

## **West Lothian Antisocial Behaviour Strategy**

**West Lothian Council in partnership with the West  
Lothian Division of Lothian and Borders Police**

## Index

	Page
1. Introduction	4
2. Aims and Objectives of the Strategy	6
3. Strategic Context	6
4. The Antisocial Behaviour etc. (Scotland) Act 2004	7
5. What Constitutes Antisocial Behaviour	8
6. Mapping the extent and type of Antisocial Behaviour within West Lothian	9
7. The Children's Hearing System	11
8. Working in partnership to improve local services; Community Planning and the development of Local Action Plans for West Lothian	12
8.1 Community Intervention Strategy	13
8.2 Social Inclusion and Regeneration Outcome Agreement (ROA)	14
8.3 Good Neighbourhood Agreements (Neighbourhood Compacts)	15
9. Delivering West Lothian's Antisocial Behaviour Strategy	16
9.1 Interventions and Tactics	16
9.2 Neighbourhood Response Team	18
9.3 Acceptable Behaviour Contracts	19-20
9.4 Neighbourhood Environment Teams	20
9.5 Environmental Wardens	21
9.6 Closed Circuit TV	22-23
10. New Measures within the Antisocial Behaviour etc. (Scotland) Act 2004	23
10.1 Antisocial Behaviour Orders	23-24
10.2 Closure of Premises	24
10.3 Dispersal of Groups	25
10.4 Noise nuisance	26
10.5 Fixed penalty notices for littering and fly-tipping and additional powers to remove graffiti in certain circumstances	26
10.6 Parenting Orders	27
10.7 Housing – registration of private landlords, antisocial behaviour notices	27
10.8 Further criminal measures – Community Reparation orders, Restriction of Liberty Orders, ban on selling spray paint to	27

under 16s, vehicles used in a way that causes alarm, distress or annoyance	28
10.9 Children's Hearings	28
10.10 Disclosure and Sharing of Information	28
10.11 The role of the Procurator Fiscal	28
11. West Lothian Community Safety Partnership	30
12. Youth Justice Initiatives	30
12.1 Diversionary Interventions	30
12.2 Early Interventions Programmes	30
12.3 Police Restorative Warning	31
12.4 Restorative Justice	31
12.5 Cognitive Behavioural Interventions	31
12.6 Parental Support	31
12.7 Close Support	31
12.8 Drug/Alcohol Interventions	32
12.9 School Based Initiatives	32
13. Community Education	32
14. Education	32
15. Criminal Justice Social Work	33
16. Domestic Abuse	34
17. Housing Initiatives	34
17.1 Local Lettings Initiatives	34
17.2 Homelessness Strategy	35
18. Environmental Health and Trading Standards	35
19. Street lighting, External Environment	36
20. West Lothian Drug Action Team	36
21. West Lothian Home Safety Service	37
22. West Lothian Division of Lothian and Borders Police	38-40
23. Victim Support West Lothian	40
24. West Lothian Youth Action Project	41
25. Lothian and Borders Fire Brigade	42
26. Barnardos	42
27. Resourcing the Strategy	42
28. Measuring and Reviewing the Strategy	42
29. Conclusion	47

## 1. Introduction

Antisocial Behaviour is a serious concern for communities, elected members, local authority staff and local agencies across West Lothian and across Scotland. This has been recognised by West Lothian Council and community planning partners for a number of years, through a commitment to address and tackle antisocial behaviour. A comprehensive range of measures is in place at a local level to address community concerns and relieve communities under stress. At a national level, the Scottish Executive has strongly emphasised the importance of addressing antisocial behaviour through the introduction of a range of legal powers and duties, and has targeted funding towards addressing this issue. The Antisocial Behaviour etc. (Scotland) Act (“the 2004 Act”) placed duty on all local authorities to prepare and publish an antisocial behaviour strategy in partnership with the police, strengthening and extending the range of tools to tackle antisocial behaviour.

West Lothian’s Antisocial Behaviour Strategy presents a co-ordinated and comprehensive range of measures designed to tackle antisocial behaviour. It was first introduced in March 2005, having been developed in full partnership with the West Lothian Division of Lothian and Borders Police (West Lothian Police Division) and with other community planning partners including the Principal Reporter to the Children’s Hearing System in West Lothian. Meetings were held across West Lothian and with vulnerable groups during March and April 2005, to consult with the public on the strategy (at that stage a draft document) and to discuss the introduction of the new legislation. The outcome of that consultation, and of a wide consultation exercise conducted to establish West Lothian’s Antisocial Behaviour Outcome Agreement 2005-08, has been reflected in West Lothian’s strategy. Consultation was also invited through the internet, conducted with all of West Lothian’s Registered Social Landlords (RSLs) and with vulnerable members of the community including at risk young people. The strategy has been updated since it’s initial development to reflect changes in service delivery, on the basis of further evaluation and consultation. Due to that nature of the antisocial behaviour agenda, the Strategy will be required to be regularly updated. Updates to the Strategy will be carried out annually from the date of the first publication. By working to effectively tackle antisocial behaviour, we collectively work towards the 10-year strategy in the Community Plan for West Lothian ‘Shaping the Future’, which seeks to bring a better quality of life for everyone living, working and doing business within West Lothian.

The 2004 Act provides local authorities, other housing landlords, and the police with a range of additional measures that can be drawn upon as necessary to deal with antisocial behaviour. The Act requires that antisocial behaviour strategies developed by local authorities and the police are kept under review and appropriately revised. In addition, extra funding will be made available to West Lothian Council and its community planning partners over the years 2005-8 to address antisocial behaviour. This document outlines the way in which funding will be used to complement and enhance existing measures.

West Lothian's Antisocial Behaviour Strategy is closely linked to a number of other funding streams that aim to address associated concerns around social, environmental, educational and economic issues, including community safety, social inclusion and youth crime.

The primary aim of this strategy document is to set out clearly how West Lothian Council and its community planning partners will deal with antisocial behaviour. Difficulties have arisen in the past from the localised, sometimes unpredictable and sporadic, nature of antisocial behaviour and the fact that such behaviour can cover a range of activities that may not be classified as 'criminal'. It has therefore been challenging at times for the police and council to respond effectively. By working in partnership and by using a range of established and new measures, this strategy provides a co-ordinated range of measures across four main themes; Prevention, Intervention, Enforcement and Rehabilitation, with an emphasis in accordance with national guidance, on prevention. The strategy aims to encourage people to report antisocial behaviour and to protect communities and individuals from such behaviour. People across West Lothian should feel that at all times they are able to report incidents safely, that these incidents will be dealt with sensitively and effectively and that they will be supported throughout. This strategy document sets out the way in which previous gaps in services can be addressed, by providing services at a community level and out of normal working hours, when the majority of antisocial acts often occur. Examples of such services are West Lothian's specialised Antisocial Behaviour Team (the Neighbourhood Response Team), which has expanded to include an out-of-hours service dealing with all aspects of antisocial behaviour and with a specific, professional focus on antisocial noise, providing a dedicated response to noise nuisance under noise nuisance legislation.

Since concern around antisocial behaviour was first noted from members of the public, the council and partner agencies have been committed to developing the most effective mechanisms for dealing with this issue, drawing at all times on examples of the best practice and best value. West Lothian's Strategy has been developed with the full involvement and consultation of the community, including young people, and has been guided and influenced by good practice in other areas and these elements will continue to shape future work in this area.

### **Equality of Opportunity**

The 2004 Act states that anyone carrying out a function by virtue of the Act should do so in a manner that encourages equal opportunities. Therefore, services will be developed and delivered regardless of gender, age, race, disability, sexual orientation, language, and social origin, religious or political beliefs.

## **2. Aims and Objectives of the strategy**

The aims and objectives of West Lothian's Antisocial Behaviour Strategy are as follows: -

- To make West Lothian a safer and more attractive community
- To deal effectively with cases of antisocial behaviour using the range of tools specified in this strategy document
- To effectively track the progress of antisocial behaviour cases
- To fully support victims, witnesses and complainants of antisocial behaviour including victims of hate crime
- To achieve a yearly and continual reduction of cases of antisocial behaviour, or, in years when a reduction has not been achieved, to develop a clear strategy for addressing this situation
- To prevent antisocial behaviour and improve community safety through a range of measures including the provision of positive alternatives for young people who engage in antisocial behaviour
- To engage pro-actively with communities
- To work in partnership to identify the best solution

### **3. Strategic Context**

The aims and objectives of the Antisocial Behaviour Strategy must be compatible with the long term vision and strategy of West Lothian's Community Plan. There are also close connections between the Strategy, the Regeneration Outcome Agreement (ROA) for West Lothian, and the West Lothian Community Intervention Strategy, a new approach adopted by the council to revitalise communities, and with a number of other strategies and initiatives discussed further in this document. West Lothian has also developed 'Good Neighbourhood Agreements' to make explicit the rights and responsibilities of the council and residents regarding Antisocial Behaviour within certain areas.

The Antisocial Behaviour Strategy comprises the use of a range of measures as follows: -

- Neighbourhood Response Team (NRT)
- Neighbourhood Environment Team (NETs)
- Environmental Wardens
- Closed Circuit Television (CCTV)
- Measures within the Antisocial Behaviour etc (Scotland) Act 2004
- Sharing of Information Protocol (West Lothian Council Housing and Customer Services and West Lothian Police Division)
- Sharing of Information Protocol, West Lothian Police Division and Registered Social Landlords

Antisocial Behaviour, as a cross-cutting issue, impacts upon many council services. These include: -

- Community Safety
- Domestic Abuse
- Housing (including local lettings initiatives)

- Youth Justice
- Community Education
- Education
- Environmental Health and Trading Standards
- Street lighting
- External Environment
- Home Safety Service

A number of other agencies, often working in partnership with the council, also work towards addressing antisocial behaviour in their broader sphere of action:-

- Children's Hearing System
- Drug Action Team
- Victim Support West Lothian
- West Lothian Youth Action Project
- Lothian and Borders Fire Brigade
- Barnardos

#### **4. The Antisocial Behaviour etc (Scotland) Act 2004**

The 2004 Act introduces a range of tools to improve the ability of local agencies to tackle antisocial behaviour. The Act also places new obligations upon local government, police, the courts and other statutory bodies such as the Children's Reporter, which administers the Children's Hearing system. As well as placing a legal requirement upon the council and police to produce and formalise Antisocial Behaviour Strategies, new or enhanced powers have been given to the council, police and Children's Reporter, in the following areas:-

- The development of a joint Antisocial Behaviour Strategy between local authorities and the police
- Increasing the scope of Antisocial Behaviour Orders (ASBOs) for adults and introducing ASBOs for persons aged 12-15
- Dispersal of groups
- Closure of premises
- Noise Management
- Fixed penalty notices for littering and fly-tipping and additional power to remove graffiti in certain circumstances
- Parenting Orders
- Housing – registration of private landlords, antisocial behaviour notices
- Criminal – Community Reparation orders, Restriction of Liberty Orders, ban of sale of spray paint to under 16s
- Children's Hearings
- Disclosure and sharing of information.

The circumstances, and way in which these provisions may be adopted and implications of new measures, are further discussed below.

## 5. What Constitutes Antisocial Behaviour?

Antisocial Behaviour takes many forms within the community and covers a range of problematic behaviour. It is clear that this behaviour has a considerable impact on communities, affecting the quality of life for many residents of West Lothian.

The Act 2004 provides that a person engages in antisocial behaviour if they:-

- Act in a manner that causes, or is likely to cause, alarm or distress; or
- Pursue a course of conduct that causes, or is likely to cause, alarm or distress to at least one person not of the same household as them.

“Conduct” includes speech; and a course of conduct must involve conduct on at least two occasions.

The expression “likely to cause” means that, in effect, someone other than the victim of antisocial behaviour can give evidence about whether behaviour is antisocial or not and this permits the use of professional witnesses. Such witnesses may be used, for example, in cases where those victimised by antisocial behaviour feel unable to come forward for fear of intimidation or reprisals. The evidence may not be as strong without direct evidence from victims, but the opportunity exists to pursue such cases without their involvement.

It is the effect, or likely effect, of behaviour on other people that determines whether that behaviour is antisocial; therefore it is not necessary for a prosecuting authority to prove intent on the part of the defendant to cause alarm or distress.

The 2004 Act also makes it clear that the Sheriff, in determining whether a person has engaged in antisocial behaviour, shall disregard any behaviour shown to be reasonable. Therefore, consideration of whether behaviour is antisocial will be subject to a ‘test of reasonableness’.

Finally, it is important to point out that antisocial behaviour is not necessarily behaviour that is different, or is a result of a medical or developmental condition, or a mental health problem. Therefore, awareness and tolerance of others’ needs is an important part of tackling antisocial behaviour.

The definitions above describe the scope and impact of antisocial behaviour. However, it is also important for the communities of West Lothian that the ranges of behaviours that can be understood as antisocial behaviour are also outlined.

**Antisocial Behaviour for the purposes of this strategy is defined as the following:-**

Serious neighbourhood disturbances; extreme behaviour including drug dealing, unprovoked assault; violence; serious harassment; threatening and abusive behaviour, persistent, serious and significant youth disorder; hate and discriminatory crimes including racial harassment, homophobia and sectarianism; vandalism.

Many of the above behaviours are criminal and therefore will be dealt with by the police. However, the behaviours listed above are those that most frequently come to the attention of the Neighbourhood Response Team through complaints and therefore the behaviours which most impact upon the right of people to enjoy and feel safe within their homes and communities. It is in dealing with these behaviours, therefore, that West Lothian's communities expect the council and the police to work together most actively.

It is generally the case that antisocial behaviour will be severe and/or frequent in nature, although one-off instances may be deemed antisocial behaviour, if determined to be of a serious nature. Neighbourhood incidents of a perhaps more minor, infrequent or irregular nature, will be dealt with by housing offices for council tenants and by the Neighbourhood Response Team for owner-occupiers. Examples of such incidents may be as follows:-

Disputes involving neighbours, shouting, noise nuisance disturbances, dog and pet control, boundary, access or parking disputes.

It is also important to note that antisocial behaviour can also often be linked with other criminal activities such as joy-riding and domestic violence and may itself escalate into criminal behaviour. The close co-operation between the local authority and the police in developing this Antisocial Behaviour Strategy is therefore fundamental.

## **6. Mapping the Extent and Type of Antisocial Behaviour within the Council Area**

Local authorities and their partners are required to evidence the extent and range of antisocial behaviour within the authority area. In developing this strategy, information has been gathered in respect of the following:-

- The extent and type of ASB

For this evidence is available from two information sources – Lothian & Borders Police and the Council's Neighbourhood Response Team.

Cases reported to the police during 1/4/2003 to 31/3/2004

<b>Description</b>	<b>Reported Cases</b>
Vandalism	3,294
Youth (Disorder) Calls	6,839

Hate Crime	87
Drugs supply	335
Drugs possession	838

The Neighbourhood Response Team was established in August 2003 and dealt with 1,162 cases during its first year of operation. A breakdown of case types e.g. noise nuisance, harassment, control of pets, etc will be contained within the final strategy document.

- Profile of victims

The Neighbourhood Response Team statistics show the following age profile of victims who complained to the team.

Age group	Percentage
Under 17	2%
18-24	6%
25-34	27%
35-44	35%
45-60	22%
Over 60	18%

- Profile of perpetrators of antisocial behaviour

The Neighbourhood Response Team statistics show the following age profile of perpetrators of cases handled.

Age group	Percentage
Under 17	
18-24	15%
25-34	24%
35-44	25%
45-60	9%
Over 60	6%

- Financial costs of ASB in respect of repair costs as result of vandalism to Council owned housing stock.

Period	No of Reported Cases	Total Repair Costs
2003/04	365	£50,218.36

West Lothian Council are in the process of recruiting an analyst who will work closely with West Lothian Police Division's Intelligence Unit and other agencies

such as West Lothian Youth Action Project (WLYAP) The establishment of a council analyst post will improve the collation and preparation of information, obtained from a range of local authority sources and in particular front line staff, helping to ensure that resources are deployed appropriately and that information is shared at all times to help agencies tackle antisocial behaviour. This innovative approach enhances information sharing between partners and enables a broader approach to the identification of 'hotspots' of antisocial behaviour and consequent response.

## **7. Children's Hearing System**

The Children's Hearing System or Panel is the mechanism for dealing with welfare concerns and also the offending behaviour of young people under age 16. The Hearing System is serviced by Children's Reporters, who are professionals trained to investigate the circumstances in a child's life and to decide after investigation, whether compulsory measures of supervision or other measures are required. The wider context of a child's life will be considered in deciding on appropriate measures to deal with criminal and/or antisocial behaviour. The Children's Reporter works closely with the council, police and other agencies involved in criminal justice and child welfare.

The Children's Hearing System holds to the principle that, just as the response to antisocial behaviour is the shared responsibility of a range of agencies in collaboration with members of the public, so equally is the neglect and abuse of children a shared concern and responsibility of all agencies and the community.

The Hearing System operates on the basis that all children in Scotland deserve to be cared for and protected from harm and to grow up in a safe environment in which their rights and needs are respected. Unfortunately, not all children are properly cared for or protected and sometimes the environments in which children live are harmful to their development and wellbeing. This statement accords with the Scottish Executive's Report on the Child Protection Audit and Review (2002).

As it is likely that the investigation of adult antisocial behaviour will reveal situations where children's care and protection is compromised by the adults' behaviour, all agencies and members of the public have, in such situations, a responsibility to ensure that the child's welfare is addressed by referral to appropriate services.

In connection with national guidance, the Principal Reporter for the Children's Hearing System in West Lothian has been fully consulted in the development of this strategy.

## **8. Working in partnership to improve local services; Community Planning and the development of Local Action Plans for West Lothian**

Partnership working is now at the very heart of all local government work and much of the public sector. Community planning legislation places a duty on local authorities to work with other public sector agencies, namely the police, fire service and health board and with local communities to plan and develop services at a local level. West Lothian has an excellent record of effective partnership working which long predates community planning legislation. It is clear that antisocial behaviour is not the sole responsibility or concern of any one agency and partnership working has been and will continue to be, central to implementing the Strategy.

West Lothian's Community Plan is based around six themes: -

1. A Caring Community
2. A Learning Community
3. A Prosperous Community
4. A Healthy Community
5. A Changing Community
6. A Safe Community

West Lothian is a safe, attractive and diverse community with a healthy local economy. By working towards the themes above, the community plan's vision for 2010 is to maintain and strengthen the knowledge based economy and local infrastructure and to work towards a safer, more attractive and healthier community, with improved educational standards.

It is important to recognise that none of the themes can be viewed in isolation. For example, communities which suffer from higher than average levels of crime and antisocial behaviour may also suffer from a range of inter-linked factors such as poor educational attainment, high levels of unemployment, poor infrastructure and a poor quality of the environment. Similarly, the existence of higher than average levels of crime and antisocial behaviour may impact on poor environmental or economic outcomes. The Community Plan recognises that to tackle the full range of problems and issues facing individuals and groups in our communities, agencies have to work together to provide the range of services that meet people's needs.

One of the main ways in which this will be achieved throughout West Lothian is through the development of Local Action Plans. These Plans will be developed on the basis of issues raised through consultation with local community groups and local agencies. The key purpose of these Action Plans will be to set out in detail the key issues and priorities for the areas and to document agreed actions and timescales for the relevant providers to address the issues highlighted. For example, the Ladywell Community Action Plan 2004-2007 has already been developed in accordance with these objectives. There will be Action Plans developed for all areas in West Lothian. Community planning is concerned with the wide range of factors, which may influence the safety, and attractiveness of communities and the standards of living of residents. Therefore, Local Action Plans will address inter-linked concerns around crime and anti-social behaviour

and the quality of the environment, social inclusion, education and factors such as road safety, community, sports and leisure facilities.

The effectiveness of local planning and the impact on the community will be consistently monitored and evaluated.

Community Planning and the Local Action Plans provide the over-arching framework for service planning for West Lothian Council and its partners. Under this framework a range of other strategies and initiatives work toward the six themes identified within the Community plan, including the Antisocial Behaviour Strategy. This strategy links with other strategies as discussed below.

### **8.1 Community Intervention Strategy**

The Antisocial Behaviour Strategy uses a range of measures to tackle antisocial behaviour and aims to contribute towards associated issues such as fear of crime and community empowerment. One of these, the Community Intervention Strategy, is an innovative and practical approach by the council, initially pioneered in the Ladywell area, and to be rolled out across West Lothian. The Community Intervention Strategy will help people regain their communities and make their communities more attractive and desirable places to live. The 'Community Intervention Strategy' encourages decision making at a local level and represents a more joined up approach supported by strong partnership working and close links with the Police, council, voluntary groups and local communities.

The Community Intervention Strategy will use a range of indicators/triggers to identify communities that would benefit from intensive support to address antisocial behaviour and the use of one or a number of the measures discussed in this strategy initiatives. These indicators will include: -

- % of tenants in rent arrears/on housing benefit
- High void/turnover rates
- Number of reported cases of antisocial behaviour
- Number of tenants/residents groups
- Levels of recorded crime and disorder in relevant categories
- Vandalism costs
- Levels of secondary school truancy/exclusions
- Fear of crime as identified by survey methods

The impact of the Community Intervention Strategy will be monitored to ensure its effectiveness. The indicators and triggers discussed above will also influence Local Action Plans for West Lothian's communities.

### **8.2 Social Inclusion and Regeneration Outcome Agreement (ROA)**

Policies and initiatives designed to tackle poverty, promote social inclusion and improve the quality and life opportunities of the most vulnerable and

disadvantaged members of our community, must play a key role in the fight against crime and antisocial behaviour. West Lothian's Community Plan contains an explicit commitment to social justice and closing the gap between the most disadvantaged and most affluent communities within West Lothian and to building community confidence. The council, its community planning partners and other local agencies will work towards this goal through the Regeneration Outcome Agreement (ROA) for West Lothian. West Lothian's regeneration priorities are based upon the findings of the Scottish Indices of Multiple Deprivation (SIMD) 2004, which identify concentrations of inequality and social exclusion. The SIMD consider the following factors: -

- i) Income deprivation
- ii) Employment deprivation
- iii) Health and disability
- iv) Education, skills and training
- v) Geographical access to services

The information available to date indicates that these defining characteristics are commonly found together within deprived areas in West Lothian. It is important to note that council and community planning partners have a limited influence in many of the factors that contribute towards inequality and exclusion. However, priorities for the ROA aim to contribute towards social inclusion over the long term, within ten identified communities. West Lothian's strategic regeneration objectives are as follows:-

1. To promote a safer community where civic responsibility and safety are encouraged, and where crime and antisocial behaviour is less likely to flourish
2. To address unemployment and economic and social exclusion
3. To take specific action to reduce the difference in health status between affluent and deprived communities in West Lothian
4. To increase attainment levels amongst school leavers and the workforce
5. To maximise the potential for children and young people to lead full lives.

In seeking to promote a safer community, the following outcomes are sought:

- Reduced fear of crime and antisocial behaviour both inside and outside the house
- Improved community health
- More attractive communities in which to live and work
- Improved viability of town centres
- Reduced homelessness

### **8.3 Good Neighbourhood Agreements (Neighbourhood Compacts)**

The interests of communities and local agencies must always be at the heart of the development, monitoring and evaluation of proposals to address antisocial

behaviour. West Lothian Council has worked in partnership with local communities to develop Good Neighbourhood Agreements (Neighbourhood Compacts) as instructed by the Scottish Executive, in the areas which face particular challenges around antisocial behaviour. These agreements clearly state the support and services that will be provided by partner agencies to address antisocial behaviour and the standards of behaviour that will be expected by local residents. Members of the community are expected to confirm their commitment to this agreed set of standards. Neighbourhood Compacts provide an important part of the Local Action Plans.

## **9. Delivering West Lothian's Antisocial Behaviour Strategy**

West Lothian's Antisocial Behaviour Strategy works across the four themes of Prevention, Early Intervention, Enforcement and Rehabilitation. A list of the different interventions and tactics which comprise these themes and the service and agencies involved is summarised below.

### **9.1 Interventions and Tactics**

#### **Prevention**

*\*(Antisocial Behaviour is abbreviated to 'ASB' within this section for brevity)*

#### **Intervention/Tactic**

- Promotion of neighbourhood management approaches, including the introduction of community warden schemes and neighbourhood compacts
- Involvement of youth services
- Local media and advertising campaigns to promote public awareness of antisocial behaviour and ways of addressing it
- Adoption of physical/situation measures e.g. continual improvement of lighting, management of parks and provision of inclusive, stimulating, quality and attractive open spaces; CCTV; Secure by Design
- Provision of a rapid response to local environmental problems to avoid ASB becoming entrenched
- Agreement of local lettings plans/policies that contribute to and reinforce stable and sustainable communities
- Deployment of Homelessness Strategy
- Use of Short Scottish Secure Tenancies (SSSTs) to deal with individual cases of ASB where appropriate and provide necessary support
- Provision of accessible and affordable leisure and community education facilities for young people, at times to suit their needs
- Use of integrated case management approach in respect of juvenile ASB Orders (ASBOs)
- Co-ordination of preventative services across local authority departments and other service agencies
- Development of mediation and victim support services
- Gathering and sharing of information on ASB to highlight emerging problems and target preventative measures
- Establishment of Service Level Agreements/Operational Protocols between partner agencies
- Agreement and application of tenancy management standards for HMOs (houses in multiple occupation)
- Enforcement of age restriction conditions for purchase of goods commonly linked to antisocial behaviours such as fireworks and spray paint.

## **Early Intervention/Diversion**

### **Intervention/Tactic**

- Use of Acceptable Behaviour Contracts (ABCs)
- Use of mediation services
- Deployment of Youth Justice Strategy
- Use of restorative justice programmes
- Provision of targeted diversionary activities for young people, either directly or in partnerships with the voluntary sector
- For under 16s, referrals to the Children's Reporter
- Development of support services to help perpetrators change their behaviour

## **Enforcement**

### **Intervention/Tactic**

- Development of a specialised multi-agency ASB Team (the NRT)
- As appropriate, use of application to the Sheriff Court for interim ASBOs and ASBOs; parenting orders (policy under development)
- For under 16s; as appropriate, compulsory measures of supervision imposed by a children's hearing
- Professional assessment of the needs of young offenders
- Police powers of dispersal
- Police powers to close premises
- Enforcement powers in Housing Acts, e.g. eviction, compulsory transfers, use of SSSTs
- Use of other appropriate legislation/police powers

## **Rehabilitation**

### **Intervention/Tactic**

- Provision of outreach and residential services for individuals and families whose involvement in ASB is linked to a range of other problems that need to be addressed
- Adopt case conference approach with partner agencies drawing up a package of services
- For under 16s, regular case reviews and continuation of supervision where required
- Placing evicted people, or people who have abandoned housing due to ASB, into suitable accommodation where they can receive services and support
- Provision of support and guidance for people taking up tenancies following release from prison or substance abuse rehabilitation

## 9.2 Neighbourhood Response Team (NRT)

A key recommendation of early investigations into the most effective way of tackling antisocial behaviour was the establishment of a specialised antisocial behaviour team. The Neighbourhood Response Team (NRT) was established in August 2003 to deal with all cases of antisocial behaviour. The NRT aims to: -

- Increase the range of and develop new methods of intervention to help resolve the problem of antisocial behaviour and support individuals and communities
- Work in partnership to highlight and discuss the effects of antisocial behaviour on local communities.
- Continue to develop close inter-agency working with a range of partner agencies
- Ensure equality of opportunity in service provision.

A very important feature of the NRT is its multi-functional structure, in recognition that antisocial behaviour and its associated problems are not just related to housing. The team comprises a Neighbourhood Response Manager, Neighbourhood Response Officers, a Police Officer, a Youth Worker, a Victim Support Worker and has access to advice and assistance from solicitors within the Council's Legal Services. The NRT has the power to intervene in cases involving tenants of all housing providers and owner-occupiers, therefore providing a service to all housing tenures. (Referrals are accepted from Registered Social Landlords to handle cases involving their tenants and associated costs are recharged to the referring landlord). The team record, monitor and track cases of antisocial behaviour effectively through the antisocial behaviour database. The seconded police officer has full access to police information systems. West Lothian Council will employ an analyst, working closely with the seconded police officer, providing information for the Community Intelligence Model. This joint working will further improve the council and police response to anti-social behaviour.

The NRT:-

- Uses a range of measures aimed at resolving antisocial behaviour; primarily case conferences, mediation, support of victims, witnesses and complainants and intensive supervision
- Investigates all reports of harassment within 24 hours
- Removes racist graffiti within 24 hours
- Ensures that all other complaints are responded to within 5 days
- Provides an out of hours service in appropriate cases to allow incidents to be witnessed as they happen
- Where appropriate makes referrals to support agencies
- Makes use of new measures such as Acceptable Behaviour Contracts, applications to the Sheriff Court for Interim Antisocial Behaviour Orders (Interim ASBOs) and Antisocial Behaviour Orders (ASBOs) and develops new

measures based on the interests of the community, best practice, statutory requirements and national guidelines as appropriate.

- Makes use of Scottish Short Secure Tenancies (SSSTs) and provides tenancy support should it be necessary to evict on grounds of antisocial behaviour

The NRT have ran a series of cinema adverts to highlight awareness of antisocial behaviour and the services available locally. Other preventative strategies will continue to be developed. The Neighbourhood Response Team worked in conjunction with the Scottish Executive to host a 'roadshow' for citizens of West Lothian during July 2005 which aimed to raise the profile of antisocial behaviour and increase confidence to report. Representatives from the Scottish Executive, Neighbourhood Response Team and its partner agencies provided members of the public with advice and assistance and an opportunity to raise concerns that could then be taken forward by the team.

A 24-Hour Telephone Helpline has been introduced to provide dedicated assistance to all callers to answer all queries on antisocial behaviour, provide emotional support, practical advice and assistance. Victims and witnesses of antisocial behaviour can telephone this number at any time in the knowledge that they will be able to speak to someone confidentially regarding their issue or ongoing complaint. The Helpline is directly accessible to all residents of West Lothian and will result in an even more effective service to tackle antisocial behaviour.

West Lothian Council has employed two Housing Support Workers who link closely with the NRT, to provide an intensive support to victims and witnesses of antisocial behaviour and those allegedly perpetrating such behaviour. Housing Support workers can provide residents with the confidence to report incidents of antisocial behaviour and help to identify and address support needs at an early stage. Housing Support Workers already work within Housing Offices throughout West Lothian.

**Video phones, as tools to further support the victims and witnesses of antisocial behaviour, are being purchased to further improve the service provided. Video phones will provide reassuring contact to witnesses throughout the duration of any investigation. Follow up calls to customers who are experiencing antisocial behaviour will also be made.**

The Neighbourhood Response Team has recently successfully recruited an out-of-hours team of six officers. This team provides a dedicated and intensive focus on antisocial complaints at the times when they are most likely to occur, with a dedicated focus on noise complaints through the implementation of Part 5 of the 2004 Act. This team have recourse to a range of measures to alleviate noise complaints including the use of warning notices, fixed penalty notices and seizure of noise making equipment. Noise complaints constitute a significant proportion of complaints to the NRT and the introduction of this new team has brought considerable benefit to the community.

### **9.3 Acceptable Behaviour Contracts**

The NRT make use of Acceptable Behaviour Contracts (ABCs) in appropriate circumstances. Acceptable Behaviour Contracts (ABCs) have proven to be effective in preventing the escalation of antisocial behaviour in West Lothian. ABCs are formal written agreements between an individual (child or adult) involved in antisocial behaviour. They can also be used with parents who do not take action to prevent their children acting in an antisocial manner.

The use of ABCs provides a unique opportunity to involve all parties in a discussion about the meaning of the term “Antisocial Behaviour” and the impact on others. It can be used as part of an early intervention to stop the antisocial behaviour and to warn all parties of possible repercussions should the behaviour continue. In addition, it is an opportunity to provide positive solutions to address serious issues, which may be identified during the course of the meetings.

An ABC is developed in partnership with the police or youth worker through joint meetings or visits. It sets out the behaviour that the person has agreed to stop. ABCs may also set out the support that individuals can receive in order that the nuisance behaviour can be addressed (and in relation to a child, should set out support) and includes reference to any legal action that may follow if the terms of the contract are breached.

The contract normally lasts for six months, although it can be renewed after a case conference has been held.

Whilst it is not a legal remedy, an ABC can be used in the Sheriff Court as supporting evidence of steps taken to resolve offending behaviour prior to applying for an Interim Antisocial Behaviour Order/Antisocial Behaviour Order. The Neighbourhood Response Team undertake close monitoring of the ABC.

Within the NRT, the youth worker co-ordinates the use of youth ABCs, in collaboration with the Youth Action Project.

### **9.4 Neighbourhood Environment Team (NETs)**

There can be a very close link between antisocial behaviour and environmental problems. Often, a poor environment can exacerbate the levels of antisocial behaviour and crime within an area and areas with high levels of antisocial behaviour can contribute towards a neglected and dangerous environment. As well as issues of safety, an attractive, clean community is paramount to community satisfaction. West Lothian Council has recognised this for some time and Local Neighbourhood Environment Teams (part of the NETs and Land Services Unit) have been extended to all areas in West Lothian. Neighbourhood Environment Teams provide a dedicated response to issues such as domestic waste, communal bulky rubbish, street cleansing, litter picking, dog fouling, graffiti, abandoned cars and unauthorised bonfires.

NETs and Land Services also utilise their enforcement powers to address antisocial behaviour that affects the environment such as fly tipping, litter, dog fouling and abandoned vehicles. The Neighbourhood Response Team and Environmental Warden service, as teams dedicated to addressing antisocial behaviour and environmental issues, work regularly with the Neighbourhood Environment Teams to ensure an efficient response to environmental problems.

## **9.5 Environmental Wardens**

West Lothian Council provided a pilot Community Safety Warden service in the four communities of Boghall, Blackburn, Ladywell and Knightsridge, from mid April 2004 to September 2006. It was a difficult decision to select areas in which to locate pilot warden schemes. These areas were chosen to allow wardens to link in with structures already in place and strong community commitment to address antisocial behaviour.

Evaluations of the pilot service and of community concerns, gauged through surveys and studies of complaints received, have convinced the council of the necessity and benefit of introducing a locality wide environmental warden service, which will bring benefit to all citizens of West Lothian, and will build upon the most successful elements of the pilot scheme.

The pilot Community Safety warden scheme has demonstrated that wardens can be particularly effective as a result of their ability to make speedy responses to some of the most important problems for local communities, in particular environmental issues and environmental crime.

The environment is one of the most important issues for the community, as identified in the survey conducted during July 2005 across the Citizens Panel and social rented sector to inform the development of West Lothian's Antisocial Behaviour Outcome Agreement. Despite improvements in core services and the introduction of NETs, environmental crime continues to exist. Enforcement action is needed to address this and the current national culture of 'litter dropping'. Evidence from other authorities has shown that the introduction of an environmental warden service greatly increases capacity to address environmental concerns. The introduction of the new warden service, focused on environmental enforcement, has the full support of West Lothian Police Division.

A new environmental warden service, which provides wardens with powers of environmental enforcement, became operational on the 2<sup>nd</sup> October 2006. Nineteen environmental wardens are operating across the authority area. Working closely with the Neighbourhood Environment Teams, waste enforcement officers, dog warden, the new warden service will help to helping to enforce new environmental legislation, impacting regularly on the main issues identifies in the five pledges: litter, graffiti, fly-tipping, dog fouling and abandoned cars.

Wardens shall fulfill the following roles: -

- Form good working relationships with local communities and be accessible to provide information/advice and to allow residents to report environmental concerns
- Ensure the general environmental quality of the area and a rapid response to environmental problems by referring issues such as graffiti removal, abandoned vehicles, fly tipping, dumping of rubbish, street trading and ensuring the security and cleanliness of the area, including the possible identification of the area for clean-ups.
- Where appropriate issue perpetrators of environmental crime with fixed penalty notices
- Provide advice on environmental issues

Information will be regularly shared between wardens, Neighbourhood Environment Teams, Environmental Health Officers, Neighbourhood Response Team Officers, local Housing Officers and the police in order to direct efforts most effectively at tackling environmental crime.

The incorporation of the new service within the Council's NETs and Land Services allows for a co-ordinated and structured approach to environmental and enforcement issues, a single point of contact and greater efficiency.

The Antisocial Behaviour Strategy acknowledges the often cross-cutting nature of environmental issues, crime and antisocial behaviour. Environmental Wardens will provide an additional and highly effective tool to tackle a range of environmental crime that can often be antisocial in nature or effect and can often affect areas in very negative ways, perpetuating antisocial behaviour, community confidence and cohesion. As a front line patrolling service, wardens may also be witness to other elements of antisocial behaviour and in these circumstances. Wardens will therefore report cases of vandalism and antisocial behaviour that they encounter in the course of their duties and ensure that they are addressed through the appropriate channels.

## **Measuring the success of Environmental Wardens**

### **9.6 Closed Circuit Television (CCTV)**

CCTV is a popular and trusted tool in helping to prevent and detect crime within communities. The Scottish Executive has stated that CCTV has a crucial role to play in gathering evidence against antisocial behaviour, and it is clear that CCTV can play an important role in cases where witnesses are reluctant to come forward.

West Lothian has introduced two major CCTV schemes in Linlithgow and Bathgate. CCTV coverage of the fastlink Livingston dual carriageway has recently been introduced. CCTV has proven to be very popular with the public, ranking only behind increased police patrols and improved street lighting in the preferred list of crime prevention measures, and almost all surveys show that it has a beneficial impact on the fear of crime. CCTV is at its most effective when

the images are pro-actively monitored and intervening action can then be taken if necessary. If CCTV images are only recorded and used historically it becomes less of a crime prevention tool and its impact on addressing antisocial behaviour is reduced. There is evidence that CCTV systems have been particularly successful in reducing crime in shopping centres, city and town streets and car parks. CCTV by itself cannot provide a solution to all of the problems of antisocial behaviour and safety facing communities however it can complement the range of measures discussed in this strategy document.

West Lothian Council is currently increasing and centralising the monitoring of CCTV provision within the authority area. In time, this will be linked to the police airwaves system. Airwaves is an improved encrypted communications system that will replace the existing police analogue radio system.

## **10. New measures within the Antisocial Behaviour etc (Scotland) Act 2004**

### **10.1 Antisocial Behaviour Orders**

Antisocial Behaviour Orders (ASBOs) and Interim ASBOs for adults have been in existence since 2002, and new legal measures extend the scope of ASBOs for adults and provide the power to use ASBOs for 12-15 year olds. ASBOs are civil orders intended to protect the community from anti-social behaviour. The orders are not criminal penalties and are not intended to punish the offender. Breach of an ASBO, however, is a criminal offence. An order contains prohibiting conditions that are aimed at preventing the person acting in such a manner once the order is imposed, for example not entering a defined area or engaging in a particular behaviour/s. Either the local authority or a registered social landlord (RSL) as defined within the Act may apply to the Sheriff Court for an ASBO. In applying for an ASBO, the local authority, police, alleged perpetrator and, if appropriate, Children's Reporter, must be consulted. Neither the individual affected, nor the individual causing the behaviour, need to be residents of the local authority area.

#### **Antisocial Behaviour Orders (ASBOs) for use on Adults**

In order to obtain an ASBO on an adult, the Council or RSL will have to show in court that an order is necessary to protect people in its area from further antisocial behaviour. It is important to note that an ASBO will be used only as a last resort, although where the alleged perpetrator is a tenant of the council, eviction may be the true last resort. Therefore, it will be necessary for the Council or RSL to show that other reasonable and relevant means of resolving problematic behaviour have been considered. In considering applications for an ASBO, each case will be dealt with on its own merit and all the facts and circumstances surrounding any complaint will be assessed. There is no exhaustive list to the kind of behaviour, that an ASBO can seek to prohibit, taking into account the legal definitions of antisocial behaviour. ASBOs may be issued for indefinite periods of time and, if deemed necessary, the council can reapply for an ASBO. In accordance with the definition of antisocial behaviour, an ASBO

should not be sought 'where an individual cannot understand the consequences of their actions'.

### **Antisocial Behaviour Orders for 12-15 year olds**

The West Lothian draft policy on ASBOs for 12-15 year olds strongly reflects the Scottish Executive guidance provided in October 2004, "Guidance on Antisocial Behaviour Orders". This draft policy has been developed jointly between the council and the police and in consultation with the Principal Reporter to the Children's Hearing System in West Lothian, the Procurator Fiscal and West Lothian Youth Action Project.

This draft policy specifically advocates four underpinning principles in relation to the use of ASBOs for under 16s, as outlined in national guidance:-

- 1) ASBOs are only intended to deal with a small number of persistently antisocial young people for whom available alternatives are not working
- 2) The children's hearing system should continue to be the primary forum for dealing with antisocial behaviour by under 16s
- 3) Early intervention is encouraged in all cases to prevent the need for legal remedies. Alternative approaches are particularly important in respect of young people
- 4) Where an ASBO is being considered, there should be a clear need to protect the community from the behaviour of the young person and there should be a level of agreement with other interested parties, including the Principal Children's Reporter, that an ASBO is the most appropriate intervention in the circumstances.

Essentially, the draft policy holds that a juvenile ASBO will be deployed where all other interventions have failed to address the antisocial behaviour of a young person. In line with the Scottish Executive guidance, West Lothian's draft policy promotes the use of multi agency case conferences in cases to consider application for a juvenile ASBO where the needs of the young person will be balanced with the requirement to protect the community from antisocial behaviour.

In the event that a young person, upon whom an ASBO has been served, breaches this order, this would become a criminal offence only if grounds are accepted/established by the children's hearing system.

Where a person is aged 16-17, it is recommended that authorities consult the Principal Reporter as the young person may still be under a supervision requirement.

Currently, there are several different options available in West Lothian to deal with potential antisocial behaviour amongst young people, to prevent the need for an ASBO. These are discussed under the section on Youth Justice.

## **Interim ASBOs**

An interim ASBO can be made at an initial court hearing in advance of a full hearing. An interim ASBO can impose the same prohibitive conditions and has the same implications for breach, as a full ASBO. Interim ASBOs offer protection to complainers pending the full hearing of a case.

Regarding the use of ASBOs for under 16s, the guidance indicates that there should be a presumption against making an early application in cases involving under 16s as there is a wider range of alternatives to consider. The Principal Reporter must be consulted if an interim ASBO is being considered for an under 16. The Reporter's views must be provided in writing prior to decision being made to grant an interim order.

### **10.2 Closure of Premises**

In some communities, particular premises may be a constant focus for antisocial behaviour. The police now have the power to seal off premises (residential and non-residential) and prohibit all access to them on an urgent basis, followed up by an immediate application to the Sheriff Court for a court order confirming their action, for up to three months, with a possible extension of up to 6 months in total. If anyone (other than owners or occupiers) remains within or enters the premises once the order has been served, they would be guilty of an offence, which could result in a fine or imprisonment, or both.

If a senior police officer believes that sufficient grounds exist to invoke this power, the Police Superintendent of West Lothian Division will liaise with the Head of West Lothian Council's Housing and Customer Services prior to a request to the Sheriff for the issue of a Closure Notice.

### **10.3 Dispersal of Groups**

New powers will allow the police to designate an area, in consultation with the local authority, where there has been significant, continuous and serious antisocial behaviour, and the presence of groups is contributing to the problems. An area can be designated for up to 3 months. Within this area, the police will have the power to disperse groups of two or more individuals whose presence is causing, or is likely to cause, alarm or distress and whose dispersal is likely to reduce the alarm or distress. The police can order any person who does not live in the area to leave, and can also prohibit them from returning to the area for the next 24 hours. It is not an offence to be given instructions to leave the area from the police. But, if individuals refuse to follow police instructions, they will be committing an offence.

If a senior police officer believes that sufficient grounds exist to invoke this power, the Police Superintendent of West Lothian Division will liaise with the Head of

West Lothian Council's Housing and Customer Services prior to the issue of a notice to authorise use of this power.

. On the 1<sup>st</sup> December 2005 a dispersal order was implemented for the village of Mid Calder for three months. This was brought into effect due to the high number of gang fights, harassment of shop patrons, vandalism, assault and general youth disorder in the area. The ever-increasing disorder culminated in an attempted murder within Mid Calder. Joint working between Lothian and Borders police, West Lothian Council, Youth Action Project, residents and partnership agencies insured a smooth implementation of the Dispersal order. The partnership agencies involved in the dispersal order have developed an exit strategy involving a further reduction in policing, input within the three high schools in the Mid Calder area, two youth members being co-opted onto the community council and diversionary tactics such as midnight football.

#### **10.4 Noise nuisance**

Environmental Health and Trading Standards services within Local Authorities have been given new powers to deal more effectively and extensively with continuous noise nuisance. These include the serving of warning and fixed penalty notices and the power to apply for a warrant to seize noise-making equipment should other measures fail.

An example of innovative partnership working between the NRT and West Lothian Council's Environmental Health Team resulted in a successful bid to the Scottish Executive for additional funding to further assist both services in the implementation of the noise nuisance provisions contained within the 2004 Act as follows:-

- An Environmental Health Officers and Noise Enforcement Officer has been recruited to enable the council to provide a 24/7 noise nuisance service which will enable the council and police to respond effectively to noise nuisance complaints whenever they occur.
- Sound insulation testing of existing housing, in appropriate cases, in recognition that many noise nuisance complaints are as a result of poor acoustic insulation.
- Testing of new build housing as a preventative measure.
- Grants will be considered to allow substandard housing to be improved following analysis of sound insulation.
- New equipment to assist in monitoring noise nuisance levels

#### **10.5 Fixed Penalty notices for littering and fly-tipping and additional power to remove graffiti in certain circumstances**

Measures have been introduced for even greater use of fixed penalty notices, both for littering and fly-tipping. Fixed Penalty Notices will be piloted from April 2005. As well as local authority employees, the police have the power to issue fixed penalty notices for littering and fly-tipping as do officers of the Scottish Environment Protection Agency (SEPA) for fly-tipping. This can be issued if the officer has reason to believe that an offence has been committed and it is therefore not necessary for the officer to witness the offence.

Local authorities now have the power to issue notices to remove graffiti to those responsible for street furniture, transport and educational institutions, and if this graffiti is offensive or affecting the environment, this can be time specific.

West Lothian Council has employed environmental wardens to enforce the above legislation and the Control of Dogs (Scotland) Act and waste regulations.

### **10.6 Parenting Orders**

Parenting Orders will be introduced as a 3-year national pilot initially in April 2005.

The Principal Reporter to the Children's Hearing System will be able to introduce Parenting Orders to deal with parents who deliberately or recklessly fail their children, whether on welfare grounds or by failing to take reasonable steps to prevent their child from committing crime or antisocial behaviour. Parenting orders will be used when a child's behaviour is seriously deficient and when the parent has been offered, but refused to engage in, voluntary support. Parenting orders are civil orders, but breaking the order will be a criminal offence.

West Lothian Council currently provides support for parents of teenagers who are currently offending or at risk of offending, through truanting, drugs misuse or being out with parental control and has developed a policy for the use of parenting orders.

### **10.7 Housing – registration of private landlords, antisocial behaviour notices**

Under the Antisocial Behaviour etc (Scotland) Act 2004, Local Authorities are now expected to prepare and maintain a public register of all private landlords for the area. Through the Registration of Private Landlord scheme, Landlords will be judged "fit and proper" to let houses and any previous track record on tackling antisocial behaviour will be taken into account. West Lothian Council is currently implementing Scottish Executive guidance on this scheme. Antisocial behaviour notices can be served on private landlords who fail to take adequate steps to deal with offending tenants. In common with other antisocial behaviour activity, these notices will be obtained through the Sheriff Court on cases brought forward by the Council's Neighbourhood Response Team and Legal Services.

### **10.8 Further criminal measures – Community Reparation Orders, Restriction of Liberty Orders, ban on selling spray paint to under 16s, vehicles used in a way that causes alarm, distress or annoyance**

- The 2004 Act provides for a new order for people aged 12 and over who are convicted in a sheriff or district court of an offence involving antisocial behaviour. The person would have to engage in community service to repay the community they have damaged.
- The 2004 Act extends restriction of liberty orders to people aged under 16.

West Lothian Council is currently awaiting national guidance on the use of Community Reparation Orders and Restriction of Liberty Orders.

- The 2004 Act makes it an offence to sell spray paint to people under 16 years of age. Authorised local authority staff will also have powers to enforce this measure.
- The 2004 Act allows police to deal with people who cause alarm, distress or annoyance to members of the public through the antisocial use of vehicles on or off public roads.

The measures above are those which for the most part are imposed by the courts, in deciding which sentence is appropriate after someone is found guilty of a criminal offence, and are not measures for which the council shall be in a position to make an application itself.

### **10.9 Children's Hearings**

The Children's Hearing System or Panel now has the power to make young people the subject of a remote monitoring arrangement (RMA) or electronic tagging, if considered the most appropriate option. Electronic tagging has been in place from April 4 2005, prior to national roll-out.

The Act also clarifies the statutory duties of local authorities in relation to supervision requirements imposed by the Children's Hearing System.

The Act allows Children's Reporters and Hearings to make referrals to Scottish Ministers where it appears that there has been a failure on the part of the local authority to fulfil its statutory duty to provide education to excluded pupils under the Education (Scotland) Act 1980.

### **10.10 Disclosure and Sharing of Information**

Local Authorities and chief constables are required to make provision for:-

- How they will co-ordinate the discharge of their functions on tackling antisocial behaviour
- How they will exchange information on antisocial behaviour
- How they will obtain information from, and share information with, interested parties

A 'Sharing of Information Protocol' exists between West Lothian Council and West Lothian Police Division to meet these requirements. This protocol includes information-sharing arrangements between the police, Neighbourhood Response Team and Community Safety Wardens.

The 2004 Act also provides that any person has the power to release information to a relevant authority, where that is necessary for the purposes of any measure in the 2004 Act or any piece of legislation which relates to tackling antisocial behaviour. Authorities must respect confidential information when requested to do so.

West Lothian Council and West Lothian Police Division will make robust efforts to remove any further obstacles to information sharing in the area of antisocial behaviour.

### **10.11 The role of the Procurator Fiscal**

Breaches of ASBOs and certain other provisions of the Act are Criminal Offences that may be reported to the Procurator Fiscal by the Police. In those circumstances, the Police report shall contain full antecedents pertaining to the case, in order that the Procurator Fiscal may make a judgment on whether there is sufficiency of evidence to institute criminal proceedings and/or whether such criminal proceedings are in the public interest.

## **Key Partners in Tackling Antisocial Behaviour**

### **11. West Lothian Community Safety Partnership**

The need to effectively address antisocial behaviour is one important element within Community Safety.

The Community Safety Partnership in West Lothian works towards the following aims and objectives:-

- To reduce crime and the fear of crime
- To reduce drug and alcohol misuse
- To increase road safety
- To increase personal and fire safety in the community

The Community Safety Partnership supports a range of projects, including diversionary activities for young people who are or may be at risk of being

involved in crime and antisocial behaviour; initiatives to address the fear of crime and initiatives to support home security.

### **The 'Cool Down Crew'**

The Cool Down Crew is an excellent example of an innovative and successful diversionary project, established in January 2004. The project is funded by the Community Safety Partnership through the Scottish Executive and is led by Lothian and Borders Fire Brigade and West Lothian Community Education. The Cool Down Crew works with young people who have been involved in crime and antisocial behaviour, within areas where these issues are most problematic for the community. The project focuses on improving personal and social development; diverting young people from crime and antisocial behaviour; promoting civic responsibility, through teaching some of the skills of operational fire-fighters; encouraging physical activity, and providing information on drugs awareness, and the role of the emergency services. Young people who complete the project receive a certificate to mark their achievements, including an award in first aid. Evaluations of the project have shown significant improvements in attitudes and behaviour including reductions in rates of offending behaviour and improvements in school attendance. A third Cool Down Crew project is now underway. Associated with this project, Lothian and Borders Fire Service and West Lothian Council has established a young fire-fighters cadet scheme, the 'Phoenix Project', Summer 2005, operating for an initial period of two years. The Phoenix project is an inclusive project; some of the young people who completed the Cool Down Crew have gone on to further benefit from this initiative.

### **Hate Crime Victim Care Policy**

A Hate Crime Victim Care Policy is in place to provide an effective response to crimes and incidents of antisocial behaviour motivated by malice or ill will towards a social group. Examples of such crimes may be those against individuals on the basis of their sexuality, race, religion or disability. This policy will help identify, and provide an effective response to, hate crimes to ensure that the fullest support is given to victims and give consideration to preventative measures. A Remote Reporting project is also in place to allow minority groups, who may feel uncomfortable approaching the police, to report any incidents in confidence and receive support.

## **12. Youth Justice Initiatives**

There are a number of agencies in West Lothian working with young people who are involved in crime and antisocial behaviour, across the themes of prevention, early intervention, enforcement and rehabilitation. West Lothian Youth Justice Steering Group is a partnership of such agencies which co-ordinates youth justice policy and services in West Lothian. A comprehensive range of services is provided to deal with lower, medium and higher tariff offenders. Close links are maintained in the areas of Youth Justice, Community Safety and Antisocial Behaviour.

## **12.1 Diversionary Interventions**

Four 'Active Steps' officers, working in partnership with other youth support agencies, target young people at risk of exclusion from services, providing outdoor bases activities to divert young people from antisocial behaviour. West Lothian's Community Safety Partnership and Education service also provide a number of diversionary activities for young people as discussed elsewhere in this strategy.

## **12.2 Early Interventions Programmes**

Early Intervention Programmes target and tailor services to young people who are beginning to offend and display antisocial behaviour. These services are generally based on a variety of youth work and cognitive behavioural techniques and work in partnership with other youth support agencies.

## **12.3 Police Restorative Warning**

Police warnings can be used by the Police Juvenile Liaison Officer for various offences, when a young person is willing to admit responsibility. This is a quick process that ensures the young person has made amends for their deed(s). The Reporter is normally involved in these instances on a 'non-referral, advice only' basis, or if the police refer the young person to seek advice or for decision on appropriateness of a restorative approach.

## **12.4 Restorative Justice**

Where appropriate, every victim of youth crime should be offered the opportunity for restorative action. This may be completed in one of four ways, either by:-

- (i) direct victim/offender mediation
- (ii) restorative justice conferencing, including support person(s) for both the young person and victim(s)
- (iii) victim awareness sessions between worker and offender or
- (iv) shuttle mediation, where the worker facilitates indirect restorative justice

The victim(s) will be given the opportunity to opt out of this form of justice, by contacting the Reporter's Office.

Restorative justice has also proven to be an effective preventative tool, when the perpetrator is made aware of the full consequences of their behaviour.

## **12.5 Cognitive Behavioural Interventions**

The Echo Project also provides offence focused cognitive behavioural work with young people who offend. Sessions are tailored to the individual needs of the

young person i.e. anger management, drug awareness, victim empathy, peer influence etc. and outcomes assessed.

### **12.6 Parental Support**

Parental support is offered through a variety of initiatives, in particular the Children and Families teams, Sure Start and through the Intensive Support Team. There is a specific parenting worker attached to the latter team who offers groupwork approaches to parenting.

### **12.7 Close Support**

Young people who face the risk of secure accommodation or residential school are currently offered an intensive support package by the Close Support Team. This may include use of a residential resource with wrap around educational and therapeutic services. This service also offers support packages for parents.

### **12.8 Drug/Alcohol Interventions**

West Lothian Drug and Alcohol Service (WLDAS) offer counselling and support interventions to young people. WLDAS adopt a harm reduction approach, and also help obtain medical interventions.

### **12.9 School Based Initiatives**

A variety of school based initiatives exist to help with behavioural problems experienced by young people. Where the young person is being targeted by any of the initiatives discussed above, an assessment of educational support will be considered along with other needs.

The alternative curriculum project is specifically for young people who are excluded from school and liaison with teachers at this project will take place if a young person is engaging in antisocial behaviour.

## **13. Community Education**

The Community Education Service has a key role to play in addressing community safety and antisocial behaviour issues in West Lothian. A significant element of the service's work with young people is focused on providing alternative positive social and recreational opportunities and in supporting young people to develop key skills and awareness that will assist them in avoiding difficulties arising from their own and others (e.g. peer group) behaviour.

The Community Education Service:-

- Works in partnership to provide opportunities for young people in targeted communities to engage in social and recreational activity at times relevant to young people's needs.

- Supports facilities and activities to improve young people's health, both physical and mental
- Supports young people to have a voice on community safety issues as they affect them.
- Works to improve young people's integration in, relationship with and respect of the wider community

## **14. Education**

West Lothian's Education Service believes that the key to the future prevention of antisocial behaviour is to ensure that the ethos of schools is inclusive, and that the values encouraged and promoted within schools are developed and agreed with pupils and parents or guardians, and consistently, equally and fairly applied. In practice, this means that schools will have clear rules and reward systems both at whole school and class level. The curricular provision will emphasise the rights and responsibilities of active citizenship, how to care for ourselves and the environment and critically, how to develop positive relationships with others.

Pupils at risk of exclusion will be supported through school multi-agency liaison groups, initiatives associated with alternative curricula (as discussed above) and agreed strategies to effect improvements in behaviour and attitude. Individual behaviour plans may be put in place with the agreement/commitment of pupils and parents/carers. A range of agencies and direct support through support assistants, can be called upon to help young people to employ strategies for improvements. Pupil support can also involve working with young people in peer groups. Pupil support may focus on anger management, impulse control, developing self-confidence or self esteem. The aim of this support is to work with the young person helping them to identify the difficulties or issues affecting their lives and to encourage them to develop positive solutions and or to appropriate changes to their behaviour.

School policies, such as 'Action against Bullying', mentoring, celebrating success, enterprise, Eco schools developments and the use of Child Protection Guidelines, support pupils to make positive lifestyle choices and to protect the vulnerable.

The attainment/achievement agenda will enable young people to develop a positive self image and devise academic and vocational objectives.

Health Promotion developments increasingly focus on emotional and mental health and devise coping strategies for dealing with situations where young people experience conflict or anger.

Developed school links with the local and wider community through, for example, volunteering, support for charities, participation in concerts, sporting and cultural events, all contribute to engage young people in positive activities that make a difference to communities and individuals. More specifically, in some areas, focus groups supported by schools and local community police, raise and discuss

issues of concern to young people or the community with a view to developing positive solutions.

Young people are consulted on a number of issues of concern, including those around antisocial behaviour, through 'Pupil Voice' and a number of other consultative processes.

## **15. Criminal Justice Social Work**

The Criminal Justice Team is largely involved with more serious adult criminal behaviour, often of a recidivist nature, which focuses on the use of post sentence supervision, supervising statutory community sentence orders and community reparation. However, there are aspects of the service that does deal with more minor offending. These include Diversion from Prosecution and Bail supervision Schemes. These cases are by definition generally less serious in nature however may have involved some lesser acts of violence including neighbourhood disputes.

Community sentences such as Probation Orders have also been made on types of anti social behaviour, including offences involving religious intolerance and racial aggravated offending. Such cases are always prosecuted.

Criminal Justice Services also provides cognitive behaviourally based groupwork programmes that focus on issues like victim awareness, anger management and reducing drug related problems.

## **16. Domestic Abuse**

Domestic Abuse takes many forms, including violent and abusive behaviour and presents itself in all social backgrounds. Incidents often have a detrimental affect on people living in close proximity to households where domestic abuse takes place. Antisocial behaviour may continue after an abusive relationship has been brought to an end. Often women and children will be subjected to serious harassment, threats and violence from an ex-partner. Multi-agency partnerships have been established in West Lothian, to develop a strategic approach to addressing domestic abuse. Involved in this process are representatives from West Lothian Women's Aid, Lothian and Borders Police, West Lothian Council, Family Mediation, West Lothian Healthcare Division, West Lothian Drug and Alcohol Service, Children's Reporter, Education Services and Victim Support. This partnership is supported by West Lothian Council's Domestic Abuse Strategy Development Officer, who is working intensively on an update of the West Lothian Domestic Abuse Strategy.

West Lothian Council Housing and Building Services are in the process of developing a strategy, which will take account of the views of service users and stakeholders to provide a supportive, informative and seamless service to tenants living with and fleeing domestic abuse.

Prevention, protection and provision will be at the forefront of the aims of the new strategy, which will address the main issues for services users, highlighted through consultation; barriers to and support in accessing and receiving services; also home and personal safety and the needs of children. Information on the choices available and access to up to date information will also be made available and protocols with stakeholders developed.

## **17. Housing Initiatives**

Community based Housing Officers will continue, in the first instance, to deal with certain disputes and situations of an apparently 'one-off' or relatively minor nature, which may not come under accepted definitions of antisocial behaviour. If such cases escalate they will be passed to the NRT. West Lothian Council's Housing Officers are also trained in mediation, which can be a highly effective intervention tool in cases of antisocial behaviour and neighbourhood nuisance.

### **17.1 Local Lettings Initiatives**

In recognition that West Lothian Council's policy for allocating housing stock is fundamental to determining the social mix of our communities, a local lettings initiatives in low demand and difficult to manage housing estates has been developed, as a mechanism to promote increased stability and reduced antisocial behaviour. Through measuring and tracking a number of social and environmental factors, this initiative will work towards achieving balanced communities where antisocial behaviour and environmental problems are much less likely to occur or become entrenched.

### **17.2 Homelessness Strategy**

Acknowledging that there can be links between homelessness and antisocial behaviour in some instances, West Lothian's Homelessness Strategy works to prevent homelessness through:-

- Early identification of individuals experiencing housing difficulties across the range of tenures.
- The development of proactive advice, advocacy and assistance services for those threatened with homelessness.
- The provision of advice and support services for particularly vulnerable groups; young people and care leavers; those leaving institutions; those at risk of suffering domestic abuse.

The development of tenancy support services, as an integral function of Housing Services is a priority of the homelessness strategy. The focus on tenancy sustainability or planned moves to more appropriate accommodation will enable households and individuals to avoid homelessness. The Homelessness strategy

recognises that the introduction of the Neighbourhood Response Team has made a significant contribution to:-

- The management of antisocial behaviour
- Use of mediation (preventative) services
- Rent arrears recovery and up-take of benefits entitlement
- Tenancy support

The NRT is available to all landlord organisations in West Lothian and has had a direct effect on the reduction of eviction rates.

## **18. Environmental Health and Trading Standards**

Environmental Health and Trading Standards enforce measures relating to noise in domestic properties and intruder alarms during office hours, commercial and industrial premises out of hours, (not considered antisocial) and conduct sound insulation testing of new build dwellings with potential for noise transmission i.e. flatted developments. Sound insulation testing between buildings which are subject of ASB complaints, but where the problem is the building rather than the occupants is also carried out.

The service monitors the sale of age restricted products which may be used in antisocial behaviour, e.g. fireworks, spray paint. The service collects stray dogs and erect 'no fouling' notices and serves fixed penalty notices as appropriate. Talks are also delivered in schools on issues such as responsible dog ownership.

Environmental Health and Trading Standards issue noise abatement notices under the Environmental Protection Act, fixed penalty notices for noise nuisance and have the power to seize noise producing equipment.

## **19. Street Lighting, External Environment**

West Lothian Council is continually striving to improve the provision and maintenance of street lighting and parks and open spaces, by listening to the needs of local communities. In this way, and also through supporting the maintenance of sports and leisure facilities, the council and partner agencies aim to continually make the communities of West Lothian safer and more attractive.

## **20. West Lothian Drug Action Team**

West Lothian Drug Action Team (WLDAT) is the multi-agency organisation which co-ordinates and implements local strategy on substance misuse within West Lothian. The group has a remit for illicit drugs, alcohol, tobacco and volatile substances.

WLDAT is committed to lowering the rate of substance misuse in West Lothian. Although substance misuse issues are not only associated with young people, there are clear links between antisocial behaviour and the misuse of alcohol by younger people.

The West Lothian Young People's Street Survey (2002) highlighted that the majority (80%) of 12 – 18 year olds reported that they usually drink alcohol during the year. Thirty eight percent of all respondents reported that they usually drink at least once a week and a fifth reported that they do not drink.

Binge drinking remains a problem throughout Scotland. Preventive education is provided in schools in West Lothian and drug and alcohol education aims to assist young people to make informed choices.

A review of the substance misuse policy in schools has been undertaken to ensure that a co-ordinated approach is taken to ensure that all young people in West Lothian receive the same quality of drug, alcohol, tobacco and volatile substance education.

Other preventive approaches operating in West Lothian include a 'Wise Up' programme, which aims to inform and educate parents on substance misuse issues while in the workplace. West Lothian Youth Action Project provides streetwork sessions throughout West Lothian, providing information and advice on issues relating to drugs and alcohol along with peer education programmes and diversionary activities for young people in local communities.

WLDAT is working to combat binge drinking by engaging with local communities through a community engagement initiative featuring four cinema slides outlining the risks associated with alcohol, cannabis, tobacco and volatile substances. The adverts are being shown for one year in the Livingston Vue cinema and a short-life website: [www.thetroublewith.com](http://www.thetroublewith.com) will be running alongside the cinema slides to reinforce the campaign and provide more detailed information and local contacts.

WLDAT is also launching a campaign targeting binge drinking and personal safety for women to inform them of the associated dangers of excessive alcohol use.

WLDAT also support the Scottish Executive and Lothian & Borders police safer drinking campaigns, highlighting the risks involved in binge drinking and drink driving.

## **21. West Lothian Council Home Safety Service**

West Lothian Council pioneered the use of new telecare technology as a support mechanism to enable older and other vulnerable people to continue living in their homes. In 2003, the council decided to extend the use of new technologies by

offering the Home Safety Service to people over the age of 60 years and other vulnerable people living in West Lothian. The service provides a core package of technology that protects against intruders, fires, heat extremes and floods and may contribute towards reducing fear of crime. To this core package, additional pieces of technology can be added such as CCTV and video door entry systems. The technology is linked to a 24 hour monitoring centre where trained operators determine the necessary response to an alert, which may be the police, fire brigade, ambulance service, GP, family or a neighbour.

West Lothian Council is currently exploring with key partners the potential of the Home Safety Service in helping to tackle antisocial behaviour. In particular, the Council and its partners would like to consider the use of technology as a mechanism for monitoring and recording incidents of antisocial behaviour as well as providing additional safety and security to service users.

## **22. West Lothian Division of Lothian and Borders Police**

West Lothian's antisocial behaviour strategy has been developed in full consultation and partnership with West Lothian Police Division. The police, Neighbourhood Response Teams and Community Safety Wardens work closely together to address antisocial behaviour and the close co-operation between the council and police can be evidenced by the secondment of a police officer to the NRT for an initial period of two years and in the commitment to information sharing at a senior level through the development of a Sharing of Information Protocol.

The objectives of Lothian and Borders Police are to:-

- Prevent crime
- Keep the peace
- Protect and reassure the community
- Uphold the law fairly and firmly
- Pursue and identify those who break the law

The Force Operational Goals of Lothian and Borders Police are:-

- Crimes of violence
- Drug dealing
- Disorder and antisocial behaviour in public places
- Domestic housebreaking
- Road crash casualties

In order to address these priorities, intelligence led policing activity is directed via a model known as the NIM or National Intelligence Model. Through this process, Lothian and Borders Police are able to:-

- Assess current performance

- Measure current levels of crime and antisocial behaviour
- Identify emerging issues and trends
- Identify crime or antisocial behaviour hotspots
- Determine targets
- Determine the necessary preventative measures
- Address quality of life and community issues
- Provide a robust response to deal with Hate Crime
- Deliver effective roads policing
- Forecast key events

Lothian and Borders Police are committed to the reduction of crime and antisocial behaviour in West Lothian, as is evidenced by the secondment of a police officer to the Neighbourhood Response Team and the involvement of the police at a strategic and operational level in policies and initiatives to address community safety and youth crime. The police seek to explore options for a broader approach towards intelligence gathering and information sharing to tackle crime and antisocial behaviour. To achieve this, part of this strategy will also include the provision of a council analyst and analytical software within the Neighbourhood Response Team. It is envisaged that this approach will allow better joint tasking and co-ordinating of police and council resources by improved identification of antisocial behaviour hotspots, particularly with regard to targeting the patrols of the Community Wardens Scheme.

### **Sharing of Information Protocol (West Lothian Council Housing and Customer Services and West Lothian Police Division, Lothian and Borders Police)**

The development of a 'Sharing of Information Protocol', between West Lothian Council's Housing and Customer Services and West Lothian Police Division, provides guidance to ensure that all information is shared legally between the police and the housing service. This will help to ensure that crime and disorder of an antisocial nature is addressed more effectively. The protocol has been agreed by West Lothian Council's Chief Executive and by the Chief Superintendent of West Lothian Division, signalling a clear commitment from senior levels. Consequently, robust efforts will be made to remove obstacles to information sharing in this area.

The seconded police officer within the NRT has full access to a Lothian and Borders police computer within the team, allowing full access to all police information. The seconded police officer also acts as a dedicated liaison officer to the Community Safety Wardens.

An information sharing protocol is also in place between Lothian and Borders Police and Registered Social Landlords within West Lothian in order to enhance information sharing between the two agencies to assist in tackling antisocial behaviour.

## **Community Intelligence Unit**

In August 2001, West Lothian was chosen as the pilot area, within Lothian and Borders Police, for the introduction of the National Intelligence Model (N.I.M.). The introduction of the N.I.M. resulted in the formation of the Divisional Intelligence Unit (D.I.U.). The primary role of the Unit is the co-ordination of information and intelligence, to support the division to achieve the desired goals in relation to prevention and detection of crime and tackling quality of life issues within communities across West Lothian. Information from the DIU assists senior officers in deciding where and when resources are required to be deployed.

As discussed above, the post of council analyst has recently been created. The analyst works with a range of data sources and closely with the DIU, to improve our knowledge of the extent and type of antisocial behaviour within the authority area and ensure that resources are directed to most effect.

## **Community Safety Branch**

Crime Prevention Officers within the Community Safety Branch focus on the identification of local crime problems flagged up by the Intelligence Unit and develop preventative strategies in partnership with other local agencies, to reduce existing crime and prevent further crime. This includes 'Secured By Design', a Police initiative with government backing which encourages the building industry to adopt crime prevention measures in the design of housing, thereby reducing the opportunity for crime and antisocial behaviour and the fear of crime. Officers carry out Crime Prevention Surveys with regard to domestic housebreakings as well as business properties and give appropriate security advice. Officers are involved in a project for the refurbishment/extension of five high schools in West Lothian, helping them to achieve Secured by Design. Officers regularly give presentations to appropriate local groups on all aspects of crime prevention in order to reduce crime risk and. Officers also routinely advise on CCTV.

## **23. Victim Support West Lothian**

Victim Support West Lothian offers a free and confidential service to victims of antisocial behaviour and crime, both reported and un-reported, throughout West Lothian. A Victim and Witness Support Strategy is in place to ensure that the needs of victims are met and victims are listened to and supported in whatever way is appropriate to their needs. The service of Victim Support includes:-

- Emotional support
- Information on crime prevention and personal safety
- Information on the Criminal Justice System (from reporting the incident to the police through to support at court)
- Assistance and representation with Criminal Injuries Compensation claims and

- Information on other sources of help
- Support in court
- Help with compensation

A further service, which is now available through Victim Support West Lothian, is the Witness Support Service to a victim of antisocial behaviour who has to attend court. This service has been developed in recognition that attendance at court can be a worrying and intimidating experience. The Witness Support Service can offer:-

- Information on the court process
- A pre-court visit
- Emotional support
- Practical help e.g. completing expense forms

The services of Victim Support West Lothian can be provided by means of a home visit, telephone contact or an office appointment.

Victim Support West Lothian are members of the Antisocial Behaviour Steering group, of the Domestic Abuse Multi Agency Working Group and Community Safety Partnership. Victim Support's Antisocial Behaviour Co-ordinator works closely with the NRT and all cases that the team deal with are passed to the Co-ordinator so that contact with victims of antisocial behaviour can be established.

## **24. West Lothian Youth Action Project**

West Lothian Youth Action Project (WLYAP) provides direct support for young people who congregate on the streets and are generally unwilling to connect with other services. Areas are identified by public complaints relating to youth disorder, antisocial behaviour and fear of crime. WLYAP work closely with the council and police and other agencies and services, to provide positive and diversionary alternatives for young people. Through Action Plans, young people are encouraged to address problems and exploit opportunities that they have identified and the organisation works toward a successful resolution of community concerns. The organisation encourages community involvement, the adoption of positive life choices and the shaping of positive relationships between young people and the wider community.

WLYAP provide early intervention services for young people engaged in antisocial behaviour in the 10-21-year old age range through the provision of diversionary activities. These activities are based on consultation with the young people and provided at times when young people commit higher levels of crime and antisocial behaviour. Parents and carers are encouraged to become fully involved. WLYAP also make referrals to other agencies if young people are considered at risk of offending, and to befriending services for young people with mental health issues. They are also involved in engaging young people in Youth

Forums who work to give young people an effective voice in political decision making.

WLYAP receive referrals from the Police Juvenile Liaison Officer, The Children's Reporter, Social Work and the Neighbourhood Response Team (NRT). A member of the team works within the NRT. This worker makes home visits as required and will also, if required, issue Acceptable Behaviour Contracts (ABCs), ensuring the parents/guardians are fully engaged in the process. WLYAP therefore connect directly with the antisocial behaviour agenda in West Lothian providing a positive and dedicated response to the needs of young people and communities.

WLYAP offer young people the chance to participate in sporting, outdoor, music, art and practical workshops including those on budgeting, parenting, cooking and setting up home, helping young people to become independent members of the community. WLYAP are also proposing to organise local environment projects where young people will work alongside Neighbourhood Environment Teams and Community Safety Wardens to improve local areas.

## **25. Lothian and Borders Fire Brigade**

Lothian and Borders Fire Brigade is a member of West Lothian Community Safety Partnership. Locally the Fire Brigade are the lead agency in a highly successful educational programme "The Cool Down Crew" which works intensively with young people who have been involved in, or are at risk of, offending and antisocial behaviour and often have complex difficulties and wide support needs. The programme has proven highly successful in engaging with and challenging attitudes and behaviour. Early in 2005, the Brigade, in partnership with the council, embarked upon "The Phoenix Programme" an inclusive programme, which gives young people the chance to be part of a youth cadet scheme over a minimum two-year period.

## **26. Barnardos**

The aim of Barnardos in West Lothian is to promote positive family relationships, children's development and well-being for the most vulnerable children (aged 11 years and under).

Barnardos is involved in pro-active work with young people in terms of preventing crime and anti-social behaviour. Barnardos works with young people who experience difficulties at school, home and in the community, and who experience social, emotional and behavioural difficulties at school and home and the agency are also involved in preventative work around to raise awareness of the impact of vandalism and antisocial behaviour on individuals and communities with a view to reducing the incidence of this in the locality.

## **27. Resourcing the Strategy**

Internal and external council funding has been directed to providing the services that make up West Lothian's Antisocial Behaviour Strategy.

Funding from the Scottish Executive, the Housing Revenue Account, Council Tax has resourced the Neighbourhood Response Team and Neighbourhood Environment Teams. In addition to the funding of existing and ongoing services that the council has traditionally provided, and services provided by other agencies, other measures contained within this strategy have been funded by the Scottish Executive.

Scottish Executive Antisocial Behaviour Funding for 2006/8 is dependent upon the existence of and satisfactory performance of Antisocial Behaviour Outcome Agreements, discussed further below.

## **28. Measuring and reviewing the Strategy**

West Lothian's Antisocial Behaviour Strategy will be regularly monitored and reviewed. In order to determine the success of the 2004 Act and local strategies, the Scottish Executive wish to assess whether:-

- a) incidents of antisocial behaviour - and especially different types of antisocial behaviour - have reduced
- b) people's perceptions of antisocial behaviour as a problem have reduced.
- c) The performance of agencies in tackling antisocial behaviour has improved; and
- d) People's perceptions of the performance of agencies have improved.

West Lothian Council and its community planning partners have developed Antisocial Behaviour Outcome Agreements that shall measure the performance of the strategy and core services involved, using a range of national and local indicators.

At a strategic level, progress and emerging issues around antisocial behaviour will be discussed at the quarterly meetings of the West Lothian Community Safety Partnership and of the Antisocial Behaviour Steering Group. The other services and agencies discussed in this document will also consistently monitor their performance in contributing towards this Antisocial Behaviour Strategy.

### **Antisocial Behaviour Accountability Framework: Core Indicators**

The Scottish Executive has issued a Monitoring and Evaluation Framework of Core Indicators that will be measured as outlined below.

## ANTISOCIAL BEHAVIOUR STRATEGY MONITORING AND EVALUATION FRAMEWORK: CORE INDICATORS

Disregard for community or personal well being	Acts directed at people	Environmental damage	Misuse of public space	Agencies performance in tackling antisocial behaviour (ASB)
<p><b>Noise</b>  <u>Indicator:</u> Number of complaints received by environmental health that were the council's responsibility for advice or investigation</p> <p><u>Indicator:</u> How common the respondent thinks noisy neighbours or regular loud parties are in their neighbourhood</p> <p><u>Indicator:</u> Frequency of respondent personally experiencing noisy neighbours/regular loud parties in the past 12 months</p> <p><u>Indicator:</u> Number of respondents who feel that from all of antisocial behaviour experiences noisy neighbours/regular loud parties has had the most negative impact on them. 2005 onwards.</p>	<p><b>Intimidation or harassment</b>  <u>Indicator:</u> Respondent has had someone threaten to damage things of theirs or threatened to use force or violence on them</p> <p><u>Indicator:</u> Respondent has had someone from outside their household insult, pester or intimidate them</p> <p><u>Indicator:</u> How common the respondent thinks there is groups or individuals harassing or intimidating others in their neighbourhood</p> <p><u>Indicator:</u> How common the respondent thinks neighbour disputes are in their neighbourhood.</p> <p><u>Indicator:</u> Frequency of the respondent personally experiencing groups or individuals intimidating or harassing him/her in the</p>	<p><b>Criminal damage or vandalism</b>  <u>Indicator:</u> Vandalism, malicious damage or malicious mischief</p> <p><u>Indicator:</u> Graffiti</p> <p><u>Indicator:</u> How common the respondent thinks there is vandalism, graffiti or other deliberate damage to property in their area</p> <p><u>Indicator:</u> Frequency of the respondent personally experiencing vandalism/graffiti or deliberate damage to their property in the past 12 months</p> <p><u>Indicator:</u> Number of respondents who feel that from all antisocial behaviour experiences vandalism/graffiti or other deliberate damage to their property has had the most</p>	<p><b>Drugs/substance misuse and dealing</b>  <u>Indicator:</u> How common the respondent thinks there is drug misuse or dealing in their neighbourhood</p> <p><u>Indicator:</u> Frequency of the respondent seeing incidents of drug misuse or dealing in the past 12 months</p> <p><u>Indicator:</u> Number of respondents who feel that from all of their antisocial behaviour experiences drug misuse or dealing has had the most negative impact on them.</p>	<p><u>Indicator:</u> Number of respondents who were satisfied or dissatisfied with the way the <b>police</b> responded to the incident which had the most negative impact on their life (regardless of whether they were able to solve it)  Source: revised Scottish Household Survey from 2005 onwards</p> <p><u>Indicator:</u> Number of respondents who were satisfied or dissatisfied with the way the <b>council</b> responded to the incident which had the most negative impact on their life (regardless of whether they were able to solve it)  Source: revised Scottish Household Survey from 2005 onwards</p> <p><u>Indicator:</u> Number of respondents who were satisfied or dissatisfied</p>

<p><b>Rowdy behaviour</b>  <u>Indicator:</u> Disorderly conduct: breach of the peace</p> <p><u>Indicator:</u> How common the respondent thinks there is rowdy behaviour in their neighbourhood</p> <p><u>Indicator:</u> Frequency of respondent personally experiencing rowdy behaviour in the past 12 months</p> <p><u>Indicator:</u> Number of respondents who feel that from all their antisocial behaviour experiences rowdy behaviour has had the most negative impact on them.</p> <p><b>Nuisance behaviour</b>  <u>Indicator:</u> Disorderly conduct urinating etc.</p> <p><u>Indicator:</u> Fire raising</p>	<p>past 12 months</p> <p><u>Indicator:</u> Frequency of the respondent personally experiencing neighbour disputes in the past 12 months.</p> <p><u>Indicator:</u> Number of respondents who feel that from all their ASB experiences groups or individuals intimidating or harassing them has had the most negative impact on them.</p> <p><u>Indicator:</u> Number of respondents who feel that from all their antisocial behaviour experiences neighbour disputes has had the most negative impact on them.</p>	<p>negative impact on them.</p> <p><b>Litter/rubbish</b>  <u>Indicator:</u> Litter and dog fouling</p> <p><u>Indicator:</u> How common the respondent thinks rubbish or litter lying around is in their neighbourhood</p> <p><u>Indicator:</u> Frequency of respondent personally experiencing rubbish/litter lying around in the past 12 months</p> <p><u>Indicator:</u> Number of respondents who feel that from all their antisocial behaviour experiences rubbish/litter lying around has had the most negative impact on them.</p>		<p>with the way their <b>private landlord</b> responded to the incident which had the most negative impact on their life (regardless of whether they were able to solve it)  Source: revised Scottish Household Survey from 2005 onwards</p> <p><u>Indicator:</u> Number of respondents who were satisfied or dissatisfied with the way their <b>housing association</b> responded to the incident which had the most negative impact on their life (regardless of whether they were able to solve it)  Source: revised Scottish Household Survey from 2005 onwards.</p>
--	---	---	--	--

## Local Indicators

The success of the strategy will also be measured using the following local indicators:-

- Number of cases referred to the NRT
- Number of cases of Hate Crime
- Fires of Deliberate Ignition
- Breach of the peace main offence proceeded against in court
- Vandalism costs to council properties

An Antisocial Behaviour survey has been distributed in West Lothian Council's *Bulletin* newspaper, which goes to all households in West Lothian and *Tenants' News*, and this was an invaluable tool in measuring public opinion on antisocial behaviour and neighbourhood nuisance issues as well as providing some guidance to the council and its partners on priorities.

Public information and consultation meetings have also been hosted throughout West Lothian in order to present and discuss the Antisocial Behaviour Strategy, at the time of its launch in March 2005. Information and consultation sessions were also developed with vulnerable groups, including young people. This consultation exercise brought to the attention of services and agencies some issues and problems that individual people and families had with antisocial behaviour, and this information was all fed back to the relevant agencies. A considerable amount of time at the consultation meetings was devoted to an explanation of the legislation and the strategy adopted by West Lothian Council and its partners to addressing antisocial behaviour, in response to public demand. This was particularly the case in relation to the consultation carried out with vulnerable young people, including those in local authority care. Great concerns were expressed by young people over the impact of the Antisocial Behaviour legislation, and council and police officers present were able to discuss the true nature of this legislation and the obligations that it places upon everyone concerned. The meeting also gave the opportunity to provide young people with an insight into the number of agencies and services working in this area that could provide assistance. Consultation exercised carried out during the Community Safety Warden pilot raised two main concerns from members of the public:-

- Lack of visibility
- Lack of publicity

The Community Safety Warden pilot has now ended and it is important that the concerns raised by members of the public through consultation inform future developments in the new environmental warden service.

Consultation with the public and with communities and groups most affected by antisocial behaviour will play a prominent role in the ongoing monitoring and review of the strategy, through the establishment of community safety

and youth forums, through Community Council and Area Committee Meetings and through invitation on the internet for public comments.

## **29. CONCLUSION**

Local authorities and Police have been given a joint obligation to produce, publish and review an Antisocial Behaviour Strategy. This strategy document provides the definition of antisocial behaviour adopted locally, the extent and type of antisocial behaviour in the locality and describes the wide range of measures that have been introduced at a local level to provide an effective response to antisocial behaviour. The aims and objectives of the strategy have been stated along with a commitment to regularly monitor, evaluate and review the strategy. Within West Lothian, the effective management of antisocial behaviour is a partnership effort and a wide range of services and agencies contribute and shall continue to contribute to this agenda.