

Anti-Social Behaviour Order (ASBOs)

ASBOs can be used to tackle Anti-social Behaviour and protect people from harassment (including racial discrimination). An ASBO can act to stop the perpetrator acting in an anti-social manner or can exclude that person from entering a particular estate or area. It lasts for a minimum of 2 years. Breach of an ASBO is a criminal offence and will be dealt with by the Police and the Crown Prosecution Service. If the breach is proved, a fine or prison sentence may be imposed.

Possession

RSLs can seek possession of the perpetrator's home and make efforts to evict them if they can prove that one or more of the tenancy conditions are being broken. The threat of losing their home can often stop tenants from behaving in an anti-social manner. Even when a case is taken to court, the judge will sometimes give the tenant a final chance to change their behaviour and remain in their home.

Useful Numbers

North Yorkshire Police	0845 6060247
Anti-Social Behaviour reporting Line	01723 384444
Yorkshire Coast Homes Scarborough	0845 0655656
Yorkshire Coast Homes Whitby	0845 0655757
Domestic Abuse Help Line	0808 200 0247
Scarborough Borough Council	01723 232323
Safer Communities Partnership	01723 232326
Crimestoppers	0800 555 111
Park Rangers	07967465290

Safer Communities Partnership
Town Hall, St. Nicholas Street, Scarborough
North Yorkshire. YO11 2HG
Email: safer.communities@scarborough.gov.uk
www.safermoorsandcoast.org.uk

Practical information and advice on tackling Anti-social Behaviour



Introduction

Vandalism, graffiti, dumped rubbish, fly tipping, abandoned cars, relentless noise, "boy racers", domestic violence and nuisance neighbours have a long lasting effect on people's lives.

Effective solutions to these problems are not the responsibility of a single agency or organisation. Residents and tenants, communities and individuals, local authorities, the police, social services, schools, businesses and many other groups have a role and responsibility to tackle anti-social behaviour.

This booklet contains some advice and information to help you reach the right services and gather information / evidence in order to tackle or prevent anti-social behaviour.

A Definition of Anti-social Behaviour(ASB)

"Anti-Social behaviour is behaviour that causes, or is likely to cause, alarm, distress or harassment to one or more people not of the same household and is of a persistent and serious nature."

Such behaviour includes: racial harassment, dealing in illegal substances, verbal and physical harassment, intimidation, noise nuisance, the deliberate dumping of rubbish and domestic abuse etc.

Thanks to 'Open Doors' who helped make this booklet easier to read



Roles and Responsibilities

North Yorkshire Police

North Yorkshire Police work in partnership with the Borough Council and other agencies where anti-social behaviour is an issue.

It is important that people report to the Police if the anti-social behaviour is of a serious and criminal nature. Examples include Criminal Damage, Harassment (including racial harassment) and Public Disturbances (e.g. fighting)

If a member of the public feels harassed or threatened with violence, they should report that to the police immediately. They should keep a record of the crime or log number and the date they reported it (the form included in this pack will help you to do this). This could mean that the Council or Registered Social Landlord (RSL) and the Police attend court in civil or criminal proceedings if evidence is sufficient.

Hate Crime Reporting

Asian, Black and other Minority Ethnic Communities, People with Disabilities, Lesbian, Gay, Bisexual and Transgender, Travellers, etc may prefer to report incidents through one of the hate crime reporting centres at housing associations, connexions, the citizens advice bureau or online. Once reported, any information is handled in confidence. The information you provide may be vital in helping to catch and bring to justice the people who commit these crimes. The value of community intelligence can never be underestimated in efforts to reduce crime.

www.northyorkshire.police.uk

Environmental Health Services

Environmental Health Services (EHS) deal with nuisance such as persistent noise and properties in poor condition. They can also deal with long term empty dwellings and properties. Licensing Services regulates the conduct of licensed premises. EHS also investigate the dumping or accumulation of waste/ rubbish. EHS will also address issues caused by irresponsible dog owners. For more information go to www.scarborough.gov.uk

Anti-social Behaviour Reporting line 01723 384444

Enforcement Action

Below are some of the actions that agencies may take to try to stop serious or persistent anti-social behaviour problems once sufficient evidence has been obtained.

Acceptable Behaviour Contracts (ABC)

An ABC is an individual written agreement between a person, the Council and / or RSL and the Police clearly stating that the behaviour causing a nuisance to others will stop.

Criminal Proceedings

If a criminal offence has been committed, the Police may charge the offender if there is enough evidence to take them to court. Court action may result in the offender receiving a fine, a Community Rehabilitation Order, a Community Punishment Order or even a prison sentence.

Criminal convictions may also be used as additional evidence by an RSLs to enforce tenancy conditions, or the Council in seeking injunctions or a possible Anti-social Behaviour Order. (ASBO)

Injunctions

An injunction is an order of the court that either requires someone to do something or stops someone from doing something. Injunctions are normally only in cases where there has been actual violence or threats of violence. However, they can be applied for in other situations where an immediate stop in nuisance behaviour is required. If the terms of an injunction are broken, it is a contempt of court and the perpetrator can either be fined or sent to prison providing there is enough evidence.

North Yorkshire Police 0845 6060247

Dealing with a Problem Yourself

This method is often the simplest way to resolve problems. Most people can be reasonable if approached in person. People are sometimes unaware that they are causing you a nuisance. However, we would urge you not to approach anyone if you feel the situation is of a serious nature or you feel violent behaviour could occur. Please contact the relevant organisation.

Preparation – before approaching to discuss your problem:

- Think beforehand what the outcome is likely to be.
- Have a clear and simple message in mind – it will give you more confidence.
- Do not stray from the main issue.
- Try to choose a good moment.
- Try to stay calm and friendly. Being aggressive is not going to help.
- Explain what the problem is, how you feel, and how it affects you. Often people may not realise that a problem exists, especially when the problem is noise.
- Always listen and think about what the other person is saying. By listening as well as talking, you help to build a good atmosphere where problems are more likely to be resolved.
- Try not to interrupt the other person when they are talking.
- Try not to shout, even if the other person does! Try to stay in control and not be abusive.
- Try not to bring up incidents from the past, especially if they are not relevant to the present dispute. Try instead to look to the future and how you want things to change.
- Be tolerant.
- If the person is unreasonable – leave the discussion

Anti-social Behaviour Reporting line 01723 384444

Housing Associations / Registered Social Landlords (RSLs)

Your Landlord should be where you initially report cases of anti-social behaviour when the problem is regarding another tenant. RSL tenants have a Tenancy Agreement that prohibits any form of anti-social behaviour. Landlords can use powers to enforce that agreement which can result in the eviction of the perpetrator and/or their family, and may lead to an Anti-social Behaviour Order.

SBC Park Rangers

The Park Ranger service offers support to users of open spaces managed by the council. They patrol the public parks and gardens, talking with users and identifying problem areas, helping to resolve problems by working with the police and other partners and making the Borough open spaces safer for all.

Anti-Social Behaviour Reporting Line – Agencies Working in Partnership

You can report ASB on a 24-hour answering machine. Although you will not receive a response from your call, the more information you leave the more use it will be. Information left will be passed to the relevant agencies the next working day. This service is anonymous, but any contact details will help agencies. Contact the relevant agency directly if you want a response.

Communities and Individuals

As a witness you must report all incidents of Anti-social Behaviour. When possible, record as much information as you can just after incidents occur. Do not allow frustrations to build to where you take inappropriate action yourself. Use this booklet to help you make the right contacts and build the evidence needed for the relevant agency(s) to take the appropriate action.

Safer Communities Partnership

The partnership consists of police and council officers working with other agencies to help reduce crime & disorder and drug issues across the borough. For more information visit - safermoorsandcoast.org.uk

North Yorkshire Police 0845 6060247

Taking Further Action

The type of action that the police, RSL or the council can take will depend on the nature of the complaint, the seriousness, persistence, and the amount of available evidence.

Legal action can only be taken if there is sufficient evidence to show a court of law that nuisance is being caused. In addition, legal action will only be considered if the nuisance is of a very serious nature or if other approaches have been taken but have failed to stop the problem.

How to Gather Evidence

There are several ways you can help obtain the evidence needed for the Council, Police or RSL to take further action against Anti-Social Behaviour. The important thing is to record as much information as possible about the incident and to do this every time something happens. You do not have to go to court but if you do it would help a lot.

Below is a list of ways of recording and reporting incidents as and when they happen. Using more than one method can help:

- Ring the police 0845 6060247.
- Ring the ASB reporting line 01723 384444.
- Keep a detailed diary.
- Use the incident reporting form.(pullout included in this booklet)
- Describe incidents in detail using a tape recorder/ Dictaphone.

Recording information

It is important to ensure all information you pass on to the relevant agency is accurate. It does not matter how you record this information but it must be truthful and include:

- Date & time
- Names and addresses if known
- Description of clothing
- Details of incident
- Witnesses other than yourself
- Police log number / Name of officer
- Any other information that may be of use later.

Anti-social Behaviour Reporting form

Included in this pack there is an example form outlining the type of information any agency would want to progress a case of ASB. If you need more copies and do not have access to a photocopier, please ask local agencies e.g. Social Services, the Council or your landlord.

Although the form does have boxes please complete the form in as much detail as possible. Use a ruler to draw a line in-between each incident that you record, alternatively you may use your own form or diary.

Using a Tape Recorder or Camcorder

When recording information in this way it is still a good idea to use the format from the form to ensure you capture all the information necessary. If possible record sound/pictures from the TV/radio to at the start and end of your recording. If more than one tape is used mark and date each tape appropriately, as this could be used as evidence in a court of law.

Obviously what matters is the quality and integrity of the information provided, no matter what the format.



Pullout & Photocopy

Anti-social Behaviour incident Recording Form

Pullout & Photocopy

Date	Time	Name/description	Incident- what happened and where	How did it Affect You	Police log	Witnessed by
10/10/10	11:45pm	1. Josh Joie, black hooded top, blue jeans. 2.white male, red top, white trainers, same size and age as Josh. It was dark.	2 youths throwing eggs at car outside and house windows, called "you fat cow" etc when I looked out of window. <i>(use actual abusive language used)</i> hung around for 15 mins shouting "you fat cow" again and again. Rang next door, Mrs Jones heard them but did not see anything. Called police at 12:05am	I felt scared and sick, was already feeling low.	234325/05	Mrs Smith Mrs Jones

Use below to keep as a reminder of when the form was completed, posted, etc . **Photocopy Completed form before sending**

Your Address	
Your Name	
Your signature	
Date form completed	
Date form posted	
Where form was posted to	
Date reply to form received	
Contact Details for person dealing with complaint	TEL:

Anti-social Behaviour Reporting line 01723 384444

North Yorkshire Police 0845 6060247

If you require immediate assistance dial 999

The following is a guideline to help you fill out the form overleaf to enable the Safer Communities Partnership and North Yorkshire Police to react successfully to any information that you have supplied.

Try to be as accurate as you can with any information, use more space within the same column or extra sheets if required.

If vehicles are involved – write down:

- Registration number
- Make & Model
- Colour
- Distinctive features

If people are involved – write down if they are:

- Male or female
- Their approximate age
- Their approximate height
- Are they thin, medium, stocky or heavy build?
- Are they White, Indian, Black, or Chinese etc.
- Is their hair fair, blonde, dark brown or black?
- Is their hair short, medium, shoulder-length or long?
- What clothing are they wearing?
- Any distinguishing marks or tattoos?

Official Use only.
Receiving Officer: _____

Form Ref No:

Date:

