

# Safer Lincolnshire Partnership

## Anti-Social Behaviour Strategy

<b>Owner:</b>	Anti-Social Behaviour Core Priority Group (ASB CPG)
<b>Author:</b>	Lisa Duckworth (Community Safety Strategy Co-ordinator for Anti-Social Behaviour)
<b>Publication Date:</b>	June 2015
<b>Review Date:</b>	Nov 2021

<b>Version:</b>	<b>Date:</b>	<b>Reason For Issue:</b>
V1	June 2014	Partnership ASB Policy created to demonstrate a clear overarching commitment to tackling ASB effectively in Lincolnshire.
V2	June 2015	ASB Policy changed to ASB Strategy at the request of partners. General update to reflect minor changes in process.
V3	August 2019	Required updating to reflect organisational and process changes.
V4	Nov 2021	<p>Introduction updated to reflect new SLP structure</p> <p>Waterloo Housing Group changed to Platform Housing Group</p> <p>Removed section on National Context</p> <p>Local Context changed to ASB incidents and crimes: trends in Lincolnshire and content updated.</p> <p>Repeat Victim definition amended to include 3 calls to any agency.</p> <p>Amendments to the ASB Incremental Approach to reflect the new protocol for young people.</p>

## CONTENTS

<b>1.</b>	<b>Statement of Purpose</b>	<b>3</b>
<b>2.</b>	<b>Introduction</b> What is anti-social behaviour? ASB incidents and crimes: trends in Lincolnshire	<b>3</b>
<b>3.</b>	<b>Aims and Objectives</b>	<b>8</b>
<b>4.</b>	<b>Our Approach</b> Working in partnership Anti-Social Behaviour case management Vulnerable victims Repeat victims Persistent perpetrators Hot-spot locations Hate Crime Understanding the needs of our communities	<b>9</b>
<b>5.</b>	<b>Our Response</b> Anti-Social Behaviour Risk Assessment Conference (ASBRAC) Supporting victims and witnesses Perpetrators of Anti-Social Behaviour Remedies for Anti-Social Behaviour Prevention and Early Intervention Incremental Approach Formal Intervention Methods Housing Intervention Methods	<b>11</b>
<b>6.</b>	<b>Performance Management</b>	<b>22</b>
<b>7.</b>	<b>Monitoring/Review</b>	<b>23</b>

## **1. Statement of Purpose**

This strategy sets out how agencies in Lincolnshire will work together to effectively manage and resolve reports of anti-social behaviour; building upon the excellent partnership work already operating across the county and ensuring together we continue efforts to reduce anti-social behaviour and provide every member of the community with the highest possible standard of service.

As a partnership we do not underestimate the impact anti-social behaviour can have on the lives of individuals and communities. The primary focus of our strategy is to put the needs of victims first; to provide effective support and ensure processes are in place to protect them from further harm. Key to this approach is the identification of repeat and vulnerable victims.

We also recognise the importance in effectively tackling perpetrators of anti-social behaviour and the benefits of early intervention methods to achieve long-term sustainable outcomes.

This strategy does not sit in isolation but is intended to run alongside existing anti-social behaviour policies as a framework of activity adopted by agencies in Lincolnshire as an overarching approach to tackling anti-social behaviour.

## **2. Introduction**

The Safer Lincolnshire Partnership (SLP) is a strategic multi-agency group set up to tackle countywide community safety issues. It is made up of both statutory and non-statutory organisations such as the Police, County Council, District Councils, Fire and Rescue, Probation Trust, Clinical Commissioning Group and Future4Me (which encompasses the Youth Offending Service).

The SLP consists of a Strategy Board (SB) that is responsible for devising and implementing a strategic plan to address identified SLP priorities. Each priority area is supported by a Core Priority Group (CPG), which is responsible for delivering all actions set within the SLP delivery plan.

The SLP recognises the huge effect anti-social behaviour has on victims and communities and has therefore made it one of their key priorities.

The CPG for Anti-Social Behaviour (also known as the Anti-Social Behaviour Partnership) is made up of the following agencies:

Lincolnshire County Council Safer Communities  
Lincolnshire Police  
Office of the Police and Crime Commissioner  
Lincolnshire Fire and Rescue  
Lincolnshire County Council Public Health  
Lincolnshire County Council Future4Me  
Lincolnshire County Council Adult Safeguarding  
Lincolnshire Partnership Foundation Trust  
Victim Support  
West Lindsey District Council  
East Lindsey District Council  
City of Lincoln Council  
North Kesteven District Council  
South Kesteven District Council  
Boston Borough Council  
South Holland District Council  
Longhurst Group  
National Probation Service  
Platform Housing Group  
Lincolnshire Housing Partnership  
ACIS Group Ltd

This strategy is intended to support the actions outlined in the SLP Delivery Plan. All activity in relation to this document will be led by the Anti-Social Behaviour CPG and overseen by the SLP. Any agency that fails to engage will be held to account by the Anti-Social Behaviour CPG and if not resolved will be taken to the SLP Strategy Board.

### **What is Anti-Social Behaviour?**

‘Anti-social behaviour’ is the broad term used to describe a range of nuisances, disorder and crime that affect people’s daily lives. It covers many types of behaviour that vary in nature and severity, many of which are open to interpretation. Thus what is considered anti-social by one person can be acceptable to another.

Issues that could constitute as anti-social behaviour include (this is by no means an exhaustive list);

- Noise nuisance
- Intimidation and/or threatening behaviour
- Littering or Fly-tipping
- Vandalism, graffiti and other deliberate damage to property or vehicles
- Using or dealing drugs
- Street drinking
- Rowdy behaviour in public
- Abandoned or burnt out cars
- Arson
- Neighbour nuisance

There is no single definition for anti-social behaviour but instead a series of definitions that encompass a wide range of behaviours; including environmental issues such as fly tipping, noise, abandoned vehicles and dog fouling. Whilst the responsibility to deal with environmental acts does not always sit within anti-social behaviour teams the partnership agrees that such behaviours are considered (and can be managed) as anti-social behaviour.

For the purpose of this Strategy anti-social behaviour is defined as:

**‘Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person’ (Section 105(4) of the Anti-Social Behaviour, Crime and Policing Act 2014).**

We acknowledge that anti-social behaviour does not exclude other criminal offences and understand that any act of anti-social behaviour associated with a crime will be dealt with accordingly; incorporating the required criminal sanctions into the intervention process.

### **Anti-Social Behaviour, Crime and Policing Act 2014**

The Anti-Social Behaviour, Crime and Policing Act 2014 contains various measures to protect the public from anti-social behaviour, dangerous dogs, forced marriage, sexual harm and illegal firearms used by gangs and in organised crime. It also includes changes to improve the provision of services for victims and witnesses.

The key provisions to tackle anti-social behaviour include:

- Simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities.

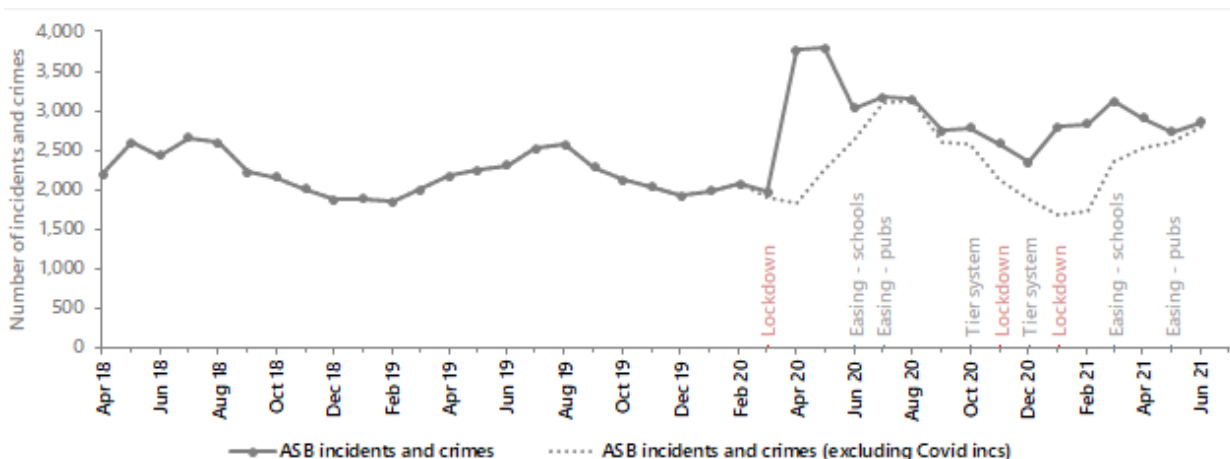
- Replace 19 powers to deal with anti-social behaviour with 6 broader powers, intended to streamline procedures to allow for a quicker response.
- Introduces the Community Trigger and Community Remedy to give victims and communities a greater say in how agencies respond to their complaint and in the punishment of offenders out of court.
- Gives landlords power to swiftly evict anti-social tenants.

To demonstrate our commitment to tackling anti-social behaviour and to ensure the measures introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 are used effectively throughout Lincolnshire, the Anti-Social Behaviour CPG have developed countywide procedures for each of the new powers and tools, which have been adopted by all members.

### Anti-Social Behaviour incidents and crimes: trends in Lincolnshire

Current analysis of anti-social behaviour in Lincolnshire is conducted using data recorded by the Police on reported incidents of anti-social behaviour. We acknowledge that anti-social behaviour is reported to a number of agencies and organisations, however at present there is no consistent approach to the storing and sharing of information in order to include all data within our analysis. As a result there are areas of under reporting, particularly in those categories which affect households or the environment when the victim is more likely to report the incident to the Local Authority or Registered Providers.

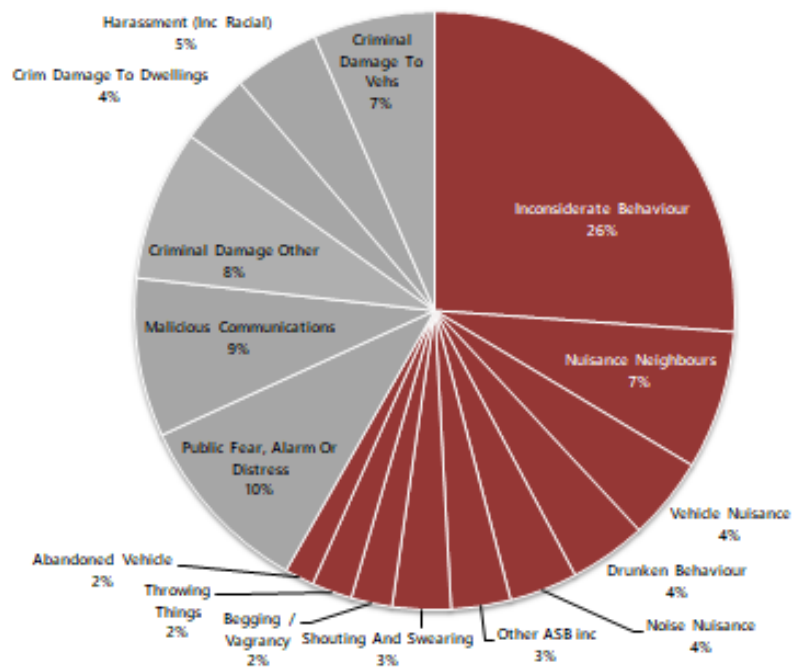
**Incidents and offences:** due to changes in crime recording practice in 2018 a number of complaint types that were previously classified as anti-social behaviour incidents were subsequently classified as crimes, hence the inclusion of the following non-domestic-related crimes alongside anti-social behaviour incidents: criminal damage, malicious communications, harassment, and public order fear, alarm or distress.



- Anti-social behaviour reporting has surged during the pandemic and remains significantly above pre-pandemic levels.
- Anti-social behaviour increased by 51% during the first lockdown, and was still 28% higher during the same period in 2021 compared to the 2019 pre-pandemic baseline.
- Covid-19 incidents drove much of the increase during the first lockdown (when Covid-19 incidents are excluded from the figures anti-social behaviour actually fell during this period by 3%), however this has not been the case in 2021. Non-Covid-19 anti-social behaviour incidents were 18% higher in 2021 than they were in 2019.

### Anti-Social Behaviour Types (2018-2021)

Source: Lincolnshire Police



### Public worry, prioritisation and prevalence

Reported prevalence of anti-social behaviour was low compared to speeding traffic and burglary, but higher than would have been expected based on reporting rates:

- 17% stated they or someone in their household had been threatened in the last twelve months
- 24% felt that damage and graffiti was a very/fairly big problem in their local area
- 20% felt people being drunk or rowdy in public places was a problem
- 18% felt antisocial drinking was a problem
- 12% felt noisy neighbours were a problem



### **Links with other relevant strategies and initiatives**

This strategy links with a number of existing countywide strategies, policies and initiatives that contribute to tackling anti-social behaviour. These include:

Community Safety Partnership Plans

Lincolnshire Fire and Rescue Arson Reduction Strategy

Lincolnshire Troubled Families Programme

Lincolnshire Restorative Justice Programme

Lincolnshire Health and Wellbeing Strategy

Lincolnshire Domestic Abuse Strategy

Lincolnshire Hate Crime Strategy

Lincolnshire Adult Safeguarding Multi-Agency Policy and Procedures

Lincolnshire Children's Safeguarding Policy

Lincolnshire County Council Public Protection Strategy

Victim Charter

### **3. Aims and Objectives**

#### **Aims**

We aim to reduce instances of anti-social behaviour and the numbers of people who are involved in or at risk from anti-social behaviour (both victims and perpetrators). Where anti-social behaviour does occur, we are committed to putting the victim first, particularly if they are vulnerable or a repeat victim.

#### **Objectives**

- Deliver a consistent response to anti-social behaviour across Lincolnshire, irrespective of location or service provider.
- Provide improved service and protection to the public through the use of swift efficient processes.
- Manage reports of anti-social behaviour more effectively across partners in Lincolnshire.
- Improve the experience for victims and witnesses of anti-social behaviour through better engagement and understanding.
- Identify repeat and vulnerable victims effectively and respond more efficiently.

- Identify repeat perpetrators of anti-social behaviour and explore opportunities to implement interventions to reduce their negative impact on communities.
- Tackle problem locations where anti-social behaviour is occurring.
- Facilitate effective information sharing including the use of a shared IT system to allow for a more joined up approach in managing high risk cases.

#### **4. Our Approach**

##### **Working in partnership**

We know that anti-social behaviour cannot be tackled by one agency alone and that to provide an effective response we must work together. Working in partnership is key to our approach and by doing so allows us to:

- Share appropriate information to identify anti-social behaviour trends and deliver proactive targeted responses.
- Improve co-ordination across agencies to support and protect victims of anti-social behaviour, particularly the most vulnerable.
- Increase and improve the sharing of good practice, skills, and experience across the county amongst both statutory and non-statutory agencies.
- Train staff to effectively deal with reports of anti-social behaviour; utilising all the powers and tools available to them.

##### **Anti-Social Behaviour Case Management**

To support our partnership response to anti-social behaviour, partners (Police, Local Authorities and our four main Registered Housing Providers) utilise a multi-agency IT system (E-CINS) to facilitate information sharing and coordinate partnership activity more effectively in response to cases of anti-social behaviour. It can also be accessed by a range of other agencies, including Fire & Rescue, Lincolnshire Partnership Foundation Trust, Probation Trust, P3, Framework and Victim Support in order to engage in the Anti-Social Behaviour Risk Assessment Conference (ASBRAC) process.

The system is predominately used for the case management of repeat/vulnerable victims, persistent perpetrators and hot spot locations of anti-social behaviour but is also capable of recording/managing reports of anti-social behaviour that lie outside of case management (e.g. one off incidents that don't require a multi-agency response). This has led to some local authorities using E-CINS as their sole anti-social behaviour recording system.

**To ensure the effective and consistent identification of vulnerable and repeat victims, persistent perpetrators and ‘hot spot’ locations the Anti-Social Behaviour CPG has agreed the following definitions.**

### **Repeat Victim**

*‘Repeat victimisation occurs when a person is subjected to three incidents of anti-social behaviour within a rolling 12 month period reported to any agency’*

It is widely recognised that victims rarely report their first experiences of anti-social behaviour, often waiting until it begins to impact upon their life. This definition, therefore, includes both reported and unreported incidents of anti-social behaviour within the 12 month time frame. It also includes reports to any agency, not just three reports to one organisation.

### **Vulnerable Victim**

*‘A vulnerable victim is a person whose experience and/or effect of harm as a result of an incident is likely to be more significant because of their individual personal circumstances’.*

Emphasis should be on how the victim is affected by the anti-social behaviour to determine vulnerability, rather than assuming personal demographics automatically place them in the vulnerable category e.g. age, sex, disability etc.

### **Persistent Perpetrator**

*‘A persistent perpetrator is a person who continues to commit acts of anti-social behaviour in spite of initial preventative measures being implemented’.*

Initial preventative measures could include a verbal warning, written warning, Acceptable Behaviour Contract/Agreement, Future4Me intervention and/or Restorative Justice.

### **Hot spot Location**

*‘A hot spot location is an area where 3 or more incidents of anti-social behaviour have occurred in the same locality within a one month period, reported by more than one person’.*

‘Hot spots’ locations tend to be those areas most accessible to the public, for example shopping precincts, children’s play parks, or public car parks, and can even expand to

cover entire housing estates. They often involve multiple offenders and more than one victim, resulting in a wider impact on the community.

Partners will work together to identify and tackle area 'hot spots'; considering the needs of the community as a whole, as well as individual victims affected.

## **Hate Crime**

This (Anti-Social Behaviour) strategy is underpinned by a commitment to provide equality of access to services and support to every member of our communities; regardless of – age, disability, marital status, gender assignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation. It is widely understood that those most vulnerable in our society, or those from diverse backgrounds are proportionally more likely to become victims of anti-social behaviour or hate crime. Incidents of hate crime often manifest themselves in low level forms of anti-social behaviour, which on the surface may appear minor but the impact on the victim and their family can be devastating if not dealt with quickly and effectively. This was clearly highlighted in the case of Fiona Pilkington who killed herself and her disabled daughter, Francesca Hardwick, after suffering years of anti-social behaviour and hate crime. In recognition of this, this strategy has been integrated with the Lincolnshire Hate Crime Strategy and the priorities set within it.

## **Understanding the Needs of Our Communities**

Understanding communities and any underlying tensions are key to providing an effective response. It is therefore important that we listen to our communities and ensure they are included in the decisions making process. It has also been found that involving the public in crime prevention work generates ownership and encourages residents to take responsibility for their own problems and improve their capacity for self-help, subsequently resulting in long-term sustainable outcomes (Liddle & Gelsthorpe 1994; Thomas 1999).

## **5. Our Response**

It is important to record anti-social behaviour based on the perception of the complainant. If the complainant believes their report is anti-social behaviour it should be recorded and investigated as such. The investigation may conclude that it is not anti-social behaviour but the complainant's initial perception is paramount. It is also

essential to identify repeat or vulnerable victims at the earliest opportunity to protect them from further harm.

This strategy lays out the appropriate initial response in respect of recording, risk assessing and managing complaints of anti-social behaviour. Partners agree that they will respond to reports based on their assessment of risk; prioritising incidents based on the levels of harm and risk to those affected, rather than selectively attending or categorising incidents. The police will always tackle issues of crime that may be a symptom of anti-social behaviour but will do so in partnership with other agencies to ensure all action is being taken to address the problem.

Consideration should also be given to any possible mental health or learning disability when responding to incidents of anti-social behaviour. If it is believed that the victim or perpetrator have a mental illness or learning disability, efforts must be made to establish whether the person is subject to mental health services or adult social care and ensure appropriate information is shared with the agency.

When a complaint of anti-social behaviour is received the following principles will be employed:

- Record the complaint.
- Treat the complaint seriously and act professionally.
- Conduct an initial dynamic assessment to establish the required response based on threat, risk and harm.
- Cross reference previous complaints relating to the victim, perpetrator or location and use this information to tailor the response.
- Ensure all identified vulnerable and/or repeat victims, persistent perpetrators and hot spot locations are managed appropriately (in line with each agencies internal policies and procedures) and are recorded on E-CINS for case management.
- Consider any necessary support for the victim.
- Create an action plan.
- Speak to identified perpetrators (if appropriate) and consider suitable interventions.
- Refer high risk victims, perpetrators and hotspot locations to the ASBRAC for multi-agency intervention and support.
- Provide the victim with a reference number (if possible) and a single point of contact.
- Keep the victim up to date with the progress of their case and give regular feedback.

## **Supporting victims and witnesses**

We understand that victims can often have complex needs and therefore require specialist support, beyond the practical support provided by anti-social behaviour professionals. In Lincolnshire, Victim Support has Complex Case Workers to support high risk victims of anti-social behaviour, offering emotional support and advocacy to help victims cope with the stress caused by the incident/crime. The Complex Case Worker are trained to listen, give information and offer feedback. They help victims make sense of what they've been through, tell them about the choices they can make and help them feel like they are getting their lives under control again.

When action is taken to tackle an anti-social behaviour problem, whether informal or formal, we recognise the importance in ensuring that anyone experiencing anti-social behaviour, whether a victim or witness, is supported and kept informed. We also understand that the responsibility to support victims and witnesses does not end after the completion of court proceedings and we are committed to providing support for as long as required, whether it be directly or through other agencies.

### **Anti-Social Behaviour Risk Assessment Conference (ASBRAC)**

The ASBRAC is a process that brings local agencies together to manage **high risk** victims, perpetrators or locations of anti-social behaviour. It provides a structured meeting to share information and consider and implement the required actions to reduce the risk of harm, using a multi-agency approach.

For additional information please refer to the Lincolnshire ASBRAC Operating Procedures.

### **Perpetrators of Anti- Social Behaviour**

A proportionate response is always important in tackling anti-social behaviour. Our strategy emphasises the use of preventative programmes and early intervention methods as an initial response (in most cases) to not only address the behaviour but also the causes behind it. It is understood, however, that such action is not always appropriate and immediate enforcement may be required.

Action taken to deal with perpetrators of anti-social behaviour will be aimed at achieving long-term solutions that reduce the impact on victims and enhance the opportunity for perpetrators to migrate towards a positive contribution within their community.

This will be done by:

- Considering all aggravating and mitigating factors, including the view of victims.
- Assessing each case individually to determine the most appropriate action.
- Refer persistent perpetrators to the Anti-Social Behaviour Risk Assessment Conference (ASBRAC) for multi-agency intervention and support.
- Considering the use of Restorative Justice to enable perpetrators of anti-social behaviour to recognise the consequences of their behaviour and in doing so aim to change their behaviour.
- Use the full range of legislative powers where appropriate to resolve the most serious cases of anti-social behaviour.
- Use education through schools as a primary method of preventing young people from committing or becoming victims of anti-social behaviour.

## **Remedies for Anti-Social Behaviour**

### Mediation

In certain cases of anti-social behaviour, particularly neighbour nuisance, mediation can be a useful approach to resolving the issue. Mediation empowers people to work together to resolve their problems. Solutions are offered by the parties themselves, enabling them to remain in control of any outcomes. While agreements made are not legally binding, parties are more likely to adhere to them because they have created them themselves. Mediation should not be regarded as a last resort when all else has failed, and should be used at the earliest opportunity.

Where there is a case that would benefit from mediation, efforts will be made by the lead agency to offer this intervention.

### Restorative Justice

We are committed to using innovative and creative solutions to tackle anti-social behaviour and promote the use of Restorative Justice as an out of court method to resolving complaints of anti-social behaviour.

‘Restorative processes bring those harmed by crime or anti-social behaviour, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward’ (as defined by the Restorative Justice Council)

Importantly, it also enables offenders to face the consequences of their actions and make amends; which has shown to be effective in motivating change and stopping future offending.

There are two Restorative Justice Services available in Lincolnshire, which are delivered by Restorative Solutions; Restorative Community Resolution and Restorative Justice Conferencing. Although the principles are the same with both methods, a Restorative Resolution allows officers to deliver Restorative Justice immediately in response to incident (with the willing participation of both the victim and perpetrator). Whilst a Conference is a more structured process that can involve the victim, perpetrator, community members or criminal justice agencies and is led by a trained facilitator whose role is to help those involved understand how others have been affected and find a resolution.

It is important, when using Restorative Justice that it is formally recorded (in accordance with Lincolnshire Restorative Justice Guidance) and the relevant partner agencies are informed.

### **Prevention and Early Intervention**

Often there may be significant underlying problems which contribute to a person's engagement in anti-social behaviour, such as abuse or neglect at home, alcohol and drug misuse or physical and mental health problems. Supporting perpetrators to identify and resolve their problems is key to helping them improve and change behaviour and must therefore form part of our response (alongside formal intervention measures, if necessary).

### **Intervention - An Incremental Approach**

The Anti-Social Behaviour partners in Lincolnshire support an incremental approach to tackling perpetrators of anti-social behaviour. While this method is usually appropriate, we understand that there will be occasions when, in order to deal swiftly and effectively with anti-social behaviour, to provide immediate protection to individuals and the community, the entry stage may vary or in serious cases immediate enforcement action may be taken instead.

We recognise the different needs associated with adults and young people and the importance of ensuring it is reflected in our response. As a result, additional measures



have been added to the incremental approach specifically in response to young people. For full details please refer to the Lincolnshire Countywide Procedures for Tackling Anti-Social Behaviour.

The following table provides an overview of our current incremental approach.

<b>Stage 1 –Advice Letter</b>
<ul style="list-style-type: none"> <li>• Issued by the local District Council (supported by Police).</li> <li>• Can be reconsidered if no ASB within 6 months of issue.</li> <li>• If further ASB occurs within 6 months of issuing consideration should be given to progress onto Stage 2.</li> <li>• If issued to a young person Future4Me are notified to ensure the necessary engagement with Children Services at the earliest stage.</li> </ul>
<b>Stage 2 – ASB Warning Letter</b>
<ul style="list-style-type: none"> <li>• Issued by the local District Council (supported by Police)</li> <li>• Issued if ASB has continued within 6 months of Advice Letter (Stage 1)</li> <li>• Can be reconsidered if there is no ASB within 6 months of the previous warning, and the incident isn't targeted.</li> <li>• Eligible entry straight into Stage 2 when there is evidence that the ASB has escalated over a short period, or has been specifically targeted.</li> <li>• If further incidents occur within 6 months consideration should be given to progress onto Stage 3.</li> <li>• If issued to a young person Future4Me are notified to ensure the necessary engagement with Children Services and establish whether a Child and Family Assessment should be offered.</li> </ul>
<b>Stage 3 - Acceptable Behaviour Contract/Agreement (ABC/ABA)/ Community Protection Notice Warning Letter</b>
<ul style="list-style-type: none"> <li>• Issued by the local District Council or Police.</li> <li>• Issued if ASB has continued following receipt of an Advice Letter and ASB Warning Letter (the most recent within the last 6 months)) and individual has failed to engage with interventions or their behaviour has continued.</li> <li>• To contain both prohibitions and positive requirements in response to the specific behaviour that is causing harm or nuisance without impacting adversely on behaviour that is neither unlawful nor anti-social.</li> <li>• Conditions can be removed/altered if necessary.</li> <li>• Adherence to an ABC/ABA for 6 months can (at the lead agencies discretion) result in suspension.</li> <li>• Non-compliance with a CPN Warning Letter could result in a Community Protection Notice being issued.</li> <li>• Non-compliance with an ABC/ABA could result in the issue of a Civil Injunction.</li> <li>• If issued to a young person Future4Me are notified to ensure the necessary engagement with Children Services. If the young person is not already open to</li> </ul>

Children Services or there is not an external TAC in place a Child and Family Assessment will be offered by the lead agency.

**Stage 4 – Civil (ASB) Injunction/Community Protection Notice (CPN)**

- Applied for by the local District Council or Police if ASB has continued following receipt of an ABA/ABC or CPN Warning Letter.
- Utilise the ASBRAC or already established multi-agency forum to discuss the need for a Civil Injunction; clearly evidencing the ASB to support the escalation in enforcement action.
- Formal consultation with Future4Me when issued to a young person.
- To contain both prohibitions and positive requirements in response to the specific behaviour that is causing harm or nuisance without impacting adversely on behaviour that is neither unlawful nor anti-social.
- Conditions can be removed/varied if necessary.
- Breaches will be reviewed by the issuing authority and their legal team to consider the next appropriate steps.
- Action in response to a breach will be considered on a case by case basis - taking into account (but not exclusive to) the seriousness of the breach, impact on victims, whether there have been previous breaches, quality of evidence, whether criminal charges are being pursued, the extent to which the respondent is otherwise complying with the injunction etc.

**Stage 5 - Criminal Behaviour Order (CBO)**

- Issued by the local District Council or Police if ASB has continued on conviction of a criminal offence (including breaches of a Community Protection Notice)
- Utilise the ASBRAC or already established multi-agency forum to discuss the need for a CBO; clearly evidencing the ASB to support the escalation in enforcement action.
- Breaches will be reviewed by the applicant to consider the next appropriate steps.
- Action in response to a breach will be considered on a case by case basis - taking into account (but not exclusive to) the seriousness of the breach, impact on victims, whether there have been previous breaches, quality of evidence, whether criminal charges are being pursued, the extent to which the respondent is otherwise complying with the CBO etc.
- On receipt of a breach of CBO by a young person the applicant will consult Future4Me to establish their views before making a formal application to the court.

**Further Formal Intervention Methods**

In addition to the Community Protection Notice, Civil Injunction and Criminal Behaviour Order the Anti-Social Behaviour, Crime and Policing Act 2014 includes a series of other powers and tools available to relevant authorities (police, local

authority and housing providers) in order to tackle a range of anti-social behaviour issues.

<p><b>Public Space Protection Order (PSPO)</b></p>	<p>Public Space Protection Orders are only available to Local Authorities, however often form part of a wider problem solving plan with Police and other agencies. They impose conditions on the use of an area in order to address a particular nuisance or problem that is, or might become, detrimental to the local communities quality of life. They are designed to ensure the law-abiding majority can use and enjoy public spaces safe from anti-social behaviour. Breach of the order, without reasonable excuse, is a criminal offence punishable by a fine.</p>
<p><b>Closure Power</b></p>	<p>The Closure Power is a two stage process that allows Local Authorities or Police to close a premise. The first stage is the serving of a Closure Notice if the use of the premises has resulted in or is likely to result in serious nuisance to members of the public. This notice can last for 48 hours and once served, any person apart from those with a legal right to occupy the property must leave or they will be committing a criminal offence. Unless the notice is cancelled, the case is then referred to the Magistrates Court to consider whether a Closure Order should be made. The Order prevents any person from entering the property (including the owner/occupier) and can lasts for up to 6 months. Breach of a Closure Notice or Order is a criminal offence and could result in a fine or imprisonment.</p>
<p><b>Dispersal Power</b></p>	<p>This is a Police power to disperse people causing harassment, alarm or distress. It allowing officers to direct a person who has committed, or is likely to commit, anti-social behaviour to leave an area and not return for up to 48 hours. The Dispersal Power is a flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short term respite to a local community. Failure to comply with a direction to leave is a criminal offence punishable by fine or imprisonment.</p>
<p><b>Absolute Grounds for Possession</b></p>	<p>Landlords will be able to choose to use the Absolute Ground for Possession, in addition to or instead of the existing discretionary ground for anti-social behaviour, where any of the following five conditions are met:</p> <ul style="list-style-type: none"> <li>• the tenant, a member of the tenant’s household, or a person visiting the property has been convicted of a serious offence;</li> </ul>

	<ul style="list-style-type: none"> <li>• the tenant, a member of the tenant’s household, or a person visiting the property has been found by a court to have breached a Civil Injunction;</li> <li>• the tenant, a member of the tenant’s household, or a person visiting the property has been convicted for breaching a Criminal Behaviour Order;</li> <li>• the tenant’s property has been closed for more than 48 hours under a Closure Order for anti-social behaviour; or</li> <li>• the tenant, a member of the tenant’s household, or a person visiting the property has been convicted for breaching a Noise Abatement Notice or order.</li> </ul> <p>Where a landlord applies for possession under the absolute ground the court would have to grant an order for possession, subject to considerations of proportionality (where the landlord is a public authority) and the landlord having followed the correct procedure.</p>
--	---

### Housing Intervention Methods

Housing legislation also provides local authority housing departments and registered providers with a range of specific powers and tools to effectively tackle anti-social behaviour in relation to their tenants. This includes:

<b>Introductory Tenancies</b>	Introductory and starter tenancies provide landlords (Local Authorities and Registered Providers) with greater flexibility to offer new tenants an appropriate level of security during the early stages of their tenancy, which will later be enhanced if the tenant has not in the meantime breached the terms of the agreement. Tenants must satisfy the landlord that they are able to abide by all conditions of tenancy, including those regarding acceptable standards of behaviour. Both introductory and starter tenancies enable a landlord to gain possession of a property more easily against tenants who behave anti-socially. These tenancies can only be granted where a Local Lettings Policy exists, for example; in an area with high crime or anti-social behaviour and must be agreed by the local District Council. These can cover a street, a block of flats right up to a whole estate. These tenancies are for a fixed period of 12 months but can be extended for a further 6 months.
<b>Demotion Orders</b>	Local Authorities and Registered Providers have the power to apply for a demotion order on secure tenancies, where tenants

	or other residents of a dwelling, or visitors to a tenant’s home, have behaved in a way that is capable of causing nuisance and annoyance, or where such a person has used the premises for illegal or immoral purposes. A demotion order has the effect of ending the existing tenancy and replacing it with a less secure demoted tenancy and mandatory possession. This removes the tenant’s Right to Buy (where it applies) and their security of tenure for at least a year. These orders can be extended for a further 6 months if necessary.
<b>Tenancy Injunction</b>	Local Authorities and Housing Providers can apply for an Injunction against a tenant for any breach (or anticipated breach) of their tenancy agreement. Failure to comply could result in up to 2 years imprisonment.

## 6. Performance Management

The Anti-Social Behaviour CPG is responsible for monitoring performance at a countywide level. Our performance will be measured through the anti-social behaviour delivery plan and reported to the SLP SB every quarter.

### Community Trigger (ASB Case Review)

Anti-Social Behaviour partners in Lincolnshire will also use the Community Trigger (also referred to as an ASB Case Review) as an indicator of how well agencies are responding to reports of anti-social behaviour and utilising a partnership approach. The Community Trigger forms part of the ASB Crime and Policing Act 2014, which gives victims and communities the right to request a review of their anti-social behaviour case. It is a problem solving process that aims to find solutions for the victim. Delivery of this strategy should ensure that Lincolnshire’s communities are satisfied with the response they receive to a reported anti-social behaviour issue. However, if a Community Trigger does occur we need to ensure valuable lessons are learnt and acted upon to prevent reoccurrence.

## 7. Monitoring/Review

This Strategy will be monitored by the Anti-Social Behaviour CPG and reviewed annually by the Community Safety Strategy Co-ordinator for Anti-Social Behaviour.