

# WORKING IN PARTNERSHIP



## ANTISOCIAL BEHAVIOUR STRATEGY



# ANTISOCIAL BEHAVIOUR STRATEGY



## ANTISOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004

**PLACES A STATUTORY DUTY ON THE COUNCIL  
AND STRATHCLYDE POLICE TO PREPARE AN  
ANTISOCIAL BEHAVIOUR STRATEGY FOR EAST  
AYRSHIRE.**



# ANTISOCIAL BEHAVIOUR STRATEGY



**THE STRATEGY WILL BE THE CORNERSTONE OF EAST AYRSHIRE'S ROADMAP TO TACKLE ANTISOCIAL BEHAVIOUR.**

**IT'S AIM IS TO BRING ABOUT A CHANGE IN PEOPLE'S ATTITUDES AND BEHAVIOUR AND WILL FOCUS ON:-**

- **PROTECTING AND EMPOWERING COMMUNITIES**
- **PREVENTING ANTISOCIAL BEHAVIOUR BY WORKING WITH CHILDREN AND FAMILIES**
- **BUILDING SAFE, SECURE AND ATTRACTIVE COMMUNITIES**
- **EFFECTIVE ENFORCEMENT**



# ANTISOCIAL BEHAVIOUR STRATEGY



## **FIVE KEY PRINCIPLES:**

- **EVERYONE HAS THE RIGHT TO LIVE WITHOUT THE SCOURGE OF ANTISOCIAL BEHAVIOUR – BUT THEY ALSO HAVE RESPONSIBILITIES.**
- **BUILDING ON PREVIOUS GOOD WORK SO ANTISOCIAL BEHAVIOUR CAN BE TACKLED MORE EFFECTIVELY.**
- **PREVENTION IS BETTER THAN CURE – VOLUNTARY AND NEGOTIATED SOLUTIONS ARE USUALLY BETTER THAN SANCTIONS.**



# ANTISOCIAL BEHAVIOUR STRATEGY



## **FIVE KEY PRINCIPLES continued:**

- **TACKLING ANTISOCIAL BEHAVIOUR IS NOT ABOUT STIGMATISING GROUPS OF PEOPLE – PARTICULARLY YOUNG PEOPLE – BUT WE DO NEED TO TACKLE THE SMALL MINORITY WHO CAUSE ANTISOCIAL BEHAVIOUR.**
- **JOINED UP ACTION AT A LOCAL LEVEL WITHIN A NATIONAL FRAMEWORK – WE NEED TO FIND LOCAL SOLUTIONS TO LOCAL PROBLEMS.**



# ANTISOCIAL BEHAVIOUR STRATEGY



## THE ANTISOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT DEFINES ANTISOCIAL BEHAVIOUR AS:

- ACTING IN A MANNER THAT CAUSES OR IS LIKELY TO CAUSE ALARM OR DISTRESS; OR
- PURSUING A COURSE OF CONDUCT THAT CAUSES OR IS LIKELY TO CAUSE ALARM OR DISTRESS

TO AT LEAST ONE PERSON NOT IN THE SAME HOUSEHOLD AS THE PERPETRATOR.



# ANTISOCIAL BEHAVIOUR STRATEGY



**IN PRACTICE ANTISOCIAL BEHAVIOUR CAN MEAN DIFFERENT THINGS TO DIFFERENT PEOPLE.**

- **WHAT IS ACCEPTABLE BEHAVIOUR TO ONE PERSON MAY BE UNACCEPTABLE TO ANOTHER.**
- **THEREFORE TOLERANCE AND AWARENESS OF OTHERS' NEEDS WILL BE IMPORTANT IN TACKLING ANTISOCIAL BEHAVIOUR.**



# ANTISOCIAL BEHAVIOUR STRATEGY



## CONSULTATION

**THE ACT REQUIRES THE COUNCIL AND THE POLICE TO CONSULT WITH:**

- **THE PRINCIPAL REPORTER;**
- **REGISTERED SOCIAL LANDLORDS; and**
- **COMMUNITY BODIES AND OTHER PERSONS THAT THE COUNCIL CONSIDERS APPROPRIATE**

**DURING THE PREPARATION, REVIEW AND REVISION OF THE STRATEGY.**



# ANTISOCIAL BEHAVIOUR STRATEGY



## **STRATEGY MUST:**

- **PROVIDE AN ASSESSMENT OF EXTENT OF ASB IN EAST AYRSHIRE.**
- **PROVIDE AN ASSESSMENT OF THE TYPES OF ASB IN EAST AYRSHIRE.**
- **SPECIFY ARRANGEMENTS FOR CONSULTING WITH COMMUNITY BODIES AND OTHERS.**
- **SPECIFY RANGE AND AVAILABILITY OF SERVICES FOR EVERYONE INVOLVED IN NEIGHBOUR DISPUTES**
- **SET OUT THE JOINT WORKING ARRANGEMENTS BETWEEN THE COUNCIL AND POLICE TO DEAL WITH ASB.**



# ANTISOCIAL BEHAVIOUR STRATEGY



## AIMS AND OBJECTIVES

### THE STRATEGY WILL CLEARLY:-

- IDENTIFY ITS OVERALL AIMS  
and
- SPECIFIC OBJECTIVES WITH TIMESCALES WHICH  
WILL CONTRIBUTE TOWARDS THE OVERALL  
AIMS.



# ANTISOCIAL BEHAVIOUR STRATEGY



## MONITORING, REVIEWING, EVALUATING AND REPORTING

### THE COUNCIL AND POLICE ARE REQUIRED:-

- TO KEEP STRATEGY UNDER REVIEW AND REVISE IT AS REQUIRED
- PUBLISH HOW THEY HAVE IMPLEMENTED THE STRATEGY AND THE RESULTS OF THE IMPLEMENTATION.

**N.B. THE 2004 ACT PLACES A STATUTORY DUTY ON THE PRINCIPAL REPORTER AND RSLs TO PROVIDE INFORMATION WHICH WILL HELP THE COUNCIL REVIEW THE STRATEGY AND PRODUCE PROGRESS REPORTS.**



## **ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004 NEW MEASURES TO TACKLE ANTISOCIAL BEHAVIOUR**

### **ASBOs**

- **Extended to 12 to 15 year olds**
- **Important role for Children's Hearing and Reporter**
- **Other changes – power of arrest for breach, ASBOs on conviction by criminal courts, geographical coverage can now be extended beyond local authority's area**
- **Link to tenure – SST can be converted to SSST**



## **ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004 NEW MEASURES TO TACKLE ANTISOCIAL BEHAVIOUR**

### **Dispersal of Groups**

- **After consultation with Local Authority a Police Superintendent or above has power to create dispersal zones.**
- **Signed authorisation – notification published and notices displayed.**
- **Situation must be monitored and reviewed.**
- **Primary responsibility rests with police.**
- **Dispersal zones are a last resort when prevention and diversion have failed.**



## **ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004 NEW MEASURES TO TACKLE ANTISOCIAL BEHAVIOUR**

### **CLOSURE OF PREMISES**

- **New power for police to close premises at the centre of acute disturbances e.g. drinking and drug dens.**
- **Closure notice subject to court validation.**
- **Sheriff has to consider the ability of person living in premises to find other accommodation and the vulnerability of those in house not involved in ASB**
- **Time limit – 3 months with possible extension up to 6 months.**
- **Offence to remain within or enter premises after notice is served.**



## **ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004 NEW MEASURES TO TACKLE ANTISOCIAL BEHAVIOUR**

### **ENVIRONMENT**

- **Fixed Penalty Notices for Fly-Tipping and extension of litter FPNs to Police.**
- **Ministerial power of direction on litter clearance.**
- **Increased penalties for environmental offences – up to £40,000 for serious offences.**
- **Council powers to issue notices on the owners of certain properties to remove graffiti.**



## **ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004 NEW MEASURES TO TACKLE ANTISOCIAL BEHAVIOUR**

### **Still to be Introduced**

- **Powers for local authorities and police to deal with noise nuisance.**
- **Powers to deal with private landlords who are not managing ASB in their properties.**
- **Parenting Orders for parents who deliberately/recklessly fail their children.**
- **Community Reparation Orders for ASB offenders over 12.**
- **Electronic monitoring for under 16 year olds following criminal conviction or part of supervision requirement.**



## **ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004**

### **CONCLUSIONS**

- **ANTISOCIAL BEHAVIOUR STRATEGY AND LEGISLATION ARE NOT ENOUGH TO SUCCESSFULLY TACKLE ASB.**
- **KEYS TO SUCCESS ARE JOINT WORKING AT LOCAL LEVEL TO FIND LOCAL SOLUTIONS TO LOCAL PROBLEMS.**
- **THE STRATEGY AND THE LEGISLATION PRESENT A REAL CHALLENGE: BUT ALSO A REAL OPPORTUNITY TO SUCCESSFULLY TACKLE ANTISOCIAL BEHAVIOUR.**