



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2018/19

**PUBLIC SERVICE DELIVERY,
COMMUNITIES & PROSPERITY
SCRUTINY COMMITTEE –
CRIME & DISORDER COMMITTEE**

11th February 2019

**REPORT OF THE DIRECTOR OF
PUBLIC HEALTH, PROTECTION AND
COMMUNITY SERVICES**

Agenda Item No. 3

**Anti-Social Behaviour in
Partnership**

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1. PURPOSE OF THE REPORT

To update elected members on how the Community Safety Partnership deals with Anti-Social Behaviour.

2. RECOMMENDATIONS

It is recommended that members:

- 2.1 Scrutinise the content of the report, and presentation delivered, and consider whether they wish to scrutinise in greater depth any matters on the current processes, partnership approach or performance in relation to anti social behaviour.

3. BACKGROUND

3.1 Rhondda Cynon Taf Community Safety Partnership

The Partnership involves the Local Authority, South Wales Police and many other agencies including Housing Associations, in a joint approach to reduce crime, the fear of crime and Anti-Social Behaviour. A specialist Anti-Social Behaviour team is in place in Rhondda Cynon Taf to deal with reports of Anti-

Social Behaviour, tackle perpetrators, problem locations and to support victims of Anti-Social Behaviour.

3.2 What is Anti Social Behaviour

Anti-Social Behaviour is an action that causes or is likely to cause harassment, alarm or distress. This could involve behaviour ranging from low level issues to more serious behaviour. For example, unruly or drunken behaviour, underage drinking, threatening and abusive language, graffiti, throwing items or even criminal damage. Ultimately, it is any behaviour, which prevents people from enjoying an acceptable quality of life.

3.3 What can the Anti Social Behaviour team do

There are a number of staged actions in place that can be used by Rhondda Cynon Taf CBC to tackle Anti-Social Behaviour committed by a perpetrator. Agencies will look to tackle this behaviour by way of interventions, or enforcement action if this is needed. There are a number of processes in place, ranging from warning letters through to sanctions that are more serious. The process is flexible, and although the majority of cases will follow the below stages, on certain occasions individuals can enter the process at a higher stage if all agencies agree that this is appropriate.

- **Stage 1 – First Stage Warning letter**
- **Stage 2 - Second Stage Warning**
- **Stage 3 – Acceptable Behaviour Contract**
- **Stage 4 – Civil Injunction**

3.4 Stage 1 – First Stage Warning Letter

When a perpetrator has committed Anti-Social Behaviour within Rhondda Cynon Taff and this behaviour has been referred to the ASB Team, they will receive a Stage 1 Warning letter.

3.4.1 Stage 1 Warning Letter – Adult: The Stage 1 Warning Letter may be the first contact that the perpetrator has received regarding their behaviour and serves as an initial warning about their actions and the Anti-Social Behaviour they have committed. The letter will outline the wrongdoing that they are alleged to have committed and will also include the details of the Police Officer/Housing Officer/Other Agency etc who has submitted the referral. The letter states the consequences for the individual if they continue to commit Anti-Social Behaviour within the community and explains the future actions that could be taken by the Local Authority and Police.

3.4.2 Stage 1 Warning Letter – Youth: If the perpetrator is under 18 years of age, the letter will be addressed to the youth's parents. It will contain all of the information that is included in the adult warning letter and also explain that they can expect to be contacted by a member of the Prevention Team from

the Cwm Taf Youth Offending Service, who will offer voluntary support regarding the behaviour of the young person. The letter will also highlight that Parents/Guardians have a responsibility for their child's behaviour and that such behaviour should not cause distress to people living in the community.

80% of perpetrator ASB referrals are finalised at stage 1 (i.e no further ASB is committed by the perpetrator)

3.5 Stage 2 – Second Stage Warning

If further Anti-Social Behaviour is committed by the perpetrator within 6 months of a Stage 1 letter being issued, this will lead to a Stage 2 Warning Letter being issued.

3.5.1 Stage 2 Warning Letter – Adult: This letter is similar to the Stage 1 letter, describing the specific behaviour that the perpetrator has committed. It reminds them that they have already been warned about their unacceptable behaviour within the community, and outlines the consequences for them if they continue to commit acts of Anti-Social Behaviour.

3.5.2 Stage 2 letter – Youth: If a Stage 2 warning letter is sent to a youth, the letter will also explain that the Prevention Team from the Cwm Taf Youth Offending Service will make contact with the Parents/Guardian to address any issues regarding the youth's behaviour. This intervention will take the form of a home visit to the youth and their Parents/Guardian by a Case Officer from the YOS Prevention Team.

3.6 Warning Meeting

Further Anti-Social Behaviour within 6 months of a Stage 2 Warning Letter being issued will trigger a discussion about the individual in a Multi Agency meeting. With the agreement of all parties, an appointment letter will be sent to the perpetrator inviting them to their local Police station for a formal Stage 2 Warning Meeting. Before a warning meeting is arranged with a youth, factors such as the number of ASB referrals received and the gravity of the incidents that they have been involved in will be taken into account. If the young person is not already engaging with the Youth Offending Service, a Case Officer will conduct a home visit to encourage participation with the Prevention Team. If the youth engages, then there may be no need to conduct a warning meeting at that point as this will be addressed by the YOS Case Officer. If on the other hand the youth refuses to engage, a warning meeting will take place.

Warning Meetings are carried out by a Community Safety Partnership Officer for Rhondda Cynon Taf County Borough Council along with a Police Officer and a Youth Offending Team Officer if the Perpetrator is a youth. If there is a need for other agencies to be invited, this will be decided during the Multi Agency meeting. During this meeting, officers will discuss the referrals that have been submitted and seek to address any reasons for, and circumstances behind, the perpetrators behaviour. Perpetrators will also be

informed of the further actions that could be taken against them if they continue to commit Anti-Social Behaviour within the Community.

3.7 Stage 3 – Acceptable Behaviour Contract (ABC)

- 3.7.1 If further referrals are received within 6 months of the Stage 2 Warning Meeting taking place, the perpetrator will be included on the agenda for the Multi Agency meeting and progression to a Stage 3 Acceptable Behaviour Contract (ABC) will be discussed.
- 3.7.2 An Acceptable Behaviour Contract (ABC) is a voluntary contract, offered to a perpetrator that stipulates the level of behaviour expected of the individual and specific behaviours that they should refrain from.
- 3.7.3 Before an Acceptable Behaviour Contract is issued the conditions to be contained within the contract are discussed at the Multi Agency meeting. The conditions contained within the Acceptable Behaviour Contract will be a mixture of both prohibitive and positive requirements. If the perpetrator is under 18 years of age, there will always be a condition for them to engage with the Youth Offending Service.
- 3.7.4 For perpetrators under the age of 18, details will be sent to the Multi Agency Safeguarding Hub (MASH) and to a representative from the school they attend to request further information which may be relevant to the decision making process. Once they are agreed between all parties, these conditions will be included within the ABC.
- 3.7.5 Once the Acceptable Behaviour Contract is drafted, a letter is sent to the perpetrator inviting them to their nearest Police Station to read the contract and be given the opportunity to agree to abide by the contract and sign it. If the Perpetrator is under 18 years of age, they must be accompanied by their Parent/Guardian. The Acceptable Behaviour Contract is a voluntary agreement and it is the decision of the Perpetrator if they want to sign it or not. Refusal to sign the Acceptable Behaviour Contract will be recorded as a non-engagement.
- 3.7.6 If the perpetrator signs the Acceptable Behaviour Contract, they will receive a copy and the Community Safety Department will also retain a copy. Both copies of the Acceptable Behaviour Contract will be signed by the Perpetrator and a representative from the Community Safety Department and will last for 6 months.
- 3.7.7 If there is a breach of the conditions contained within the Acceptable Behaviour Contract within a six month period, the Perpetrator will receive another letter from the Community Safety Department inviting them back to their nearest Police Station to discuss the breach. During this meeting the

breaches of the ABC will be outlined to the Perpetrator and potential enforcement actions for further breaches will be outlined.

3.8 Stage 4 – Civil Injunction

3.8.1 If further referrals are received following the Acceptable Behaviour Contract breach meeting taking place, a Civil Injunction will be considered. Before Civil Injunction proceedings begin, a Multi-Agency meeting will be called including all of the relevant agencies and a representative of the RCTCBC Legal Department. They will meet to discuss if a Civil Injunction is the best option or if there are any other measures that can be taken to prevent the Anti-Social Behaviour. They will also consider whether there is enough evidence to support the application before proceedings start.

3.8.2 Prior to applying for a Civil Injunction, the two following conditions must be satisfied under Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- a) Firstly, that on the balance of probabilities, the respondent has engaged or threatens to engage in Anti- Social Behaviour.
- b) Secondly, the Court considers it just and convenient to grant the injunction for the purpose of preventing the respondent from engaging in Anti-Social Behaviour.

3.8.3 If the Civil Injunction is to be applied for against a youth, all options will be exhausted by every agency to divert the youth away from Anti-Social Behaviour before applying for a Civil Injunction.

3.8.4 The Civil Injunction will be heard in the County Court for adults and the Youth Court for those under 18 years of age. A Civil Injunction can contain prohibitions and positive requirements which will attempt to address the Anti-Social Behaviour that the Perpetrator is committing.

4. Other tools and powers under the Anti-Social Behaviour Act 2014

4.1 Community Protection Notices: Community Protection Notices (CPNs) are intended to deal with on-going problems of nuisance which have a negative effect on the community's quality of life.

4.2 Community Trigger: Community Trigger gives victims of Anti-Social behaviour (ASB) the right to request a review of their ASB complaints and brings agencies such as the local council, police and housing providers, together to take a joined up, problem solving approach to find a solution.

4.3 Criminal Behaviour Orders: Criminal Behaviour Orders can be used to deal with a wide range of ASB following a person's conviction for a criminal offence

- such as threatening violence against others in the community, persistently being drunk and aggressive in public, or criminal damage. A CBO does not need a link between the criminal behaviour which led to the conviction and the ASB for it to be issued in court.

- 4.4 **Closure Orders:** Closure notices can be issued by local councils or the police to protect victims and communities by quickly closing premises that are associated with nuisance or disorder. At court a magistrate can convert a closure notice to a closure order which will see the property closed for a maximum of six months.
- 4.5 **Public Spaces Protection Orders:** These are intended to deal with a particular nuisance or problem that is having a negative impact on a local community's quality of life. A PSPO imposes conditions on the use of the area affected, which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
- 4.6 **Police Dispersal Power:** Replaces power to create dispersal zones and the Section 27 direction to leave notices. The test is 'contributing or likely to contribute to members of the public in the locality being harassed, alarmed or distressed or the removing the person reduces the likelihood of the occurrence of crime and disorder'. A person who meets the test can be required to leave the area for up to 48 hours. The specific area must be authorised by an Inspector. The route and time to leave can be specified.

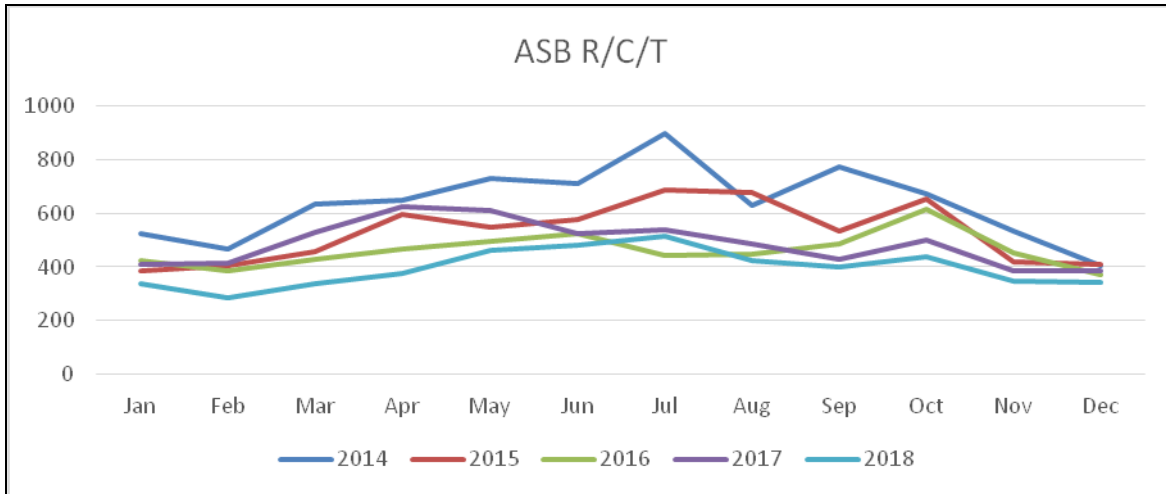
5. **PERFORMANCE**

5.1 **ASB Trends in Rhondda Cynon Taf**

Data has been collated from the 1st January 2014 to 31st December 2018, to provide us with a five year anti social behaviour trend for Rhondda Cynon Taf.

Since 2014, there has been in general decline in the number of ASB occurrences reported across Rhondda Cynon Taf. In 2018, RCT saw the lowest level of reported ASB across the majority of months compared to 2014 – 2017, with one main spike in July 2018. (see figure 1 below)

Fig 1.1



This continuous decline is a result of improved partnership working and more efficient ASB processes.

5.2 Perpetrators

Within the Community Safety Partnership, there is a focus on early intervention and prevention. This is particularly important when dealing with perpetrators of Anti-Social Behaviour, as research and statistical evidence informs us that in a large percentage of cases Anti-Social Behaviour is a precursor to further criminality.

Rhondda Cynon Taf Anti-Social Behaviour Teams performance indicator in relation to perpetrators of Anti-Social Behaviour is:

“% of perpetrators of ASB no longer offending within 6 months of the last intervention by the ASB team”

For the period from the 1st April 2018 to 31st December 2018, the team have received a total of 1167 Anti-Social Behaviour referrals with details of perpetrators attached. Our current performance (Quarter 3 2018/19) highlights that **81%** of perpetrators of ASB have not reoffended within 6 months of the last intervention by the ASB Team. The target is 80%. In 2017/18, the performance was 78.5%.

5.3 Victims

Rhondda Cynon Taf adopts a victim led approach when dealing with Anti-Social Behaviour cases. A designated Victim Officer is in post to provide support and advice to those experiencing Anti-Social Behaviour, particularly vulnerable and repeat victims. The Victim Officer co-ordinates a multi-agency response to solving the problems faced by victims, as well as ensuring that any underlying issues are addressed. Individual action plans are created to support the victims being managed by the team.

The team aims to stop the problems being suffered by victims and ensures partner agencies involved are working together to achieve the aim. We work alongside Victim Focus who can provide long term emotional support to victims of Anti-Social Behaviour.

Rhondda Cynon Taf Anti-Social Behaviour Teams performance indicator in relation to vulnerable / repeat victims of Anti-Social Behaviour is:

“% of vulnerable/repeat victims of anti-social behaviour that feel safer as a result of intervention”

For the period from the 1st April 2018 to 31st December 2018, the team have worked with a total of 42 vulnerable / repeat victims of Anti-Social Behaviour. **93%** of these individuals state they feel safer as result of the intervention provided by the Anti-Social Behaviour Team. The target is 90%. In 2017/18, the performance was 90.56%.

6. Conclusion

- 6.1 There is a strong commitment, between partners in Rhondda Cynon Taf, to deal effectively with perpetrators of Anti-Social Behaviour and provide support to victims of Anti-Social Behaviour. The processes and current performance outlined in this report provide evidence of how partners are contributing to keeping the communities of Rhondda Cynon Taf safe.

A presentation outlining case studies will be provided to the Crime and Disorder Scrutiny Committee Meeting.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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