

<b>Item No.</b> 13.	<b>Classification:</b> Open	<b>Date:</b> 19 July 2011	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Southwark Antisocial Behaviour Strategy 2011 - 15	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Richard Livingstone, Finance, Resources and Community Safety	

### **FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY**

Antisocial behaviour affects the daily lives of our communities. Its impact can be devastating given the very fact that the nuisance, disturbance or harassment that most people are concerned about takes place so close to their home.

As a council, we are committed to tackling antisocial behaviour, supporting victims, strengthening community capacity and using our reduced resources in a targeted way to take action against those individuals and families who commit the highest level of antisocial behaviour. This will include cracking down on antisocial behaviour by adopting a zero tolerance approach.

The Southwark Antisocial Behaviour Strategy sets out a five-year plan and will have a positive impact on tackling the antisocial behaviour that affects our local communities. The previous strategy has come to an end and it is therefore important to put a new strategy in place. This will also prime the council to be able to make best use of the new antisocial behaviour legislation that is anticipated to be in place in 2013.

As such, I recommend this strategy for adoption.

### **RECOMMENDATIONS**

1. That the draft Antisocial Behaviour (ASB) Strategy for Southwark 2011-2015, as set out in appendix 1, is approved.
2. That the Cabinet approves the recommendations outlined in the strategy under the five key commitments.
3. That the Cabinet notes the changing national landscape in relation to antisocial behaviour, particularly in relation to the current Home Office proposals outlined in their consultation, 'more effective responses to antisocial behaviour'. The consultation aims to streamline the number of tools and powers available for practitioners and could radically impact the way we manage ASB locally. The outcome of the consultation is not expected until late 2011 and any legislative changes are not expected until early 2013.

## **BACKGROUND INFORMATION**

4. The Crime and Disorder Act 1998, first introduced a legislative framework to define and address antisocial behaviour.
5. The current Southwark Antisocial Behaviour Strategy was originally drafted in 2005 and last updated in 2008. Recent changes to the legislation and the proposals for simplified tools and powers, has increased the importance of having an up to date strategy.
6. As a member of the Safer Southwark Partnership (SSP) the Council has a duty to work with other responsible authorities to formulate, approve and implement strategies. In accordance with the co-operative duties of the 1998 Act. The Council must therefore approve and implement strategies prepared by the SSP.

## **KEY ISSUES FOR CONSIDERATION**

### **Local context**

7. The Safer Southwark Partnership has recently redefined its strategic priorities for the next three years to ensure that the limited resources available to the partnership are focused in the areas, at the times and at the people, whether victims or offenders, who are most affected by crime and anti social behaviour

The priorities are:

- reducing harm (including the harm cause by serious ASB)
  - reducing offending (including reoffending)
  - supporting families and those with multiple disadvantages
  - building sustainable community capacity and public confidence
8. The partnership has also established a new method of assessing those crimes which most impact on our local communities. A priority crime matrix has been developed and considers different offence types but it also considers the key characteristics of victims, offenders, locations and time. All of these elements combined, assisted in the identification of the top SSP priorities, these are:
    - knife crime
    - domestic abuse
    - youth violence
    - alcohol
    - gun crime
    - antisocial behaviour
  9. These priority areas will steer the work and resources of the Safer Southwark Partnership over the coming year.
  10. Due to the range of antisocial and nuisance behaviours that are defined within the existing legislative and policy framework, the SSP recognises that ASB is a cross cutting issue that impacts on all of the SSP strategic priorities outlined above.

## National context

11. Nationally, the direction of travel surrounding the management of ASB is shifting dramatically. The coalition government, through the Home Office, is focusing on streamlining the existing legislative framework in addition to making communities much more involved in finding solutions to local problems. Furthermore, the Home Secretary's intentions are to give the police more discretion to deal with ASB locally and provide more 'rehabilitative and restorative' punishments for perpetrators of low level ASB as opposed to criminalising them.
12. The Police Reform and Social Responsibility Bill currently progressing through parliament, also outlines an expectation that everyone plays their part in cutting crime and antisocial behaviour by getting involved in local beat meetings and becoming members of Neighbourhood Watch for example. It places an emphasis on local volunteering, particularly within the police service and throughout the wider criminal justice system
13. In February 2011, the Home Office, launched their consultation document 'more effective responses to anti social behaviour'. The consultation proposes a smaller range of tools and powers for practitioners to tackle ASB. The proposals include:
  - repealing the ASBO and other court orders and replacing them with two new tools that bring together restrictions on future behaviour and support to address underlying problems
  - ensuring there are powerful incentives on perpetrators to stop behaving anti-socially
  - bringing together many of the existing tools for dealing with place-specific ASB
  - bringing together existing police dispersal powers into a single police power
  - making the informal and out-of-court tools for dealing with ASB more rehabilitative and restorative
  - introducing a Community Trigger that gives victims and communities the right to require agencies to deal with persistent ASB
14. The rationale for the review as outlined by the Home Secretary is to streamline the toolkit to make it simpler for practitioners and to reduce the cost and time it takes to implement some of the powers. It aims to reduce bureaucracy for professionals on the ground and support the courts where necessary to stop antisocial behaviour earlier and better protect victims and communities.
15. Nationally, antisocial behaviour remains one of the public's top concerns when it comes to local crime and disorder; this is reflected by the fact that 45% of contact made to the police by the public each year relates to matters that can be categorised as 'antisocial'. However, it is acknowledged that there is still significant under reporting of the issues and it is estimated that the public only report just over a quarter (28%) of incidents of ASB to the police.

## **The Southwark approach**

16. Intimidating and nuisance behaviour caused by individuals or groups has the power to blight the quality of life for individuals, families and communities. Tackling antisocial behaviour has remained a top priority of the SSP since its conception in 1998 and is at the heart of our partnership activity.
17. The council plan outlines a commitment to tackling crime and antisocial behaviour and in particular, aims to 'enforce a zero tolerance policy against low level crime and serious antisocial behaviour'.
18. In the development of the first ASB strategy in 2005, a number of overarching priorities were identified to support Southwark's approach to tackling ASB. In 2008 when the first SSP rolling plan was produced, the SSP endorsed that the overarching priorities should remain broadly the same. This included a focus on managing anti social behaviour as part of the transition in regeneration areas such as the Heygate Estate.
19. As part of the consultation carried out with the ASB working group in October 2010, it was proposed that these ASB priorities for the new 2011-2015 strategy should be:-
  - 1) Place victims and witnesses at the centre of our strategy
  - 2) Strengthen communities by dealing with ASB locally
  - 3) Target our limited resources at the individuals and families who impact most on antisocial behaviour (previously:- work with perpetrators using early intervention and diversion to reduce complaints of antisocial behaviour.)
  - 4) Increase reporting of ASB; increase information sharing and the intelligent use of resources
  - 5) increase the capacity of the partnership to take coordinated and appropriate enforcement action
20. Priority three has been amended to reflect the limited resources available to the council and its partner agencies and the greater need to target those resources towards the families and individuals who impact most on anti social activity. It was also agreed that priority six should be removed. This priority was originally included in the rolling plan document whilst many of the larger regeneration areas in the borough were being developed.

## **Governance**

21. Responsibility for managing antisocial behaviour in Southwark sits within the remit of the Safer Southwark Partnership. The overall decision making body of the partnership is the SSP board which is currently jointly chaired by the Police Borough Commander and Chief Executive for Southwark Council. The Safer Southwark Partnership (SSP) will oversee the delivery of the strategy, with implementation and performance management undertaken by the thematic ASB Strategic Group, a sub group of the SSP.
22. The ASB strategic group is one of the key priority groups accountable to the SSP board. Membership consists of senior management from across the partnership that have knowledge and expertise in the field. The group meets quarterly and

will oversee the implementation of the strategy including achievements against the supporting ASB action plan. The action plan will set out key recommendations outlined in the ASB strategy.

23. The ASB strategic group is chaired by the Borough Commander for the Fire Service. The membership is currently being reviewed in line with the new governance structure of the SSP.
24. We will base our performance measures for ASB on achieving an increase in public confidence. Feedback from the communities that we have worked with highlights that people want to have confidence in the council, police and partner agencies in addressing nuisance and harassment. We will look to achieve an increase in public confidence by 5% (2010/2011 MPS attitude survey), that the council and the police are tackling antisocial behaviour and crime and dealing with the issues that concern people the most.

### **Policy implications**

25. The ASB consultation is likely to impact on current legislation used to deal with dog related antisocial behaviour however, the Safer Southwark Partnership has produced, "A responsible approach", Southwark Dog Strategy 2011-14, which sets out partnership priorities for addressing dog related nuisance.
26. This strategy is aligned to existing policy frameworks, including the Safer Southwark Partnership's statutory rolling action plan, the violent crime strategy 2010-2015 and the council corporate plan that will be adopted in July 2011.
27. The strategy is aligned with the Housing management tenancy agreement as required under housing policy and respective housing legislation
28. The strategy is aligned with the Department for Education policy in relation to family support.

### **Community impact statement**

29. Tackling crime and ASB was the top priority for Southwark residents chose when identifying what the council should focus its resources on as part of the most recent reputation tracker survey. The reputation tracker also reflects the results of the previous resident's and place surveys carried out back in 2008 that highlighted the top two local concerns for Southwark residents are litter and young people hanging around.
30. There is a high level of awareness within the council and the Safer Southwark Partnership, of the needs of hard to reach residents and to serve all of Southwark's communities. The ASB Hard to Reach Community Research Project set up in 2010 asked how people from different communities about their experiences of ASB, as victims and as concerned residents.
31. The project trained residents from various community groups as ASB researchers and asked them to undertake ASB surveys with people who came from similar (and different) backgrounds. The researchers and the people they surveyed were Somalian, Bengali, people attending local faith groups, including African managed churches and mosques, young people from various ethnic backgrounds, Polish residents, older people from black African, black Caribbean

and white British backgrounds, residents from French speaking African countries, Vietnamese residents and Latin American residents.

32. 419 local people, whose views were sought via the community researchers have informed this strategy and will support policy development in the future. We are more knowledgeable about tailoring our services to everyone who needs them. The end result will be partnership services that are better able to involve local people in solutions to ASB and to do this in a way that understands and respects all the various community traditions and cultures that produce day to day life in Southwark.
33. A stereotypical perception of young people, not only by some Southwark residents but all across the country is one that emphasises the 'yob/ hoody' culture. This perception of young people is often not fair or justified and simply categorises all young people based on the behaviour of a small minority. Unfortunately today, five years later, this still appears to be the case and 'young people hanging around' is persistently identified as an area of concern.
34. Concerns of underreporting are well documented nationally and we believe that there is under reporting of crime and ASB locally. Residents from the LGBT community were asked in a recent Southwark consultation project, why they felt people may refrain from reporting ASB and in particular hate crimes. The results of the consultation highlighted fears of:
  - complaints taking too long to deal with and not having a satisfactory outcome
  - being 'outed' if from the lesbian, gay, bisexual or trans (LGBT) community
  - uncertainly about the reporting process and what it entails
  - how reporting agencies work
  - the consequences of reporting and reprisals
  - not being believed, not being listened too
35. Antisocial behaviour can impact negatively on the lives of victims and their families and damage cohesion in the wider community. Certain communities may be more vulnerable to incidents such as hate crime are also likely to have a greater fear of crime. To tackle these barriers and encourage reporting, the strategy identifies that:
  - Information should be disseminated reflecting that young people may also be victims and to address the stereotype that young people are only perpetrators
  - all council and police communications information to be in clear plain English; and where feasible other languages that reflects its diverse local population.
  - regular updates on the issues to be available to all communities
  - ASB prevention techniques and solutions should take into account communities' cultural issues such as the role of elders and the role of extended families.
  - leaflets through doors telling people what ASB and hate crimes are, where people can report to and what work has been developed to tackle the issues
  - community websites and social media should be utilised to promote services and tackle the broad issues

36. An Equalities Impact Assessment (Equality Analysis) will be developed in line with the ASB strategy to assess the impact that the policy may have on individuals and communities. The new Equality Duty as outlined in the Equality Act 2010, replaces the three previous duties on race, disability and gender, bringing them together into a single duty, and extends it to cover age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment (in full).
37. The new Equality Duty requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations in the course of developing policies and delivering services. Public bodies should consider the needs of all individuals in their day to day work, in developing policy, in delivering services, and in relation to their own employees.

### **Resource implications**

38. The council and its partner agencies provide a range of services to prevent and address ASB including environmental management, diversionary activity, support and enforcement provision.
39. Establishing the total cost implications for these services however is extremely difficult. Due to the range of behaviours that are deemed 'antisocial' (both criminal and non criminal), the complexity of many cases and the level of involvement of council services and external organisations over time, we cannot easily conclude the totality of resources allocated to tackling ASB.
40. We will look to establish a baseline for the cost of antisocial behaviour in Southwark in 2011/12 and the amount spent by the council and its partner agencies, including other registered social landlords, on tackling this behaviour. We will use the baseline to assess the effectiveness of our interventions and how we make efficiency savings by delivering targeted programmes.
41. The Home Office in its report 'defining and measuring anti-social behaviour', estimated that responding to reports of antisocial behaviour in England and Wales costs government agencies around £3.4 billion a year. There are of course significant, indirect costs to local communities and businesses, as well as emotional costs to victims and witnesses which cannot be substantiated.
42. In September 2003, the Home Office asked agencies involved in ASB to collect the number of reports from the public on a range of different areas, including litter, vandalism and intimidation. Over 1,500 organisations took part and information was received from every Crime and Disorder Reduction Partnership area in England and Wales. Whilst reports are not the same as incidents of antisocial behaviour, the snapshot was indicative of the large number of contacts concerning the issue on a typical weekday. In a twenty four hour period, 66,107 reports of ASB were made to participating agencies. This equates to more than one report every 2 seconds or around 16.5 million reports every year. Antisocial behaviour recorded on the day of the count cost agencies in England and Wales at least £13.5m.
43. A core feature of the 2011-15 strategy is to realign the reduced services that the council can provide, to meet the savings within the council efficiency requirements.

44. At a time when public sector finances are being significantly reduced, we will target our limited resources to tackle crime and ASB in the areas, at the times and towards the people, where we can be most effective, to address key issues for the borough.
45. Interventions to antisocial behaviors are met from the revenue budgets of the responding team, insofar as the action falls within their normal activities. Where special actions / projects are to be taken, a budget will be prepared in advance to identify funding streams.
46. The total expenditure budget held by the Community Safety Division for ASB is £897k of which £777k is funded by Housing Revenue Accounts, £104k by General Fund and the remaining £16k is recovered by recharges. If there are any costs of implementing the proposed strategy that cannot be contained within the current budget, alternative funding will be identified before committing any expenditure.

### **Consultation**

47. The strategy has been produced in partnership with all relevant departments in order to ensure that the document and the recommendations outlined within it are realistic, deliverable and achievable.
48. Members of the ASB strategic group representing key organisations in Safer Southwark Partnership (including police, youth offending service, housing management, fire service and Southwark antisocial behaviour unit) were integral to the development of the strategy.
49. An ASB strategy development workshop was held in October 2010 with the ASB working group, made up of over thirty representatives from statutory and non statutory agencies.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

50. The Crime and Disorder Act 1998, as amended, established Crime and Disorder Reduction Partnerships, now known as Community Safety Partnerships (“CSPs”), in order to facilitate a multi-agency approach to the reduction of crime, substance abuse, antisocial behaviour and re-offending.
51. The 1998 Act imposes statutory duties on local authorities, police authorities, fire and rescue authorities, Primary Care Trusts, and the Probation Service, known as “responsible authorities”, to form CSPs and work together to review crime and disorder in their area and implement a strategy to tackle priority problems. In Southwark the CSP is called the Safer Southwark Partnership (“SSP”).
52. The Police and Justice Act 2006 amended the partnership provisions of the 1998 Act to make CSPs a more effective resource, and imposed obligations on CSPs to implement strategies to tackle, amongst other things, antisocial behaviour. The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007 make provision as to the formulation and implementation of such strategies.



53. Under the requirements of the 1998 and the 2007 Regulations the SSP has prepared a strategy to address antisocial behaviour.
54. As a member of the SSP the Council has a duty to work with other responsible authorities to formulate, approve and implement such strategies. In accordance with the co-operative duties of the 1998 Act the Council must therefore approve and implement strategies prepared by the SSP.
55. Under Part 3 of the Council's Constitution, the approval of the draft antisocial behaviour strategy is a decision for the cabinet, as the strategy may impact on a number of portfolios.
56. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties, with regard to race, disability and gender. Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. Gender equalities duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995.
57. Equality impact assessments are an essential tool to assist councils to comply with our equalities duties and to make decisions fairly and equalities and human rights impact assessments that are carried out should be mindful of the protected characteristics under the Equality Act 2010.

#### **Finance Director**

58. This report asks the cabinet to adopt the draft anti social behaviour (ASB) strategy and its recommendations, and to note the changing national landscape in respect of anti social behaviour.
59. The report identified that the current budget in community safety for ASB is £897k. If the costs of implementing the proposed strategy cannot be contained within the current budget, alternative funding will be identified before committing any additional expenditure.
60. An expenditure baseline incorporating all elements of ASB within Southwark departments, and external partners, will be established during 2011/12 to enable the effectiveness of the service to be assessed, and to identify areas where efficiencies can be delivered.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Tackling Anti-Social Behaviour Together Southwark Strategy 2005-2008	CSPS, Floor 3, Hub 3 160 Tooley Street	Carmen Wright
Safer Southwark partnership Rolling Plan 2008-12	CSPS, Floor 3, Hub 3 160 Tooley Street	Carmen Wright
Home Office Consultation 'more effective responses to antisocial behaviour' February 2011	Home Office publications available online	Carmen Wright
Home Office 'defining and measuring Anti Social Behaviour' 2004	Home Office publications available online	Carmen Wright

## APPENDICES

No.	Title
Appendix 1	Draft Southwark Antisocial Behaviour Strategy 2011-2015

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Richard Livingstone, Finance, Resources and Community Safety	
<b>Lead Officer</b>	Gill Davies, Strategic Director Environment	
<b>Report Author</b>	Carmen Wright, Reducing Reoffending Manager	
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<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	yes	yes
Finance Director	yes	yes
<b>Cabinet Member</b>	yes	yes
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