

CLES Bulletin is a topical summary of an issue which has recently emerged. Its aim is to provide a pithy précis of the issue, thus creating a quick and easy to read document which directs to more detailed material, if required.

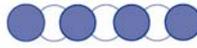
Anti-social Behaviour
CLES Bulletin No. 26 September 2004

CLES BULLETIN



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Introduction

This CLES Bulletin explores anti-social behaviour in the UK. The way the government is responding to the threat it poses to communities is examined throughout the bulletin, the Anti-social Behaviour Act, anti-social behaviour orders, acceptable behaviour contracts and the 'Together' campaign are detailed, along with case studies of anti-social behaviour powers in use.

1. The Anti-Social Behaviour Act
2. Registered Social Landlords & ASBOs
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5. ASBO Ambassadors
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Anti-social behaviour

Anti-social behaviour broadly, is acting in a way that causes or is likely to cause harassment, alarm or distress. For behaviour to be anti-social behaviour, it must be persistent.

Many people across England and Wales believe that anti-social behaviour is a problem where they live. One in five say that there is a high level of disorder in their area. Anti-social behaviour can hold back the regeneration of the most disadvantaged areas, creating an environment where crime takes hold and people begin to fear their neighbourhoods.

Anti-social behaviour can include:

- intimidation of neighbours and others through threats or actual violence
- harassment, including racial harassment
- verbal abuse
- homophobic behaviour
- abusive behaviour aimed at causing distress or fear to certain people, for example, elderly or disabled people
- noise
- dumping rubbish
- abandoning cars
- animal nuisance
- vandalism, property damage and graffiti.

Government's response

The Home Office Anti-Social Behaviour Unit was set up in January 2003 to lead the drive to tackle anti-social behaviour. The Unit works across Government to co-ordinate and develop a new approach to tackling anti-social behaviour.

1. The Anti-Social Behaviour Act¹

The purpose of the Anti-social Behaviour Act is to provide the tools for practitioners and agencies to effectively tackle anti-social behaviour.

It contains measures drawn up from across five Government Departments and builds on existing legislation to clarify, streamline and reinforce the powers that are available to practitioners.

Powers in the Act include:

- powers to disperse groups in designated areas suffering persistent and serious anti-social behaviour
- extending powers to deal with aggravated trespass
- simplifying powers to deal with unauthorised encampments (provided alternative sites are available)
- restricting the use of air weapons and replica guns. Banning air cartridge weapons that are easily converted to firearms
- new mechanisms for enforcing parental responsibility for children who behave in an anti-social way in school or in the community
- a new offence to sell spray paints to under 16s and stronger powers for local authorities to tackle fly-tipping, graffiti and fly-posting
- widening powers to shut down establishments that create noise nuisance
- powers for local authorities to tackle graffiti on street furniture
- powers to social landlords to take action against anti-social tenants including faster evictions and removing their right to buy their home
- courts to consider the impact of anti-social behaviour on the wider community in all housing possession cases

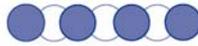
The Act received Royal Assent on 20 November 2003. The powers in the Act will come into force gradually, with the first group of provisions commencing on 20 January 2004 and 27 February 2004.

2. Registered Social Landlords & ASBOs

As of the 30th of June 2004, under the Anti-social behaviour Act, registered social landlords (RSLs) have had a duty to publish policies and procedures for dealing with anti social behaviour.

Social landlords because of their long-term commitment to their tenants and improving communities are usually amongst the first agencies to know of problems. They

¹ The [full Anti-social Behaviour Act](#) is available on the HMSO website.



are concerned to respond to the issues that local communities face and to ensure that properties do not become hard to let, as a result of crime and disorder problems.

Under the new regulations RSL's can apply for antisocial behaviour orders. They now have the powers to seek injunctions and to demote the tenancies of their tenants.

3. Antisocial Behaviour Orders

Introduced as part of the Crime and Disorder Act 1998, an Anti-Social Behaviour Order (ASBO) is a court order that is used to deter individuals who carry out persistent and serious anti-social behaviour. An ASBO can be served on anyone over ten years of age and will last a minimum of two years.² Breach of an order is a criminal offence, which is arrestable and recordable.

An order can contain conditions prohibiting the offender from specific anti-social acts or from entering defined areas. For example, an ASBO may prohibit an offender from associating with other named people or from going near a house where they have caused problems. Many ASBOs have placed banning orders on people that cause problems in town centre shopping areas.

ASBOs are civil orders made in court. They can be applied for by local authorities, police forces (including the British Transport Police) and more recently by registered social landlords.

Naomi Lindsay's recent article in *Regeneration & Renewal*³ explores the rising number of ASBOs issued in the past year. According to Home Office figures released on the 30th of August, more than 1,323 orders have been taken out in the year to March 2004, an increase of 117% on the previous year. Since the powers were introduced in 1999 over 2,400 orders have been issued.

4. Acceptable Behaviour Contracts

An Acceptable Behaviour Contract (ABC) is a voluntary written agreement between a person who has been involved in anti-social behaviour and one or more local agency whose role it is to prevent such behaviour (e.g. police). The contract specifies anti-social acts in which the person has been involved and which they agree not to continue.

An Anti-Social Behaviour Order (ASBO) or possession order (if the young person is in social housing) is the potential consequence of breach. As of April 2002, there were over 170 ABC schemes across the country and over 1800 ABCs in place.

5. ASBO Ambassadors

New Start⁴ has recently reported that the key role ASBOs can play is not fully understood by all councils. Only a small number of authorities account for the bulk of the 1,323 orders made in the last year.

The government to encourage local councils to use ASBOs as an effective tool has recently created the post of 'ASBO ambassador'. The government will provide local authorities with access to so-called 'ambassadors', who will advise councils and the police on how best to exercise their powers to quell yobbish behaviour.

Ian Walker, anti-social behaviour co-ordinator at Camden Council and a newly appointed 'ambassador' has warned that problems of drug dealing and street crime will merely be displaced if other authorities do not follow suit. 'The problem with lots of authorities is they view them as a last resort and feel that's a reason not to use them.'

Bill Pitt, an ASBO ambassador, has predicted that the use of the orders will continue to rise significantly because they 'establish the line that must not be crossed... and put the community back in the driving seat'.⁵

CASE STUDY - Using dispersal powers to tackle anti-social behaviour by groups of youths - Staffordshire

Area: Butt Lane, Kidsgrove, Stoke on Trent, Staffordshire.

Intelligence - what was the nature of the anti-social behaviour and the characteristics of the perpetrators?

Analysis of calls made to the local police identified regular and persistent anti-social behaviour by groups of youths aged 11-16. This behaviour, which included offences of damage, assault and harassment, took place particularly during the evenings and was often fuelled by alcohol use. Involved were a number of identifiable offenders and a large number of 'hangers on'.

Involvement - which partners were involved?

This partnership involved the Police, Borough Council and Clough Hall Technology School.

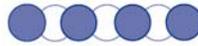
- The Police had an overview of the problem and drove the implementation of this initiative.

² A Glossary of Regeneration & Local Economic Development, Stuart MacDonald, CLES

³ Use of ASBOs doubled last year, Naomi Lindsay, *Regeneration & Renewal*, 3rd September 2004, p3

⁴ New Start, 3rd September 2004, p6

⁵ 'Ambassadors' join antisocial campaign, Public Finance, www.cipfa.org.uk/publicfinance/news_details.cfm?News_id=21067



- The Borough Council supported of the aims of the operation and were consulted under the requirements of the Anti-Social Behaviour Act 2003.
- Clough Hall Technology School is responsible for delivering education to the vast majority of the young people subject to these complaints. The school is a Community School and works well with local partners in addressing community issues.

Intervention(s) - which tools/powers were used and why?

Prior to the dispersal order the police invited the school to discuss anti-social behaviour with all age groups, and patrol strategies that included high profile policing were used on a regular basis. Letter drops and local press were also used helping reduce incidents of nuisance and disorder. Despite these interventions problems still existed affecting the quality of life of many residents and it was felt appropriate to make an order under Section 30 of the Anti-Social Behaviour Act 2003.

This order gave the local police, within a clearly defined area, the power to:

- Remove anyone under the age of 16 years old found in a public place to their home address.
- Request groups of two or more persons to disperse if found where they might cause fear, alarm, harassment or distress.

Implementation - how were the intervention methods realised in practice?

The initiative was given a high profile in the local school prior to its implementation. This led to any problems which the police might experience in exercising their powers being largely eliminated. Experience showed that many of the local youth, when told what to do would do it, and it was clear from the outset that many would simply adhere to the order without need for police intervention.

Despite press coverage on the implications of the order, no parents contacted the police to complain about restrictions being placed on their children. Negotiations with the school's councillors ensured that the order did not interfere with young people attending legitimate after-school activities during the week whilst maintaining extra protection for the community on Friday and Saturday nights which were recognised as problem nights for the community.

Impact - what were the outcomes for the perpetrator, the victims and the community?

- Local youths realised that the restrictions placed upon them were a direct result of the actions of the group of main perpetrators whose popularity was reduced as a result.
- Local businesses such as chip shops and off-licences were also supportive of the initiative and happily displayed posters publicising the powers now in place.
- Since the implementation of this order the Butt Lane area has seen a 55% decrease in complaints of nuisance related to young people. The local police unit as a whole has seen a 35% decrease and quite clearly



6. TOGETHER Campaign⁶

The Anti-Social Behaviour Action Plan was published by the Anti-Social Behaviour unit in October 2003, the Action Plan introduced the TOGETHER campaign which provides a wide range of specific initiatives and funding to tackle anti-social behaviour and provide support for victims and witnesses.

TOGETHER is a national campaign that takes a stand against anti-social behaviour and puts the needs of the local community first. It was launched on 20 January 2004. The campaign represents a commitment by everyone involved to take a stand, be accountable for their actions and uphold standards of decency and behaviour. Above all, the TOGETHER campaign is about taking action.

Vandalism, graffiti, dumped rubbish, fly-tipping, abandoned cars, relentless noise and nuisance neighbours have a long-lasting and corrosive effect on the quality of people's lives. It undermines the governments efforts to regenerate some of the countries most deprived areas.

Since January 2004 the campaign has announced

- **New money to every area of England and Wales** – £11 million in 2003/04 and in 2004/05, split across all Crime and Disorder Reduction Partnerships to strengthen their response
- **New assessment for all police forces** on their response to the problem, backed with programmes of training
- **'Anti-Social Behaviour prosecutors'** – a new national team in the Crown Prosecution Service that specialises in the prosecution of anti-social behaviour offences
- **Action Line** - a new help line for practitioners is open every weekday, providing advice and assistance on all the tools available⁷.
- **Centre of Excellence** - a centre of excellence in all aspects of tackling the problem, running training, conferences and specialist master classes for all relevant practitioners
- **Operation Scrub it** - Launched in March 2004, anti-graffiti initiatives, including a national database of 'taggers' - a poster campaign across transport networks to encourage reporting - pilots in 12 areas to enable local authorities to clean-up street furniture

⁶ See the TOGETHER website at www.together.gov.uk

⁷ The TOGETHER ActionLine is available every weekday on 0870 220 2000, to provide information and discuss solutions and best practice to help practitioners tackle anti-social behaviour throughout England and Wales.

- **Operation Gate It** - On 24 June 2004, the Government announced £1.1m funding for Gate It projects. Operation Gate It aims to deliver physical environmental improvements to areas which are run-down, badly designed or poorly maintained and have become magnets for anti-social behaviour.

The project is running for two years (from March 2004 to March 2006). It will enable communities across England and Wales to develop schemes that tackle environmental issues such as litter, vandalism and fly-tipping in alleyways.

CASE STUDY Removing abandoned cars in Liverpool

Area: Liverpool City Council

Intelligence - what was the nature of the anti-social behaviour and the characteristics of the perpetrators?

Abandoned cars contributing to general decline of local area. Can encourage further crime such as arson and criminal damage.

Involvement - which partners were involved?

Close liaison with the police and rapid removal of dumped vehicles make the fast track removal scheme work. The council believes the scheme could be expanded, allowing Liverpool Direct (LDL, the Liverpool City Council's call centre) to offer its service to neighbouring authorities, creating a pan-Merseyside contract, and also preventing shunting the problem into surrounding areas.

Intervention(s) - which tools/powers were used and why?

The process for dealing with abandoned vehicles has been simplified through close working between the council and Merseyside Police. After a successful pilot project in spring 2002 the council provided initial funding from Neighbourhood Renewal money to introduce the scheme city-wide, and went out to tender for a 12 month pilot programme, ahead of the formal tendering process through the European Journal. The successful bidder, Nortons, is a local company, which has developed advanced logistics to support the project and has available a compound sufficient for the storage, de-pollution and scrapping of the vehicles.

Implementation - how were the intervention methods realised in practice?

A scheme known as fast track removal has been put in place by Liverpool City Council to ensure that dumped vehicles are removed from the streets within two days of notification.

When a vehicle is reported to Liverpool Direct (LDL, the council's call centre), they obtain detailed information from a prepared script. Vehicle details are checked against the Easy Link Vehicle Information System (ELVIS) that gives the council access to any previous report of abandonment and shows if there is any police interest. Police access to the system allows a full vehicle history and shows any criminal involvement.



Nortons are asked to recover the vehicle under the fast track removal system which means removal within two days, unless there is police interest, in which case the police deal with it.

Nortons store vehicles for seven days and a letter is sent to the last owner. If the owner comes forward, they are charged a statutory removal fee of 105 plus storage and 12 per day. If the vehicle is unclaimed after seven days it is de-polluted and destroyed.

The de-pollution of vehicles is not yet mandatory but is likely to be by 2004. Liverpool is therefore one of the first authorities to adopt the new code of practice.

Impact - what were the outcomes for the perpetrator, the victims and the community?

Cost: Approx £154 per vehicle, including de-pollution.

Benefits: Faster removal of abandoned vehicles from the streets. Areas look less neglected and are less likely to attract other anti-social behaviour.

Source: Together website,
<http://www.together.gov.uk/category.asp?c=321>

authorities and RSL's to use them as a tool for improving communities.

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Building sustainable communities

The government's Sustainable Communities Plan is committed to improving the quality of life for people by providing better places to live, thriving, vibrant, sustainable communities. The Plan sets out a long-term programme of action for delivering sustainable communities in both urban and rural areas. The themes behind the Sustainable Communities Plan also inform much of the approach to anti-social behaviour.

The Government is investing £22 billion over 2002/03 to 2005/6 to improve housing and communities. Key funding initiatives include:

- An extra £201 million to improve parks and public spaces.
- Investing £350 million to speed up and modernise the planning system.
- Investing £5 billion over the next three years to regenerate deprived areas.
- £610 million for the growth areas.
- £500 million to tackle low demand and abandonment issues.
- £2.8 billion to bring council homes up to a decent standard.

Conclusion

Anti-social behaviour damages lives and corrodes communities. It acts as one of the many catalysts for the decline of areas. The government view ASBOs as an important tool in delivering sustainable communities.

As a result the number of orders issued is only going to increase. The government is encouraging more local