

Anti-Social Behaviour/Neighbour Nuisance is:-

Whereby someone is judged by another to have caused distress, alarm or harassment. Examples could be:

Distressed by the playing of loud music.

Alarm by being threatening or being abusive.

Harassment making comments of a racial nature.

All cases are categorized into A or B

A being **Very Serious**, example: racial harassment, threatening behaviour, physical/verbal abuse

B being **Serious**, example: Loud music, drugs related, alcohol related.

Cases are categorized on their individual merit. To deal with case specific evidence is required. The evidence required is as follows:

- a) Name of person/s carrying out the Neighbour Nuisance/Anti Social Behaviour.
- b) The name, address and telephone number of the person/s who is making the complaint.
- c) Date and time of incident/s, and the nature of the incident/s.
- d) Where the incident/s happened.
- e) How the incident affected you/your family.
- f) Were the Police involved, if so which station is the officer from and the name of the officer involved.

Anti-Social Behaviour cases can be dealt with by some of the following ways:

- First Interviews complainants are given a diary booklet to record incidents. If when completing a diary booklet they cannot be specific with the name and address, they are requested to record a description of the person/persons, At times this process is tedious and long, The information from the diary sheets is vital to any case. Thus a full detailed incident log is necessary.
- **Monitoring Equipment** in some cases can be used. A case with noise nuisance (loud music) is normally passed to Environmental Services who investigate and take any action necessary. Monitoring Equipment can record sounds up to 10DB's, and would be used as evidence in any court case. Housing normally work jointly with the Environment and would send a warning letter/NSP due to breach of tenancy conditions.

- Mediation is a form of action, which, can be a way forward for residents to resolve their differences. It is carried out in a controlled atmosphere by trained external mediators. Very useful tool in one on one dispute/s or cases which need expert assistance to get the parties together. 98% of all cases are successful and a very good way of resolving long term on going, one on one cases. Each party has to agree to mediation before it can be carried out.
- One off interview: This is normally carried out with either the Housing Officer if serious case, (A) or the Assistant Housing Officer if not serious, (B), to establish the facts of the case.
- One off letter: To perpetrator/s, petitioners
- Warning letter: Should the problem persist, pre legal action

Neighbour Nuisance cases that require further action may be dealt with in one of the following ways:

Acceptable Behaviour Commitment (ABC).

This is where children are involved in a case between the ages of 10-18yrs. It is not a formal agreement and has to be agreed by parents and children alike. Before this can be put into place consultation has to be carried out by the dealing officer and other agencies jointly working on the case, such as Police and Youth Offending Team. This is a way of giving the child/adult support. It is used normally as a first stage before legal action is considered.

Injunctions to prevent nuisance and annoyance, (IPNA)

- To stop or prevent individuals from engaging in anti-social behaviour quickly.
- The IPNA is a Civil Order for anyone aged over 10 years old. Civil standard of proof required (on the balance of probabilities). Local Authority, Housing Provider, Police, Environmental Agency along with others can apply for an IPNA.
- If the case relates to a group of young persons the case would be heard in Youth court and not Magistrates Court. An order for a person under 18 yrs old would not last longer than 12 months. Any breach would not be a criminal offence but would need criminal standard of proof.

Criminal Behaviour Orders (CBO)

This order replaces the Anti-Social behaviour Order (ASBO) and the Criminal Anti-Social Behaviour Order (CRASBO). Can be applied for where

a person (the offender) is convicted of a criminal offence. The courts must be satisfied that a person/s have:

- Engaged in behaviour that caused or was likely to cause harassment, alarm or distress.
- If the court makes an order it should help prevent the offender from engaging in such behaviour.

Cases are only taken to court where necessary and where all other support has not been accepted. Or other action has not stopped the nuisance. Witnesses have to agree and be prepared to go to court to give evidence. The CBO can be a long drawn out procedure, but very effective when in place.

- The length of a CBO for under 18's is not less than 1 year and not more than 3 years.
- The length of a CBO for over 18's it a fixed period of not less than 2 years or an indefinite period and it is a criminal offence to breach this order.

Community Protection Notice (CPN)

This power would be used for an individual aged 16 or over were:

- The conduct of an individual or body is having a detrimental effect on the quality of life of those in the locality
- Is of a persistent nature and the conduct is unreasonable

Before this legal tool can be used a written warning has to be given regarding the conduct of the individual is having a detrimental effect, or the officer is satisfied that despite having had enough time to deal with the matter the conduct is still continuing to have an effect on other persons.

Public Space Protection Notices (PSPO)

Two conditions have to be met before a PSPO can be put into place.

First condition:

Activities carried out in a public place within local authority area have a detrimental effect on the quality of life of those in the locality, or It is likely that the activities will be carried out in a public place.

Second condition: the effect, or likely effect, or the activities:

Is or is likely to be of a persistent or continuing nature, is or is likely to be such as to make activities unreasonable and justifies the restrictions imposed by the notice.

- Failure to comply with order can result on conviction of a fine not more than £1000. Or a fixed penalty notice which would not be more than £100.
- The East have 4 breaches currently with legal services and will be looking at civil injunctions for those nominal.

Notice Seeking Possession (Notice for secure tenancy).

This takes a longer time and requires as much evidence as possible. i.e. Witness statements, Police statements, agency statements would all be utilised as they can help with the case. As with the other powers this will not be considered until all relevant support has been offered.

General ASB Information

All complaints of ASB cases are contacted on the day of the complaint, should a Domestic Violence case come in they will be contacted and an appointment scheduled with 24 hours where possible, i.e. dependant on the availability of the resident.

Investigations on cases are carried out by way of interviewing complainants, perpetrators; some are investigated jointly and discussed at a Safer Estates Meetings, for a multi-agency approach. Also joint agency meetings are held with Registered Social Landlords, so that best practise and information can be shared.

Support for residents can be given through other relevant agencies and residents are at times sign posted to them where necessary. Other support can be provided through the following:

MASH (Multi Agency Safeguarding Hub).

Think Family

Social Services

Mental Health unit

Domestic Violence Officer

Youth Offending Unit

Victim Support/Brave

The East Quadrant now has a dedicated Domestic Abuse Officer, and referrals are directed to the officer.

We get feedback from YOT's and Police and share information so that we know if/that the family/adult/children are getting all the support they need.

We also have ASB surveys on the service we provide, which gives us an indication of the resident's views.

We learn from our supporting agencies when sharing information. We have policies and procedures should we require further information and we have a safe guarding co-ordinator should we require assistance.

We aim to keep all families in their family home and deal with perpetrators quickly and giving as much support to the victim as possible. In the long term this is more cost effective for the department and does not cause any upheaval for the family.