

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

CRIME & DISORDER SCRUTINY
COMMITTEE

Agenda Item No. 3

DATE – 18th March 2015

REPORT OF GROUP DIRECTOR,
COMMUNITY & CHILDREN'S
SERVICE GROUP

***The Anti Social Behaviour, Crime &
Policing Act 2014.
Implications of the new tools and
powers to tackle anti social behaviour***

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1.0 PURPOSE OF THE REPORT

1.1 To provide the committee with an overview of the implementation of the “Anti Social Behaviour, Crime and Policing Act 2014” in Rhondda Cynon Taf and the associated new tools and powers. The report also outlines the management of anti social behaviour in the County Borough.

2.0 RECOMMENDATION

2.1 It is recommended that Members:-

- Note the content of this report and the change in Anti Social Behaviour legislation.
- Scrutinise and comment on the information provided.

3.0 BACKGROUND

3.1 The Anti Social Behaviour, Crime and Policing Act 2014 places statutory duties on partner agencies (including local authorities) to utilise new legislation and powers to tackle anti social behaviour (ASB). The Act has made a number of new tools, powers and Court orders available to key agencies such as Local Authorities, Police, Health Boards and Registered Social Landlords.

3.2 The new Act repeals the Crime and Disorder Act 1998 and the Anti Social Behaviour Act 2003. Widely used powers such as the Anti Social Behaviour Order (ASBO) are now replaced by new powers. This report will focus on some of these key changes in more detail.

3.3 Despite the Anti Social Behaviour, Crime and Policing Act becoming 'live' in October 2014 the implementation of the various pieces of legislation have been staggered nationally with some (such as the Criminal Behaviour Orders) now being utilised and others having been deferred by Home Office steers.

4.0 **MANAGEMENT OF ANTI SOCIAL BEHAVIOUR IN R.C.T.**

4.1 The Anti Social Behaviour team operates in the Community Safety department within Public Health and Protection. Anti Social Behaviour (ASB) is managed through an holistic approach targeting all elements of the problems identified. The team receive ASB referrals from a range of agencies including South Wales Police, Registered Social Landlords, Council services and Cwm Taf Health Board.

4.2 In 2014 the team received a total of 4004 ASB referrals, from a total of 2924 incidents. The vast majority of these referrals resulted in warning letters or visits to perpetrators / parents / guardians. Also support letters are sent to all victims identified to explain the role of the department and how the team can help resolve issues. For the more persistent offenders ASB enforcement powers and Court orders were utilised.

4.3 The team adopts an intelligence led approach and works closely and on a daily basis with South Wales Police, Youth Offending Service and other key stakeholders to resolve ASB cases. Key processes such as weekly ASB partnership tasking meetings discuss the following : -

Perpetrators – actions are taken against perpetrators / parents / private landlords and other parties. These actions range from low level interventions such as warning letters, home visits and case conferences through to more formal measures such as Acceptable Behaviour Contracts or Court Orders. Other interventions include Mediation and use of CCTV. Referrals will also be made to support services for underlying issues identified to tackle the root causes of the behaviour. The staged process of interventions used in R.C.T. is a successful model in tackling lower level offending with **over 75% of perpetrators receiving first stage warning interventions receiving no further referrals**. All formal Court applications for enforcement orders against perpetrators have been successful to date.

Victims – The ASB team adopt a victim focused approach to tackling issues. The team follow best practice models for managing ASB victims by carrying out vulnerability risk assessments, identifying levels of risk and putting tailor made action plans in place to ensure all aspects are addressed. The team manage the most high risk and repeat victims in R.C.T. This approach has been held up as good practice on a national level. The team has achieved excellent results for victims managed throughout 2014. A total of 1457 victims were referred to the unit in 2014. Of these 102 were defined as repeat of vulnerable requiring intensive support. **78% of these vulnerable victims no longer experienced ASB following the intervention of the ASB team.**

To further evidence the successful victim management work a Victim Satisfaction survey has been carried out with all high risk victims supported (available from Community Safety team).

100% of respondents stated their issues were listened to and understood at the Risk Assessment meeting.

97% stated they felt reassured after this initial meeting.

94% of respondents said that the issues they reported with regard to ASB had been resolved or greatly improved after the victim management intervention.

Locations - The weekly ASB tasking meetings bring together data from ASB referrals, SWP calls and other partner agency intelligence to discuss current hotspot locations and options available. Action plans are put in place for these locations, including multi agency engagement and enforcement operations in these areas to address the problems at the key times reported. Use of surveillance equipment and community consultations are also considered to ensure a wide ranging response.

- 4.4** All of the above responses are fed in to the weekly Local Policing Inspector ASB tasking meetings (for Rhondda, Cynon and Taf) to ensure co-ordinated responses amongst agencies.

5 THE REASONS FOR CHANGE

- 5.1** The Government listed the following reasons for replacing the existing legislation with the new powers : -

- *To condense the previous 19 powers into 6 new powers*
- *To ensure greater focus on the victims of ASB*
- *To ensure partnership working in complex cases*
- *To address a perceived lack of flexibility in the previous powers*
- *To introduce positive conditions to address root causes of ASB*

- 5.2** Some well known powers being made obsolete as a result of this change are Anti Social Behaviour Orders (ASBOs), Criminal Anti Social Behaviour Orders (CrASBOs) and Premises Closure Orders (PCOs). All of these had been used very effectively in Rhondda Cynon Taf in recent years. The unit were successful in every single application made to the Court for the previous orders. This was a reflection of the well defined pre-Court early interventions, support provided to victims and excellent partnership working.

- 5.3** The challenge for the Community Safety / Anti Social Behaviour team is to ensure a smooth transition over to the new powers with minimum disruption to victims, partner agencies, front line staff and the Courts. We have already become one of the first areas nationally to use the recently launched Criminal Behaviour Order, with positive outcomes.

6.0 THE NEW TOOLS AND POWERS (and stages of implementation)

- 6.1** There are 6 new enforcement powers being introduced by the Act as well as other tools to encourage a victim focused approach by empowering communities and victims.

The new enforcement powers and the stages of implementation are : -

Civil Injunction – an injunction aimed to prevent individuals engaging in further lower level ASB (deferred launch date of 23rd March 2015)

Criminal Behaviour Order – designed to tackle persistent anti social individuals who are also engaged in criminal activity (live since October 2014 – already used on 2 occasions to date)

Community Protection Notice – intended to prevent a person or organisation from committing ASB which spoils the community's quality of life (live since October 2014)

Public Spaces Protection Order – designed to stop individuals or groups committing ASB in a public space (live since October 2014)

Closure Power – allows Local Authority or Police to close premises which are being used to commit nuisance or disorder (live since October 2014)

Dispersal Power – requires a person committing or likely to commit ASB, crime or disorder to leave an area for up to 48 hours (live since October 2014)

- 6.2** The new Community / Victim empowerment tools in the Act are :

Community Trigger – designed to empower communities / victims or others to call a review on cases where the issue has not been tackled by authorities to their satisfaction.

Community Remedy – to empower victims to have a direct say in the out-of-court responses taken by agencies to tackle an incident they have been subjected to.

- 6.3** The guidance states these will be implemented on a regional basis by Police and Crime Commissioners (PCC) to ensure consistency. The South Wales PCC is leading this and the 'go live' dates for these in R.C.T. have been deferred. The office of the PCC is currently carrying out consultation with partner agencies across South Wales to devise procedures to guide how these will be implemented across the region. It is hoped this will work will be completed in the near future.

- 6.4** Rhondda Cynon Taf's Anti Social Behaviour team have put interim procedures in place at a local level for Community Trigger activations to ensure victims and communities are being supported as outlined in the new Act.

7.0 CONCLUSION

- 7.1** The Community Safety team will continue to use the effective early interventions to resolve ASB cases referred to the unit. These low level interventions and referrals to support services have consistently resolved the vast majority of ASB cases referred to the team over many years. It is of importance to avoid any confusion by ensuring the message is relayed to front line staff of key agencies of the continuation of the ASB referral process, with only the Court orders being amended by the new Act.
- 7.2** The Community Safety team to continue to promote a victim focused approach to tackling ASB to ensure we are meeting the needs of those being targeted.
- 7.3** The Community Safety team will lead on applications for the new ASB tools and powers being made available by the new Act. This will be done in consultation with key partner agencies to ensure a consistent approach and information sharing on cases.
- 7.4** Certain new tools and powers have already been utilised making R.C.T. one of the first areas nationally to use these. The aim is to continue to be successful at Court with all applications (as with the previous tools and powers) due to the intervention work and effective partnership case management carried out prior to any court applications.

