



Information Note

Antisocial behaviour legislative changes
and non – legal remedies for tackling
Antisocial behaviour

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SCOTTISH EXECUTIVE

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Introduction

This Information Note aims to give an update on the legal changes to the Antisocial Behaviour (Scotland) Act 2004. It also provides examples of non-legal remedies to tackle antisocial behaviour and includes current case studies demonstrating good practice in dealing with antisocial behaviour.

The note will offer an insight into various procedures and methods which are used to reduce antisocial behaviour. It should be useful to tenants and residents active in their communities and those staff that support tenant activity.

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What is Antisocial Behaviour?

A useful example of a definition of antisocial behaviour is contained in the action framework for social housing practitioners and governing bodies' it states antisocial behaviour covers a wide range of behaviours including:

- Harassment and intimidating behaviour
- Behaviour that causes fear
- Noisy Neighbours
- Drunken and Abusive behaviour
- Vandalism, Graffiti and other deliberate damage to property
- Nuisance from vehicles, including parking & abandonment
- Dumping rubbish and litter
- Animal Nuisance
- Prostitution and Kerb Crawling
- Hindering Emergency Services
- Drugs (dealing or consumption which may lead to intoxication and loss of control)
- Begging

A definition used in the Antisocial Behaviour (Scotland) Act 2004 is:

- To act in a way that causes or is likely to cause alarm or distress to anyone
- To behave in a way that causes or is likely to cause alarm or distress to at least one person not of the same household as them



Brief explanation of the Antisocial Behaviour (Scotland) Act 2004

In an attempt to reduce antisocial behaviour throughout Scotland the Scottish Executive (now Scottish Government) passed the Antisocial Behaviour (Scotland) Act in 2004. The Act was designed in principle to create safer communities. In order to achieve this, the Scottish Executive felt it would be necessary to encourage more regeneration, health projects and youth services across Scotland. Alongside these changes would also be a structural revamp of all legal deterrents to antisocial behaviour. The Scottish Executive were of the opinion that they needed to introduce more specific legal measures which could punish antisocial offenders.

The act is made up of 13 separate parts all of which attempt to prevent a certain element of antisocial behaviour and its perpetrators. This section of the information note will give a brief explanation of what the Antisocial Behaviour (Scotland) Act 2004 includes and describe what each part of the Act covers.

Part 1

Antisocial Behaviour strategies were introduced to provide a method of planning, documentation, review and reporting to local people about how their local authority intended to reduce antisocial behaviour in their local area.

Antisocial Behaviour Strategies have to be prepared jointly by the local authority and the chief constable of the police force in the area, their purpose is to prevent and deal with antisocial behaviour occurrences in the local area.

Part 2

Antisocial Behaviour Orders (ASBOs) replaced the previous legal remedies set out by the Crime and Disorder Act 1998. ASBOs are used as preventative tools to protect those victims of antisocial behaviour from further acts or conduct of antisocial behaviour.

In the 2004 Act ASBOs were extended to cover 12-15 year olds, these are frequently referred to as Juvenile ASBOs. The Act gives courts additional powers to send children to hearing systems where a parenting order can be granted.

The Act introduced a legal power of arrest for anyone who breaks the conditions of their ASBO.

The Act also made it a requirement of local authorities to keep records of any ASBOs which were granted.

Brief explanation of the Antisocial Behaviour (Scotland) Act 2004

Part 3

Dispersal of groups gives a Senior Police Officer the power to move or disperse any groups of two or more people away from a public place. This may be on the grounds that the police have received complaints regarding the group's presence or it may be that the group's behaviour has caused alarm or caught the attention of the Police Officer.

Failure by the group to move on when asked will be treated as a criminal offence.

A senior officer will usually only enforce such powers in an area where groups have persistently caused concerns related to antisocial behaviour to those living there.

Part 4

Closure of premises allows a senior police officer to enforce the closure of a premises based on significant and persistent disorder which causes serious nuisance to members of the public.

Senior officers will then apply for a closure order from the sheriff – this will prevent all access to the premises for a specified period (usually 6 months).

Failure to meet the terms will be treated as a criminal offence.

Part 5

Noise Nuisance is an additional power to legal powers that were set in the Environmental Protection Act of 1990.

Local authorities can implement noise nuisance services in their local area offering 24hour cover every day of the week.

The Act sets fixed penalty notices (Instead of prosecution, a fixed sum of money must be paid to a Magistrates' Court) for noise nuisance and also allows local authority officers powers to seize noise making equipment such as CD players.

Part 6

The Environment section introduced fixed penalty notices for fly tipping and littering.

Increases penalties for a range of antisocial environmental offences.

Local Authorities given power to enforce removal of graffiti from street furnishings such as bus shelters and telephone boxes.

If graffiti is not removed local authorities shall remove it themselves and charge owners of the property (only if owner does not meet the terms within 28 days).

Brief explanation of the Antisocial Behaviour (Scotland) Act 2004

Part 7

Antisocial behaviour notices make sure that private landlords make sure their tenants do not act in an antisocial manner.

Notice specifies actions the landlord must take in order to address instances of antisocial behaviour.

A landlord who does not carry out the notice correctly may be taken to the sheriff court for an order transferring managerial control of the named property to the local authority.

Part 8

Registration of certain landlords requires all landlords to register with their local authority.

Upon registering all landlords details will be available for public inspection.

Local authority will decide if landlord is fit for registration.

It is an offence for any landlord to let a house without being registered, if a landlord is caught doing so their local authority may choose to serve a notice stating no rent should be payable to that landlord.

Part 9

Parenting Orders can impose a requirement on a parent or guardian to attend counseling or guidance sessions for up to three months.

This order places a responsibility on the parent to prevent crime or antisocial behaviour involving their child – to protect the child's wellbeing.

Part 10

Further Criminal measures include:

CRASBOS criminal Antisocial behaviour orders (explained on page XX)

Community reparation orders focus on low level offenders, the orders make sure offenders compensate their local community in the form of ten to one hundred hours of appropriate unpaid work. The order can be applied to those aged 12 and over.

Brief explanation of the Antisocial Behaviour (Scotland) Act 2004

Restriction of liberty orders (electronic tagging devices) require an offender to:

Stay within a particular place or area for a maximum period of 12 hours per day this can last up to a period of 12 months, the offender may also be asked to stay away from certain areas or places for as much as 24 hours a day. This again can last up to 12 months.

Offenders will be aged 16 or over and must consent to the Order. The Court must find out relevant information about the places involved and the attitudes of the people living there. Out with the hours of restriction an offender is free to go where he/she chooses.

Ban on the sale of spray paint to under 16's – this is to limit the amount of vandalism caused by youths/gangs etc.

Seizure of vehicles Power for police to seize any vehicles used in a manner causing alarm, distress or annoyance.

Part 11

Fixed Penalties – Police have powers to issue fines for a range of low level, antisocial offences, these may include instances such as drinking to excess in public, vandalism and breach of the peace.

Part 12

Children's Hearings allow sheriffs to impose restriction of liberty orders as an alternative to secure accommodation.

In some cases the hearing will decide that the child should live away from home with relatives or other carers such as foster parents, or in one of several establishments managed by the local authority or voluntary organisations, such as children's homes, residential schools or secure accommodation. It may also decide who the child may have contact with, and when.

In addition a local authority shall be held responsible if a supervision requirement has not been appropriately put into practice.

Part 13

Miscellaneous and General:

Relates to privacy of certain proceedings in the interest of children

Disclosure and sharing of information

Equal opportunities

Interpretation of 'antisocial behaviour' and other terms throughout the Act.

Legal changes due to review of legislation

Aim of the review is to: *“review the operation of the national Antisocial Behaviour Strategy, including key elements of the Antisocial Behaviour (Scotland) Act 2004, to identify where it could be improved, and to enable stronger community involvement”*

Objectives of the review include:

- Develop an understanding of the effectiveness of key measures taken in the 2004 Act;
- Consider the range of responses to tackling antisocial behaviour deployed by local agencies;
- Consider whether current balance between prevention and enforcement is appropriate;
- Determine ways to make communities more involved in processes associated with tackling antisocial behaviour in their communities;
- Consider future needs for community safety communications designed to raise public awareness of national policy and local service delivery;
- Inform the development of performance frameworks for community safety partnerships;
- Consult with and involve key stakeholders in determining future priorities;
- Develop proposals for improved operation of Antisocial Behaviour Strategy.



New Framework to prevent antisocial behaviour

Summary of impact of change

The Scottish Government stated that they will seek to improve on the Antisocial Behaviour Scotland Act 2004 rather than abolish it. The review began in early 2008 and was carried out by the Scottish Government and an Expert Advisory Group consisting of members of the Police Force, Social Work, Councillors and Scottish Youth Parliament. The outcome of the Review was published in March 2009.

Comparing Antisocial Behaviour Orders in Scotland and England

The data on the use of the ASB measures indicates that, although many of the same powers are available in Scotland as in England and Wales, Scotland's approach has been much less enforcement-focused than that south of the border. Figures released by the Scottish Government state that in the case of ASBOs for 12-15 year olds, there has been a very limited number granted in Scotland, as opposed to the thousands in England and Wales. One of the reasons for this is because the welfare-based Children's Hearing System is the main forum for dealing with offending by young people. The aim of the Scottish Government is to undertake further research to consider the effectiveness of the range of positive interventions available for working with young people. In addition the Scottish Government are expanding the range of activities for children and young people in the areas of sport, culture and the arts to help them develop both physically and personally. This emphasises that education and support are at the centre of the Scottish Government's approach.

The Scottish Government's view on ASBOs

The Scottish Government believes that while ASBOs can be a useful tool for tackling ASB, they cannot alone deliver long-term solutions for communities. It is only by providing support and education that the Scottish Government will be able to address the underlying causes of ASB and prevent it from happening in the first place or from escalating to serious levels. The Scottish Government wants to make sure that enforcement is accompanied by support where appropriate and consult on the best means of ensuring such support is provided when necessary. That means encouraging local agencies, to indicate at the time of applying for an ASBO what support they have already provided and/or what support they will provide alongside the order.

Support with ASBOs

The Scottish Government consulted key stakeholders on the case for introducing a requirement that, at the time of applying for an ASBO, local authorities and registered social landlords must show evidence, where the circumstances of the case require it, that an adequate support package has been offered to the offender (where appropriate taking account of the needs of his or her children and immediate family). Where the

New Framework to prevent antisocial behaviour

condition of the application for an ASBO has deemed this inappropriate, agencies should evidence how a support package will be put in place alongside the order, again where this is necessary based upon the circumstances of the case. Such support packages should, where appropriate, involve the NHS (National Health Service) and voluntary sector services.

The introduction of legally binding documents, on a statutory or voluntary basis, will make sure that those subject to them are given the support necessary to tackle the underlying causes of their offending behaviour. They will help make sure enforcement contributes to efforts to develop long term sustainable solutions. In addition, they will provide a further basis upon which sentencing for breach of an ASBO can be judged.

Next Steps

The Scottish Government, COSLA (Convention of Scottish Local Authorities) and the other national partners, reviewed the guidance documents which currently support the 2004 Act by early 2010. This shared guidance reflects what has and what has not worked since the introduction of the 2004 Act as evidenced through the review. Key areas for which revised guidance has been issued include:

- ASBOs;
- Closure Orders;
- Seizure of Vehicle powers;
- Dispersal powers;
- Acceptable Behaviour Contracts;
- ASB strategies.

Some issues with the ASBO process were identified as being problematic and requiring further guidance. These include the need to:

- Clarify the standard of proof to be applied by the court when considering an ASBO application;
- Allow variations of interim and full ASBOs without the need to require a new application;
- Allow the service of ASBOs to be carried out by the person making the claim in the incident, rather than by the Sheriff Clerk;
- Where an individual has not been personally served with the ASBO, the court will be asked to arrange for it to be hand delivered to the defendant's address. If this is not possible, the summons should be served as soon as possible to the last known address;

New Framework to prevent antisocial behaviour

- Clarify, in light of the apparent break between an interim ASBO and the granting of a full ASBO, whether or not the original interim order remains in force until the full order is served;
- Clarify the law in relation to ASBOs which cross local authority boundaries;
- Provide guidance regarding the enforcement of ASBOs and the prosecution of breaches of ASBOs.

The Scottish Government, COSLA and other national partners recommend that local partners make sure that, where appropriate, those being considered for ASBOs are offered comprehensive support packages at the earliest possible stage and are continued to be offered support where required after any court order is in place. This will help to make sure that the underlying causes of the negative behaviour are addressed so that long-term positive outcomes are achieved.

More information on the review can be downloaded from the Government website www.scotland.gov.uk which also has examples of good practice from all over Scotland.

Non Legal Remedies

Antisocial behaviour is commonly associated with more severe instances of crime such as violence, drug related crime and theft. The police and other agencies therefore direct a lot of their resources to these problems. However, upon asking the public what the immediate concerns are in their areas, police tend to find 'major' crime is not highlighted as the most important problems to be addressed.

The public are more concerned with what could be deemed 'doorstep problems' for example noisy neighbours, dog mess on pavements or in closes, stair cleaning and graffiti. Although these issues seem trivial, they are the issues which the public find most antisocial and therefore need to be resolved.

Many of the antisocial behaviour cases will start out small like noise nuisance; however they will then increase and become serious disputes between neighbours if not tackled in the first instance. The following details a list of various measures which can be considered as non-legal early interventions into antisocial behaviours.

Preventions

In 2004 the Scottish Executive (now Scottish Government) issued a four pronged PIER strategy:

Prevention – Early Intervention – Enforcement – Rehabilitation

Prevention is better than cure and discussions or voluntary solutions are usually better than legal restrictions. The Scottish Government has identified several ways in which social landlords and other bodies can take preventative action against antisocial behaviour, for example:

- Providing support to vulnerable tenants;
- Providing intensive family support – including dedicated Antisocial behaviour residential projects;
- Providing diversionary activities for children and young people;
- The use of incentives to promote positive behaviours;
- Crime prevention and community safety measures – community wardens – secured by design measures;
- Allocations policies and Antisocial behaviour strategies.

Measures that will help to prevent antisocial behaviour include creating a physical and social environment that discourages antisocial behaviour or makes its occurrence less likely. This may include improved lighting, anti graffiti paint, CCTV installation and secured by design safety measures. Dealing with antisocial behaviour instances quickly and in an alert manner (cleaning vandalism and graffiti) and to make supplies and services available to young kids to stop them getting drawn into antisocial behaviour.

Non Legal Remedies

Early Interventions

A landlord may apply measures that will identify problems in individuals and communities early on. This will allow there to be a monitoring process, where incident profiles for individuals involved in antisocial behaviour can be created. This means antisocial behaviour instances can be checked.

Another example of good practice include:

- Working with and sharing information with other agencies to offer activities which will divert people away from antisocial behaviour.
- Developing mediation and victim support services.
- Agreeing local lettings plans that will strengthen sustainable communities.
- Using Short Scottish Secure Tenancy (this is a short six month tenancy agreement which can be used as a trial tenancy after which, if behaviour improves, a tenant will be entitled to a full Scottish Secure tenancy) to deal with individual cases of antisocial behaviour.

Mediation

Often a tenant's or resident's initial reactions when a complaint is made about antisocial behaviour will be to deny it or to make a counter claim against the person who made the complaint.

Mediation is a process that helps people work out their own solutions to problems, the benefit of this approach is that people decide the terms of any agreement made themselves (not an outsider or mediator).

If mediation is used alongside a good complaint management system it can prove very effective. It gives tenants and residents the opportunity to resolve issues without involving the police and courts.

Allocations

Considerable research suggests that many neighbourly disputes or incidents of antisocial behaviour can come about as a result of conflicts of 'lifestyle' rather than malicious behaviour. It is therefore important for Councils and Housing Associations to consider the housing mix in their stock before the offer is made.

By introducing a considerate allocations policy whilst not being discriminative the council or housing association can make sure that all tenants are able to live in an environment which suits not only themselves but those around them as well. This does not suggest the allocations procedure should no longer take account of needs based allocations, rather it suggests the individual's needs should be accommodated beyond that of the basic points based system.

Non Legal Remedies

An obvious example of this would be to not place a family with young children close to an older tenant. Having said that, some older people may encourage children into their housing mix as they may feel it provides a livelier and more family based environment to live in.

Pre allocation discussion with a prospective tenant can be a useful tool to gauge behaviour and allocate in a sensitive manner.

Acceptable Behaviour Contracts (ABCs) or Acceptable Behaviour Agreements (ABAs)

An ABC or ABA is not a legally binding contract however it is an important tool which can be used prior to any consideration of legal action or remedy. The basic grounds of the contract require the subject to be willing to improve their behaviour. If an ABC is breached the terms of the contract will be taken into consideration before applying any other non legal or legal measures. There is little to no connection linking recipients of ABCs to that of recipients of ASBOs. A statistic shows that of the 255 cases where ASBOs were granted to Local authorities during 2005/06 only 14 of these cases had been subject to an ABC.

Community Safety Initiatives

Community Safety Initiatives are designed to create safer more cohesive communities. These are usually very area specific and an example is given in the Reidvale Housing Association case study on page 21 of this Information Note.

Using Professional Witnesses

In some instances a resident or tenant may not be able to provide information or maybe unwilling to stand as a witness to ASB. This is when Professional Witnesses can become helpful. There are many outside agencies which offer this support, however many organisations have begun to employ their own staff as volunteers.

When to consider using a Professional Witness:

- When unable to obtain eye witness evidence;
- When tenants/residents are unwilling to provide evidence;
- Where specialist video or sound recording equipment is required;
- To obtain independent assessment of conflicting reports;
- When incidents occur outside of normal working hours

Non Legal Remedies

Close Meetings

It may be useful for a council or housing association to arrange a close meeting where existing issues relating to ASB can be discussed. This can prove difficult as those involved must be prepared to voice their concerns in a more open manner; however this remedy can be used successfully for more common based instances of antisocial behavior for example stair cleaning, dog fouling and general cleanliness.

Case studies



Scottish Borders Council – Antisocial behaviour unit (ASBU) and Detailed explanation into the use of CRASBOS

This case study provides a detailed explanation into the successful use of CRASBOs in the Scottish Borders.

In 2004 when the Antisocial behaviour (Scotland) Act 2004 was implemented there were no measurable statistics to gauge the success of Antisocial Behaviour Strategies. At this time the Scottish Executive had granted £350,000 to Scottish Borders Council in order for them to establish an Antisocial Behaviour Strategy on behalf of the council.

The Council decided the money would be best spent on setting up an Antisocial Behaviour Unit (ASBU) which could deliver the strategy. The unit was set up during the year 2005/2006.

The unit operates with a core group of office/field based staff these include an Administrative assistant, the ASBU Manager, Police Information and Statistics Officer, Antisocial Behaviour Field Development Officer, Community Warden, 2 Mediation Officers and a Part time Victim Support Co-ordinator.

The unit also works with a large group of partners in its attempt to tackle Antisocial behaviour. Some of these include:



Other partners include: Victim Support (Borders), Borders Voluntary Youth Work Forum, Private Landlords Representative, Scottish Children's Reporter Administration, SBC Youth Offending Services, SBC Education Pupil Support Manager, SBC Environmental Health Noise Team, SBC Legal Services ASB Solicitor, SBC Criminal Justice, SBC Mediation Services and Huntlyburn Hospital Mental Health Representative.

Case studies

The purpose of the ASBU was to make sure lines of communication could be improved between all these various organisations, once the information could be shared ASBU could begin to develop profiles and patterns on ASB problem areas.

Of the partners listed above a representative from each will make up part of what is referred to as the 'Core Group'. This core group will meet every 6 weeks to discuss various cases and negotiate ways to further prevent Antisocial behaviour problems.

CRASBOs explained:

Further Criminal measures are located in the Antisocial Behaviour (Scotland) Act 2004 Part 10. Antisocial Behaviour orders Section 118 is the authority that gives what most people call CRASBOs (Criminal Antisocial Behaviour Orders).

A CRASBO is a sentencing option open to a Sheriff. If the Sheriff considers it an appropriate option on the conclusion of the case (if the person is found guilty) they may choose to apply this order.

The order can only reflect the type of behaviour contained in the copy complaint to which the subject has been found guilty.

There are three methods of obtaining a CRASBO:

- The sheriff decides on his or her own to issue a CRASBO;

- The Fiscal can only merely suggest, on a finding of guilt, that a CRASBO is an option open to the Sheriff;

- The ASBU of Scottish Borders Council (SBC) is aware that an offender is up before the Sheriff on a number of charges and will prepare a CRASBO application and submit to the Fiscal.

Generally this is how the process will work.

Upon being presented with a case, the Sheriff can opt for a deferred sentence and suggest to the parties involved (Fiscal, Lawyers etc) that 'he is of a mind to consider an ASBO as part of his sentencing options'.

This is an indication to the Fiscal who will contact ASBU and ask the unit to prepare a CRASBO application.

The ASBU then prepares a document based on the charges the offender has been found guilty of and any other significant evidence.

They then submit the document to the Fiscal who in turn at the hearing of the deferred sentence hands the suggested craves (conditions of the order) to the sheriff.

The sheriff considers and either grants or does not grant an order. The sheriff will and can alter or amend the suggested craves to what he considers may be more appropriate under the circumstances.

Case studies

In the instance the ASBU discover a person with a number of pending criminal charges, with an antisocial content, they will contact the Fiscal and present an application to them.

However this is where good working partnership comes into play as the ASBU would suggest to the fiscal to bring all the cases together for consideration at a single appearance with the Sheriff therefore extending the limitations placed on the individual offender.

It is often found that due to the monitoring process a known subject might have reached the point that ASBU have or about to start civil ASBO processes. In this case ASBU are already ahead of the game and will often run both the civil and the criminal process together. This allows them to obtain the quickest resolution for the public blighted by an offender's behaviour.

TIS would like to thank all of those involved with Scottish Borders Council ASBU for taking part in this piece of work.



Project 101: A consultation with young tenants and project clients into their views on Antisocial Behaviour.

A brief introduction into the project:

'The project was established in May 2001 with the main aim of providing information, advice and support to 14-25 year olds who need help in accessing or sustaining accommodation in East Dunbartonshire.'

Project 101 is based in Kirkintilloch. The project works in partnership with various other agencies throughout East Dunbartonshire, some of these include the Homelessness Team, Local Housing Associations, Welfare Rights, Kirkintilloch Learning Centre, Throughcare team, Young Carers Project, NCH (Canal Project) and the Addiction Team.

TIS visited the project to establish some thoughts in relation to antisocial behaviour from some of the projects clients. The consultation discussed a variety of issues relating to antisocial behaviour, the subjects involved were all extremely sociable and well articulated young people who gave an honest and friendly contribution to the work involved in completing this report. The age ranged from 17 to 18 years old.

Case studies

Key Learning Points

Young people are aware of perceptions about them being seen as causing trouble and the stereotyping of young people.

- The people from Project 101 suggested a number of ways in which this would be tackled:
- The media need to start to portray young people in a friendlier light, commenting on their successes and achievements.
- Young people highlighted that although there are many youth clubs this is not what or where they want to spend their time.
- Support for activities is good but only when there wasn't so much supervision.

Moving into new tenancy:

- Young people have a learning need in terms of developing a more sensitive awareness to the needs of those living around them.
- Often a young person found it hard to refuse friends into their new flat and so their house became an antisocial den for parties and noise.
- Young people felt it was necessary to first and foremost break down the barriers that adults have with children
- Many suggested that having a simple conversation with them could let them know they were being unreasonable.

Too many assumptions:

- Young people are not aggressive in fact they tend to be very approachable.
- More tolerance is required of adults for young people at weekends, "we could be doing a lot worse than having parties"

Hanging around:

- Hanging around is seen as one of the most intimidating features of young groups of people.
- The young people at Project 101 stated they didn't even like the notion of hanging around outside in the cold with nothing to do.
- They were not trying to cause bother it's just that there was no alternative.
- When asked what a reasonable alternative may be they suggested "Unders nights" at nightclubs, these were more appealing as they were less supervised, controlled and also gave young people an opportunity to listen to music and socialise.

TIS would like to thank all of those involved with Project 101 for taking part in this piece of work.

Case studies



east lothian tenants and residents panel

East Lothian Tenants and Residents Panel: Antisocial Behaviour Strategy Consultation Draft 2009-2012

The Antisocial Behaviour (Scotland) Act 2004 places a duty on East Lothian and all councils to prepare an Antisocial Behaviour Strategy for their local area. East Lothian Council arranged the consultation in order to give the community an opportunity to have their say on the problems they face and on how the proposals will tackle these problems.

The draft is based upon the PIER strategy and therefore takes into consideration Prevention, Intervention, Enforcement and Rehabilitation. The Strategy is delivered by East Lothian Council and Lothian and Borders Police along with various other partnering agencies. The aim of the strategy is “using all necessary measures to reduce the incidents of antisocial behaviour in East Lothian”.

From the consultation these were some of the key points made:

For prevention the council needed to make facilities and venues accessible in order to divert individuals away from behaving in an antisocial manner.

The notion of Lettings plans was received with varying degrees of speculation, many of the tenants/residents felt this would create discriminatory practice and often lead to concentrated areas of deprivation.

The use of media in exaggerating successes and failures in tackling antisocial behaviour was favoured by nearly all participants, however many felt the media could be used to far greater extents in highlighting various resources such as events and who to contact in the event of antisocial behaviour instances.

The group felt fairly strongly about not ‘pigeon holing’ youths as being the main perpetrators of antisocial behaviour. The group suggested a higher responsibility on parents and schools should be incorporated into the strategy.

The consultation investigated the measures to be taken in early intervention.

Case studies

Reidvale Housing Association (Community Safety Initiative – Prevention)

An example of a scheme to prevent Anti Social Behaviour is that of Reidvale Housing Association (RHA). They decided to implement more policing within the local community. Reidvale Housing Association is a small community-based housing association in the east end of Glasgow - with a small housing stock.

Although the Association has a long history of community development there had been increasing concerns over poor environment and rising levels of antisocial behaviour (especially in relation to young people). The Association had previously worked with and had a history of negotiating or funding additional services for tenants an example of this being the purchase of equipment from Glasgow City Council Environmental Services.

In order to counteract the increasing antisocial behaviour issues in the area the Association entered into an initial twelve month agreement with Strathclyde Police to provide sixteen hours of additional police patrol presence in the defined Reidvale Streets per week. The agreement required two police officers patrolling for four hours on two designated evenings per week, between 18:00 and 22:00 hours.

The project had varying degrees of success:

- Levels of complaints about antisocial behaviour fell by forty one percent compared to the previous 12 months;
- Complaints to Reidvale Housing Association fell during the initiative;
- Thirty five percent reduction in Reidvale Housing Association vandalism incidents
- ASB significantly reduced during additional patrol times

By implementing this scheme the area took part in a preventative measure to counter increasing levels of ASB in the area; the local community began to restore their trust in local policing and the community became a safer place in the evenings.

Useful Reading

www.antisocialbehaviourscotland.com

TIS Info Note on Anti Social Behaviour Strategies

TIS Basic Guide: Anti Social Behaviour (Scotland) Act 2004.

Tackling Anti Social Behaviour in Scotland (An action framework for social housing practitioners and governing bodies) Published by Joseph Rowntree Foundation by the Chartered Institute of Housing Scotland.

'Raising Standards in Housing' A Good Practice Guidance Manual. Section 5: Administration of lettings. Scottish Federation of Housing Associations.

Housing & Anti Social Behaviour (Practice note on the use of legal remedies) Chartered Institute of Housing Scotland.

Key Contacts

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Scottish Government Community Safety Unit

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Tel: 0131 244 4946

Email: christine.finnigan@scotland.gsi.gov.uk

East Lothian Tenants and Residents Panel (ELTRP)

47 Bridge Street, Musselburgh, EH21 6AA.

Tel: 0131 665 9304

Chartered Institute of Housing in Scotland (CIH)

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