



STRATHCLYDE  
**POLICE**



*FINAL  
DRAFT*

# Tackling Antisocial Behaviour

An Antisocial Behaviour Strategy for East Ayrshire

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2005 - 2008



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## **STATEMENT OF INTENT**

If we, the East Ayrshire Community are to successfully address the damage antisocial behaviour can cause to our neighbourhoods, a concerted effort is required not only from the Council, Strathclyde Police and others in the Community Planning Partnership, but also and perhaps most importantly from ordinary people living and working in East Ayrshire. A failure to act on this matter would be to fail the people of East Ayrshire.

The Community Planning Partnership fully recognises the importance of the need to restore people's confidence in their neighbourhoods, especially where this is lacking. Along with this restoration of confidence, we need to generate pride, a sense of self belief and community well being. We can only achieve this when people feel secure, safe and confident by having the peaceful enjoyment of their homes and neighbourhoods.

We therefore need to work together to find local solutions to the local problems presented by antisocial behaviour in order to have a positive impact on this type of conduct.

The Antisocial Behaviour Strategy for East Ayrshire aims to demonstrate to everyone in the local authority area that their Council, Strathclyde Police and our Community Planning Partners are fully committed to dealing with antisocial behaviour to ensure that our communities are safe and attractive places where people want to live and work.

## SECTION 1

### **1. INTRODUCTION**

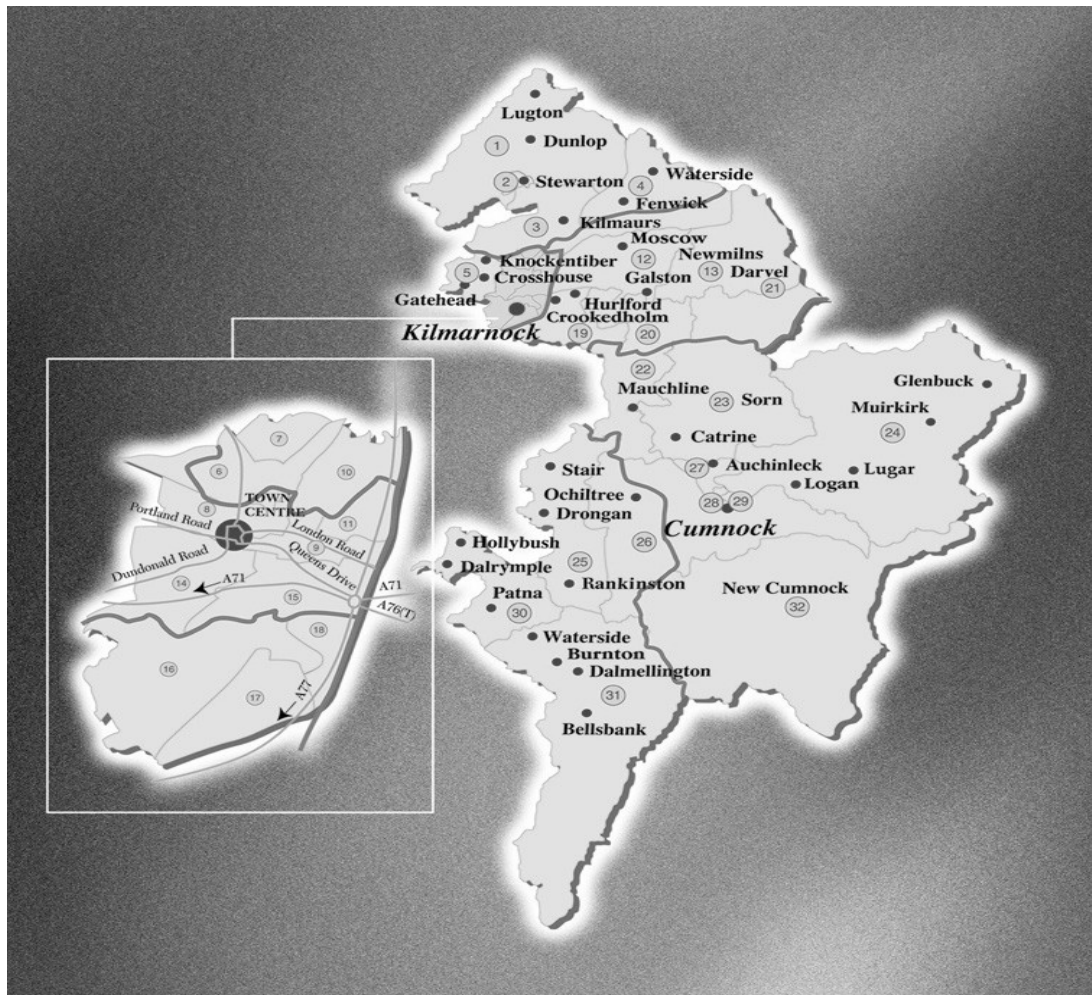
- 1.1 Part 1 of the Antisocial Behaviour Etc (Scotland) Act 2004 places a statutory duty on East Ayrshire Council and the Chief Constable of Strathclyde Police to prepare a strategy for dealing with antisocial behaviour in the authority's area.
- 1.2 The strategy will set out the extent and nature of the antisocial behaviour problems within East Ayrshire; the services already available for preventing and tackling them (including those for people under 16, the victims and witnesses of antisocial behaviour and people requiring mediation to help solve neighbour disputes); the new services that the Council, Police and other Partners will need to put in place to fill any gaps in provision, and how the Council and the Police will coordinate their functions and exchange information with relevant agencies
- 1.3 This is East Ayrshire's first Antisocial Behaviour Strategy and will cover the period 2005 to 2008. During this period the strategy will be subject to routine monitoring, review, evaluation and when required revision.
- 1.4 The strategy is a milestone in our drive to create a safer environment for everyone who lives in, visits or invests in East Ayrshire. As the first Multi-Agency Antisocial Behaviour Strategy for East Ayrshire, it is a bold beginning to the long-term task of solving the problems associated with antisocial behaviour.
- 1.5 The Antisocial Behaviour Strategy is based on the strong foundations of the work already undertaken by East Ayrshire Council, Strathclyde Police and our Community Planning Partners. It is based on a clear factual analysis of the antisocial behaviour statistics supplied by Strathclyde Police and the Council's Antisocial Behaviour Investigations Team and perhaps more importantly the views of our community partners and the people of East Ayrshire obtained through our consultation processes.
- 1.6 The strategy is also rooted in the strengthened partnership between the Community Planning Partners and the residents of East Ayrshire. It is a major step forward in the development of that partnership.
- 1.7 This strategy is evidence of the Partners' determination to use the provisions of the Antisocial Behaviour Etc. (Scotland) Act 2004 in accordance with the Scottish Executive's guidelines to tackle antisocial behaviour. We welcome both the legislation and the guidelines and are moving quickly to deliver on their key provisions to combat anti-social behaviour.

- 1.8 The strategy sets out clear responsibilities for delivering action for all Community Planning Partners. The most vital partnership for tackling antisocial behaviour is that between the Partner Organisations, local communities and individual citizens.
- 1.9 We realise that this strategy on its own is not going to eliminate antisocial behaviour from East Ayrshire overnight. It does, however, set out a clear direction and a framework of aims that we have been working towards for a number of years. The strategy sets challenging but achievable targets for the next three years and provided local people and the Community Planning Partners continue to work together we will begin to make a difference.

## SECTION 2

### 2. OVERVIEW OF EAST AYRSHIRE

- 2.1 East Ayrshire is situated in West Central Scotland, approximately thirty miles South of Glasgow. The authority covers an area of four hundred and ninety square miles. The 2001 National Census indicates that East Ayrshire has a population of 120,235 people.<sup>1</sup> There are twenty main communities and settlements in a diverse geographical area, embracing both rural and urban settlements. The main population centres are Kilmarnock, Stewarton and Galston in the North of the authority and Cumnock, New Cumnock and Auchinleck in the South.



**MAP OF EAST AYRSHIRE SHOWING ELECTORAL WARD BOUNDARIES**

<sup>1</sup> <http://www.gro-scotland.gov.uk/statistics/census/censushm/scotcnw01.htm/>

<b>Settlements in Northern Area of East Ayrshire</b>	<b>Population</b>
Kilmarnock	43,588
Stewarton	6,582
Galston	5,000
Hurlford   Crookedholm	4,968
Mauchline	4,105
Darvel	3,361
Newmilns	3,057
Kilmaurs	2,601
Crosshouse	2,454
<b>Settlements in Southern Area of East Ayrshire</b>	
Cumnock	9,358
Auchinleck	3,512
New Cumnock	3,165
Drongan	3,012
Patna	2,179
Catrine	2,053
Muirkirk	1,630
Bellsbank	1,619
Dalmellington   Burnton	1,407

## POPULATION DISTRIBUTION WITHIN EAST AYRSHIRE<sup>2</sup>

### 2.2 Housing Profile

2.2.1 East Ayrshire's housing stock consists of approximately 53,322 homes.<sup>3</sup> Although the area continues to display lower levels of owner occupation than for Scotland as a whole, the sale of Council and former Scottish Homes stock under the 'Right To Buy' has contributed to increases in the proportion of the stock that is privately owned (an increase of 43% since 1991). Approximately 38% (19,869) of households in East Ayrshire live within the social rented sector, with around 1 in 3 of all East Ayrshire households living in Council owned property. The Registered Social Landlord sector is relatively small, as is the private rented sector, at only around half the national average.

Housing Tenure	Number	% of Total
Owner occupied	30,961	58
Local Authority	16,816	32
Registered Social Landlords	3,053	6
Private rented	1,688	3
Other	804	1
<b>Total Housing Stock</b>	<b>53,322</b>	<b>100</b>

<sup>2</sup> <http://www.gro-scotland.gov.uk/statistics/census/censushm/scotcnw01.htm/>

<sup>3</sup> East Ayrshire by Numbers – East Ayrshire Council 2003.

## 2.3 Deprivation

2.3.1 East Ayrshire as a whole has significantly higher levels of poverty than the Scottish average and, compared to other local authorities in Scotland, East Ayrshire has the<sup>4</sup>;

- third highest proportion of unemployed people claiming benefit
- sixth highest proportion of children in families claiming benefit
- fourth highest proportion of lone parents claiming benefit
- seventh highest proportion of older people claiming income support and seventh highest claiming Attendance Allowance
- eighth highest proportion of people claiming Disability Living Allowance and also eighth highest claiming disability benefits overall
- the highest proportion of carers claiming carers allowance and
- seventh highest proportion of householders claiming council tax benefit and
- the fifth highest number of households claiming Housing Benefit

2.3.2 East Ayrshire has seven local areas assessed as among the 5% most deprived areas in Scotland, with 40 local areas in the 20% most deprived areas. East Ayrshire with 2.4% of the total population of Scotland has 2.1% of the total population living in the 5% most deprived areas and 3.1% in the 20% most deprived areas.

The Unemployment rate in East Ayrshire Council in September 2004 was 4.5% compared to a national average of 3.5%. This is the fifth highest rate in Scotland. The median annual income in East Ayrshire is £13,700 which is below the Scottish National equivalent of £14,500.<sup>5</sup>

2.3.3 Within East Ayrshire, there are significant differences between communities with some experiencing significantly higher levels of inequality and poverty and with significant numbers of people excluded from the economic and social mainstream. For example:

- the percentage of pupils claiming free school meals ranges from over 72% to 2.6% across local primary schools
- the percentage of children living in households receiving either Income Support or Family Credit ranges from 69% to 7% between council wards

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<sup>4</sup> “Benefits and Tax Credits in Scotland report for August 2003” – Scottish Executive National Statistics Publication.

<sup>5</sup> Scottish House Condition Survey – Scottish Executive 2002.

- the number of working age people claiming this Care component of Disability Living Allowance ranges from 11% to 2.5% between council wards
- the number of older people claiming Income Support ranges from 32% to 12% between council wards
- the number of older people claiming Attendance Allowance ranges from 26% to 10% between council wards.

## **2.4 Overview of Police Involvement in Antisocial Behaviour**

2.4.1 The Police are generally the first agency to be called upon to deal with antisocial behaviour. A proactive police presence in public places is one of many successful options and strategies used to prevent antisocial behaviour. In addition the police attend reported incidents of antisocial behaviour wherever they occur. The police have a wide range of remedies at their disposal to deal with these incidents depending on the circumstances. These range to providing common sense advice to the parties involved through to reporting offenders to the Procurator Fiscal in the case of adult offenders and to the Children's Reporter for young persons who may be in need of compulsory measures of care.

2.4.2 The system of recording crime and antisocial behaviour incidents within the Strathclyde Police changed in April 2004. This occurred in order to achieve a more comprehensive and uniform method of incident recording throughout Scotland. Consequently the reproduction of police antisocial behaviour statistics prior to April 2004 could not be correlated with the current statistical information. As a result we have used as our baseline the police antisocial behaviour statistics between April and October 2004, which reveals that the Police in East Ayrshire dealt with 12,223 antisocial behaviour incidents (most of which were of a relatively minor nature) during the six month period up to the end of October 2004. More detailed analysis of these antisocial behaviour incidents is provided at Section 8 of this document.

## **2.5 The Way Ahead**

2.5.1 Although East Ayrshire faces a number of specific challenges, it is nevertheless a great place to live. The area provides a high quality environment with good quality services, including health, education, social and leisure services and a strong community spirit. These are valuable assets that we can build on and a considerable amount of work is already ongoing under the auspices of the Community Plan and associated plans and strategies.

2.5.2 While the preparation and publication of East Ayrshire's Antisocial Behaviour Strategy and the progress reports that will stem from it are new requirements, tackling antisocial behaviour is not a new endeavour for the Council, Strathclyde Police and our Community Planning Partners. Within East Ayrshire we already have in place specific plans and frameworks to tackle antisocial behaviour. These will be consolidated within the strategy, and as far as possible we will closely link the strategy with other policies and strategies that may have an impact in tackling antisocial behaviour.

## SECTION 3

### **3. LINKS TO COMMUNITY PLANNING AND EQUAL OPPORTUNITIES**

- 3.1 Community Planning Partners in East Ayrshire have a strong tradition of partnership working to address the many issues that cause antisocial behaviour in the community.
- 3.2 Within East Ayrshire, under the overarching framework of the Community Plan there is a range of strategies and policies impacting on antisocial behaviour. These are summarised below.

#### **East Ayrshire Community Plan 2003-2015**

Community planning is about a range of partners in the public and voluntary sectors working together to plan, find resources for and deliver quality services that will meet the needs of people who live and work in East Ayrshire over the life of the plan. The strength of community planning lies in the way in which it links together social, economic and environmental actions that will improve the quality of life of people who live in East Ayrshire. Together, we have consulted on and developed six themes around which to develop the plan.

- **Improving community learning**
- **Improving opportunities**
- **Promoting community safety**
- **Improving health**
- **Eliminating poverty**
- **Improving the environment**

Under each theme, there are actions that will impact directly or indirectly on antisocial behaviour in our community.

Central to the Community Plan are the guiding principles of:

- **social justice and social inclusion;**
- **sustainability;**
- **joint working and involving people;**
- **quality and accessibility;**
- **continuous improvement and best value.**

Aims to understand the current housing system/market and establish appropriate responses to meet the housing needs of the area over a five year period. This Strategy sets out four overarching aims, which have links to reducing antisocial behaviour namely:

- Supporting the Community Planning Partnership to regenerate disadvantaged areas and develop sustainable communities.
- Improving residents' satisfaction with their homes and surrounding environment
- Ensuring equal access to an adequate supply of good quality, affordable accommodation.
- Ensuring individuals requiring support to live independently in the community are enabled to do so.

#### **East Ayrshire Domestic Abuse Strategy 2002-2004**

Seeks to ensure that any woman experiencing domestic abuse in East Ayrshire will be treated with respect in a confidential and sensitive manner and have easy access to an appropriate quality services which meet her needs and those of her children.

As a member of the Domestic Abuse Forum, the Council's Housing Service has developed options for increasing the supply of temporary accommodation for women fleeing domestic abuse, which we consider as an extreme form of antisocial behaviour.

#### **East Ayrshire Supporting People Strategy 2003-2008**

Aims to deliver high quality housing support services, to vulnerable individuals including those caught up in Anti Social Behaviour.

#### **East Ayrshire Homelessness Strategy 2003 -2006**

The Homelessness Strategy seeks to prevent homelessness or alleviate it when it does occur.

It is clear that the links between the Antisocial Behaviour Strategy and the Homelessness Strategy are important. Therefore in order to prevent households running the risk of eviction due to antisocial behaviour it is important that this Strategy links closely with the Council's Homelessness Strategy.

It is recognised that homelessness can sometimes be caused or lengthened by the refusal of applicants to accept properties in areas having reputation of high antisocial behaviour whether this reputation is justified or not. This makes the link between appropriate action to address antisocial behaviour and the reduction of homelessness even more important.

#### **East Ayrshire Youth Justice Strategy 2004 -2007**

Developed in line with Scottish Executive guidance and forms an integral part of the East Ayrshire Children's Services Plan, a statutory plan outlining the development of all services for children and young people by Community Planning Partners in East Ayrshire.

The Youth Justice Strategy has clear links to antisocial behaviour as it aims to improve the quality of life in East Ayrshire by:

- developing early intervention to prevent young people becoming involved in the youth justice system;
- involving children and young people at risk of offending; victims and other key stakeholders in the youth justice system;
- providing all young people with the opportunity to fulfill their potential; and
- increasing public confidence in the system of youth justice in East Ayrshire.

### **Strathclyde Police – East Ayrshire – Divisional Control Strategy**

Although not directly stemming from the East Ayrshire Community Plan, Strathclyde Police are producing a comprehensive Divisional Control Strategy for East Ayrshire.

The Divisional Control Strategy will recognise Community Safety to be an integral part of the police approach to planning their service delivery. The strategy covers a wide range of police related matters clarifying the aims and objectives it hopes to achieve. Each aim and objective will be accompanied by an action plan, performance indicators, details of ownership, methods of evaluation and time scale. In addition the aims and objectives of the police control strategy will be accompanied by priorities in relation to 'Prevention', 'Intelligence' and 'Enforcement'.

Central to the Control Strategy are three mutually supportive and inter-related core elements, namely:

- Public Reassurance – delivering a police service of the highest possible standard which is responsive to and meets the expectations of the public;
- Response Policing – ensuring that police resources are prioritised and proportional to meeting the needs and demands of the community; and
- Engaging Criminality – through preventative, proactive and reactive policing exploiting the potential of intelligence and technology within the legislative framework.

The Divisional Control Strategy will be closely linked to National Intelligence Model (NIM), which Strathclyde Police along with all other Scottish Police Forces has implemented. The NIM is a framework that will provide standards of intelligence, prevention and enforcement work to combat crime and antisocial behaviour.

On a practical level the NIM framework is used by the Police in the East Ayrshire Sub-Division at its weekly Tasking and Co-ordinating meetings. At these meetings areas for concern, emerging trends and local problems are identified and action plans formulated to tackle them.

### **ACPOS Youth Strategy**

The Association of Chief Police Officers in Scotland have produced a Youth Strategy which recognises that young people are citizens in their own right and each is entitled to fair and equitable treatment and service from the Scottish Police Service.

As a result of this strategy the Scottish Police Service has agreed a series of overarching principles which will be applied to their engagement with young people.

By adhering to these principles the Scottish Police Service will

- recognise and acknowledge the important contribution that young people make to their communities and society
- identify good practice to provide a consistent service for young people and the wider community
- involve young people in planning, development and evaluation of services directly affecting them
- through the process of Community Planning work with partner agencies, private sector and voluntary organisations and young people to deliver a service to their community compatible with the needs of all
- support communities by robust action to identify and deal with young offenders
- strive to achieve national targets in relation to timescales for reporting young people who offend or are at risk
- work towards the aims of the 'Protecting Children and Young people: Framework for Standards', thereby increasing safety and well-being
- recognise the importance of good communications and information sharing to ensure the effectiveness of the youth strategy.

### **Equal Opportunities**

East Ayrshire Council, Strathclyde Police and the Community Planning Partners are committed to ensuring equal opportunities. We recognise our obligations to promote and mainstream equalities. We will do this through all areas of policy and service development and practice, and related monitoring of needs and outcomes, as required by The Scotland Act 1998 (schedule 5), related equalities guidance from the Scottish Executive, and addition, Section 140 of the Antisocial Behaviour Etc. (Scotland) Act 2004 which provides that any person discharging a function of the Act shall do so in a manner that encourages equal opportunities.

## SECTION 4

### 4. THE ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004

4.1 In addition to the requirement under Part 1 of the Antisocial Behaviour Etc (Scotland) (Act) 2004 to prepare a strategy to deal with antisocial behaviour in the authority's area, the Act also provides a range of new legal tools - in the areas of justice, the environment, housing and child welfare - which will enable local authorities, the police and other agencies to tackle anti-social behaviour more effectively.

4.2 The following list provides a brief summary of the provisions of the Act relevant to this strategy.<sup>6</sup>

- **Antisocial Behaviour Orders** – minor changes to the use of ASBOs and extends the use of them to young persons aged between 12 and 15 years.
- **Community Reparation** – provisions which enable the criminal courts to make a community reparation order in respect of an offender to enable reparation to be made.
- **Restriction of Liberty Orders** – the Act amends the provisions of the Criminal Procedure (Scotland) Act 1995 to enable RLOs to be applied to young persons under the age of 16 years in appropriate circumstances
- **Intensive Monitoring of Juveniles** – powers which introduce intensive monitoring and support mechanisms for serious and persistent juvenile offenders who meet the criteria for secure accommodation. This includes the use of electronic tagging where appropriate.
- **Parenting Orders** – provisions which enable the courts to make an order requiring a parent to undertake compulsory counselling or support where their child has engaged in criminal or antisocial behaviour and it is in the interests of the child to prevent further similar behaviour or conduct.
- **Dispersal of Groups** – senior police officers have the power to designate an area where antisocial behaviour is known to be a serious problem and this allows the police to disperse groups of more than two persons from that area.
- **Closure of Premises** – senior police officers have the new power to close premises where antisocial behaviour is having an adverse impact on communities. If granted by a court, the premises may be closed for a period of up to six months.
- **Noise Nuisance** – local authorities have been given the power to designate noise control areas and to deal with noise above permitted levels by means of fixed penalties. Permitted levels are to be prescribed in regulations for the first time.
- **Removal of Graffiti** – the Act enables the local authority to require property owners to remove graffiti from their property and provides for the recovery of costs in the event of the owner refusing to do so.
- **Fly-tipping** – the Act authorises the issue of fixed penalties for the illegal dumping of waste.
- **Sale of Spray Paint to Juveniles** – provisions which make it a criminal offence to sell spray paint to persons under the age of 16.
- **Antisocial Behaviour Notices\*** – powers given to local authorities to serve notice on private landlords who fail to deal with antisocial behaviour within their properties. Failure to comply with the notice may result in court action being taken against the landlord.
- **Registration of Private Landlords\*** – statutory duty placed on local authorities to create and maintain a register of private landlords with properties within their areas

\*Note - PRIVATE RENTED SECTOR

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<sup>6</sup> The Antisocial Behaviour Etc (Scotland) Act 2004.

The Antisocial Behaviour Act recognised a need to strengthen powers to deal with antisocial behaviour in the private rented sector. The Council will make it a high priority to develop policies to use the new legislation such as antisocial behaviour notices and the registration of private landlords. This will include providing advice to landlords and developing partnerships with landlords and property managers.

4.3 The majority of these provisions are now in effect. Those that are not will come into force between the publication of this strategy and November 2005.

4.4 Altogether the 2004 Act is part of wider national strategy for tackling antisocial behaviour and aims to bring about a step change in people's attitudes and behaviour. In common with the national strategy the local strategy for East Ayrshire will focus on four strategic aims:

- **Protecting and empowering communities**
- **Preventing antisocial behaviour by working with children and families**
- **Building safe, secure and attractive communities**
- **Effective enforcement.**

The strategy will be underpinned by five key principles. These are:

- Everyone has a right to live without the scourge of antisocial behaviour, but everyone also has responsibilities - to respect themselves, their immediate neighbours and the community generally.
- Building on what has gone before. The 2004 Act and the antisocial behaviour strategy are designed to give added impetus to this work, so that antisocial behaviour can be tackled more effectively wherever it occurs.
- Prevention is better than cure. Preventing antisocial behaviour and tackling it at the earliest possible stage continues to be essential. But enforcement is still needed and there have to be effective sanctions to deal with those who persistently fail to respond and for the most serious cases.
- Tackling antisocial behaviour is not about stigmatising particular groups of people. The 2004 Act and antisocial behaviour strategy are about supporting the great majority of people, including the great majority of young people, who want to live peacefully with others in safe and secure communities. But we also need to confront the small minority in communities whose present behaviour undermines this.
- Joined up action at the local level within a national framework. Action to tackle antisocial behaviour must respond to local needs and priorities. It is only local agencies, working together in a concerted and coordinated way with local people, that can

tackle antisocial behaviour effectively. However, this action needs to fit with national priorities and with the national accountability framework that the Executive is currently developing with COSLA and other partners.

## SECTION 5

### 5. INTREPRETATION OF ANTISOCIAL BEHAVIOUR

5.1 Section 143 of the Antisocial Behaviour Etc (Scotland) Act 2004 provides an interpretation of antisocial behaviour for the purposes of the Act.

5.2 This provides that a person engages in anti-social behaviour if they:

- act in a manner that causes or is likely to cause alarm or distress; or
- pursue 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 them.

The Act further clarifies that:

- "conduct" would include speech and
- "a course of conduct" must involve conduct on at least two occasions
- "likely to cause" has the effect that someone other than a victim of the antisocial behaviour can give evidence about whether behaviour is antisocial or not. This is intended specifically to enable the use of professionals as witnesses where those targeted by the behaviour feel unable to come forward, for example, for fear of reprisals or intimidation.

The wide nature of this definition means that it can include a range of behaviour such as:

**Threatening or abusive behaviour**  
**Drunkenness in public**  
**Drug related behaviour**  
**Aggressive begging**  
**Shouting and swearing**  
**General disorder**  
**Assault**  
**Domestic Violence**  
**Street prostitution**  
**Youth crime**  
**Noise**  
**Vandalism/Graffiti**  
**Harassment**  
**Neglect/abuse of property**  
**Dog fouling**  
**Litter**

- 5.3 The above list is by no means exhaustive, because in practice, antisocial behaviour can cover such a wide range of conduct, meaning different things to different people. In situations like this conduct regarded as acceptable by some can be seen as antisocial behaviour by others. Expectations of standards of behaviour can also vary between communities and groups within communities. Furthermore, behaviour that is merely different, or that which is the result of a medical or developmental condition or a mental disorder cannot be regarded as antisocial behaviour for the purposes of the Act. Consequently tolerance, acceptance of diversity and the awareness of others' needs must be an important consideration when tackling antisocial behaviour.
- 5.4 For these reasons, the Scottish Parliament deliberately left the definition of antisocial behaviour wide and flexible. This is to allow for the local authorities, relevant Chief Constables and Community Planning Partners in consultation with local people to decide on the nature of problems in particular communities and the appropriate action to be taken in respect of these.
- 5.5 Given this situation, the Community Planning Partners within East Ayrshire have adopted the classifications of anti-social behaviour complaints currently in use by the Council (i.e. Category One - Extreme Anti-Social Behaviour, Category Two – Other Forms of Anti-Social Behaviour and Category 3 – Neighbour Nuisance). This will allow the partnership to build on current best practices, provide flexibility and help prioritise the response to complaints of antisocial behaviour.
- 5.6 **Category One Complaints - Extreme Anti-Social Behaviour:** includes incidents of drug dealing, criminal dishonesty involving violence or housebreaking, assault, violence, criminal threats, racial harassment, child abuse, serious harassment, serious damage to property including fire-raising and any other form of anti-social behaviour requiring an urgent response.
- 5.7 **Category Two Complaints - Other Forms of Anti-Social Behaviour:** includes incidents of aggressive/abusive behaviour, frequent disturbances, vandalism (i.e. relatively minor damage to property), drug/solvent/alcohol abuse, verbal/written harassment, frequent noise pollution and any other form of serious anti-social behaviour requiring a priority, but not urgent response.

Category One and Two complaints brought to the Council's attention will be investigated by the East Ayrshire Antisocial Behaviour Investigation Team.

- 5.8 **Category Three Complaints – Neighbour Nuisance:** includes less serious, albeit annoying behaviour relating to tenancies conditions such as lack of pet control, stair cleaning, untidy gardens, etc. In the normal course of events complaints of neighbour nuisance will be investigated by the appropriate landlord's housing officers in the case of Council and Registered Social Landlords' properties or in the case of private lets by the private landlord responsible for the property. However, should a complaint of neighbour nuisance escalate into antisocial behaviour it may be referred to the Antisocial Behaviour Investigation Team for enquiry.

## **SECTION 6**

### **6. TACKLING ANTISOCIAL BEHAVIOUR IN EAST AYRSHIRE**

- 6.1 East Ayrshire Council, Strathclyde Police and Community Planning Partners have for some time recognised that antisocial behaviour can damage the very fabric of our communities and blight the lives of ordinary people. As a result we have made it a key priority to take early and effective action to tackle antisocial behaviour.
- 6.2 In East Ayrshire antisocial behaviour is already being tackled by a wide range of Prevention, Early Intervention/ Diversion, Enforcement and Rehabilitation services. An explanation of the services available to address antisocial behaviour is provided in Section 9 of this document.
- 6.3 The services outlined in Section 9 have been put in place because the partnership believes that antisocial behaviour is one of the most important challenges facing the people in East Ayrshire and there is a fundamental need to effectively tackle this type of conduct to ensure the future of all our communities. By consolidating these existing services and introducing new ones into our Antisocial Behaviour Strategy we will begin to change for the better the quality of life of everyone in East Ayrshire.

#### **6.4 Police Involvement in Tackling Antisocial Behaviour**

- 6.4.1 The police have the statutory duty to 'guard, patrol and watch' and use the criminal law to provide the public with safety and protection from criminal acts including antisocial behaviour. The main principles of the police's statutory duty are the prevention and detection of offences and maintaining good order. However it is generally conceded that the prevention of offences takes precedence over all other police duties.
- 6.4.2 In order to prevent and detect offences including those involving antisocial behaviour the police in East Ayrshire use accurate crime and disorder pattern analysis to focus police resources on identified antisocial behaviour hotspots in respect of areas and individuals. Crime and disorder pattern analysis uses modern technology to identify current and emerging trends to ensure that police resources are tasked and co-ordinated in an efficient and effective manner.
- 6.4.3 Police Officers on uniform patrol have the responsibility to attend and take action in respect of any incident coming to their attention within the scope of their duties. As such these officers are generally regarded as an important resource in tackling antisocial behaviour. Within the East Ayrshire Community Policing Unit, there is one Inspector, 5 Sergeants and 20 Constables. Each constable within the unit is responsible for a predefined community. The primary aims of the unit in addition to normal policing duties are:
- identifying problems and working with the community to find solutions

- implementing planned responses to issues and when required, given reactive cover within their area;
- building and maintaining local partnerships within their communities.

6.4.4 In November 2004 a Police Constable was seconded to a new post of Assistant Local Authority Liaison Officer. Among other things this officer has a key co-ordination role with all partners involved in Antisocial Behaviour initiatives. The current priority for this post is to help develop the East Ayrshire Antisocial Behaviour Strategy document, in consultation with all partners and establish robust information sharing protocols with relevant agencies.

6.4.5 The police in East Ayrshire are strongly committed to working closely with the Council and other Community Planning Partners in order to take early and effective action in the fight against antisocial behaviour.

## **6.5 Council's Role in Tackling Antisocial Behaviour**

6.5.1 Since the formation of East Ayrshire Council in May 1996 the local authority has been fully committed to tackling antisocial behaviour and was one of the first council's in Scotland to establish a dedicated antisocial behaviour investigation unit within its Housing Service funded from the Housing Revenue Account.

6.5.2 Prior to the Crime and Disorder Act 1998 the unit's role was restricted to investigating complaints of antisocial behaviour associated with council housing stock and enforcement was restricted to the provisions of the Housing (Scotland) Acts mainly in terms of eviction and the common law mainly with reference to interdicts.

6.5.3 The provisions of the 1998 Act now amended by the 2004 Act introduced a new civil order i.e. Antisocial Behaviour Orders (ASBOs), which enables the Sheriff to grant an order when satisfied that this, is necessary to protect persons in the local authority's area from further anti-social acts or conduct by a persons aged 16 years or over against whom the order is sought.

6.5.4 The introduction of the Housing (Scotland) Act 2001 provides local authority landlords and registered social landlords with extended powers of eviction to deal with criminal activity and antisocial behaviour committed by their tenants, etc., in their homes or the locality. The Act also created the Short Scottish Secure Tenancy (SSST) which enables council landlords and registered social landlords to grant or convert existing secure tenancies into SSST's on the grounds of previous antisocial behaviour, the grant of an ASBO, homelessness, etc. In lay terms, the SSST is a form of probationary tenancy which can last for up to 12 months and provides the tenant subject to it the opportunity to prove that he/she is capable of sustaining a Scottish Secure Tenancy.

6.5.5 While ASBOs, extended powers of eviction and SSSTs provided the Council with additional enforcement powers over and above those already mentioned, the remit of the Antisocial Behaviour Investigation Unit remained largely restricted to complaints having an association with council housing stock due to the source of its funding. However, this situation began to change when the Council successfully bid for Scottish Executive funding under the 'Building Strong, Safe and Attractive Communities' programme and 'Second Round Funding for Initiatives to Tackle Antisocial Behaviour'.

## **6.6 Building Strong, Safe and Attractive Communities**

6.6.1 In the summer of 2003 the Scottish Executive announced its "Building Strong, Safe and Attractive Communities" (BSSAC) programme and stated funding to the amount of £1,050,000 would be available to East Ayrshire from April 2004 to March 2006. £800,000 of the funding was made available to finance a community warden service and £250,000 was allocated to tackling antisocial behaviour within identified neighbourhoods.

6.6.2 As a result the Council, Strathclyde Police and other Community Planning Partners began a research project to identify those neighbourhoods suffering from high levels of crime and anti social behaviour. This research identified the following neighbourhoods as being the most in need of BSSAC funding:

- Auchinleck/Cumnock (Barshare)
- Kilmarnock North West
- Kilmarnock New Farm Loch and
- Kilmarnock Shortlees

The BSSAC neighbourhoods were identified using the following criteria:

- levels of deprivation identified from census data and research information
- crime and incident statistics provided by Strathclyde Police
- incidents of anti social behaviour and environmental issues recorded by the main landlords in the area.

6.6.3 In July 2004 under the auspices of Community Planning, the Council established the post of Antisocial Behaviour Co-ordinator to lead a team consisting of a BSSAC Antisocial Behaviour Investigator and 18 community wardens. The BSSAC Investigator was given the responsibility for investigating all complaints of antisocial behaviour within the BSSAC neighbourhoods regardless of tenure.

## **6.7 Second Round Funding**

6.7.1 In the autumn of 2004 the Scottish Executive provided additional funds under its 'Second Round Funding' programme. The purpose of this funding was to enable local authorities and their Community Planning Partners to fill gaps in services for people suffering from anti-social

behaviour. This funding again covered the period 2004-2006 and East Ayrshire was allocated £317,730 for 2004/05 and £410,550 for 2005/06.

6.7.2 The 2004/05 funding has been assigned to:

- the creation of a dedicated antisocial behaviour investigation team to undertake enquiries into all complaints of antisocial behaviour across East Ayrshire\*
- the creation of an independent mediation service to undertake Community and Homelessness mediation referrals irrespective of tenure across East Ayrshire.
- provision of an Antisocial Behaviour Helpline available to all East Ayrshire residents
- the purchase of a 'Respond UK Netpoint' system to allow complainers to register complaints of antisocial behaviour via the internet direct onto the ASB Investigations Team database and receive information regarding the progress of their complaints
- funding a training programme to discourage underage drinking
- extending the provision of Victim Support services to those affected by antisocial behaviour across East Ayrshire
- creating a bank of relief Community Wardens to fill gaps in service
- the creation of the new posts of Antisocial Behaviour Strategy Development Officer and Police/Council Administration Officer to assist in the sharing of information regarding antisocial behaviour between the key partners.

\* See Section 9 below for description of the ASB Investigation Team's role in tackling antisocial behaviour.

## SECTION 7

### **7. CONSULTATION**

- 7.1 Part 1 of the Antisocial Behaviour Etc.(Scotland) Act 2004 places a statutory duty on East Ayrshire Council and Strathclyde Police to consult with the Principal Reporter, Registered Social Landlords, community bodies and other persons considered appropriate on the preparation, review and revision of the strategy. During the preparation of this strategy every attempt has been made to engage and consult with as broad a range of partners, organisations and stakeholders as possible.
- 7.2 In April 2004 the Council's Department of Neighbourhood Services (Housing) was allocated the lead role of implementing the initiatives associated with the Scottish Executive's 'Building Strong, Safe and Attractive Communities' (BSSAC) programme. A core element of these initiatives was to consult with community bodies to make best use of the Executive's funding. In order to do this, a steering group consisting key partners was formed to oversee the programme. Since it was formed the steering group has also overseen the implementation of the initiatives stemming from the Executive's 'Second Round Funding to Tackle Antisocial Behaviour and the development of the Antisocial Behaviour Strategy for East Ayrshire.
- 7.3 In December 2004 the Council and Strathclyde Police held a number of events in order to advise elected members, representatives of the wider community, as well as partner agencies and organisations on the requirements of the Antisocial Behaviour Strategy. These events were accompanied by a comprehensive survey to gain knowledge of people's perceptions on antisocial behaviour within their communities and their suggested solutions to the problem.
- 7.4 During these events, care was taken to ensure that groups most likely to be affected by anti-social behaviour were represented. These included minority groups, disabled and older members of the communities. In addition with the co-operation of the Council's Department of Educational & Social Services a wide consultation and survey of East Ayrshire's young people was facilitated through the schools service.
- 7.5 The consultation with local communities was built on existing structures such as Community Councils and Tenants and Residents groups who already actively liaise with partner agencies.
- 7.6 It is proposed that during the life of this Antisocial Behaviour Strategy similar events will be held on a regular basis to assist in the review and revision process.

7.7 The work undertaken during the consultation events was also complemented by the results of a recent comprehensive survey of approximately 9,000 households across all tenures, carried out in the BSSAC neighbourhoods. Although this survey was designed to assist the development of Neighbourhood Compacts in the identified BSSAC areas, the returns from over 2,500 respondents were extremely useful in helping to inform the wider East Ayrshire Antisocial Behaviour Strategy.

See Appendix 2 below for analysis of these surveys.

## **SECTION 8**

### **8. THE EXTENT AND TYPES OF ANTISOCIAL BEHAVIOUR WITHIN EAST AYRSHIRE**

- 8.1 This strategy is founded upon an assessment of antisocial behaviour in East Ayrshire. The assessment has brought together a range of data to give an overall picture of:-
- The incidence of reported anti social behaviour, and
  - Public perceptions of the impact of anti social behaviour.
- 8.2 In doing this we aim to establish a baseline position on the extent and types of antisocial behaviour within East Ayrshire, which is consistent with the definition of this behaviour set out in Section 5 of this document.
- 8.3 The establishment of a baseline is considered to be important in terms of identifying our priorities and providing a firm basis to monitor the impact and progress of the strategy.
- 8.4 As part of the development of the Antisocial Behaviour Strategy, an assessment of the extent and types of antisocial behaviour within East Ayrshire was undertaken. This assessment drew on information from surveys covering the whole of East Ayrshire and also the more focused surveys in the BSSAC neighbourhoods that will play an important part in the forthcoming Neighbourhood Compacts for these areas. People's own experiences were gathered through consultation on the strategy and the collection of existing data from the Police, the Council's Antisocial Behaviour Investigations Team, the Community Wardens' Incidents database, and from Registered Social Landlords to provide a broad range of statistics.

#### **8.5 Police Profile of Anti Social Behaviour**

- 8.5.1 In April 2004 Strathclyde Police began a more comprehensive incident recording system. As a result the police antisocial behaviour statistics prior to April 2004 are of little value in establishing a baseline for this strategy. Consequently we have allowed for a one month's bedding in of the new system and set the baseline for police antisocial behaviour incidents between 1 May and 31 October 2004.
- 8.5.2 During this period the police in East Ayrshire dealt with 12,223 antisocial behaviour incidents. A total of 7309 occurred in the former Kilmarnock and Loudon area and 4914 in the former Cumnock and Doon Valley area. A large number of these incidents came to the attention of the police as a result of accurate crime and disorder pattern analysis and appropriate tasking of police resources.
- 8.5.3 The table below reveals the nature of these incidents and Appendix 1 provides a more detailed analysis of the incidents.

<b>Nature of Antisocial Behaviour</b>	<b>Number of Reported Incidents between May and October 2004</b>
Simple Assault	937
Vandalism	1381
Urinating	52
Breach of the Peace	1435
Drunk and Incapable	72
Drinking alcohol in Public Places	222
Disturbances involving Youths	2515
Disturbances involving Adults	5609
<b>Total</b>	<b>12223</b>

## **8.6 Council's Profile of Antisocial Behaviour Incidents**

8.6.1 East Ayrshire Council's Housing Service has since September 2003 used the 'Respond Centrepoin't' software database to record and track all complaints of antisocial behaviour made to and investigated by the service's Antisocial Behaviour Investigation Team. As our baseline we have collated the Category 1 and Category 2 complaints of antisocial behaviour reported to the Housing Service between 1 January 2004 and 31 December 2004.

**Note** Category 1 antisocial behaviour are classified as extreme forms of the behaviour – Category 2 deals with any other form of antisocial behaviour – A full explanation of categories 1 and 2 are provided above.

8.6.2 During the period 1 January 2004 to 31 December 2004 the Investigation Team dealt with:

- 26 Category 1 complaints – (12 in the Kilmarnock area and 14 in the Cumnock and Doon Valley area).
- 123 Category 2 complaints– (87 in the Kilmarnock area and 36 in the Cumnock and Doon Valley area)

A more detailed analysis of these statistics is provided in Appendix 1 below.

## **8.7 Noise Nuisance**

8.7.1 Although noise complaints are in the first instance regarded for investigation purposes as neighbour nuisance rather than antisocial behaviour, experience has proved that unless a quick and effective response is given to these complaints they will quickly escalate into antisocial behaviour and become more difficult to resolve.

8.7.2 Following the additional powers given to local authorities to deal with noise nuisance, East Ayrshire entered into discussions with North and South Ayrshire Councils with a view to providing a 24/7-Noise Nuisance Service across Ayrshire. The Scottish Executive recently approved the set up of this service, which will cover the whole of

Ayrshire and provide a dedicated resource to respond to noise complaints at all times of the day and night. This service will complement the work of existing resources across all three authorities and is expected to be operational in the early summer of 2005.

## **8.8 Incidents of Antisocial Behaviour Reported to Registered Social Landlords**

8.8.1 During the period 1 January 2004 to 31 December 2004 RSLs with properties in East Ayrshire report having dealt with:

- 20 Category 1 complaints – (19 in the Kilmarnock area and 1 in the Cumnock and Doon Valley area).
- 144 Category 2 complaints – (118 in the Kilmarnock area and 26 in the Cumnock and Doon Valley area)

A more detailed analysis of these statistics is provided in Appendix 1 below.

## **8.9 Community Warden's Antisocial Behaviour Incidents**

8.9.1 The Community Warden Service began operating in the BSSAC areas of East Ayrshire on the 1 August 2004 and between then and 31 January 2005 they report having attended 1,488 antisocial behaviour incidents. 1104 of these incidents occurred in the Kilmarnock BSSAC neighbourhoods and 384 in the BSSAC Auchinleck/Cumnock (Barshare) neighbourhoods.

A more detailed analysis of these statistics is provided in Appendix 1 below.

## **8.10 Communities' Perception of Antisocial Behaviour**

8.10.1 While the information detailed above provides an understanding of the extent of antisocial behaviour as recorded in East Ayrshire, an over reliance on statistics can often act to mask the misery caused by each separate incident of anti social behaviour. Therefore, it is essential to look at perceptions of anti-social behaviour and the impact that has on communities.

8.10.2 During the Antisocial Behaviour Strategy consultation events held in December 2004, the invited stakeholders were asked to complete a comprehensive questionnaire designed to obtain local perceptions of ASB in our communities. The results of the complete survey are not reproduced within this document, as much of the information obtained will be used in due course to tackle antisocial behaviour on an operational basis.

8.10.3 Results of a general nature are reproduced in Appendix 2, to enable the reader to compare and contrast the views between Adults and Young Persons in the Kilmarnock and Loudon and Cumnock and Doon Valley areas.

## **SECTION 9**

### **9 PROCESSES AND RESOURCES AVAILABLE TO TACKLE ANTISOCIAL SOCIAL BEHAVIOUR**

9.1 Community Planning Partners in East Ayrshire have a wide range of processes and resources in place to tackle antisocial behaviour.

9.2 These processes and resources come under the four broad headings of

- **Prevention** - Our strategy recognises that early and effective intervention prevents the escalation of antisocial behaviour and achieves a sustainable reduction in the long term. The day to day work of the police, council officers and other community partners has an important role to play in the prevention of antisocial behaviour.
- **Diversion** – In this part of the strategy our approach recognises that where issues of antisocial behaviour have developed, then prompt diversion action at an appropriate level is needed. Our approach is to deploy the resources that can help bring matters to resolution by persuading offenders and those with the potential to offend to change their behaviour while minimising the effect on the community.
- **Enforcement** - While our strategy is aimed at addressing the causes of antisocial behaviour and to take remedial action where possible, we are also prepared to take firm action and enforcement whenever this becomes necessary.
- **Rehabilitation** – Within our strategy we recognise that an Antisocial Behaviour Order, Eviction or similar legal action does not resolve the underlying issues of antisocial behaviour. The antisocial behaviour of families or individuals in many cases will remain problematic. The Community Partnership understands that people don't disappear and that the problems they create may continue elsewhere. That is why in difficult circumstances the services of the Community Partners are committed to working together to bring about real and enduring change in East Ayrshire

Summarised descriptions of the aims, resources, desired outcomes, agencies involved and beneficiaries of these processes are shown in Appendix 3.

#### **9.3 Dedicated Antisocial Behaviour Investigation Team**

9.3.1 Although these processes play an essential part in efforts to tackle antisocial behaviour in East Ayrshire, it is felt that a more detailed explanation of the Antisocial Behaviour Investigation Team's role is necessary. This is because it is a comparatively new service which functions on a multi-agency basis to resolve complaints of antisocial behaviour within the civil law framework.

9.3.2 The team maintains a close working relationship with the police and since the introduction of ASBOs for 12 to 15 year olds it has quickly established close links with the Children's Reporter and the Council's Youth Justice Team aimed at developing a more integrated approach towards tackling antisocial behaviour committed by young people.

- 9.3.3 The members of the investigation team have no special powers and the service it provides is not a substitute for the work the police do to deal with the criminal aspects of antisocial behaviour.
- 9.3.4 The primary role of the investigation team is to take quick and effective action to prevent antisocial behaviour escalating when a complaint is brought to their attention. The service provided by the team is not restricted to neighbour problems. The team will deal with appropriate complaints of antisocial behaviour wherever they occur within East Ayrshire.
- 9.3.5 The Council's Housing Service has produced a leaflet explaining, among other things, what antisocial behaviour is and how the team may be contacted. Similar information is published on the Council's web pages.
- 9.3.6 Procedures and systems are in place to ensure that there are no bureaucratic delays associated with making a complaint and once a complaint is received, depending on its nature, an investigator will contact the complainer within 1 to 3 working days.
- 9.3.7 These antisocial behaviour policy and procedures allow an investigator 14 working days to complete the investigation after the receipt of the complaint. If the complaint involves very extreme antisocial behaviour the investigation may require to be completed within 7 working days.
- 9.3.8 When required members of the team, in cooperation with Community Wardens, will act as Professional Witnesses to help substantiate a complaint of antisocial behaviour and will appear in Court if necessary to provide evidence.
- 9.3.9 During the investigation, the team work closely with a wide range of Council services including Housing, Social Services, Education, Legal Services, Environmental Health, Cleansing Services, Leisure Services, etc. Close co-operation also exists between the Police, Procurator Fiscal Service, the Children's Reporter, locally based Registered Social Landlords plus other stakeholders.
- 9.3.10 Although an investigation may result in a court action leading to the imposition of an Interim or Full Antisocial Behaviour Order, an Eviction Order or some other civil court order, court action is generally taken only as a the last resort.
- 9.3.11 Experience has proved that alternative options to legal action are generally quicker and more efficient at achieving the resolution of antisocial behaviour problems. These options include:
- Mediation
  - Warning letters
  - Acceptable Behaviour Contracts
  - Housing management options and
  - Other diversionary activities.

## **9.4 Antisocial Behaviour and Young People**

- 9.4.1 Despite the public perception that the majority of antisocial behaviour is committed by young persons it must be recognised that antisocial behaviour is not only a youth issue. In fact the majority of antisocial behaviour complaints are based on the behaviour of adults. Indeed there is evidence to show that young people are as much, if not more so, the victims of crime and antisocial behaviour than adults.
- 9.4.2 Nevertheless, particular problems do arise from the behaviour of a relatively small number of antisocial youths. Their conduct may involve aggression to adults (verbal and physical) and to other young people, as well as vandalism and noise. Such behaviour is often fuelled by consumption of drink and/or drugs.
- 9.4.3 While it is not the intention of the Antisocial Behaviour Etc. (Scotland) Act 2004 to stigmatise and penalise the young people in our communities by labelling them as being antisocial, there has been a long term need to deal effectively with the small minority of persistent young offenders responsible for antisocial behaviour. As a result the 2004 Act has extended the use of ASBOs to deal with young persons aged engaged in antisocial behaviour.
- 9.4.4 The Scottish Executive has made it clear that the use of ASBOs for 12 to 15 year olds should be used to complement the Children's Hearing system. The Children's Hearing is to continue to be the primary forum for dealing with behaviour beyond parental control or offending behaviour by under 16 year olds.
- 9.4.5 With the wide range of interventions already in place to support young people and address troublesome behaviour, the Scottish Executive has recommended that ASBOs should normally only be considered when a young person is already well known to the hearing system. However, the recommendations also stated that in certain cases, when there is a pressing need to protect the community, there must be flexibility to allow for the use of ASBOs before the full range of options for a young person has been exhausted.
- 9.4.6 It is of key concern to the Community Planning Partners in East Ayrshire that the correct approach to the use of ASBOs be adopted in respect 12 to 15 year olds.
- 9.4.7 Over the past few months, the Police, the Children's Reporter together with the Council's Youth Justice Team and Antisocial Behaviour Investigation Team have been in discussions over this issue.
- 9.4.8 This multi-agency consultation has agreed on a protocol to ensure more effective partnership working with all the agencies involved with young people involved in antisocial behaviour.
- 9.4.9 This protocol is summarised as follows:

## **Applications for ASBOs and ABCs**

All proposed applications for ASBOs and ABCs on 12 - 17 year olds will be notified by the Antisocial Behaviour Co-ordinator to the Council's Department of Education and Social Services, the Chief Constable and Principal Reporter or their representatives.

In the case of ABC's, a telephone call to the relevant partner agency will suffice to establish if there is some compelling reason\* why an ABC should not be served on a particular young person. Relevant partners will have two working days in which to advise the ASB Co-ordinator of the reasons why an ABC should not proceed. A failure to do this will result in the ABC being served on the young person.

\* Compelling Reason is defined as 'Where the young person or his/her family are already known to the relevant agencies and there is sufficient evidence to demonstrate that the proposed issue of an ABC might act contrary to the wellbeing of the child.

The Children's Reporter as the gatekeeper of the children's hearing system will decide on the most appropriate disposal of a referral relating to anti social behaviour. Decisions may range from diversion such as referring the matter to the police to issue a Restorative Caution or to SACRO, or voluntary involvement with services through to calling a Children's Hearing who will decide upon possible outcome including the requirement to impose a Supervision Requirement.

## **Previous Interventions**

Before deciding whether to apply for an ASBO the Local Authority or Registered Social Landlord should examine previous interventions with the young person and the impact of these interventions have had. If they think an ASBO might be appropriate they should consider the views of other agencies that have been involved with the young person. A case conferencing approach will be adopted in dealing to deal with antisocial or offending young people. Early consultation will take place to allow consultees to give their views. In cases involving persons under 16 the views of the Children's Reporter will be obtained in writing and where practicable this will be lodged along with the application to the court for the order.

All young people subject to an application for an ABC or ASBO will in the normal course of events be offered additional support measures. Should a young person who is not already on 'supervision' continue to commit further acts of antisocial behaviour it is envisaged that a supervision package will be given serious consideration as part of a 'graduated' response.

If all the agencies adhere to the guidelines summarised above, no young person aged 12-15 years should become the subject of an ASBO Application who is not already the subject of a Supervision Requirement, other than in exceptional circumstances.

### **ASBO Policy on 16 and 17 Year Olds**

The guidelines and associated procedures outlined above for 12 to 15 year olds would also apply to 16 and 17 year olds on supervision. The only difference that exists between 16 and 17 year olds on supervision and 12 to 15 year olds is with regards to the options available to the Court as a disposal in relation to a Breach of an ASBO.

For 16 and 17 year olds not subject to any supervision requirement it is recommended that the multi agency conferencing approach is considered. This process will ensure that East Ayrshire's Antisocial Behaviour Strategy is adhering to the principles of effective practice by ensuring that all the various possibilities are explored, considered and implemented in a 'graduated' approach.

9.4.10 The flow chart at Appendix 5 outlines the protocol to be followed by the Antisocial Behaviour Investigation Team when advising the Social Work Service of the intention to proceed with an ABC or ASBO regardless of a person's age.

9.4.11 The flow chart at Appendix 6 outlines the Scottish Executive's guidelines for dealing with young persons involved in antisocial behaviour. Community Planning Partners in East Ayrshire have agreed to adhere to these guidelines.

## **9.5 Information Sharing – Structure of Accountability**

9.5.1 Given the joint responsibility of East Ayrshire Council and Strathclyde Police for the development of this Antisocial Behaviour Strategy, the partnership between these two organisations is paramount to the successful sharing of information and the delivery of the desired outcomes. In recent years, a close and successful working relationship has developed between council, the local Police and Scottish Children's Reporter Administration across a number of important areas, not least in sharing information to address antisocial behaviour.

9.5.2 It is recognised by the Community Planning Partners in East Ayrshire that the effective sharing and use of relevant information between agencies is vital in tackling antisocial behaviour.

9.5.3 The Antisocial Behaviour Etc. (Scotland) Act 2004 requires local authorities to make provisions for effective sharing of information with their local police forces.

9.5.4 In this respect, East Ayrshire Council and Strathclyde Police have been at the forefront of developments in information sharing, having developed an effective information sharing protocol during 2003.

- 9.5.5 Furthermore, the police have recently seconded a Constable to the post of Assistant Police/Council Liaison Officer. This officer's main role is to work with the Council's Housing Service and other relevant agencies in terms of the 2004 Act to ensure that information flows effectively between the organisations in order that antisocial behaviour is dealt with appropriately.
- 9.5.6 The Council's Antisocial Behaviour Co-ordinator and the Assistant Police/Council Liaison Officer meet on a scheduled weekly basis to ensure effective exchange of information takes place and where necessary coordinate action plans to tackle antisocial behaviour.
- 9.5.7 At a strategic level the Head of Housing, the local Police Superintendent and representatives from the Council's Legal Services Section meet on a monthly basis to address matters of mutual concern relating to antisocial behaviour.
- 9.5.8 Protocols are now in place between the relevant agencies with East Ayrshire to ensure that there are no impediments to addressing antisocial behaviour.
- 9.5.9 In the near future it is proposed to enhance the efficiency of the East Ayrshire information sharing system by the employment of a Police/Council Administration Officer funded from the BSSAC grant awarded by the Executive.
- 9.5.10 By following the Scottish Executive's guidelines on the disclosure and sharing of information this strategy will seek to overcome obstacles to the proper sharing of information between relevant agencies.

## Section 10

### **10 MONITORING, EVALUATION, REVIEW AND REPORTING ON THE STRATEGY**

- 10.1 As with all public sector activity, the Antisocial Behaviour Etc (Scotland) Act 2004 requires East Ayrshire Council and Strathclyde Police to keep the strategy under review and revise it as and when necessary. The Act also requires the publishing of reports periodically on how the strategy has been implemented and on the results and achievement of the Strategy.
- 10.2 In East Ayrshire the development of the Antisocial Behaviour Strategy together with the initiatives stemming from the Scottish Executive's BSSAC and Second Round funding has been overseen by a steering group representing the interests of the Community Planning Partners. This group will continue to oversee the implementation and ongoing development of the strategy and will be expanded as required to take account of the needs and priorities of the partnership.

<b>Membership of Anti Social Behaviour Strategy Steering Group</b>	
<b>Post Holder</b>	<b>Agency</b>
<b>Head of Housing</b>	<b>EAC Neighbourhood Services</b>
<b>Housing Operations Manager</b>	<b>EAC Neighbourhood Services</b>
<b>ASB Co-ordinator</b>	<b>EAC Neighbourhood Services</b>
<b>ASB Strategy Officer</b>	<b>EAC Neighbourhood Services</b>
<b>Community Safety Officer</b>	<b>EAC Neighbourhood Services</b>
<b>Senior Manager Operations – Social Services</b>	<b>EAC Education and Social Services</b>
<b>Head of Community Support *</b>	<b>EAC Education and Social Services</b>
<b>Council Solicitor *</b>	<b>EAC Legal Services</b>
<b>Sub-Divisional Officer</b>	<b>Strathclyde Police</b>
<b>Assistant Police/Council Liaison Officer</b>	<b>Strathclyde Police</b>
<b>Children's Reporter</b>	<b>SCRA</b>
<b>Procurator Fiscal</b>	<b>PF Service Kilmarnock</b>
<b>RSL Representative</b>	<b>East Ayrshire RSLs</b>

\*Or nominated Senior Officer

The strategic action plan will provide the fundamental basis for the monitoring and evaluation of the strategy.

- 10.3 Monitoring and evaluating the impact of the antisocial behaviour strategy for East Ayrshire will be developed in line with the Scottish Executive/COSLA accountability framework. This consists of a number of core indicators to be monitored as part of the Executive's programme of evaluation of activity on anti-social behaviour at national, local authority and selected neighbourhood levels. In addition other indicators may be developed at local authority or neighbourhood level

to monitor progress with the implementation of the Anti-Social Behaviour Strategy as our understanding of the extent and nature of the issues grows.

- 10.4 The strategy will be subject to an ongoing monitoring and evaluation exercise which will result in a report being prepared and presented to the Scottish Executive, elected members and a range of stakeholders in order to link with the wider community engagement process. The objective of the monitoring and evaluation exercise will be to determine whether the priorities and actions contained within the strategy are making a difference particularly in relation to achieving its stated objectives.
- 10.5 Assessment of the extent and nature of antisocial behaviour will continue over the period of the strategy. This will inform updates of the strategy particularly in relation to shaping future priorities and actions.

**It is therefore proposed that we measure:**

- **Whether there has been an actual reduction in the incidence of various types of antisocial behaviour (Every 6 months over the life of the strategy)**
- **Whether there has been a reduction in the number of people who perceive antisocial behaviour as a problem in their neighbourhoods over time (Every 12 months over the life of the strategy)**
- **Whether there has been an actual improvement in the performance of agencies responsible for tackling antisocial behaviour (Every 6 months over the life of the strategy)**
- **Whether there has been an increase in the number of people who perceive that the performance of agencies responsible for tackling antisocial behaviour is improving (Every 12 months over the life of the strategy)**

- 10.6 Community Planning Partners in East Ayrshire are committed to involving the community and other stakeholders in identifying and setting appropriate and measurable targets in order to monitor and review performance against them.
- 10.7 Results in this respect will be reported on a monthly basis to the Antisocial Behaviour Strategy Steering Group for appropriate actions by the partnership.
- 10.8 Quantitative and qualitative data will be gathered on antisocial behaviour activity to measure customer satisfaction, the manner in which complaints have been dealt with and whether an appropriate outcome was achieved.

**These will include:**

- **Number of antisocial behaviour cases under investigation by category of problem**
- **Number of cases resolved by means other than legal remedies**
- **Number of cases for which formal mediation is offered**
- **Number of cases for which legal remedies sought by category (ASBOs, evictions, etc)**
- **Number of cases where the victim believes that the perpetrator was acting on racial grounds and/or there was evidence of racism**
- **Legal solutions obtained as a percentage of those sought**
- **Antisocial behaviour complaints resolved as a percentage of cases investigated.**

## **Section 11**

### **11. MEETING OUR OBJECTIVES**

11.1 The purpose of this Section is to set out the priorities and actions which we will take to address the strategic aims and objectives which we have set in the strategy. The actions have been identified through the analysis of the extent and nature of anti social behaviour and an assessment of key issues and priorities for all partners.

#### **11.2 The East Ayrshire Approach to Dealing with Anti Social Behaviour**

11.2.1 Two particular features of our approach to addressing anti social behaviour underpin this strategy.

- i) The creation of a Problem Solving Approach to identifying antisocial behaviour trends and developing appropriate resolutions; and
- ii) The introduction of an Area Co-ordinated Management System as a way of achieving an integrated approach to tackling antisocial behaviour at a local level

#### **11.3 Problem Solving**

11.3.1 East Ayrshire Council and Strathclyde Police will develop a co-ordinated approach at an operational level to addressing antisocial behaviour in the local authority's area. This approach will be based upon monitoring local information and intelligence in order to inform the nature and level of response required. The key focus of attention is to further develop the range of services available to address antisocial behaviour and prevent reoccurrence

11.3.2 A Problem Solving Group will be established and consist of operational officers from key services within the Council and the Police. This Group will be responsible for co-ordinating the gathering and analysis of data to ensure resources are deployed in areas experiencing problems of antisocial behaviour.

11.3.3 This innovative approach will result in the establishment of a dedicated team of officers from both the Council and the Police whose key role is to ensure that information and intelligence is effectively shared, communicated and acted upon. The problem solving approach provides the fundamental base for taking forward the actions set out within this strategy.

#### **11.4 Area Co-ordinated Management System**

11.4.1 A working group will be established within the Community Planning Partners in East Ayrshire to develop the implementation of an Area Co-ordinated Management System to tackle antisocial behaviour within the BSSAC areas. The Area Co-ordinated Management System is a

process for ensuring an integrated customer driven approach to enable service planning and delivery of actions to effectively tackle antisocial behaviour. A particular focus of attention will be the development of management plans for specific areas to address the complex problems of antisocial behaviour, which often face stressed communities. The plans will focus firmly on local service standards. In tackling these issues the management system will play a crucial role in addressing antisocial behaviour.

11.4.2 Based upon the analysis of a range of data including the information set out in Appendix 1 agreement has been reached on the areas that will provide the initial focus for attention these are summarised in Table 1.

## 11.5 Priority Areas for Area Co-ordinated Management System

**Table 1**

<b>Neighbourhoods</b>
Kilmarnock North West
Kilmarnock New Farm Loch
Kilmarnock Shortlees
Auchinleck/ Cumnock Barshare

11.5.1 These priority areas will be used as a pilot to establish best practices in tackling antisocial behaviour. The aim of the Co-ordinated Area Management Systems within the BSSAC neighbourhoods will set the service standards required to deal with antisocial behaviour throughout East Ayrshire.

## 11.6 Action Planning Framework

11.6.1 Appendix 4 of this strategy sets out details of the actions we will take over the next three years to address antisocial behaviour. These actions are intended to ensure that progress is made in relation to the strategic aims and objectives set out in Section 4 of the strategy. Actions are listed in relation to each of the four strategic aims and set out what we will do, what we hope to achieve, by when and who is responsible for delivery.

11.6.2 While for ease of analysis the outcomes are listed under a particular heading it is recognised that a significant degree of overlap exists between areas.

The key actions include:-

### Strategic Aim 1 - Protecting and empowering communities

- 1.1 To introduce an Area Co-ordinated Management System within the neighbourhoods listed in Table 1
- 1.2 To promote good citizenship to ensure that people are aware of their rights and responsibilities

- 1.3 To further emphasise the mediation service as a way of preventing incidents escalating into more serious forms of antisocial behaviour
- 1.4 To improve awareness of service availability.
- 1.5 To further develop the services available to support the victims of antisocial behaviour
- 1.6 To promote equality of access to services

### **Strategic Aim 2 - Preventing antisocial behaviour by working with children and families**

- 2.1 To prevent young people entering the Criminal Justice System by ensuring the availability of a robust range of service provision aimed at prevention and diversion.
- 2.2 Proactive work with problem families to ensure that both parents and young people receive the information and support required to prevent antisocial behaviour
- 2.3 To put in place an effective awareness programme to discourage underage drinking and the use of drugs
- 2.4 Early intervention to prevent antisocial behaviour escalating

### **Strategic Aim 3 - Building safe, secure and attractive communities**

- 3.1 To actively engage with all sections of the community to ensure their views are effectively built in to the process of building safe, secure and attractive communities
- 3.2 To fully establish the Problem Solving Approach as a way of coordinating the efforts of the Council and Police
- 3.3 To effectively tackle vandalism through a number of measures, which will be coordinated by the Problem Solving Approach
- 3.4 Analyse and address the fear of crime and antisocial behaviour
- 3.5 To develop key protocols with the Community Planning Partners in East Ayrshire to ensure a coherent service is provided to the public.

### **Strategic Aim 4 - Effective enforcement**

- 4.1 To develop an understanding regarding the profiles of victims and offenders and contextual matters e.g. risk factors
- 4.2 Effective use of relevant enforcement legislation against persistent offenders when prevention and diversion has been exhausted
- 4.3 Effective use of relevant enforcement legislation against persistent young offenders when prevention and diversion has been exhausted or if there is a pressing need to protect the community

## Section 12

### 12. FUNDING THE STRATEGY

#### 12.1 Mainstream Funding

12.1.1 Significant resources are allocated by the Community Planning Partners in East Ayrshire to tackle antisocial behaviour. Indeed for both the Council and the Police tackling the issue provides a key focus of mainstream activity and budgets. Given the breadth of the definition of antisocial behaviour upon which this strategy is based, it is likely that many of the wider actions of the Community Planning Partners will play a part in, either directly or indirectly, addressing antisocial behaviour.

#### 12.2 Specific funding to address Antisocial Behaviour

12.2.1 Table 1 below summaries the resources which have been allocated to projects and initiatives specifically related to tackling antisocial behaviour

**Table 1 – Grant Funding to Tackle Antisocial Behaviour**

Source of Funding	Period	Description	Amount	Strategic Objective
Scottish Executive BSSAC	2004/05 and 2005/06	Community Wardens	£400K	Prevention Diversion Enforcement
		Appointment of Anti Social Behaviour Co-ordinator ) ) ) }£125K ) ) )	funding is for each year	Prevention Diversion Enforcement Rehabilitation  Prevention Diversion Enforcement Rehabilitation
Scottish Executive Second Round Funding to Tackle Anti Social Behaviour	2004/05 and 2005/06	To fill gaps in service and further develop services to tackle anti social behaviour and support victims	£317,730 £410.550	Prevention Education Diversion Enforcement Rehabilitation

<b>Source of Funding</b>	<b>Period</b>	<b>Description</b>	<b>Amount</b>	<b>Strategic Objective</b>
<b>Scottish Executive Youth Justice/Anti Social Behaviour Resources</b>	<b>2004/05 and 2005/06</b>	<b>Implementation of Youth Justice National Standards</b>	<b>£40K (04/05) £39K (05/06)</b>	<b>Prevention Education Diversion Enforcement</b>
		<b>Programmes for Young People</b>	<b>£26K (04/05) £52K (05/06)</b>	<b>Prevention Education Diversion Enforcement Rehabilitation</b>
		<b>Restorative Justice</b>	<b>£40K (04/05) £39K (05/06)</b>	<b>Education Diversion Enforcement Rehabilitation</b>

## APPENDICES

## Appendix 1

### THE EXTENT AND TYPES OF ANTISOCIAL BEHAVIOUR WITHIN EAST AYRSHIRE

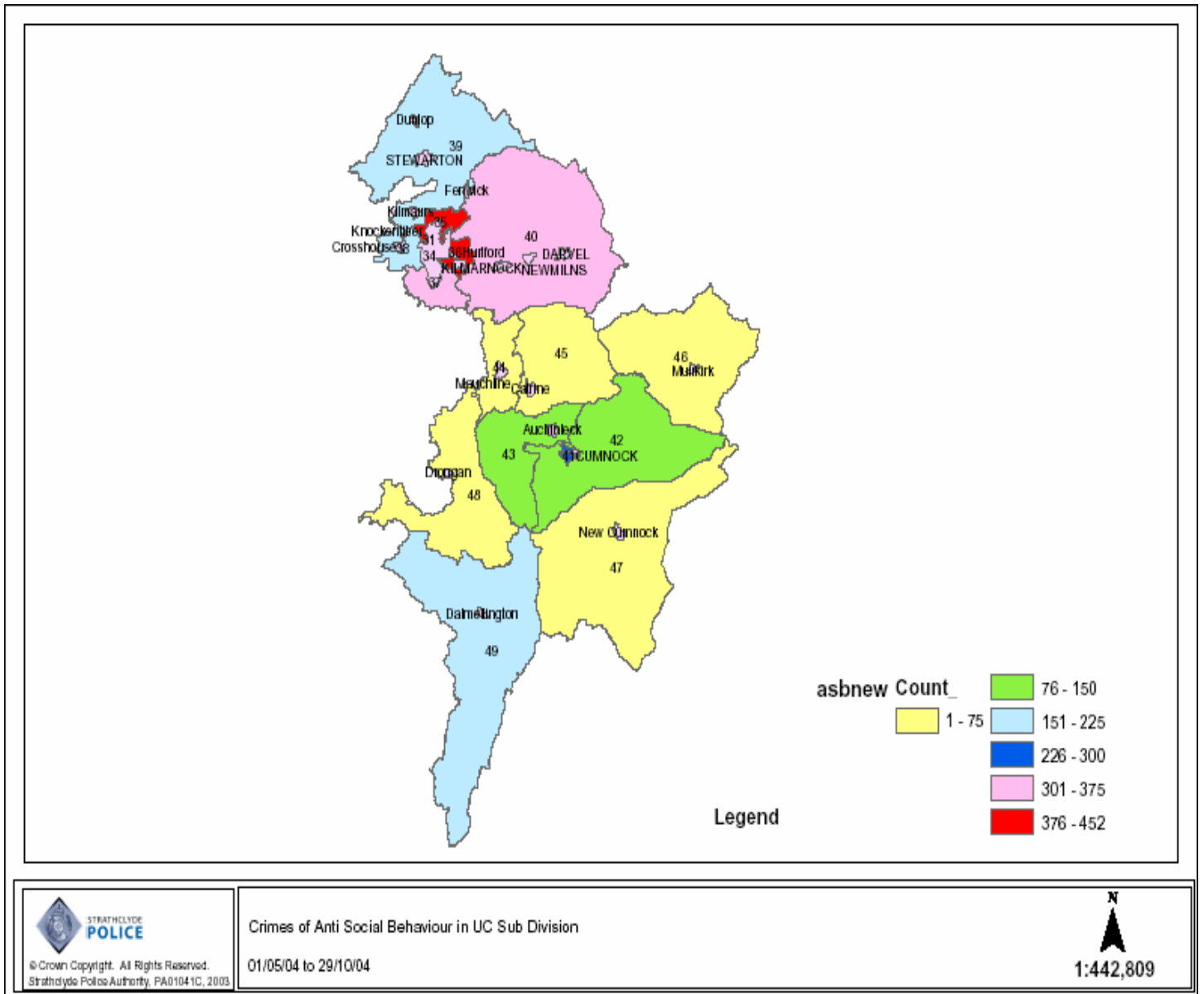
**Table 1 – Police Incidents of Antisocial Behaviour in Kilmarnock Area between 1 May and 31 October 2004**

	Simple Assaults	Vandalism	Urinating	Breach of the Peace	Drunk and Incapable	Drinking In public	Incidents Involving Youths	Disturbance Incidents Involving Adults
Beat 31 Kilmarnock Central N/E	53	40	20	37	12	10	24	156
Beat 32 Kilmarnock Central S/E	39	26	7	25	12	8	38	187
Beat 33 Kilmarnock Central S/W	17	12	0	11	5	3	30	102
Beat 34 Kilmarnock Central N/W	37	30	4	28	3	9	13	88
Beat 35 Onthank Area	104	200	4	193	6	30	263	643
Beat 36 New Farm Loch/Hurlford	134	129	3	123	8	44	271	533
Beat 37 Shortlees/Bellfield	86	147	3	143	4	17	233	510
Beat 38 Bonnyton/Crosshouse	35	63	0	61	5	9	115	276
Beat 39 Kilmaurs/Stewarton	48	92	1	87	8	14	146	307
Beat 40 Galston/Newmilns/Darvel	89	128	0	126	3	17	282	480

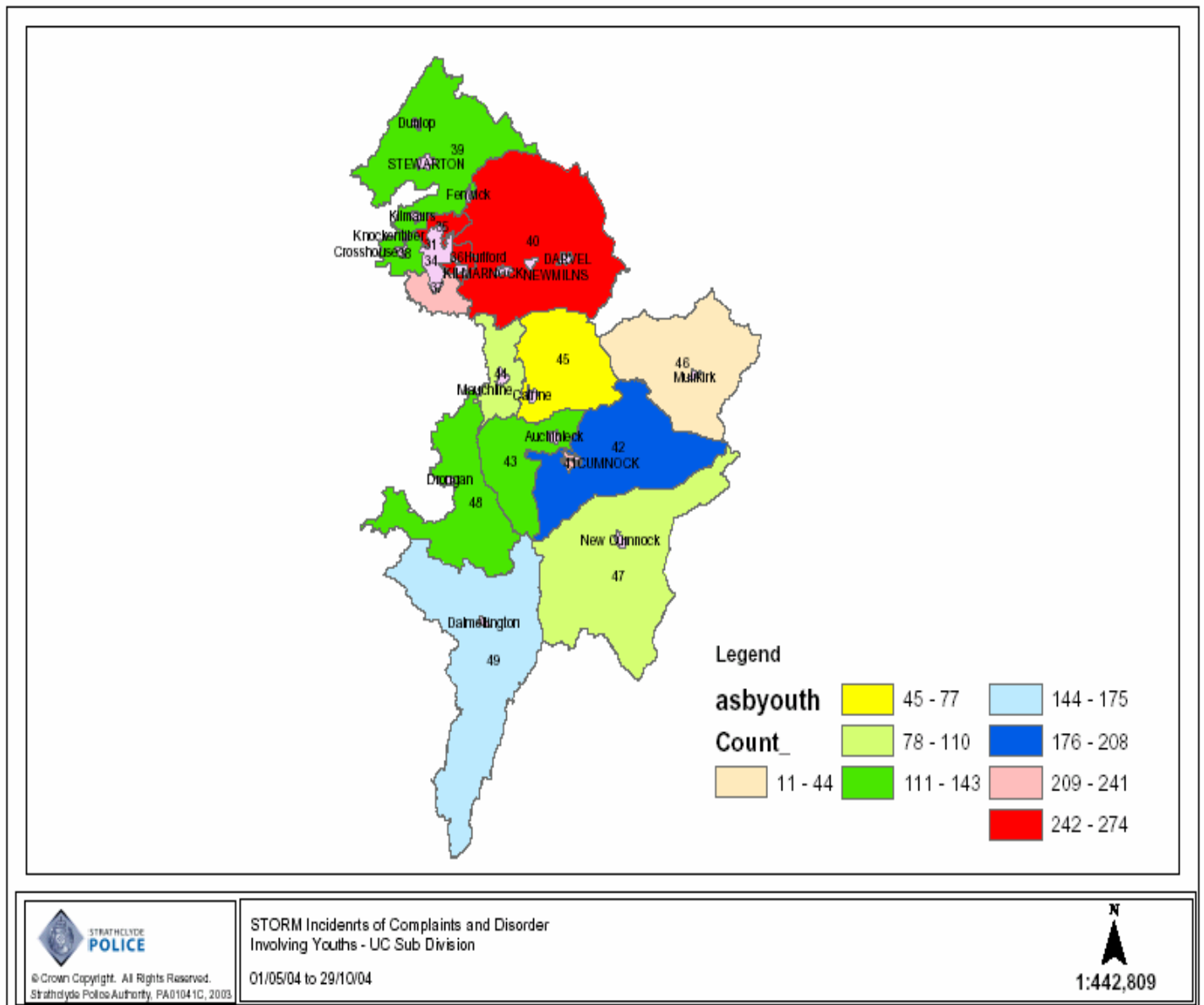
**Table 2 – Police Incidents of Antisocial Behaviour Cumnock and Doon Valley Area between 1 May and 31 October 2004**

	Simple Assaults	Vandalism	Urinating	Breach of the Peace	Drunk and Incapable	Drinking In public	Incidents Involving Youths	Disturbance Incidents Involving Adults
<b>Beat 41 Cumnock</b>	81	120	3	115	3	20	220	518
<b>Beat 42 Lugar/ Logan</b>	40	59	2	58	0	2	190	263
<b>Beat 43 Auchileck/ Ochiltree</b>	54	58	1	64	2	7	119	256
<b>Beat 44 Mauchline</b>	34	41	3	37	0	9	84	174
<b>Beat 45 Catrine</b>	17	37	0	36	0	5	69	173
<b>Beat 46 Muirkirk</b>	13	37	0	34	0	0	18	89
<b>Beat 47 Drongan</b>	9	35	0	35	1	3	93	160
<b>Beat 48 New Cumnock</b>	20	53	0	50	0	5	125	301
<b>Beat 49 Dalmellington</b>	75	75	1	72	0	10	182	393

Figure 1 – Distribution of Police ASB Incidents in East Ayrshire



**Figure 2 - Distribution of Police ASB Incidents in East Ayrshire Involving Youths**



**Table 3 - Details of Category 1 Type Complaints received by the Council's Housing Service between 1 January 2004 and 31 December 2004.**

<b>CATEGORY 1 ANTI-SOCIAL BEHAVIOUR COMPLAINTS</b>							
	Assault	Criminal Threats	Drug Dealing	Other forms of Violence	Racial Harassment	Serious damage to property	Serious harassment
IRVINE VALLEY	1	0	0	0	1	1	0
KILMARNOCK SOUTH	1	0	2	0	0	0	0
KILMARNOCK NORTH WEST	0	1	2	0	0	0	1
KILMARNOCK CENTRAL	0	0	1	1	0	0	0
CUMNOCK	1	0	6	1	0	2	2
DOON VALLEY	1	0	1	0	0	0	0
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>12</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>3</b>

**Table 4 - Details of Category 2 Type Complaints received by the Council's Housing Service between 1 January 2004 and 31 December 2004.**

<b>CATEGORY 2 ANTI-SOCIAL BEHAVIOUR COMPLAINTS</b>							
	Aggressive Abusive Behaviour	Frequent Disturbances	Frequent Noise Pollution	Drug/solvent Abuse	Minor Property Damage	Verbal Written Harassment	Other
IRVINE VALLEY	10	11	2	0	1	1	0
KILMARNOCK SOUTH	4	8	3	2	5	0	1
KILMARNOCK NORTHWEST	7	5	5	4	3	1	1
KILMARNOCK CENTRAL	10	8	9	4	3	3	0
CUMNOCK	15	9	5	4	1	1	1
DOON VALLEY	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>46</b>	<b>41</b>	<b>27</b>	<b>14</b>	<b>13</b>	<b>6</b>	<b>3</b>

**Table 5 - Details of Category 1 Type Complaints reported to East Ayrshire Registered Social Landlords between 1 January 2004 and 31 December 2004.**

<b>CATEGORY 1 ANTI-SOCIAL BEHAVIOUR COMPLAINTS</b>								
	Assault	Criminal Threats	Drug Dealing	Other forms of Violence	Racial Harassment	Serious damage to property	Serious harassment	Robbery or Housebreaking
Kilmarnock Area	1	0	13	0	0	1	2	2
Cumnock Area	1	0	0	0	0	0	0	0

**Table 6 - Details of Category 2 Type Complaints reported to East Ayrshire Registered Social Landlords between 1 January 2004 and 31 December 2004.**

<b>CATEGORY 2 ANTI-SOCIAL BEHAVIOUR COMPLAINTS</b>							
	Aggressive Abusive Behaviour	Frequent Disturbances	Frequent Noise Pollution	Drug/solvent Abuse	Minor Property Damage	Verbal Written Harassment	Other
Kilmarnock Area	10	3	41	14	4	12	32
Cumnock Area	4	3	13	0	2	4	0

**Table 7 - Community Warden's Reports of Antisocial Behaviour Incidents between 1 August 2004 and 31 January 2005**

<b>Community Warden's Antisocial Behaviour Incidents</b>					
	<b>Auchinleck/ Cumnock Barshare</b>	<b>New Farm Loch</b>	<b>Kilmarnock Northwest</b>	<b>Shortlees</b>	<b>Total for each type of ASB</b>
<b>Antisocial Behaviour Reports</b>	54	36	41	44	175
<b>Drug Related Issues</b>	12	3	19	12	46
<b>Fly Tipping</b>	91	136	135	42	404
<b>Graffiti</b>	17	40	29	22	108
<b>Illegal Sale of Alcohol</b>	6	6	9	10	31
<b>Litter</b>	11	13	16	37	77
<b>Neighbourhood Nuisance</b>	13	13	36	19	81
<b>Racial Incidents</b>	2	2	0	1	5
<b>Vandalism</b>	2	8	9	4	23
<b>Youth Disorder</b>	176	107	174	81	538
<b>Totals of ASB Incidents</b>	384	364	468	272	1488

**Note:** The majority of the 175 ASB Reports received by the Community Wardens are resolved by them at the time and require no further action. Approximately 75% of 538 Youth Disorder Reports relate to groups of youths gathering in public places. In the vast majority of cases the youths disperse at the request of the wardens without the need to involve the police.

## Appendix 2

### Analysis of Antisocial Behaviour Strategy Survey

**Question 1 – What do you think is the extent of antisocial behaviour in their area?**

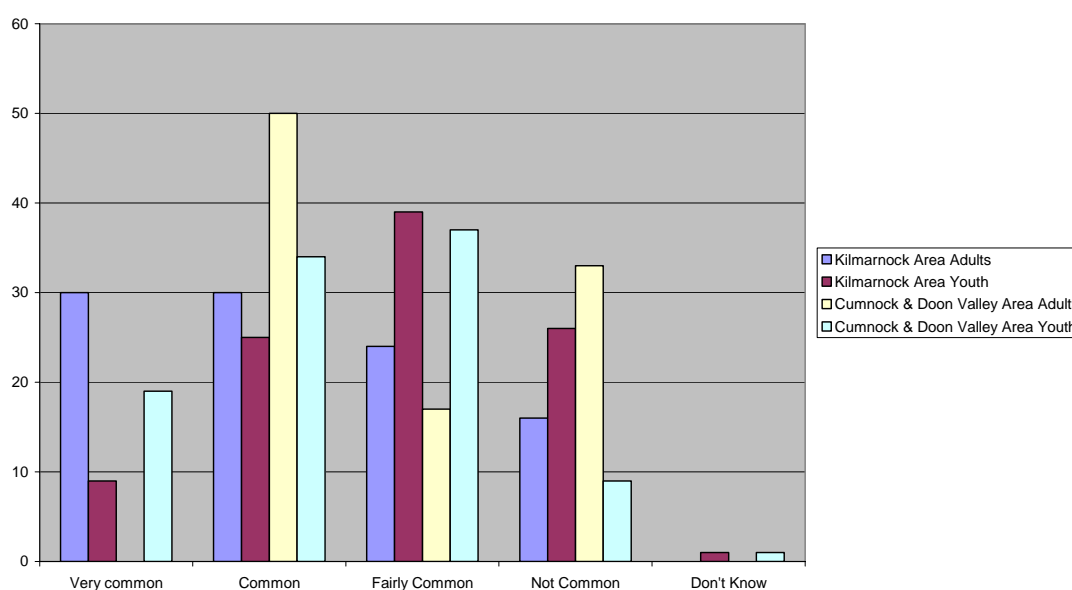
**Table 1 - Public Perception of Extent of Antisocial Behaviour in Area in % Terms**

ASB Strategy Survey					
	Very Common	Common	Fairly Common	Not Common	Don't Know
Adults Kilmarnock Area	30	30	24	16	0
Youth Kilmarnock Area	9	25	39	26	1
Adults Cumnock Area	0	50	17	33	0
Youth Cumnock Area	19	34	37	9	1

Table 1 - provides a clear indication that the vast majority of adults and young persons in the two geographical areas of East Ayrshire agree that antisocial behaviour is to a greater or lesser extent common in their communities.

### Graph 1 – Results of Table 1 in Graph Form

Perspective of the Extent of Antisocial Behaviour in Area



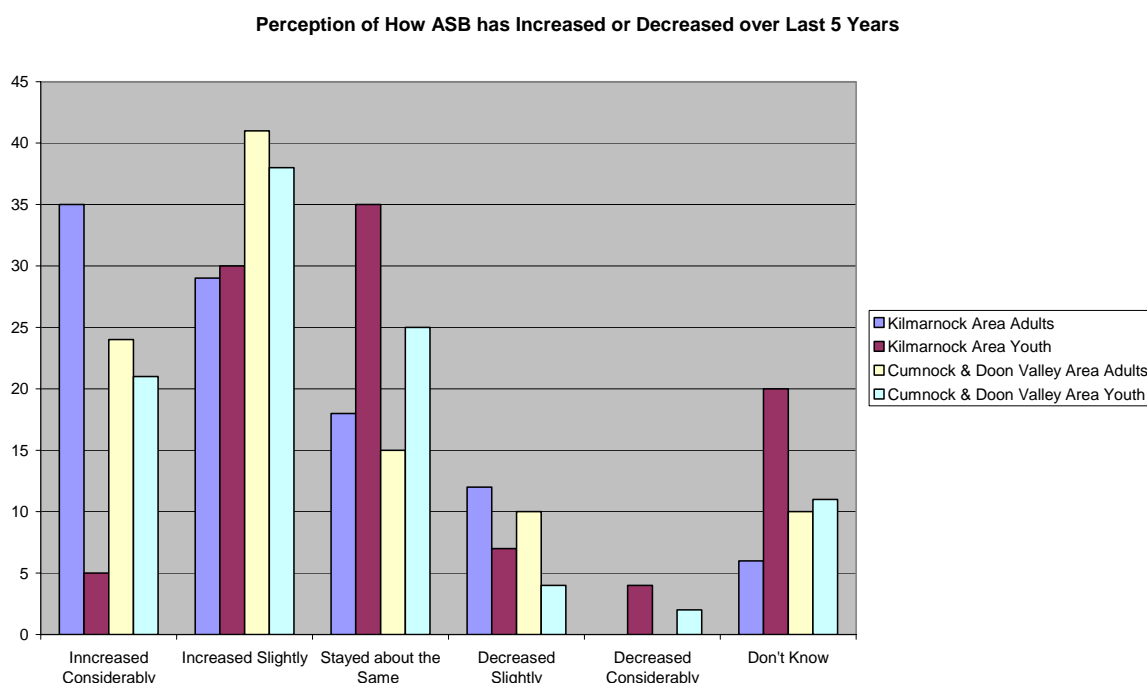
**Question 2 – During the last 5 years has antisocial behaviour increased or decreased in your area?**

**Table 2 - Public Perception of How ASB Has Increased or Decreased Over Last 5 Years in % Terms**

ASB Strategy Survey						
	Increased Considerably	Increased Slightly	Stayed about the Same	Decreased Slightly	Decreased Considerably	Don't Know
Adults Kilmarnock Area	35	29	18	12	0	6
Youth Kilmarnock Area	5	30	35	7	4	19
Adults Cumnock Area	24	41	15	10	0	10
Youth Cumnock Area	21	38	25	4	2	10

Table 2 – Apart from young persons in the Kilmarnock area it was the perception of the majority in the other three groups that antisocial behaviour had increased to some extent over the last five years.

**Graph 2 – Results of Table 2 in Graph Form**



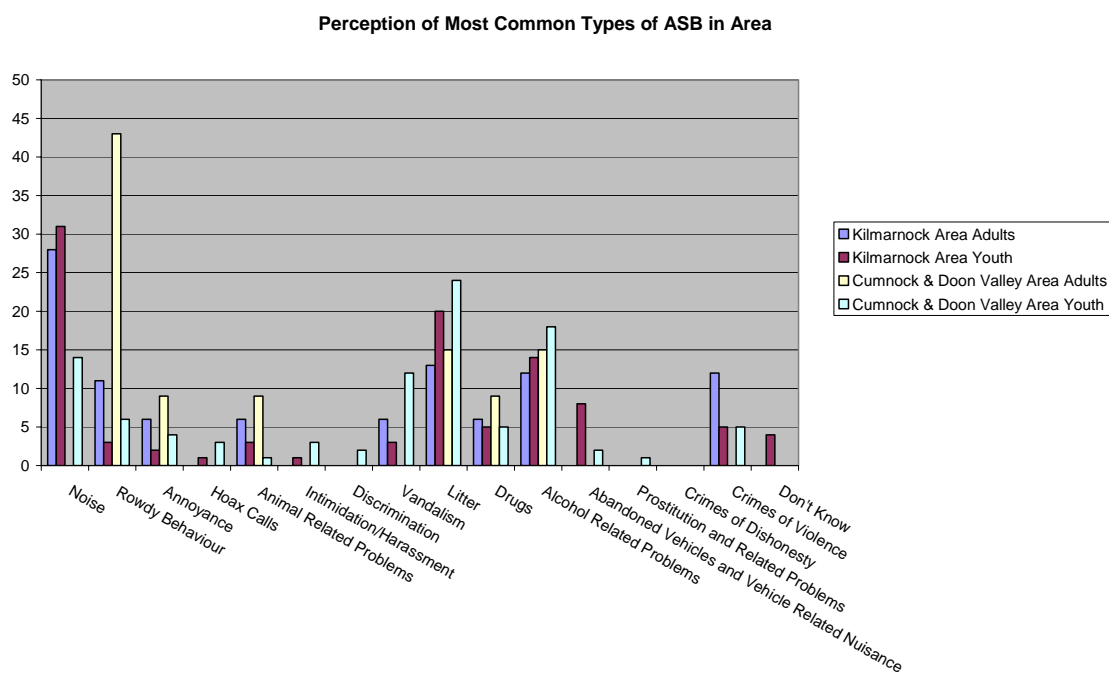
**Question 3 - What do you consider to be the most common type of antisocial behaviour in your area?**

**Table 3 - Public Perception of Most Common Type of ASB in Area in % Terms**

<b>ASB Strategy Survey</b>				
	<b>Adults Kilmarnock Area</b>	<b>Youth Kilmarnock Area</b>	<b>Adults Cumnock Area</b>	<b>Youth Cumnock Area</b>
Noise	28	31	0	14
Rowdy Conduct	11	3	43	6
Annoyance	6	2	9	4
Hoax Calls	0	1	0	3
Animal Problems	6	3	9	1
Intimidation	0	1	0	3
Discrimination	0	0	0	2
Vandalism	6	3	0	12
Litter	13	20	15	24
Drug Problems	6	5	9	5
Alcohol Problems	12	14	15	18
Vehicle Nuisance	0	8	0	2
Prostitution	0	0	0	1
Dishonesty	0	0	0	0
Violence	12	5	0	5
Don't Know	0	4	0	0
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Table 3 - Although the results on the 'most common types of ASB' indicate some wide variations of opinion between the 4 groups in the 2 geographical areas particularly in relation to Noise and Rowdy Behaviour, overall it is clear that Noise, Rowdy Behaviour, Litter and Alcohol Related Problems are considered to be the four most common types of antisocial behaviour.

### Graph 3 – Results of Table 3 in Graph Form



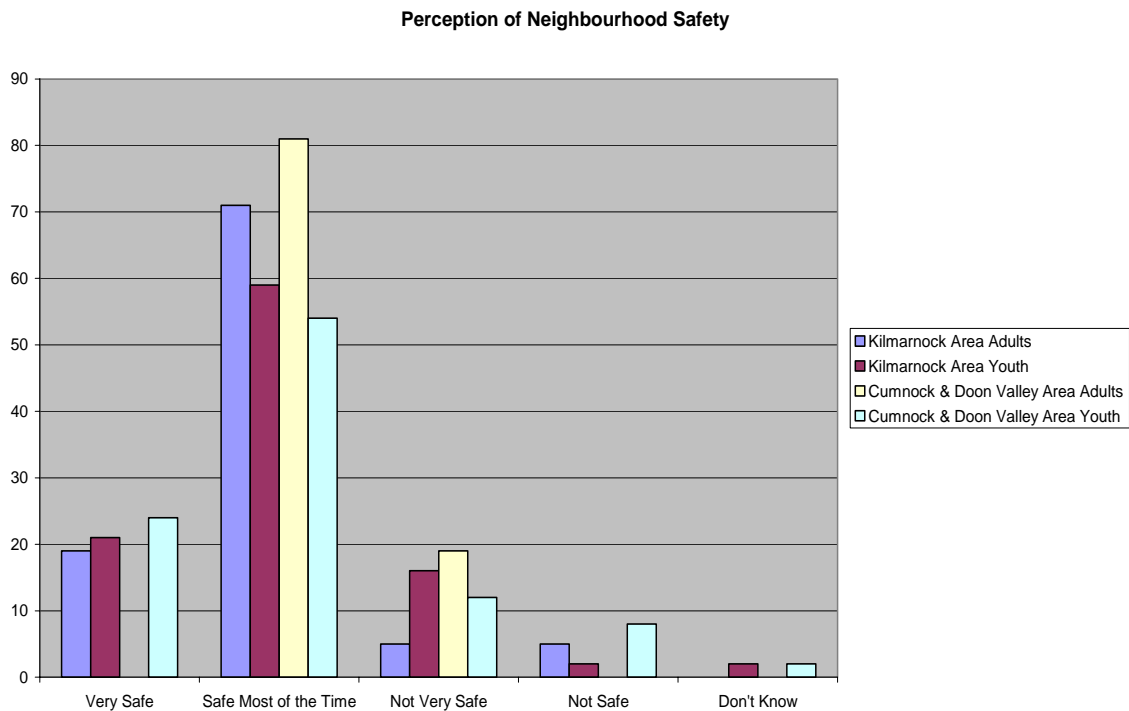
### Question 4 – How safe do you consider your neighbourhood to be?

**Table 4 Public Perception of Neighbourhood Safety in % Terms**

<b>ASB Strategy Survey</b>						
	Very Safe	Safe Most of the Time	Not Safe	Very Not Safe	Not Safe	Don't Know
<b>Adults Kilmarnock Area</b>	19	71	5	5	0	0
<b>Youth Kilmarnock Area</b>	21	59	16	2	2	2
<b>Adults Cumnock Area</b>	0	81	19	0	0	0
<b>Youth Cumnock Area</b>	24	54	12	8	2	2

Table 4 -An analysis of the results from the ASB Strategy Survey reveals that the majority of respondents feel safe in their neighbourhoods most of the time. However, these results should be compared with those extracted from the recent BSSAC survey on neighbourhood safety as shown in Table 5 and Graph 5. This reveals that the majority of respondents in every BSSAC area had concerns about neighbourhood safety. This sharp contrast in results helps confirm that the Community Planning Partners correctly identified the areas most appropriate for BSSAC funding.

**Graph 4 – Results of Table 4 in Graph Form**



**Table 5 - Results of BSSAC Survey Conducted between October and December 2004 in % Terms.**

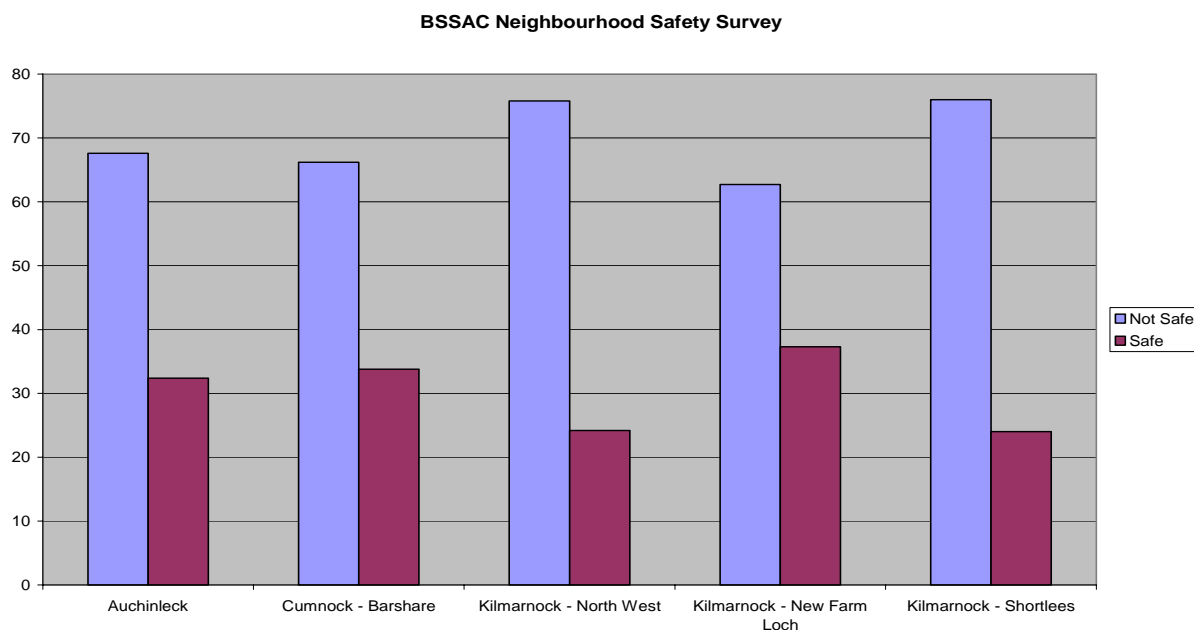
Respondents were asked if they had:

- been the victim of a crime in their homes and/or neighbourhood
- how safe they felt in their home and neighbourhood and
- if they had experience of litter, youth disorder, car theft, fly-tipping, house breaking, graffiti, vandalism and/or fire-raising

		Auchinleck	Cumnock (Barshare)	Kilmarnock North	New Farm Loch	Shortlees	Averages
Crime victim in home	NO	78.1	83.6	66.6	85.2	81.4	79.0
	YES	21.9	16.4	33.4	14.8	18.6	21.0
Crime victim in N/hood	NO	83.9	82.1	75.7	82.6	83.8	81.6
	YES	16.1	17.9	24.3	17.4	16.2	18.4
Safe in the Home	NO	36.5	41.3	42.9	26.9	40.2	37.6
	YES	63.5	58.7	57.1	73.1	59.8	62.4
Safe in the N/hood	NO	67.6	66.2	75.8	62.7	76.0	70.0
	YES	32.4	33.8	24.2	37.3	24.0	30.0
Litter	NO	47.0	51.2	58.5	42.5	60.5	51.9
	YES	53.0	48.8	41.5	57.5	39.5	48.1
Youth disorder	NO	56.0	51.2	40.2	50.7	44.6	48.5
	YES	44.0	48.8	59.8	49.3	55.4	51.5
Car Theft	NO	87.1	85.1	73.4	84.5	69.1	79.8
	YES	12.9	14.9	26.6	15.5	30.9	20.2
Fly Tipping	NO	76.9	77.1	84.3	89.4	90.9	83.7
	YES	23.1	22.9	15.7	10.6	9.1	16.3
House Breaking	NO	51.8	53.2	62.8	84.4	77.5	65.9
	YES	48.2	46.8	37.2	15.6	22.5	34.1
Graffiti	NO	72.3	65.7	75.0	72.0	72.5	71.5
	YES	27.7	34.3	25.0	28.0	27.5	28.5
Vandalism	NO	63.5	61.7	58.5	67.5	60.3	62.3
	YES	36.5	38.3	41.5	32.5	39.7	37.7
Fire Raising	NO	91.0	72.0	80.0	94.8	87.5	85.1
	YES	9.0	28.0	20.0	5.2	12.5	14.9

Table 5 - The results appear to indicate that the majority of respondents have not been the victims of crime or antisocial behaviour in their homes or neighbourhoods. Nevertheless while the majority feel safe in their homes, it is evident that there is a fear of crime and antisocial behaviour in their neighbourhoods. However, the only result which tends to support the reason for fear is that a slight majority of the respondents claim to have experienced Youth Disorder.

**Graph 5 – Extracted from BSSAC Neighbourhood Survey to indicate the respondents feelings of safety in their neighbourhoods**



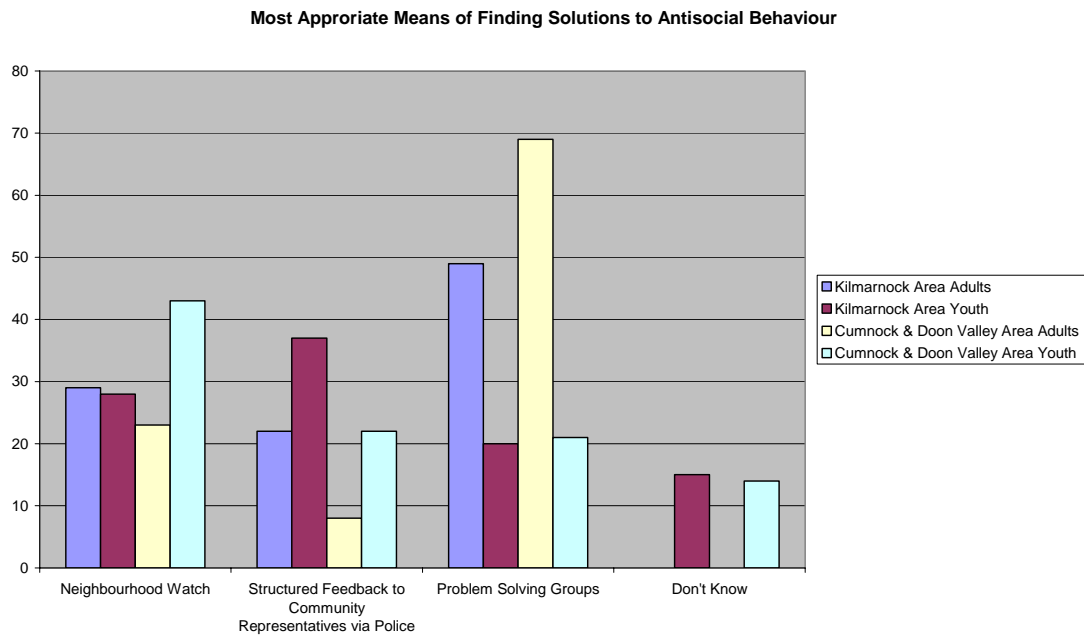
**Question 6 – What do you consider to be the most appropriate means for the community to find solutions to ASB problems?**

**Table 6 - Perception of Most Appropriate Means of Finding Solutions to ASB in % Terms**

ASB Strategy Survey				
	Neighbourhood Watch	Structured Feedback to Community Representatives	Problem Solving Groups	Don't Know
Adults Kilmarnock Area	29	22	49	0
Youth Kilmarnock Area	28	37	20	15
Adults Cumnock Area	23	8	69	0
Youth Cumnock Area	43	22	21	14

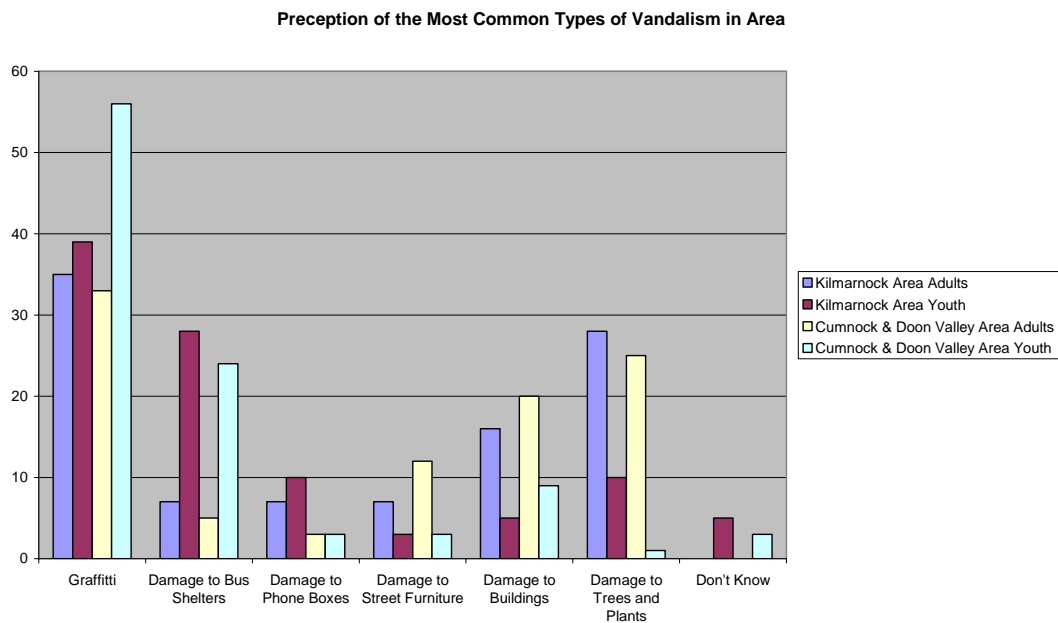
Table 6 - reveals a wide variation of opinion between adults and young persons with regard to the best method of finding solutions to antisocial behaviour. The vast majority of adults favouring the creation of the Problem Solving Approach.

**Graph 6 – Results of Table 6 in Graph Form**



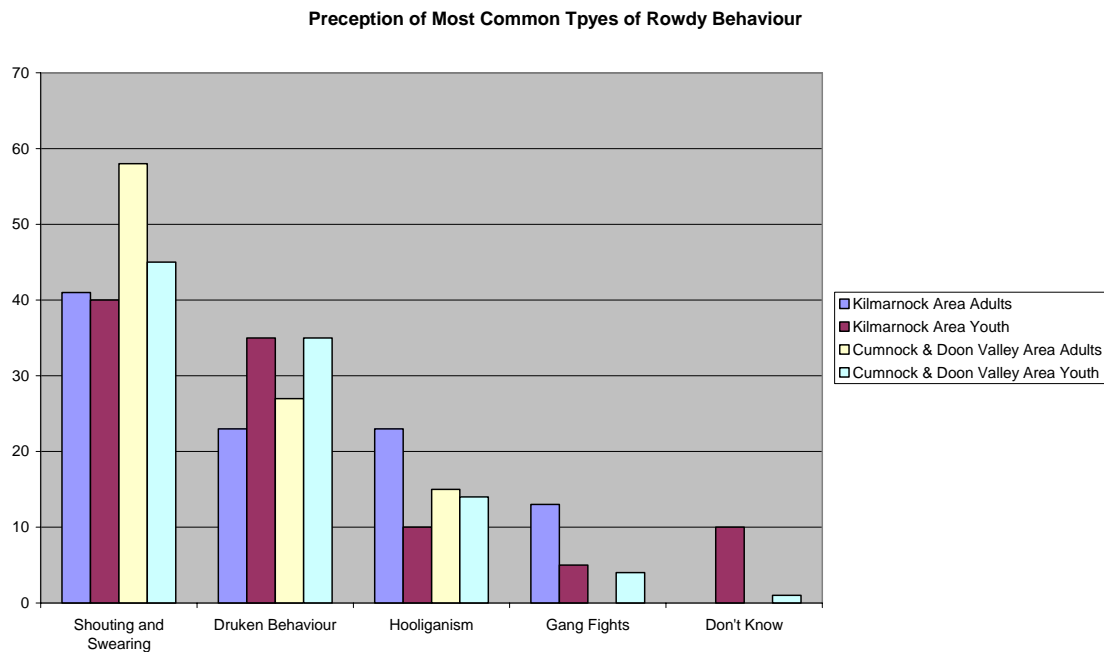
The following graphs compiled from the ASB Strategy surveys are not accompanied by tables as the results are self evident.

**Graph 7 – Respondents were asked to identify what they considered to be the most common type of vandalism in their area.**



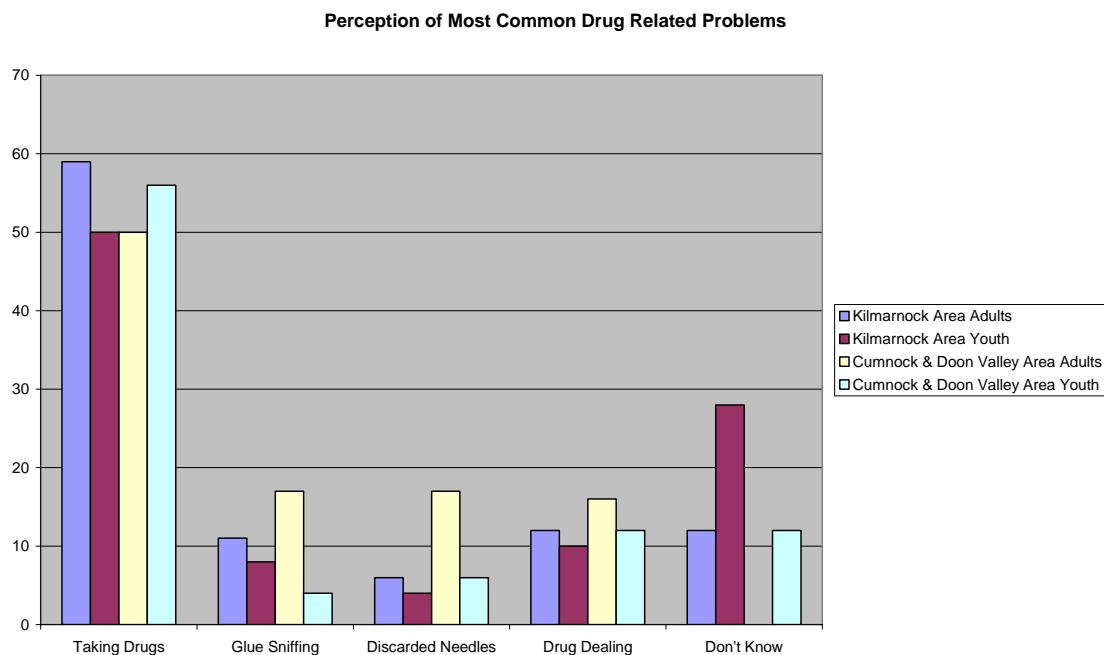
Analysis reveals that all respondents consider graffiti to be the most common type of vandalism within their neighbourhoods.

**Graph 8 - Respondents were requested to identify what they considered to be the most common type of rowdy behaviour in their area.**



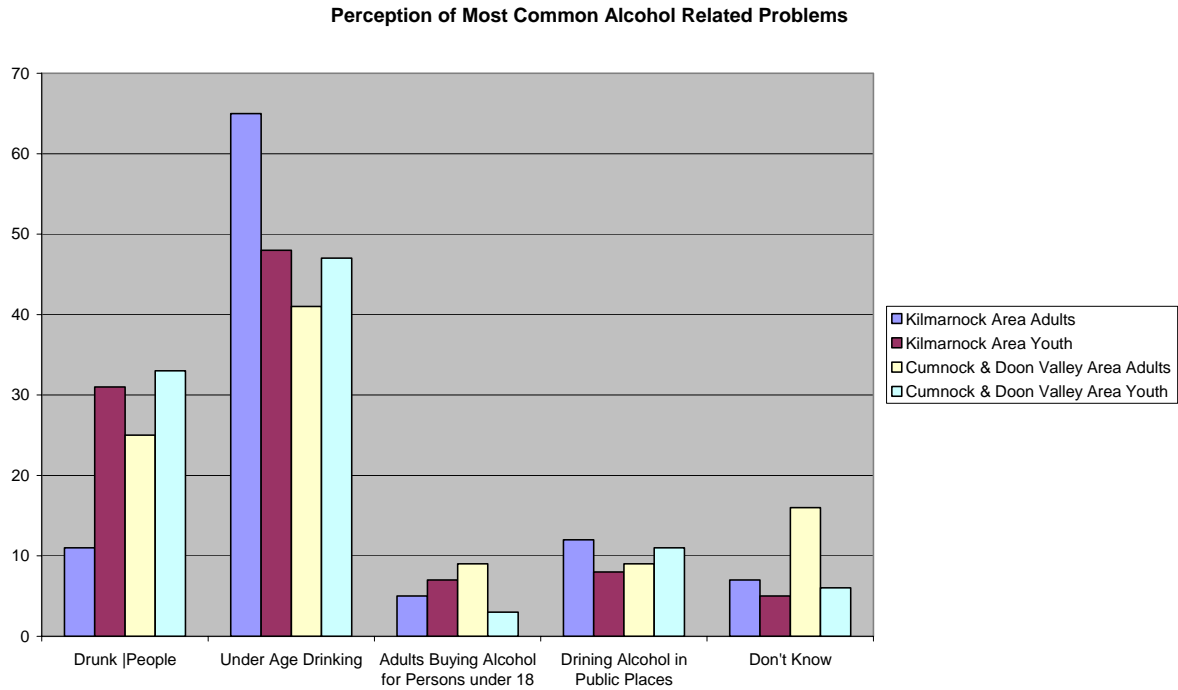
Graph 8 - Analysis reveals that the majority of respondents from all groups consider shouting and swearing in public places to be the most common type of rowdy behaviour in their neighbourhoods.

**Graph 9 - Respondents were requested to identify what they considered to be the most common type drug related problem in their area.**



Graph 8 - Although drug related problems were not considered to be one of the most common types of antisocial behaviour - respondents nevertheless identified drug taking to be the most common problem associated with drugs.

**Graph 10 - Respondents were requested to identify what they considered to be the most common type alcohol related problem in their area.**



Graph 10 - Analysis reveals that all groups consider 'under age' drinking to be the most common problem associated with alcohol related issues.

### Appendix 3

## PROCESSES AVAILABLE TO TACKLE ANTISOCIAL SOCIAL BEHAVIOUR

### Prevention

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Prevention	Proactive and reactive high visibility police presence in town centres and other 'hotspots'.	To prevent crime and ASB and detect offenders. Reduce fear of crime and ASB	Strathclyde Police	People Generally
Prevention	Strong emphasis on Community Policing	Identifying and solving problems within community. Implementing planned responses. Building and maintaining local partnerships within communities. Reduce fear of crime and ASB	Strathclyde Police	People Generally
Prevention	Police Tasking and Co-ordinating Meetings	Identify crime and ASB trends and direct action towards these	Strathclyde Police	People Generally
Prevention	Police Youth Crime and Diversion Pilot and Schools Pathway programme	Delivering additional police hours at times when young people are most active in their community Reduce truancy	Strathclyde Police Education and Social Services	People Generally
Prevention	Citizenship and the Law Education packages	Raising awareness of Crime and Law in Society, Managing Conflict, The Community, Racial Discrimination, Substance Misuse and Domestic Abuse	Strathclyde Police Education and Social Services	Young people

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Prevention	Drugs Awareness	Delivering alcohol and drug awareness advice and information	Strathclyde Police Education and Social Services	Young people
Prevention	40 CCTV sites situated throughout East Ayrshire	Prevention and detection of crime and antisocial behaviour at known 'hotspots'	Neighbourhood Services and Strathclyde Police	People Generally
Prevention	Secure by Design	To build out opportunities for crime and ASB in new developments	Neighbourhood Services and Strathclyde Police	People Generally
Prevention	Mobile security patrols	To examine schools and other vulnerable public buildings to prevent ASB	Neighbourhood Services	People Generally
Prevention	Quick response 'hit teams'	To address local environmental problems in an effort to avoid ASB getting a hold	Neighbourhood Services	People Generally
Prevention	Improved lighting at schools, public buildings and antisocial behaviour 'hotspots'	To enhance effectiveness of CCTV and enhance public feelings of safety	Neighbourhood Services	People Generally
Prevention	High visibility proactive Community Warden service	To act as the eyes and ears of their communities in order to: Reduce crime and ASB as well as reduce the fear of these Improve the environment	Neighbourhood Services	People Generally within BSSAC areas

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Prevention	Community Youth Support Team	To provide vulnerable young people with assistance to overcome a range of difficulties e.g. poor peer relationships; offending behaviour; school based issues; etc.	Education and Social Services	Young people
Prevention	New Sporting Futures	To enhance sports development opportunities for young people	Neighbourhood Services	Young people
Prevention	Active use of local media, partnership publications and web pages	To promote public awareness of antisocial behaviour and ways of addressing it	All agencies	People Generally
Prevention	Integrated case management approach to ASB	To identify at an early stage adults and young persons with the potential to commit ASB and to intervene to prevent this	Neighbourhood Services Strathclyde Police Education and Social Services Children's Reporter	People Generally
Prevention	Robust use of SSSTs	To support persons who have previously committed ASB to sustain a tenancy	Neighbourhood Services RSLs	Persons who have committed ASB and People Generally
Prevention	Drop In Zone	Youth Centre activities to meet the needs of young people who are at risk of offending or causing a public nuisance	Neighbourhood Services	Young people in the Dalmellington/Bellsbank area
Prevention	UP2YOU Pilot	A mobile bus with staff on board to alert young people to the dangers of alcohol	Neighbourhood Services Strathclyde Police Education and Social Services Stagecoach	People under 18 in Shortlees area in first instance
Prevention	Council Helpline	To assist people seeking help and advice re ASB, etc	Education and Social Services Neighbourhood Services	People Generally

## Diversions

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Diversions	BNSF Youth Crime and Diversion Pilot	To enable the Police to engage with young people in a non confrontational manner	Strathclyde Police	Young People in BNSF areas
Diversions	Informal Police Warnings/ Parent Alert Letter	To warn young people engaged in minor criminal or anti-social behaviour in front of a responsible adult without resorting to an official report being recorded.	Strathclyde Police	Young People
Diversions	Contact Cards/ Parent Alert Letters	Card submitted if young person's behaviour is causing concern followed up by alert letter to parent or guardian	Strathclyde Police	Young People and their parents/guardians
Diversions	Young Persons Alcohol Initiative	Young people found to be drinking alcohol or found under the influence of alcohol may be referred to a four week counselling session	Strathclyde Police	Young People
Diversions	Restorative Justice Warnings	To encourage young people who have committed offences to think through the consequences of their actions, including the impact they have on their victims and communities, with the objective of diverting them from criminal justice system and deterring them from committing further offences.	Strathclyde Police Children's Reporter Education and Social Services SACRO	Young People

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Diversionsary	Active use of warning mechanisms for those who commit Neighbour Nuisance – Linked to appropriate tenancy support mechanisms	To prevent nuisance escalating into ASB	Neighbourhood Services Appropriate RSLs	Persons Responsible for Behaviour and People Generally
Diversionsary	Active use of Acceptable Behaviour Contracts	To prevent nuisance escalating into ASB	Neighbourhood Services Appropriate RSLs Strathclyde Police Education and Social Services Children's Reporter	Persons Responsible for Behaviour and People Generally
Diversionsary	Independent Mediation Service	To resolve difficult situations without the need for legal action	SACRO Neighbourhood Services Appropriate RSLs Strathclyde Police Education and Social Services Legal Services Children's Reporter	Persons Responsible for Behaviour and People Generally
Diversionsary	Youth Diversion	To identify young people under 16 years at risk of persistent drug misuse and reduce the level of misuse through attending activities designed to change attitudes/modify behaviour towards drugs and alcohol	Neighbourhood Services	Young People
Diversionsary	Community Youth Support Team	To provides individual and group-work support to first time offenders age 12 and over to prevent further re-offending	Education and Social Services	Young People
Diversionsary	New Sporting Futures	To provide greater opportunities for involvement in sport with aims to act as alternative to youth crime, anti-social behaviour and substance misuse.	Neighbourhood Services	Young people aged 10-18 at risk of offending

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Diversionary	Community Warden Service	To engage with their Communities and divert people with the potential to commit ASB to other agencies which may be able to assist and support them	Neighbourhood Services	People Generally

## Enforcement

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Enforcement	Full range of policing activities.	To detect and report adult offenders to the Procurator Fiscal with a view to prosecution or other appropriate action	Strathclyde Police Procurator Fiscal Education and Social Services Courts	People Generally
Enforcement	Full range of policing activities.	To report young people in need of compulsory measures of supervision to the Children's Reporter for appropriate action	Strathclyde Police Children's Reporter Education and Social Services Children's Hearing	Young People and People Generally
Enforcement	Antisocial Behaviour Investigation Team	To investigate complaints of ASB regardless of tenure. Make recommendations based on evidence on how best to proceed. This may range from no action through to ASBOs and or evictions are necessary	Neighbourhood Services Legal Services RSLs RSLs' Legal Representatives Strathclyde Police * Education and Social Services * Children's Reporter Civil Courts	People Generally
Enforcement	Children's Hearing System	To act in the best interests of the young person imposing compulsory measures of supervision when required	Children's Reporter All relevant Council Agencies Strathclyde Police Children's Hearing	Young People and People Generally

## Rehabilitation

AIM	RESOURCE	DESIRED OUTCOME	AGENCIES	BENEFICIARY
Rehabilitation	Victim Support Scotland	To assist the victims of ASB cope with the trauma of their experiences	Victim Support Scotland Neighbourhood Services Strathclyde Police	Victims of ASB
Rehabilitation	Witness Support Service	To assist witnesses in criminal cases deal with the Court Experience	Witness Support Service Strathclyde Police	Witnesses
Rehabilitation	Regular case reviews re ASBOs granted	To establish if there is still a requirement to have person subject to an ASBO	Neighbourhood Services Legal Services RSLs and their Legal Teams Strathclyde Police Other relevant agencies	People Generally
Rehabilitation	Regular Case Reviews for Young People under Supervision	To ensure that the best interests of Young People are being met	Children's Reporter All relevant Council Agencies Strathclyde Police Children's Hearing	Young People and People Generally

Appendix 4

**East Ayrshire Antisocial Behaviour Strategy  
Strategic Aims**

<b>Strategic Aim 1 - Protecting and empowering communities</b>			
<b>Objective 1.1</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
To introduce an Area Co-ordinated Management System within each of the BSSAC neighbourhood.	<ul style="list-style-type: none"> <li>• Area Co-ordinated Management System plan for each BSSAC neighbourhood</li> <li>• Protocols for effective information sharing</li> <li>• Neighbourhood Compacts</li> </ul>	March 2006	All Community Planning Partners
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Effective and co-ordinated management of services to tackle antisocial behaviour</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 1 - Protecting and empowering communities**

<b>Objective 1.2</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
To promote good citizenship to ensure that people are aware of their rights and responsibilities	<ul style="list-style-type: none"> <li>• Schools and Youth Forums' Active Citizenship Education Programme</li> <li>• Publicity campaign</li> </ul>	2005 -2008	All Community Planning Partners
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Improved sense of citizenship responsibilities</li> <li>• Improved understanding of rights and responsibilities</li> <li>• Clear understanding of measures available to tackle antisocial behaviour</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 1 - Protecting and empowering communities**

Objective 1.3	OUTPUT	TIMESCALE	PARTNERS
To further emphasise the mediation service as a way of preventing incidents escalating into more serious forms of antisocial behaviour	<ul style="list-style-type: none"> <li>• Early and cost effective intervention to prevent antisocial behaviour escalating.</li> <li>• Publicity campaign to encourage uptake of the service</li> </ul>	2005-2008	SACRO SCRA and All Community Planning Partners

OUTCOME	STRATEGIC OBJECTIVES
<ul style="list-style-type: none"> <li>• Early resolution of antisocial behaviour complaints</li> <li>• Reduction of conflict and antisocial behaviour</li> <li>• Informal settlement of neighbour disputes</li> </ul>	<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Education</li> </ul>

**Strategic Aim 1 - Protecting and empowering communities**

<b>Objective 1.4</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
To improve awareness of service availability.	<ul style="list-style-type: none"> <li>• <b>Publicity campaign advising of service availability</b></li> <li>• <b>Monitoring awareness of service availability</b></li> </ul>	2005-2008	All Community Planning Partners
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• <b>Reduce the culture of perceived fear</b></li> <li>• <b>Encourage the reporting of antisocial behaviour</b></li> <li>• <b>Reduce the fear of intimidation and abuse</b></li> <li>• <b>Restore public confidence in the services available to tackle antisocial behaviour</b></li> </ul>		<ul style="list-style-type: none"> <li>• <b>Prevention</b></li> <li>• <b>Enforcement</b></li> <li>• <b>Education</b></li> </ul>	

**Strategic Aim 1 - Protecting and empowering communities**

<b>Objective 1.5</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>To further develop the services available to support the victims of anti social behaviour</p>	<ul style="list-style-type: none"> <li>• Introduction of an opt-out referral system to victim support for victims of antisocial behaviour</li> <li>• Improve and reinforce use of evidence diaries by victims and witnesses</li> <li>• Protocols for effective information sharing</li> <li>• Targeted use of police resources</li> <li>• Monitor and evaluate service delivery</li> </ul>	<p>2005-2008</p>	<p>Victim Support Scotland, SCRA and All Community Planning Partners</p>
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Help people affected by crime and antisocial behaviour by providing emotional support, practical help and essential information</li> <li>• Improvement in direct evidence collected by victims and witnesses</li> </ul>		<ul style="list-style-type: none"> <li>• Rehabilitation</li> <li>• Enforcement</li> <li>• Education</li> </ul>	

**Strategic Aim 1 - Protecting and empowering communities**

<b>Objective 1.6</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>To promote equality of access to services</p>	<ul style="list-style-type: none"> <li>• <b>Publicity campaign advising of service availability to specific groups (including Black and Minority Ethnic Community and Gypsy/Travellers and individuals with disabilities)</b></li> <li>• <b>Monitor and evaluate service delivery to ensure all groups receive consistent levels of service</b></li> <li>• <b>Protocols for effective information sharing</b></li> </ul>	<p>2005-2008</p>	<p>All Community Planning Partners and SCRA</p>
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• <b>Open and transparent service</b></li> </ul>		<ul style="list-style-type: none"> <li>• <b>Prevention</b></li> <li>• <b>Education</b></li> </ul>	

**Strategic Aim 2 - Preventing antisocial behaviour by working with children and families**

<b>Objective 2.1</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>To prevent young people entering the Criminal Justice System by ensuring the availability of a robust range of service provision aimed at prevention and diversion</p>	<ul style="list-style-type: none"> <li>• Promotion of young people’s rights and responsibilities</li> <li>• Encouraging young people to take an active role in their communities through the Active Citizenship Education Programme</li> <li>• Promotion of sport and leisure activities</li> <li>• Protocols for effective information sharing</li> <li>• Provision of Housing Service funding to appropriate young people’s diversionary activities</li> </ul>	<p>2005-2008</p>	<p>SCRA and All Community Planning Partners</p>
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Better informed young people</li> <li>• Young people more aware of their rights and responsibilities</li> <li>• Healthier young people</li> <li>• Diverting young people away from antisocial behaviour</li> <li>• Avoid unnecessarily exposing young people to the criminal justice system</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 2 - Preventing antisocial behaviour by working with children and families**

<b>Objective 2.2</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>Proactive work with problem families to ensure that both parents and young people receive the information and support required to prevent antisocial behaviour</p>	<ul style="list-style-type: none"> <li>• Publicity campaign advising of service availability</li> <li>• Promoting awareness of child protection issues</li> <li>• Protocols for effective information sharing</li> <li>• Providing direction and guidance to problem families in order that they take responsibility for their actions and demonstrate respect for themselves and others</li> </ul>	<p>2005-2008</p>	<p>All Community Planning Partners</p>
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Diverting people away from antisocial behaviour</li> <li>• Safeguarding and promoting families health, development and welfare (including emotional, social development and wellbeing)</li> <li>• Increase independence and responsibility within problem families</li> <li>• Effective use of Acceptable Behaviour Contracts and Parenting Contracts</li> <li>• Use of Antisocial Behaviour Orders and/or Parenting Orders when necessary</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 2 - Preventing antisocial behaviour by working with children and families**

<b>Objective 2.3</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>To put in place an effective awareness and enforcement programme to discourage underage drinking and the use of drugs</p>	<ul style="list-style-type: none"> <li>• Roll out of Voluntary Code of Conduct for off sales</li> <li>• Extend pilot of ‘Up2U Bus’ (mobile drop-in alcohol/drug advice and information centre)</li> <li>• Promoting and provision of alternative activities</li> <li>• Education programmes to alert young people to the dangers associated with alcohol and drugs</li> <li>• Targeted use of police enforcement powers</li> <li>• Joint visits to licensed premises by members of Licensing Board and other agencies</li> </ul>	<p>2005-2008</p>	<p>All Community Planning Partners</p>
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Reduced antisocial behaviour</li> <li>• Reduction in youth disorder</li> <li>• Improved awareness of issues</li> <li>• Increased responsibility by members of licensing trade to prevent under age drinking</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 2 - Preventing antisocial behaviour by working with children and families**

<b>Objective 2.4</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
Early intervention to prevent antisocial behaviour escalating	<ul style="list-style-type: none"> <li>• Effective of ‘Acceptable Behaviour Contracts’ and ‘Parenting Contracts’ when necessary</li> <li>• Protocols for effective information sharing</li> <li>• Provide direction and guidance towards taking responsibility for their actions and encouraging respect for themselves and others</li> </ul>	2005-2008	All Community Planning Partners and SCRA
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Effective deterrent</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 3 - Building safe, secure and attractive communities**

Objective 3.1	OUTPUT	TIMESCALE	PARTNERS
<p>To actively engage with all sections of the community to ensure their views are effectively built into the process of building safe, secure and attractive communities</p>	<ul style="list-style-type: none"> <li>• Regular feedback reporting to community groups</li> <li>• Communicating the Anti Social Behaviour Strategy across the range of communities via the availability of Strategy document, a summary version of same and web pages</li> <li>• Media publicity of progress</li> </ul>	<p>2005-2008</p>	<p>All Community Planning Partners</p>
OUTCOME		STRATEGIC OBJECTIVES	
<ul style="list-style-type: none"> <li>• Community engagement/ownership</li> <li>• Improved awareness of role and importance of the strategy in tackling antisocial behaviour</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Education</li> </ul>	

**Strategic Aim 3 - Building safe, secure and attractive communities**

<b>Objective 3.2</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>To establish the Problem Solving Approach as a way of coordinating the efforts of all Community Partners and Key Stakeholders</p>	<ul style="list-style-type: none"> <li>• Protocols and service level agreements with partners</li> <li>• Menu of options available for resolving anti social behaviour</li> <li>• Training plan to meet partners needs</li> <li>• Operational procedures including recording and monitoring systems</li> </ul>	<p>2005-2008</p>	<p>All Community Planning Partners and Key Stakeholders</p>

<b>OUTCOME</b>	<b>STRATEGIC OBJECTIVES</b>
<ul style="list-style-type: none"> <li>• Identification of hot spots</li> <li>• Co-ordination of service action</li> <li>• Improved access to statistical information</li> <li>• Improved community ownership of responsibilities Increased understanding of issues</li> </ul>	<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> </ul>

**Strategic Aim 3 - Building safe, secure and attractive communities**

<b>Objective 3.3</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
To effectively tackle vandalism through a number of measures which will be coordinated by the Problem Solving Approach	<ul style="list-style-type: none"> <li>• Targeted response to ASB hot spots</li> <li>• Publicity campaign to encourage reporting</li> <li>• Prioritise action to remove graffiti, abandoned vehicles, etc</li> </ul>	2005-2008	All Community Planning Partners
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Reduction in level of vandalism and its costs</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Education</li> <li>• Diversion</li> <li>• Enforcement</li> </ul>	

**Strategic Aim 3 - Building safe, secure and attractive communities**

<b>Objective 3.4</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
Analyse and address the fear of crime and antisocial behaviour	<ul style="list-style-type: none"> <li>• Management action</li> <li>• Strategy Reviews and Revisions</li> <li>• Profile of anti social behaviour in relation to specific issues and areas</li> <li>• Introduce Media Plan</li> </ul>	2005-2008	All Community Planning Partners
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Identification of key issues and area problems</li> <li>• Improved information links to ensure effective alignment of preventative service</li> <li>• Improved public understanding of extent and nature of anti social behaviour</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Education</li> <li>• Diversion</li> <li>• Enforcement</li> </ul>	

**Strategic Aim 3 - Building safe, secure and attractive communities**

<b>Objective 3.5</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
To develop key protocols with the Community Planning Partners to ensure a coherent service is provided to the public	<ul style="list-style-type: none"> <li>• Integrated Training and Development Plan for all Community Partners</li> </ul>	2005-2008	All Community Planning Partners
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Improved co-ordination of initiatives between agencies within Community Partnership</li> <li>• Improved understanding of problems between agencies within Community Partnership</li> <li>• More effective joint working</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 4 - Effective enforcement**

<b>Objective 4.1</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>To develop an understanding regarding the profiles of victims and offenders and contextual matters e.g. risk factors</p>	<ul style="list-style-type: none"> <li>Establish a standardised system for recording incidents of antisocial behaviour</li> </ul>	<p>2005-2008</p>	<p>Strathclyde Police East Ayrshire Council and RSLs</p>
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>Uniform baseline data to collect information on the extent and type of antisocial behaviour in relation to individual neighbourhoods - then deploy resources to prevent and detect antisocial behaviour in a more proactive and structured way</li> </ul>		<ul style="list-style-type: none"> <li>Prevention</li> <li>Diversion</li> <li>Enforcement</li> </ul>	

**Strategic Aim 4 - Effective enforcement**

Objective 4.2	OUTPUT	TIMESCALE	PARTNERS
<p>Effective use of relevant enforcement legislation against persistent offenders when prevention and diversion has been exhausted</p>	<ul style="list-style-type: none"> <li>• Use of interim ASBOs, ASBOs when required</li> <li>• Use of police powers of dispersal and closure of premises when necessary</li> <li>• Use of powers under Housing Acts, e.g. eviction, compulsory transfer and use of SSSTs when necessary</li> <li>• Use of other appropriate legislation and police powers when necessary.</li> </ul>	<p>2005-2008</p>	<p>All Community Planning Partners</p>
OUTCOME		STRATEGIC OBJECTIVES	
<ul style="list-style-type: none"> <li>• Joined up action to effectively tackle antisocial behaviour is taking place at a the local level within the national framework</li> <li>• Demonstrating to the people of East Ayrshire that they have the right to live without the scourge of antisocial behaviour</li> <li>• Sending a clear message to the antisocial elements within the East Ayrshire that their conduct is unacceptable and will not be tolerated by the wider Community</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

**Strategic Aim 4 - Effective enforcement**

<b>Objective 4.3</b>	<b>OUTPUT</b>	<b>TIMESCALE</b>	<b>PARTNERS</b>
<p>Effective use of relevant enforcement legislation against persistent young offenders when prevention and diversion has been exhausted or if there is a pressing need to protect the community</p>	<ul style="list-style-type: none"> <li>• Use of interim ASBOs, ASBOs and Parenting Orders when required</li> <li>• Use of referrals to the Children’s Reporter</li> <li>• Use of police powers of dispersal and closure of premises when necessary</li> <li>• Use of other appropriate legislation and police powers when necessary.</li> </ul>	<p>2005-2008</p>	<p>All Community Planning Partners and SCRA</p>
<b>OUTCOME</b>		<b>STRATEGIC OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>• Joined up action to effectively tackle antisocial behaviour is taking place at a the local level within the national framework</li> <li>• Demonstrating to the people of East Ayrshire that they have the right to live without the scourge of antisocial behaviour</li> <li>• Sending a clear message to the antisocial elements within the East Ayrshire that their conduct is unacceptable and will not be tolerated by the wider Community</li> </ul>		<ul style="list-style-type: none"> <li>• Prevention</li> <li>• Diversion</li> <li>• Enforcement</li> <li>• Rehabilitation</li> <li>• Education</li> </ul>	

## **Appendix 5**

### **Glossary**

#### **Mediation**

It is recognised that mediation is an important means of dealing with disputes and many complaints of antisocial behaviour can be resolved through the use of mediation. The Council using part of its funding, from the Scottish Executive's 'Second Round Funding to Tackle Antisocial Behaviour' initiative, entered into a partnership with SACRO to provide an independent Community and Homelessness Mediation Service. The service deals with a whole range of issues, which can include boundary disputes, clashes of lifestyles, noise nuisance, disorderly people and antisocial behaviour. While the people of East Ayrshire can refer themselves, more frequently the Council, Registered Social Landlords and the Police will arrange the referrals. Parties in dispute are usually visited at home, but neutral venues can also be arranged. Positive results are usually achieved when all parties participate voluntarily.

#### **Acceptable Behaviour Contracts**

Acceptable Behaviour Contracts (ABCs) are one way of providing early intervention to make clear that certain behaviour is not acceptable.

ABCs are written agreements between an individual (adult or young person) involved in antisocial behaviour and relevant agencies working to prevent antisocial behaviour, for example the antisocial behaviour investigation team, the police, education and social work services.

The contract sets out the behaviour that the person has agreed to stop, for example intimidating residents, truanting, making graffiti or causing noise disturbance. It may also set out the support the individuals can expect to receive in order to change their behaviour. In the case of a child the contract will always set out these supports. The contract specifies that legal action may follow as a consequence of a breach of its terms.

ABCs, although voluntary, can be a strong deterrent when the individual or family know that if they break the contract, legal action may follow. ABCs have not been introduced on a statutory basis, but they can be an effective deterrent as breach of an ABC or a refusal to enter a contract without reasonable excuse can be considered relevant evidence for an application for an ASBO, depending on the circumstances.

In the case of 12 -15 year olds, use of ABCs are to be considered on an interagency basis to ensure that the contract is reasonable and complements interventions currently in place or being considered by other agencies. ABCs can be used with or without referral to the Children's Reporter and could in fact be a diversion from referral to the Children's Reporter. ABCs will be used alongside, rather than as a direct alternative to, other voluntary measures such as those recommended by the Children's Reporter. It should be clear in an ABC for a 12-15 year old what the likely consequences of non-compliance may be.

Where a person declines to sign an ABC or fails to attend a contract meeting he or she is served with an Unacceptable Behaviour Notice (UBN).

A UBN is for all practical purposes the same as an ABC. All it lacks is the signature of the person responsible for the antisocial behaviour.

To date the majority of ABCs and UBNS issued in East Ayrshire have been successful and have shown evidence of improving the quality of life for local communities.

### **Antisocial Behaviour Orders (ASBOs)**

ASBOs are civil orders that are intended to protect the public from behaviour that causes or is likely to cause alarm or distress. An order contains conditions prohibiting the person named in it from doing anything specified in the order such as verbally abusing named persons or entering defined areas. The orders are not criminal penalties and are not intended to punish the offender. The minimum age at which a person may be subject to an ASBO in Scotland is 12.

Interim ASBOs are also available to provide more immediate protection from antisocial behaviour. An interim order prohibits the person named in it from doing anything prescribed in it, pending determination of the application for a full ASBO

ASBOs for adults are intended to tackle both behaviour which is likely to escalate to the criminal level, and patterns of behaviour which cumulatively cause considerable alarm or distress to the community. An ASBO is not intended to be a substitute for criminal proceedings where these are appropriate, and is intended to be complementary to other civil procedures such as interdict (where use of these is appropriate).

The children's hearing system continues to be the primary forum for dealing with antisocial or offending behaviour by young persons under 16 years of age.

Only local authorities and registered social landlords, in consultation with the police, can apply to the sheriff court for an order where there is evidence that a person (aged at least 12 years) has behaved in an antisocial manner and that an order is necessary for the protection of persons from further antisocial behaviour.

Under the 2004 Act the criminal courts now have the power to impose an ASBO when sentencing a person convicted of an offence involving antisocial behaviour.

Prior to making an application for either an interim or full ASBO in respect of an under 16, applicants must consult the Principal Reporter. The sheriff must have regard to any views expressed by the Principal Reporter before determining whether to make an order or an interim order. The sheriff must also have regard to advice provided by a children's hearing before determining an application for a full ASBO.

ASBOs can be used to deal with antisocial behaviour wherever it occurs, provided the person(s) affected by the behaviour and the person who has behaved antisocially are not of the same household. They are not restricted to dealing with neighbour problems. They may for example, be used to deal with antisocial conduct in and around retail premises or in parks or transport hubs.

An ASBO can be made against persons of all housing tenure types: i.e. owner occupiers, private sector tenants, and tenants of public sector landlords, including local authorities. They are not only for use in the socially rented sector. ASBOs can also be used where a person is of no fixed abode.

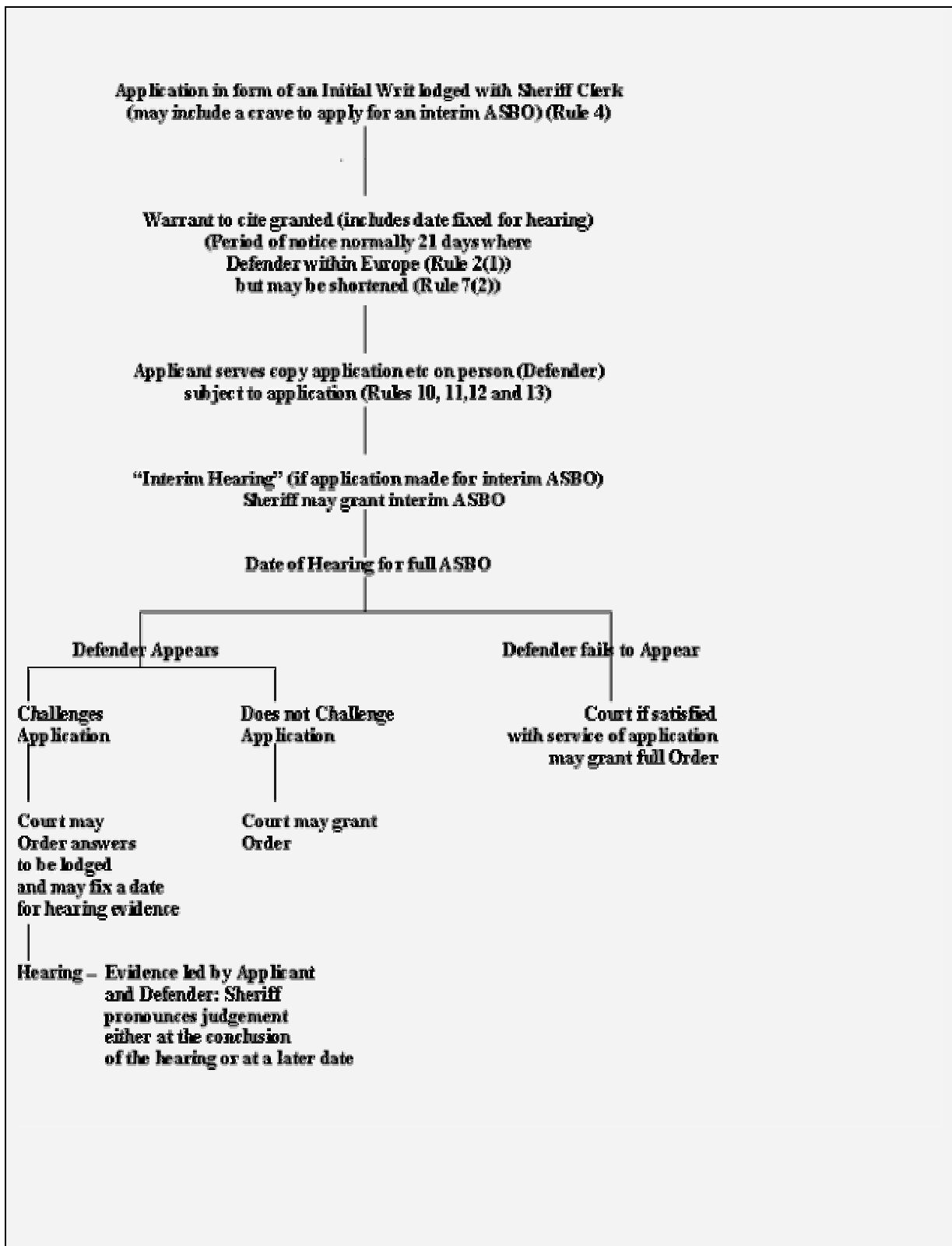
ASBOs are not intended to address what would be considered civil disputes between neighbours over, for example, boundaries.

While the person to whom the application relates must have engaged in antisocial behaviour towards a person/persons in a local authority's area, the conditions of the order can extend beyond the authority's boundaries. Indeed, an order could make prohibitions covering the whole of Scotland.

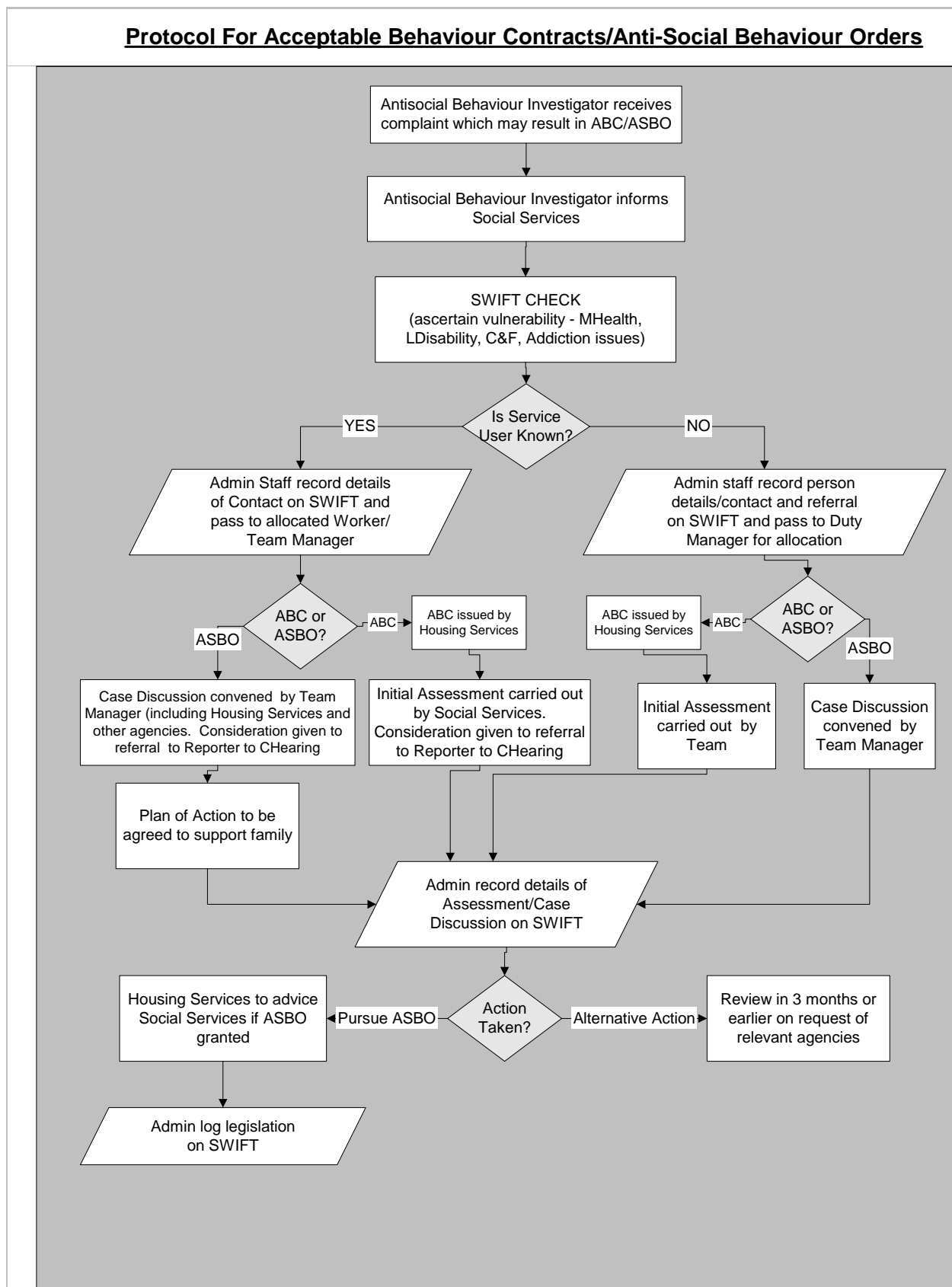
Breach of an interim ASBO or a full ASBO is a criminal offence. For adults, the penalties are up to 6 months imprisonment or a fine not exceeding £5,000 or both on summary conviction and up to 5 years imprisonment and an unlimited fine or both on indictment. The 2004 Act makes clear that breach of an ASBO by a person under 16 will not lead to detention where no other offences are involved. All other disposals are open to the court.

The Police have a statutory power of arrest for breach of an ASBO or interim order. This ensures that where a constable reasonably believes that a person is committing a breach of an ASBO or has committed a breach of an ASBO the constable may arrest the person without warrant.

**FLOWCHART OF SUMMARY APPLICATION PROCEDURE FOR AN ASBO IN RESPECT OF PERSONS AGED 16 OR OVER**



**FLOWCHART – OUTLINING PROTOCOL FOR ANTISOCIAL BEHAVIOUR INVESTIGATION TEAM ADVISING SOCIAL WORK OF PROPOSED ASBOs and ABCs.**



**FLOWCHART – SCOTTISH EXECUTIVE’S RECOMMENDATIONS ADOPTED BY EAST AYRSHIRE FOR CASES INVOLVING 12-15 YEAR OLDS**

