- acceptable behaviour agreements or contracts are designed to engage a person to acknowledge their anti-social behaviour, the effect that this has had on others, and to confirm standards of acceptable behaviour in the community;
- penalty notices can be the first stage of intervention for many forms of low level disorder offences including being drunk and disorderly, throwing fireworks and causing harassment, alarm or distress. They offer speedy action that frees up police, local authority and court time.

More information on interventions available and a guide to the Anti-social Behaviour Act can be found at www.together.org.uk. The Together ActionLine provides daily advice and help for practitioners to enable them to make use of new and existing powers.

The LGA Guide to the Anti-social Behaviour Act is also a useful source of information.

The courts and the CPS have an important role to play in building the confidence of the community in tackling anti-social behaviour. Many local authorities have developed regular liaison with the courts so that they are aware of the local context for tackling anti-social behaviour, and their approach to the use of enforcement.

A national team of CPS prosecutors has been recruited who will specialise in the prosecution of anti-social behaviour and low level disorder cases. They will work closely with tenants, community organisations and CDRPs to develop a better understanding of local concerns and make more effective use of legal powers.

How can anti-social behaviour be prevented?

Early intervention in problems can prevent their escalation and sends out a message that anti-social behaviour will be tackled and not tolerated. It shows the community that complaints and concerns will be acted upon and will build their confidence to come forward and report problems early.

Housing officers, housing caretakers, other estate-based staff and neighbourhood wardens and staff in housing associations can all contribute to the adoption of an 'early-intervention' approach to tackling anti-social behaviour. Front-line staff and their immediate managers will often be aware of or know the perpetrators of anti-social behaviour in their area. These staff can also provide informal support to victims. Getting the linkages right between these staff and the anti-social behaviour team and other relevant agencies is critical.

How do you know that in your council there are effective linkages between these staff? Are they adopting a policy of early-intervention? How do you know these staff are tackling anti-social behaviour effectively?

Prompt: does your council use acceptable behaviour contracts or agreements? The contracts are voluntary and can be negotiated between agencies and perpetrators of anti-social behaviour. The contracts define acceptable behaviour and provide an alternative to formal legal action. Many councils highlight high compliance with the contracts.

Prompt: does the authority have a policy on rapid response to graffiti and litter removal? Rapid removal can reduce the frequency of further problems and reduce the fear of crime and anti-social behaviour.

Prompt: does your council take measures to tackle anti-social street drinking? 'Drinking schools' can be threatening and intimidating and deter members of the public from using public spaces such as parks and town centres. Many areas have introduced designated public places orders to allow the police to confiscate alcohol. Your council should be developing a local strategy to tackle this problem as part of new the Licensing Act duties. (See www.lacors.gov.uk)

Prompt: what wider preventative measures are in place to stop problems from taking hold? Appropriate youth services can provide diversionary activities for young people. Youth Inclusion and Support Panels (YISPs) run by the local youth offending team are multi-agency planning groups that seek to prevent offending and anti-social behaviour for high risk 8-13 year olds. How is your local Connexions partnership contributing to reduction in anti-social behaviour through its personal advisers and the Positive Activities for Young People programme? Further information is available on the Youth Justice Board (YJB) website at www.youth-justice-board.gov.uk and Connexions website at www.connexions.gov.uk

Over recent years has there been a reduction in funding for local youth services or diversionary activities for young people? What impact has this had on levels of anti-social behaviour? The 'Summer Splash' and 'Positive Futures' programmes funded by the YJB both showed a reduction in youth crime while the programme was running.

Environmental changes can make an area feel safer and reclaim it for the community. Improved lighting, CCTV, alley gates, public space improvements, creating a play area and other improvements can transform a neighbourhood. The Liveability Fund, New Deal for Communities and Neighbourhood Renewal may provide sources of funding for such improvements. Further information is available on the ODPM website at www.odpm.gov.uk or on the IDeA website at www.idea-knowledge.gov.uk.

How does your council ensure that perpetrators are given help to change their behaviour?

A twin track approach of enforcement and support will ensure that the community is protected and perpetrators are helped to make sustained change in their behaviour. Enforcement action can also raise the level of support that is available and encourage perpetrators to engage in relevant services.

Parents may need help in supporting their children to change their behaviour. What parenting provision is available locally? Parenting support, on either a voluntary basis or via application to court for compulsory parenting orders by local authorities or youth offending teams, can be used to help parents meet their responsibilities to their children and to the wider community.

Prompt: does your authority work with its local Drug (and alcohol) Action Team to address problematic drug usage that causes anti-social behaviour eg dropping drug litter; drug users gathering on street corners?

Drug treatment programmes will be an important part of concerted action to tackle begging since begging is often a sign of a street drugs market. Does your Drug Action Team (DAT) plan target treatment on beggars? More information can be found in the LGA document *Key questions on substance misuse* at www.lga.gov.uk

About 60 per cent of adult problem drug users in treatment also have problems related to their alcohol misuse, while about one-third of people in treatment for alcohol misuse also misuse illegal drugs. Amongst people aged under 30 who misuse substances, there is growing evidence that they tend to 'mix and match' their substance use to their perception of need and desired experience. How do you know that your local DAT and CDRP(s) are working together to tackle this reality?

Tenancy support can both prevent and reduce the incidence of anti-social behaviour and these can be used in conjunction with probationary tenancies.

Restorative justice and reparation programmes, usually run by youth offending teams and the probation service provide opportunities for all those affected by an offence to communicate and agree how to deal with the problem. Reparation schemes such as environmental clean ups and graffiti removal also help to engage perpetrators in putting something back into the community. What schemes are running in your area?

It is likely that many of the people committing anti-social behaviour will have similar characteristics to other offenders, ie poor literacy, numeracy and basic skills; high levels of substance misuse; poor family support; limited attainment at school; personal experience of school exclusion or non-attendance; poor mental health. Perpetrators of anti-social behaviour need to have rapid access to good-quality interventions according to their assessed needs. In some cases the parents of those perpetrators will also need access to those interventions.

How much anti-social behaviour goes on in your area and what is the cost?

On 10 September 2003, a one-day count of reports of anti-social behaviour including litter, vandalism, intimidation, abandoned cars and begging was carried out. Fifteen hundred agencies took part, including the police, local authorities, fire service and housing associations and information was received from every CDRP in England and Wales. 66,107 reports were counted, one every two seconds. The estimated daily cost to agencies of anti-social behaviour was £13.5m

Your council has a statutory duty with its local CDRP to audit crime and disorder every three years and regularly monitor trends. The next three-year audits must be completed in 2004 and should measure frequency of police, local authority and other agency reports of crime and anti-social behaviour.

Prompt: what monitoring arrangements are there in your area? A local day count could be carried out. Consultation mechanisms such as surveys and citizen panels could be used for benchmarking and monitoring public perception of the levels of anti-social behaviour. Some authorities have established an agreed local basket of anti-social behaviour indicators which could be a mix of Best Value targets and local indicators regularly collected from a range of council services. These can then be monitored by council scrutiny functions.

Prompt: how much is spent on graffiti clean-up, noise nuisance, abandoned cars or fly-tipping? How much is spent on prevention, enforcement and support?

Costs can be estimated using a model on the Home Office website, developed by the London School of Economics (www.homeoffice.gov.uk/crime/antisocialbehaviour).

This can help to calculate savings that could be made by interventions. For example, void housing and its associated costs can be dramatically increased by anti-social tenants and this should be compared to costs of early intervention.

To whom does the public report anti-social behaviour?

The Home Office 2003 day count showed that nationally, twice as many reports are made to the local authority as to the police but that reports are made to a wide range of agencies.

Prompt: does the public know how to report anti-social behaviour? Is there a phone-line locally which is publicised? How many calls are received? How are calls followed up? As councillors, do you feel you have clear reporting lines for local ward issues?

Communication to the public on how to report, and to which agency, should be co-ordinated between councils and other key agencies through the local CDRP. The use of council frontline services, call-taking services or web sites as reporting centres could be considered. Co-ordination between services is vital to gain an accurate picture of and effective response to anti-social behaviour.

The Together campaign provides advice for CDRPs to publicise local action. (www.together.gov.uk).

How effective is your council at tackling anti-social behaviour?

Prompt: in most cases, there will already be knowledge of what the problems are - the key is to respond to those concerns by deciding what needs to be done, and then taking action. Getting the message across, and letting people know what action you have taken are also key to an effective strategy. The Together campaign pack contains further help and can be found at: www.together.gov.uk

Prompt: what help is being given to officers to allow them to get on with the job? Front-line workers need to be given support, training and advice to tackle what are often complex and difficult problems. Three new services are now operating to help practitioners in their work and to remove the barriers to tackling anti-social behaviour:

- the Together Academy runs free events throughout England and Wales bringing practitioners together to help them use new powers, seek new solutions and share best practice in tackling anti-social behaviour;
- the Together ActionLine is a free advice line open every working day to provide support and information on a range of anti-social behaviour issues for frontline workers, 0870 220 2000;
- the Together website, designed for practitioners supports the ActionLine and the Academy, providing clear advice, best practice and useful links. www.together.gov.uk

Relevant documents and websites

Useful documents to refer to include:

Get in on the act: Anti-social Behaviour Act 2003 explained LGA, February 2004

Anti-social Behaviour Act 2003, HMSO
www.legislation.hmso.gov.uk/acts/acts2003.htm

Explanatory Notes to the Act
www.legislation.hmso.gov.uk/acts/expa2003.htm

A guide to the Anti-social Behaviour Act 2003,
Home Office www.together.gov.uk

Together: tackling anti-social behaviour - a local government perspective LGA, September 2004

Key questions on substance misuse. Guidance for local authorities on tackling substance misuse locally LGA, 2003

Respect and Responsibility - taking a stand against Anti-social Behaviour Home Office Cm 5778, March 2003

Guidance on community cohesion LGA, ODPM, Home Office, CRE, Inter Faith Network, 2002

Living Places: Power Rights and Responsibilities - options for reforming the legislative framework DEFRA, October 2002

Tackling anti-social behaviour: information and case studies about local authority work LGA research briefing No 16, July 2002

The active involvement of young people in developing safer communities NYA, Home Office, Govt. Office for the West Midlands, March 2002

The PAT 8 Report - Neighbourhood Renewal Unit

Useful websites

Local Government Association
www.lga.gov.uk

Home Office
www.homeoffice.gov.uk

ASBU
www.homeoffice.gov.uk
(under 'crime and policing/ anti-social behaviour')

LACORS
www.lacors.gov.uk

IDeA knowledge
www.idea-knowledge.gov.uk

Youth Justice Board
www.youth-justice-board.gov.uk

Connexions
www.connexions.gov.uk

Office of the Deputy Prime Minister (ODPM)
www.odpm.gov.uk

Key recent legislation to refer to:

1996 Housing Act

1998 Crime and Disorder Act

1998 Data Protection Act

1998 Human Rights Act

2000 Local Government Act

2002 Police Reform Act

2003 Anti-Social Behaviour Act

Home Office

Cleaner Safer Greener
Communities

TOGETHER
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