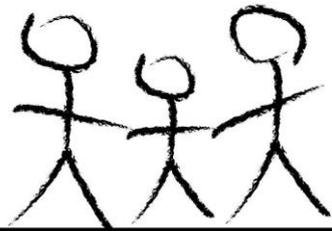


# Burnley

## ASB STRATEGY



**Burnley Community Safety Partnership**

Working Together for a Safer Burnley

# 2012-2015

## **Introduction**

Anti-social behaviour (ASB) covers a wide range of incidents, and is dealt with in a variety of ways by a number of different services. If not dealt with appropriately and in a timely manner, ASB can have a devastating impact on the lives of individuals, families, and communities.

This Strategy reflects what is recognised by all services in Burnley: That ASB cannot be tackled by agencies in isolation, partnership work are the principles Burnley Community Safety Partnership has adopted to effectively deal with these issues.

Working together, we have achieved much in this time, but there is a lot more to do. Put simply, ASB remains a priority for residents and also a priority for the Community Safety Partnership (CSP).

The Partnership's ASB Strategy sets out how we will continue to work together to tackle not tolerate ASB in our neighbourhoods over the next three years.

The Community Safety Partnership is committed to tackling ASB and minimising the impact that it has on individuals and communities. The Community Safety Partnership will deal with these issues effectively when they occur, implementing interventions to prevent ASB, or respond pro-actively to prevent any escalation in those issues reported.

## **What is Anti-Social Behaviour ?**

The Crime and Disorder Act 1998 defines Anti-Social Behaviour as:

“Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator”

ASB can be considered unacceptable behaviour by one person but can be seen as acceptable behaviour by another. The subjective and constantly evolving nature of ASB can make it difficult to identify a single definition, but some examples include the following:

Environmental damage

Drugs/substance misuse & dealing

Noise

Criminal damage/ vandalism

Harassment

Street drinking

Rowdy behaviour

Litter/rubbish

Nuisance behaviour

Graffiti

## **Anti-Social Behaviour in Burnley**

Overall crime and anti-social behaviour levels are reducing within the Burnley area, however the most deprived wards in Burnley and Padiham still provide the Community Safety Partnership challenges in this area, although reports of ASB have seen year on year reductions since 2009. Complaints from citizens tend to focus on neighbour nuisance, noise and rowdy behaviour. Perception of crime and ASB also fluctuates across the borough, ranging from young people playing football to threats, harassment etc.

## **What Are We Doing To Tackle ASB in Burnley?**

Nationally and locally, 'teenagers hanging around on streets' are often the most commonly reported type of ASB in local perception surveys. There has already been some positive work by partners in providing diversionary activities for young people. Further work will include regular consultation with young people, via the boroughs nationally recognised 'space bus', input in schools applying restorative justice techniques, allowing participants to reflect on the negative impact their behaviour could have on individuals subject of anti-social behaviour .

### **Prevention and reduction of ASB in local neighbourhoods**

The Community Safety Partnership will ensure that incidents of ASB are reduced and that the use of preventative measures is introduced much earlier to prevent an escalation of issues highlighted. This includes regular consultation with people in neighbourhoods in order to identify and tackle ASB as it occurs, working closely with Partners and Community Together Panels (PACT), tenants & residents and other community groups.

### **Dealing with and understanding ASB and crime in local neighbourhoods**

The Community Safety Partnership will also consider the effective use of tools and powers, to reduce ASB. This will include collaborative work between partners including Burnley Council, the Police, Children's Services and Social and Private Landlords. Some examples of work carried out include Beetsweeps, regular visual audits and intelligence gathering. All the information gathered is shared with partners to ensure effective and appropriate responses to tackle ASB.

### **Community engagement, consultation and feedback**

Consultation with the community is a key component part to improving our service and ensuring that we are dealing with the right issues. It is also important that we are held to account and able to respond to local concerns and issues as quickly as possible, we aim to deliver with partners planned feedback sessions to inform the community of our responses to ASB locally. This will also help to raise public confidence in the services the Partnership delivers.

### **Performance monitoring through partnership working**

The Community Safety Partnership will ensure the continued use of the three-tiered approach to tackle ASB, prevention, intervention and enforcement.

There will be continued improvement in the collection and analysis of data regarding ASB across our neighbourhoods, enabling resources to be focused efficiently.

## **Responding to ASB in Burnley: The three-tiered approach**

The Community Safety Partnership in Burnley is made up of a variety of partners that are able to respond to and deal with crime and ASB reduction in a number of different ways.

### **Partnership working**

Working in partnership with public, private and voluntary sector stakeholders is an essential feature of the Community Safety Partnership approach to responding to and dealing with ASB.

Burnley Community Safety Partnership takes the lead for community safety throughout the borough, the priorities for which are set through a yearly local strategic partnership priority setting process.

In addition Burnley Council's aims and objectives within its Community Strategy is to make Burnley a cleaner, greener, safer place to live.

### **Delivery**

The focus on delivery is pro-active, considering methods to prevent ASB from occurring, or dealing with issues at a much earlier stage. This approach aims to support people involved in anti-social behaviour appropriately, educating them to effectively deal with behaviours and problems that can help develop and support any preventative measures put in place.

Prevention programmes include targeted support and activities for young people, programmes within schools and other educational establishments and through community groups within local neighbourhoods.

There are a number of intervention and prevention services across the borough, providing diversionary activities and support in responding to and dealing effectively with ASB in our neighbourhoods.

Despite a focus on the preventative agenda there will be incidents of ASB that will need to be resolved in a more formal manner.

We are able to utilise a number of tools and powers to tackle serious ASB. Across the Partnership there are a number of available enforcement measures to deal with aggressive and persistent ASB, these include the following;

- Anti-Social Behaviour Order (ASBO)
- House Closure
- Anti-Social Behaviour Injunction

In addition other non-statutory options are also available and these include;

- Acceptable Behaviour Contract (ABC)
- Youth Referrals

As a Partnership we recognise that sometimes preventative measures may not work and we will need to escalate responses and undertake enforcement action to tackle persistent problems.

The enforcement work of different agencies, when dealing with families or young people, will reflect a 'challenge and support' ethos. This will ensure that an appropriate level of support is offered to those, subject of formal action, alongside the 'challenge' (e.g. enforcement order) for unmet needs contributing to their behaviour. The aim of such activity is to prevent re-offending and future problems for others.

The Partnership response to ASB has been developed to ensure that the right balance is struck between the needs of the offender and the needs of the community.

The establishment of a robust case conferencing framework will be a key part of the Partnership response to ASB across the Borough, supporting and directing services to those complex cases that require additional multi agency responses.

### **Work with victims and witnesses**

Being a victim of ASB can be distressing and traumatic and, if the right support services are not there you can feel vulnerable and isolated. Burnley Community Safety Partnership wants to ensure that all victims and witnesses of ASB receive appropriate support through the investigation process.

Where victims of ASB feel supported they are more likely to act as a witness in order to stop others being subjected to that behaviour. Fear of reprisals is the biggest deterrent to reporting ASB and acting as a witness. Dedicated witness support schemes have a valuable role to play in managing expectations and helping witnesses feel confident that they will receive support and information at every stage.

Burnley Community Safety Partnership have committed to a set of minimum standards that supports the victims and witnesses of anti-social behaviour.

This Community Safety Partnership has made the following commitments:

1. All the agencies in Burnley involved in tackling ASB will work with you and your community, to reduce the level of how serious you feel about ASB and increase your confidence in how those agencies involved have dealt with your problem.
2. We will provide regular updates to local communities on what is being done to tackle ASB, this will include seeking to publicise successful ASBO applications.
3. Provide residents with a right of complaint to the Community Safety Partnership if effective action is not taken by local agencies through existing channels.
4. Provide support and help for victims of ASB.
5. Take reports of ASB seriously by recording and investigating all cases and committing to keeping victims informed of action taken.
6. Ensure better links between neighbourhood policing and other local partners to deal swiftly with problems.

In addition Burnley Community Safety Partnership has an Anti-Social Behaviour Risk Assessment Conference that will provide additional support to those complainants risked as “high” vulnerability.

Burnley Community Safety partnership has also developed a Victim and Witness Support Protocol (Appendix A) to provide partners with a resource and members of the community deemed vulnerable and at high risk a number of tangible options to support them throughout the process.

### **Achievements**

The Partnership has been successful in responding to and dealing with a range of ASB with a number of positive interventions and projects.

The following are just a snapshot of good practice across the Partnership.

### **Partnership Working**

The Community Safety Partnership has worked with partners on a number of successful cases that has positively tackled ASB.

This has included offering mediation services, delivering Acceptable Behaviour Contracts and in some cases taking legal action which has resulted in closure orders and ASBO's being issued by the courts.

### **What next? Moving forward**

The Community Safety Partnership in Burnley does not want to become complacent in responding to and dealing with ASB across our neighbourhoods.

Therefore, to have neighbourhoods where people are happy and living harmoniously together, with reduced fear of crime or ASB, we need to continue to develop services that are responsive to and meet community needs, and ensure that partnership working remains at the heart of the work we deliver.

The Community Safety Partnership will continue to review progress against this strategy and ensure that changes to service delivery to tackle ASB are made in line with any changes to neighbourhood concerns including local and national policy.

ASB cannot be tackled in isolation; working in partnership lies at the heart of this strategy. The Action Plan provides a detailed framework for achieving our aims and objectives and assigns clear responsibility for delivery within prescribed timescales.

Progress against the strategy and the plan will be monitored and reported through the Strategic Group of Burnley's Community Safety Partnership and through regular communication with partners and residents of Burnley.

Together we can make a difference

APPENDIX A



# Victim and Witness Support Protocol

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April 2012

## Victim/Witness Support

### **Introduction**

Victims/witnesses often need additional support as a result of Anti-Social Behaviour, crime or any other situation which causes a person to feel vulnerable. This document aims to provide information about how this support is provided which allows a victim/witness to remain involved and engaged in the process. Witness intimidation is a crime and witnesses should be made aware of this. Burnley Borough Council's Streetscene Unit takes a harm based approach to tackling ASB.

### **Definition of Vulnerability**

"A person is vulnerable / at risk if as a result of their situation or circumstances they are unable to protect themselves from harm".

Some people may be less able than most to manage social relationships required for living without issues and disputes within their local neighbourhoods and communities. This may include:

- People with mental health problems
- People with drug and alcohol problems
- Young people leaving care
- People with learning disabilities.

### **The Response**

When a person who is a victim of ASB on repeat occasions (making contact about the same or similar incidents either on 2 occasions in a 14 day period or 5 occasions in a 180 day period) a risk assessment will be carried out on that person to assess their level of vulnerability and their own perceptions of how the incidents are affecting them.

All repeat victims will be offered multi agency support no matter what level of vulnerability the risk assessment shows.

It is important to note that individuals classed as vulnerable are no more likely to cause ASB than people who are not classed as vulnerable; nor does being classed as vulnerable mean that the individual does not have to take responsibility for their own actions. Being identified as vulnerable simply means that the individual requires, and is offered, an additional level of help and support to enable them to live in a socially acceptable manner.

If there are any concerns about anyone who is subject of ASB, deemed vulnerable, or a high risk as a result of any crime, or there are concerns about safeguarding we will take the following actions:

- Check with all relevant agencies to see if they have any details of needs, support or agencies working with them.
- Make contact with support providers to arrange a meeting, offer support and agree a way forward.
- Organise a case conference if applicable to determine the support required.
- Follow procedures that we would for anyone involved in ASB but take into account any unusual or special circumstances that may require an alternative response to resolution.

We also want to ensure that communities in Burnley are able to understand how their behaviour may impact on other people. We work closely with faith groups and neighbourhood groups to ensure that everyone can live together and understand other people's views, thus promoting community cohesion. We do not want to become complacent in this and will continue to work and develop this area to meet the changing needs of our communities and neighbourhoods.

## **Assessing Risk**

An initial Risk Assessment is carried out by whoever has first telephone contact with the victim/witness. A set of four questions are asked to determine whether an immediate response from an officer is required. A full Risk Assessment is carried out at the earliest possible stage, either by a Council officer or an officer from one of the partner agencies such as the Police or a Registered Social Landlord. This will help identify which category the witness falls into and to identify their relevant needs. All actions should be discussed with the witness to ensure appropriate needs are met and partner agencies should be included in the process to fully support the witness. All agencies involved should be consulted and kept up to date with actions taken. A high risk score will be referred to the ASBRAC meeting however on occasion a medium risk score will also be referred to ASBRAC. Judgments are made depending on the individual case.

Where victim/witness support is required this can generally be split into 3 categories as follows:

### **High Risk: Life threatening – intimidation and harassment (Risk Assessment score of 26+)**

Those who are deemed high risk will immediately receive a full multi agency response including a “Gold” standard witness support package.

This will include:

1. A target hardening assessment of their property where cameras, door locks, window locks etc. can be provided free of charge to the victim if deemed necessary.
2. An offer of a 24 hour monitored panic alarm for a minimum 60 day period which provides an immediate police response if activated.
3. Contact rota where the victim can be contacted daily including out of office hours by police officers or street scene ASB team to provide reassurance.

The high scoring cases will be discussed at a monthly Anti-Social Behaviour Risk Assessment Conference (ASBRAC). A multi-agency panel will review the cases and resources will be directed appropriately to solve the problem and reduce the vulnerability of the victim. The victims' vulnerability will be reassessed 4 weeks following the conference and work will continue until this is reduced to a level that is satisfactory to the victim. Regular re-assessments will be carried out to determine how the risk is reducing.

Action: Report to police for them to be the lead agency and consider support as below.

In light of the severity of the risk, maintaining contact will be proactive on the part of the ASB Officer. This contact will take place at a frequency and in a way that is agreed with the witness/victim. This contact will be maintained, before, during and after any court process.

Support: Out of hours contact

National Monitoring alarm

Professional witness

Target hardening assessment of property

Vulnerable marker from police

Personal Safety alarm

Fire risk assessment and equipment (where arson threat exists)

CCTV/Surveillance

Victim/Witness support referral

ASBRAC referral

The ASB team has access to a number of different target hardening measures and upon receiving a high risk case, will assess whether an alarm or additional security is relevant. If this is deemed to be the case the ASB Officer will obtain police log numbers and arrange with the witness and the alarm company to have one fitted. If an alarm is not required an assessment will be made to determine whether other target hardening measures are appropriate, for example the fitting of a dummy camera, additional locks for doors and/or windows, security lighting or a fireproof letterbox, etc.

### **Medium Risk: Non-threatening to life but serious intimidation/harassment (Risk Assessment score 15-25)**

Action: Report to police and consider support as below

Support: Regular contact with case officer

Target hardening assessment of property

Professional witness

Special measures for court

Support re giving evidence

CCTV

Victim/Witness support referral

### **Low Risk: Low level intimidation or none at all to witness (Risk Assessment score under 15)**

Action: Report to police and consider support as below

Support: Regular contact with case officer

Orientation visit to court

Support re giving evidence

Referral to additional agencies where appropriate

There is no requirement to follow these stages in order as decisions will be made by the lead officer as to what is relevant in each individual case. It is also the responsibility of all members of the ASB team to support witnesses regardless of areas covered etc.

ASB officers will make regular contact with the victim/witness to keep them informed of what is happening. The process should be explained on a regular basis to ensure the witness understands when things will take place. Ask the witness what they expect from the process and manage those expectations honestly and be realistic about the situation; do not promise anything you cannot deliver.

Where CCTV is to be installed at a property for a witness a disclaimer should be signed by the witness stating they take full responsibility. Intrusive surveillance should be explained to the witness and that any intrusive surveillance obtained will not be used by the team in court as evidence. A disclaimer should also be signed when other Council equipment is provided, e.g. voice recording apparatus, dummy camera.

A re-risk assessment should be conducted by the person who completed the initial risk assessment. At this point a decision can be made about closing the case. A Satisfaction Survey is then carried out by the ASB Officer.

### **Court Procedure**

Where a victim/witness will be attending court, orientation visits should take place to allow the witness time to familiarise themselves with not only the building but actual courtroom procedures. These should be explained by the ASB officer. In the situation where the victim/witness has a disability appropriate provisions should be made with the court to facilitate this. Support should take place before, during and after going to court as witnesses often know the perpetrator and/or their associates so ASB may continue following enforcement action.

Any enforcement action that is taken including any orders granted should be appropriately publicised and passed out to members of the local community and the local neighbourhood policing team.

Professional witness duties should be carried out by the lead agency in the case which would normally be the ASB officer. However additional statements can be submitted on behalf of the community in the form of an impact statement by other relevant partners where necessary.

### **Supporting Domestic Violence**

The ASB team currently supports victims of domestic violence through referrals from the IDVA. Where a referral is made then consideration is given as to whether an alarm system and/or camera will be required at the property. Target hardening is not generally required in these cases as this is covered under the Sanctuary Scheme. Any victim contacted as part of these referrals should be treated with sensitivity however the primary support will already be in place for the individual.

### **Lancashire Probation Trust**

Lancashire Probation Trust works with offenders to reduce the risk to the public and to achieve a reduction in victims. Much of their work focusses on the issue of offenders attitude and behaviour to victims and they work to change those attitudes. The focus is on the perpetrators of crime, however the trust has a policy in relation to victims and have staff who are Victim Liaison Officers. Their role is to keep the victim informed of offenders' progress through their sentence. There are also women's support workers who maintain contact with victims of domestic violence. They keep in touch with victims and liaise with IDVAs and with the Offender Managers.

**Victim/Witness Support Process**

