

# a focus on anti-social behaviour

Chevin Housing Association is committed to achieving and maintaining a peaceful and secure environment by working in partnership with residents and other agencies to combat anti-social behaviour. We are aware that anti-social behaviour threatens physical and mental health, safety and security of individuals, groups and communities and undermines people's human rights. The Association uses the following definition of anti-social behaviour, which is based on the Crime and Disorder Act 1998:

- *Behaviour that causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household*
- *Behaviour that is capable of causing a nuisance or annoyance to another person, and directly or indirectly relates to or affects the housing management functions of the relevant landlord*
- *Or consists of or involves using or threatening to use housing accommodation owned and managed by a relevant landlord for an unlawful purpose*

## Our approach to anti-social behaviour

The Association is committed to stopping anti-social behaviour. We have taken many steps to achieve this. We have a small specialist team, which targets and directs resources at serious anti-social behaviour cases. This team ensures the effective management of cases as well as monitoring anti-social behaviour across the Association's stock. This service dovetails into general housing management and regeneration and is an essential part of the Association's ethos of creating safe sustainable communities for our residents and the people that live around them.

## Examples of anti-social behaviour

This is not an exhaustive list and can be found in our tenant's handbook under "Community responsibilities".

These include:

- *Racist behaviour or language*
- *Using or threatening to use violence*
- *Using abusive or insulting words*
- *Damage or threatening to damage another person's house or possessions*
- *Loud music*
- *Graffiti*
- *Shouting, arguing and door slamming*
- *Drunkenness*
- *Selling or abuse of illegal drugs*
- *Dumping rubbish*
- *Dogs barking and fouling*
- *Playing ball games close to people's homes*
- *Hate behaviour that targets identified groups because of perceived differences*

There are many other examples, most of which may not amount to criminality but that have a detrimental affect on the quality of people's lives.

## **How do you make a complaint of anti-social behaviour?**

There are many routes by which a complaint of anti-social behaviour can be made and received, some of which are listed below:

- *Via telephone to Chevin's Head Office or Area Office*
- *By letter to Chevin's Head Office or Area Office*
- *Face to face by home or office visits*
- *By email to enquiries@chevinha.co.uk*
- *From a resident representative*
- *Through partner agencies, police, hate crime reporting centres*

## **How do we deal with anti-social behaviour?**

We Will:

- *Encourage residents to solve their differences themselves, if possible. We will work with residents and other agencies to tackle anti-social behaviour that is serious and persistent. Our emphasis will initially focus on prevention*
- *Make it easy to report incidents*
- *Listen to and take all reports seriously and deal with them promptly and sensitively*

- *Arrange visits to investigate the problem where appropriate*
- *Ensure confidentiality and seek consent from the complainant/victim before contacting the person alleged to be causing nuisance, or contacting other agencies*
- *Discuss the options for effective action including giving reasons where no action is to be taken*
- *Carry out what we agree should be done and keep residents informed of progress*
- *Consider court action, where the nuisance is serious, to attempt to obtain an injunction or possession*
- *Liaise with the Police and local authorities to attempt to jointly resolve cases of nuisance and/or anti-social behaviour*
- *Seek to achieve representation on relevant multi-agency forums dealing with nuisance, for example, Community Safety Partnerships, other community initiatives*
- *Work with the Police to offer victim and witness support*
- *Offer support to vulnerable tenants. This includes the victim as well as the perpetrator, if applicable*
- *Give consideration to the Human Rights Act in each case when deciding what action to be taken*

## Some real life cases of anti-social behaviour

### **Crown Flatt Way, Dewsbury.**

Crown Flatt way is a small newly built cul de sac of houses and flats in the Earlsheaton area of Dewsbury. For some time, the Association had been receiving a number of reports regarding the behaviour of some residents and their visitors to the scheme. These involved physical threats to residents and visitors, criminal damage, verbal abuse and allegations of drug dealing. Matters were brought to a head after a series of residents' meetings, which were attended by our tenants and neighbouring owner-occupiers who were concerned about the ongoing serious issues on the scheme.

The Association worked closely with the Police, Kirklees anti-social behaviour team and residents in order to address each particular problem. We were helped by our residents, who came forward to give statements and appear in court. Without resident support, we would have struggled to have strong enough evidence to win the court cases. Although the timescales were lengthy due to the evidence gathering and legal processes involved the Association and the Kirklees team were successful in obtaining two outright possession (eviction) orders, one suspended possession order and five anti-social behaviour orders (ASBO's) against residents and their visitors to the estate. As a consequence of these events, the Association will now only let properties on probationary tenancies at this particular scheme which will not be renewed if the tenant breaches their tenancy agreement.

The net result of all this hard work by residents, the Association and its partners has been a quieter safer environment for all residents living on the scheme.

### **Housing Officers get to grips with anti-social behaviour in Kirklees.**

Two of our housing officers take part in a Neighbourhood Management Group (NMG) in Kirklees which was set up to tackle anti-social behaviour problems being experienced by our tenants and other residents on some of our estates. The group consists of the Police, Kirklees Anti-Social Behaviour Unit, Social Services, Education, Health and the Probation service. Issues discussed include noise, violence, criminal damage, drug dealing, problem youths, illegal motorbiking, etc. The aim is to have a co-ordinated approach to successfully deal with the above nuisance and to prevent them recurring. This co-ordinated approach has proved to be a huge success with the problems either being greatly reduced or completely eradicated. Hopefully these 'pilot' schemes will be rolled out to all areas of Kirklees and the Association looks forward to playing its part in reducing anti-social behaviour.

## Racial Harassment

The Association is committed to ensuring that our residents live in an environment free from racism and racial harassment. We have a zero tolerance policy regarding this type of harassment. How do we, however, define racist incidents and how do we deal with them?

■ **Definition – the Association’s definition of a racist incident as recommended by the Stephen Lawrence inquiry is:**

**“ Any incident, which is perceived to be racist by the victim or any other person”**

■ **Timescales – The Association will commence any investigation of racial harassment, wherever possible, within one working day of it being reported. Any racist graffiti on Chevin’s property should be removed within one working day of being reported**

■ **Contacts/support – the anti-social behaviour officer will have completed lists of contacts and support networks local to the area. These will be available to staff along with racial harassment leaflets. The Association will report all racial harassment incidents to the police. Where the victim does not consent this will be done without divulging their identity**

■ **Translation or interpretation services - these will be accessed as necessary and tapes will be used if recording of statements are required**

## Supporting Witnesses

If you are a victim of anti-social behaviour, we need you to come forward and assist us to take action against the perpetrator. This may involve giving us a statement and attending court. Without such assistance it is usually impossible to convince a judge that the breach of tenancy has seriously affected other residents and our attempts to get a court judgement will be refused.

If you are prepared to act as a witness, we will give you all the support that we can, during and after we take any action against the perpetrator. Including paying your out of pocket expenses for attending court. We are committed to ensuring that the well-being of victims and witnesses comes first throughout the progress of an investigation, from reporting stage onwards. Examples of the things that we can do include:

■ **Protection measures such as new locks, security, CCTV, property alarms**

■ **Involvement of other agencies – police, victim support, witness protection**

■ **Legal remedies e.g. injunctions, anti-social behaviour orders**

■ **Rehousing, either on a temporary or permanent basis**

■ **Accompaniment throughout any legal proceedings including to and from court, during the hearing and associated legal advice**

■ **Telephone contact numbers for use throughout the process**

■ **Use of professional witnesses and or staff to present evidence, including hearsay evidence**

In summary we will endeavour to offer appropriate support and advice to those people who are victims of, witness to, or complain about ASB in order to take every possible action to stop individuals, families and communities from suffering the effects of ASB. These endeavours will only be limited by legal restraints, available information, available resources and all actions will be considered on the basis of reasonableness, necessity and proportionality.

### Witness Support Survey

We are indebted to those residents that have come forward to assist us in tackling anti-social behaviour. We recently carried out a telephone survey in order to gauge their feelings and opinion on how we supported them through the process. The main results were:

*82% were satisfied with the information and support given by us*

*91% were satisfied with the final outcome of the action Chevin undertook*

*73% said that Chevin had kept them informed about the progress of the case*

Whilst we were pleased with our performance some residents did request that we contact them on a more regular basis in order to update them of any ongoing issues with the action undertaken. We have taken this on board and will increase our contact with our witnesses involved in our ongoing and future court cases.

### Mediation

We are part of a groundbreaking arrangement with Leeds Community Mediation Service (LCMS), which now provide a mediation service to all our residents in **all** our local authority areas. This is the first time that LCMS has agreed to offer its services outside of the Leeds area and the Association is indebted to their flexibility and positive approach to helping our residents resolve disputes and problems.



LCMS has been undertaking mediation in Leeds for over 15 years and offer assistance to

residents in such areas as noise nuisance, parking, fencing disputes and use of communal areas. The only stipulation prior to seeking their assistance is that all parties concerned are willing and able to seek a solution to their problems.

Mediation is undertaken by impartial LCMS staff who are independent from Chevin HA. Their services are free of charge to our residents and have an excellent success rate in getting people together and achieving workable solutions. Mediation is undertaken by specially trained and experienced staff who use their expertise to find solutions, which are mostly win/win for those willing to engage in discussion.

If you wish to discuss the possibility of using mediation to help solve some of your anti-social behaviour problems please contact George Walker or Philip Clayton for an informal chat on 0845 270 1088.

## **Improvements and changes for this year to the way in which we deal with anti-social behaviour**

In line with the legal changes in the Housing Act, the Association has reviewed its policy and procedure at the end of 2005. We have consulted our residents at various tenants' conferences, tenants' panels and through our witness survey. Whilst the feedback has been welcome we have not received many adverse comments about the way in which we operate. As a result this year it is our intention to:

- *Carry out further surveys with the victims of anti-social behaviour in order that we can gauge and improve our performance and policy*
- *Add domestic violence and homophobic crime as priority (1 working day) cases to be dealt with within the same timescale as racial harassment*
- *Included in all tenancy sign up packs and displayed in all offices, a booklet from a national domestic violence organisation advising of peoples' rights and offering a 24 hour, 7 days a week, free telephone help and advice line*
- *Purchase additional CCTV equipment, which can be used for evidential purposes and witness protection with regard to ASB*
- *Increase the reporting of racial harassment incidents to the association*
- *Improve and develop the software we use for monitoring and progressing ASB cases within the Association*

If you have any thought and comments about the way in which we deal with anti-social behaviour please contact George Walker or Philip Clayton of the anti-social behaviour team on 0845 270 1088. We will be happy to discuss anti-social behaviour issues you may have.



A charitable housing association

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