



Rushmoor Community Safety Partnership

ANTI-SOCIAL BEHAVIOUR - MINIMUM STANDARDS

In October 2009 the Home Secretary announced that by March 2010 all local areas should deliver a minimum set of standards around anti-social behaviour. All Community Safety Partnerships should:

- Reduce perceptions of anti-social behaviour year on year
- Provide regular updates for every community on what is being done to tackle anti-social behaviour, including an expectation to publicise Anti-Social Behaviour Orders (ASBO's) to the local community.
- Provide residents with a right of complaint to Crime and Disorder Reduction Partnerships/Community Safety Partnerships if effective action is not taken by the local agencies through existing channels.
- Provide support and help for victims of anti-social behaviour
- Take reports of anti-social behaviour seriously by recording and investigating all cases and committing to keep victims informed of action taken.
- Ensure better links between neighbourhood policing and other local partners to deal swiftly with problems.

The Safer Rushmoor Partnership is committed to tackling anti-social behaviour and this document will show what we are doing to tackle it.

Anti-social behaviour (ASB), Public Confidence, Night Time Economy (Aldershot Town Centre), Alcohol and Drugs and Domestic Abuse are all priority areas for us in 2010/11.

ASB can be a serious concern for residents and can cause considerable harm and distress to victims. The term anti-social behaviour covers a range of unacceptable behaviours that can have an adverse affect on people's quality of life.

Section 1(1) of the Crime and Disorder Act 1998 defines anti-social behaviour as 'acting in an anti-social manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the complainant'.

For the purpose of seeking a housing injunction or a demotion order, anti-social behaviour is defined in the Housing Act 1966 as: 'conduct which is capable of causing nuisance or annoyance'.

THE SAFER RUSHMOOR PARTNERSHIP HAS SET THE FOLLOWING STANDARDS FOR TACKLING ANTI-SOCIAL BEHAVIOUR

Behaviour that is considered anti-social is often a matter of personal perception. Whilst recognising that there are localised issues, Rushmoor is a safe place in which to live, work and visit.

A common concern is that of young people gathering. Large groups of naturally exuberant young people can appear intimidating. Whilst the consumption of alcohol by such groups can fuel anti-social behaviour, it would be wrong to assume that only young people can cause such issues. Parents are responsible for the behaviour of their children and in Rushmoor, experience has shown that a letter sent to parents, prevents any further involvement in anti-social behaviour in 95% of cases.

Other actions taken by the partnership to deal with ASB include the setting up of "Alcohol Designation Zones", operations to target hotspot areas and the use of powers to disperse both adults and young people.

The anti-social behaviour reported can include a lack of understanding and consideration, which has led to a conflict. Examples include some playing of ball games, noise and vehicle use.

HOW DO WE REDUCE PERCEPTIONS OF ASB YEAR ON YEAR?

The Safer Rushmoor Partnership aims to reduce perceptions of ASB year on year. We find out about perceptions of ASB through a range of surveys and these help us to identify how perceptions have changed.

The Safer Rushmoor Partnership uses a whole raft of measures to increase public confidence in community safety agencies and to influence perceptions of anti-social behaviour. By promoting partnership working and informing local residents of the work that is taking place to tackle ASB the Partnership aims to reduce perceptions of anti-social behaviour each year. We do this by running community engagement events including Neighbourhood Forums and Safer Rushmoor Action Day's and through other forms of publicity.

HOW WE PROVIDE REGULAR UPDATES FOR EVERY COMMUNITY ON WHAT IS BEING DONE TO TACKLE ANTI-SOCIAL BEHAVIOUR, INCLUDING THE PUBLICATION OF ANTI-SOCIAL BEHAVIOUR ORDERS (ASBO'S)?

The work of the Partnership is publicised in a range of ways including:-

- Safer Rushmoor website www.saferrushmoor.com

- Rushmoor Borough Council's Arena magazine

- Distribution of leaflets

- Safer Neighbourhood Team newsletters

- Local media

- Neighbourhood Forums

- Neighbourhood Watch

The Partnership will publicise Anti-Social Behaviour Order (ASBO's) subject to a case by case assessment of risk and need. In consultation with the police and other agencies, measures to publicise Anti-Social Behaviour Orders will include one or more of the following: press release for attention of local media, targeted poster campaigns or leafleting of an affected area.

HOW RESIDENTS CAN COMPLAIN IF EFFECTIVE ACTION IS NOT TAKEN BY LOCAL AGENCIES THROUGH EXISTING CHANNELS.

All agencies that form the Safer Rushmoor Partnership have their own complaints procedures. In addition, victims have the right of complaint to the Safer Rushmoor Partnership through their local councillor when agencies have failed to take effective action to deal with an ongoing series of anti-social behaviour issues.

Individual complaints procedures are detailed below:

Rushmoor Borough Council

Residents who have reported an anti-social behaviour issue to Rushmoor Borough Council, but do not feel that appropriate action has been taken, should inform the Community Safety Manager on 01252 398398 or complete the online complaints form at www.rushmoor.gov.uk/commentscomplaints

Residents can also share their complaint in person by visiting the Council Offices or by e-mail to customer.services@rushmoor.gov.uk or by post to:

Rushmoor Borough Council, Council Offices, Farnborough Road,
Farnborough, Hampshire GU14 7JU

The process allows for complaints to escalate to a Head of Service, Director or Chief Executive.

If residents are still unhappy with the response they have received they can contact their local councillor. A list of current councillors is available at www.rushmoor.gov.uk or by calling 01252 398398.

Comments and complaints will be acknowledged within three working days of receiving it and, if appropriate, reply in full within ten working days to explain how the issue will be dealt with.

Hampshire Constabulary

If you have reported anti-social behaviour to Hampshire Constabulary, but do not feel that action has been taken you can complain to them and as part of the Policing Pledge they aim to acknowledge any dissatisfaction with the service you have received within 24 hours of reporting it.

They will give you an opportunity to talk in person to someone about your concerns and agree with you what will be done about them and how quickly

To make a complaint to Hampshire Constabulary a resident can visit the front desk of any police station and advise them that they wish to make a complaint. They will make arrangements for them to be seen by the Duty Inspector.

Residents can email the Professional Standards Department at professional.standards@hampshire.pnn.police.uk or can write directly to:

Professional Standards Department
Hampshire Constabulary
Police Headquarters
West Hill, Romsey Road
Winchester
Hampshire, SO22 5DB

Finally residents can put their complaints to the Independent Police Complaints Commission using the contact details below:

Independent Police Complaints Commission
90 High Holborn
London
WC1V 6BH
www.ipcc.gov.uk
Tel: 020 7166 3000

If you have reported anti-social behaviour to a Registered Social Landlord or Housing Association, but do not feel that action has been taken you should contact them direct and follow their individual complaints procedures.

HOW SUPPORT WILL BE PROVIDED FOR VICTIMS OF ANTI-SOCIAL BEHAVIOUR

The Safer Rushmoor Partnership will endeavour to identify potentially vulnerable victims of anti-social behaviour and provide support according to their needs.

With the consent of the individual, all members of the Safer Rushmoor Partnership will pass details of the victim and nature of the incident to the relevant support agency, for example Victim Support.

Every victim of crime will be offered the opportunity of a visit from their local Safer Neighbourhoods Team as part of Hampshire Constabulary's commitment to providing an excellent service.

In 2009 Hampshire Constabulary introduced a new appointments system which allowed any caller who required police attendance for a non-emergency situation, the opportunity of making an appointment to see an officer within 48 hours.

This was part of the force's response to meeting the commitments outlined in the Policing Pledge which was launched nationally in 2008.

Hampshire Constabulary has an enhanced service which builds on this commitment by offering victims of every crime, who haven't already seen an officer, the opportunity of a visit from their local Safer Neighbourhoods Team (SNT).

Police officers, PCSOs and Special constables will also provide every victim visited with a victim care pack which contains information about what happens

once a crime is reported and how to contact Victim Support and other agencies.

They will also receive a contact card which will be an agreement between officers and victims about how and when they wish to be kept informed of progress in relation to their case, as well as information about the local Safer Neighbourhood Teams and a form encouraging victims to tell the force what they think the local policing priorities in their area should be.

TAKE REPORTS OF ANTI-SOCIAL BEHAVIOUR SERIOUSLY BY RECORDING AND INVESTIGATING ALL CASES AND COMMITTING TO KEEP VICTIMS INFORMED OF ACTION TAKEN.

All reports of anti-social behaviour will be taken seriously. They will be recorded and investigated to ensure that the appropriate actions are taken and that the right resources are used.

An annual assessment of anti-social behaviour will be conducted and an action plan will be developed to set out how ASB will be tackled. The public will be informed of actions to be taken around these issues.

HOW WE ENSURE GOOD LINKS BETWEEN NEIGHBOURHOOD POLICING AND OTHER LOCAL PARTNERS TO DEAL SWIFTLY WITH PROBLEMS

The Safer Rushmoor Partnership has a number of processes in place to ensure that the police, council and other agencies work closely together to deal swiftly with anti-social behaviour.

The Safer Rushmoor Partnership runs a fortnightly Community Tasking and Coordinating Group and monthly Problem Solving Group, where partner agencies work to tackle incidents of ASB and crime and disorder and focus on individuals that are perpetrators and victims.

WHAT HAPPENS TO PEOPLE RESPONSIBLE FOR ANTI-SOCIAL BEHAVIOUR?

Rushmoor Borough Council, Hampshire Police and their partners use the following tools and powers to tackle in anti-social behaviour in Rushmoor. This is not an exhaustive list but provides some examples of the tools and powers available to tackle ASB.

Warning Letters

These are used for low-level anti-social behaviour to inform the individual that their behaviour is unacceptable. When the person is under 18 their parents will also receive a letter. This method is very effective as often people are not aware of the impact their behaviour is having on others.

Acceptable Behaviour Contracts (ABC)

Acceptable Behaviour Contracts (ABC's) are non-legally binding written contracts between the Council, Police and a person who has behaved anti-socially. Under the contract, it is agreed that the person should not be involved with certain specified anti-social acts. They are often used with children and young people, but can equally be used for adults when a warning has been unsuccessful in addressing a problem.

Notices to Quit Anti-Social Behaviour

These notices are used where ABCs have not been successful and act as a 'last chance' before an Anti-Social Behaviour Order is sought. They include a list of the anti-social acts the person is accused of committing, that will be used as evidence in court if the problems continue.

Anti-Social Behaviour Orders (ASBOs)

Anti-Social Behaviour Orders are civil orders that protect the public from behaviour that causes, or is likely to cause harassment, alarm or distress. ASBOs are not criminal penalties, but a breach of an ASBO is a criminal offence. They can be made on anyone aged 10 or over who has displayed anti-social behaviour in the previous six months. They are intended to protect the public from further anti-social behaviour.

Anti-Social Behaviour Order on Conviction (CRASBO)

The Crime and Disorder Act 1998 as amended, allows the criminal courts to make an order equivalent to an ASBO prohibiting the defendant from doing anything specified in the order, after that person has been convicted of a relevant offence (i.e. one that is committed on or after 2 December 2002). An order on conviction is a civil order and therefore the civil rules of evidence apply. The order is in addition to the criminal sentence and is considered separately from the criminal part of the proceedings. An order on conviction has the same effect as an ASBO: it lasts for a minimum of two years and a breach of terms is a criminal offence.

Individual Support Orders (ISO)

Individual Support Orders can be attached to an ASBO against a person aged between 10 and 17. They contain positive obligations designed to tackle the underlying causes of the person's anti-social behaviour, and are usually overseen by a member of the youth offending team or social services.

The orders can last for up to six months, and can require the young person to attend up to two sessions a week. Failure to comply is a criminal offence.

'Crack House' Closure Orders

When a property has been taken over by drug users or dealers of Class A drugs, a 'Crack House' closure order can be used to close the house down and keep it closed. An order can last for up to three months, and can be extended for a further three months. During this time the property will be sealed, and it is an offence to enter or remain in the property.

Anti-Social Behaviour Closure Notice and Order

The purpose of a closure notice is to prevent significant and persistent disorder or persistent serious nuisance of certain groups within communities. The closure notice alerts those using the property, resident(s), the owner and any others with an interest who can be identified, of the intention to apply to the court for a closure order. The order is used to close the property down and keep it closed. An order can last for up to three months, and can be extended

for a further three months. During this time the property will be sealed, and it is an offence to enter or remain in the property.

Dispersal of Groups

Section 30 of the Anti-Social Behaviour Act 2003 allows dispersal order powers to be used in public spaces where groups gather and intimidate and harass the public. Once an area has been designated as a dispersal area the police can direct groups of two or more people to disperse and leave and prohibit a return for up to 24 hours if they do not live in the area. Under 16's may be returned home after 9pm. The order can be implemented for up to 6 months and can be extended by another 6 months if required.

Section 27 of the Violent Crime Reduction Act 2006 provides the police with a power to issue a direction to an individual aged 16 years or over who is in a public place to leave a locality. The direction will prohibit their return to that locality for a specified period not exceeding 48 hours. The power should be used proportionately, reasonably and with discretion in circumstances where it is considered necessary to prevent the likelihood of alcohol related crime or disorder. The aim of the power is therefore to minimise the likelihood of alcohol related crime or disorder arising and/or taking place.

Parenting Contracts

Parenting Contracts are voluntary agreements made between local agencies and a parent or parents. They set out what parents will do to address the anti-social behaviour of a child or children for whom they are responsible. They may contain an agreement to attend a parenting programme, or to ensure that a child attends school regularly. They are often made between schools or local education authorities with the parent(s) of a child who has truanted or been excluded from school.

Parenting Orders

A court can enforce Parenting Orders when there has been a problem with a young person's behaviour. They impose requirements on the parent(s) or guardian, which will usually include their attendance on a guidance or counselling programme. Other requirements, such as ensuring that the child attends school, can also be included. Non-compliance can result in a fine of up to £1,000.

Penalty Notices for Disorder

Penalty Notices for Disorder under the Criminal Justice and Police Act 2001 are targeted at low-level anti-social offending. A person aged 16 years or over may be given a penalty notice, offering them an opportunity to discharge their liability to conviction for the offence by paying the penalty.

Truancy sweeps

Truancy sweeps aim to tackle non-attendance and involve the Police and Educational; Welfare officers working together. Truancy sweeps are carried out during normal school hours. They involve stopping any young person believed to be of school age, whether accompanied by an adult or not. The intention is to establish whether or not the young person is registered at

school and, if so, whether he/she is out of school legitimately. If the authenticity of the absence is in doubt the education welfare officer (EWO) will follow up each case individually to substantiate the reasons given for the absence.

Truancy can help to identify parents who are not taking their child's attendance seriously. Parents who allow their child to truant regularly can be dealt prosecuted by means of fixed penalty or court sanctions.

Vehicle Nuisance

Where a Police Officer has reasonable grounds for believing that a motor vehicle is being used in a manner, which contravenes Section 3 (Careless Driving) or Section 34 (Driving elsewhere than on a road). If the vehicle is used in a manner where it is causing, has been causing or is likely to cause, alarm distress or annoyance to members of the public, the Officer can initially give a written warning (valid for twelve months) and on a subsequent occasion seize the vehicle.

The Serious Organised Crime and Police Act 2005 has given the power for the Police to seize vehicles that are being used in contravention of Section 143 of the Road Traffic Act 1988 (no insurance) which includes use in and on a public place.

Confiscation of Alcohol

The Confiscation of Alcohol (Young Persons) Act 1997 is an Act of Parliament of the United Kingdom. The purpose of the act was to empower Police Officers to confiscate alcohol from the possession of any minors under the age of 18. Previously only the purchase of alcohol was illegal by minors, and officers could take no action against a minor in possession of alcohol unless they were committing another offence. The Act was introduced to allow Officers to seize alcohol in a minor's possession and create an offence for any person who fails to comply with a request to confiscate. The Act can also be applied to a person over 18 if the officer believes that the person intends to supply a minor with alcohol in their possession.

Drinking in Public Places Order

There is drinking in public places order (DPPO) in force across the whole of the Rushmoor Borough Council Area which empowers the Police, Police Community Support Officers (PCSOs) and Hampshire County Council Accredited Community Safety Officers (ACSOs) to seize alcohol from anyone whom they consider to be either causing or likely to cause anti-social behaviour.

Drink Banning Orders

Drink banning orders are civil orders that can be made against an individual aged at least 16 if they have engaged in criminal or disorderly conduct while under the influence of alcohol. The orders may last for between 2 months and 2 years. The aim of the order is to protect persons from further conduct of that kind by prohibiting the individual from doing things prescribed within the order. Individuals in receipt of an order have the opportunity to attend an approved course voluntarily in order to address their alcohol-related behaviour.

Registered Social Landlord and Housing Powers

Anti-Social Behaviour Injunctions (ASBIs)

An Anti-Social Behaviour Injunction is a civil order made by the county court to compel an adult (over the age of 18) to do something or to prevent a particular action or behaviour. Social landlords can apply for the ASBIs for tenants; they can also be enforced on owner-occupiers and non-tenants. Injunctions are used when someone is committing anti-social behaviour, including noise nuisance, verbal abuse, visitors causing nuisance to neighbours, untidy gardens and threats of violence or actual violence

Demotion Orders

Demotion Orders are used by landlords when a tenant, resident or visitor to the tenant's home has behaved or threatened to behave in a way which is capable of causing nuisance and affects the housing management of an area. They allow landlords to apply to the courts to reduce the security of tenure for tenants, by removing a number of tenancy rights, including the right to buy and the right to exchange. If a tenant continues to misbehave then action can be taken to seek possession of their home.