

# ASBActionNet

## **ASBActionNet Awards 2011**

The ASBActionNet Awards 2011 are presented by Lemos&Crane who are sponsoring a total prize of **£1,500** (to be shared between a winner and runners-up) for excellence in tackling anti-social behaviour. Entries have been invited from social landlords, providers of housing-related support, local authorities, police services, or organisations working in partnership with these agencies.

## **What the Awards are for**

The Awards are presented by Lemos&Crane for specific examples of casework that have successfully tackled anti-social behaviour, dealt with the perpetrator(s) and satisfied the victim(s).

Some or all of the following elements ought to be demonstrated:

- Effective support for victims and witnesses
- Creative use of legal remedies
- Creative use of alternatives to legal action
- Creative use of supportive interventions to assist perpetrators to change their behaviour

In addition and where appropriate:

- Approaches for working with people with learning disabilities or with mental health problems - as victims or perpetrators
- Effective multi-agency working
- Involvement of the wider community in tackling problems and prevention

## **Timetable**

- Winners announced – Monday, **July 18**, 2011

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## Organisation: **Aberdeen City Council – Community Safety Partnership**

**Case Description: Residents living around a shopping precinct, traumatised by antisocial behaviour are empowered to work with public services to find long term solutions successfully resolving their problems and bringing peace back to their community.**

### **What was the anti-social behaviour that led to the case being opened?**

The area in and around Finnan Place, Torry, Aberdeen, became the locus of significant chronic youth disorder and related offending. Local residents were calling the Police on an almost nightly basis because large groups of between 10 and 30 youths aged between 12 and 17 years of age were congregating in the area from 6pm to 11pm.

#### Known issues:

- Footballs being kicked onto shop shutters
- Wilful fires at rear of shops below some of the residents homes causing fear and alarm.
- Lack of respect to residents, and shopkeepers
- Underage drinking and substance misuse
- Graffiti and vandalism
- Local residents fearful of visiting the shops in the evening.
- Fires in stairwells of multi storey creating a fear amongst residents.

The majority of the residents living within this area are elderly, with a residential home and sheltered housing complex close by.

The underlying cause of the problem related to actions of bored, disenfranchised youths clashing with the needs and expectations of the residents to have some peace in the late evenings. A small number of the youths were however intent on criminal behaviour and enjoyed being the centre of attention of the wider group and drawing the attention of the local police and city wardens.

The locally provided sport pitches and skateboarding areas had insufficient lighting for them to be used in the evenings, causing the youths to congregate around the shops and multi storey buildings for security and shelter.

Lack of parental control and awareness by parents of where the young people were congregating contributed to the overall problem.

### **How was the case investigated?**

A number of elderly residents complained about the lack of action in resolving youth problems. A multi agency meeting was held in the city warden office for the residents to address service providers.

Key questions asked at the meeting were:

- What is the problem and is it getting better or worse?
- What is the profile of those engaged in the activity and those harmed by the activity?
- When are these problems happening?
- Where is the problem confined to?
- Why are these problems occurring?

- How are the problems manifesting themselves?

The following solutions were agreed to be implemented:

1. Police to prepare and share an analytical problem profile to assist problem solving.
2. Partnership working between all the agencies including the shop keepers and youth club to be better coordinated and jointly focussed on the problem.
3. Increase in joint patrols with the City Wardens and Police. The police were given free access to use the wardens office in Finnan Place so that they could immediately respond to issues.
4. Head Teacher to organise workshops and discussion groups with the known offenders to make them aware of the impact of their behaviour on the wider community.
5. Consider the use of the Dispersal of Groups powers contained within the Antisocial Behaviour etc Scotland Act 2004 in order to provide respite to the residents and allow time for a multi agency solution to be developed and implemented.
6. Improvements to the built up area i.e. improve lighting levels, remove the low wall used as seating, install CCTV, strategic placing of large planters to reduce the ability of the youths to kick balls off the shutters
7. Install lighting to the nearby sports ground and skate park to encourage youths to use these areas. Find providers to offer coaching and activities at these sports sites.
8. Involve the local fire and rescue service to assist in the overall engagement with youths and offer fire safety advice to residents and businesses alike.
9. Create and support a residents group to meet regularly to ensure they had a clear voice and were given regular updates by the various agencies involved.
10. Install youth shelters to create new meeting places for young people. Consult with the young people as to design and favoured location of these shelters.
11. Hold activities fair to introduce young people to the wide range of activities clubs and organisations offered locally.

#### **What support was provided to victims and witnesses?**

- On Friday 7<sup>th</sup> January 2011 The Dispersal Order was implemented by Grampian Police to prevent antisocial behaviour for a period of three months between the hours of 4pm and 1am.
- Grampian Fire and Rescue Service crews visited the area and spoke to the youths about wilful fires; they provided free home fire safety advice to residents and advised the business below the resident's homes in regard to keeping materials locked up reducing the incidents of fires.
- City Wardens regularly went round the neighbourhood speaking to the residents keeping them up to date as we progressed through the list of suggest solutions.
- Funding found to cover the installation of lighting at the sports ground and skate park, additional lighting at the shops a CCTV camera linked to the police headquarters. Planters installed at the shops. The low wall was removed and the slabs tidied up.
- Funding for innovative bluetooth youth shelters was obtained from Grampian Fire and Rescue Service, Grampian Police and Aberdeen Community Safety Partnership.
- The Police Service Centre set up a system to monitor calls received from residents in the area to ensure that all calls were processed promptly and that local officers were made aware of issues immediately.
- The residents group met regularly to monitor the impact of the identified solutions and progress updates were provided by all the agencies at these meetings.

### **What action was taken to deal with perpetrators?**

- During the dispersal Order, 52 individuals were dispersed and 1 arrested. Of those, 5 were dispersed 3 or more times.
- 1 person was referred to Sacro who worked with them on their inter personal and conflict resolution skills and the arrested person was issued with a Formal Juvenile Warning.
- Teaching staff assisted by Police Early Intervention staff ran a series of behavioural classes with pupils who were known to frequent the area of the dispersal zone. The intention was to highlight the antisocial parts of their behaviour and show how this impacts upon others and thereby reduce such behaviour.
- On the first two occasions a child was dispersed, their parents were notified giving relevant details and seeking parental intervention.
- On the third occasion a child was dispersed, they were referred to a multi-agency Pre-Referral Screening process where a course of action was decided on how to move forward with the child's behaviour to explore alternative options rather than direct entry into the youth justice system.
- A multi agency support package was put in place for one youth who had been dispersed 3 times to divert him away from antisocial behaviour. The police developed an Acceptable Behaviour Contract for him one of the conditions agreed was for him to stay away from Finnan Place.
- The perpetrators were all invited to attend the youth activities fair which promoted 20 organisations catering for young people.

### **What were the major challenges and how were they overcome?**

- Empowering the residents to consider solutions rather than focus on problems. This was achieved by being open and transparent with the community as to the capabilities of the various agencies and showing a real willingness to listen learn and act on reasonable requests and ideas.
- Limited funding and resources was overcome through all agencies carrying out work jointly, sharing the burden of tasks and fully supporting funding bids to improve success.
- Hostility to the use of the Dispersal Order power was overcome using briefings to explain that our approach was to find long term sustainable solutions and offer support to those engaging in antisocial behaviour as opposed to using legal options to stigmatise and criminalise individuals.
- Joint press releases were issued and local reporters were engaged to ensure a balanced approach in the local media.

### **How successfully was the case handled overall?**

Overall youth complaints and crime reduced, young people started to use the youth shelters located away from the houses and found activities to take part in which reduced the tension within the community.

Vandalism	2009-10	189	-	2010-11	127	32% reduction
Wilful Fires	2009-10	102	-	2010-11	28	72% reduction

Quote from 73 year old resident: *"The dispersal order has changed our lives considerably; we can sit through in our living room and watch TV in peace. We have concerns that a few of the children will come back but the Police and Council are taking steps to act against it with new lighting, new CCTV and the 'youth shelters' for the children to go to."*

At our review it was agreed that the use of the dispersal power had been proportionate to the problems tackled and that it allowed us the time and space to develop the long term solutions that led to the quality of life improvements for the residents.

Learning points were:

1. Listen to communities
2. Intervene quicker
3. Work in partnership to gain full benefits

**Organisation: Chiltern District Council**

**Case Description: A long term vulnerable victim with physical disabilities and alcohol addiction had been targeted by others who molested harassed and pestered that person was assisted by agencies who target hardened the residence, successfully encouraged that person to engage with alcohol addiction support and physically and administratively assisted to obtain an order and inunctions against the four main perpetrators.**

**What was the anti-social behaviour that led to the case being opened?**

The anti-social behaviour occurred in and around the victim's residence in Little Chalfont Buckinghamshire. The victim who is around fifty five years old and wheelchair bound craved company and became known to the perpetrators as an easy source of alcohol. Four individuals in particular who were either in the criminal justice system or ASB nominals became frequent visitors. The community suffered from rowdy inconsiderate behaviour by the individuals and their associates and the victim alleged assault and robbery on more than one occasion. These allegations became frequent earlier this year. The underlying cause of the ASB was the victim's propensity to procure and consume alcohol and offer it to perpetrators and the victim's desire for company.

**How was the case investigated?**

Many complaints have been made by the victim. The initial response was to draw up acceptable behaviour contracts with the victim and the perpetrators and to try and bring about a quick resolution.

Evidence was difficult to gather because the victim was an unreliable witness and had previously been within the criminal justice system. Evidence that led to the decision to assist the victim to get injunctive relief was obtained by using a MEMOCAM sited behind the front door of the victims dwelling.

The case was lead by the Chiltern ASB team (CHASBAT) which is a Police District Council and RSL partnership. Joint visits were made by Police neighbourhood officers PCSOs and myself. I counselled the victim and installed and operated the MEMOCAM. Council Officers The County Council Adult Social Care Team co-ordinated the installation of a new door entry system and encouraged the victim to engage with The Oasis Partnership with a view to managing alcohol addiction. A neighbour also assisted in bringing about a satisfactory solution by being a point if contact for the victim being vigilant and calling the Ambulance Service and Police as required. The neighbour also looked after some of the victim's financial affairs and was able to provide intelligence about the perpetrators.

### **What support was provided to victims and witnesses?**

The victim was supported by regular monitoring by the Thames Valley Police neighbourhood team and myself. The victim was the primary witness in this case and the neighbour was not asked to give evidence. During the visits I made I constantly encouraged the victim not to let the perpetrators into his property and to stop drinking excessive amounts of alcohol.

Prior to the decision being made to assist the victim to apply for a civil injunction a partnership meeting was held and the following actions agreed.

- Police to organise new anti social behavior agreement naming XXXX.
- Currently CCTV working well in XXXX's property and to be continued
- RSL to organize repairs at XXXX's property
- Police to look into privacy film for XXXX's windows
- XXXX and XXXX to assist XXXX to access his GP
- XXXX to help XXXX with Oasis services
- XXXX to upgrade door entry system with a CCTV based one

It was decided the best strategy for the victim was to make that person safe at home rather than move to alternative accommodation.

### **What action was taken to deal with perpetrators?**

The alternatives to legal action were:

- ABCs
- CCTV
- Privacy foil
- Tackling the source of the problem, namely the victim's low self esteem and alcohol addiction.

The perpetrators were considered to be very challenging and the ABCs ineffective.

After the most recent complaint of robbery when the victim was found out of his wheelchair it was decided that a legal remedy was required. It was decided to physically place the victim in front of a County Court Judge and help that person to apply for an injunction. A Police Officer and myself took the victim to Slough County Court with the necessary forms to apply for an injunction. The victim was helped to complete a general form of affidavit and file this with the court along with an application for injunction form. Prior to the first hearing an exemption from the application fee had been obtained. The forms were lodged using CPR Part 8). A claimant may use the Part 8 procedure where –

(a) he seeks the court's decision on a question which is unlikely to involve a substantial dispute of fact; In view of the potential risk to the victim the Judge made an order with immediate effect that the perpetrators should not threaten violence against the victim and they were forbidden from harassing or pestering. In view of the fact that some of the perpetrators were minors and it was a civil order there was a difference of opinion if there was a power of arrest with the order.

A hearing was fixed two weeks later when the application for the injunction was heard. During the two week period the Police served the orders on the perpetrators and lodged the papers with the court. The injunction was granted at the hearing and the individuals would be arrestable should there be a breach. Unfortunately supportive interventions in the form of ABCs and breach visits failed in this case however the anti-social behaviour by the perpetrators has stopped and the positive action taken has discouraged their associates from visiting the area.

### **What were the major challenges and how were they overcome?**

The problems encountered were linked to the vulnerability of the victim and that person's inability to self help. The ASB was difficult to manage because the victim was an easy target for perpetrators. Over time (years) the perpetrators (who were not the same individuals) became more of a risk to the victim because they had little respect for ABCs or belief that the agencies could intervene. The chances of getting an ASBO against the perpetrators were considered very slim. The Council and Police decided to help the victim apply for a civil injunction as a legal remedy, something neither the Police Officer nor the Council Officer had ever done before.

### **How successfully was the case handled overall?**

The strategy of tackling the victim's low self esteem, alcoholism coupled with target hardening and four civil injunctions has proved effective. This has been substantiated by the observation from the victim that the individuals seeking an easy supply of alcohol don't visit anymore. This benefits the victim and the community. ABCs proved ineffective as did initial attempts to get the victim to self help. The evaluation was carried out at the ASB team meeting and considered as a success. A procedure is being written for other officers to follow. Next time I would recommend considering a package of measures and seeking a legal remedy earlier.

### **Other relevant information**

This case study demonstrates that there is still a need for a civil injunction to control anti-social behaviour. The difference between this case and others is that the Police and Council physically and administratively helped the victim to apply for the legal remedy rather than applying on that person's behalf.

**Organisation: Clwyd Alyn Housing Association**

**Case Description: How interpretations of the Mental Health Capacity Act 2005 and a "person centred" approach to social care when tackling persistent ASB by perpetrators with mental health issues can act as a paralysing backdrop for Agencies hindering successful intervention and appropriate outcomes.**

### **What was the anti-social behaviour that led to the case being opened?**

Tenant A was a man in his 70's with a long history of mental health issues, challenging behaviour, physical health issues and involvement with support agencies i.e. Social Services/Mental Health Teams/Home Help. He lived in a first floor flat for many years in a Warden controlled sheltered scheme for the over 55's. Tenant B was a man in his 80's who had recently moved to the area to be close to family and lived in the flat beneath Tenant A. Tenant A's health and mobility had deteriorated rapidly over the previous 12 months and he had infections in the skin of his legs and his boots had not been removed for approximately 12 months which caused considerable concern to the Warden and carers.

Approximately six months after moving in, it came to the Wardens attention that Tenant B was complaining of sleepless nights and stress since moving in due to the noise emanating from the flat above (Tenant A). He did not want to complain as he did not want to cause anyone any problems. There



were persistent banging, tapping and thumping noises throughout the night and louder noises consistent with someone falling.

The noise started at around midnight onwards every day of the week stopping the complainant (Tenant B) from having a full night of unbroken sleep with all the potential health and psychological issues involved. He was also stressed worrying about Tenant A falling out of his bed. As more information was gathered it was clear there was also an unfolding issue of Tenant A self-neglecting with the potential for significant if not fatal consequences if not addressed. It emerged that he was sleeping during late afternoon and getting up from midnight onwards. (There were unconfirmed reasons for him sleeping at this time).

### **How was the case investigated?**

Following the initial complaint from Tenant B, investigation by the Warden revealed that Tenant A was using an old Hoover as a walking aid despite having several proprietary aids at his disposal. The tapping noises were as a result of Tenant A emptying a smoking pipe in an ashtray on the carpeted bedroom floor – this immediately raised concerns regarding the fire risk and was highlighted to the MHT, to no avail. The Warden attempted over a number of days to persuade Tenant A to modify his behaviour but to no avail. Tenant B had not had an undisturbed nights' sleep since moving in and it was beginning to affect his own health, feeling tired, stressed and culminated in an emergency visit to the hospital after a particularly bad night with a suspected heart attack.

I became involved at this stage and it was quickly apparent that it would not be possible to reason with Tenant A as he said he was quite happy and saw no problem with his behaviour and became verbally abusive and aggressive whenever he heard anything he didn't like. At this stage it was clear that other potential remedies such as Injunction/Demotion/ABC/Noise Abatement Notice/Suspended Possession or Mediation, which were considered, would not work as he did not seem to understand his responsibilities and the impact of his behaviour on others. There was also a suspicion that some of the behaviour was deliberate as a result of the complaint. His mobility had deteriorated considerably and was at continued risk of falling. There was no stair gate fitted and he could have easily fallen as his intercom was by the top of the stairs

I then approached the Mental Health Team to arrange a meeting with his case worker/Social Worker and one of the Care team responsible for his daily care visits. The Warden spoke to the care workers to establish the general consensus with regards to how Tenant A was behaving with them, coping in general and whether he understood his obligations under the Tenancy agreement. It became clear from information gathered from these sources that there were issues of significant self-neglect, diminishing mobility/health and a refusal to engage with services. The Warden had also been keeping daily logs of Tenant A's daily routine and general wellbeing together with daily logs of issues reported by Tenant B. He had also been asked to record times, dates and descriptions of all incidents. This was to provide evidence and build up/demonstrate the impact the noise was having on him.

Although seeking Possession is viewed very much as a last resort in most cases, it seemed like the only possible solution to prevent injury to either party and counteract statutory services reluctance to engage or inaction.

### **What support was provided to victims and witnesses?**

Several meetings with external agencies revealed a general reluctance to become drawn into the wider implications of Tenant A's behaviour and negative impact on Tenant B citing Tenant A's rights under the

MCA2005 and how they couldn't do anything about the problem as Tenant A had the right to refuse assistance.

Although a cursory acknowledgement of the impact on Tenant B was made it was with a disclaimer that they "prioritise Tenant A's interests only". Despite requesting that they speak to Tenant B to offer assurances they declined. Whilst the MCA allows for 'unwise' decisions there is no provision to allow such behaviour when it affects others but no real attempts were being made to assist Tenant A to maintain his tenancy rather, the onus seemed to be to protect their interpretation of his 'rights' under the act without addressing his responsibilities. This offered no immediate relief for Tenant B and the question of 'capacity' was used to explain away his behaviour by stating that he did not have "full capacity" but not to take definitive action under the MCA to address the ASB as there was a presumption of capacity within the act.

The Warden continued to provide daily support to Tenant B and updates of action and outcomes as and when able whilst encouraging him to continue to record all incidents. I would phone him and other family members to offer assurances that the process was ongoing despite the fact that several weeks had passed.

#### **What action was taken to deal with perpetrators?**

A meeting was arranged at Tenant A's property with the MHT leader and a community nurse to assess his mobility and to attempt to get him understand the impact of his behaviour and to try to get him to use suitable walking aids but no progress was made. A letter was then sent to the head of social services explaining the concerns and requesting a best interest assessment and that an Advocate be appointed to ensure that Tenant A's best interests were served. Although an Advocate was appointed there was no evidence of an assessment being carried out. As time went on it became clear that the Advocate shared similar concerns about Tenant A's wellbeing and suitability to live in such circumstances.

A POVA referral was made but after the initial contact no further contact was received. The complainant was still recording incidents and between him and the Warden we were able to monitor any activity at the property. Regular emails were sent to the MHT leader requesting updates and advising them of continuing problems but most contact was instigated by either the Warden or me. The complainant's family contacted a local councillor but after the initial contact no further communication was received.

The Warden maintained regular contact with carers who were also expressing concern about Tenant A's general wellbeing and deterioration. However, after months of sleepless nights and no real progress by health professional I submitted an application to the Court for Possession Section 8 ground 12 using all the evidence gathered together with witness statements from the Warden and Tenant B. No one from any support agency turned up at the directions hearing therefore the Judge issued direction that they provide information relating to their intentions regarding Tenant A. Within a week of them receiving the order, the MHT had acquired Guardianship and he had been moved to a Residential home. Generally this would have been enough but as Guardianship is only valid for approx 6 months I continued with the possession to ensure that there would not be any legal challenges. As a result of Guardianship, Tenant A was now considered a protected party under the MCA therefore I had to appoint a Litigation Friend. To avoid the involvement of too many strangers causing undue stress to Tenant A I asked the Advocate to fulfil this role which she agreed. I requested that she provide information to the Court with regards to their professional opinion of the case. This was provided in a timely manner and was supportive of the proposed action due to concerns about health and wellbeing.

Possession was granted at a later hearing and the actual possession of the flat was a technicality. Potential outcomes of non-action – tenant A would eventually have gone in to crisis, possibly leading to an inquiry into his self neglect despite the involvement of the relevant agencies, with tragic possible consequences for him and reputational damage to us and CMHT, Soc Services etc. Tenant B's health would have continued to decline until he had a crisis too, or was forced to leave. The warden and carers would have continued to suffer the stress of the situation until the crisis arose. Therefore, there were many reasons why Possession was the only real option given the time taken to try to get services to engage.

### **What were the major challenges and how were they overcome?**

The biggest challenge, as detailed above, was trying to get the health professionals to address the perpetrator's behaviour but although they had arranged for two capacity assessments during the period of the problem doctors could not agree on a diagnosis. This caused a stalemate with regards to addressing the continuing daily problems.

It was only through dogged persistence and numerous emails that these assessments were carried out at all. Had the pressure not been maintained it is likely that nothing would have changed as communication was predominantly one way.

Another difficult and frustrating aspect was watching Tenant A's mobility and health slowly deteriorate resulting in him being a prisoner in his own home as he had not been taken out for weeks due to the risks involved. Furthermore, his boots had not been off his feet for nearly 12 months and there was a worrying smell consistent with decaying flesh throughout the flat. He had consistently refused to allow anyone to inspect or treat his feet and legs although he was considered by agencies to be at high-risk of ill health, trench foot or septicaemia. This aspect was particularly upsetting for the Warden and Carers as they had known him for some time.

### **How successfully was the case handled overall?**

Although I was pleased with the eventual outcome, if a similar issue occurred again I would take action sooner to safeguard both parties. I have learned that some professionals seem to be reluctant to test the extent of various Acts choosing to be over cautious with the rights of an individual over their health and wellbeing without due consideration to all other parties involved. As a result this could allow situations to deteriorate severely.

Another successful outcome was the costs. As I took the action myself preparing all the paperwork the cost were limited to the application fee of £150 and the Litigation Friend application of £75. Costs were awarded by the court. Based on a similar length case by the ASB team via a solicitor I would estimate conservatively that there was a saving in the region of £6000 of tax payer's money and it would have been difficult to request such costs from the perpetrator as he was as much a victim as Tenant B although in other ways.

Most importantly, Tenant A was moved to the right environment and the last I heard two months ago was that he was clean, healthy, happy and thriving. The Advocate commented that she could now have a conversation with him, which had always been a problem before. Tenant B is sleeping well and is enjoying life in peace. All carers and the Warden involved were pleased with the outcome.

I would also offer a simpler interpretation of the MCA 2005 when dealing with health professionals in future. The basic premise of the Act is that all are deemed to have capacity unless there is evidence to the contrary. This would help prevent health professionals from using the right to make unwise

decisions or to not engage with care providers, conferred under the Act, as a reason for not fully assessing capacity and how this affects an individual's ability to perceive their own responsibilities. In simple terms, if there is no evidence of a lack of capacity available from health professionals then individuals should be treated like everyone else with regards to tackling ASB, without allowing recourse to stating a lack of capacity as a defense. This is how cases stagnate for long periods to the detriment of all.

#### **Other relevant information**

The Court was very helpful during this process and all three Judges dealt with fully understood the circumstances and offered advice.

#### **Organisation: Coast and Country Housing**

**Case Description: Injunction action with Power of Arrest taken against a bogus builder who targeted elderly and vulnerable residents by approaching them to carry out building work in and around their home, took large amounts of money from them and most of the time did not complete or carry out the work.**

#### **What was the anti-social behaviour that led to the case being opened?**

Mr C, the defendant targeted elderly and vulnerable, disabled residents in the Guisborough area by approaching them to carry out building work in and around their home, had taken large amounts of money from them and most of the time he did not complete or carry out the work.

Victims also reported that on occasions, Mr C would start work that had not been agreed and then ask for the money.

He also consumed alcohol at the properties of the victims and when challenged about the work he was supposed to be doing became very verbally aggressive, shouting and swearing. He had used foul and abusive language to the victims and on one occasion threatened to send a third party to one of the victim's homes to beat them up.

#### **How was the case investigated?**

The report came to light to Coast & Country through a multi-agency meeting involving the police and local authority. Coast & Country were already involved with one of the victims of Mr C's behaviour, this was because of the state of the repairs that had been carried out at her property.

The police, local authority and Coast & Country gathered evidence by identifying and speaking to elderly residents who had been victims. These all lived in Guisborough which is where Mr C lives.

Evidence was gathered by the victims providing anonymous statements and these were used as hearsay evidence. A police sergeant and PCSO also gave evidence of the condition of the properties that Mr C had carried out work to and also about the distressed state of the victims.

The action taken was as a result of the effective partnership working between Coast & Country, the police, local authority and victim support.

**What support was provided to victims and witnesses?**

Contact was made with all the victims (x 13). Anonymous statements were obtained and used as hearsay so that individuals could not be identified.

A 'Without notice' (ex-parte) application was made at court for the injunction to protect the victims because of the victim's fear that they would be assaulted or have their property damaged if Mr C had been made aware of the application beforehand. Mr C's ex-partner also gave a statement and a panic alarm was installed in her home prior to the injunction being served as she had previously been a victim of domestic abuse from him, had a child and already had a non-molestation order in place.

All the victims involved in the case were informed when the injunction was obtained but before it was served.

**What action was taken to deal with perpetrators?**

The defendant, Mr C was caught by the police with a bank card belonging to an elderly male and investigations revealed that the victim had given Mr C this for the purpose of withdrawing a small amount of money to carry out a small amount of building work. Mr C took the small amount of money out but proceeded to take £8270 from the victim's account. Police carried out a criminal investigation and the defendant was charged with fraud. When questioned Mr C admitted taking the money but stated he would pay it back. The CPS reviewed the case and decided to withdraw the charge based on the fact that the victim had originally given Mr C his bank card and he had offered to pay the money back.

The police and local authority prepared a case file for an Anti-Social Behaviour Order application. However, there was insufficient evidence in the preceding 6 months for this to be a viable option. The case was discussed at a multi-agency meeting and Coast & Country were asked if they could assist in any way. Thirteen victims had been identified and although only 3 of these were Coast & Country tenants it was felt that through the partnership between Coast & Country, the police and local authority action was necessary to protect all elderly and vulnerable residents in Guisborough regardless of tenure. As such, we agreed to pursue an Anti-Social Behaviour Injunction with a Power of Arrest.

**What were the major challenges and how were they overcome?**

Mr C has not been prosecuted as residents fear reprisals and also they handed him the cash or their bank cards. To overcome the fear and intimidation Coast & Country and the police worked closely with the victims to obtain anonymous statements and ensured, where possible, that the information given could not identify individual residents, for example, not stating exact amounts of money given to Mr C or specific details of work carried out. As only 3 of the 13 victims were Coast & Country tenants who were not willing to put their names to statements we felt we needed to demonstrate the likelihood of Mr C affecting Coast & Country's housing management functions in the future. As such, we included in our evidence some information about the number of properties Coast & Country have in Guisborough and the number of people over the age of 65 who live in Guisborough.

**How successfully was the case handled overall?**

Coast & Country could have been included in the discussions earlier and perhaps the decision to pursue the ASBI would have been made earlier, saving time preparing the ASBO application.

Coast & Country obtained the injunction with the power of arrest and the judge advised that he wanted it serving as soon as possible. However, there was a delay in the serving of the injunction. The injunction was granted on Thursday 26 May 2011 but not served until Tuesday 31 May 2011 after the

Bank Holiday. This was because paperwork had to be completed by the police to obtain a panic alarm for Mr C's ex-partner prior to serving the injunction. Also, the local Neighbourhood Police Team was not on duty over the weekend and as a lot of the evidence suggested that Mr C had alcohol issues and had on occasion been threatening and aggressive we did not want to leave the victims vulnerable over the weekend when Coast & Country offices were closed and the local police were not on duty.

#### **Other relevant information**

There have been no reported breaches to date and there is a return hearing date on 4 July 2011 when Mr C will have the opportunity to state if he has an intention to contest our application for a full order.

#### **Organisation: Derby Homes**

**Case Description: The nature of the ASB in this case involved the continuous occurrence of excessive noise from the perpetrator's property together with threats and intimidation towards local residents over a number of years.**

#### **What was the anti-social behaviour that led to the case being opened?**

This case involved a middle-aged female, who would continually threaten and intimidate local residents verbally from her property. She also had no consideration for neighbours and regularly held parties in her back garden, which would be attended by large number who contributed towards the excessive noise levels and threats. This had an extremely detrimental impact on the local community and caused severe distress to numerous victims, one of whom suffered a miscarriage. We had numerous requests for transfers from neighbours, refusals of new allocations and the perpetrator herself became more isolated as the community turned its back on her. The underlying cause of the perpetrator's behaviour was alcohol related.

#### **How was the case investigated?**

Our new Victim & Witness Support Officer, (John Birch) immediately identified all known victims and witnesses so that he could initiate contact with them and visit them in order to provide support, reassurance and guidance. Having established contact, he then set up more regular contact and follow-up visits where he addressed any additional concerns or problems that arose and made it clear to victims that his continuous support was available. Take up of his support was very high.

John also cultivated additional witnesses and historic victims by talking to people who had not yet complained by door knocking and engaging with them. He persuaded the unknown complainants that Derby Homes was intent on dealing with the perpetrator. John was effectively selling Derby Home's commitment to sorting this out. As a result more evidence was gathered and the pool of potential witnesses was enlarged.

John also checked out the history of complaints with local Police in order to get as fuller picture as possible of the extent of the problem. Another part of the confidence building process was that prior to any hearing we offered victims the opportunity to visit the Court in session so that they would at least know what to expect when they themselves attended. This took a lot of fear of the unknown out of their involvement in the persecution of the case and contributed to their commitment to appearing as witness.

### **What support was provided to victims and witnesses?**

John found that victims were unwilling witnesses because they did not have confidence in our ability and intent to deal with this perpetrator and balked at the thought of making statements or giving evidence in Court.

He got around this did this by *spending time with people* and building relationships with them.

Reassured by this support, and having developed confidence in our handling of this issue, victims felt able to come forward and commit to being involved. As a result we obtained more statements from these victims in order to build up additional evidence against the perpetrator.

Another part of the confidence building process was that we offered victims the opportunity to visit the Court in session prior to any hearing so that they would at least know what to expect when they themselves attended. By doing this, we increased the witnesses' personal confidence in coping with the Court environment. This took a lot of fear of the unknown out of their involvement in the prosecution of the case and contributed to their commitment to involvement.

### **What action was taken to deal with perpetrators?**

Various positive steps were taken to deal with the unacceptable conduct of the perpetrator and her children which usually involved the local Police and Neighbourhood Safety Officers who made it clear what would happen if the behaviour continued (which unfortunately it did). The support offered to the perpetrator was comprehensive and involved referral to and support to her and her children by relevant Social Services departments and voluntary bodies who could help with (for example) her alcohol addiction. This support was managed by regular case conferences involving Police and supporting agencies. The perpetrator also became a client on our Family Intervention Project (FIP) where intensive support is offered by staff on a daily basis in a residential setting. However, the conditions of this support were continuously flouted by the perpetrator.

Unfortunately, the case did end up in Court and we had to seek eviction.

### **What were the major challenges and how were they overcome?**

Our challenges lay in 5 areas:

1. There was a lack of confidence in the Community in Derby Homes to actually address the perpetrators behaviour and see it through.
2. There were fears of retaliation from the perpetrator against those who spoke up and were seen complaining or referred to by Derby Homes as complainants because they were living in the same community as the perpetrator.
3. Victims were intimidated and stressed by the thought of going to Court and being part of a seemingly complicated and technical legal process.
4. Victims did not see the relevance of keeping diary pages to collect evidence for court. Some felt that the process was long-winded; others felt that they wouldn't be taken seriously; a minority had literacy issues and could not write very well.
5. Some victims were worried that they would be seen colluding with the authorities and labelled as the 'local snitch' and subsequently ostracised.

We addressed these challenges in the following ways:

1. John Birch spent time with people, reassuring them of our commitment to dealing with the perpetrator whether by phone or by a personal visit. He also pledged his ongoing support and

delivered on this promise with subsequent interventions on a wide range of issues pertaining to this case.

2. John's support via phone or personal visit made sure that he was able to intervene if any of the witnesses were threatened by the perpetrator. He was also as discrete as possible in visiting members of the community and also flexible, sometimes arranging to collect evidence/visit victims away from the home in a neutral place out of view of the community.
3. As mentioned, we enabled prospective witnesses to visit a Court in session to familiarise themselves with the way in which Court proceedings worked. John also went through the Court processes on a one to one basis with witnesses to prepare them mentally for the Court experience.
4. John's intensive support and encouragement assisted in victims/witnesses producing comprehensive diary sheets as evidence and he helped those with literacy challenges to produce legible evidence.
5. John was always discrete and flexible when meeting and supporting witnesses (see paragraph 2 above).

### **How successfully was the case handled overall?**

This case is a testament to our decision to fund and recruit a dedicated Victim & Witness Support Officer. It was a serious test of the design of this new role and we feel that the outcomes of the support the role offered to witnesses vindicate our investment in the post.

#### Outcomes:

- Higher quality of evidence.
- Witnesses prepared to testify in court.
- Eviction and removal of the problem from that community.
- Growth in personal confidence of the victims/witnesses.
- Increase in confidence by tenants in Derby Homes that we *do* deal with these issues properly and therefore more likelihood of witness involvement in other cases to effectively combat ASB.

This case had started before John Birch's role was in post and had stretched our more generic housing management resources. The management of the case prior to John being appointed had been disjointed with a lack of focus meaning for example that diary sheets had been lost (and therefore a subsequent loss of faith in us by victims). The focus that John's role brings to these complex ASB cases is a major benefit as his role can pull together other agencies and departments of Derby Homes to improve support to victims, witnesses and even perpetrators in preparation for legal action. Our experience makes us recommend that all landlords have such a Victim & Witness Support role as John's in their organisation. Landlords also need to design the role around tenants' experiences with a view to addressing existing weaknesses in victim and witness support.

### **Other relevant information**

This case ended in an eviction which was not ideal but the perpetrator failed to respond to the comprehensive support offered or to the knowledge of the consequences of her behaviour.



**Organisation: DISC (submitted by East Durham Homes)**

**Case Description: In 2007, the then Easington Community Safety Partnership, conscious of the gap in support provision for perpetrators of ASB, supported a bid to the Supporting People Innovation Fund to commission a holistic support service and this case highlights the successful outcomes, achieved by the DISC STEP2 project (which has now been extended county-wide), when working with perpetrators of ASB.**

**What was the anti-social behaviour that led to the case being opened?**

K and her three children live in accommodation managed by East Durham Homes (EDH). From 2008 onwards there has been a succession of ASB complaints alleging an escalation in anti-social behaviour. Complaints included nuisance from the elder child allegedly making gestures towards a neighbour, possible drug misuse, alleged drug dealers and numerous visitors calling at the property at various hours of the day and night.

The number of visitors going to the property was seen as threatening and fearful to the local community. Complaints included people hiding in the outhouse to the property. It was evident from reports made to EDH that K, herself, became a victim. Visitors were heard to threaten to 'smash her face in' and there were numerous incidents when windows were smashed at the property. The underlying cause of the alleged ASB was linked to drug misuse. In general terms the area is seen as disadvantaged in relation to the index of multiple deprivation. A higher than average proportion of people experience social exclusion due to high levels of unemployment. Many households are headed by lone parents. The profile of the neighbourhood can indicate the vulnerability and risk to families in relation to drug supply and drug misuse.

**How was the case investigated?**

The complaints were initially received and investigated by EDH. Witnesses were interviewed, evidence and diary sheets collated. EDH service standards ensured regular contact was maintained with the complainants. The case was discussed through the multi-agency mechanisms and intelligence shared with the police. The property was included for search as part of drug operations by the police. Warning letters were issued and when the complaints continued a Notice of Seeking Possession and Notice of Demotion of Tenancy were served as the first step in the legal process.

**What support was provided to victims and witnesses?**

Contact was maintained with the witnesses on a regular basis. Internal service standards at EDH dictate that witnesses must be contacted on at least a fortnightly basis however the level of contact is discussed as the time that the complaint is made. The frequency may be more regular and this is recorded in action plans for each case.

In the case of K the first steps in the legal process were underway by the serving of appropriate notices however as she then engaged with support to change her behaviour the case was reconsidered and it was agreed to rehouse her in a different area. This decision was made for a number of reasons:

- She was showing positive evidence of working with STEP2 to change her behaviour

- She needed to be moved to an alternative address so that she was no longer subject to the harassment and threats being made to her family and herself.
- By moving her away from the area the people causing the threats no longer visited the property therefore the nuisance stopped in the area, providing relief to the witnesses.

### **What action was taken to deal with perpetrators?**

A Notice of Seeking Possession and Notice of Demotion were served on K as the first steps in the legal process however it was evident to the caseworkers that K needed support if she was to change her behaviour.

It can be difficult to find holistic support for perpetrators of ASB, therefore this nomination is important to show the difference such support can make.

K admitted to being a drug user although she had tried to keep off heroin she had found this difficult and had relapsed after three months. Peter the STEP2 worker has worked with her for almost three years, showing commitment to tackle the many problems she faced. An example of the complex issues being dealt with included:

- K will admit that she has no friends, her previous friends being fellow drug users who she tries to avoid. She also has no relatives that could help her. Her total support initially came from Peter (STEP2) who has steered her in the direction of other support mechanisms.
- Social services were previously involved with the case around issues of domestic violence with a previous partner. When Peter became involved and he realised she had relapsed into drugs, he encouraged her to go back to Social services, be honest with them and ask for their help.
- She was referred to a local substance misuse programme which Peter helped her attend. She still goes voluntarily and submits clean tests every four days. In the last 18 months her methodone intake has reduced from 65ml to a minimal 13 ml.
- She has been referred to a local gym and also a counselling course.
- It was following a report from STEP2, and confidence that K was showing positive evidence of change that EDH agreed to alternative housing.
- She had multiple debts spiralling out of control which have now been managed and budgets put in place.
- She has been accepted on a 13 week course at a local college. If she completes this course with appropriate grades she has a conditional acceptance for the local university to study for a youth and social work degree.

### **What were the major challenges and how were they overcome?**

K has spoken of her problems and there appears no better way to explain the challenges than to consider some of her comments:

- *“Words cannot describe how involvement with Peter and STEP2 has changed my life. I was just about losing my home, losing my children, losing my life.”*
- *“Peter is the only positive person that has influenced my life. With his help the more positive I became, the less I used heroin and the clearer my head became. I could see light at the end of the tunnel. When I visit the chemist the suppliers are waiting outside to offer me a free hit but STEP2 has been my lifeline – I know I can phone whenever I need advice or help”*

- *“My daughter went to a birthday party and after that I got invited for coffee. I have never been invited before and it was strange at first. People used to call me scum”*

**How successfully was the case handled overall?**

Since the time this case was opened and referred to STEP2, EDH have reviewed the way support is put in place for perpetrators and a clear action plan is agreed to ensure support is considered as well as the enforcement action.

The biggest weakness would be that K was not engaged with the support when the complaints first started however it is possible that the threat of legal action helped focus her mind to engaging with the support.

There has been no further cases opened, involving K, through 2010/2011. Regular steering groups are held with STEP2, Supporting People, Housing Providers such as EDH, and the community safety partnership. At this meeting cases, such as this one, are reviewed.

In relation to a recommendation, it is important to try and engage a single agency such as DISC (STEP2) that are there to lead perpetrators through the complex issues they often have to deal with thereby ensuring optimum results. Just telling people to go to individual support services is often not enough.

**Other relevant information**

This is a nomination for DISC and the support, mentoring and guidance they provide. They work hard with perpetrators, over extended periods of time, to change behaviour, understanding the barriers to moving on and opportunities that are available. If DISC were successful with this nomination any funding received would aid people like K; Peter is still working with her to find funding for the college course.

**Organisation: Estuary Housing Association**

**Case Description: Persistent anti-social behaviour affecting immediate neighbours and the community as a whole.**

**What was the anti-social behaviour that led to the case being opened?**

The alleged perpetrator (AP), a young mum living in a mid terraced house located on a large housing estate with her 3 children aged thirteen, nine and eight. Initial reports of low level anti-social behaviour were about the behaviour of the children on the estate. As these became more serious the children were taken into care. Nuisance included; loud music, threatening behaviour by visitors, drug/alcohol related incidents, fighting, continuous dog barking and littering.

The (AP) and her friends were well known to the Police. They received intelligence that she was also supplying or harbouring of drugs. The behaviour of the (AP) had a huge effect on the community. They were disturbed throughout the day and night and witnessed distressing and violent incidents. The 2 immediate neighbours of (AP) were in a very vulnerable position often feeling intimidated and scared in their own home. One vulnerable neighbour who had lived on the estate for over 10 years had a number of health problems and rarely went out. The ASB disturbed her sleep and made her anxious. She was

forced to take sleep medication and anti-depressants. The other neighbour was a young single mum with 3 children aged thirteen, six and four. They were woken every night and this had a huge effect on their well being. The children were too frightened to sleep in their own room, one began bed wetting and they were struggling to stay awake at school. Their mum was very angry and distraught about the complete disregard her neighbour had for her and her family.

### **How was the case investigated?**

The 2 neighbours were asked to complete diary sheets detailing times and dates of incidents. Estuary informed them of how we worked with other agencies to try and resolve the issues. The (AP) was told that we had reports of ASB and would be investigating. We arranged a meeting with (AP).

Estuary contacted the Police and Environmental Health and asked for any supporting information they had. At the meeting with (AP) an ASB Contract was suggested. Estuary also agreed to refer her for floating support.

The (AP) failed to engage with floating support or sign the ASB contract. Diary sheets showed that the situation wasn't improving. We continued to liaise with the Police, Social Services, Environmental Health, Children's Centre and the school and witnesses were updated regularly. More people witnessed incidents and reported them. Written and verbal statements were taken as evidence. People were scared to give statements or contact the Police as they feared reprisals. Estuary maintained anonymity by producing a community impact statement. A Notice of Seeking Possession was served on the (AP) as a result of reports from neighbours and partner agencies. An Abatement Notice was also served, but this had no impact on the behaviour of the (AP) or her visitors. One of the witnesses was threatened and we worked with the Local Authority's ASB Team to get a Closure Order on the property. The evidence was not deemed sufficient so this was unsuccessful. Estuary then applied to Court for an Injunction without Notice with the Power of Arrest attached and was successful.

Two key witnesses were provided with information about the Court process and received weekly updates and visits. The Court date for Possession was confirmed and Solicitors agreed to seek a beneficial solution for all. The witnesses were visited and made aware of the options available. They felt the injunction had been effective and were clear that they didn't want the (AP) to lose her home. They just wanted to enjoy their homes again.

Estuary agreed to a 2 year Suspended Order based on a number of terms including:

- Not allowing named individuals to enter the property
- Not to engage in any conduct that causes or is likely to cause nuisance, annoyance, harassment, alarm or distress to anyone within the community including threatening or violent behaviour
- Not to keep more than 1 dog
- Not to throw rubbish into neighbouring gardens
- Not to cause damage to the property or access the rear garden by climbing over the back fence
- Not to play loud music.

### **What support was provided to victims and witnesses?**

Witnesses received regular updates on the progress of the case. They were provided with direct contact numbers for all agencies, including the Estuary ASB team, Police and CCTV operators so that if an incident occurred the camera could be focused on this. They were provided with leaflets explaining the Court process and being a witness. Information was also provided on Estuary procedures. Where necessary we arranged child care, transport and refreshments. Referrals were made for floating support.

Multi-agency meetings were held to discuss the case and draw up action plans; the witnesses were invited to attend.

### **What action was taken to deal with perpetrators?**

A referral for floating support was made and we suggested an ASB Contract be put in place setting out clear guidance on acceptable behaviour. We held meetings with Environmental Health, Police, Children's Centre and School. The Housing Officer attended child protection meetings with Social Services.

After exhausting early preventative interventions, the case got worse and the Association served a Notice under Grounds 12 & 14 for persistent ASB. The behaviour did not improve and we collated all the evidence and made an application to Court. In the Interim a threat was made to one of the witnesses so Estuary successfully applied to Court without notice for an Interim Injunction with the Power of arrest attached. We returned to court and obtained a 2 year Suspended Possession Order with strict terms (detailed in section 4 of this entry). The community, two direct neighbours, Environmental Health and the Police were involved in this case, and provided Witness Statements for Court which helped with the success of the case.

### **What were the major challenges and how were they overcome?**

People were reluctant to come forward as witnesses. They were scared of reprisals and intimidation. They were re-assured on confidentiality and explained that their evidence was vital to the case. Many visitors to the property were not our tenants. It was difficult to get these names and addresses needed for the Injunction and Suspended Order. As Estuary staff are part of the Essex Police Community Safety Scheme (Accredited) there is a strong working relationship with the Police and we were able to confirm these details.

The severity and impact of the incidents meant there was occasions when the community and witnesses were very close to taking matters into their own hands. Due to regular support and updates we were able to prevent this, and explain how this would jeopardise the case.

### **How successfully was the case handled overall?**

Estuary provided good support to the witnesses. Letters and visits to the (AP) were necessary as they gave her ample opportunity to change her behaviour and the behaviour of her visitors. These also built up a case file for Court as we were able to demonstrate that we had tried early interventions. We recognised that there were more underlying issues that lead to the (AP) behaviour. She was alcohol dependant, her children had been taken into care and she was being abused by visitors to her home. It was important to make the referral for her to floating support.

The Interim Injunction was necessary as it gave protection and reassurance but it made clear to the (AP) the unacceptable behaviour and gave strict detailed terms. The Injunction was not breached. Our role is to act to prevent homelessness, to support and sustain, rather than terminate, a tenancy. We are often under pressure from residents to evict those that are accused of ASB; however it's important to pursue alternative interventions retaining eviction as a last resort.

In this particular case, the witnesses didn't want (AP) to lose her home. They wanted the behaviour to stop. As the interim Injunction had the desired effect, the 2 year Suspended Possession Order was proportionate and appropriate. The case overall was a great success and witnesses have told us that it's like living in a new home and their lives are back on track. Multi agency working confirm there have

been no further incidences. The (AP) has been written to and thanked for her cooperation, and reminded that it's important that they continue to keep to the terms of the order.

**Organisation: Derwent & Solway Housing Association, a member of Harvest Housing Group**

**Case Description: A single mother of five children - unable to control her own behaviour and that of her children and two absent fathers - causing confusion, low educational attendance and levels of self esteem and placing her tenancy at risk and her children at risk of being taken into care.**

**What was the anti-social behaviour that led to the case being opened?**

A single mother aged 30, living with her five children to four different fathers, age five, six, seven, nine and 11. The family lives in a three-bedroom semi detached house with front and rear garden situated in the middle of a housing estate owned and managed by a local registered social landlord. The mother suffers from depression and agoraphobia and has experienced domestic violence and physical abuse from two of her own mother's partners as a child. The mother had ceased to engage with other agencies, saying what she thought they wanted to hear and not following through on agreed actions.

Her own mother is a regular visitor to the home, taking control of the family income, her tenancy affairs, and taking over in doctor's appointment (talking about her own problems and ignoring her daughters' needs). There were regular visitors to the home from her sister and her children and other friends and family. The mother appeared to have little control over this stating she did not feel strong enough to ask them to leave. There were also financial problems with debts to a catalogue company and the landlord for repairs. One father who was visiting is subject to an ASBO for causing over £1,000 of criminal damage at the property and drunken behaviour, using foul and abusive language to local residents. Another of the fathers is subject to an antisocial behaviour injunction for drug related behaviour which had resulted in a positive drugs warrant executed at the home when he was visiting. This antisocial behaviour and condition of the home (large amounts of rubbish in the gardens and damage inside the home, including no internal doors) put the mother's tenancy at risk of possession action with final tenancy warnings in place. The five children are subject to a child protection plan for neglect.

Reports of children engaged in antisocial behaviour, drinking alcohol and being involved in risk taking behaviour. Children also being found out late at night and having to be brought home by the police and reported as presenting tired, hungry and unkempt at school with one particular child insulting peers, leaving the class room and going home after registration as well as many incidents of lateness at school and truancy.

**How was the case investigated?**

The FIP undertook a whole family assessment to identify the needs of the individual family members. The FIP worker assumed the role of key worker for the family securing their commitment and engagement onto the project. A support plan was developed with the family and agencies which is reviewed and re-negotiated to meet the changing needs of the family to achieve positive outcomes for the children and families (a needs led outcome focused model). Additional services have been identified and will be brought in as appropriate. The key worker role ensured a coordinated multi agency

intervention preventing duplication of work and confusion within the member agencies and the family. The reviews ensured incremental improvements contributing to sustainable change. The FIP worker undertook persistent and intensive home visiting, including daily contact and visits up to five times per week including evenings and weekends as required.

**What support was provided to victims and witnesses?**

Local residents were contacted by Derwent & Solway staff on at least a fortnightly basis, reviewing diary sheets and explaining the next steps that would be taken including realistic timescales.

Support was also provided by local police community support officers being visible in the area, visiting those who had made reports to them. Residents were also supported by the ASBO and ASBI breaches being publicised in the local press in order that residents could see that action had been taken.

**What action was taken to deal with perpetrators?**

In addition to the ASBO and Injunction the mother was issued with a Notice Seeking Possession (NOSP) and D&S referred the mother and her family to the Family Intervention Project. The FIP undertook a whole family assessment to identify the needs of the individual family members and the absent fathers agreeing supervised access to their children at times away from the property. The FIP worker assumed the role of key worker for the family securing their commitment and engagement onto the project. A support plan was developed with the family and agencies which is reviewed and re negotiated to meet the changing needs of the family to achieve positive outcomes for the children and families (a needs-led outcome focused model).

Additional services have been identified and will be brought in as appropriate. The key worker role ensured a coordinated multi agency intervention preventing duplication of work and confusion within the member agencies and the family. The reviews ensured incremental improvements contributing to sustainable change. The FIP worker undertook persistent and intensive home visiting, including daily contact and visits up to five times per week including evenings and weekends as required.

**What were the major challenges and how were they overcome?**

The main problems during the case work were:

The inability for the mother to control who was coming and going from her property;

- the housing officer and the FIP key worker made many joint visits so that positive feedback could be given for incremental change. This helped mother have the strength and increased self esteem to prevent the disturbances from re-occurring which then gave time for household routines and the other issues to be addressed

The confusion of all the different agency visits and the demands that each placed on the mother was overwhelming, preventing progress from being made;

- the referral to the FIP and the agencies 'buying into' the holistic FIP model with the key worker acting as an advocate for the mother with ONE plan with all agencies involved

The threats of the different sanctions including exclusion from education, debts, control of the children at home, routines, eviction and of her children being taken into care;

- the FIP support plan made clear the timescales for change that had been agreed by the mother and sanctions held off by the agencies during that time.

The rights of the residents to enjoy a quality of life without the disturbances, against the time the intervention would take to produce sustainable change;

- this was difficult. Residents' expectations being managed by regular contact and, without breaking confidentiality, explaining the long-term solutions that were trying to be achieved. As the case went on residents realised the mother was trying to stop the disturbances from her ex partners as she was calling the police and saying 'NO' when they tried to call. Residents could also see the mother's confidence rise in order to control her children's behaviour in the community

### **How successfully was the case handled overall?**

Overall the outcomes for the case were overwhelmingly positive as the results below and the attached spidergrams demonstrate. This was in terms of positive sustainable change for the family, a significant decrease in disturbances experienced by the community and monetary savings made by the agencies involved by the involvement of the FIP Project.

Positive outcomes:

- The mother has set up daily routines ensuring the children are washed, have clean school uniforms and attend the breakfast club at school. This includes a notice board for appts and a chart for household jobs with for each child.
- Mother has been assertive in taking her child back to school when coming home and not allowing them to remain at home. School reports that the child is settling much better and is not causing disruptions in lessons. Latest attendance shows significant improvement.
- Mother has stuck to agreed times the older children have to be in by. There have been no further reports or police logs relating to criminal anti social or risk taking behaviour (regular police updates have been received)
- The family still have a number of family and friends to visit, however the mother has been assertive in ensuring uninvited visits are kept to a minimum. For example the key worker has reported mother is able to say when it is not convenient when someone visits during a FIP home visit.
- Mother has secured a bank account and taken control of income, is keeping up to a payment plan for recharge repairs to landlord and has started to save with the local credit union.
- Due to significant improvements in behaviour the children are reported to be settling into school and the eldest into their new school and are not at risk of exclusion.
- The FIP identified sustainable activities and all children attend weekly swimming lessons. The mother has ensured her children get to and from the pool safely and the children are enjoying engaging in the activity away from their peers and the environment where they were causing problems and are enjoying the activity.
- The FIP has engaged with the landlord and a local community partnership resulting in a skip being provided for the mother to clear the rubbish from the garden and cut the grass.
- In recognition of the significant improvements made in the home, the FIP and the local community partnership has joint funded a new stair and landing carpet, replacing a thread bare carpet which had caused concern within the Protection Plan.
- In July and August the landlord carried out property inspections and the breaches of tenancy incorporated into the FIP support plan along with recharges for the property. In January 2011 the recharge account went into arrears after Xmas. The housing officer worked with the FIP worker and the tenant and the account was quickly brought back up to date.
- On October 13<sup>th</sup> the improvements were acknowledged at a social services case conference and all children were removed from the protection plan.



- In November 2010 the FIP key worker reported that on visiting the property there appears to be a sense of order which was not present at referral. On a recent visit the family were eating a family meal together and there was a cluttered but orderly stack of washing waiting to be ironed.

From November 2010 until the case was successfully closed by the landlord and the FIP in March 2011, anti social behaviour had reduced to no reports, the children had routines in the house, were attending weekly swimming lessons, mum had attended a drum workshop with her children at school and had the self esteem to be considering finding a job, the children were no longer deemed at risk by police and social services and the landlord was satisfied with the condition of the property and that there were no other breaches of the tenancy.

In terms of what would be done differently next time. Communication between agencies before the FIP Project could have been a lot better in terms of the needs identified by each agency and the awareness of the multi sanctions that were in place by each. It was only when the FIP came involved that the full picture of complex needs was evident to all and this was a learning point.

The FIP model will be used next time to promote better partnership working, regardless of whether a formal FIP intervention exists.

#### **Other relevant information**

The mother has since been involved in academic research attending interviews about her experiences, problems, and how these were overcome. The mother took part in this work with a passion and said after the last interview that she 'could not have done this without the Family Intervention Project' (way of working). This shows the increased levels of self esteem which has helped a mother and family who were on the brink of eviction and of care proceedings, to reflect on her journey and instill sustainable positive change.

#### **Organisation: Homes For Islington**

**Case Description: Gatherings of groups of young people meeting at antisocial hours and causing noise nuisance, suspected drug dealing and gang related affiliation and activity harassment to local residents.**

#### **What was the anti-social behaviour that led to the case being opened?**

A large collection of young people gathering on the Kerridge Court and neighbouring Burder Close estates. The estates are located in the East part of Islington borough.

The young people had been observed acting in an antisocial manner with reports of noise nuisance and suspected drug dealing with potential gang activity. The general behaviour was one of intimidation leading to residents and pedestrians moving through the area feeling vulnerable and scared.

The determining factor for the report was down to two separate incidents involving weapons where one individual had been stabbed whilst another had been chased on to the estate after a stabbing incident. The level of intimidation resulted was such that residents and witnesses to events were unwilling or afraid to report to any of the available services for fear of repercussions.

### **How was the case investigated?**

Initial complaint made by resident board director at a board meeting and then subsequently on an ongoing basis to the local area office and ASB team.

#### Initial response

Initial investigation warranted block letters to all locally affected residents to gather intelligence. Patrolling of out of hours ASB team to see nature of issue. Liaison and discussion with the local Safer Neighbourhood Team and other Police units. Conversation with youth and detached workers working in the area to assess provisions and identification of any names. Provision of covert CCTV through the use of professional witness service. Raising at appropriate Youth Targeted Partnership meetings such as Multi Agency Problem Solving Team and the Youth Gang and Violent Crime Prevention Bronze Group

#### Strategic meeting called with Partners from the following agencies:

Local Councillor and Portfolio lead for Community Safety  
Safer Neighbourhood Team  
Youth Engagement Team (Police)  
Local Authority Youth Detached and Targeted Youth Support Workers  
Homes for Islington ASB Team and Housing Manager  
Homes for Islington ASB Co-ordinator  
Police and Partnership crime analyst  
Local Authority Multi Agency problem solving co-ordinator  
Witness Support Service  
Neighbouring borough – Hackney  
TRA representative (community)

### **What support was provided to victims and witnesses?**

The Witness Service attended several tenants' resident association (TRA) meetings to promote their service and encourage reporting. As this agency is commissioned by HFI they were able to offer a confidential and neutral area to report incidents as well as providing an additional ear for the victims to call. A total of 7 residents came forward to offer evidence. This service was available for the duration and beyond of the case.

Additional reporting hotlines for Housing in the form of an out of hours number and Police Safer neighbourhood numbers were promoted and provided to all residents. The leaders of the two respective TRA panels were regularly updated and invited to participate in the partnership meetings. Police and Out of hours services undertook additional patrols of the area. Requests were also made to the Boroughs Tasking Service to be deployed as their hours covered late evening and early hours. The deployment of youth service to carry out detached work provided a visible presence to the community that services were in place to tackle the issue.

### **What action was taken to deal with perpetrators?**

Working in partnership we were able to identify the provision of appropriate youth services. This was provided on the following basis:

- Signposting young people to a local boxing project
- Provision of detached youth workers to patrol the estates on a twice weekly basis, using their skills to engage the young people and signpost to apprenticeships and projects that were in situ.

- Access to an all purpose built youth bus providing training sessions on a variety of subjects and topics relevant to young people as well as access to Computers and the internet.
- 50 young people were engaged through the detached work leading to the regular participation of 25 individuals. Of these 20 achieved recorded outcomes
- Four young people were identified and invited to sign acceptable behaviour contracts (ABC'S). Of these 3 were successfully signed.
- Legal action was limited due to the lack of identification of individuals behaving antisocially.

### **What were the major challenges and how were they overcome?**

Encouraging residents to report incidents was a major issue due to the fear of identification and possible ramifications from the alleged perpetrators. This was overcome by utilising the skills of the Witness Service to engage and encourage reporting to their service. Their involvement at TRA meetings and through door knocking exercises to provide diary sheets went a long way in ensuring some initial engagement. There were some additional issues with this in that the level of returns was minimal and required further visits from Partners to collect said diary sheets. Generalising of the issue and the individuals involved was also a challenge with reporters offering little description of perpetrators and referring to them as “the usual crew” etc. This was addressed through the engagement of patrols from the Youth Service, Police Youth Engagement Team and other partners

### **How successfully was the case handled overall?**

#### Positive

The bringing together of Partners all of whom had an active interest or were regularly involved in the area was particularly positive. This exercise successfully identified all services that were already being provided or accessible to the area as well as providing the opportunity to see what else was required or indeed could be offered. The provision of data and intelligence from the Police Analyst as well as anecdotal input from Youth Services and Housing provided a focus on activities and identification of some of the individuals involved

#### Negative

The use of professional Witness and CCTV gave us the opportunity to potentially identify some individuals acting antisocially and gather evidence – However this proved unsuccessful due to the transient nature of the individuals and location of issues.

#### Case Result

The level of reports of both criminal and antisocial behaviour has reduced. The nature of incidents being recorded is no longer of a gang or group related variety. Telephone monitoring was maintained throughout the duration of the case and for a period after to ensure the groups did not rear up again. The level of work completed viewed as successfully addressing the ASB and disrupting the groups that had been gathering and case closed on this basis

**Organisation: Metropolitan Police Service - Safer Croydon Partnership / Heathfield Safer Neighbourhood Team**

**Case Description: A Police and Partner Agency approach to solve a serious Anti Social Behaviour issue directed against a vulnerable adult.**

**What was the anti-social behaviour that led to the case being opened?**

The ASB that led to the commencement of the action plan related to a group of youths who were targeting a single, vulnerable adult residing on an estate. The youths concerned were also residents of this estate and had been targeting the victim for almost 2 months prior to Police notification. The behaviour comprised of name calling, entering his house under fall pretences and stealing property from him.

This led the victim to attempt suicide on one occasion and it also led to him feeling deeply depressed and angry. This activity had a detrimental effect on several elderly neighbours, causing them to feel intimidated and scared. The victim was vulnerable due to his mental health and age; the offenders having no regard for the victims' condition.

The location of the incidents was a small council estate with a high density of teenage children, mixed with a smaller number of elderly residents. There are limited social activities for the younger population to engage in. The victim was situated close to a local gathering point for some of the youths of the estate. This meant an almost a daily "running of the gauntlet" past a group of hostile youths. The victim himself was a 54 year old male, who had been diagnosed with mental illness; he was also a chronic alcoholic and relied on Social Services and the mental health team. The victim felt that some of the local youths had befriended him, he felt that he could trust them and he allowed them into his house on a regular basis. The offenders, having identified the time the victim was alone would target the victim by gaining the victims trust, extract cash from him by various methods, and search both the victim and house for money. In doing so they damaged valuable personal items such as pictures and belongings. A phase of harassment included loitering, name calling and swearing at the victim.

The offenders concerned were subsequently identified as being previously involved in Anti Social Behaviour elsewhere on the estate. It was recognised by the Safer Neighbourhood Team that a robust and concentrated approach was required to stop the youths and bring them to justice. The behaviour was also restricting the lives of elderly neighbours, causing them to feel scared and intimidated within their own homes. As the victim perceived that the youths were his "friends" he was reluctant to call Police, but the incidents which had now increased to a daily occurrence caused him to feel suicidal as he felt he had no persons to relay his fears to. This led to the victim taking an overdose of prescribed drugs. The victim was not forthcoming with any further information.

**How was the case investigated?**

Following the attempted suicide, the victim's mental health team made contact with our Safer Neighbourhood Team. Police Community Support Officer (PCSO) Ben Guerin. Ben became the single point of contact for the victim and managed to establish an understanding of the victims' plight and history. This was documented and termed a critical incident'

An action plan was devised that took into consideration not only the effect upon the victim but the wider concerns' of his neighbours. This entailed that the intended victim was fully protected and made to feel safe and reassured. I carried out the following immediate actions as shown:

1. Daily Police visits to the victims address.
2. Identifying his vulnerable neighbours and also visiting them daily
3. Placing "High Risk Marker" on the victims address, which meant that if the victim made a 999 call at any time, he would get an immediate response from Police?
4. Placing a covert camera within the victims address to establish identification of offenders who had entered his property.
5. Contacting all related outside agencies who had previously had been in contact with victim and arranging a multi agency meeting to update all parties concerned and to inform them of Police action and for them to respond accordingly.
6. Appointing an evidence gathering officer from my Safer Neighbourhood Team to collate all evidence and intelligence in order to identify offenders and bring them to justice.

I had now identified the following agencies that had direct and indirect contact with our victim:

- Housing Association
- Mental Health Team
- Social Services
- Neighbourhood Wardens
- Safer Neighbourhood Policing Team

A number of urgent actions were agreed upon by the relevant agencies, which included re-housing, a review of the victim's medication and an increase in Social Services visits, visits by Neighbourhood Wardens and a variation in Safer Neighbourhood (SNT) shifts to cover vulnerable times. All actions were recorded on a weekly basis with Senior Managers from all agencies. An action plan consisting of statement collection, high visibility patrolling and covert surveillance led to the identification of five youths and the arrest of one offender for a specific offence.

#### **What support was provided to victims and witnesses?**

The Victim Support Scheme agency was contacted throughout this process and PCSO Guerin was used as the regular, main point of contact with the victim, having established a rapport with the victim. The Council Neighbourhood Wardens also played their part by paying daily visits to the victim's neighbours at different times of the day, which had a positive effect in that their confidence was regained and their fear and perception of the ASB was reduced.

Both Neighbourhood Watch and The London Fire Brigade were regularly in contact with the victim. They fitted a fire alarm and a fire proof letter box. The Crime Prevention Officer and the Sanctuary Project conducted a survey and installed additional target hardening measures. Finally, I spoke to one of the victim's neighbours and requested him to pay regular visits to him in our absence, which he happily agreed to carry out.

#### **What action was taken to deal with perpetrators?**

Unfortunately, due to the victim's health issues any identification evidence was not sufficient enough to pass the Crown Prosecution Service (CPS) evidential threshold test, however further enquiries were made by the SNT in an effort to collate, alternative evidence, with which to modify the behaviour of the youths causing the ASB.

In conjunction with Croydon Council's Housing Department, five acceptable behaviour agreements (ABA) were signed by the youths concerned, agreeing not to intimidate or harass the victim or neighbourhood. To date, there have been no breaches of the ABA, one youth has now found full time employment and there have been no further reports of ASB in this particular area.

**What were the major challenges and how were they overcome?**

The major challenge to overcome was gaining the confidence of the victim. He was initially reluctant to accept a housing transfer move, as he had almost become accustomed to not only to the area, but in a sense to the ongoing harassment. Through a long and patient dialogue between the victim, social worker and SNT we managed to reassure him that a move to a more suitable form of accommodation would be in his best interests. The mental health team report he has improved considerably in his general wellbeing.

The other main challenge was the communication between partner agencies at the very start of the ASB, perhaps because ASB is recorded differently on Council and Police Databases. A risk matrix was devised based on the potential vulnerability of the tenant, the location and what resources maybe needed to ensure their safe tenancy on the estate. This would be discussed on a monthly basis between partner agencies.

**How successfully was the case handled overall?**

Worked well:

- Following notification of the problem the SNT were able to put in place a range of protective measures to support and reduce the ASB very quickly. This had the added benefit of reducing the ASB for other local residents.
- Good ongoing commitment from all partner agencies.
- Specific and appropriate use of the ABA, none of the offenders identified have re offended.

Didn't work well:

Not being able to bring a criminal charge against the aforementioned youth.

Evaluation:

The victim is under the Mental Health Team, they report a considerable improvement in his well being. The estate continues to have pockets of ASB but these are seriously reduced in the local area concerned.

**Other relevant information**

The good work of PCSO Guerin - He not only built a positive rapport with a vulnerable man on the brink of suicide, but together with the Heathfield SNT has contributed to reducing ASB for all other residents on the estate.

## Organisation: **New Charter Housing**

### Case Description: **Striking the balance – resolving ASB and meeting the needs of victims when dealing with a vulnerable perpetrator.**

#### **What was the anti-social behaviour that led to the case being opened?**

The perpetrator – Mr B – is a 65 year old man who was initially housed by New Charter in 2006 after a lengthy period of street homelessness. At that point he moved into a sheltered housing scheme in order to meet his identified support needs. He seemed to be doing well until problems first came to light September 2009 when the scheme manager reported that Mr B had started wandering around the scheme corridors during the night, knocking on residents doors and entering the female toilets. The situation deteriorated further when he began hoarding rubbish in his flat and became abusive to the manager. This culminated in an actual assault on the manager at which point it was clear he could no longer remain in a communal living environment. It was now evident that Mr B had underlying mental health issues/learning difficulties which manifested themselves in anti-social behaviours but highlighted that he was also a vulnerable person. Working with Social Services, who had been involved with Mr B since 2008 because of his self-care problems self-care, it was agreed with Mr B that he should move into more independent accommodation. He moved into his new home, with an intensive package of Social Services support, in July 2010.

By late October 2010 New Charter and Police staff began to receive complaints from neighbours that he was rummaging in their waste bins, removing rubbish and taking it into his home, going as far as using a screwdriver to gain access where residents had put locks on. When residents had approached him to question his behaviour he became very abusive and threatening. He subsequently began prowling round victims' gardens and staring in through their windows. There were then two occasions on which he exposed his penis.

Four immediately adjacent households, all vulnerable older people, were particularly targeted by Mr B and they reported as feeling distressed, angry, upset, intimidated and afraid. They also had to change their own routines to minimise the potential for contact with Mr B outside of their homes.

#### **How was the case investigated?**

All the affected victims reported Mr B's behaviour to both New Charter staff and the Police. New Charter's Tenancy and Support Service instigated an investigation into the complaints by initially interviewing/taking statements from all the victims and liaising with Police to secure additional evidence. CCTV equipment was installed in the affected homes and immediate vicinity to monitor and record Mr B's behaviour; this verified victims' complaints. There was extensive collaboration with the Police throughout the investigation process as well as frequent contact with Social Services staff who were involved in Mr B's case.

In addition to conducting individual interviews with victims, New Charter and the Police held meetings with all those affected to share information on progress, offer support, obtain feedback and consider which solutions could provide a satisfactory outcome for those affected by Mr B's worsening behaviour. Following confirmation from Social Services that Mr B was deemed as having capacity to understand his actions and their consequences, he was interviewed on several occasions including a joint visit New Charter/Police visit during which he was issued with a formal written warning stating that he risked legal action being taken if his behaviour didn't improve. This was explained in detail to him, with staff

emphasising the effect his actions were having on his neighbours. Sadly he continued to cause significant problems.

There were also a series of professionals meetings held involving staff from agencies involved with Mr B's case including Social Services and a Mental Health Advocate. The aim of these discussions was to attempt to find a solution which would resolve the issues for victims without the need for formal legal action against Mr B given his own obvious needs/vulnerability.

#### **What support was provided to victims and witnesses?**

Victims in this case were also the key witnesses. They had open access to the named New Charter officer leading the investigation throughout the duration of the case and were able to contact him to provide updates on Mr B's behaviour, talk about their concerns or just let off steam as and when they needed to. The New Charter officer also maintained regular contact with victims by visit and telephone. Community Police staff regularly called in on victims to offer whatever support they could and also maintained a high visibility presence in the neighbourhood to provide some degree of reassurance.

In addition to the contacts with victims on an individual basis, New Charter and Police also held several meetings with all the victims as a group to facilitate a mutual support mechanism and provide a forum for views and feelings to be shared and discussed. This also enabled New Charter and the Police to get feedback on perceived progress and share relevant information.

#### **What action was taken to deal with perpetrators?**

Because Mr B clearly had complex needs and was himself a vulnerable adult, legal remedies were always the last option in this case. From the time his behaviour first became an issue when he was living in the sheltered scheme, the emphasis was on intervention and support rather than heavy end enforcement action. Throughout this case New Charter staff and Police attempted to help Mr B recognise the effect of his behaviour on others and offer support to help him adopt more a community-friendly lifestyle and improve his interaction with others. This process was reinforced with a series of warnings short of formal legal action. We considered injunctive action but our advice was that a Court would be reluctant to grant an order given Mr B's obvious problems. Mediation was considered but it was clear that Mr B wouldn't/couldn't cooperate with such a process.

Although Social Services were involved, Mr B's gradual disengagement from the support available to him exacerbated his behaviour. A key focus of that support was to ensure he took prescribed medication and when he refused to engage that 'control' disappeared. The professionals meetings became difficult in that, whilst we didn't want to pursue legal action, options became limited given that Mr B was deemed to have mental capacity and therefore not subject to any statutory interventions with regard to his apparent mental health problems/learning difficulties.

Eventually Social Services were persuaded that Mr B needed specialist supported accommodation and a place in a learning difficulties scheme was offered. Mr B refused that offer. In light of this New Charter, with support from the Police, informed all professionals involved that there was now no option other than to instigate legal action and Mr B was served with Notice Seeking Possession on 10<sup>th</sup> May 2011, despite the protestations of Social Services. This had the desired effect and Mr B agreed to voluntarily relinquish his tenancy and move into supported housing arranged by Social Services. This move took place on 14<sup>th</sup> June.

All affected residents were notified on the day – their relief was palpable!



The significant issue was that of Mr B's mental capacity. His behaviour and interactions with others clearly indicated that he had needs but the statutory services were saying that he was responsible for his own actions. On one hand we had a group of very distressed elderly victims whose lives were being made intolerable by Mr B's behaviour, on the other we had a man in his 60s who had spent many years living on the streets and was clearly vulnerable in his own right. We had to achieve a balance and, unfortunately, some barriers were encountered in dealing with Social Services who at one point were accusing victims of exaggerating his behaviour and actually harassing Mr B with his behaviour being seen as a response to that. Fortunately the evidence gathering process totally refuted that but it was disappointing to hear such comments from fellow professionals.

We feel that steps to move Mr B into accommodation more suitable to his needs could have been taken much sooner if Social Services had fully appreciated the seriousness of the problems he was causing and the impact of his actions on the victims; it felt as though Mr B was the victim in their eyes not the perpetrator. Although we have ultimately achieved a positive result for all concerned, it is a shame that we had to instigate formal proceedings to provoke the action required

#### **What were the major challenges and how were they overcome?**

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#### **How successfully was the case handled overall?**

Ultimately this case was successfully resolved and in a much shorter time span than if we had been compelled to go through onerous possession proceedings. The victims now have peace in their neighbourhood, are happy with the outcome and can get on with their lives. Mr B still has a home, one which is more suited to his needs and has specialist on-site support. And, as always intended, this was achieved without the need for more extreme legal interventions.

Given the recent conclusion to this case there has not been time for a full evaluation. Hindsight tells us however that serving the Notice Seeking Possession clearly focussed the minds of Social Services and Mr B and perhaps this could have been done sooner. Initial feedback from victims as to our handling of the case is positive and they seem satisfied with the level of contact and support provided. Joint working with the Police was strong in this case, particularly in direct dealings with Mr B and discussions with Social Services.

This case highlights a problem which may become more prevalent in dealing with similar situations in future. Statutory Services with significantly reduced resources will raise their intervention thresholds ever higher forcing landlords to take the legal route as the only option.

**Organisation: North Tyneside Homes**

**Case Description: A challenging and complex case combining victim and witness support, perpetrator support, creative use of legal tools, community engagement and a management transfer.**

**What was the anti-social behaviour that led to the case being opened?**

The perpetrator referred to as Ms P (a 64 year old female) was the tenant of a ground floor flat in a two storey block of flats. The block in Hedley Place, Wallsend, North Tyneside, is in an area of mixed housing. Ms P's tenancy at the property commenced in August 2005. However, it was not until October 2009 that the Council and the Police began to receive complaints of ASB associated with Ms P and her visitors.

The anti-social behaviour consisted of noisy parties, loud music, visitors to the property intimidating local residents, drunken arguments, rubbish being dumped in neighbours bins, violence at the property which included a stabbing, complaints were also received that visitors to the property were urinating in the tenant's garden. Residents witnessed visitors carrying large quantities of alcohol into the flat, and referred to the property as being a drinking den. Police visited the property on many occasions, responding to calls from residents, incomplete 999 calls and Ms P calling police in an intoxicated state about visitors refusing to leave her home.

What was the impact on victims and the community?

A disabled neighbour was particularly traumatised by the ASB. She and her husband were regularly awoken from their sleep. Other neighbours were also disturbed and wanted action taken. Empty properties in the immediate vicinity of the property were rejected by prospective tenants.

What was the underlying cause of the ASB?

In the early stages of the investigation it became apparent that Ms P was an alcoholic, She invited other persons with alcohol problems into her home. She was 64 years old, and vulnerable.

**How was the case investigated?**

Who made the complaint and what was the initial response?

Local residents complained to the council and the police from late 2009.

The housing patch office issued first and second stage warnings and complainants were asked to complete incident diary sheets. The ASB continued and in January 2010 the case was referred to the Councils safer estates team who deal with the more serious cases of ASB.

How was evidence gathered?

Safer estates officer Georgina Bowmaker was assigned to the case. To begin with Georgina and the community beat manager for the area sent a joint letter to all residents in the locality requesting people to report ASB they witnessed. The letter incorporated confidential telephone numbers and incident

diary sheets to help residents record and report ASB and gave reassurance they were working together to solve the ASB.

Georgina arranged for covert CCTV to be installed into a neighbour's home. Visitors to the flat were soon identified and individual case files were opened.

#### How were any other agencies involved and community members in the investigation?

Northumbria Police were a key partner to the investigation. Residents assisted in the investigation by completing incident diary sheets and by telephoning the safer estates team and/or the police to report incidents they had witnessed.

#### **What support was provided to victims and witnesses?**

Georgina kept in weekly telephone contact with a disabled neighbour. Other neighbours and witnesses received fortnightly updates on progress relating to joint action by the council and the police. The covert CCTV installed in the home of the disabled victim helped to help give reassurance as well as gathering evidence. Victims and witnesses were protected by anti-social behaviour injunctions which were issued against three of the visitors to Ms P's home. The injunctions excluded these persons from entering Hedley Place. All had the power of arrest attached. The council only used police evidence in legal proceedings which avoided the need for witnesses to give evidence in court. The information residents provided in incident diary sheets was sanitised and used as hearsay evidence to support the applications for the injunctions.

Georgina made a referral to Byker Bridge – a specialist housing support service. A support worker provided Ms P with floating support which included help with budgeting and housekeeping. The support worker helped Ms P to engage with alcohol support services. Georgina and the support worker had difficulty in getting Ms P to realise that she was a victim of ASB as well as being a perpetrator. Ms P started to miss appointments with support services and began to disengage.

#### **What action was taken to deal with perpetrators?**

Initially, as an alternative to legal action Ms P received warning letters and joint visits by Georgina and police officers. On 4 August 2010 Ms P signed an Acceptable Behaviour Agreement. On 19 August 2010 following a continuation of the ASB the Georgina served a Notice of Seeking Possession on Ms P. The NOSPP was necessary to make Ms P realise that as a perpetrator of ASB the Council had a duty to the whole community to ensure they were able to enjoy peace and quiet in their own homes.

#### What legal remedies were used?

Anti-social Behaviour Injunctions were obtained against three visitors to the property, Lee Anthony, Richard Bartlett, and Simon Colclough were all excluded from entering a large area of Wallsend which included Hedley Place. These Injunctions had a significant impact in protecting Ms P, and gave other residents reassurance and peace of mind, and sent out a strong message that anti-social behaviour is not acceptable.

#### What supportive interventions were used to assist perpetrators to change their behaviour?

On 12 January 2011 in the course of a visit to Ms P's home by Georgina and a support worker it became apparent that Ms P had been assaulted. An invited visitor Simon Colclough was still in her home. Ms P and the visitor asked Georgina and the support worker to return to her home in around 10 minutes as it was inconvenient for them to discuss matters at that time. Georgina observed severe bruising to Ms P's face.

Georgina felt uncomfortable with the situation and called the emergency services. The police and an ambulance arrived at the property a short time later. The visitor had already left the property. Ms P acknowledged that Simon Colclough had assaulted her but she did not want to press charges. She did not wish to attend hospital. This event finally made Ms P realise that she was a victim of ASB, which was caused by her also being a perpetrator of ASB. She also admitted that visitors were taking her money to purchase alcohol. Georgina made arrangements for Ms P to be moved to emergency accommodation later that day. The following day Georgina and a Council lawyer obtained an anti-social behaviour injunction which prevented Simon Colclough from entering Hedley Place. Ms P gave assurances that her days of being a perpetrator of ASB were over. Georgina worked with the Councils Homefinder team and identified a vacant flat within a sheltered housing scheme. A week later Ms P moved into her new home.

### **What were the major challenges and how were they overcome?**

A main challenge for Georgina was to maintain community confidence and reassurance in the ability of the council and the police to solve the matter, whilst co-ordinating support and enforcement actions. Initially Ms P did not acknowledge that she was also a victim of ASB as well as being a perpetrator. It was not until the latter stages of the investigation and with the help of Georgina that Ms P finally realised she was a victim.

#### How did the team overcome difficulties?

Georgina overcame these difficulties by keeping the community updated on actions being taken. Posters of perpetrators subject to anti-social behaviour injunctions were displayed in local shops and community facilities. Leaflets were posted through letter boxes of all residents in the area. This helped to give confidence and reassurance to the community and help residents to report suspected breaches. Georgina's dedication and commitment finally made Ms P realise that she was a victim of ASB – it was this realisation that made Ms P fully engage with support services and change her behaviour. .

### **How successfully was the case handled overall?**

#### What worked well:

Georgina Bowmaker succeeded in maintaining community confidence from the early stages of complaints to resolution by keeping the community informed. The Northumbria Police safer estate agreement ensured there was effective information sharing between various agencies, particularly Georgina and the community policing team. A combination of enforcement and support interventions, and working with the community, had the desired effect in providing a successful outcome.

#### What didn't:

Getting Ms P to realise that she was a victim of ASB at an earlier stage..

#### What was the case result?

Ms P accepted the tenancy of a flat in a sheltered housing unit. She is now safe and secure and is free from financial and physical abuse due to her vulnerability. Ms P interacts with other residents in the housing scheme. She continues to engage with Byker Bridge floating support. Residents of Hedley place are delighted with the outcome. They have the confidence and reassurance that the council, police and other agencies work effectively to tackle issues of local concern. The disabled neighbour in particular is now able to live in peace and quiet. The perpetrators are still subject the ASBI's which were granted for a period of two years. ASB within the Wallsend area has fallen. Ms P's former home in Hedley Place has now been re-let and other empty properties in the vicinity have been filled which has improved the physical appearance of the area.

### **Other relevant information**

This case also shows the importance of keeping the community informed of actions being taken in relation to their concerns.

### **Organisation: Places for People**

**Case Description: Transformation of the Daisy Meadow Estate in Clayton Brook, Lancashire from an estate where anti-social behaviour was the accepted norm to a place which now provides a safe and sustainable estate where customers are happy to live.**

#### **What was the anti-social behaviour that led to the case being opened?**

The Daisy Meadow estate is made up of 198 properties, which is a mix of 2, 3, 4 bed houses and 1 bed flats. There is a mix of families and single people who live there and the estate suffered from violence, threats of violence, gang related violence from two opposing gangs, CBT (Clayton Brook Thugs) and BBRS (Bamber Bridge Riot Squad), alcohol and drug related nuisance, dangerous dogs, criminal damage and youth nuisance.

On the estate 17 households had members or associates of the CBT gang living in them, this centred around 2 cul-de-sacs which virtually had become no go areas. Parties would commence on a Friday afternoon and continue into Sunday, and residents felt intimidated, threatened and scared to go out of their houses. Victims were very reluctant to come forward for fear of reprisals, turnover of properties increased and they were increasingly difficult to let in these areas.

The age of the gang members ranged from 15 to mid 30's and their conduct had become a way of life, regardless of any consequences, as there was such a high concentration of gang members living in 2 cul-de-sacs in particular.

Two particularly severe cases took place as follows:

- 1:** Racially Aggravated Assault – June 2009 – 3 CBT gang members carried out an unprovoked attack on an Asian male in his mid 40's who was filling his car up at the petrol station which backs onto Daisy Meadow. The victim was hospitalised as a result, suffered severe facial and body injuries and the perpetrators were sentenced to 8 months in prison. All 3 perpetrators lived on our estate.
- 2:** Serious assault (section 39) – July 2010 – party took place on the estate, fight broke out involving Samurai Sword resulting in serious injury to victim. The perpetrator received a prison sentence

#### **How was the case investigated?**

Despite the significant anti-social and criminal behaviour taking place we initially only had 2 customers who made complaints in June 2009 when the community safety unit was established. Our initial response was to visit and support those customers, explain the action we were able to take, the evidence we required from them as witnesses and the support we would provide out of hours to assist them in gathering evidence. Covert CCTV was installed to record activities in one of our customer's

homes, diary sheets issued and completed by victims, photographic evidence obtained from complainants, and police evidence obtained including criminal proceedings.

Inter agency meetings took place entitled "Mini MATAAC" with the following agencies in attendance: Places for People's Community Safety Officer, the Police, Community Safety Partnership, Housing Benefit Fraud investigators and representatives from Chorley Borough Council. At the meetings the top ten perpetrators were identified and inter agency action plans were developed to tackle the issues. Joint working also took place between the Community Safety Officer, Neighbourhood Officer, Account Manager and Allocations Officer from Places for People, to ensure all elements of each case were discussed and the most appropriate and timely resolutions agreed.

As problems were addressed more and more community members came forward and assisted in providing evidence, at the end of the process we managed to achieve support from an associate of the gang who provided further evidence.

#### **What support was provided to victims and witnesses?**

The Community Safety Officer carried out regular, weekly, visits and telephone calls and visited the customers in the early hours of the morning, parking off the estate and entering via the victim's back door to avoid drawing any attention or raising suspicion with gang members. Visits were carried out to customers who worked full time on Saturdays. Covert CCTV was installed in one customer's home, we arranged for the Crime Prevention Officer to visit and offer support to 2 elderly witnesses and we set up meetings with Environmental Health on our resident's behalf. In addition we worked with the street lighting department to ensure improvements in lighting were carried out in poorly lit areas. Throughout the process we kept witnesses regularly informed on the progress of actions being taken.

#### **What action was taken to deal with perpetrators?**

A full range of interventions using all tools and power available to us were carried out including restorative justice; verbal and written warnings; Acceptable Behaviour Contracts with young people; Pre Notice Cautions; Notice of Seeking Possessions; joint police visits; 2 injunctions one with an undertaking; a possession order; and the serving of a Section 21 notice. As a consequence of this action, 3 further perpetrators surrendered their tenancies prior to court hearings.

Perpetrators were interviewed, discussions about their conduct took place including discussing the impact it was having on the neighbourhood and advice on how to behave was given. The restorative justice cases involved the victim and perpetrator meeting face to face and the victim explaining the impact the perpetrators behaviour was having on them. The Acceptable Behaviour Contracts with young people outlined in agreement with the perpetrators and their parents the improvements in behaviour required.

In addition Places for People in partnership with the local primary school, Clayton Brook Primary School, sponsored the Will Powers Beware project which provided 30 books for year 6 pupils to make children aware of the major issues that they face early in their lives. It covers a number of topics including smoking, alcohol, drugs, the body, and bullying. It is hoped that the children find Will Powers enjoyable to read and complete. It also allows children to interact with their parents by discussing the issues that affect so many of them in their daily lives. When the children have finished the book it is something they can keep and refer back to at a later date.

### **What were the major challenges and how were they overcome?**

Initially the major challenge was the lack of customers willing to report incidents or provide evidence, and the acceptance by the community that their behaviour was the accepted norm. Witnesses were afraid to come forward or provide evidence due to the fear of reprisals. We were also unable to let properties or attract customers who were likely to effectively sustain their tenancies. Alcohol related nuisance including parties and drinking on the streets was challenging and police resources were very limited to tackle these.

These difficulties were overcome by the provision of intensive support to witnesses, resulting in other victims seeing the support offered and coming forward as a result. Legal action was taken with hearsay statements to prevent the need for victims to go to court, and a local lettings plan was introduced. The Police took on board via the mini MATAC meetings the powers they could implement to tackle alcohol related nuisance, additional police resources were also put in place to assist tackling the issues over the weekends.

### **How successfully was the case handled overall?**

There has been a significant reduction in complaints and the severity of the types of cases from 2009/10 to 2010/11. Tenancy turnover has reduced and the overall appearance of the estate has improved significantly, making it an estate where customers want to live.

The intensive support for witnesses worked very well as it reassured and encouraged others to come forward. The successful use of all the powers available to us sent out a message that unacceptable behaviour would not be tolerated in the area, and perpetrators either improved their behaviour or left. A review of the success of the Daisy Meadow interventions was carried out and identified that complaints had reduced by a 3<sup>rd</sup> and the nature and severity of these had significantly reduced. A community safety questionnaire was sent out to all residents to collate feedback on crime and anti social behaviour issues, and residents fed back that it was a much safer place to live. In addition we carried out a satisfaction survey following every recorded case and satisfaction results have been excellent.

Comments from customers included:

- *"I think Daisy Meadow has changed a great deal and is all for the better"*
- *"Safest Daisy Meadow has been for a number of years"*
- *"Places for People are doing a great job, keep it up"*

In addition, Places for People commissioned MRUK to carry out a customer perception survey of the Clayton Brook neighbourhood planning area in September 2010. 131 residents from Clayton Brook, including residents from Daisy Meadows completed the survey and the results indicated that 73% of residents now felt that Places for People took anti social behaviour seriously. In terms of what we would do differently in the future, we would engage with the police sooner to encourage all powers available to them to be implemented, and more visibly promote the services and support the community safety unit could provide to all residents sooner.

The action we would recommend to others in a similar situation is to support your witnesses from the very start of the process making regular contact including out of hours, keep them fully informed of what's happening, and work in partnership internally and externally with all agencies available to you. Have a good knowledge of the tools and powers available to you. Be prepared to put in a lot of effort,

hard work and commitment to tackle the issues, and win the confidence of the local community as the results are worth it.

### **Other relevant information**

The benefits of having a specialist Community Safety Officer role working on this case have been significant. The CSO's have specialist knowledge of all the interventions which can be used, and have been fully trained to implement them. They are dedicated to working on community safety and anti social behaviour issues without the conflicting priorities other neighbourhood management staff may have to deal with. This has undoubtedly resulted in more effective targeted interventions taking place on the Daisy Meadow estate.

### **Organisation: Poplar HARCA**

**Case Description: Residents endured seventeen years of ASB and were told there was nothing the Council could do, but when the stock transferred to Poplar HARCA they worked closely with the Police to give evidence in 4 separate proceedings to exclude 'neighbours from hell'.**

### **What was the anti-social behaviour that led to the case being opened?**

Residents of a small close in the heart of London's East End were subjected to obscene and disturbing harassment from brother and sister neighbours.

This quote is taken from a Court of Appeal Judgement:

- *"The next door neighbours had been subjected to persistent abuse; harassment: recordings of their own voices being made and then replayed loudly; noise such as the hammering of a hammer from next door; disturbance three or four times a night, both from voices, abuse and loud music was played; the playing of obscene words and songs; and throwing excrement, both human and animal, over the wall."*

A malicious injunction was taken out against a neighbour accused of a machete attack that never happened and literally thousands of incidents were recorded on diary sheets attached to vexatious complaints received from the brother and sister – each one of which had to be investigated.

### **How was the case investigated?**

We were not advised of the seriousness of the case when the stock transferred from the Council. When the residents did complain we were dubious – we had no history and the claims were so horrific we couldn't believe it had been going on so long. To say our credibility with residents was at rock bottom is an understatement – they had put up with intolerable behaviour for seventeen years and been told that nothing could be done as the brother was in a wheelchair and the sister had made counter claims which nullified their allegations. We had to start from scratch.

We began from a neutral standpoint – investigating every claim and testing the credibility of every complainant. We brought the Police in early. We have a great relationship with the local Safer Neighbourhood Team and worked closely with them gathering evidence. We consulted our lawyers



early on and involved them in case conferences and evidence reviews. Once we had established the framework of a case we installed covert CCTV and noise monitoring equipment. Poplar HARCA and Police officers were on site to witness incidents. We took photos and lengthy statements immediately after incidents happened so that the evidence was 'live' and the impact fresh. We explained to residents the burden of proof necessary to bring legal action and worked closely with them to build a case – them feeling ownership of the process was crucial. They kept diary sheets and started recording incidents on their mobile phones and reported to us often daily.

### **What support was provided to victims and witnesses?**

We knew we had to build up trust and so we made ourselves available to residents 24/7 through offering mobile numbers for senior staff. When they called we answered and often visited out of hours. We do joint patrols to 2am with the Police and made a point of knocking on doors to let residents know we were out, about and available. We installed monitoring equipment and showed residents how it worked and explained what we hoped to gain from it. We talked them through the way to build a case, the evidence we would need, what we would do and what we needed them to do.

We didn't pull any punches about how difficult it was going to be – we explained the Court process, we tested their resolve by throwing difficult and unreasonable Barrister-trick questions at them, we explained how long it could take and the barriers we faced in getting a Judge to make any type of order. We provided childcare, taxis to and from Court and wrote to employers to explain why their staff were taking time off. In the most recent proceedings we summonsed one of the residents – not because they weren't willing to turn up for us but because their boss wasn't happy with them taking more time off work.

Senior members of staff – the Director and Head of Service – sat with the residents in the Court's waiting room through the many days of waiting to give evidence. 4 proceedings – 18 days in Court! 3 of the proceedings were brought by or against the Police who sought the Closure Order. Despite this, it was Poplar HARCA staff who supported the residents through their testimony because they had built up the relationship of trust with them. One of the residents was in the witness box for 2 days. In the Judgement of the Court of Appeal HHJ Huskinson's judgment said of our witnesses and the sister: *"We find both Miss A and Miss B to be credible and honest witnesses. We note that in contradistinction to that Miss C has denied that at any stage she has ever done anything wrong. We do not believe her."*

### **What action was taken to deal with perpetrators?**

The Police were granted a Premises Closure Order in September 2009 – one of the first granted under new powers where drug abuse did not have to be proven. At the same time Poplar HARCA served a Notice Seeking Possession. The Closure Order was extended in December 2009 – again a first. The household appealed the Order in January 2010 - the appeal failed. Given the expectation our possession proceedings would take some considerable time, at the end of the extension to the Closure Order we persuaded a Court to grant an ASBI with Power of Arrest which continued the legal exclusion of the tenants from their home. The matter of the Closure Order was then heard by the Court of Appeal in October 2010 – the appeal failed. An Outright Possession Order was granted on 7 April, 2011. In effect, the household has been excluded from their tenancy since the Closure Order served in September 2009 and have continued to be so through the numerous legal proceedings and to date. We believe this is unique in terms of offering respite to residents suffering ASB by persuading a Court that it is reasonable to exclude tenants from their legally-held tenancy for so long.

Despite numerous attempts to engage with and offer support to the brother and sister who were behaving in this very unsettling way, they refused to admit to or acknowledge any of the incidents. Despite the criminal burden of proof necessary for the Closure Order, they refuse to acknowledge any guilt. We didn't give up on them, however expedient that may have been. We asked volunteers from a local charity who had known the sister for many years to help us to help the household to stop the behaviour. We offered to help with re-housing to another area with on-going support if they gave up the tenancy without our needing to go to Court. We worked with the Local Authority to provide temporary accommodation whilst they were excluded from their home. We believe that the brother and sister thought that having been allowed to carry on for so many years and scaring off the Council through complaints, Ombudsman cases and legal action, we would not follow-through to do what we said we would.

### **What were the major challenges and how were they overcome?**

The major challenges were:

1. Credibility with the victims of the ASB  
Our response to this challenge is as set out in section 5.
2. Counter allegations  
We investigated each and every allegation from both parties objectively and rigorously. The sister had diarised literally thousands of incidents and we had to be sure that we were taking appropriate action against the right party.
3. An absolute refusal of the perpetrators to accept any wrong-doing – even when a criminal standard had been proven on appeal in the High Court.

We still do not fully understand the issues for the brother and sister. Whilst there would seem to be some mental health issues, these are not diagnosed nor stopping the household from functioning independently albeit displaying dysfunctional behaviour.

### **How successfully was the case handled overall?**

We believe that the major success in this case was changing very disenchanting and alienated residents who had suffered many years of torment into highly motivated and effective witnesses. Through four separate legal proceedings over two years, these residents turned-up day-in and day-out prepared to give evidence in what are highly intimidating circumstances. We now have an outright possession. Once we regain possession we will carry out a full debrief of staff and use the case as a training scenario.

Our advice to anyone faced with a similar problem is bring your residents with you through the process small step by small step so that they own it. Prepare them thoroughly for being on the receiving end of accusations by highly trained Barristers and never promise that you will succeed in the end because you are at the mercy of the Courts. And persevere.

### **Other relevant information**

The reason that for submitting this now, some 3 years on, is that we finally have an outright possession order and have finished what we started but couldn't promise to deliver to residents who travelled with us: peace to enjoy their homes. Making it all worthwhile was back in September 2009 when we accompanied the Police to serve the Closure Order hearing her mum answer "yes" to Nicole, aged 9, when she asked "Does that mean we can have a proper Christmas this year?"

Not known for its sensationalist reporting, here's how the BBC reported the Closure Order:

<http://news.bbc.co.uk/1/hi/england/london/8282016.stm>

Organisation: **Sevenside Housing**

Case Description: **Neighbours began to suffer anti-social behaviour emanating from a property occupied by a single female including parties, fighting and arguments, threats to local residents and criminal damage.**

**What was the anti-social behaviour that led to the case being opened?**

From in or about 2007, Neighbours began to suffer anti-social behaviour emanating from a property, rented by a single female, including parties, threats to local residents, criminal damage, and fighting and arguments which sometimes spilt on to the street and often necessitated the attendance of the police. In 2007 neighbours reported multiple visitors at the property, with the perpetrators door being set alight. In 2008 the anti-social behaviour intensified both in its nature and frequency with loud music and aggressive arguments emanating from the property for such a sustained period neighbouring residents felt compelled to report matters resulting in numerous visits from the police. In August 2008 a large party at the property generated noise, foul language and threats of violence. In October 2008 the perpetrator threatened a neighbouring resident by knocking on his door and shouting “you’re dead”. At the end of the year a visitor to the perpetrators address purposefully, in anger, smashed the glass to an elderly neighbours’ window.

Behaviour continued into 2009 with numerous parties, playing of loud music, and the use of foul and abusive language. On one occasion the perpetrators partner was driving erratically nearly colliding with the visiting Senior Tenancy Services Officer. This resulted in a report to the police and the person being found later slumped over the wheel of his vehicle whilst intoxicated. On another occasion a visitor was arrested for conduct likely to cause a breach of the peace

The impact on the immediate neighbouring residents was extremely significant, affecting their performance at work and their lives in general. They found it particularly distressing that they had put all their money into buying their first home and simply could not afford to move. They felt trapped, with no prospect of anything getting any better. They worked long hours and their work was being affected with one of them becoming ill or unable to do their job due to fatigue. The local community were affected by the behaviour of the visitors to the perpetrators property as it often emanated with violence and/or threats of violence being witnessed on the local green. This frightened the local residents, especially elderly residents, living in bungalow accommodation just some 30 yards from the perpetrators’ property across the green. It was evident the underlying cause of the anti-social behaviour was due to her and her visitors’ dependencies on alcohol.

**How was the case investigated?**

The immediate neighbouring residents made an initial complaint and they were subsequently interviewed and an action plan compiled. Evidence was gathered in a number of ways:

- Issuing incident diary sheets to complainants
- Issuing a Dictaphone to main victims
- Regular visits and telephone communications with the victims, including visits out of hours to their property
- Door to door interviews with members of the local community
- Regular visits to the perpetrator with a support worker and the police

- A police gazetteer warning being placed on the address to ensure the police responded immediately to any 999 calls.
- Compilation of historic files regarding the perpetrator
- Data was shared from the Police in line with the data sharing protocol
- Regular patrols in the area conducted by the Local Policing Team

#### **What support was provided to victims and witnesses?**

The victims and witnesses were supported through regular contact and updates with their Senior Tenancy Services Officer. The main victims were offered further intensive support through the organisations Witness Peer Group and Victim Support. Direct contact details were provided by the Senior Tenancy Services Officer and out of hours visits were conducted when deemed necessary. A gazetteer warning was placed against the perpetrators address ensuring the police responded to any calls about that address as a matter of urgency. Community Support Officers also patrolled the area regularly.

Intensive support was provided to the perpetrator to:

- Support participation in any work like activities
- Establish contact with external agencies
- Better manage their physical health
- Better manage their substance misuse issues
- Maintain their accommodation and avoid eviction and to develop their ability to have greater choice/control and/or involvement

This extensive support was to prevent the perpetrator becoming homeless and support the victims so that we could appropriately address the behaviour causing a disturbance to the community.

#### **What action was taken to deal with perpetrators?**

Preventative action and early interventions were used including warning letters and intensive support. Many visits were made to the property with support workers and/or members from the local policing team to explain the consequences of continued breaches of the tenancy agreement. In June 2009 a Notice of Seeking Possession was served. When this failed to provide the desired effect possession proceedings were issued in December, along with an application for an anti-social behaviour injunction. The ASBI was obtained and subsequently breached

The initial victims had expressed their desire that they did not wish for the perpetrator to be evicted and wanted matters resolved using alternative methods. After these had been exhausted, and following further breaches of the ASBI, it was considered that the only solution would be to pursue a Possession Order and committal proceedings in light of the continued breaches of the ASBI. During this process the appropriate discussions were held between the respective parties' legal representatives prior to the trial hearing and further support was offered to the witnesses and victims, and the perpetrator. To our delight the perpetrator finally engaged with the appropriate support services and at the date of trial provided details confirming their acceptance on a six month residential placement on an intensive rehabilitation programme for alcohol misuse.

As a result both parties agreed for the perpetrators tenancy to be demoted to an Assured Shorthold Tenancy, and that she would seek a transfer for a fresh start. It was also agreed the perpetrator would sign an Assured Shorthold tenancy for a period of 12 months at any new property. This would reassure

the victims that the matter would be resolved if there were any further disturbances and allow the perpetrator to rehabilitate. The action also ensured that when the perpetrator moved there could be immediate action if there was any further anti-social behaviour.

The perpetrator agreed to an Undertaking in relation to her behaviour and this would be discharged following any move.

### **What were the major challenges and how were they overcome?**

Sevenside Housing made strenuous efforts to assist the perpetrator in sustaining her tenancy providing intensive support, interviewing her regularly to discuss allegations and sending letters explaining the consequences – including possible eviction – if the anti social behaviour continued. Much of these warnings were not heeded due to the perpetrators' dependency on alcohol and it was frustrating to hear that no one could force her to receive support. It was also clear that if the perpetrator would be able to engage with support services and address her dependencies on alcohol she would be able to sustain her tenancy and live peacefully in the community.

The community consisted of a diverse range of occupants from elderly residents, to young single residents, to families. It was also evident from the many visits to residents that they had a "soft spot" for the perpetrator and much of the behaviour did not impact on them directly. This provided the perpetrator support from some elderly residents. Much of these difficulties were overcome through visits with partner agencies such as the police and support workers both to the perpetrator, the victims, and members of the local community. It was explained that all the agencies cannot force any one person to engage with support but if everybody worked with us we assured them it would be for the good of the perpetrator.

### **How successfully was the case handled overall?**

The outcome has been fantastic. The perpetrator has completed her rehabilitation and there has been no further anti social behaviour since this programme finished in February 2011. I am also aware her son has now gone to live with her permanently and they have been welcomed in the local community. The major difficulty in this case was the length of time it took for the legal process to be completed. I consider that once Possession Proceedings were commenced this was the catalyst for the perpetrator to address her behaviour.

The case was reviewed and considered an excellent outcome from a legal perspective with our acting solicitor stating: *"It's a really good all round result – very positive for everyone. The biggest test is whether XXXXX can overcome her addictions. I hope she does as she did seem a very pleasant lady who is really determined to try and sort herself out"*.

I would like next time to attempt some restorative conferencing so the community would be able to meet face to face with the perpetrator to explain the extent her behaviour had affected their lives. It would also allow the victims and local residents the opportunity to understand the stresses on the perpetrator and empathise more with her situation. I am sure such a solution is much more sustainable in the long term for all parties concerned.

## Organisation: **Three Valleys Housing**

Case Description: **Persistent noise and threatening behaviour in a flat complex primarily for elderly and vulnerable residents, dealt with by Ian Kirk – Housing Officer.**

### **What was the anti-social behaviour that led to the case being opened?**

The perpetrator moved into Trent House in September 2010 and immediately our Housing Officer Ian Kirk was informed that the residents were experiencing noise nuisance in the form of loud music and television, shouting and arguments, foul language, loud voices and door slamming, large groups of drunken visitors late at night a dog being allowed to roam and foul in communal areas and smoking in communal stairwell.

This behaviour had a negative impact on several of the residents, causing extreme stress , residents unable to sleep, a resident being unable to attend work on occasions, feeling tearful, being prescribed anti-depressants. The residents went from feeling that Trent House was a nice safe and secure place to live to feeling that they did not want to remain living there.

### **How was the case investigated?**

The complaint was initially made by 2 residents. Ian visited the residents and together with them agreed an action plan, diary sheets were supplied and he then visited other residents to see if they were being affected by the behaviours.

Despite three warning letters and meetings with the perpetrator, the complaints continued so in January 2011 the perpetrator was invited to attend the office and agreed to sign up to an acceptable behaviour contract which limited numbers of visitors, and times that visitors could attend the property. In the following three weeks complaints continued to flood in and therefore a Notice of Seeking Possession was served.

Ian worked with perpetrators mother, the Neighbourhood Police Officer and sort help and assistance from the perpetrators GP in relation to his alcohol addiction. The residents continued to complete nuisance diaries and inform Ian of all incidents of ASB. The behaviours continued resulting in an injunction being granted, which was broken resulting in a short custodial sentence.

### **What support was provided to victims and witnesses?**

Ian's sympathetic but also energetic approach ensured that the victims were visited on a regular basis during the case, and were able to contact him, even outside office hours and during the weekend, when many of the more serious incidents occurred.

Further, Ian attended the victims properties when alerted about additional serious incidents often outside office hours, arriving one Sunday afternoon within 30 minutes of a serious breach of an injunction and providing vital information to the police , with a determination that the perpetrator's associates were also dealt with by the police, even after the arrest of the perpetrator, to ensure any disturbance reported that day, was brought to an immediate end to provide some respite, even if temporary, to the victims.

Ian arranged for the witnesses to be interviewed in their own homes and introduced to their legal representative at an early stage, to be reassured about the legal process and any concerns they may have had. Due to the persistent breaches by the perpetrator, it was necessary for the victims to attend court on several occasions. Ian arranged for the victims to travel to court with him, and provided support to those who found the prospect of attending court, quite distressing. He stayed with the victims throughout the court attendances, ensuring that the victims were fully apprised about the court process, the outcome and what the next stages would be, and the approximate timescales.

Ian's passion for this role and in protecting his local residents from anti social behaviour was evident by the late hours he spent collating additional witness evidence and sending witness statements to his solicitors throughout the night until the early hours of the morning.

#### **What action was taken to deal with perpetrators?**

- Warning letters
- ABC
- Notice of Seeking Possession
- Without notice Interim Injunction
- Liaison with perpetrators mother
- Liaison with GP for alcohol rehabilitation programme
- Joint visits with Neighbourhood Police Officer

#### **What were the major challenges and how were they overcome?**

Many of the incidents were out of office hours, therefore Ian made himself available to offer witness support by providing all of the victims with his mobile number, and if they called him, he attended the complex. The perpetrator's unwillingness to take heed of any of the remedies resulted in custody due to breaking his injunction.

#### **How successfully was the case handled overall?**

Ian's determination and hard work resulted not only in a positive outcome, but also an outright possession order being obtained, not during a possession hearing but during an earlier committal hearing when, faced with the overwhelming evidence against him, the perpetrator confirmed that he no longer wished to pursue to a contested trial, therefore sparing the victims additional distress and resulting in an eviction several weeks/months early.

Organisation: **Waverley Borough Council**

Case Description: **A "neighbour from hell", with mental health problems and drug and alcohol addiction rehabilitated into a "model tenant".**

#### **What was the anti-social behaviour that led to the case being opened?**

Gareth, age 26, has a mental health condition. An accident had left him with a permanent spinal injury and an injury to his hand and fingers. Stress, and bereavement, led to Gareth using recreational drugs that resulted in psychotic episodes and a worsening of his mental health. He was evicted from a supported housing scheme. The local authority accepted a homeless duty and Gareth was offered a

secure tenancy in a one- bedroom first floor bed-sit in an old converted church building. Within six months, the Police, Environmental Services and Housing Service received complaints of threatening and intimidating behaviour, rowdy nuisance behaviour and parties. Over the next six months the other 15 residents (a mixed tenure), made complaints about the following:

Daily, loud music and television. Amplified stereo equipment plugged into the communal electricity supply to facilitate parties. Main entrance door regularly kicked in; eight cars in the car park had tyres let down; damage to the stained glass, graffiti on internal walls; drug raids, drunken rowdy behaviour by Gareth and his visitors on a nightly basis; slamming doors; security glass broken, windows smashed; door entry system broken; fire extinguishers let off; eggs thrown; assaults in the car park; an assault in the foyer resulting in what residents described as “like a murder scene”. Gareth naked and intoxicated swearing profanities at his neighbours, young girls shouting out of the windows of his flat or up to his flat to be let in. Residents’ door buzzers pressed randomly; one resident had their car jacked up on bricks and the wheels stolen.

A theft and a robbery also took place nearby and the neighbouring restaurant broken into. Several residents were leaseholders and some renting privately from a landlord some were our tenants. Among the residents were professionals such as an engineer and a schoolteacher. Residents were frightened about being attacked, suffered loss of sleep, threats to the security of the building, the rising cost of criminal damage that leaseholders were anxious not to be billed for. Crime reports and complaints were received daily.

The underlying cause of the problem included stress; bereavement; mental health issues; and drug and alcohol abuse. Gareth also had a dislike of his property. The building was a listed converted church with vaulted ceilings and stained glass windows. Most residents find it an interesting and quirky place to live. However, Gareth had schizophrenic episodes and the church frightened him at night. He found it difficult dealing with the noises from the main road outside and the noises in his head and by the noises the pipe work made at night and would shout out of his window for the noises to shut up and go away. He began behaving anti-socially as a way of drawing attention to himself, a cry for help.

### **How was the case investigated?**

Two main complainants were Gareth’s immediate next-door neighbour and the neighbour living directly below him. Both were leaseholders. Housing related ASB step warning letters were sent to Gareth and also requests for meetings but these were ignored. Eventually, Gareth did agree to a meeting at the property, he claimed he was a victim of harassment.

Face -to -face meetings were held with residents at the Council Offices and they then decided their preferred method of relaying information to me was via e-mail. Residents were very fearful of reprisals. Daily updates received from residents. I in turn updated as to actions being taken. There was continual communication between myself and the Neighbourhood and Anti-Social Behaviour Police Teams. Gareth was nominated by me to the Community Incident Action Team, a multi agency problem solving group. As a result of this referral the Police arranged the installation of both overt and covert CCTV surveillance.

Evidence was gathered via the CCTV that showed several individuals entering the building and Gareth’s flat, carrying items stolen from a nearby burglary. The Police pro -active team were deployed and several arrests made. Gareth was charged with theft and handling stolen goods. The two most affected residents gave witness statements along with their daily e-mails and telephone messages. Crime reference numbers and Police involvement recorded. A Notice of Seeking Possession was served, and



Gareth was advised that an Anti-Social Behaviour Order would be sought. Statements were taken from other residents and local businesses affected by the anti-social behaviour.

I wrote to Gareth's GP, the Community Mental Health Team and previous landlord to obtain an accurate picture of his medical concerns, vulnerability and previous behaviour. The landlords of the private rented properties provided statements on the effect on the lettings at the building.

#### **What support was provided to victims and witnesses?**

- A re-enforced steel security door was installed to the main entrance of the building at a cost of £3,000 and a new door entry system.
- All vandalism, graffiti and repairs were addressed the next day to minimise the impact on residents and to help them feel safe and be safe.
- Security lighting was installed into the car park.
- A large overt CCTV camera in the main road outside completely curtailed any further incidences. CCTV was installed inside the building.
- Police gave a reference number for residents to quote when they rang.
- A meeting was held with our maintenance team to discuss the damage and to reassure the leaseholders they would not be charged for the vandalism.
- Telephone and e-mail support as requested daily, face to face meetings.

Several landlords and lettings agents provided letters and statements to assist with the court process. An application for possession was made at the County Court. We respected the wishes of residents not wanting to come to court and took their written signed statements and community impact statements. I attended court and spoke on their behalf. Copies of the court order were sent to all residents and agencies.

#### **What action was taken to deal with perpetrators?**

Five Housing ASB step letters and five Police ASB step letters were sent. Gareth was advised that an Anti-Social Behaviour Order was being sought; he then began to engage with the agencies involved. This, coupled with the threat of eviction, meant that he began to engage and work with Links Housing Support, an outreach support branch of the Surrey Drug and Alcohol Service (SADAS). In addition to working on his addictions, they assisted him to apply for housing benefit and clear rent arrears. Gareth gave his permission to me to disclose to his neighbours that he was trying to deal with his addictions and mental health problems. Gareth also wrote letters of apology to the residents. I wrote to his GP about referring him once again for support for his mental health problems. He was very concerned about his mother who had suffered a stroke and lived on a housing estate and was experiencing anti-social behaviour herself.

I visited his mothers' estate with him and the local police officer. I wrote to her landlord on her behalf and asked them to look at the problems, which they did in addition to arranging some disabled adaptations for her, which Gareth appreciated as he, was a carer for her. The Court hearing for the possession was adjourned twice. During this period, residents reported that Gareth had become a 'model tenant'. He was polite and helpful and was not drinking and did not have any nocturnal visitors. Residents were no longer asking for him to be evicted. Residents actually wrote letters of support about his character transformation. However, they wanted some sort of 'insurance policy' that he would not relapse and revert to his old ways.

We negotiated with him and his solicitor to ask the judge to agree a postponed possession order on terms. The judge made the order for 12 months on the understanding that the Council would look to

rehouse Gareth if he managed to stick to the terms of the order. He was advised he would be asked to leave if he did not. The order contained 12 prohibitions on his behaviour.

**What were the major challenges and how were they overcome?**

Initially all warning letters and requests for visits were ignored. Gareth would not open his front door when we made visits to the address. I had to repeatedly visit and leave my card and finally managed to get him to meet me with the local police officer at a neutral venue. Eventually, we managed to get him to understand that we wanted to help him change his behaviour but it took many months to get to the point where he was willing to co-operate.

Shortly after the Court Order was obtained, a serious assault occurred in the lobby of the flats. At first it was thought matters might have reverted by it materialised that Gareth himself was the victim. He had been targeted by two individuals, most likely over an old drug debt and suffered severe trauma to his skull and was hospitalised for several weeks. Gareth was too frightened to go back to his flat for several weeks. Eventually he did go back and live there but during this time he tried to take his own life and there were serious concerns for his welfare. I wrote to his GP and ensured he had some mental health outreach support as he could easily have relapsed into drug and alcohol abuse.

**How successfully was the case handled overall?**

A management report was written supporting Gareth's transfer to alternative accommodation after a successful 12 months had passed. In November 2010, Gareth was relocated to a different town to a one-bedroom bungalow with a garden. He had become a reformed character and required minimal support from the agencies involved.

In April 2011, Gareth was walking past the Council Offices and decided to come in and see me. He said he wanted to thank me personally for believing in him, for understanding there was still a good person inside. He became quite emotional and said he loved his new home and got on really well with his neighbours. He said he was growing vegetables in a vegetable patch he had made in his garden and also that he had built a pond. He was finding gardening quite therapeutic. One of his neighbours gave him a lawn mower and treats him like a son. He said he was in a relationship with a trainee doctor, his life was happy and he was in a good place. He said he would not be where he is today, if I had not believed in him. He invited me to go round and see his new home and garden and once again said a big thank you. The creative use of the postponed possession order far outweighed any other action we could have taken as it gave clear boundaries to stop the behaviour with an end goal of relocation. Gareth's own vulnerability was never overlooked. Residents fully supported how the case was handled.

**Other relevant information**

Gareth had experienced the death of a close friend, a dislike of his accommodation, was a carer for his mother and a victim of assault and harassment. He had mental health problems, a disability and a drug and alcohol addiction that resulted in him torturing his neighbours for many months. He needed to understand that there was help available and a way of accessing that help, without the need to be disruptive and attention seeking. Once this understanding was reached the resolution was simple and was achieved with the full support of the residents.

Gareth has now created a large vegetable garden and uses his produce to feed his elderly neighbours as well as himself. He is decorating his new home and has attempted plastering, wallpapering and has laid a laminate floor for the first time. He now wants to go to college and study horticulture and become a self-employed gardener for the elderly. He says he is now living the life he always dreamed about.