

# **Our procedures on antisocial behaviour**

## **1 Introduction to our procedures on antisocial behaviour**

- 1.1** Hackney has one of the most wide-ranging communities in the country, with residents from six continents and a wide range of ethnic backgrounds. We celebrate this and want to work with our partners to improve equal opportunities, tackle discrimination and promote good relationships amongst all our residents. We aim to be polite and treat everyone with dignity and respect, whatever their age, ethnic background, sex, religious belief, disability or sexuality. Our communities need services that can meet their needs.
- 1.2** We, Hackney Homes, are the arm's-length management organisation (ALMO) set up by Hackney London Borough Council to manage, monitor and improve its properties.
- 1.3** We are responsible for dealing with incidents of antisocial behaviour in the properties we manage.
- 1.4** Our antisocial behaviour procedures keep to the Housing Act 1996 as amended by part 2 of section 12 of the Anti-Social Behaviour Act 2003.
- 1.5** Under part 2 of section 12 of the Anti-Social Behaviour Act 2003, Housing organisations must prepare and publish procedures for dealing with any incidents of antisocial behaviour.
- 1.6** This 'Statement of Procedures' provides guidance for officers and residents on how we respond to complaints about antisocial behaviour.

## **2 Important points from our policies on antisocial behaviour**

- 2.1** There are three main parts to how we tackle antisocial behaviour. These are:
  - preventing and discouraging people from acting in an antisocial way;
  - taking quick and appropriate action when needed; and
  - supporting people to make positive changes to their behaviour.
- 2.2** The main points from our policies on antisocial behaviour are that we:
  - are committed to making sure that you and all residents can quietly enjoy your homes;

- will record all reports of antisocial behaviour, investigate all reported incidents fairly, and monitor and regularly review our performance;
- will take prompt and effective action against all forms of antisocial behaviour.
- treat any racist incident or incident of hate crime as an attack on human rights (and if you carry out such incidents, you will be breaking your tenancy agreement);
- will work with you and other relevant organisations to find positive ways of dealing with problems;
- will be sensitive to your views and needs, including housing needs, by being respectful, polite and keeping anything you tell us confidential;
- will support you if you are a witness to antisocial behaviour;
- will support people who act in an antisocial way and who are willing to change their behaviour; and
- will use the media to tell you what we are doing to tackle antisocial behaviour, to make you feel confident in the community and to discourage antisocial behaviour.

**2.3** This statement is designed to describe the procedures we have introduced so that you know how we are likely to deal with reports of antisocial behaviour.

**2.4** The specific details of a report or issue will affect the action we need to take and, if possible, we will tell you about this.

**2.5** This procedure recognises that some cases of antisocial behaviour, such as those that involve racial harassment or risk of harm, are particularly serious and may need us to take action straight away. In this situation, we may not follow the stages of the procedures exactly.

**2.6** This statement explains the framework we will use to respond to reports of antisocial behaviour, including information on:

- reporting antisocial behaviour;
- how we deal with reports;
- the support we provide to people who report antisocial behaviour;
- the action we take against people who act in an antisocial way;
- the support we provide to people who act in an antisocial way; and

- how we monitor reports and our services.

### **3 How we respond to reports of antisocial behaviour**

#### **(a) Reporting antisocial behaviour**

- 3.1** We would always encourage you to report antisocial behaviour.
- 3.2** In some situations, such as those that involve a crime or actual or threatened harm to a person or property, we recommend that you first report the incident to the police or another emergency service.
- 3.3** We define antisocial behaviour as behaviour, whether or not it is criminal, which causes or is likely to cause harassment, alarm or distress to other people, including behaviour which makes people afraid of crime.
- 3.4** The people that may be affected by antisocial behaviour include anyone who:
- has a right to live in a property we own or manage;
  - lives in any other property in the neighbourhood (such as owner-occupiers and tenants of other landlords); and
  - anyone else who is legally using the property or area, for example people who are working or using local facilities.
- 3.5** Antisocial behaviour includes, but is not limited to, the following types of behaviour we use to record reports.

#### **3.6 Types of antisocial behaviour**

##### **Actions directed at people**

- Harassment
- Hate crime
- Intimidation
- Verbal abuse
- Domestic violence and abuse

#### **3.7 Ignoring the community and a person's well-being**

- Noise
- Disagreements with neighbours
- Using a property illegally
- Nuisance from business premises
- Criminal behaviour
- Misusing drugs, solvents and alcohol
- Disagreements about boundaries
- People living in a property without permission

### **3.8 Damage to the environment**

- Arson
- Nuisance activities such as littering and dumping rubbish
- Nuisance from vehicles

### **3.9 Misusing public spaces**

- Animal-related nuisance
- Gardens
- Vandalism and graffiti
- Misusing shared areas

**3.10** We have a responsibility to tackle antisocial behaviour that takes place, and where the offenders or victims are our tenants. But we will also protect people who are not our tenants, but who are affected by our tenants who are behaving in an antisocial way.

**3.11** We aim to make it as easy as possible for you to report incidents of antisocial behaviour.

**3.12** If you are reporting or thinking about reporting antisocial behaviour, we will keep your report confidential.

**3.13** You can report antisocial behaviour in person, by phone or in writing to any of our housing offices.

**3.14** You can also report antisocial behaviour using our website at [www.Hackneyhomes.org.uk](http://www.Hackneyhomes.org.uk), or by emailing us at [asb@hackneyhomes.org.uk](mailto:asb@hackneyhomes.org.uk).

**3.15** We provide translation and interpretation services if you need them, and all of our offices have hearing loops.

**3.16** If you are making a report in person at one of our offices, we will use a private interview room.

**3.17** If you want to, you may make a report and not give us your name, but, this may limit the action we are able to take or the speed at which we can deal with your report.

**3.18** You may also ask another person or agency to come with you or to report the antisocial behaviour for you. You must give this person or agency written permission to report on your behalf, or we will have to contact you to decide what action we need to take.

**3.19** Usually residents report antisocial behaviour, but sometimes a housing officer, a contractor, a councillor or someone from another agency may report antisocial behaviour.

**(b) Processing a report**

**3.20** We will record all reports on our information system, even if you do not give us your name. We will acknowledge your report within five working days. If the incident is serious, we will acknowledge your report within one working day.

**3.21** When you make a report we will give you the name and contact details of the officer that will be dealing with your case.

**3.22** When we acknowledge your report we will give you an appointment to come and see us, so we can record in full the details of the incident and decide what action to take. Our aim is to offer you an interview within five working days of receiving your report.

**3.23** The officer dealing with your report will arrange an interview with you.

**(c) Investigating reports**

**3.24** Our aim is to investigate all reports of antisocial behaviour.

**3.25** We treat all reports of antisocial behaviour seriously and we will investigate reports fairly and professionally and, where possible, take action to deal with the problem.

**3.26** In line with best practice, we believe that tackling the problem early is the most appropriate approach in most cases.

**3.27** This means that unless it is unsafe to do so, we will speak to the person or people who are being accused of behaving in an antisocial way to make sure they can give us their version of events. If it is appropriate to do so, we will try to agree an action plan to prevent further problems.

**3.28** In some cases, the people who you are complaining about may not be aware that their behaviour is causing a problem and will agree voluntarily to stop behaving in this way.

**3.29** In other cases, it may be that the problem is caused by a misunderstanding, a lack of communication or a difference in lifestyle. This may mean that mediation may be the most appropriate solution.

**3.30** We understand that there are some cases when it would not be appropriate to approach a person accused of antisocial behaviour, for example if doing so would put the person reporting the antisocial

behaviour at risk. In this situation we will try, where possible, to get proof in another way, such as from the police or by involving witnesses.

**3.31** It is also possible that people may make reports maliciously because they are jealous of another person's lifestyle. If we have proof that this is the case, we will treat the report as malicious; speak to the person who made the report and take appropriate action against them.

**3.32** In line with our commitment to confidentiality and to supporting victims and witnesses, if you make a report of antisocial behaviour we will not approach the person your report is about without your permission.

**3.33** The way we investigate reports of antisocial behaviour is a part of our action plan which is described below.

**(d) Keeping you up to date with our progress**

**3.34** We aim to respond to your report of antisocial behaviour within agreed timescales. In the most serious cases we will do everything we can to respond straight away.

**3.35 How we deal with reports**

- **The information and advice we will give you when you report antisocial behaviour**

**3.36** We will acknowledge that we have received your report and send you contact details for the officer responsible for dealing with your case.

**3.37** Wherever possible, we will offer you an appointment with the officer.

**3.38** Also, we tell you about any information and advice relevant to your case, and send you a leaflet about this. This will include information and advice on what to do if the problem continues or if there is an emergency, and will include useful contacts and phone numbers.

**3.39** If it is relevant to the incident you have reported, we will give you an incident diary with information on how to use it.

**3.40** If you make a report in person or over the phone, we will try to find out if you are at risk of harm and, if appropriate, we will give you advice and information. If we have your permission, we may put you in touch with other agencies, such as the police.

- **How we set up communication**

- 3.41** If you are experiencing antisocial behaviour, you may contact us at any time to get information or advice, or to update us on the report. Usually, you will contact the officer in charge of your case.
- 3.42** How often you need to speak to your officer will depend on how serious or complicated your case is, and the stage that the case is at. For example, if court proceedings are in progress, you may need to speak to your officer every day.
- 3.43** If you need emergency support, including out-of-hours support, we will send you information on how to contact the relevant service.
- **How we will keep you up to date and get you involved in the action plan**
- 3.44** Supporting witnesses and victims is at the heart of how we deal with antisocial behaviour. It is also important that we communicate with you quickly and effectively.
- 3.45** Once we receive your report of antisocial behaviour we will discuss the case with you in detail, and then work with you to come up with an action plan.
- 3.46** The aim of the action plan is to clearly set out what we both think is the most appropriate action to take.
- 3.47** The action plan will include anything we need to do to meet your support needs, including security measures. The plan will give timescales for the action we plan to take and how often we will review progress; update you on developments and how we will communicate with you.
- 3.48** We aim to confirm all significant developments in writing.
- **Closing cases**
- 3.49** We will close cases where the situation has been dealt with or you agree that we should do so.
- 3.50** In some situations we will close your case even if you do not agree, if we are satisfied that we have done everything we reasonably can to deal with the problem.
- 3.51** We will record the reasons for closing your case and give you advice about what you can do next.
- 3.52** We will not assume that a situation has improved if we have not heard from you in a while. We will try to contact you before we close your case. We will do this by writing to you, phoning or visiting you.

- 3.53** If we cannot get in touch with you, we will close your case.
- 3.54** We will also close a case if you do not send us any information we ask for.
- 3.55** To avoid having cases open forever, we have set target timescales for closing cases. We will aim to close 'serious' cases (such as those involving hate crime) within 16 weeks and all other cases within 24 weeks. We understand that we will not close all cases within these target times because of individual circumstances (such as delays in getting a court date), but we aim to deal with most cases within these times.
- 3.56** We can open cases again at any time, but there must have been further incidents of antisocial behaviour.
- **What you can do if you are not happy with our service**
- 3.57** If you report antisocial behaviour and you are not happy with the service you receive, you can discuss this informally with the officer who has dealt with your case or the neighbourhood housing manager.
- 3.58** The ASB Team based within the council acts as the ***Hackney ASB Victim and Witnesses Champion*** and can assist victims where they do not believe that they are receiving an effective service from whichever agency is managing their case. This includes victims of ASB who are tenants or leaseholders of Hackney Homes. If you wish to discuss the matter with the ASB Team as the Hackney Victim's Champion, they can be contacted on [asbteam@hackney.gov.uk](mailto:asbteam@hackney.gov.uk) or 0208 356 3030.
- 3.59** You may also use our formal complaints procedure. You will need to fill in a complaints form at any of our reception desks. You can do this over the phone, by writing to us, by emailing us at [housing.complaints@HackneyHomes.org.uk](mailto:housing.complaints@HackneyHomes.org.uk), or online at [www.hackneyhomes.org.uk/hc-complaints.htm](http://www.hackneyhomes.org.uk/hc-complaints.htm).
- 3.60** If you have exhausted our formal complaints procedure then you can contact the Local Government Ombudsman to investigate. They can be contacted at: Local Government Ombudsman The Oaks No 2 Westwood Way Westwood Business Park Coventry CV4 8JB

ASB – flowchart



C:\Documents and Settings\whyilton.000

## **4 Supporting victims and witnesses**

### **o Assessing your home and providing alarms and so on**

- 4.1** If you report an incident of antisocial behaviour, we will carry out a risk assessment with you to agree the best ways of managing any risks.
- 4.2** If there is a risk of actual or threatened harm to you or damage to a property, we will carry out a risk assessment of your home to try to make sure you are safe and secure.
- 4.3** Depending on the risks we find, we will provide:
- o security improvements such as improved lighting, protective glazing or glazing film, or fireproof letter boxes;
  - o mobile phones;
  - o CCTV monitoring equipment;
  - o harassment alarms; and
  - o mobile patrols.
- 4.4** You can also get extra or specialist support, such as counselling, through our partner agencies. These include:
- Hackney Council;
  - the police;
  - Victim Support; and
  - the Domestic Violence and Hate Crimes Partnerships.
- 4.5** In rare cases where you are risk of harm and it is not safe for you to stay in your home, we will arrange emergency temporary accommodation and, where necessary, permanent re-housing.
- **Providing support including through court proceedings**
- 4.6** As a victim or witness to any ASB, we will provide you with a number of services as above. In addition, we can also call upon the services of a specialist ASB Victims worker from the Victim Support Service for Hackney who works to the Partnership ASB Team in its capacity of ASB Victim and Witnesses Champion. In a number of cases, the worker can provide emotional support to ASB victims and witnesses, information and practical support such as housing advocacy services or referrals to Specialist Agencies, assistance with injury compensation claims (CICA claims) or escort to a range of services i.e. court, police station.

- 4.7** If we need to take legal action, we will discuss with you the court proceedings and any worries you have, including any extra support you need and any risks you may face.
- 4.8** We will explain what you must do as a witness and the formal legal process. We will also put you in touch with the solicitors acting for us, who can help you. This may include taking you to the court before the hearing, so you can get familiar with the environment.
- 4.9** Once we decide to start formal legal proceedings, we will tell you about all of the important developments within 24 hours of our becoming aware of them. This will mainly, but not always, be about dates for court hearings.
- 4.10** Before the court hearing we will discuss with you anything you are worried about or not sure about. In some cases this may involve, for example, arranging with the court a separate waiting room or area that you can be in.
- 4.11** We will come to the court with you or arrange transport and meet you at the court, depending on what you prefer.
- 4.12** We will stay with you throughout the hearing and make sure you go safely to your home after the hearing.
- 4.13** Even after the formal proceedings have ended, we will continue to support you until it is no longer necessary. If we decide to reduce or stop the support, we will agree this with you.

## **5 Ways of dealing with antisocial behaviour**

- 5.1** We will use all our resources and powers to deal with incidents of antisocial behaviour. We will discuss the action we are going to take with you and, if appropriate, we will also speak with other relevant agencies such as the police.
- 5.2** We may deal with antisocial behaviour using the following. (This is not a full list.)
- Acceptable behaviour contracts
  - Mediation
  - Referrals to family intervention projects
  - Referrals to parenting projects
  - Tenancy demotion orders
  - A notice of seeking possession
  - A notice to end an introductory tenancy
  - An injunction under section 222 of the Local Government Act 1972
  - Injunctions under the Anti-Social Behaviour Act 2003
  - Antisocial behaviour orders

- Individual support orders
- A crack house closure order
- A premises closure order
- A dispersal order
- Possession orders (introductory and secure tenancies)
- Ending a lease

**5.3** If you have a formal order against you (or any of the above) and you are looking for social housing in Hackney, the council may decide, after an investigation, to refuse or restrict your application.

**5.4 Ways of dealing with antisocial behaviour and what will happen if you do not keep to certain agreements or arrangements**

**Acceptable behaviour contracts and parental control agreements**

**5.5** We mainly use these in cases that involve young people. They are written agreements which usually last for six months and set out standards of behaviour that the young person must meet. We monitor the contracts or agreements throughout the period, and we tell the young person and their parent or guardian what support is available to help them achieve the standards they are agreeing to meet and what will happen if they do not.

**5.6** If a young person or parent or guardian does not keep to these agreements or contracts, we will take further action that may include formal action to get an antisocial behaviour order or start action to repossess the property or end the lease.

**5.7 Mediation**

**5.8** Mediation is a fast, effective and confidential service provided by Camden Mediation Service. Mediators work with people who are having problems to help them to communicate more effectively and find solutions that will work for them. Mediation is a voluntary process and is particularly suited to circumstances where two or more people are involved in a disagreement, for example over a noise problem.

**5.9 Injunction under section 222 of the Local Government Act 1972**

**5.10** Hackney Council has powers under section 222 of the Local Government Act 1972 to apply to the civil courts for injunctions to stop antisocial behaviour that is a public nuisance, for example prostitution or drug dealing.

**5.11** These injunctions can stop the person from entering the area where the nuisance has been committed and may also contain other conditions designed to stop that type of antisocial behaviour. In certain

circumstances a power of arrest may be attached to one of these injunctions.

**5.12** In most circumstances, an injunction may only be given against someone aged over 18.

### **5.13 Injunctions under the Anti-Social Behaviour Act 2003**

**5.14** An injunction is a formal command from the county court which says a person must do something. It can also stop a person from doing something. Breaking the conditions of an injunction order is not a criminal offence, but it is contempt of court and you could be fined or sent to prison. The Housing Act 1996 and the Anti-Social Behaviour Act 2003 allows the court to attach a power of arrest to an injunction in particular circumstances.

**5.15** In most circumstances, an injunction may only be given against someone aged over 18.

### **5.16 Antisocial behaviour orders (ASBOs)**

**5.17** ASBOs are similar to injunctions. We can apply to the magistrate's court or county court for an ASBO. Before we apply for an ASBO, we must speak to the police and the council. We can apply for ASBOs against anyone over the age of 10 who has acted in a way that caused or was likely to cause harassment, alarm or distress to one or more people who not a part of their household.

**5.18** ASBOs are to prevent antisocial behaviour. They stay in place for at least two years. We review ASBOs against young people after the first year, and each year after this.

**5.19** Breaking an ASBO is a criminal offence and you may have to pay a fine or could go to prison for up to five years (or both). Different sentences apply to young people.

### **5.20 Individual support orders**

**5.21** Individual support orders (ISOs) are civil orders and can be attached to antisocial behaviour orders (ASBOs) made against young people aged between 10 and 17. ISOs place **positive conditions** on the young person and are designed to tackle the causes of their antisocial behaviour. The conditions of the support order aim to deal with the types of behaviour that led to the antisocial behaviour order (ASBO), for example counselling to tackle substance misuse or aggressive behaviour.

## **5.22 Tenancy demotion order**

**5.23** The county court may make a demotion order when a tenant or member of their household behaves in an antisocial way or allows a member of their household or a visitor to do so. The order replaces the existing tenancy with a less secure one for at least one year, and removes the right to buy. The effect of the demotion order is that it becomes more straightforward for the landlord to repossess your home if you act in an antisocial way again during the time the order is in place.

## **5.24 Possession orders (introductory and secure tenancies)**

**5.25** This is where we use our powers under the Housing Acts to apply to the court for an order to repossess the property, where antisocial behaviour is affecting other people in the neighbourhood. If we get a possession order against you, you may lose your home.

**5.26** In line with best practice and other regulations, we normally apply for a possession order as a last resort.

## **5.27 Ending a lease**

**5.28** We can end your lease and repossess your home if you have broken the conditions of your lease.

## **5.29. Our other legal requirements**

**5.30** We must understand other relevant laws and regulations that we must work under and keep to. These include the following.

### **5.31 Anti-Social Behaviour Act 2003**

**5.32** This act is a major law designed to help people and agencies effectively tackle antisocial behaviour. It contains measures that have been drawn up from across five government departments and builds on previous laws to make clear the powers people have. The act came into force during 2004 in England and has since been updated.

### **5.33 Regulatory Investigatory Powers Act 2000**

**5.34** The Regulatory of Investigatory Powers Act (RIPA) sets out the circumstances in which we can legally use hidden surveillance and information equipment, including CCTV and equipment to monitor noise.

### **5.35 Race Relations Amendment Act 2000**

**5.36** This act gives us a general responsibility to:

- get rid of illegal racial discrimination;
- promote equal opportunities; and
- promote good relationships between people from different ethnic backgrounds.

**5.37** This makes promoting equal opportunities central to how the council provide services.

### **5.38 The Crime and Disorder Act 1998**

**5.39** The Crime and Disorder Act 1998 came into force in September 1998. It places a responsibility on local councils, the police, fire service and the primary care trusts to work together and develop a local community safety strategy to tackle crime and disorder.

**5.40** Local councils have a responsibility to do all they reasonably can to prevent crime and disorder in their area.

**5.41** The Crime and Disorder Act 1998 introduced antisocial behaviour orders and also give us certain powers which we may use to prevent children becoming involved in criminal or antisocial behaviour. These powers are as follows.

- Child safety orders – This is when a ‘responsible officer’ (usually a social worker or youth offending officer) supervises a child, usually for three months.
- Parenting orders – This is when a court orders parents or guardians of children between 10 and 17 to go for counselling or guidance sessions.
- Local child curfews – These were amended by the Anti-Social Behaviour Act 2003 and are designed to help the police to deal with unsupervised children on the streets at night.
- Truancy orders – These allow a police officer to take a child, who they think is truanting, back to school.
- Reparation orders – These make young offenders pay back their victim or the wider community in some way.

### **5.42 Police Reform Act 2002**

**5.43** This act allows us to apply for temporary antisocial behaviour orders (ASBOs) to prevent further antisocial behaviour before we can get a full ASBO. The act also allows local councils to ask the county court to attach an ASBO to possession orders. It also allows registered social landlords and the British Transport Police to apply for ASBOs.

### **5.44 Human Rights Act 1998**

**5.45** If you have been treated in a way which goes against your human rights, under this act and as defined in the European Convention on

Human Rights, you are entitled to complain to a court and, if appropriate, get compensation.

- 5.46** The convention rights which are likely to be relevant to us in dealing with antisocial behaviour are those relating to:
- not allowing discrimination;
  - respect for private and family life; and
  - the right to a fair and public hearing.

**5.47 Homelessness Act 2002**

- 5.48** The Homelessness Act places a responsibility on the council and its partners to work together to prevent homelessness and to help keep people in tenancies. If you are at risk of losing your tenancy because of antisocial behaviour carried out by a resident, someone in your household or a visitor, the council must show that they have looked into all other options before they make a possession order.

**5.49 Data Protection Act 1998**

- 5.50** Under the Data Protection Act 1998, we must:
- get and process your information fairly and as allowed by law;
  - keep your information accurate and up to date;
  - not keep your information for longer than we need to; and
  - keep your information secure.

**5.51 Protection from Harassment Act 1997**

- 5.52** This act gives us the power to have someone arrested and get a restraining order from the magistrate's court. If they are convicted they may have to go to prison. The aim is to prevent someone from entering a specific area or stop them from harassing others

**5.53 Civil Evidence Act 1995**

- 5.54** In civil proceedings, either in the county court or in the magistrate's court, the court may allow someone to give evidence on your behalf. This might allow someone to give evidence if you are too frightened to be identified.

**5.55 Best Value and the Local Government Act 1999**

The Local Government Act 1999 means that local councils have a responsibility to provide 'best value' and to achieve real improvements in the quality of services they provide to local people.

## **5.56 Children Act 1989**

**5.57** This act reformed the law relating to children. Now every local council is responsible for providing a range and level of service that is appropriate to children's needs.

## **5.58 Disability Discrimination Act 1995**

**5.59** This act makes it illegal to discriminate against disabled people.

## **5.60 Police and Justice Act 2006**

**5.61** This act, amended the Anti-Social Behaviour Act 2003, extends the existing range of agencies that can use parenting contracts and apply for parenting orders. These will include local councils, antisocial behaviour co-ordinators and registered social landlords.

## **5.62 Sex Offenders Act 1997**

**5.63** The law says that the police must maintain a register of sex offenders. The police and probation service will carry out a risk assessment on people who must register as a sex offender. We and other agencies, including education services and social services, help the police and probation service to manage the risks sex offenders pose to the community.

## **5.64 Housing and Regeneration Act 2008**

**5.65** Section 297 of this act gives local housing authorities and registered social landlords power to offer family intervention tenancies (FITs) if you:

- are likely to be evicted because of antisocial behaviour; or
- need support from behaviour support services.

**5.66** FITs are designed for families who have moved to other accommodation. We cannot use FITs if you are receiving behaviour support services in your own home.

## **5.67 Anti-Social Behaviour Act 2003 – Police and other agencies' powers**

**5.68** The police and other agencies have powers under this act, and here are some ways this may affect you.

## **5.69 Closure orders**

**5.70** These orders allow the police to close any property they believe has been used in connection with class-A drugs, and which has caused antisocial behaviour. They can initially close the property for three months.

## **5.71 Premises closure orders**

**5.72** Section 118 of the Criminal Justice and Immigration Act 2008 introduced new powers for the courts to temporarily close premises associated with significant and persistent disorder or persistent serious nuisance. These orders started on 1 December 2008.

## **5.73 Designated public place orders**

**5.74** These orders give the police extra powers to control how people drink alcohol in public places. If an order is in place, a police officer may ask someone to stop drinking and take the alcohol from them. If the person does not co-operate with the police officer, they may be prosecuted and have to pay a fine.

## **5.74 Dispersal orders**

**5.75** Dispersal orders give the police and the local council the power to place an order on a specific area that has had repeated problems of antisocial behaviour. The order can last for up to six months. Once an order is in place, police officers have the power to ask groups of two or more people to move on if they are harassing, causing alarm to or upsetting a member of the public, or if they are likely to. In some circumstances members of a group can not be allowed in the designated area for 24 hours.

**5.76** Dispersal orders also give local councils the power to deal with environmental antisocial behaviour, such as littering and dumping rubbish. Councils can also issue **fixed-penalty notices** of £50 for small acts of graffiti and fly-posting.

## **5.77 Environmental Protection Act 1990**

**5.78** This act makes local councils responsible for taking reasonable steps to investigate complaints of nuisance, including noise nuisance. In extreme circumstances, they can take away equipment that makes noise. They can also take legal action in the magistrate's court to prosecute offenders.

**5.79** We have a service level agreement with Hackney Council, which means our officers work with the council to investigate and deal with incidents of noise nuisance that affect our residents.

#### **5.80 Criminal offences**

**5.81** In many cases antisocial behaviour is part of a criminal offence. For example, drug dealing is illegal, but its effects, including repeated noise, intimidation and syringes left in public places, cause very real problems to people in the area.

**5.82** Under the conditions of our information exchange protocol we are committed to working with the Metropolitan Police to fight crime and antisocial behaviour and to make full use of the law to tackle the antisocial effects of crime.

**5.83** We will encourage, but will not necessarily require, victims of crime to report crimes to the police. However, where we have cause to believe that a serious crime has or may be committed (e.g. a child is at risk; someone in imminent danger of significant harm) we will bring the matter to the attention of the police.

#### **5.84 Gangs and gang related activity**

**5.85** Most young people are never involved in gangs, and not all groups of children should be viewed or labelled as gangs. Hackney Homes does however recognise that gang related activity is of significant concern in London including Hackney.

**5.86** Young people in gangs are often vulnerable individuals who can be both perpetrators and victims of harm. Those who become involved in gangs and commit violent crime as a result of this involvement have significant needs themselves. They should of course be held responsible for their actions and to that end, Hackney Homes is committed to effective action with partners in the police, local authority and others to tackle the issues by engaging in appropriate enforcement, prevention and diversion activities and initiatives.

#### **5.87 Respect Action Plan and Respect Standard for Housing Management**

**5.88** In 2006 the Government launched the Respect Action Plan, which is a national campaign to promote respect in society. The Respect Action Plan affects all areas and all parts of society, but pays particular attention to making communities feel confident, improving behaviour by supporting parents and families, and making agencies such as us more responsible to the communities we serve.

**5.89** The Respect Standard for Housing Management was introduced in late 2006 in response to introducing and developing the Respect Action Plan. The standard is aimed at social landlords and is a voluntary standard. It is based on things that landlords and partners have done and which have had positive results.

**5.90** We signed up to the standard and by doing so we have made a public commitment to delivering good services to help stop antisocial behaviour and create a community where people respect each other.

### **5.91 Hackney Safer Cleaner Partnership**

5.92 We are a member of the Safer Cleaner Partnership, which is Hackney's Crime and Disorder Reduction Partnership (CDRP). It is responsible for achieving the aims set out in Hackney's community strategy and local area agreement. Other members include:

- Hackney Council;
- the borough police;
- the health authority;
- the probation service;
- the fire service;
- the Metropolitan Police Authority; and
- voluntary and community groups.

**5.93** We work as part of the Hackney Safer Cleaner Partnership and use a wide range of ways of dealing with antisocial behaviour, such as initiatives to stop children from playing truant from school, to deal with relevant problems and to provide appropriate support to those involved.

**5.94** The ways of dealing with antisocial behaviour also include a range of measures and services that are designed to promote good behaviour and to change bad behaviour so we can maintain the benefits of tackling the particular problem over the long term. Our main aim is to strengthen communities.

### **5.95 Anti Social Behaviour Action Panels (ASBAPs)**

5.96 To provide the best resolution for victims in more complex cases of ASB, those often needing the co-ordination of the work of a number of agencies, Hackney Homes may refer a case to the multi-agency ASBAPs that meet monthly in the neighbourhoods. Representatives from other housing bodies, the local police, Youth Services and Youth Offending services, some council drugs and alcohol and family support services are amongst the regular members. The panels are chaired by experienced ASB Officers from the council's ASB Team and strong action to deal with ASB is co-ordinated effectively.

### **5.97 The Borough Crime Tasking Group**

**5.98** The Borough Crime Tasking Group meets every two weeks and brings together the main agencies involved in delivering services to neighbourhoods throughout Hackney. The group shares information on crime, drugs, disorder, antisocial behaviour and environmental problems that have come up in the previous two weeks. Using this information the group decide on what action they will take to develop a service that will reassure communities and prevent crime.

#### **5.99 Restricting access to the housing register**

If someone has a record of serious or repeated antisocial behaviour, we may not allow them on our housing register or restrict their access to it. The circumstances in which we may do this are set out in guidance from the Communities and Local Government Department and are included in Hackney Council's lettings policy.

## **6 Providing support to people who behave in an antisocial way, including support for parents and families**

**6.1** Part of our approach to tackling antisocial behaviour effectively is to work with people who have acted in an antisocial way so they can change their behaviour.

**6.2** The type of support we provide will vary between cases and may range from agreeing an acceptable behaviour contract to going on a specialist drugs or alcohol treatment programme.

**6.3** If we are going to provide this type of support we will include details of it in an action plan, which we will develop with the person concerned.

**6.4** In particular we are committed to supporting parents and families. We may provide support voluntarily when people and families agree to this, or even when they don't agree, but we must take action because they are causing harm to the community. We are members of the Family Intervention Project and tackle antisocial behaviour using programmes such as the Challenge and Support Programme, which is provided through the Hackney Safer Cleaner Partnership.

### **6.5 Support for parents and families**

**6.6** Parents are responsible for teaching their children positive values and good behaviour. Unfortunately, poor parenting increases the risks of antisocial behaviour. By improving parenting skills and supporting families, we can tackle antisocial behaviour. Support programmes for parents and families are effective at helping parents manage their children's behaviour better, which reduces nuisance behaviour and improves the way families communicate. Many parents will accept support voluntarily but we will, where necessary, use parenting contracts and orders if they are needed.

## **6.7 Family Intervention Project**

**6.8** The Family Intervention Project is part of a national network of family Intervention projects set up as part of the Government's Respect Action Plan. The project aims to reduce antisocial behaviour, prevent homelessness and achieve positive results for children and young people. It challenges and supports families to deal with causes of their antisocial behaviour.

**6.9** Within the council's letting policy, the Family Intervention Project is also called the 'Family Intensive Support Scheme (FISS)'.

## **6.10 Family intervention tenancies (FITs)**

**6.11** FITs are a new type of tenancy introduced by social landlords during 2009. We can use FITs if we feel that you are likely to be evicted because of antisocial behaviour.

## **7 Collecting information, monitoring antisocial behaviour and our services**

**7.1** We use the information we collect in connection with reports of antisocial behaviour to:

- manage individual cases (for example to assess our performance against action plans);
- identify our main aims and issues;
- contribute to the borough's crime and disorder reduction strategy;
- understand what type of antisocial behaviour is happening and in what areas;
- assess the work we are doing; and
- tell you and our board how our services are performing.

**7.2** Except for individual cases, we will use the information we collect without referring to any personal information or other details that might identify you. Instead, we will use the information to come up with statistics.

## **8 How we measure our performance**

**8.1** We will monitor our services every month, and report to:

- our board every month;
- Hackney Safer Cleaner Partnership every three months; and
- all residents every year.

**8.2** We will also report to our board on the costs of our antisocial behaviour services, including any legal costs we have.

### **8.3 Reports on antisocial behaviour**

Every month we will analyse:

- the number of new reports antisocial behaviour we have received;
- what type of antisocial behaviour we have received reports on;
- where antisocial behaviour is taking place;
- the number of cases we have closed; and
- the number of cases we have carried forward.

### **8.4 Action we have taken**

Again, every month we will analyse of the main formal actions we have taken to tackle antisocial behaviour. These main actions are:

- mediation;
- community agreements;
- acceptable behaviour contracts;
- parental control agreements;
- formal warnings;
- notices of seeking possession;
- notices of demotion;
- tenancy demotions;
- injunctions;
- injunctions with power of arrest;
- antisocial behaviour orders; and
- possession orders and evictions.

**8.5** We will report on any related action our partners take, such as noise abatement notices and dispersal orders.

**8.6** We will also report on the type of action we have taken to support victims and witnesses of antisocial behaviour.

### **8.7 Our performance against our targets**

**8.8** In line with recommended good practice and regulations we have developed a set of main targets for dealing with racist incidents. During 2010 we will be extending our targets to include other parts of services that tackle antisocial behaviour.

### **8.9 Our targets for dealing with racist incidents are to:**

- increases the number of people who report antisocial behaviour;
- assess the risks of all reports of racist incidents and provide support to people who need it;
- increase the percentage of people who are satisfied with our service;
- take appropriate and effective action against people who are committing racist incidents; and

- respond to all reports of racist incidents within one working day.

**8.10** Every three months we will report our performance against these targets to our board, and we will report them to you every year.

**8.11 Measuring how effective our services are**

**8.12** The most important way of measuring how effective our services are is to ask the people who have reported antisocial behaviour about their experience, and to find out how confident you are in how we tackle antisocial behaviour. To find out what you think we will carry out regular surveys and report what we find to our board, and work with our partners to monitor and to improve your confidence in our work.

**8.13** We will also monitor cases where we have formally got involved, for example by carrying out mediation, agreeing an acceptable behaviour contract, providing support to families and parents, or getting an injunction. We will monitor whether our work has been successful or not, for example if someone has broken the conditions of an injunction.

**8.14** As members of the Hackney Safer Cleaner Partnership we will monitor and report on how effective the partnership is at delivering the crime and disorder reduction strategy for Hackney.

**8.15 Monitoring and reviewing our procedures**

**8.16** The antisocial behaviour and estate safety manager will continuously monitor our performance.

**8.17** Our board will monitor our performance every three months.

**8.18** Also, we will carry out a detailed review of our performance at least once a year and tell you what we find.

**8.19** We will review this procedure every year to make sure we include any changes in the law and best practice.