

ANTI-SOCIAL BEHAVIOUR

An inspection of the criminal justice system's
approach to addressing anti-social
behaviour in Northern Ireland

October 2012

Criminal Justice Inspection
Northern Ireland
a better justice system for all





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List of abbreviations

ASBO(s)	Anti-Social Behaviour Order(s)
CJI	Criminal Justice Inspection Northern Ireland
DoJ	Department of Justice
HMIC	Her Majesty's Inspectorate of Constabulary
MLA	Member of the Legislative Assembly
NIACRO	Northern Ireland Association for the Care and Rehabilitation of Offenders
NICS	Northern Ireland Crime Survey
NICTS	Northern Ireland Courts and Tribunals Service
NIHE	Northern Ireland Housing Executive
NIPB	Northern Ireland Policing Board
PBNI	Probation Board for Northern Ireland
PPS	Public Prosecution Service for Northern Ireland
PSNI	Police Service of Northern Ireland
YJA	Youth Justice Agency



Chief Inspector's Foreword

Anti-social behaviour can vary in scale from simply being a source of irritation, to being the bane of people's lives. In its worst form it can lead to the victimisation and intimidation of individuals, families and whole communities, and as such will require a full and rigorous response from the criminal justice system. Equally, there can be times when the behaviour falls short of a breach of criminal law and a more thoughtful problem solving approach is called for.

The police have become more focussed on this issue as our society normalises, and the strengthening of Neighbourhood Policing Teams together with the integration of Youth Diversion and Community Safety Officers, has improved the effectiveness of police response.

Early and targeted interventions can make a real difference and we have already reported on the need for a clearer, more cohesive strategy in dealing with young people who are at risk of coming into contact with the criminal justice system (see our July 2012 publication on *Early Youth Interventions*). The proportionate use of Anti-Social Behaviour Orders (ASBOs) has continued, though we make a recommendation to ensure that in so far as they are applied to young people, they should be subject to review every six months.

A partnership approach is advocated, and with responsibilities and action now vested in the new Policing and Community Safety Partnerships, we believe that there is an opportunity to build on the previous good work of their predecessors, the Community Safety Partnerships. It is too early to assess how effective they can be without the glue of a statutory duty for public bodies, though we make a strategic recommendation to the Department of Justice (DoJ) to continue to encourage the fulsome participation of both justice and non-justice agencies in helping deliver the Community Safety Strategy.

There are some innovative, effective individual schemes operating in parts of Northern Ireland, and it is important that they become exemplars of best practice in order that they can be replicated in other areas.

We make a small number of operational recommendations for the Police Service of Northern Ireland (PSNI), the Northern Ireland Courts and Tribunals Service (NICTS) and, under the auspices of the DoJ, the Policing and Community Safety Partnerships. This inspection was conducted by Rachel Lindsay and assisted by Derek Williamson. My thanks to all those who contributed to this work.



BRENDAN McGUIGAN

Acting Chief Inspector of Criminal Justice
in Northern Ireland
October 2012

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Executive Summary

This inspection aimed to examine and assess the approach to anti-social behaviour across the criminal justice system in Northern Ireland. Anti-social behaviour is a cross-cutting issue which requires significant partnership working in the areas of prevention, intervention and enforcement. The inspection therefore also considered the partnership working between the criminal justice agencies and partners from statutory, community and voluntary sectors. The fieldwork also afforded an opportunity to follow-up on the recommendations made in Criminal Justice Inspection Northern Ireland's (CJI's) report on ASBOs, published in 2008.

Strategy and governance

At the time of inspection the Community Safety Strategy was pending publication, and it was anticipated to provide a framework for tackling anti-social behaviour. In its absence there was a fragmented approach to community safety strategy and policy across the system, although the DoJ had begun to lead on work streams arising from the Strategy (one being anti-social behaviour) under the auspices of the Community Safety Regional Steering Group. The justice system needs to continue to emphasise the role that other Executive departments have to play in preventing and addressing anti-social behaviour. The Strategy was later launched in July 2012.

The area of early interventions, particularly for young people, was a constant theme throughout the inspection, and again this is contained in the Community Safety Strategy. CJI have recently reported in this area¹ and this inspection provides further support for the recommendation within that report regarding a joined up approach to early interventions across the Executive, led by the Ministerial Sub-Committee on Children and Young People. The lack of early intervention for young people means that many end up either subject to an ASBO or within the formal criminal justice system.

The structures around Anti-Social Behaviour Forums had remained largely unchanged since CJI's ASBO inspection and were felt to be largely working effectively. However, changes to the policing approach regarding these Forums and the application process for ASBOs was seen by some as a barrier to effective working. The knowledge and skills of Officers working in this area is something Inspectors believe the PSNI should look at again.

Delivery

The Policing and Community Safety Partnerships were introduced in April 2012 and therefore it was too early to assess their effectiveness. However Inspectors believe that the Partnerships have a significant role to play in addressing and dealing with anti-social behaviour within their local districts. This is particularly important in two areas; firstly the Partnerships have a responsibility to deliver community education about the realities of anti-social behaviour and crime. The research evidence and police data clearly shows that the fear of being subject to anti-social behaviour or a criminal offence is much greater than the reality, and this is a message the communities need to understand. In addition,

¹ *Early Youth Interventions*, CJI, July 2012.



many interviewees raised issues around diminishing levels of tolerance, particularly in relation to the behaviour of children and young people. It is important that ways are sought to develop understanding of what agencies can and cannot deliver, and in developing community capacity to address anti-social behaviour at the lowest level.

Secondly, the Partnerships have a key role in providing comprehensive community input into decision making processes around how anti-social behaviour is dealt with, and then providing feedback on the interventions utilised. The Partnerships are ideally placed to share knowledge and communication between political parties, independent community members and statutory agencies. This three-way communication should ensure that solutions are targeted at areas of concern to the community, that consideration is given to all relevant factors and feedback is obtained and acted upon.

Inspectors heard a number of examples of good practice in relation to community projects, police responses to anti-social behaviour and interventions with young people in order to divert them away from anti-social activities. This good practice should be shared across Northern Ireland. Neighbourhood Watch was also seen as a positive community-based preventative measure, although there is a need to look at targeting efforts in this area.

Dealing with calls from the public in relation to anti-social behaviour was an area that required further work by the PSNI, particularly from vulnerable and repeat victims, to ensure they were dealt with appropriately when requesting assistance.

Outcomes

Data was utilised which indicated the proportionate use of ASBOs in comparison to other interventions, and the numbers had decreased in the previous year. There were discrepancies between data provided by the NICTS and the PSNI, and action is required to address this. Biographical data showed that since ASBOs had been introduced, on average 40% were granted against young people aged under 18 years. Concerns were again raised about the potential for ASBOs to be discriminatory against young people and the potential to enter the criminal justice system via this route. Inspectors believe that ASBOs should not stand in isolation as a punitive tool, but should incorporate a package of support to assist young people to change their behaviour. In addition, given the lengthy nature of an ASBO in the short life of a young person, there should be an opportunity for young people to have the Order reviewed every six months so that the ASBO can be amended or quashed, if they have demonstrated behavioural change.



Recommendations

Strategic recommendation

- The DoJ should continue to encourage a full commitment by justice and non-justice agencies with a responsibility for community safety matters to collaborate at both a strategic and local level in working towards implementing the Community Safety Strategy (Paragraph 2.13).

Operational recommendations

- The PSNI should ensure that those Officers tasked with using tools to address anti-social behaviour are sufficiently skilled and have appropriate resources to discharge their duties effectively (Paragraph 2.27).
- The Policing and Community Safety Partnerships are utilised as a mechanism by which to provide comprehensive community input into decision making processes about tackling anti-social behaviour and feedback on the effectiveness of interventions (Paragraph 2.28).
- Policing and Community Safety Partnerships should, with support from the DoJ, identify and implement ways to educate their communities about the realities of anti-social behaviour (Paragraph 3.12).
- The PSNI, supported by the DoJ and the NIPB, should target areas of higher crime and disorder levels when further developing the number of Neighbourhood Watch schemes in Northern Ireland (Paragraph 3.21).
- It is recommended that the DoJ and the PSNI identify best practice from the Street by Street project and how this can be used to support the setting up of similar schemes in other areas (Paragraph 3.44).
- The roll out of the PSNI Customer Relationship Management Software should be supported by appropriate training and guidance for call handlers in how to respond to calls for anti-social behaviour, including how to identify and prioritise repeat and vulnerable victims (Paragraph 3.69).
- The PSNI and the NICTS should rectify discrepancies identified in relation to data indicating the number of ASBOs made to ensure accurate data is available for use in the ongoing strategic assessment of anti-social behaviour (Paragraph 4.12).
- All ASBOs for young people aged under 18 years should incorporate a package of support aimed at supporting behavioural change which is incorporated into the conditions of the ASBO (Paragraph 4.23).
- Every ASBO granted against a young person aged under 18 years should have an automatic review at six monthly intervals, with the potential for the Order to be quashed or conditions amended (Paragraph 4.24).

Section



Inspection Report



CHAPTER 1:

Introduction

'Community concerns around crime and anti-social behaviour cannot be solved by the police alone. Community safety involves working in partnership at all levels to provide local solutions to local problems. That partnership approach will be central to building safer, shared and confident communities. And it must go beyond the criminal justice system and Government departments, with partnership with the voluntary and community sector, the private sector and individual communities themselves.' David Ford MLA, Minister of Justice for Northern Ireland.²

What is anti-social behaviour?

1.1 There are various definitions and descriptions of anti-social behaviour in existence. The Home Office website³ describes it as *'any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life'*. A document on anti-social behaviour produced by the PSNI provides an overview of other definitions⁴ including:

- the Crime and Disorder Act (1998) which provided a definition of anti-social behaviour for use by United Kingdom public bodies as acting *'in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator'*. This definition included low level public order offences and other offences which are notifiable crimes (crimes recorded by the Home Office);

- the Housing Act (1996) which defined anti-social behaviour as *'engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to persons engaged in lawful activities'*; and
- the Chartered Institute of Housing (1995) which defined it similarly as *'behaviour that unreasonably interferes with other people's rights to the use and enjoyment of their home and community'*.

1.2 The PSNI categories shown below have been taken from *Chapter 2.2: Anti-Social Behaviour in the National Standard for Incident Recording 2011* documentation. Since April 2011 the PSNI have used these three categories of anti-social behaviour for call handling and recording purposes. These are:

- **'personal'** - designed to identify anti-social behaviour incidents that the caller, call handler or anyone else perceives as

² *Building safer, shared and confident communities: a consultation on a new community safety strategy for Northern Ireland*, DoJ Northern Ireland, January 2011.

³ Home Office website accessed 29 February 2012 - <http://www.homeoffice.gov.uk/crime/anti-social-behaviour>.

⁴ *Anti-Social Behaviour Incident Types and Definitions introduced in April 2011*, PSNI, 2011 - accessed online 29 February 2012 - http://www.psnipolice.uk/index/updates/updates_statistics/updates_antisocial_behaviour_statistics.htm.



either deliberately targeted at an individual or group, or having an impact on an individual or group rather than the community at large;

- **‘nuisance’** - captures those incidents where an act, condition, thing or person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general rather than to individual victims; and
- **‘environmental’** - deals with the interface between people and places. It includes incidents where individuals and groups have an impact on their surroundings including natural, built and social environments.

1.3 Usage of the phrase ‘anti-social behaviour’ by the general public and the media has however become common place, and is generally used to refer to any behaviour which affects them and is considered ‘anti-social’. By virtue of this definition its use is often extended to cover offences which would be recorded as criminal behaviour by law enforcement agencies. This can therefore include activities which would be considered low-level crime, such as criminal damage, but can often extend to more serious offences such as those associated with drug dealing, rioting or offences against the person.

1.4 A 2011 report by Her Majesty’s Inspectorate of Constabulary (HMIC) in England and Wales titled *Anti-social Behaviour: Stop the Rot* also discussed the issue of definitions and concluded ‘*The reality is that anti-social behaviour is a mixed bag of crime, disorder, and their precursors, with rowdy/disorderly behaviour being the overwhelming majority of reported events - 2.16 million calls 2009-10*’.

1.5 The findings of an Ipsos MORI Survey commissioned for the report⁵ noted ‘*very importantly, the public draw no meaningful distinction between crime and anti-social behaviour. They exist on the same spectrum of bad or very bad behaviour. The public find it immaterial that the most insidious individual incidents of ‘pestering’, ‘taunting’ or ‘targeting’ individuals - including the most vulnerable - may not qualify technically as “crimes” with a prospect of prosecution. They dislike anti-social behaviour, worry about reporting it, and are intimidated in significant numbers when they do*’. When asked what types of behaviours come to mind at a spontaneous level when thinking about anti-social behaviour, the most frequently mentioned in the survey by those who previously reported anti-social behaviour to the police are:

- street drinking and under age drinking;
- teenagers and kids loitering in the streets; and
- vandalism and graffiti.

1.6 The DoJ consultation document on the Northern Ireland Community Safety Strategy notes ‘*Anti-social behaviour can mean different things to different people, with understanding of what constitutes anti-social behaviour influenced by a number of factors including the context, location, and quality of life expectations. As a result, what might be considered as anti-social behaviour by one person can be seen as acceptable behaviour by another. This subjective nature can make it difficult to identify a common understanding of anti-social behaviour*’. Consequently, there is no single agreed definition of anti-social behaviour.

⁵ Policing anti-social behaviour: the public perspective, Ipsos MORI, 2010.



Reported levels of anti-social behaviour

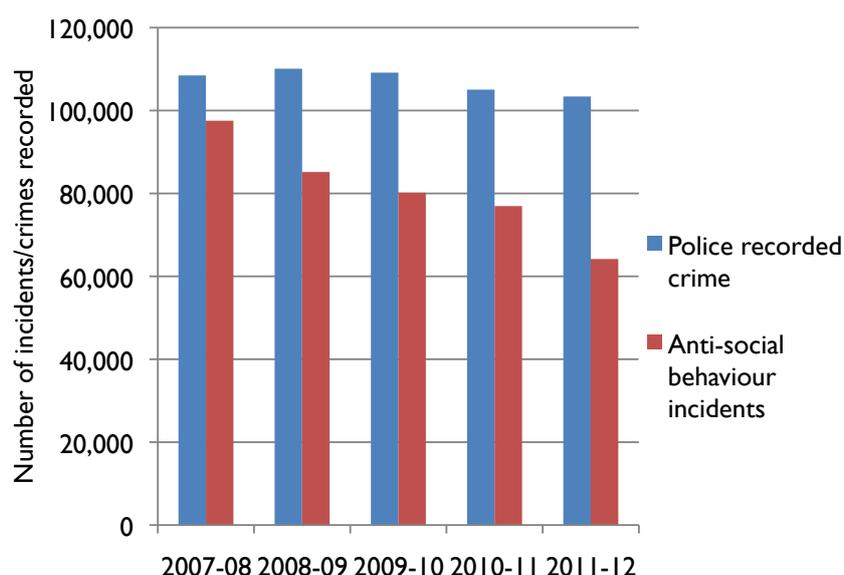
- 1.7 The PSNI collect and report statistics relating to anti-social behaviour separately to those for recorded crime. The anti-social behaviour figures are reported on their website as a monthly update, both as an overall summary bulletin and as raw figures broken down by policing area and district.
- 1.8 PSNI statistics⁶ indicate that overall anti-social behaviour incidents fell by 16.6% in the twelve months to 31 March 2012 when compared with the twelve months to 31 March 2011 (from 76,947 to 64,184). This is part of a consistent trend whereby both crime and anti-social behaviour have been falling steadily for the last few years, as shown in the figure below. Data reported by the PSNI illustrates differences in levels across districts with more rural districts recording lower levels of anti-social behaviour than more urban districts.

For example in the financial year 2011-12 there were 5,878 incidents reported in 'F' District (covering Cookstown, Dungannon and South Tyrone, Fermanagh and Omagh) as opposed to 9,388 in 'D' District (covering Antrim, Carrickfergus, Lisburn and Newtownabbey).

Public perceptions of anti-social behaviour

- 1.9 The Northern Ireland Crime Survey (NICS) annually surveys a sample of the population about their experience and perceptions of crime and contains questions about anti-social behaviour. Findings from the 2010-11 NICS⁷ show that the proportion of respondents who perceived a high level of anti-social behaviour in their local area (13.0%) showed no statistically significant change to that observed through the 2009-10 NICS (14.2%). The corresponding figure for England and Wales in the British Crime Survey 2010-11 was 14%.

Figure 1: Police recorded crime and anti-social behaviour incidents 2007-12



6 *Anti-social behaviour incidents recorded by the Police in Northern Ireland: monthly update to 31 March 2012*, PSNI, 2012 - accessed online 2 July 2012 - http://www.psnipolice.uk/monthly_asb_bulletin_apr_12_13.pdf.

7 *Perceptions of crime: findings from the 2010-11 NICS*, DoJ Research and Statistical Bulletin 1/2012, Freel, R & Campbell, P 2012.





1.10 The anti-social behaviour types, most likely to be perceived by the 2010-11 NICS respondents as problems in the local area, were 'rubbish or litter lying around' (27%) and 'teenagers hanging around on streets' (23%) - whereas 'abandoned or burnt-out cars' (5%) and 'noisy neighbours or loud parties' (8%) were considered the least problematic forms of anti-social behaviour. These results reflect the pattern in England and Wales, where the respective British Crime Survey 2010-11 rates were measured at 28% for 'rubbish or litter lying around' and 4% for 'abandoned or burnt-out cars' respectively.

1.11 Results from the 2010-11 NICS indicate those respondents most likely to perceive anti-social behaviour as a problem in their area were:

- residents of the 20% most deprived areas in Northern Ireland (33%);
- people living in social rented accommodation (31%);
- women aged 16-24 years (26%);
- single parents (26%); and
- recent victims of crime reported to the police (26%).

1.12 The Research and Statistical Bulletin on the *Experience of Crime* from the NICS 2010-11⁸ also identified that people who perceived a high level of anti-social behaviour in their area:

- were almost three times as likely to be victims of burglary, as those who perceived a low level of anti-social behaviour (5.2% v 1.8%);
- were almost twice as likely as those who perceived a low level of anti-social behaviour to be victims of vehicle related theft (4.0% v 2.3%);

- displayed the highest risk of the socio-demographic groups examined for vandalism (10.4%), over three times the rate for those who perceived a low level of anti-social behaviour (2.9%); and
- were much more likely to be victims of violence, displaying a prevalence rate of over three times that of adults in low anti-social behaviour areas (6.7% v 2.0%).

There is therefore a clear link between perceptions about anti-social behaviour in an area and being a victim of crime of some sort.

1.13 However data from the NICS also revealed a disparity between people's perceived likelihood of being a victim of crime and their actual risk, whereby the perceived risk far exceeds the actual risk. Collating data collected for the *Perceptions of Crime* and the *Experience of Crime* elements of the Survey showed that for instance, 15% of people thought they were likely to be a victim of burglary in the next 12 months, compared with an actual risk of 2%. A similar pattern emerged in terms of car crime (15% v 3%) and violent crime (10% v 2%). Whilst these figures relate to crime, it is possible that similar discrepancies exist for anti-social behaviour.

1.14 The results of the 2010 District Policing Partnership Public Consultation Survey⁹ published by the Northern Ireland Policing Board (NIPB) indicated anti-social behaviour as respondents' most concerning policing issue. Respondents were asked to select their five biggest policing issues from a given list and rank these in priority order. Of the 15,675 who responded to the survey, 82% rated anti-social behaviour

⁸ *Experience of crime: findings from the 2010-11 NICS*, DoJ Research and Statistical Bulletin 3/2011, Toner, S & Freel, R 2011.

⁹ *Public perceptions of the Police, District Policing Partnerships and the Northern Ireland Policing Board: Report based on the NIPB Module of the September 2010 Omnibus Survey*, NIPB, 2010.



within their five biggest concerns. Of all the responses this was raised as a concern by the largest proportion of respondents.

1.15 The Ipsos MORI Survey in England and Wales¹⁰ highlighted the importance that the public place on dealing with anti-social behaviour. It states *‘Even when asked alongside crimes such as burglary of homes, domestic violence and street robberies, the majority of people still attach significant importance to the police focussing efforts on a range of ‘anti-social behaviour’ incidents. For instance, while almost all respondents feel it is very important or essential to direct resources towards tackling burglary (95%), robbery (94%) and domestic violence (89%), many also feel it is very important or essential that efforts are directed at tackling vandalism and graffiti (64%), noisy and nuisance neighbours (54%), and public drunkenness and rowdy behaviour (47%). Only very small minorities do not feel it is important to focus on anti-social behaviour issues (up to 7%).’*

Why is there a need to deal with anti-social behaviour?

1.16 It is a commonly held public view that anti-social behaviour leads to engagement in more serious offending, and therefore that agencies have a responsibility to tackle it at an early stage. Whilst not every individual who engages in anti-social behaviour will go on to offend, there is a need to intervene early where appropriate and with a suitable solution. This will not only prevent offending in future but will also protect victims and prevent deterioration of local community environments. The Offending Crime and Justice Survey¹¹ identifies anti-social behaviour as a precursor to more frequent offending and/or drug use for some young people.

It states that in some cases, interventions targeting young people involved in anti-social behaviour may help to reduce the likelihood of an individual following an offending trajectory. But the survey also shows that some types of anti-social behaviour are not exclusively found among the very young and that some patterns appeared to change little from mid-teens to mid-twenties.

1.17 Two-thirds (67%) of the 2010-11 NICS¹² respondents felt that *‘fear of crime’* had a minimal impact on their quality of life, with a further 28% claiming it had a moderate effect. The remaining 5% of people considered that their quality of life was greatly affected by their *‘fear of crime’*. In addition, the survey reported differences for respondents in terms of the perceived effect of *‘fear of crime’* on quality of life within various socio-demographic groups in Northern Ireland. This showed that among those NICS 2010-11 respondents most likely to state that their lives are greatly affected by *‘fear of crime’* were:

- those living in areas perceived to have a high level of anti-social behaviour (15%);
- recent victims of crime (within the preceding two years) (13%);
- respondents with a limiting illness or disability (10%);
- women aged 55 - 64 years (9%);
- people living in the 20% most deprived areas (9%);
- households earning less than £10,000 per annum (9%); and
- respondents who were divorced or widowed (9%).

1.18 Clearly, as highlighted by the NICS data provided above and in earlier sections, anti-social behaviour can have a serious impact

10 *Op cit*, Ipsos MORI, 2010.

11 *Longitudinal analysis of the offending, crime and justice survey 2003-06*, Home Office Research Report 19, Hales, J et al, 2009.

12 *Op cit*, Freel, R & Campbell, P 2012.



on the lives of individuals and communities, both in terms of perceptions about levels of anti-social behaviour in particular areas, and in the reality of being a victim. As can be seen by the data above this can have a disproportionate impact on people from particular socio-economic groups or backgrounds. Even for those who have never been a victim of anti-social behaviour, the fear of becoming a victim can be pervasive in impacting on how they feel able to live their lives with media references to 'no-go areas', 'hoodies' and the 'ASBO culture'.

1.19 The differences in anti-social behaviour levels can also lead to differences in experiences and the impact on quality of life for individuals and communities. Even in one police district or council area there can be different levels of anti-social behaviour and crime, which often follows the pattern of socio-economic status of residents or differences in population type. For example in the PSNI's 'B' District the two areas of East and South Belfast have very different levels of anti-social behaviour. In 2011-12 the PSNI recorded 2,963 incidents in East Belfast compared to 6,041 in South Belfast.¹³ One explanation for this difference is likely to be the high student population within the Holylands area (South Belfast) and the associated high levels of anti-social behaviour. Other examples can be seen in districts which have a mixture of urban and rural areas. For example in 'G' District anti-social behaviour levels are much higher in the Foyle area (4,852 in 2011-12) than in Limavady (1,201), Magherafelt (1,091) or Strabane (1,075). These differences illustrate the need for identification of

problems at a local level and subsequent interventions relevant to the local context as well as a strategic direction.

1.20 There has been a shortage of cost estimates for anti-social behaviour in recent years. A 2006 National Audit Office *Value for Money* report looking at anti-social behaviour¹⁴ estimated the cost to Government agencies of responding to reports of anti-social behaviour in England and Wales at approximately £3.4 billion per year. In Northern Ireland, Belfast City Council estimates that anti-social behaviour in its parks and leisure properties costs between £500,000 and £1 million each year (see www.belfastcity.gov.uk).

1.21 Recent research conducted by One Poll on behalf of RSA Insurance surveyed managers of 1,000 businesses from various sectors throughout the United Kingdom.¹⁵ This estimated the cost of anti-social behaviour to United Kingdom businesses (although this did not cover Northern Ireland) to be £9.8 billion in 2011. The survey revealed a cost of £4,000 for each business within the United Kingdom just to cover the cost of anti-social behaviour, including vandalism, petty theft, graffiti, litter, broken windows, harassment and intimidation. Nearly 20% of businesses responding to the survey were impacted by anti-social behaviour in 2011, costing each business an average of £20,000 to rectify. The most common examples of anti-social behaviour to affect a business were petty theft and smashed windows and doors. It should be noted that these examples provided are actually criminal offences, rather than anti-social behaviour, however this reinforces the fact that the public do not differentiate between

13 *Anti-social behaviour incidents monthly update: monthly update to 31 March 2012*, PSNI, published 10 May 2012 - accessed online on 28 May 2012 at http://www.psnipolice.uk/index/updates/updates_statistics/updates_antisocial_behaviour_statistics.htm.

14 *The Home Office: Tackling Anti-Social Behaviour*, HC 99 Session 2006-07, National Audit Office, 2006.

15 See <http://www.theaccountancy.co.uk/anti-social-behaviour-having-negative-effect-on-uk-businesses-1634.html>.



the two. Whilst this survey is based on anecdotal evidence from businesses, it does indicate that anti-social behaviour/low-level crime has serious cost implications for the business community.

The causal factors of anti-social behaviour

1.22 The *Perceptions of Crime* report based on the 2010-11 NICS¹⁶ asked respondents what they believed to be the main causes of crime. Drugs (71%), alcohol (66%) and a lack of discipline from parents (62%) were the three factors most commonly identified by the 2010-11 survey respondents as major causes of crime in Northern Ireland today. When asked which single factor they considered to be the main cause of crime, 24% of respondents cited 'lack of discipline from parents' while a further 23% cited 'drugs'. Considering the nature of the overlap between anti-social behaviour and crime in the eyes of the public, as outlined above, it can be assumed that these factors would also be considered relevant as perceived causes of anti-social behaviour.

1.23 The consultation document for the DoJ's Community Safety Strategy¹⁷ highlights research in a report published by the Department of Health, Social Services and Public Safety on the *Social Costs of Alcohol Misuse in Northern Ireland for 2008-09*. This report put the social cost of alcohol misuse alone at as much as £900 million every year, and the consultation document states that the 'misuse of both alcohol and drugs impact on community safety, crime and the fear of crime, and the resilience of our communities'.

Public confidence in tackling anti-social behaviour

1.24 Research in recent years has focussed on public confidence in the ability of public authorities to address anti-social behaviour effectively. Both the British Crime Survey in England and Wales and the NICS ask about confidence in relation to crime and anti-social behaviour. Due to differences in responsibilities of the two jurisdictions, the NICS questions refer specifically to 'the police and other agencies, including district councils' whilst the British Crime Survey questions refer to 'the police and local councils', although 'other agencies' are referred to in an introductory paragraph.

1.25 The NICS asks respondents the extent to which they agree that the local police and other agencies:

- seek people's views about the anti-social behaviour and crime issues that matter in their area; and
- are dealing with the anti-social behaviour and crime issues that matter in their area.

1.26 The results of the 2009-10 NICS¹⁸ state that:

- 'Under half (42%) of respondents agreed that the local police and other agencies seek people's views about the anti-social behaviour and crime issues that matter in their area (compared to an equivalent rate of 47% in England and Wales).
- People in England and Wales were even more likely than those in Northern Ireland (51% v 37%) to agree that the local police

16 Freel, R & Campbell, P 2012, Op cit.

17 *Building safer, shared and confident communities: a consultation on a new community safety strategy for Northern Ireland*, DoJ Northern Ireland, January 2011.

18 *Perceptions of policing, justice and organised crime: findings from the 2009-10 Northern Ireland Crime Survey*, DoJ Research and Statistical Bulletin 3/2010, Freel, R & Toner, S 2010.



and other agencies are dealing with the anti-social behaviour and crime issues that matter.

- *Of all the socio-demographic groups examined, respondents from areas of self-perceived high anti-social behaviour (30%) were the group least likely to express overall confidence in engagement, compared with 41% of those from low anti-social behaviour areas. Much of this disparity can be attributed to attitudes concerning 'dealing with anti-social behaviour and crime issues that matter', where under a quarter of those from areas of high anti-social behaviour (24%) agreed with the statement.'*

1.27 The Ipsos MORI Survey conducted for the 2011 HMIC inspection¹⁹ asked respondents for their views on who is responsible for tackling anti-social behaviour. The vast majority stated that it is the police who are (solely or jointly) responsible for dealing with anti-social behaviour (mentioned by 90%), with far fewer stating the local council (36%). After the police and the local council, respondents felt it to be the responsibility of families, local communities and individuals themselves to deal with anti-social behaviour. The report states that *'in the public's eyes, partnerships between local public services, such as the police, the local council, and other organisations such as housing associations or social services are worthless unless they lead to single points of contact and swifter, more effective outcomes'*.

The CJI inspection

1.28 This inspection aimed to examine and assess the approach to anti-social behaviour across the criminal justice system in Northern Ireland. CJI Inspectors

specifically aimed to consider the areas of strategy and governance, delivery, and outcomes (or projected outcomes). How practice, in relation to anti-social behaviour, undertaken in Northern Ireland aligns with existing good practice and relevant standards, where appropriate, was also considered. The inspection methodology included desktop research and interviews with representatives of the criminal justice agencies (the PSNI, the Public Prosecution Service for Northern Ireland (PPS), the NICTS, the Youth Justice Agency (YJA) and the Probation Board for Northern Ireland (PBNI)). Inspectors also spoke with the DoJ, the Northern Ireland Housing Executive (NIHE), local councils, District Policing Partnerships, Community Safety Partnerships, community restorative justice schemes and other community and voluntary organisations. Further meetings were held with both perpetrators and victims of anti-social behaviour. Details of the full inspection methodology can be found at Appendix 1. The Terms of Reference for this inspection can be found at Appendix 2.

1.29 It should be noted that, in light of the issues highlighted above regarding the cross-over between anti-social behaviour and crime, that Inspectors viewed anti-social behaviour in its widest sense. Therefore CJI considered issues within the criminal justice system regarding the way that non-criminal anti-social behaviour in its true sense was tackled, but also low-level criminal activity, which is often perceived to be anti-social behaviour by the general public. This included, for example, offences such as criminal damage, riotous behaviour and low-level drug dealing, offences against the person and property offences.

¹⁹ Ipsos MORI, 2010, Op cit.



1.30 Inspectors were also mindful that this report had the potential to overlap with a number of others conducted previously. For example, *Policing with the Community* (full inspection published 2009 and a follow-up published September 2012), *PSNI Customer Service* (2011), *Youth Diversion* (2011), *The care and treatment of victims and witnesses in the criminal justice system in Northern Ireland* (original report 2005, followed-up 2008, and a further inspection published in 2011) and *Early Youth Interventions* (published July 2012). Efforts were made not to repeat these inspections but to highlight the relevant issues where they arose.

1.31 This inspection also serves as a follow-up to CJI's report *An inspection of the operation and effectiveness of Anti-Social Behaviour Orders* published in October 2008, and reviewed progress against the original recommendations, where they were still relevant. The 2008 recommendations are as listed below:

- *'Anti-social behaviour forums should review their community engagement processes to maintain and develop local communication with the wider public.*
- *The remaining information sharing protocols should be signed between the PSNI, Housing Executive and local Councils as a matter of urgency and local forums should be set up between the three agencies and held on a regular basis to discuss issues of anti-social behaviour and how these can be addressed.*
- *A protocol should be developed between the tripartite agencies and the PBNI and YJA to put methods in place to ensure that prohibitions in an ASBO do not contradict other conditions on an individual which may be taken before, or have already been taken before, a court.*

- *Anti-social behaviour forums should seek to engage with their local partners; YJA, PBNI, Social Services trusts and Education and Library Boards, in order to develop appropriate methods of tackling anti-social behaviour.*
- *The NIO CSU should continue to monitor Section 75 information in respect of ASBOs and take action as appropriate should evidence of adverse impact become apparent.*
- *Research should be undertaken by the NIO CSU into the feasibility and value of setting up of a system of multi-agency panels to consider alternative action and support measures that would be provided alongside or instead of any ASBO issued against a young person.*
- *Senior management in all agencies should reinforce with all staff the need for accurate and timely recording and monitoring of Section 75 information relating to ASBOs and that quality assurance mechanisms should be developed to ensure the accuracy of this data.*
- *The tripartite agencies should ensure that a specified role in their respective organisation includes dealing with anti-social behaviour as a core function. The role will include liaison with all agencies involved in seeking to reduce anti-social behaviour. Each agency should develop and support this by ensuring:*
 - *where the organisation does not have a role description that includes responsibility for dealing with anti-social behaviour, then a specific role description that outlines responsibilities for dealing with anti-social behaviour should be created;*
 - *appropriate training and development is provided where required;*
 - *regular attendance at anti-social behaviour fora;*
 - *full involvement in anti-social behaviour reduction work;*





- *promotion internally and with the local community of the respective organisations commitment to reduce anti-social behaviour.*
- *The tripartite agencies should develop a mechanism for individually and collaboratively reviewing work undertaken in relation to ASBOs to date and sharing this best practice at both a strategic and operational level.*
- *Senior management in the tripartite agencies should reinforce with all staff the need for accurate and timely monitoring and reporting of information relating to breaches of ASBOs and ensure that this data is centrally collated and used to assess effectiveness and opportunities for further learning.*
- *Action should be taken by PSNI senior management to enhance the knowledge of PSNI officers in operational roles in relation to ASBOs in order to enable them to address breaches more effectively’.*

1.32 Inspectors’ assessment of the recommendations from their report on ASBOs is included as an appendix (Appendix 3) to this report.

CHAPTER 2:

Strategy and governance

Anti-social behaviour strategy

2.1 Following the devolution of policing and justice powers to the Northern Ireland Assembly in 2010, Minister of Justice David Ford MLA announced his intention to lead a debate on a new Community Safety Strategy for Northern Ireland. The consultation paper addressing views on a new Community Safety Strategy for 2011-15 was published in January 2011. It set out proposals to *'create safer, shared and confident communities and contribute to the Department of Justice's wider vision of a fair, just and safer community'*. The Strategy stated that the overall goal for a new Community Safety Strategy was to help build:

- **safer communities:** with lower levels of crime and anti-social behaviour;
- **shared communities:** where everyone's rights are respected in a shared and cohesive community; and
- **confident communities:** in which people feel safe and have confidence in the justice agencies which serve them.

2.2 The consultation period on the Community Safety Strategy ran for 12 weeks and responses were received from a wide range of organisations and groups. One hundred-and-twenty five responses were published on the DoJ website. These included responses from bodies specifically

representing women; children; parents; older people; people with learning difficulties or disabilities; ethnic minorities; members of the lesbian, gay, bisexual and transgender communities; offenders and their families; rural communities; traders; volunteers; and victims of crime. There were also responses from some local councils; District Policing Partnerships; Community Safety Partnerships; political parties; criminal justice agencies; other non-justice statutory agencies/departments; local community groups/residents associations; human rights bodies; community relations bodies; researchers; trade unions and staff associations; and young people engaged with the criminal justice system.

2.3 In a session of the Committee for Justice on 20 October 2011, representatives from the DoJ provided an overview of responses to the consultation process.²⁰ It was stated that *'The key priorities that emerged from the consultation were the need to address anti-social behaviour, alcohol and drug misuse; to support early interventions to prevent offending; and to support shared communities'*. The key pillars for the Community Safety Strategy were described to be *'a continuing focus on what works to address priority issues such as anti-social behaviour and to build on the partnership approach that has led to a reduction in anti-social behaviour over recent years'* with *'a greater focus on partnership*

²⁰ Committee for Justice, 20 October 2011: Community Safety Strategy, Hansard Official Report, 2011.



working at all levels, including at the Executive table, across departments and locally through the new PCSPs [Police and Community Safety Partnerships]’.

- 2.4 The majority of interviewees were positive about the development of the Community Safety Strategy. It was recognised that there had been a shift in focus towards an early interventions approach, based on partnership working across the Executive, rather than one based on punitive reactions. This is in line with the recent CJI report on *Early Youth Interventions* published in July 2012.²¹ The concerns that were raised were more in relation to how realistic it was that this approach would be delivered in practice, because of the nature of some of the delivery mechanisms in existence, for example the difficulties associated with partnership working and the lack of community ownership in dealing with anti-social behaviour. These issues will be covered in more detail below.
- 2.5 At the time of inspection fieldwork however, and in the absence of the Community Safety Strategy, the majority of interviewees felt that there was a lack of strategy and a shared view in Northern Ireland regarding how to tackle anti-social behaviour. This created difficulties therefore in achieving true partnership working across Executive departments.
- 2.6 The need for the early interventions approach in relation to anti-social behaviour was highlighted by the vast majority of interviewees, particularly in relation to young people. A report on the *Review of the Youth Justice System in Northern Ireland* was published in September 2011 by the Youth Justice Review Team. It also considered the

issue of anti-social behaviour and the need for early interventions to prevent young people becoming involved in such behaviour and in criminal activities. It also highlighted the roles of the police, community restorative justice schemes, youth conferencing and youth work in dealing with children and young people’s involvement in anti-social behaviour.

- 2.7 As early interventions is an area which CJI has recently reported on, it will not be covered extensively here. It is important to recognise however, that often involvement in anti-social behaviour indicates the first step along the path to offending, and there is a need therefore to provide individual and family support to halt this. Many interviewees highlighted the role of the Children’s and Young People’s Strategic Partnership in setting the direction and providing the governance and accountability for agencies in this area, which was beginning to take shape at the time of this inspection.
- 2.8 In addition, at the time of inspection the DoJ were developing a strategy to reduce offending - *The Strategic Framework for Reducing Offending*. This had not been circulated to the Committee for Justice or for public consultation at the time of inspection, but the criminal justice agencies had been involved in its development. Again the views about this document were largely positive, with interviewees commenting on the welcomed focus on prevention and interventions to support offenders and rehabilitate them.
- 2.9 Overall however concerns were raised with Inspectors about a lack of true community planning across Northern Ireland which involves all Executive departments and holds them to account for community safety issues. Some

²¹ *Early Youth Interventions*, CJI, 2012.



stakeholders felt this led to an inconsistent approach, with contributions based on the will of individual agencies or their representatives in an area rather than a real partnership approach. The lack of inclusion, for example, of youth services or social services in community safety matters, considering their critical role in supporting families and dealing with children and young people, was cited as a major difficulty in preventing anti-social and criminal behaviour. The concerns heard by Inspectors during fieldwork for CJI's *Early Youth Interventions* report were repeated during this inspection. In some cases interviewees referred to dealing with the symptoms rather than the causes of anti-social behaviour, which will never result in long-term change.

2.10 In addition, many interviewees highlighted that anti-social behaviour was a symptom of societal issues, such as the predominance of alcohol and drugs in the community, socio-economic deprivation in some areas, poor parenting skills and limited support available to families, lack of facilities for young people which address their needs and a lack of tolerance for the 'normal' behaviour of young people. In the main, the justice agencies have limited ability to affect these issues and they require strategic decisions to be made at Ministerial level (for example around alcohol pricing, family support provisions and housing developments). However justice agencies do continue to work in partnership with others under a number of strategies to try and address many of these issues, for example the New Strategic Direction for Alcohol and Drugs 2011.

2.11 The inability of the DoJ to gain cross-party support for a statutory duty to co-operate on community safety matters in Clause 34 of the 2011 Northern Ireland Justice Bill, is

reflective of the belief by Members of the Legislative Assembly (MLAs) that the DoJ has primary responsibility for community safety with other Executive departments having limited responsibility. The failure to gain agreement on this clause was cited as a major disappointment by agency representatives and stakeholders. The Community Safety Strategy aims to address this in a co-operative rather than statutory manner, but it remains to be seen how well it is able to lead to a joined up approach across Government without underpinning legislation. In the absence of such legislation, the Department's Community Safety Unit had formed work streams under the structure of the Regional Steering Group (formerly known as the Community Safety Forum) to work on areas arising from the Strategy (one being anti-social behaviour) (see below).

2.12 The benefits of a committed approach to partnership working were seen in CJI's *Evaluation of the West Belfast Community Safety Forum* published in 2009. This report suggested that the Forum '*has helped to focus the needs of existing agencies in the area and provide a connection between local demands and the services provided by Government agencies. This has helped to target and accelerate the direction of activity into the area. Moreover the existence of the Forum also provided a tangible manifestation of action on the ground at a time of considerable community unease about local criminality. The composition of those involved in the Forum has also facilitated the connection between the justice system and the local community; this can only assist in the normalisation of policing and justice in the area.*' This arrangement arose however as a result of particular problems in West Belfast which had been ongoing for two years before the Forum was set up. These difficulties required a specific focus from agencies and community



organisations to deliver a more targeted approach to the work of statutory agencies in the area.

2.13 Whilst Inspectors welcome the developments that have been achieved to date by the DoJ in bringing together agencies into the Regional Steering Group, concerns remain that this will prove to be sustainable and that all agencies remain fully committed in light of the lack of a statutory duty to co-operate and to reducing budgets. Whilst Inspectors are content at this point that progress has been made and that recommending the Department continue to work towards agreement for a statutory duty, the outworking of the current approach will be a focus for the follow-up to this inspection and it may be necessary to recommend this in the future. In the meantime however Inspectors recommend that **the DoJ should continue to encourage a full commitment by justice and non-justice agencies with a responsibility for community safety matters to collaborate at both a strategic and local level in working towards implementing the Community Safety Strategy.**

2.14 It should be noted that, during the final drafting of this report, the Home Secretary in England and Wales announced new plans to tackle anti-social behaviour in England and Wales, including orders to replace ASBOs.²² These were to include:

- a ‘community trigger’ - to force the police, councils and other agencies to act if five households complain or three complaints are received from the same household;
- a Crime Prevention Injunction - allowing agencies to protect victims from

- hooligans and vandals at short notice;
- a Criminal Behaviour Order - to stop convicted criminals from engaging in particular activities or going to certain places;
- a faster process to evict anti-social tenants; and
- a faster process to deal with irresponsible tenants.

Due to the timing of this announcement these proposals were not ones that Inspectors were able to specifically consult interviewees upon during the fieldwork. However the areas of legislation, processes and procedures were covered during the inspection, as well as asking interviewees about what changes were needed to address anti-social behaviour more effectively. Inspectors would encourage legislators in Northern Ireland to keep abreast of developments in England and Wales and consider their applicability for Northern Ireland.

Legislation in relation to anti-social behaviour

2.15 In statute, both criminal and civil legislation provided a range of opportunities for criminal justice and non-criminal justice agencies to take action against anti-social behaviour and those involved in it. These are summarised in the table opposite.

Accountability and oversight

2.16 The Regional Steering Group provided a strategic oversight for community safety issues and was co-ordinated by the Community Safety Unit of the DoJ. The Group had recently been re-constituted (initially as the Community Safety Forum which developed the Community Safety Strategy, and then was wound up and replaced by the Group to move onto

²² See <http://www.bbc.co.uk/news/uk-18155579>.



Table 1: Legislation available to intervene in anti-social behaviour

Legislation	Behaviour addressed	Intervention(s) available	Relevant authority(ies)
Anti-Social Behaviour (Northern Ireland) Order 2004.	Protect people from further acts or conduct that would cause harassment, alarm or distress to one or more persons not of the same household as the individual.	ASBOs.	District Councils; NIHE; PSNI.
Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.	Litter, fly-posting and graffiti, dogs, noise, statutory nuisance, nuisance alleyways, abandoned and nuisance vehicles and abandoned shopping trolleys.	Fines, fixed penalty notices, abatement notices, 'Gating Orders', removal of vehicles, removal of graffiti and fly-posters, dog control orders.	District Councils.
Housing (Northern Ireland) Order 1983 and 2003.	Breach of general conditions of tenancy, for example, engagement in anti-social behaviour.	Introductory tenancies, possession and injunction proceedings plus the ability to determine an individual's eligibility for housing and homelessness assistance in respect of their past behaviour.	NIHE; registered Housing Associations.

delivery) leading to broader membership across the Executive. The criminal justice agencies were represented (the PSNI, the PBNI, the YJA) as well as the NIHE and other Executive departments (the Department of Social Development; and the Office of the First and Deputy First Minister). This change was in line with the approach of the draft Community Safety Strategy to undertake a pro-active and preventative approach to community safety. The DoJ had also been working with the Society for Local Authority Chief Executives to try and develop partnership working with district councils at a strategic level. Interviewees suggested that some other departments were not as closely involved in community safety matters, which was symptomatic of the lack of cohesiveness across the Executive in this area.

- 2.17 However the Department's Community Safety Unit advised Inspectors that the initial indications from the setting up of work streams to develop the areas arising from the Community Safety Strategy, had been positive. They felt optimistic that a collaborative approach could be progressed even in the absence of legislation. Inspectors would encourage the DoJ to continue to promote and support such partnership working across Government, in both the delivery of the Strategy and the new Policing and Community Safety Partnerships (see below).
- 2.18 Within each district council a Community Safety Partnership had been set up and in existence since 2003. These had been established on a voluntary basis 'to bring together the police, local councils, voluntary, community and business sectors, NIHE, and





other services like youth justice and probation to develop and deliver action plans to tackle local crime and disorder.²³ Inspectors heard mixed views about the effectiveness of the Community Safety Partnerships. In some areas they were developing plans in relation to community safety and funding, or delivering projects to tackle anti-social behaviour and early interventions. However, Inspectors heard in many areas about a lack of input from non-criminal justice agencies, partly due to the voluntary nature of the Partnerships. In addition it was suggested that, in some areas, the focus was very much on the activities of the police, with limited input from other criminal justice agencies.

2.19 Furthermore, District Policing Partnerships in each council area previously had a role to play in community safety. They were developed so that local people, in partnership with the PSNI, could work together to reduce levels of crime in their district. The District Policing Partnerships were responsible for agreeing local policing priorities and policing plans with the Police Commander for the area and monitoring local police performance. Anti-social behaviour was a large feature of this as a key priority in most areas (see below). Again, Inspectors heard mixed reports about the effectiveness of District Policing Partnerships, with some perceived to focus more on the accountability aspects of their role rather than helping to address anti-social behaviour and crime.

2.20 Concerns were raised with Inspectors as to whether these mechanisms provided true community input. Examples were cited of meetings being held of these or other community engagement events, where only one or two members of the public were in

attendance. Whilst elected representatives clearly have a role to play in sharing the concerns and priorities of the public with statutory agencies, it is important that agencies are able to hear first hand from the communities they serve. In some areas however, work was being undertaken to strengthen communities and give them the skills to deal with anti-social behaviour. For example Craigavon Community Safety Partnership were developing a 'community empowerment tool kit' to build community support at a local level.

2.21 In April 2012 the Community Safety Partnerships and District Policing Partnerships were abolished and new Policing and Community Safety Partnerships created. The functions of these new Partnerships as set out in the Justice Act (Northern Ireland) (2011) is to:

- **consult and engage** with the local community on issues of concern in relation to policing and community safety. The Policing Committee has a distinct responsibility to provide views to the relevant District Commander and the Policing Board on policing matters;
- **identify and prioritise** the particular issues of concern and prepare plans for how these can be tackled;
- **monitor** - a Policing Committee comprising political and independent members will monitor the performance of the police and work to gain the co-operation of the public with the police in preventing crime; and
- **deliver** a reduction in crime and enhance community safety in their district, directly through their own interventions, through the work of their delivery groups or through support for the work of others. The Policing Committee will also engage with the

²³ See www.nidirect.gov.uk/community-safety.



public to obtain co-operation with the police in preventing crime and enhancing community safety.²⁴

2.22 Interviewees all welcomed the changes to these structures and felt that, in theory at least, the Policing and Community Safety Partnerships were a positive development. However there were concerns as to how effective they would be, and whether they would be able to overcome the problems faced by their predecessor bodies. It was also concerning to some interviewees that the name of the Partnership may place the focus primarily on the police, when community safety is a shared responsibility.

2.23 The involvement of statutory agencies in the Partnerships was envisaged through compulsory and local designation. Compulsory designation is a decision of the Northern Ireland Assembly to be made after consultation with all Policing and Community Safety Partnerships. This requires the agency to participate as a member on all Partnerships. Local designation would be made by the Partnership in a particular area, depending on their needs. At the time of inspection the required consultation and Assembly processes to identify the agencies for compulsory designation had not been completed. The PSNI, the NIHE and the Probation Board had been advised that they would be designated, but the YJA had not. However, CJI understands from DoJ officials, it is intended that the YJA would be designated.

2.24 In each district council area there was an Anti-Social Behaviour Forum which had been set up to fulfil the need for consultation required regarding the Anti-Social Behaviour (Northern Ireland)

Order 2004. The Forum had representative members from the PSNI, the district council, the NIHE and the YJA. By the time of inspection, information sharing protocols had been signed between the agencies in all but one council area. This enabled the agency representatives to share information about individuals known to them to be involved in anti-social behaviour and, together, discuss appropriate courses of action (for example, support, interventions, enforcement) to be taken.

2.25 The Forums had been in place at the time of inspection fieldwork for CJI's report on ASBOs, and therefore Inspectors heard that in most areas, processes were well developed and established. However there were still difficulties described in working practices, although these varied from area to area. The issues raised included lack of consistency of staff representing their agency on the Forum; a lack of holistic approach (for example, being unable to get complete background information on the perpetrator such as family, educational, mental health issues); the limited scope of the Housing Executive (i.e. only covering part of the public housing stock and therefore no input from Housing Associations); and a lack of community input. There had been plans to review the information sharing protocols between the agencies, but the lack of a designated point of contact within the PSNI was said to have hindered this. A designated contact from the PSNI had been appointed to work with the Northern Ireland Federation of Housing Associations to develop an information sharing agreement between the two organisations.

2.26 The issue about the inconsistency of staff was raised as a result of changes to the

24 This is a synopsis of the functions of the Policing and Community Safety Partnerships. For further information refer to the Act itself.



staffing of the Forums in the PSNI. As a result of the moves to place Officers back into front-line roles, the work previously done by a single designated Anti-Social Behaviour Officer in each district had, in the main, been devolved to Neighbourhood Policing Teams. The aim of this was to place responsibility for dealing with individuals involved in anti-social behaviour back to the Officers in the neighbourhood they resided, or were engaged in.

- 2.27 Whilst this clearly had benefits in terms of developing a more holistic approach and an approach which was more cognisant of the needs of the community as a whole, Inspectors heard that it had also led to a number of difficulties. These included the inconsistency of representation on the Forums as highlighted above, a limited awareness of many Neighbourhood Officers about how to use the tools available to deal with anti-social behaviour (particularly in relation to ASBOs), coupled with a lack of training in this area, and therefore an inconsistent approach across the PSNI. The Policing Board Thematic Enquiry on Children and Young People²⁵ recommended that each district should have a nominated Anti-Social Behaviour Officer who has received the bespoke youth training. Whatever model is utilised within PSNI districts it is clear that **the PSNI should ensure that those Officers tasked with using tools to address anti-social behaviour are sufficiently skilled and have appropriate resources to discharge their duties effectively.**

- 2.28 In Belfast the Forums had attempted to overcome the issues about community input by having two parts to the meeting; the first limited to the statutory agencies

in order to discuss individual cases, and the second involving the community in discussions about addressing anti-social behaviour more generally. In some areas community input was sought in an informal way from community restorative justice schemes, but this was inconsistent and depended to some extent on relationships in the area. Some work was being undertaken with the information sharing protocols to include the Housing Associations within this so that they would be able to attend the Forums. **Inspectors recommend that the Policing and Community Safety Partnerships are utilised as a mechanism by which to provide comprehensive community input into decision making processes about tackling anti-social behaviour and feedback on the effectiveness of interventions.**

Business plans and priorities

- 2.29 The NIPB and PSNI Policing Plan for 2011-14 highlighted that anti-social behaviour had been identified through consultation with District Policing Partnerships as one of eight issues most concerning to the community. The Policing Plan included two performance indicators relating to anti-social behaviour under two of the objectives in the Plan (Personal Policing and Professional Policing) as outlined in the tables opposite.
- 2.30 Of the 29 areas within the PSNI districts, 27 had at least one performance indicator relating to anti-social behaviour, with some having two, three or four. There were a range of performance indicators and targets used and all featured under the heading of 'personal policing'. Some examples of different indicators and targets are provided in Table 3 opposite.

²⁵ Human rights thematic review children and young people, NIPB, 2011.



Table 2: Anti-social behaviour performance indicators in the Policing Plan 2011-14

Personal policing - dealing with local concerns

<p>Performance indicator 2: The percentage of people who perceive the level of anti-social behaviour to be high in their local area.</p>	<p>Target 2.1: To reduce the percentage of people who perceive the level of anti-social behaviour to be high in their local area (measured using data derived from the NICS).*</p>
	<p>Target 2.2: To establish a baseline of the number of anti-social behaviour incidents in Quarter 1 and achieve a reduction in subsequent quarters (using new Home Office counting rules).</p>

*This figure stood at 13% from the 2009-10 NICS.

Professional policing - delivering an excellent service

<p>Performance indicator 2: The percentage of people who perceive the level of anti-social behaviour to be high in their local area.</p>	<p>Target 2.1: To increase the percentage of people who agree police and other agencies are dealing with anti-social behaviour and crime issues that matter in local areas to 60% by March 2012 (measured using data derived from the NICS)**</p>
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**This figure stood at 38% for the twelve months to March 2011 based on data from the NICS Quarterly Update.

Table 3: Anti-social behaviour performance indicators in the Policing Plan 2011-14

District/Area	Performance Indicator	Target 1	Target 2
A/West Belfast	The number of anti-social behaviour incidents.	To establish a baseline of the number of anti-social behaviour incidents during Quarter 1 and achieve a reduction in subsequent quarters.	To create new/develop existing initiatives/ partnerships aimed at reducing anti-social behaviour.
D/ Carrickfergus	The level of anti-social behaviour.	To report on the number ASBOs, Acceptable Behaviour Contracts and warning letters issued.	To increase alcohol seizures by 10%.
F/Omagh	The level of anti-social behaviour.	To report quarterly to the District Policing Partnership on anti-social behaviour affecting the community and how police resolved the issues.	To report on the number of alcohol seizures from young people.
H/Ballymena	The harm anti-social behaviour has on repeat victims and locations.	To report on partnership initiatives aimed at prevention, diversion and enforcement of anti-social behaviour in Ballymena.	





- 2.31 The PSNI was the only criminal justice agency to have specific targets in its Business Plans in relation to anti-social behaviour, but this is not surprising given the focus for the PSNI on this area. Most of the targets in Local Policing Plans tended to focus on quantitative measures for levels of anti-social behaviour and reduction in the number of incidents. Some of these targets did not appear particularly challenging (for example establishing a baseline of the number of anti-social behaviour incidents with a subsequent reduction, although not specifying by how much). The NIHE had a Performance Indicator in their Corporate and Business Plans 2011-12 to 2013-14 in relation to anti-social behaviour (*'To respond to all reports of anti-social behaviour as soon as possible and in any case within three working days'*).
- 2.32 Several interviewees, particularly from within the PSNI, raised concerns that agencies within other Executive departments did not have any performance measures or accountability arrangements with regard to anti-social behaviour. The Minister of Justice, David Ford MLA, has rightly stated that anti-social behaviour should be a shared responsibility and not one for a single agency alone. This is a position that the PSNI would support. However, the current structures do not place this responsibility on some statutory agencies who could be argued have a role to play, particularly in preventing anti-social behaviour, such as Health and Social Care Trusts and Education and Library Boards for example.

Policies and procedures

- 2.33 The PSNI and the NIHE both had policies in relation to dealing with anti-social

behaviour, which both included references to interventions such as warning letters, Acceptable Behaviour Contracts and ASBOs. The PSNI also had a policy on Discretionary Disposals which attempted to provide a restorative element to disposing of low-level offences and divert children and young people out of the justice system. Other criminal justice agencies did not have specific policies on dealing with anti-social behaviour as it was not part of their core remit, although the methods of dealing with anti-social behaviour formed part of their procedures for dealing with other areas of work.

- 2.34 Whilst policies were in place, Police Officers were not aware what the PSNI's strategy was regarding addressing anti-social behaviour. Different methods of approaching delivery of anti-social behaviour work were seen by Officers as indicative of the lack of clarity around the extent to which the Service as a whole, and individual District Commanders, prioritised anti-social behaviour. Other examples were given where the PSNI's messages to the public about the importance of dealing with anti-social behaviour were not supported by policies or operational decisions, (for example in relation to call grading). These will be discussed further in Chapter 3, Delivery.

Speedy justice

- 2.35 The PSNI had introduced, what were referred to as 'speedy justice' measures, including an Immediate Caution Scheme and Discretionary Disposals. These were likely to be used predominantly for low-level incidents, such as anti-social behaviour. The PSNI information²⁶ states: *'The Immediate Caution Scheme enables cases*

26 See http://www.psni.police.uk/north_2010_2011_q3.pdf.

to be resulted quickly with an immediate journey through the criminal justice system... Where circumstances permit, after a number of factors are assessed, an alleged offender who has admitted committing a low-level crime can receive an immediate caution by way of a disposal for the offence. This would be an alternative option to being reported to the PPS for a prosecution through the courts. Once the Police Officer is satisfied that evidence exists to report the alleged offender for the crime, and where the alleged offender has admitted responsibility and is willing to accept a caution as a method of disposal, the Investigating Officer can telephone a PPS Prosecutor and seek approval for an immediate caution to be delivered.'

2.36 Discretionary Disposals are described as intending to place the victim at the heart of the decision making process, allowing greater access to justice whilst supporting the PSNI's desire to promote confidence in policing. Discretion is an alternative way of dealing with low-level crime, for example minor shop-lifting, minor assaults, graffiti and broken windows. Where a minor offence is reported to police and a suspect has been identified, if the suspect meets certain conditions, for example, they admit the offence and are not a persistent offender, then the matter may be suitable to be dealt with by discretion. The Police Officer will at that stage offer the victim the chance to have the matter dealt with by discretion or alternatively, the case will be sent to the PPS who will decide whether or not the case goes to court.

2.37 A Discretionary Disposal is intended to be as victim led as possible. Therefore their views and their consent are important and are sought (where possible) in order to achieve the most satisfactory outcome for all involved. This will include the outcome sought, such as an apology or the repair of

a broken item. However, ultimately the victim cannot 'veto' a Discretionary Disposal if in all other circumstances police consider it to be the most appropriate method of disposal. Discretion is not a criminal conviction, so the suspect will not be given a criminal record. However details will be held on police records, which will be consulted by Officers in the event of a further offence.

2.38 Concerns were raised during fieldwork for this inspection regarding implications on children and young people of such a policy of discretion. These concerns included:

- a lack of equality impact assessment prior to introduction of pilots or issuing of policy;
- the need for direct consultation with young people;
- the belief that policy is likely to be used disproportionately against those aged under 18 years;
- that diversion needs to be out of the formal criminal justice system where possible;
- lack of training for PSNI Officers in children's rights or prosecution;
- a lack of clarity in the policy as to what constitutes 'discretion' in terms of what actions will be deemed necessary in order to make reparation for the wrongdoing (issues regarding financial reparation, potential for harassment etc.);
- speedy justice not being appropriate in the context of the history of Northern Ireland (potential for compromising accountability and transparency in policing);
- the potential for worsening already difficult relationships between police and young people; and
- a potential for a lack of informed consent for young person.



2.39 Inspectors take these concerns and any possibility of a negative impact on children and young people seriously. However Inspectors also welcome any initiatives that help to reduce the likelihood of entry to, or amount of time spent, in the criminal justice system by children and young people. For this reason, provided the young person is able to give fully informed consent, and understands the consequences of any process, Inspectors would welcome a scheme which encourages reparation rather than punishment. Inspectors questioned Officers about the need for informed consent and they confirmed that a parent or guardian always needs to be present when the process is being explained to the young person so that they understand the process fully.

2.40 Inspectors would however wish to see a thorough consultation process conducted where responses are given real consideration and the full implications reviewed. Inspectors would also wish to see all Officers who come into contact with children and young people, having a good understanding of children's rights in order to ensure they are fully aware of the unique circumstances in dealing with them. This was also covered by the Youth Justice Review in Northern Ireland. The comments of this report and the practical outworking of the PSNI policy is covered in the next chapter on 'delivery'.

Identification of need and prioritisation of interventions

2.41 Various models were in place for assessing the levels of anti-social behaviour in different areas in order to prioritise agency response. The PSNI, the DoJ and the Department of Social Development had been leading on a cross-governmental approach to identifying areas of highest

need based on a number of criteria (such as social stress, disengagement, crime and disorder levels etc.) known as 'collaborative working in disadvantaged areas'. The basis for this idea was that criminal justice, health, education and social development were likely to all be identifying similar areas in need of additional support or funding. The partnership of agencies and departments were considering outcomes and early intervention, collaboration and sustainability, and developed an approach where the partners jointly decide on areas where early interventions are required, and collaborate on the resourcing of the agreed interventions. The PSNI were using the 'Community Prioritisation Index' as the tool to identify the areas in greatest need across Northern Ireland, and targeting their resources in these areas.

2.42 An alternative approach to identifying areas of greatest need on a more local level was being developed by Newry and Mourne District Council, in partnership with a consultant. This data hub aimed to bring together information on calls for service from statutory agencies (including the PSNI, the NIHE, the Fire Service, the Ambulance Service, councils etc.) together with reports of anti-social behaviour and criminal activity from registered community organisations to build a picture of areas with greatest need (at ward level). This would then enable local partners to identify where, in the council area, the greatest demands were, and therefore target interventions and preventative actions at these areas, as appropriate.

2.43 The data hub was, at the time of fieldwork, still in development, but had received positive initial feedback from the PSNI in that area, the NIHE and the DoJ. They had each provided some initial funding to assist



in the hub's development and were in discussions about its future usage and potential roll out to other areas. The hub was planned to be available online and information would be viewed at different levels, depending on access, and certain information would also be available to the general public and communities. This would therefore also enable voluntary and community organisations to use the information when identifying community need and making applications for funding. Inspectors welcome this kind of collaborative approach to work between statutory agencies (across a variety of Executive departments) and communities themselves to identify areas of need in order to develop effective solutions. The hub was due to be formally launched by the Minister of Justice in the near future.



CHAPTER 3:

Delivery

3.1 The DoJ Community Safety Strategy outlined the approach taken to date in addressing anti-social behaviour. It stated that this approach had been *‘to work closely with partner organisations at regional and local level to deliver actions based on three themes:*

- **Prevention** - *a combination of capacity building measures to increase community confidence and encourage community involvement in crime prevention and the provision of physical measures to reduce incidents of anti-social behaviour and crime. Examples of such measures include Community Safety Wardens, Neighbourhood Watch, the Clean Neighbourhood Programme and closed-circuit television.*
- **Intervention** - *including diversionary initiatives to reduce the potential for young people to become involved in anti-social behaviour and criminal activity, through to a graduated intervention from warning letters to Acceptable Behaviour Contracts, to address the behaviour and provide solutions.*
- **Enforcement** - *where earlier interventions have not successfully addressed the issue, ASBOs may be applied for to protect communities’.*

3.2 Throughout this section of the report a number of examples of local initiatives and projects are outlined which Inspectors came across during the course of fieldwork. These are reported upon by way of example rather than to give a definitive

picture of work ongoing to prevent or address anti-social behaviour. Each will be delivered with consideration as to the specific context and needs of the local area in which it is based. There may therefore be many more examples of projects that Inspectors were not made aware of.

Prevention

Public education

3.3 As has been seen in the introductory chapter of this report, the levels of anti-social behaviour have been reducing overall in recent years, as have levels of crime generally. It is therefore likely in Northern Ireland that the fear of crime is more of an issue for most members of the public, than the likelihood of being the victim of a crime. This does not mean, of course, that a victim may not be understandably upset or even traumatised by that experience, but the reality is that most people will not be a victim of crime during their lifetime.

3.4 Several interviewees raised issues with Inspectors about the fear of crime, and highlighted the need for education of the public to address this fear. This was particularly seen to be an issue where children and young people were concerned, with young people often being portrayed by the media as responsible for anti-social behaviour and ‘terrorising’ the streets. Some stakeholders commented that this had led to a lack of tolerance by



older people about the behaviour of young people (for example, the fear of young people ‘hanging about on street corners’) and even a fear among young people about being subject to harassment or victimisation by their peers. The NIPB Thematic Enquiry on Children and Young People²⁷ suggested that children and young people are *perceived* to be the protagonists of anti-social behaviour.

3.5 Some examples were given of Community Safety Partnerships undertaking inter-generational programmes to develop communication and understanding between older and younger people in their areas. However interviewees indicated that there was not a Northern Ireland wide approach to educating communities about the realities of anti-social behaviour, or about what constitutes anti-social behaviour.

3.6 One example of a project providing public reassurance was the Good Morning Northern Ireland Network. The website for the service²⁸ stated:

‘Good Morning is a free, community based telephone support service for older and vulnerable people, supporting them to remain independent in their own homes. It provides daily phone calls, alerting others if a call is not answered, thus providing service users and their families with peace of mind. In addition, the service provides telephone support, enabling users to share worries and concerns and connecting them with local community activities and services.’

3.7 At the time of inspection the Network had a membership of 22 Good Morning services throughout Northern Ireland. The DoJ Community Safety Unit had provided

core funding during the establishment of the service in 2009. It had further resourced the Network in respect of the provision of training, IT, and the development of its web site. Since then funding had been provided mainly by The Atlantic Philanthropies, with the support of the Belfast Community Safety Partnership, the NIHE and Belfast City Council. In March 2012 however, The Atlantic Philanthropies ended their funding which had left the Department for Social Development as the major funder, and uncertainties about future funding was beginning to impact negatively on service delivery. The projects were particularly beneficial for older and vulnerable people, and therefore its failure to continue would have a major impact on individuals, communities and agencies which benefited from the service provided (for example, hospitals being able to discharge patients supported by such a service to free up bed space).

3.8 It should be noted however, that a 2012 evaluation of the Good Morning Belfast, Colin and Dunmurry Services and the GM Network²⁹ states that *‘the primary benefits of Good Morning related to health and social care rather than to criminal justice although there are undoubtedly some associated benefits in terms of reductions in fear of crime and increased safety for older people as a result of sharing information provided by the PSNI or providing security devices and advice.’*

3.9 Issues were also raised with Inspectors about the definition of anti-social behaviour. The current definitions, as outlined in Chapter 1, very much place the emphasis on the perception of the victim(s). It was highlighted that the difficulty with this was

27 NIPB, 2011, Op cit.

28 See www.goodmorningni.org.

29 *Good morning Belfast, Colin and Dunmurry services and GM Network NI*, unpublished report, Williamson Consultancy, 2012.



therefore what could be considered anti-social behaviour to one person, could vary considerably from another. This could therefore depend on the level of tolerance of the person reporting anti-social behaviour and lead to issues whereby children kicking a football in a street could be perceived by some residents to be anti-social, even though it is widely considered to be normal childhood behaviour.

3.10 The context of locality could also therefore impact on the perception of the behaviour; therefore in areas of relative affluence, issues raised at community meetings could be regarding dog fouling and littering, whereas in more economically deprived areas it could be regarding drug-dealing and burglary. Some interviewees felt that the term ‘anti-social’ was also unhelpful and thought that ‘anti-community’ was a more appropriate term.

3.11 The issue of definition was raised in consultation responses to the development of a new Community Safety Strategy for Northern Ireland. The DoJ highlights that the majority of respondents who raised the issue of ‘*an agreed definition of what constitutes anti-social behaviour*’ were organisations who have a role at local level in responding to incidents of anti-social behaviour or in the development or delivery of initiatives to reduce this type of behaviour. Agencies did not indicate in their responses that the legal definition of anti-social behaviour as defined in the Anti-social Behaviour (Northern Ireland) Order 2004 was problematic, but rather were seeking clarity about their roles and responsibilities, and were seeking a definition of anti-social behaviour to be developed which outlined the specific activities to which anti-social behaviour

referred. This, they felt, would enable all agencies to have a clear understanding of their respective roles and responsibilities. The Department confirmed that the issue would be considered as part of the implementation of the new Community Safety Strategy.

3.12 Whilst the messages from any education programme will obviously vary depending on the levels of anti-social behaviour in different areas, it is important that communities in all areas of Northern Ireland are reassured about anti-social behaviour and crime, and where issues do exist about tolerance levels or perceptions of anti-social behaviour, that interventions are delivered, for example highlighting actual crime levels, the effectiveness of agency interventions and projects to build links between different parts of the community (such as young people and older people). **Inspectors recommend that Policing and Community Safety Partnerships should, with support from the DoJ, identify and implement ways to educate their communities about the realities of anti-social behaviour.**

Neighbourhood Watch

3.13 The PSNI website³⁰ defines Neighbourhood Watch as ‘*a method of developing close liaison between households in a neighbourhood, local police and other relevant agencies. The aim is to help people protect themselves and their property, and to reduce the fear of crime by:*

- *improved home security;*
- *greater vigilance;*
- *fostering community spirit; and*
- *improving your environment.’*

30 See www.psnipolice.uk/index/support/support_neighbourhood_watch.htm.



Neighbourhood Watch is co-ordinated by the PSNI, and supported by them, the DoJ and the NIPB.

3.14 Neighbourhood Watch was launched in Northern Ireland in June 2004 and by August 2011 there were 635 Neighbourhood Watch schemes in Northern Ireland covering over 40,000 households. In response to an Assembly Question (AQW 5999/11-15) the Minister of Justice recently confirmed that 117 of these schemes were established between January 2011 and December 2011. There were differences in the spread of the schemes across the eight police districts as shown in the table below.

were supportive of the Neighbourhood Watch initiative. The project report stated *'The most successful schemes seemed to be those that with a formal and well-established reciprocal relationship with the local police, that encouraged contacts and exchanges of information'*. A more recent evaluation has been undertaken but results were unavailable at the time of this inspection.

3.16 In general, interviewees for this inspection, both from the community and the PSNI, were positive about Neighbourhood Watch schemes and their role in reducing crime. In some areas, particularly rural communities, Text Alert schemes for suspicious behaviour had also been set up.

Table 4: Neighbourhood Watch schemes in Northern Ireland by police district

Police district	Number of Neighbourhood Watch schemes
A (North and West Belfast)	22
B (South and East Belfast)	75
C (Ards, Castlereagh, North Down and Down)	154
D (Antrim, Carrickfergus, Lisburn and Newtownabbey)	96
E (Armagh, Craigavon, Banbridge and Newry and Mourne)	171
F (Cookstown, Omagh, Fermanagh, Dungannon and South Tyrone)	55
G (Foyle, Limavady, Strabane and Magherafelt)	20
H (Coleraine, Ballymoney, Moyle, Ballymena and Larne)	42
Total	635

3.15 A research project undertaken in 2007 on behalf of the PSNI, the NIPB and the Community Safety Unit into the schemes³¹ indicated that they were considered to be a successful local innovation by both local residents and representatives of the main statutory bodies involved with policing and community safety. Eighty-two per cent of the residents surveyed for the research

In one area, a Text Alert scheme had approximately 1,500 members of the public signed up. Some issues raised with Neighbourhood Watch included that in some areas it was difficult to get people to sign up as co-ordinators and some members of the public did not feel adequately supported by the PSNI. In other areas, the concept of

³¹ Research into the views and experiences of people involved in Neighbourhood Watch Schemes in Northern Ireland, Social Market Research (2007), Belfast: NIPB, Community Safety Unit and PSNI.



Neighbourhood Watch had negative connotations for the community and there was a reluctance to register for a scheme, but other similar types of schemes were in place (for example Community Alert).

3.17 Dr John Topping of the University of Ulster had recently done some analysis of the location of Neighbourhood Watch schemes.³² The analysis used information from the Northern Ireland Statistics and Research Agency Multiple Deprivation Measure which included domain scores for a number of measures, including crime and disorder levels in each Northern Ireland council output area. This data was used to compare the location of the schemes against the rankings of census output areas in relation to the crime and disorder domain.

3.18 Dr Topping's analysis indicated that the schemes were not located in the most appropriate locations, i.e. those which had the highest levels of recorded crime. When the two sets of data were plotted onto a geographical map of Northern Ireland it is clear that the highest clusters of Neighbourhood Watch schemes are not clustered around the highest levels of crime and disorder. The data shows that:

- 14% of Neighbourhood Watch schemes were located in areas with majority (80%+) Catholic population vs. 55% of Neighbourhood Watch Schemes in areas with majority (80%+) Protestant population;
- 0.5% of schemes were located in the bottom 10% (most deprived) areas of Northern Ireland vs. 90% of schemes located in the top 10% (least deprived)

areas of Northern Ireland; and

- 1.1% of schemes located in bottom 10% (highest crime) areas of Northern Ireland vs. 89% of schemes located in the top 5% (lowest crime) areas of Northern Ireland.

3.19 Of course the cause and effect of this interaction is unclear; it is difficult to say whether areas where a Neighbourhood Watch scheme is set up experience lower levels of crime and disorder as a result (i.e. Neighbourhood Watch leads to lower crime), or whether communities with low levels of crime and disorder are more likely to want to get involved with Neighbourhood Watch (i.e. lower crime leads to more Neighbourhood Watch). Dr Topping would propose³³ that there is no supporting data to suggest that Neighbourhood Watch does actually lower crime. He would suggest, on the basis of research, that Neighbourhood Watch schemes tend to be located in areas with pre-existing low levels of crime, they do not actually reduce crime. Some research shows that Neighbourhood Watch schemes can actually increase fear of crime; as well as heightening community divisions between 'respectable' and 'non-respectable' areas who sign-up to Neighbourhood Watch or not.

3.20 However outside of this cause and effect issue, it was suggested to Inspectors by various interviewees that there were a number of indirect benefits arising from Neighbourhood Watch schemes. These include improved community cohesion, potential reduction in the fear of crime, and an additional mechanism to enable Police Officers to engage with local communities.

32 Northern Ireland Neighbourhood Watch - Participatory mapping and socio-demographic uptake, Topping, J, 2012 - accessed online http://www.nipolicingboard.org.uk/es/ni_neighbourhood_watch_8211_gis_mapping.pdf.

33 Dr J Topping, Criminology Subject Director/Lecturer in Criminology, School of Criminology, University of Ulster, personal correspondence, 15 March 2012.



3.21 It is clear that, should Neighbourhood Watch receive continued support in Northern Ireland, there is a need for further encouragement of Neighbourhood Watch in areas of higher crime and disorder. **The PSNI, supported by the DoJ and the NIPB, should target areas of higher crime and disorder levels when further developing the number of Neighbourhood Watch schemes in Northern Ireland.**

Community Safety Wardens

3.22 In 2008 the DoJ provided funding for a pilot of Community Safety Wardens in the Holylands area of Belfast. Since then the funding was extended to support the appointment and deployment of Community Safety Wardens in 14 district council areas. Some councils had commissioned independent reviews regarding the impact of the Wardens. In one council area the Wardens patrolled during the day from Monday to Wednesday, and Thursday to Sunday nights each week to observe and report incidents of crime and anti-social behaviour to the PSNI. The Wardens also aimed to provide a point of contact for local residents to discuss and report community safety issues and environmental health issues.

3.23 Inspectors heard mixed views about their effectiveness. Some positive feedback was received about the reassurance provided to members of the public by the Wardens, for example in town centres for local businesses. However, there was in general a lack of clarity about what their role was supposed to entail, what powers they had and how they interfaced with the PSNI. Some stakeholders saw their role as being 'policing on the cheap'. There is therefore a need to ensure partner agencies and

stakeholders are aware of the role of the Wardens and receive clarity around their powers and how they should liaise with others who have enforcement powers.

Designing out anti-social behaviour

3.24 Inspectors heard about a range of activities undertaken to attempt to prevent anti-social behaviour and crime by changing the environment in which it occurs. Examples included alley-gating, fencing off bridges over roadways, closing public areas such as parks during evenings and overnight, and considering the potential for anti-social behaviour and criminal activity when designing new public areas or housing estates. Again Inspectors were advised that the likelihood of being able to deliver these preventative measures depended on relationships with partner agencies, for example with the Roads Service, in order to access their professional expertise and assistance.

Addressing the role of alcohol and drugs in anti-social behaviour

3.25 As highlighted above, alcohol is considered to be a significant factor in contributing to anti-social behaviour. The vast majority of community organisations spoken to raised the issue of alcohol consumption, particularly the selling of alcohol at low prices and the problem of underage drinking, as a key factor in anti-social behaviour. This also led to the linking of the night-time economy and anti-social behaviour where town centres and local services became a focus when licensed premises closed.

3.26 Interviewees recognised that this was a societal issue which required a mixed response of prevention and education,



support and enforcement. Inspectors heard of projects in different areas working with addiction services or engagement with those who have been drinking in the community. There were also mixed views around the PSNI response in some areas. In some places examples were given of work with local vintners and supermarkets, and of seizing alcohol from young people drinking in public; whereas in other areas, stakeholders felt that the police could do more by way of test purchases or dealing with drinking in public areas.

3.27 Young people spoken to described different approaches taken by police to seize alcohol from them in the community. In some cases they felt that Officers took a ‘heavy-handed’ approach and described an example of Officers smashing bottles on the ground in front of them. Some young people spoken to also described how Officers would engage in conversation initially to build rapport with them before seeking to remove the alcohol with their consent. Young people perceived that the Officers in the first scenario were from Response Teams with the more engaging Officers being Neighbourhood Police Teams. The young people suggested that they would be less confrontational with Neighbourhood Police in this situation. This issue is discussed further in the next chapter. Inspectors witnessed alcohol seizures from young people and adults drinking in public during the fieldwork for this inspection, and this was undertaken professionally in each case observed. In some cases the contents of open cans were poured away, and in others bottles and sealed cans were taken back to the police station (where for example photographs could be taken of seizures for local publicity).

Intervention

Early intervention

- 3.28 As highlighted in the previous chapter, the topic of early intervention to prevent offending has been covered extensively by CJI in its recent report, published July 2012.³⁴ This report will not therefore repeat that commentary. However the need for early interventions was raised by interviewees from all sectors and was a constant theme, particularly in relation to young people and their involvement in anti-social behaviour.
- 3.29 The Housing Executive suggested that they had adopted an early interventionist approach to addressing anti-social behaviour. One example of this was the use of mediation to resolve lower-level anti-social behaviour issues. The Mediation Unit within the Community Safety Team made arrangements for both parties in the dispute to be contacted by a professional mediator. The Housing Executive Statement of Policy on Anti-Social Behaviour says that *‘mediation permits individuals to discuss their grievances and resolve their own disagreements. It can offer a more positive alternative to legal action.’*
- 3.30 The Housing Executive also provided mediation support through a community-based approach to tackling anti-social behaviour. In Belfast and North Down the Housing Executive partnered with Northern Ireland Alternatives and Community Restorative Justice Ireland in the delivery of a mediation and community support programme. In partnership with the Housing Executive they delivered mediation in anti-social behaviour cases identified and agreed with the Housing Executive. In addition, the restorative justice schemes further supported families

34 *Early Youth Interventions*, CJI, 2012.



and individuals in an effort to address many of the underlying issues often manifested in unacceptable behaviour.

Diversionsary approaches

3.31 Through Anti-Social Behaviour Forums, agencies had the ability to stage their approach to anti-social behaviour and this was proposed as good practice. Once a case was referred to the Forum, the evidence of anti-social behaviour to date was discussed and a strategy to address it was formulated. In most cases the first stage of this process was to send the individual (or their parent or guardian) a warning letter (with possibly a second letter and a physical visit from one or more agencies) with the option then to seek their agreement to enter into an Acceptable Behaviour Contract if there was no change in behaviour. Alongside these options various types of support or behavioural change interventions were utilised such as the mediation process described above, restorative referrals or links to community organisations. The agencies could also seek an ASBO if there were no changes seen in behaviour (see enforcement below). The agencies agreed a suitable approach based on the individual circumstances and evidence available for each case.

Warning letters

3.32 It was estimated by two of the agencies involved in the Anti-Social Behaviour Forums that 75% of anti-social behaviour issues were resolved by way of a warning letter. Members of the PSNI suggested that warning letters were particularly effective when dealing with young people, and that the majority of parents responded positively to them. In some areas it was

highlighted that one or more agency representatives (depending on the type and location of behaviour) visited the individuals to hand deliver the warning letter which reinforced the message behind it.

Acceptable Behaviour Contracts

3.33 The next stage of dealing with anti-social behaviour through the Forums, if the warning letter(s) proved unsuccessful, was to seek agreement to an Acceptable Behaviour Contract. This is a written agreement between an individual who has been involved in anti-social behaviour and one or more of the statutory agencies. The Contract lists the series of anti-social acts in which the person has been involved and which they agree not to continue (such as particular types of behaviour, association with particular individuals), similar to the prohibitions of an ASBO, but may also include positive requirements (for example, engagement with support services).

3.34 One example of the type of support services was the use of the Assisting People and Communities programme which was funded by the NIHE and provided by the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO). This programme provided a mentoring service which aimed to address many of the underlying issues associated with the individual's anti-social behaviour. The worker would develop an action plan and agree with the individual access to a range of support and diversionsary services appropriate for their needs, including alcohol and drug rehabilitation, education and employment opportunities, parenting skills, budgeting and housekeeping skills etc. Individuals could be referred to this service by Housing Executive staff, as well

as Banbridge District Policing Partnership who had used it as a source of support for residents in the district.

3.35 When CJI undertook its inspection of ASBOs it found that, whilst there was data available centrally regarding ASBOs applied for and granted, similar data was not held centrally for warning letters and Acceptable Behaviour Contracts. A recommendation was therefore made that this data should be collected in order to evidence that a proportionate approach was being used in addressing anti-social behaviour. The PSNI had implemented this recommendation and data was made available for Inspectors.

3.36 The data clearly showed that far greater numbers of warning letters were being used by the PSNI compared to other interventions, and greater numbers of Acceptable Behaviour Contracts than ASBOs. In addition, Inspectors were advised that in one district, some cases

were discharged for young people already involved with the criminal justice system by the YJA. The Agency worker would discuss the issues with the young person and, if they were in agreement, the anti-social behaviour issues could be dealt within the course of their Youth Conference Plan or other work with the Agency, rather than by a separate course of action. This is to be commended, as it reduces the number of individuals involved in the life of the young person and takes a more holistic approach to their behaviour. The data provided to CJI in relation to warning letters and Acceptable Behaviour Contracts only relates to those issued by the PSNI. It would be helpful in order to establish a more holistic overview of the use of these interventions in Northern Ireland if this data was available for all agencies involved. This is ideally a role for the DoJ with its co-ordination role in anti-social behaviour matters.

Table 5: Figures for interventions used by the PSNI to address anti-social behaviour

	Warning letters	Acceptable Behaviour Contracts	ASBOs*	Total
2010-11	1,140 (82%)	227 (16%)	25 (2%)	1,392
2011-12	1,126 (91%)	99 (8%)	15 (1%)	1,240

**NB: There are differences between the PSNI and the NICTS data regarding the number of ASBOs granted (see Chapter 3) and therefore these figures may not be entirely accurate, but they give an indication of the proportion of each type of intervention. The figures used here are the higher number provided by the NICTS (provisional data).*



3.37 A study undertaken in England and Wales in 2009³⁵ collected data from 10 Crime and Disorder Reduction Partnership areas for the previous two to five years, showing the interventions used for anti-social behaviour. This found that the most common interventions were warning letters (44%) and Acceptable Behaviour Contracts (22%). The more punitive interventions were less common with only 9% of interventions being for an ASBO or ASBOs on conviction. As explained below, the figures from the PSNI in Northern Ireland show a more proportionate approach than has been used in England and Wales, which supports the anecdotal evidence from criminal justice agencies and stakeholders.

Diversion to the Youth Justice Agency

3.38 Some stakeholders mentioned concerns that, in the main, young people were unlikely to be able to work with the YJA unless they had committed an offence and therefore received a formal sanction (see below). The YJA had in recent years, due to operational and resource constraints, focussed on adjudicated offenders rather than taking voluntary referrals as they had been able to in the past. This had therefore led to a focus on youth conferencing as the primary method of addressing offending by young people. Youth conferencing is discussed further below in the section looking at enforcement. The YJA were still however involved in some diversionary activities. They funded a number of early interventions projects through their external funding panel (see CJI's July 2012 publication, *Early Youth Interventions*).

Community-based projects

3.39 Community Restorative Justice schemes were felt by many interviewees to be critical in addressing anti-social behaviour in local communities. The work of the schemes has been reviewed extensively by CJI³⁶ and will not therefore be replicated here. The schemes provided many diversionary projects and restorative work to deal with low-level incidents in the community, which form the basis of anti-social behaviour. The schemes were also able to report and pass information from community members who were reluctant to engage with statutory agencies to the PSNI. However, the lack of an information sharing protocol was hindering the ability of PSNI Officers to make referrals to the schemes in order to seek diversionary options, particularly for young people.

3.40 The PSNI had developed a memorandum of understanding for use with the PPS and Community Restorative Justice schemes, which had been used since November 2011 for a pilot in the PSNI's 'A' District (North and West Belfast). This enabled the PSNI to recommend a diversionary disposal to a scheme (subject to a number of criteria being met) with the PPS taking the final decision as to whether that disposal should be directed. The pilot had initially been intended to last until March 2012 and then subject to an evaluation, but discussions were taking place at the time of this inspection, as to whether the pilot should continue over a longer period. Inspectors look forward to the out-workings of this pilot.

35 *Describing and assessing interventions to address anti-social behaviour: Key findings from a study of ASB practice*, Research Report 51, Clarke, A. et al, 2011, London: Home Office.

36 See CJI's inspections of Northern Ireland Alternatives and Community Restorative Justice Ireland, available at www.cjini.org.

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- 3.41 Inspectors also heard about a number of community-based projects which involved statutory agencies and communities working together to address anti-social behaviour in their area. A brief summary of some of these projects is provided below.
- 3.42 The **Street by Street project** was a partnership between the PSNI, the Belfast City Council Community Safety Unit and Wardens, Social Services and the NIHE. The project, which operated in East Belfast and was launched three years ago, was a partnership between community and voluntary groups and statutory agencies. It involved local people actively monitoring anti-social behaviour in their own areas. Local volunteers walked around their neighbourhoods on Friday and Saturday nights looking for any potential problems and providing a visible presence. They interacted with young people to check on their welfare and provide support or advice, but had no powers to intervene with young people. They were however able to signpost young people to support organisations, follow-up concerns through Northern Ireland Alternatives Co-ordinators and contact the PSNI with concerns about risk or safety. This also enabled agencies to identify 'hot spot' areas where anti-social behaviour was an issue and respond accordingly.
- 3.43 In its initial year the project engaged with 1,374 youths (duplicated count) and 164 parents. In addition 176 victims received victim services (such as home visits, crime prevention, mediation) during the initial project year. An evaluation of the project undertaken in 2010³⁷ commented that '*Street by Street helps to build a local capacity to participate effectively in community safety*'.
- 3.44 The project had received widespread attention during its pilot year and addressed some community safety issues such as on-street and underage drinking, neighbourhood disputes, bonfire issues and disturbances around vacant properties. Engagement with the wider community had taken place, for example the provision of a community mobile telephone number for residents to contact in times of need and community leaflets distributed highlighting local issues such as anti-social behaviour. Anecdotally Inspectors heard that the project had been highly successful in reducing anti-social behaviour in the area. This type of work illustrates the benefits of a partnership approach between the community and statutory agencies. **It is recommended that the DoJ and the PSNI identify best practice from the Street by Street project and how this can be used to support the setting up of similar schemes in other areas.**
- 3.45 The **Streetsafe project** was a mobile priority youth programme in North Down developed by the Community Safety Partnership. Volunteers from the community would travel round neighbourhoods in a mobile vehicle engaging with young people on the street. This was commenced on the basis that there was a limited amount of statutory agency engagement. The volunteers would speak to young people for a period of time and then youth workers would attempt to engage them in diversionary activities. The Community Safety Partnership allocated £5,000 for a 12-week period of the project, and young people were targeted on the level of anti-social behaviour they were involved in.

37 Community safety in East Belfast: The Street by Street project annual evaluation (2009-10), Belfast: Northern Ireland Alternatives, Mika, H 2010.



- 3.46 In several areas young people involved in anti-social behaviour were signposted to diversionary programmes run by the Northern Ireland Fire and Rescue Service, such as the **LIFE scheme**. LIFE stands for Local Intervention through Fire Education. The scheme involves taking 14 young people from the local community and putting them through a challenging training course similar to that of a trainee fire-fighter. Emphasis is placed on the consequences of attacks on the emergency services, hoax calls, car crime and general anti-social behaviour. Young people were referred from local community and statutory organisations. Inspectors heard positive feedback about the scheme from Community Safety Partnerships in several areas.
- 3.47 Inspectors were also told about projects targeted to take place at specific times of the year such as the summer or Hallowe'en. These types of projects took young people away from their local community at critical times or involved them in specific activities to keep them engaged during times when they may otherwise become involved in anti-social behaviour. Many of these projects received funding from Community Safety Partnerships.
- 3.48 One example of this type of scheme took place in the Newry and Mourne District Council area to address issues of rioting at Hallowe'en. A multi-agency approach between justice and non-justice agencies was used, as well as engagement with the community, for example through church groups, local bands, the Gaelic Athletic Association, boxing clubs etc. The scheme involved engagement with adults in the community, such as training for community stewards, and ways to divert young people from trouble. This had led to impressive outcomes as monitored by call outs of the

Fire Service (reduced from 331 to 56 in four years). In addition the project led to a reduction in the requirement for PSNI resources, as they were able to reduce their presence over the period from four Tactical Support Group Units to two Neighbourhood Policing Teams in 2011. The success of this scheme had led to further community projects and a greater involvement in the community of addressing anti-social behaviour.

Enforcement

- 3.49 Where the diversionary approaches outlined above have failed to bring about behavioural change, there is a need for agencies to have options available which will enable them to protect communities. Some of these approaches may usually be considered, and referred to as, Diversionary Disposals in criminal justice terms (for example, immediate cautioning or youth conferencing) as they aim to keep individuals away from the formal justice system. However they are considered, for the purposes of this report, to be enforcement as they are a 'last resort' where other options have failed.
- 3.50 It should be noted that whilst this section focuses on enforcement by the criminal justice agencies, it was suggested to Inspectors that often the threat of eviction by the Housing Executive was one of the most effective enforcement options. However this approach was not seen as being without difficulties, particularly where the perpetrator of the anti-social behaviour was a young person and the tenant was their parent, who was often struggling to cope with their child's behaviour. It was suggested that support services were particularly important in these cases as any 'punishment' could impact on the whole family.

PSNI call handling

- 3.51 A large number of requests for assistance to tackle an anti-social behaviour issue were received by the PSNI through their call handling centres. Inspectors spoke to staff in two call handling centres about their experiences of dealing with such calls, and to others who had knowledge in this area. It should be noted however that CJI have just completed an inspection of contact management in the PSNI (published June 2012) and therefore this inspection did not seek to replicate that piece of work.
- 3.52 Call handlers estimated that 60% - 70% of calls for service related to anti-social behaviour and lower-level crime which the public may perceive as anti-social behaviour. It was noted however, that this may vary depending on the time of day, locality or time of year (for example, summer or Hallowe'en as mentioned earlier). The majority of calls would be received on the non-emergency 0845 telephone number, reflecting the nature of the response required. Calls would be received from members of the public but also from community representatives ringing about issues in a specific area.
- 3.53 The PSNI, like most police forces, had a call grading system in which calls were categorised as *emergency*, *priority* (requiring a response within one hour) and *resolve without deployment* (if they could be resolved over the telephone; for example if the caller required information or if another agency was responsible for dealing with the issue). In addition to this, the PSNI Commitments, which had been presented to the public in April 2011, stated that '*...if you are calling about an agreed community priority in your area, we will aim to be with you within 60 minutes.*' In many areas anti-social behaviour was a

community priority for that area.

- 3.54 The PSNI document *Anti-Social Behaviour Incident Types and Definitions* introduced in April 2011 sets out the approach for call handlers in relation to risk assessment of calls. It states:

'To match these three categories call handlers at the first point of contact must have risk identification and assessment as a key part of their thinking and questioning process as none of the three categories is linked to a specific response grading.

There will be occasions where an immediate response to an anti-social behaviour incident is appropriate but there will also be occasions where a slower response is more suitable. The onus is on the call handler to ensure the correct initial response and for them to record their rationale. There is a simple model consisting of three questions which will support the consideration of risk process:

- 1) *What can go wrong?*
- 2) *How likely is it?*
- 3) *What are the consequences?*

Effective risk management involves the identification, assessment and prioritisation of risks. It should lead to the appropriate use of resources to minimise, monitor and control the probability and/or impact of anti-social behaviour.'

- 3.55 From Inspectors meetings with call handlers it did not appear that they recognised clearly the need for this risk identification and assessment when dealing with calls in relation to anti-social behaviour. Whilst it could be argued that call handlers intrinsically undertake risk assessment for every call, and that it is a fundamental element of their role, they advised that they had not received specific



guidance or training in relation to dealing with anti-social behaviour, save for a couple of examples of emails sent about specific issues.

3.56 Inspectors were advised that, under the current call grading and call handling systems, it was often impossible to provide a fast response to incidents of anti-social behaviour. Under the call grading system the majority of calls for service would be prioritised for a response above calls regarding anti-social behaviour. This is because requests for service at the scene of more serious offences such as assault, burglary, robbery, domestic abuse or serious crime, would naturally necessitate a quicker response than for example, a report of criminal damage or a neighbour dispute.

3.57 The HMIC inspection of anti-social behaviour in 2010³⁸ highlighted issues in relation to call handling in cases of anti-social behaviour. The report said:

'It should be noted that 'calls for service' are managed by way of attendance criteria, and a graded priority response often leaving grading decisions to control room operators who may be unaware of the history or the impact of the behaviour being reported. This has been the accepted method for many years, and has been recommended to the police by many agencies, including HMIC. However, the analysis showing the impact on public outcomes and satisfaction cannot be ignored. Those forces with the best systems and processes are not always those who have the greatest demand and, where systems are poor, the chances of those cases, where the risk to individuals is greatest, not being properly addressed are necessarily increased.'

3.58 In addition HMIC highlighted that *'victims are adversely affected by graded response systems that prioritise calls for attendance (or non-attendance in the case of anti-social behaviour); and lengthy partnership processes which have distinctive significant negative consequences for victims. Indeed delay can amount to inaction from the victim's perspective.'* (HMIC inspection findings 2010).

3.59 At the time of fieldwork for this inspection, the PSNI had just implemented Customer Relationship Management Software which would enable call handlers to identify which issues the local community recognised as a priority. This therefore meant that this one of the Policing Commitments had yet to be fully realised. Call handlers did receive information via email about priorities from Area Commanders or local Sergeants, but the sporadic nature of these made them difficult to act upon as they required the call handlers to be able to remember what priorities were in place and in which location. In light of these issues Inspectors recommended in their 2012 report on contact management in the PSNI³⁹ *'to achieve a service that takes account of local priorities as effectively as possible, a technology solution should be found to displaying district priorities on-screen to call handlers based on the origin of the call.'*

3.60 The concern raised with regard to this approach was that the community were being given false expectations; i.e. being told that anti-social behaviour was a priority and that the police would attend promptly when the reality could be very different. Whilst a police patrol would be dispatched promptly if resources were available, on

38 *Anti-social behaviour: Stop the rot*, HMIC, 2010.

39 *Answering the call: an inspection of the Police Service of Northern Ireland's contact management arrangements*, CJI, 2012.



many occasions Inspectors were told that there were no Officers available to attend within an hour. The call handlers therefore had to advise the caller that there could be a delay and keep them updated as to when an Officer would be with them or schedule Officers from a Neighbourhood Policing Team at a later point, for example the following day, depending on the issue raised.

3.61 In addition, there had been reassurances given in the public domain by the Chief Constable, that the PSNI would go to all requests for attendance in order to provide a good level of ‘personal’ policing. Again this caused difficulties when call handlers felt that an issue could be resolved without deployment of Officers or by directing callers to another agency (for example to the local council where there were reports of excess noise in a property).

3.62 In many circumstances attendance from a Neighbourhood Officer may be entirely the most appropriate course of action. Neighbourhood Officers, due to the nature of their role, will be likely to be better acquainted with the residents and issues of a local area, have more time to spend with the individual and be able to take a longer-term problem solving approach to the issue. However this decision needs to be based on complete and accurate information of the history of anti-social behaviour in order to identify and assess the risk to victims. In addition, communities should be given realistic expectations as to the service they can expect from the police.

3.63 It was also felt that there was a lack of support from other agencies outside normal working hours. The majority of

district councils, the NIHE and other statutory agencies often did not have an out-of-hours service for reporting anti-social behaviour incidents. This therefore led to the perception that the PSNI were expected to respond to any issues that happened in the evenings or overnight, although they may not always have the responsibility for the issue of concern. Attempts had been made to address this in seven areas by a partnership between the PSNI, the NIHE and local councils (Antrim, Banbridge, Belfast, Derry/Londonderry, Limavady, Moyle and Strabane) for the funding and management of after hours/night-time warden services. This type of partnership working is a positive step in addressing evening and night-time anti-social behaviour.

Repeat and vulnerable victims

3.64 The issues described above are particularly pertinent when the victim of the anti-social behaviour is a repeat sufferer of a series of incidents or when they are particularly vulnerable, for example by virtue of their age, a disability, mental health issues or some other factor. In 2009 a tragic suicide case was widely reported in the media which highlighted the issue of vulnerable victims of anti-social behaviour in Leicestershire.⁴⁰ Fiona Pilkington killed herself and her 18-year-old daughter in October 2007 after suffering years of anti-social behaviour from local youths.

3.65 The inquest into the suicide heard that Ms Pilkington had repeatedly complained to the police after being targeted by gangs of local youths for 10 years. She was a full-time carer for her disabled daughter but they had been constantly taunted by groups of up to 16 youngsters with stones, eggs and flour regularly thrown at the family home. Ms Pilkington had contacted the

⁴⁰ See <http://news.bbc.co.uk/1/hi/england/leicestershire/8268521.stm>.



council four or five times and phoned police 33 times asking for help. The report by the Independent Police Complaints Commission into the case found that Leicestershire Police had failed to identify Ms Pilkington and her daughter as vulnerable.

- 3.66 This case highlights the need for police forces and other agencies responsible for addressing anti-social behaviour to identify vulnerable and repeat victims at the earliest possible stage. There is a key role for local personnel to be involved in this, but also there is a need for technology which supports staff in identifying calls from the same individual or address. This identification then needs to be followed up with a pro-active approach to the issues and an adequate response to further calls for service.
- 3.67 The Ipsos MORI research undertaken in support of the HMIC inspection⁴¹ involved speaking to 5,699 respondents of those who have experienced the effects of anti-social behaviour first hand. This identified that repeat victims, (71% of the 5,699 surveyed), were more dependant on the quality and focus of police systems than those who have only called once (29% of those surveyed).
- 3.68 The software that the PSNI were in the process of implementing during the fieldwork for this inspection was also designed to provide call handlers with information on repeat victims. Whilst current systems enabled some identification of attendance at the address previously, Inspectors heard that this was a cumbersome process. In some cases this was flagged up by Neighbourhood Officers but there did not appear to be a consistent

approach to identification. The Customer Relationship Management Software was intended to overcome these issues and make it easier to identify both repeat and vulnerable victims.

- 3.69 Call handlers advised Inspectors that they had not received training on identifying vulnerable victims. One call handler gave an example of a disagreement with a more Senior Officer as to whether a victim was vulnerable by virtue of her age. This highlights the need for better training and guidance for call handlers in how to ask questions to identify vulnerable victims, and the indications that may signal vulnerability in order to ensure consistency of approach. Inspectors therefore recommend that **the roll out of the PSNI Customer Relationship Management Software should be supported by appropriate training and guidance for call handlers in how to respond to calls for anti-social behaviour, including how to identify and prioritise repeat and vulnerable victims.**
- 3.70 PPS Prosecutors confirmed that issues with regard to repeat, vulnerable or high-risk victims were usually covered in the outline of a case provided by the PSNI Investigating Officer. This should prompt the Prosecutor to consider the need for special measures for the victim or witness. The recent CJI report on special measures⁴² commented however that '*Inspectors saw a number of examples where witnesses were assessed as either vulnerable or intimidated but there was no qualitative information which indicated the reasons for such an assessment either in the case outline or in statements.*' The report recommended that '*the PSNI and the PPS agree a broad structure for case outlines which incorporates the flagging of vulnerable and*

41 *Anti-social behaviour: Stop the rot*, HMIC, 2010.

42 *The use of special measures in the criminal justice system in Northern Ireland - a thematic inspection*, CJI, 2012.

intimidated witnesses, including those who may be assessed as vulnerable by reason of age or offence only'. The issue of special measures will therefore not be covered further here.

Police response to calls for service

3.71 Responding to issues of anti-social behaviour was a key role for Neighbourhood Officers who were focused on solving problems in partnership with local communities. Neighbourhood Police were also involved in organising and supporting diversionary activities, attending community meetings, engagement in programmes with young people and patrol duties in their designated area. When calls for service were received a response was provided by either a Neighbourhood or a Response Team (depending on the nature of the call and resources available). In addition, Officers could be detailed to patrol areas where issues had been reported previously, or tasked to operations designed to target specific sources of anti-social behaviour, such as the night-time economy. CJI have previously reported on the role of Neighbourhood Policing Teams in its inspection and recent follow-up review of *Policing with the Community*.⁴³

3.72 Inspectors heard from a number of sources that there was perceived to be a different approach from Response Officers to that of Neighbourhood Officers when dealing with suspected perpetrators of anti-social behaviour, particularly when they were young people. In general it was suggested that Neighbourhood Officers had a more engaging style and would deal with individuals in a respectful and pleasant manner, whereas Response Officers tended to deal with issues in a more robust

manner which could lead to hostilities. One interviewee commented that the attitude of Response Officers could actually "cause" anti-social behaviour and could undermine the relationships built up by Neighbourhood Officers. It was noted, particularly by young people, that the Neighbourhood Officers approach would still lead to a positive outcome (for example, the seizure of alcohol from young people drinking in a public place) but with far less likelihood of an altercation arising between the police and the individual, and therefore less likelihood of the need to make an arrest.

3.73 This is not the only inspection in which CJI have heard these type of comments, nor are CJI the only organisation to have commented upon it. *The Review of the Youth Justice System in Northern Ireland* published in 2011⁴⁴ stated the following:

'Our discussions with young people, which mirror the findings of the Criminal Justice Inspection Northern Ireland and the Northern Ireland Policing Board, suggest that too many Officers are still adopting a judgemental and prejudicial, even antagonistic attitude towards some of the young people they encounter. In a recent Northern Ireland wide survey of young people under the age of 25, of those who reported contact with the police (70%), more than a third (38%) said they experienced disrespectful behaviour, and just under a third (31%) reported being wrongly accused of misbehaviour. Nearly half (47%) said the police never treated them with respect.'

3.74 Some interviewees suggested that the issues raised above were cultural in nature, and it was an issue Inspectors were told the Policing Board intended to address further. In addition some stakeholders

⁴³ *Policing with the Community*, CJI, 2009 and 2012.

⁴⁴ *A review of the youth justice system in Northern Ireland*, Youth Justice Review Team, 2011.



suggested that Officers were “out of touch” with people from working class areas and therefore had little respect for them during their interactions. The NIPB *Thematic Review on Children and Young People*⁴⁵ and the Youth Justice Review report⁴⁶ both included recommendations regarding the manner in which PSNI Officers engage with young people. The evidence from interviewees in this inspection would support the need for work in this area. The Youth Justice Review Team provided a recommendation about youth engagement which included ‘*modelling best practice in interacting with young people to increase trust and minimise offending*’ and ‘*developing an appropriate skills package for all Officers on engaging with children and young people*’. This report was out for consultation at the time of inspection.

3.75 The Policing Board report recommended that ‘*The PSNI should consider developing bespoke youth training which will be delivered at the Police College and thereafter by refresher training within districts. All Officers within Neighbourhood Policing Teams, Response Teams and Tactical Support Groups should have received the training before taking up their positions.*’ The PSNI advised Inspectors that the recommendation from the Policing Board Thematic Review had been accepted and was being progressed by its Service Improvement Department with a projected completion date of early 2013. Inspectors look forward to the outcome of this work.

3.76 During the observations of Neighbourhood and Response Teams, Inspectors were keen to see if there were differences in the manner in which Officers interacted with young people engaging in anti-social behaviour. In reality, and in most areas, Inspectors saw very little evidence of anti-social behaviour occurring at all (despite

being on patrol during peak times on Friday and Saturday evenings/nights). There was therefore limited opportunity to observe these interactions.

3.77 However, what was noted as different was the approach the Officers took to tackling issues that arose. Response Officers did not appear to take as much of a long-term view of anti-social behaviour as Neighbourhood Officers. In some cases Response Officers explained that they did not want to be returning to the same issue in a few hours and therefore felt that a robust approach to the problem was more effective. Alternatively Neighbourhood Officers were aware that they would be patrolling in the same area each time they were on duty and therefore saw the need for solutions that addressed the issues in the longer-term. The differential ownership of the problem was thus seen as a recurring concern.

3.78 Whilst it could be argued that both of these approaches could be effective in certain circumstances, the approach taken by Neighbourhood Police was more in keeping with the ethos of policing with the community. This approach would also be more likely to build relationships with the community, which is particularly important in areas where traditionally residents have been hostile towards the police.

3.79 Whilst the issues highlighted above in relation to young people are not specific to anti-social behaviour, it is these types of common, but lower-level issues that the PSNI needs to continue to attempt to gain, and retain the support of the community and those they interact with. The introduction of Individual Performance Reviews by the PSNI in April 2012 is one mechanism by which the organisation

45 NIPB, 2011, Op cit.

46 Youth Justice Review Team, 2011, Op cit.



intends to reinforce the need for policing with the community and *personal, professional and protective* policing. However, in addition to the human resource processes this will need to be supported by pro-active and positive supervision which addresses inappropriate behaviours such as those described and found during the inspection. Inspectors heard that some Response Supervisors held negative views about Neighbourhood Policing and therefore favoured a robust approach, or that lower-level issues were passed to Neighbourhood Teams. This ethos would therefore permeate down to the Constables on their Team who would then, often early in their service, develop negative perceptions of community policing.

3.80 Anti-social behaviour has traditionally been an ongoing problem which is difficult for police and other agencies to address. Often issues are resolved in one area by way of physical interventions, but this can lead to displacement of the problem to another area. Difficulties often arise when the problems are related to a lack of alternative opportunities (for example, a lack of areas in which young people can congregate safely, sporting facilities, youth clubs etc.) or when issues relate to differing lifestyles in residential areas (for example, neighbour disputes, noisy parties etc.).

3.81 The HMIC inspection report on anti-social behaviour⁴⁷ stated that:

‘Of the various different police approaches and processes in relation to anti-social behaviour, our analysis suggests that three are critical if forces want to deliver a more effective service for victims.

- *Briefings on anti-social behaviour for all staff likely to deal with the issue (including Neighbourhood, Response and Criminal Intelligence Department (CID) Officers).*
- *Tracking what is happening locally using data and intelligence.*
- *The problem-solving capacity of Neighbourhood Policing Teams.’*

3.82 Inspectors observed briefings of Neighbourhood Teams which covered issues of anti-social behaviour, hotspot areas to be patrolled, significant anti-social behaviour issues since the Team was last on duty, and issues that needed a follow-up. There was a clear strategy for targeting the anti-social behaviour hotspots and ensuring that patrols were visible and targeted. Inspectors witnessed one Response briefing in which the Neighbourhood Inspector highlighted the need to be pro-active in relation to anti-social behaviour, and the local areas where anti-social behaviour had been an issue. Response crews were requested to patrol these areas when they were not attending other calls and to ensure a presence around licensed premises over closing time. Inspectors did not have an opportunity to attend Criminal Investigation Department briefings.

3.83 During the observation visits at the start of shifts, Inspectors observed Neighbourhood Officers familiarise themselves with anti-social behaviour issues via emails, the Command and Control system, NICHE (the PSNI’s Case Management System) and the ‘OSCAR’ system (the PSNI’s system for recording alcohol seizures). They used these systems to identify incidents that had occurred since they were last on duty, issues or calls regarding individuals known to be involved in anti-social behaviour, and calls made that required a follow-up by the Neighbourhood Officers. In some areas the Neighbourhood Team office had a

47 HMIC, 2010, Op cit.



whiteboard system where key contacts, individuals and issues were written on the board, therefore easily visible to the Officers.

3.84 Inspectors witnessed a number of problem-solving approaches by Neighbourhood Officers depending on the circumstances of the issue and the local context. This included:

- seizure of alcohol from adults and young people in public areas;
- patrolling both in vehicles and on foot to provide a visible policing presence;
- speaking to individuals known to be involved in anti-social behaviour and criminal activity to alert them to the police presence in the area;
- recording details of individuals involved in anti-social behaviour (for example, drinking alcohol in a public place);
- searching individuals suspected of being in possession of drugs, alcohol etc.;
- entering licenced premises and speaking to licensees to remind them of their responsibilities;
- speaking to local residents/retail staff in areas where anti-social behaviour and other issues had been highlighted to provide reassurance and seek updates; and
- involvement in youth engagement events.

3.85 In addition Inspectors heard of the following interventions undertaken by Neighbourhood Officers:

- partnership working with other agencies to address anti-social behaviour problems (for example, to erect signage in particular areas, alley gating, joint visits to anti-social behaviour perpetrators) including attendance at multi-agency meetings;
- youth projects to address graffiti issues;

- encouraging local residents to set up Neighbourhood Watch schemes;
- offering crime prevention advice; and
- media releases regarding successful interventions (for example, alcohol seizures).

3.86 The interventions listed above demonstrated to Inspectors the pro-active nature of the response by Neighbourhood Police to anti-social behaviour. This reinforces the positive impact of Neighbourhood Policing which CJI has previously reported on in its publication mentioned earlier, *Policing with the Community*. Inspectors found Officers to be clearly sighted on the issues and key individuals in their areas, and to be working pro-actively to address these issues with the resources and interventions available to them.

PSNI Speedy Justice initiative

3.87 As outlined in Chapter 2 the PSNI introduced a pilot initiative in 2011 which enabled Officers to either seek a Discretionary Disposal, or to seek permission from the PPS over the telephone to deliver an immediate caution for certain low-level offences and anti-social behaviour. The concerns about this policy are outlined earlier in this report. As this was a relatively new policy Inspectors did not speak to any victims or individuals subject to this approach.

3.88 PPS Prosecutors were largely positive about the approach of Officers to the immediate cautioning process. They recognised that knowledge levels had increased as Officers had got used to the new processes and that, in general, information provided was sufficient and permission to use an immediate caution was appropriate in most circumstances. On

occasion, Prosecutors mentioned that they needed to probe Officers further to elicit all the relevant information but they were, in the main, satisfied with the process.

Diversionsary/court-ordered youth conferences

3.89 The young people involved with the YJA by way of a youth conference, were often connected with anti-social behaviour and lower-level offending. The youth conference is either directed by the PPS at decision stage or by a Judge in court. CJI has previously inspected the youth conference process⁴⁸ and therefore that thorough analysis will not be repeated here. However, the use of diversionsary youth conferences is considered an appropriate method of dealing with anti-social behaviour and lower-level criminal offences, as it attempts to divert the young person from entering further into the criminal justice system. It also provides the victim with an opportunity to speak to the young person about the impact on them and it offers an opportunity for reparation of some form; potentially benefiting young people, victims and communities. Prosecutors highlighted that young people were afforded more opportunities to be diverted from the criminal justice system than adults.

3.90 Inspectors heard some criticism of youth conferencing during the fieldwork. This included:

- young people being ordered to undergo multiple youth conferences (Inspectors met a young person during the fieldwork who stated he had received 20 youth conferences);
- the inappropriateness of involving some victims in the conference (for example, Police Officers unrelated to the incident

or retail staff);

- a lack of community input to the conference process;
- a greater need for reparation to be undertaken within communities; and
- the focus being solely on the conference plan with little or no support for the young person once that was completed.

3.91 In response to these types of comment, and in order to improve the service provided to victims, the justice system and young people, the YJA had undergone recent restructuring and made some changes to their working practices. These had been made following an internal review of organisational structure and services provided, rather than in response to recommendations from an oversight body, and therefore such pre-emptive action is to be commended. In summary these included:

- merging the youth conferencing and community services directorates to one directorate of youth justice services;
- a focus on risk assessment and addressing risk;
- updating of the victim definition to include community victims (community representatives involved in the conference to explain the impact on the community); and
- use of legislation which enables YJA staff to advise a Judge that a conference would serve no purpose and recommend other disposals (to avoid multiple conferences or conferences where there is no victim).

3.92 Inspectors met with both youth conference co-ordinators and practitioners during the fieldwork and asked about the changes in structures. Both groups of staff agreed that the changes had been helpful, particularly

⁴⁸ Youth conference service: an inspection of the youth conference service in Northern Ireland, CJI, 2008.



in terms of staff being physically positioned in the same location, which they said had improved communication and sharing of information. This was perceived to have led to a better experience for the young person as there was a more joined up passage through the system of the conference itself and the conference plan.

3.93 The changes to these structures had been made recently and it was not within the remit of this inspection to undertake a full review of the agency. CJI intend to undertake inspections involving the work of the YJA in its future inspection programme and therefore a more thorough review will be undertaken when the changes have had more time to be implemented fully.

Anti-Social Behaviour Orders

3.94 ASBOs continued to be a source of considerable debate and divided opinion during the course of this inspection. In support of the Orders, representatives from the PSNI suggested that they were a useful tool among the options available to them for addressing anti-social behaviour.

Whilst they were not seen, by any interviewee spoken to, as the solution to every situation and every individual, they were described as the final stage in a graduated response, where other methods had been tried and failed.

3.95 The figures provided on interventions (see Table 5) support the suggestion that ASBOs are used as a last resort, with larger numbers of warning letters and Acceptable Behaviour Contracts being used to address behaviour. It is evident from the figures below that the PSNI still continue to take the biggest proportion of ASBOs, with the NIHE only having sought two in the years immediately after the introduction of the legislation (as can be seen in the table below). There has also been a decline since 2008 in the number of ASBOs granted, so much so that the proportion of ASBOs granted in 2011 is the lowest when compared to all the previous years, dating back to 2005. It would appear from data provided by the PSNI that this is not a result of applications being refused, but rather of less applications being made.

Table 6: ASBOs granted by year (2005-11) and agency making application

Year	Agency applying for ASBO			Total	Proportion of overall total of ASBOs (2005-11) granted in each year
	PSNI	Council	NIHE		
2005	6	2	1	9	6.2%
2006	29	2	1	32	21.8%
2007	24	0	0	24	16.3%
2008	28	4	0	32	21.8%
2009	24	1	0	25	17.0%
2010	19	0	0	19	13.0%
2011	6	0	0	6	4.1%
Total	136	9	2	147	100%
Proportion of overall total of ASBOs (2005-11) taken by agency	92.5%	6.1%	1.4%		



3.96 It would appear from information provided by interviewees that there is likely to be a number of factors which have contributed to the reduction in numbers of ASBOs applied for and granted. It was suggested by several interviewees, particularly those external to the criminal justice system, that even greater efforts were being made to utilise every intervention opportunity possible and look for ways of diverting individuals out of the route to an ASBO. It was also suggested that ASBOs were used for the most persistent and/or higher level perpetrators.

3.97 In addition, the changes to police structures as outlined in Chapter 2, where most PSNI districts no longer had dedicated Anti-Social Behaviour Officers, were believed by police interviewees to be a major contributory factor. This was because the responsibility for applying for ASBOs had been diluted between a greater number of individuals who did not have the same level of knowledge about the processes and procedures as dedicated Officers (see further details in Chapter 2). In addition it was suggested that there was no training available for Officers about the ASBO process and no information (including the appropriate forms) included on the PSNI intranet. This lack of awareness therefore potentially led to them being under-utilised.

3.98 ASBOs could be applied for on application or on conviction. The file preparation and court processes for ASBOs on application were somewhat unique for the PSNI as the Orders were applied for under civil court process. Officers gathered evidence for the case file in a similar manner to that for a criminal file. Previously the level of proof for ASBOs had been at the

civil level (below the level of 'beyond reasonable doubt' required for the criminal court); however a House of Lords ruling has led to a change in this. Crown Prosecution Service guidance⁴⁹ on ASBOs states that '*in Clingham (formerly C (a minor)) v Royal Borough of Kensington & Chelsea, R v Manchester Crown Court ex parte McCann [2002] UKHL 39; [2003] 1 AC 787 the House of Lords held that the standard of proof applicable to the determination of whether anti-social behaviour has occurred under section 1(1)(a) CDA, is the equivalent of the criminal standard of beyond reasonable doubt, even though the proceedings are civil.*' The agencies must therefore work towards the criminal standard when developing an application.

3.99 ASBOs applied for on application were presented to the court by the PSNI itself, whereas ASBOs on conviction were presented by the PPS on conclusion of a criminal trial. An application could also be made for an interim ASBO, pending a full hearing or conclusion of a criminal case, should the agency feel there was an urgent need to protect the victim or community.

3.100 Recent structural changes within the PSNI meant that the responsibility for applying for ASBOs on application had transferred from a number of prosecuting Inspectors based in police districts, to the PSNI Legal Services Branch. They were therefore dealt with alongside other civil orders, such as Sexual Offences Prevention Orders and Risk of Serious Harm Orders. Within the Legal Services Branch there was an Inspector and two Solicitors responsible for making the applications. As would be expected after any change there were some difficulties experienced in becoming familiarised to new ways

⁴⁹ See http://www.cps.gov.uk/legal/a_to_c/anti_social_behaviour_guidance.





of working, but these were being worked through.

3.101 Inspectors spoke to Public Prosecutors within the PPS who had been involved in presenting ASBO applications on conviction before the court, where the defendant was subject to criminal proceedings. Prosecutors were generally positive about the information being received from the PSNI in support of the applications. There appeared to be some differences in working relationships between different police districts and PPS regions, with a more positive approach where there were better individual relationships. This is not, however, specific to anti-social behaviour cases. Police Officers spoken to who were responsible for putting together files for ASBO applications, felt that there was a need for better information from Response Officers to provide thorough background evidence for the case. Staff from the PSNI Legal Services Branch confirmed that community impact statements were usually included in case files to highlight the wider impact of the behaviour.

3.102 Prosecutors commented that, on occasion, files were received by them either in the final few weeks before the court date or during the trial itself. This was of concern as it did not provide the PPS with sufficient time to consider the ASBO and to serve the papers on the defence. It was also an unsatisfactory situation for the Judge presiding over the case. Whilst the PPS did not feel it was necessary or appropriate to receive the details of the ASBO application prior to a decision being made whether to proceed with the criminal case, they felt that further notice of the intention to seek an ASBO would be beneficial. It would be helpful if

Prosecutors were notified by the PSNI of the intention to seek an ASBO and provided with evidence in support of it at the earliest opportunity, ideally at least a month before the commencement of the trial.

3.103 Prosecutors and staff from the PSNI Legal Services Branch confirmed that they were able to provide a check of the prohibitions proposed for an ASBO prior to attending court. The Prosecutor/Legal Services staff reviewed them in line with usual criteria such as proportionality and necessity. These could then be discussed with the Officer and, if necessary, amended. In addition, Prosecutors discussed the prohibitions with the Solicitor or Barrister for the defendant and were often able to reach agreement prior to the ASBO being presented to the Judge.

Criminal prosecutions

3.104 A large proportion of Prosecutors workload was made up of low-level offences which the public considered to be anti-social behaviour (for example, disorderly behaviour, criminal damage, assault, indecent behaviour, minor theft such as shoplifting and burglary). Public Prosecutors estimated about 80% of the cases they dealt with could be considered to be anti-social behaviour if a wide definition was used. Often the assaults were linked to the night-time economy including assaults against other members of the public or against police.

3.105 In the main, Prosecutors were satisfied with the quality of files received from the police, particularly in cases of young people where a Youth Diversion Officer was involved. Closed-circuit television was mentioned as a valuable source of

evidence for the many types of behaviour mentioned above and the police were generally felt to be pro-active in obtaining this.

Dealing with persistent/repeat offenders

3.106 The criminal justice agencies had recently developed a new approach to dealing with persistent offenders, which had been initiated by the PSNI. Reducing Offending in Partnership (previously referred to as Integrated Offender Management) was a strategy to deal with priority offenders. The strategy deals with offenders who engage in acquisitive crime which accounts for 33% of crime committed in Northern Ireland.

3.107 An overview of reducing offending in partnership was presented to the Committee for Justice on 12 January 2012. It stated:

‘There are three strands to that process. The prevent and deter strand is the early intervention stage, which is being taken forward by our colleagues working in health through the children and young people’s strategic partnership. The police have the main role in the catch and control strand, which is a pro-active approach by the police to those who are causing the most harm to individuals in the community. The rehabilitation and resettlement strand involves the police signposting offenders who want to turn their life around to the appropriate agencies and third sector, including the Probation Board and the Youth Justice Agency, which will take the lead in that strand.’

3.108 A matrix had been developed in order to identify the offenders in each police district who caused the most harm. This incorporated information from

Neighbourhood Policing Teams, local communities, the Probation Board and the YJA. The process had been piloted in Ballymena and Coleraine in ‘H’ District and had indicated some initial success with a 40% reduction in theft and a reduction of over 20% in burglary in Ballymena, since the process had been operating in 2010-11.

3.109 Whilst the Reducing Offending in Partnership strategy was focused on individuals already involved in criminal behaviour, a number of interviewees mentioned its relevance for this report, as these same individuals were often involved in anti-social behaviour as well as criminal activity. Some PSNI Officers suggested that ASBOs were a useful tool in preventing further acts of anti-social behaviour by these individuals, and in some districts responsibility for making ASBO applications had passed to these units. However, other interviewees felt that the Reducing Offending in Partnership strategy was more effective than using ASBOs as it provided a more holistic approach to the offenders behaviour and resulted in only one Police Officer being involved with the offender (particularly young people) for all their charges. The topic of persistent offenders will be returned to in a future CJI inspection when this strategy will be inspected further.

3.110 Another project where agencies are working in partnership to assist a reduction in offending had been developed as the Re-Integration of Offenders Programme. This was introduced with European Union funding and involved provision of support services for young men being released from Hydebank Wood Young Offenders Centre back into the



community. The partnership in developing and delivering the programme was cross-departmental and included the NIPS, the PSNI, the NIHE, the Probation Board, the DoJ, NIACRO and Belfast City Council. The project had indicated initial success in 2011-12 with only four of the 17 young men engaged in the project returned to prison in the first year. The Prison Review Team⁵⁰ commended this project as *'innovative'*.

50 Review of the Northern Ireland Prison Service, Prison Review Team, 2011.

CHAPTER 4:

Outcomes

Reporting of anti-social behaviour

- 4.1 As noted in the introduction to this report, the PSNI recorded 64,184 anti-social behaviour incidents in 2011-12, which was a reduction of 16.6% compared to 2010-11. The NIHE advised Inspectors that they had received approximately 5,000 calls relating to anti-social behaviour in the past year. The Northern Ireland Federation of Housing Associations also advised that their members recorded approximately 800 incidents of anti-social behaviour in 2011. The Housing Executive and other stakeholders raised concerns however that there was under-reporting of anti-social behaviour, and they were therefore trying to encourage residents to report. The fear of reporting was raised by other consultees and it is important that agencies attempt to address this and deal with incidents in an effective and sensitive manner when they are reported.
- 4.2 Despite the improvements in reported figures, Inspectors heard from a variety of sources that anti-social behaviour was still the main concern for communities. In some areas it was suggested that issues of anti-social behaviour and criminal activity would be addressed by vigilante activity in the community, which suggests a fear of residents in reporting to agencies, or a lack of faith that they would address the issues effectively. Inspectors spoke to more than one young person who had been threatened into leaving their community due to their offending behaviour. Some community organisations however were willing to facilitate third-party reporting to the PSNI, and Inspectors were advised that Officers were receptive to this. Such reporting is valuable in determining the real levels of anti-social behaviour and helping communities overcome their fear in reporting to criminal justice agencies.
- 4.3 Previously it was indicated to CJI that 40% of police time is spent dealing with anti-social behaviour. As noted earlier, Inspectors undertook observation visits during this inspection at peak times, and to various areas highlighted as having high levels of anti-social behaviour, but found very little anti-social behaviour to observe. Officers did comment to Inspectors that it was unusually quiet and offered a variety of explanations for this (such as the weather, the time between the visit and day of the month on which employees are normally paid, the pro-active work of Neighbourhood Officers). It would appear to Inspectors that the 40% figure is arrived at by comparing the number of recorded incidents of anti-social behaviour (64,184 in 2011-12) with the number of recorded crimes (103,389 in 2011-12) as a proportion of crime figures (equating to 62% vs. 38%).



- 4.4 Whilst Inspectors do not doubt that anti-social behaviour is a challenging issue for both communities and police, the observations of this inspection would suggest that the 40% figure is based on only one measure of attempting to analyse the impact on the PSNI. Using recorded crime and recorded anti-social behaviour figures does not take into consideration calls for service to the police which do not result in a recorded crime or an anti-social behaviour incident, in addition to the many areas of work the PSNI are involved in, which are not reflected in these figures.
- 4.5 This analysis also makes assumptions around the accuracy of crime recording and use of appropriate closing codes by call handlers once a call has been allocated for a response. It was suggested to Inspectors by some interviewees within the PSNI that, for a variety of reasons such as technological issues, changes to closing codes, differing interpretations by different call handlers and their supervisors, and the need to identify a closing code as quickly as possible in order to move onto the next call, that there may be inaccuracies in the way that calls, particularly those relating to anti-social behaviour, are closed off and ultimately reported on. Therefore use of these figures when making strategic decisions should be done with a significant element of caution.
- 4.6 It would be helpful for the PSNI to undertake further work to ascertain an accurate assessment regarding the scale of the anti-social behaviour issue, which will help better manage deployment of resources and provide realistic information to communities. Inspectors have been informed, as part of separate work, that the PSNI has recently commissioned a piece of work on demand modelling in order to assist its resourcing decisions, which should

help inform this assessment.

Effectiveness of interventions

- 4.7 Conclusive evidence on the effectiveness of interventions is difficult to obtain and analyse, particularly when looking at individual interventions in isolation. Often this is based on anecdotal evidence, and perceptions of individuals or communities formulated by reference to one or two persistent or serious cases. During this inspection, CJI were provided with a range of views about the effectiveness of interventions and have triangulated these opinions to offer such an assessment.
- 4.8 There was an overwhelming view of the success of early interventions and support for individuals and families engaged in anti-social behaviour and lower-level offending. Again, this has been discussed in detail in CJI's publication on early interventions, which includes some estimates of the financial value regarding this approach. Stakeholders and agencies again raised the issue that a great number of individuals involved in anti-social behaviour were also suffering from alcohol or drug problems, mental health issues or issues of socio-economic deprivation. An example of the impact this can have is provided in the case study below.

'A' was a young woman who had resided in a Housing Executive property when problems arose with regard to anti-social behaviour. She had a history of drug addiction and was unemployed. 'A' did not engage in anti-social behaviour herself, but visitors to her property would often be noisy, drink alcohol excessively, harass neighbours and damage property. As a result, a number of complaints were made to both the



Housing Executive and the PSNI and 'A' was in danger of losing her tenancy. 'A' explained she felt vulnerable and that the so-called 'friends' took advantage of this. Eventually, with support from the Housing Executive and a voluntary organisation 'A' was able to relocate to a property in a different town and had not had any problems in the months since moving.

- 4.9 Methods of non-criminal justice resolution, such as the use of mediation, were developing areas of practice. The Housing Executive reported that 248 cases had been dealt with by mediation in 2011, with projected increases to over 300 cases in future years. This is a positive step as it helps residents who are willing to engage in this process to address the issues themselves with support, and avoids a criminal justice solution.
- 4.10 Figures outlined in Chapter 3 (Table 5) illustrate the use of warning letters, Acceptable Behaviour Contracts and ASBOs, and clearly indicate the success of earlier interventions in addressing anti-social behaviour before sanctions are required. This again is positive, as most low-level issues can be addressed by highlighting to the individual involved that issues have been noted, and that agencies will be monitoring further reports. This provides the individual with an opportunity to address their behaviour prior to any formal sanction. The support provided to individuals when sanctions are addressed, such as support from a voluntary or community organisation, is also highly valuable when the individual would struggle to change their behaviour on their own.
- 4.11 A number of interviewees were opposed to the use of ASBOs, either in terms of equality and diversity issues (see below), a belief that they were ineffective, or both.

Interviewees from criminal justice agencies were more supportive of the need for ASBOs and their use as one approach in their 'toolbox' of interventions available for addressing anti-social behaviour.

- 4.12 The following table (table 7), provided by the NICTS, shows the number of ASBOs made by district council area for the last two years. It should be noted that the data obtained from the PSNI and the NICTS provided different figures for the numbers of ASBOs made. This is something that the PSNI and the NICTS, with support from the DoJ's Community Safety Unit, are attempting to rectify. However this is an important discrepancy which requires immediate attention. **Inspectors recommend that the PSNI and the NICTS should rectify discrepancies identified in relation to data indicating the number of ASBOs made to ensure accurate data is available for use in the ongoing strategic assessment of anti-social behaviour.**
- 4.13 One possible assessment of the effectiveness of ASBOs can be made by the number that are breached by the individual, subject to them. Table 8 below shows the number of defendants dealt with in 2010-11 and 2011-12 who had at least one 'breach of ASBO charge'. Inspectors recognise this is not an accepted measure and one which carries some difficulties. Considering that there have been 149 ASBOs granted since 2004, the figures below indicate that there is a high level of breach (particularly considering that not all these ASBOs would still have been in force in 2011-12). This reinforces the fact that all other solutions should be exhausted before resorting to seek an ASBO, as they are unlikely to be an effective solution to the problem. However, some interviewees would suggest



Table 7: Full ASBOs made April 2010 – March 2012

Local Government district	1 April 2010 – 31 March 2011		1 April 2011 – 31 March 2012	
	Number of ASBOs	Number of defendants who received ASBOs	Number of ASBOs	Number of defendants who received ASBOs
Antrim	17	5	0	0
Ards	1	1	0	0
Armagh	0	0	2	2
Ballymena	1	1	0	0
Ballymoney	1	1	0	0
Belfast	6	6	5	5
Carrickfergus	1	1	0	0
Coleraine	1	1	0	0
Craigavon	3	1	1	1
Down	6	3	2	2
Larne	1	1	0	0
Lisburn	0	0	1	1
Newry and Mourne	1	1	0	0
Newtownabbey	2	2	3	3
Omagh	2	1	0	0
Postcode missing	0	0	1	1
Total	43	25	15	15

NB: Includes ASBO on conviction and ASBO full on application. A defendant may receive more than one ASBO. Figures do not include interim ASBOs made. This data is currently provisional pending validation by the NICTS. It should be noted however that these figures are not identical to those provided by PSNI.

Table 8: Magistrates and Crown Court defendants dealt with in 2010-11 and 2011-12 who had at least one 'breach of ASBO charge' by local Government district

Local Government district	2010-11			2011-12		
	*Last verdict indicator		Total	Last verdict indicator		Total
	Guilty	Not guilty		Guilty	Not guilty	
Antrim	2	2	4	4	0	4
Ards	3	3	6	0	1	1
Ballymena	38	5	43	15	0	15
Ballymoney	-	-	-	1	0	1
Belfast	19	6	25	23	5	28
Carrickfergus	2	1	3	0	1	1
Castlereagh	3	3	6	3	1	4
Coleraine	11	0	11	7	2	9
Craigavon	3	0	3	1	1	2
Down	2	1	3	3	0	3
Lisburn	1	0	1	0	1	1
Magherafelt	4	1	5	0	1	1
Newry and Mourne	3	2	5	-	-	-
Newtownabbey	5	5	10	15	9	24
North Down	3	0	3	-	-	-
Omagh	-	-	0	3	0	3
Strabane	1	0	1	-	-	-
Postcode missing	8	3	11	13	2	15
Total	108	32	140	88	24	112

*Figures for 2011-12 are provisional.



that the fact that police can then address the breach of ASBO and remove the perpetrator from the area, brings some comfort to communities, if only for a short period.

Equality and diversity

4.14 The issue of equality and diversity has been a contentious one since prior to the introduction of ASBOs in 2004. This is based around the assertion that ASBOs particularly, may be in contravention of the United Nations Rights of a Child. To summarise, the views from organisations which support the rights of children and young people were that:

- Young people need to be diverted away from the justice system, with a focus on the provision of family support, but the approach to anti-social behaviour can draw young people into the system.
- Acceptable Behaviour Contracts are purported to be a voluntary agreement, however it is perceived that failure to agree to one can be used as supporting evidence for an ASBO application.
- The process of applying for an ASBO is a civil one and therefore children and young people are subjected to a standard of proof lower than if they had been subject to a criminal process.
- ASBOs are a civil order which can ultimately lead to a criminal conviction (if the ASBO is breached) and therefore legal due process is not followed.
- Greater numbers of people under 18 years old, in comparison to the proportion in the general population, have been subjected to ASBOs and therefore they are unfairly targeted against children and young people, particularly young males.
- There is a lack of child protection training for Police Officers and therefore

they may not have the appropriate skills and knowledge to make decisions about addressing anti-social behaviour or offending by young people.

- In some cases Police Officers demonstrate behaviours which suggest they have a lack of respect for young people, and this can lead to altercations and a general hostility of young people towards the police.

4.15 The response from agencies who are supportive of the use of ASBOs was that:

- Generally speaking, it is children and young people who are involved in the lower level behaviours associated with anti-social behaviour, and therefore the figures reflect this.
- Justice agencies seek every opportunity to divert young people away from the justice system and are fully supportive of the early interventions approach (for example, in supporting community projects to work with young people).
- A greater number of diversionary opportunities, particularly using restorative practices, are available for use with children and young people rather than for adults.
- A proportionate approach is used in respect of anti-social behaviour and particularly when seeking ASBOs, therefore such interventions are seen as a last resort.
- Failure to agree to an Acceptable Behaviour Contract will require the agencies to reconsider what other options are available, but in the majority of cases it does not lead to an ASBO - it is possible that evidence of a breach of an Acceptable Behaviour Contract may be used in further action, but not failure to agree to one.
- The standard of proof for an ASBO is in fact to the criminal standard of 'beyond



reasonable doubt' as per the ruling of the House of Lords in the McCann case, as outlined in Paragraph 3.98.

- PSNI Youth Diversion Officers are trained to work with young people to a high standard.

4.16 Figures provided by the PSNI on the number of ASBOs granted in Northern Ireland provide an indication as to the ages of the individuals subject to Orders.⁵¹ As highlighted above there are discrepancies between the PSNI and the NICTS ASBO data. However the PSNI hold the Section 75 data which can be used to examine biographical differences. Therefore this data is used for the purposes of this analysis.

4.17 The breakdown in Table 9 below is given to compare both under and over 18 years, and under and over 25 years. These figures show that approximately 40% of ASBOs were granted against young people aged under 18 and just over 75% against those aged under 25.

4.18 The chart opposite illustrates the age distribution of ASBOs for each year since their introduction. It shows that the

proportion of individuals subject to ASBOs who were aged less than 18 years at the time the ASBO was granted, has fluctuated around 45% until 2011, when it dropped to less than 20%. This was the lowest proportion of ASBOs granted against those aged under 18 years, compared to those 18 or over, since ASBOs were introduced to Northern Ireland. However there were only six ASBOs granted in 2011 and therefore this was an unusual data set.

Figure 2: Chart showing age distribution of individuals subject to ASBOs 2005-11

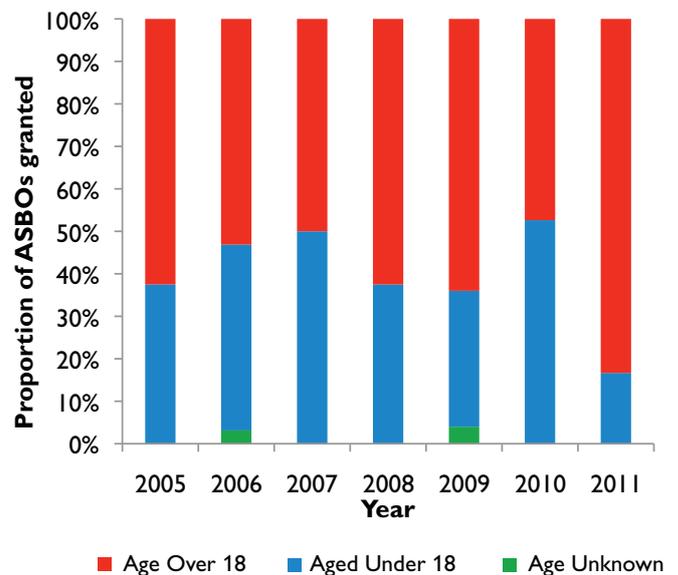


Table 9: Age of individuals subject to an ASBO between 2005 and 2012

Age	Number	%	Age	Number	%
Under 18 years	60	41.1%	Under 25 years	112	76.7%
18 years and over	84	57.5%	25 years and over	32	21.9%
Unknown	2	1.4%	Unknown	2	1.4%
Total	146	100%	Total	146	100%

⁵¹ As highlighted above there are discrepancies between the PSNI and the NICTS ASBO data. However the PSNI hold the Section 75 data which can be used to examine biographical differences. Therefore this data is used for the purposes of this analysis.

4.19 The United Nations Committee on the Rights of a Child made comment on the use of ASBOs in the concluding remarks of their 2008 visit regarding the *Freedom of Peaceful Assembly*. The report stated that:

'The Committee is concerned at the restriction imposed on the freedom of movement and peaceful assembly of children by the Anti-Social Behaviour Orders... as well as by the use of the so-called 'mosquito devices' and the introduction of the concept of 'dispersed zones'. The Committee recommends that the State party reconsider the ASBOs, as well as other measures such as the mosquito devices insofar as they may violate the rights of children to freedom of movement and peaceful assembly, the enjoyment of which is essential for the children's development and may only be subject to very limited restrictions as enshrined in Article 15 of the Convention.'

4.20 The report also noted that:

'The Committee is concerned at the application to children of the ASBOs, which are civil orders posing restrictions on children's gathering, which may convert into criminal offences in case of their breach. The Committee is further concerned:

- (a) at the ease of issuing such orders, the broad range of prohibited behaviour and the fact that the breach of an order is a criminal offence with potentially serious consequences;*
- (b) that ASBOs, instead of being a measure in the best interests of children, may in practice contribute to their entry into contact with the criminal justice system; and*
- (c) that most children subject to them are from disadvantaged backgrounds.*

The Committee recommends that the State party conduct an independent review of ASBOs,

with a view to abolishing their application to children.'

4.21 The CJI inspection of ASBOs in 2008 recommended consideration of developing a children's panel model, similar to that used in Scotland, in order to address these concerns. This had not been taken forward by the DoJ as the PSNI had piloted Children's Interventions Panels (a topic which has been covered in the CJI inspection of early youth interventions). These were designed to identify young people in need of support, who may be involved in anti-social or criminal behaviour, in order to reduce their risk of offending by early intervention. They were not however specifically designed to review cases where an application is likely to be made for an ASBO against a young person. Young people may therefore be discussed at the Anti-Social Behaviour Forum independently of any intervention panel or family support hub and not receive any additional support. However the role of the Youth Diversion Officer did include a mechanism to reduce the likelihood of this by monitoring offending anti-social behaviour, or risk-taking behaviour and offering appropriate support.

4.22 Inspectors heard a number of concerns regarding the punitive nature of ASBO conditions which are all formed as prohibitive statements (for example curfews, restrictions on associations and locations). In contrast, Acceptable Behaviour Contracts will usually include some positively worded statements which attempt to encourage behavioural change (such as engagement with community schemes or with addiction services). However, as such Contracts are entered into on a voluntary basis, it is unclear how likely individuals are to engage with this process. The Policing Board Thematic



Enquiry⁵² recommended that in every case where a child or young person is implicated in anti-social behaviour, the police should consider, in conjunction with relevant agencies, advice and support to include whether there are any projects or initiatives to support the young person and his (or her) family.

4.23 Inspectors accept that communities require a response to persistent anti-social behaviour and that, where behaviour is not criminal, agencies struggle to identify alternative solutions. Inspectors also appreciate that there is a need to have an effective remedy, where other interventions and diversionary options have failed, and the alternative to ASBOs are only criminal sanctions. However, Inspectors are concerned that, particularly for young people, there are often complex and challenging issues that have led them to become involved in anti-social behaviour in the first place, and that they are in need of continuing support to change their behaviour. **Inspectors would recommend that all ASBOs for young people aged under 18 years should incorporate a package of support aimed at supporting behavioural change which is incorporated into the conditions of the ASBO.**

4.24 Inspectors also heard concerns from a variety of interviewees about the length of time an ASBO is applied to a young person, and that this has a greater impact than on an adult. It was suggested that two years (the minimum length of an ASBO) appeared far longer to a 15 year old, as it amounted to a significant proportion of their teenage years, compared to a lesser impact on an adult. An example was cited where a Judge

had ordered an interim ASBO of three months for a young person and explained to them that this was an opportunity to change their behaviour in order to avoid a full ASBO for two years. This was seen as more appropriate as it gave the young person a reasonable goal to work on, whereas complying with prohibitions for two years was seen as unrealistic. There are opportunities for a defence Solicitor to seek a review of an ASBO, but Inspectors were advised this is unlikely to happen, especially if the young person has already breached its conditions. **It is therefore recommended that every ASBO granted against a young person aged under 18 years should have an automatic review at six monthly intervals, with the potential for the Order to be quashed or conditions amended.**

4.25 Figures provided by the PSNI indicate that the vast majority of ASBOs were ordered against male defendants (87.0% vs. 13.0% female). However of the figures available, there was a fairly even spread ordered against defendants across the different community backgrounds (33.6% Catholic vs. 37.7% Protestant vs. 28.8% unknown).

4.26 The Home Office study in 2011⁵³ collected data for the previous two to five years from 10 Crime and Disorder Reduction Partnerships. The sample consisted of 4,307 anti-social behaviour interventions for 3,382 individuals. The study found that:

- just over half (55%) of perpetrators in the sample were under 18 years and nearly three-quarters were aged 25 or younger. Nearly two-thirds of perpetrators (63%) were male; and
- the gender split varied by type of intervention; similar percentages of males and females received housing-

52 NIPB, 2011, Op cit.

53 Clarke, A et al, 2011, Op cit.



related interventions (49% and 51% respectively) and warnings (53% and 47%) whilst 85% of those who received ASBO/Criminal ASBOs were male.

These statistics are therefore very similar to the breakdown for age and gender within ASBOs in Northern Ireland.

4.27 The CJI inspection of ASBOs highlighted an issue with the completeness of the biographical data collected in relation to defendants. The report noted that this could lead to difficulties in undertaking any meaningful analysis of Section 75 data⁵⁴ which could be used to identify trends needing addressed. The report recommended therefore that:

‘Senior management in all agencies should reinforce with all staff the need for accurate and timely recording and monitoring of Section 75 information relating to ASBOs and that quality assurance mechanisms should be developed to ensure the accuracy of this data (paragraph 4.25).’

4.28 The figures provided by the PSNI indicates that the data is improved from the previous inspection with ‘not known’ recorded for:

- *community background* on three occasions out of 19 in 2010, and none in 2011;
- *marital status* on one occasion in 2010, and none in 2011; and
- *sexual orientation* on five out of 19 occasions in 2010, and none in 2011.

Information on gender, ethnicity, disability

and age was entirely complete for these two years. However there were still a number of missing cases for information on dependants (‘not known’ recorded on 12 out of 19 occasions in 2010 and four out of six in 2011). The PSNI should continue to ensure that this data is recorded accurately.

Satisfaction with the approach to dealing with anti-social behaviour

4.29 Various surveys considered the satisfaction of local communities in the approach taken to dealing with anti-social behaviour, as outlined in Chapter 1. This data shows differences in perceptions of anti-social behaviour levels depending on the area of residence, gender, housing type and family circumstances of the individual. There was a link between perceptions of anti-social behaviour and being a victim of various crime types. In addition, respondents to the NICS 2009-10⁵⁵ were less likely than those in England and Wales to agree local police and other agencies are dealing with the anti-social behaviour and crime issues that matter.

4.30 The PSNI had also begun to assess satisfaction rates regarding anti-social behaviour through their surveys to assess performance against the Policing Commitments. It was suggested to Inspectors that more people surveyed were satisfied with the policing response to crime than to anti-social behaviour. These surveys demonstrate that the agencies in Northern Ireland still have work to do to improve public confidence in their approach to tackling anti-social behaviour.

54 Section 75 and Schedule 9 to the Northern Ireland Act 1998 came into force on 1 January 2000 and placed a statutory obligation on public authorities in carrying out their various functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without. The statutory obligations are implemented through Equality Schemes, approved by the Equality Commission, and by screening and carrying out Equality Impact Assessments on policies.

55 Freel, R & Toner, S 2010, Op cit.



The victims' experience

- 4.31 Inspectors spoke to both individuals who had been directly affected by anti-social behaviour, and to community organisations and District Policing Partnerships who represented the views of victims and communities affected by anti-social behaviour. In general, views on the effectiveness of the responses by agencies and communities themselves were mixed. In some cases, interventions were described which had been effective and clearly improved the situation for local communities, such as interventions targeted at night-time economy issues to address safety, and education programmes with local schools.
- 4.32 In other areas limited progress had been made, but it was acknowledged that it was difficult for agencies to tackle the problem (for example, in areas where individuals did not respond to police interventions, where private landlords did not take action against tenants behaving anti-socially, and in cases where parents took little interest in the behaviour of their children). Finally, some stakeholders expressed frustrations with a perceived lack of interest from agencies where local residents believed that the police response was to speak to individuals and move them on, or Officers appearing unwilling to deal with younger children (for example aged 10 to 12 years) behaving anti-socially.
- 4.33 Inspectors met two victims who were subject to anti-social behaviour by their neighbours. This caused particular problems as there were, in both cases, counter-allegations involved and it appeared that the perpetrator would not be satisfied with any outcome except the

removal of their neighbour. In both cases mediation had either not been accepted or had failed. This is a particularly difficult issue, especially if the victim does not wish to move to another property. It is important however, that agencies strive to collect evidence and take robust action against the perpetrator where possible.

The perpetrators' experience

- 4.34 Inspectors spoke to a number of individuals who had been involved in criminal and anti-social behaviour. The majority of these were aged under 18 years and most had received some criminal sanction for their behaviour, including youth conferences, community service and custodial sentences. A small number had also been subject to an Acceptable Behaviour Contract and/or an ASBO, or had friends who had been subject to them.
- 4.35 When asked why they had become involved in anti-social behaviour in the first place, interviewees often cited negative influences from peers, boredom and lack of activities in the community, or the influence of alcohol or drugs. The background history of the individuals was often complex and difficult, with experience of family breakdown or residing in residential care, family alcohol and drugs issues or family offending. The issues facing these individuals are discussed in more detail in CJI's report on early youth interventions.⁵⁶
- 4.36 The overwhelming view of those spoken to was that no interventions by any agencies would have made them change their behaviour until they had made the decision themselves. Most of the individuals indicated to Inspectors that they wished to end their offending behaviour and make positive changes to their lives. They indicated however, that they had reached

⁵⁶ CJI, 2012, Op cit.



this decision themselves for various reasons (for example being 'sick' of their criminal activities, being alcohol or drug free, wanting to make changes for a partner, child or parent) and that this alone would make the difference in preventing them offending again.

4.37 These comments related to both criminal sanctions and to Acceptable Behaviour Contracts and ASBOs, for those who had been subject to them. The ASBOs particularly were felt to be a 'waste of time'. Most of those spoken to indicated that they had breached the conditions of the ASBO. Those who had been involved with the YJA spoke positively of the staff they had engaged with, and it was clear that the conference process or reparative work had had an impact on them. The views of the police were largely negative, although as highlighted above, positive interactions with some Neighbourhood Police or individual police involved in youth conferences were raised by some.

Feedback to communities

4.38 Inspectors heard generally positive views about the provision of feedback given to communities in relation to interventions designed to tackle anti-social behaviour. In some areas comprehensive feedback was provided to community meetings where specific issues had been raised as a problem. The PSNI had also been developing their use of social media, with information on preventative and diversionary activities being issued on Facebook, as well as more traditional media in local newspapers or magazines. This communication should assist improving public confidence and encourage reporting of anti-social behaviour.



Section 

Appendices



Appendix 1: Methodology

Desktop research and development of inspection Terms of Reference and question areas

Research literature and guidance documentation was reviewed in relation to anti-social behaviour. Relevant documents included:

- *Building Safer, Shared and Confident Communities: A consultation on a new community safety strategy for Northern Ireland*, Department of Justice, 2011.
- Documentation on Neighbourhood Watch.
- *Anti-Social Behaviour: Stop The Rot*, Her Majesty's Inspectorate of Constabulary, inspection report and associated research.
- Home Office Research Reports on anti-social behaviour.
- Northern Ireland Crime Surveys.
- Northern Ireland Youth Justice Review.
- United Nations Convention on the Rights of the Child Committee report on the UK 2008.

Document review

A review was conducted of documentation and data provided by the criminal justice agencies and their partners in relation to anti-social behaviour, the development of the Community Safety Strategy, other strategy documents and corporate and business plans.

Fieldwork

The questions used during the fieldwork for this inspection were developed in line with the CJI inspection framework in the areas of strategy and governance, delivery and outcomes (or projected outcomes).

One-to-one and focus group interviews were conducted with a range of personnel within the relevant agencies. Interviews were also conducted with stakeholders and service providers who had an interest in anti-social behaviour. Focus groups were also conducted with perpetrators. Representatives from the following areas were interviewed during the fieldwork:

Police Service of Northern Ireland:

- Call handlers/dispatchers (urban and rural);
- Legal Services Branch;
- Neighbourhood/Anti-Social Behaviour Constables and Sergeants;
- Neighbourhood Inspectors;
- Operational Lead for Anti-Social Behaviour;
- Policy Lead for Anti-Social Behaviour;
- Policy Lead for Neighbourhood Watch; and
- Strategic Lead for Anti-Social Behaviour.

Probation Board for Northern Ireland:

- Assistant Director, Belfast.



Public Prosecution Service for Northern Ireland:

- Senior Public Prosecutor, Policy Section; and
- Public Prosecutors from Belfast, Eastern, Northern, Southern and Western regions.

Youth Justice Agency:

- Assistant Directors, Belfast and Foyle;
- Deputy Director, Youth Justice Services; and
- Youth Conference Co-ordinators and Practitioners from North Belfast and Foyle.

Stakeholders:

- Children's Law Centre;
- Community Restorative Justice Ireland;
- Community Safety Partnerships (x 3);
- Community Safety Unit, Department of Justice;
- District Councils (x 2);
- District Policing Partnerships (x 10);
- Lagan Valley Education Project;
- Local Councillor (x 1);
- Northern Ireland Alternatives (Directors, Co-ordinators, volunteers from the Street by Street project and youth volunteers);
- Northern Ireland Association for the Care and Rehabilitation of Offenders;
- Northern Ireland Federation of Housing Associations;
- Northern Ireland Housing Executive;
- Northern Ireland Policing Board;
- Rosemount Resource Centre; and
- Rural Community Network.

A written submission was also received from Include Youth.

Inspectors spoke to 16 individuals who had been involved in perpetrating anti-social behaviour in their communities and three victims of anti-social behaviour.

In addition Inspectors conducted evening visits to observe the work of the Neighbourhood (and in some cases, where possible, Response) Teams in the following locations:

- Armagh;
- Banbridge;
- Derry/Londonderry;
- Dunmurry;
- Laganbank (covering the Holylands), Belfast;
- Lurgan;
- Newry;
- Portadown; and
- Warrenpoint.





Appendix 2: Terms of Reference

An inspection of the criminal justice system's approach to addressing anti-social behaviour

Introduction

Criminal Justice Inspection Northern Ireland (CJI) proposes to undertake an inspection of how the criminal justice system in Northern Ireland addresses anti-social behaviour. The approach to anti-social behaviour in Northern Ireland is one of a multi-agency partnership to work towards preventing anti-social behaviour and tackling initial reports from victims on the one hand, dealing with reported offences and rehabilitating and supervising offenders on the other.

There are many partners working in this area including the Police Service of Northern Ireland (PSNI), the Department of Justice (DoJ), the Northern Ireland Housing Executive (NIHE), local councils, District Policing Partnerships, Community Safety Partnerships, Community Restorative Justice schemes, the Public Prosecution Service for Northern Ireland (PPS), the Northern Ireland Courts and Tribunals Service (NICTS), the Probation Board for Northern Ireland (PBNI) and the Youth Justice Agency (YJA).

The involvement of these partners varies depending on their statutory responsibilities, and therefore whether anti-social behaviour forms a significant element of their work. The majority of sources of data currently available emanate from the PSNI. This data provides an indication of reporting of anti-social behaviour incidents and the level of concern it causes for the community.

Findings from the Northern Ireland Crime Survey 2009-10 show that 14% of people in Northern Ireland perceived the level of anti-social behaviour in their local area to be high, similar to that recorded in 2008-09 (14%). The results of the Northern Ireland Policing Board Omnibus Survey published in 2010 indicated anti-social behaviour as their most concerning policing issue. Respondents were asked to select their five biggest policing issues from a given list and rank these in priority order. Of the 15,675 who responded to the survey, 82% rated anti-social behaviour as within their five biggest concerns. Of all the responses this was raised as a concern by the largest proportion of respondents.

In developing the Policing Plan for 2011-14 the Northern Ireland Policing Board and the PSNI undertook consultation with District Policing Partnerships on the issues they felt should be reflected in the Plan. Anti-social behaviour was identified through this consultation as one of eight issues of most concern to the community.

PSNI statistics show a gradual upward trend in reported incidents of anti-social behaviour in recent months. The level of 6,915 in July 2011 is 1,519 (28.2%) higher than for June 2011. It should be noted that anti-social behaviour incidents do not relate to recorded crimes. There is evidence in other jurisdictions of significant under-reporting of anti-social behaviour (for example a recent report by Her Majesty's Inspectorate of Constabulary (HMIC) in England and Wales suggested that only 28% of anti-social behaviour is reported by the public to police). Conversely, PSNI Senior Officers have estimated that 40% of Officer time is spent dealing with anti-social behaviour.



Context

The DoJ published a consultation paper in January 2011 entitled *Building Safer, Shared and Confident Communities - a consultation on a new community safety strategy for Northern Ireland*. The summary of responses was published in July 2011 and the Department is currently developing the final Strategy, which is due to be published by the Justice Minister in the coming months.

A report on the *Review of the Youth Justice System in Northern Ireland* was published in September 2011. It also considered the issue of anti-social behaviour and the need for early interventions to prevent young people becoming involved in such behaviour and in criminal activities. It also highlighted the roles of the police, community restorative justice schemes, youth conferencing and youth work in dealing with children and young people's involvement in anti-social behaviour.

An inspection into anti-social behaviour in England and Wales, *Anti-Social Behaviour: Stop the Rot*, was published by HMIC in September 2010. The inspection was conducted across the 43 Home Office forces and included research by Ipsos MORI of 5,699 respondents who have experienced the effects of anti-social behaviour first hand. HMIC summarised the findings across the forces to highlight 'what works', 'what does not' and 'what's to be done'. The outcomes of these inspections, particularly in relation to the PSNI's Most Similar Forces (as determined by HMIC) can provide useful comparative information.

This inspection is a cross-cutting piece of work which covers many areas of the criminal justice system that CJI have already inspected in previous reports, or are on CJI's inspection programme. Efforts will be made to take cognisance of these previous reports and not repeat this work unnecessarily. Relevant reports undertaken by CJI include the inspections of *Anti-Social Behaviour Orders* (2009), *Policing with the Community* (published 2009, follow-up pending 2011), *PSNI Customer Service* (2011), *Youth Diversion* (2011), *The Care and Treatment of Victims and Witnesses* (original report in 2005, followed up in 2008 and a further inspection undertaken in 2011 pending publication), *Early Youth Interventions* (pending publication) and *Persistent Offenders* (fieldwork pending).

Aims of the inspection

Anti-social behaviour is an issue which is critical at both regional level (as regards overall strategy and policy) and at local level (as regards specific interventions for communities and the outcomes of these). This inspection will endeavour to provide an analysis at both these levels. The inspection will focus on the three main elements of CJI's inspection framework as they apply to anti-social behaviour. The approach to anti-social behaviour across the system will be assessed as regards strategy and governance; delivery, and outcomes (or projected outcomes).

How the approach to anti-social behaviour in Northern Ireland aligns with existing good practice and relevant standards where appropriate will also be considered. This inspection will also serve as a follow-up to CJI's inspection of *Anti-Social Behaviour Orders* published in October 2008.

The broad aims of the inspection are to:

- assess the effectiveness of the current strategies, processes, procedures and operational practice of the criminal justice agencies in relation to addressing and responding to anti-social behaviour;
- examine the effectiveness of the preparation of the criminal justice agencies for the publication and



- implementation of the new Community Safety Strategy where it pertains to anti-social behaviour;
- assess progress against the recommendations of the CJI inspection, *Anti-Social Behaviour Orders* (see Appendix 1⁵⁷);
 - review the effectiveness of Anti-Social Behaviour Orders in their application to children and young people;
 - assess the contribution of the criminal justice agencies to partnership working with other key stakeholders (for example, local councils, the NIHE) and the voluntary and community sector in relation to anti-social behaviour;
 - examine and assess the outcomes of the delivery of the criminal justice agencies in relation to addressing anti-social behaviour; and
 - examine how approaches to addressing and responding to anti-social behaviour are benchmarked against other jurisdictions.

Methodology

The following methodology is proposed:

Design and Planning

Preliminary research

Initial meetings have been held with representatives from the Community Safety Unit in the Department of Justice to obtain an overview of work to date in developing a new Community Safety Strategy for Northern Ireland.

Benchmarking, research and data collection

Research will be undertaken into the current approach to addressing anti-social behaviour in Northern Ireland, the rest of the United Kingdom and other jurisdictions and research and investigation reports into anti-social behaviour. Agencies will be asked to supply relevant documentation including policy, procedure and guidance documents. Inspectors will review these along with documentation from the Department of Justice in developing the Community Safety Strategy.

Delivery

Agency consultation

The agencies of the criminal justice system inspected will be the PSNI, the PPS, the NICTS, the PBNI and the YJA. Fieldwork is scheduled to commence in November 2011.

Stakeholder consultation

The major stakeholders are statutory agencies involved in addressing anti-social behaviour, as well as a wide range of voluntary and community sector organisations with an interest in or involved with anti-social behaviour. The stakeholder organisations will include:

- Children's/Human Rights organisations;
- Community Safety Partnerships;

⁵⁷ Now illustrated in Chapter 1 of this report.



- Community restorative justice schemes;
- DoJ;
- District Judges;
- District Policing Partnerships;
- Housing Rights Service;
- Local Councils;
- NIACRO;
- NIHE; and
- NIPB.

In addition victims and perpetrators of anti-social behaviour will be identified and consulted, where possible.

Publication and Closure

A draft inspection report will be produced by the end of March 2012 and shared with the participating agencies for factual accuracy checking in line with existing protocols.





Appendix 3: Progress on recommendations from CJI inspection report on Anti-Social Behaviour Orders (2008)

Introduction

The inspection of ASBOs was published in October 2008. The report included 11 recommendations. It was decided to undertake the follow-up review of this inspection in tandem with a wider thematic inspection of anti-social behaviour to reduce the burden on the inspected agencies. The background and context for the use of ASBOs in 2012 is therefore documented in the body of this report. Inspectors requested an update regarding the recommendations from the DoJ and the PSNI. This also included an update from the NIHE and district councils, although they do not fall within CJI's statutory remit.

PROGRESS ON RECOMMENDATIONS

Recommendation 1

Anti-social behaviour forums should review their community engagement processes to maintain and develop local communication with the wider public.

Agency responses

NIHE response

Through its network of 32 district offices the Housing Executive has sought to encourage greater communication between communities and local Anti-Social Behaviour Forums. To this end we have supported and funded the production of local Anti-Social Behaviour Forum information leaflets which have promoted the work of the Forums and identified those participating agencies highlighting their roles, responsibilities and points of contact. In addition, the Housing Executive, through its Community Safety Communication Plan has sought to improve communications by using local media outlets to highlight the work of Anti-Social Behaviour Forums.

PSNI response

Agreed, Anti-Social Behaviour Forums should review their Community Engagement Processes in order to:

- *publicise good work carried out;*
- *maintain and develop local communication with the wider public;*
- *provide consistent information to victims and witnesses who, as members of the public might help monitor behaviour or who may be directly affected by behaviour; and*
- *clear community education to ensure that ASBOs and other anti-social behaviour strategies, and their potential consequences for individuals are understood by the community.*



Council response

Councils continually review the operation of their Anti-Social Behaviour Forums in conjunction with the NIHE and the PSNI.

Inspectors' assessment

Evidence would suggest this has been undertaken more effectively in some areas than others.

The main vehicle for communication to date appears to be through Community Safety Partnerships and, in future, by the Policing and Community Safety Partnerships. The issue of communication with communities is covered further in the main body of this report in relation to anti-social behaviour more generally.

Status: Partially achieved.

Recommendation 2

The remaining information sharing protocols should be signed between the PSNI, Housing Executive and local councils as a matter of urgency, and local forums should be set up between the three agencies and held on a regular basis to discuss issues of anti-social behaviour and how these can be addressed.

Agency responses

NIHE response

Twenty-five councils have signed up to the information sharing protocol with all 25 now having established local Anti-Social Behaviour Fora. Derry City Council remains the only council who have not signed up to partnership arrangements. In addition, seven Housing Associations have now signed an information sharing protocol with the NIHE and the Lisburn PSNI. It is hoped that this information sharing protocol will be rolled out to all Housing Associations in 2012.

PSNI response

The PSNI have a Service Procedure: Agreement for the sharing of Personal Information between the PSNI, NIHE, YJA and District Councils. All but one council has agreed.

Council response

This process has now progressed as far as can be reasonably influenced, the decision for the one remaining Council not to sign the information sharing protocol has been taken at a political level.

Inspectors' assessment

Inspectors acknowledge the work of the NIHE in seeking agreement from all but one council to sign the information sharing protocol. The decision by Derry City Council to not to sign the protocol is outside of the control of the agencies.

Status: Achieved.





Recommendation 3

A protocol should be developed between the tripartite agencies and the PBNI and YJA to put methods in place to ensure that prohibitions in an ASBO do not contradict other conditions on an individual which may be taken before, or have already been taken before, a court.

Agency responses

NIHE response

While this recommendation has yet to be fully implemented, the YJA are also signatories to the tripartite information sharing protocol and attend all Anti-Social Behaviour Forum meetings. From a Housing Executive perspective, the organisation has not taken out an ASBO in recent years and would regard the collaborative work of Anti-Social Behaviour Forums as a means of intervening at an early stage, thus avoiding the need for punitive action.

PSNI response

Each police district has the responsibility to consider how the work of the Community Safety Partnership and the Anti-Social Behaviour Forum fits together and where the overlaps occur.

Anti-Social Behaviour Forums should seek, when appropriate, to engage/consult with their local partners; including Collaborative Working in Disadvantaged Areas Pathfinder Groups, Police Reducing Offending Units, PBNI, Social Services Trusts and Education and Library Boards. This will ensure a broad spectrum of appropriate alternative methods can be co-ordinated to tackle anti-social behaviour. Importantly protocols between the PBNI and the YJA should be in place to ensure that the prohibitions in an ASBO or other diversionary initiatives do not contradict other conditions on an individual which may be taken before or have already been taken before a court.

Council response

As for Recommendation 1 above this continual review process will ensure that the relevant parties are involved on a case-by-case basis. Particularly as the overall numbers of ASBO's remain modest.

Inspectors' assessment

The PSNI has included guidance in its Service Procedure regarding ASBOs, that protocols should be developed, but there is no evidence this has resulted in changes to operational practice. The PBNI suggest that no formal protocol is in place in respect of the management of ASBOs alongside other Orders. However they indicate that, in practice, whether an individual has an ASBO is taken into account in the assessment process and in the management of the case. PSNI staff would therefore liaise with the YJA and in a number of instances co-work cases and attend ASBO meetings. The lack of a formal protocol could however mean that the onus is on individuals to be alert to other Orders an individual may be subject to. Inspectors would acknowledge however that this issue was not raised as a difficulty during this thematic inspection, as it was during its previous ASBO inspection. This may suggest therefore that the informal approach is working to some extent.

Status: Not achieved.



Recommendation 4

Anti-Social Behaviour Forums should seek to engage with their local partners; YJA, PBNI, Social Services trusts and Education and Library Boards, in order to develop appropriate methods of tackling anti-social behaviour.

Agency responses

NIHE response

The Housing Executive would fully support the implementation of this recommendation and while there are ongoing discussions with the Department of Justice to expand the number of agencies who participate in Anti-Social Behaviour Forums, there remains no statutory duty placed on other agencies to participate. It is the view of the Housing Executive that the expansion of Anti-Social Behaviour Forums to include health and education would compliment and support the introduction in April 2012 of Policing and Community Safety Partnerships.

PSNI response

Each police district has the responsibility to consider how the work of the Community Safety Partnership and the Anti-Social Behaviour Forum fits together and where the overlaps occur.

Anti-Social Behaviour Forums should seek, when appropriate, to engage/consult with their local partners; including Collaborative Working in Disadvantaged Areas Pathfinder Groups, Police Reducing Offending Units, PBNI, Social Services Trusts and Education and Library Boards. This will ensure a broad spectrum of appropriate alternative methods can be co-ordinated to tackle anti-social behaviour. Importantly protocols between the PBNI and the YJA should be in place to ensure that the prohibitions in an ASBO or other diversionary initiatives do not contradict other conditions on an individual which may be taken before or have already been taken before a court.

Council response

As for Recommendation 1 above this continual review process will ensure that the relevant parties are involved on a case-by-case basis. Particularly as the overall numbers of ASBO's remain modest.

Inspectors' assessment

Evidence would suggest more effective engagement processes are undertaken to check the background of individuals who are discussed at the Forums. Where difficulties exist these commonly appear to arise from an unwillingness on the part of non-justice agencies to provide information. The issue of partnership working is discussed more generally in the main body of the report above.

Status: Achieved.



Recommendation 5

The NIO [now the DoJ] CSU should continue to monitor Section 75 information in respect of ASBOs and take action as appropriate should evidence of adverse impact become apparent.

Agency response

DoJ response

The Community Safety Unit continues to monitor Section 75 information supplied by the relevant authorities for any evidence of an adverse impact. While the number of ASBOs awarded are small, the Community Safety Unit will soon be meeting with the relevant authorities to discuss how the information, including Section 75 data, is being collated.

Inspectors' assessment

The PSNI have been collating data in relation to Section 75 information. The DoJ Community Safety Unit states that it continues to monitor Section 75 information supplied by the relevant authorities for any evidence of an adverse impact. The issue of equality, particularly in relation to ASBOs granted for children and young people, is discussed in the main body of this report. Whilst Inspectors did find an overall proportionate approach to the use of ASBOs, with the emphasis very much on intervention and diversionary enforcement, the data does illustrate a consistent trend in which the proportion of ASBOs granted against children and young people is higher than that for adults. Inspectors however found limited evidence of a specific review of this data and no evidence that the implications of it has been undertaken to identify potential for adverse impact or how this can be addressed. The Community Safety Unit had however identified discrepancies between data provided by the PSNI and the NICTS on the number of ASBOs issued which they have been working with the agencies to address.

Status: Partially achieved.

Recommendation 6

Research should be undertaken by the NIO [now the DoJ] CSU into the feasibility and value of setting up of a system of multi-agency panels to consider alternative action and support measures that would be provided alongside or instead of any ASBO issued against a young person.

Agency responses

DoJ response

Desktop research was undertaken in relation to the Scottish model of Children's Panels. At the time of undertaking this research the Department of Justice had made a commitment to working in partnership with a range of statutory bodies to operate a pilot multi-agency project - Child Intervention Panels. The panel used 'the whole child' approach to plan and co-ordinate existing and additional support services from the statutory, voluntary and community sectors in order to divert children from offending or other problematic behaviour. The pilot project received a positive independent evaluation. The Community Safety Unit are represented on the new Children's and Young People's Strategic Partnership, and on a number of its sub-groups, and will use these structures to examine whether and how the service provided by the Child Intervention Panels can be integrated into the Health Trust 'Family Hubs'.



NIHE response

While this recommendation is focussed on the activities of the Department of Justice, it would be the view of the NIHE that the work of the NIHE and the PSNI in establishing and developing the work of Anti-Social Behaviour Forums has contributed to the implementation of this recommendation.

Inspectors' assessment

The PSNI have piloted Child Intervention Panels (which have been discussed in the CJI inspection report on early youth interventions) in collaboration with other agencies in the South Eastern Health and Social Care Trust area. These identify young people in need of support, who may be involved in anti-social behaviour or criminal behaviour. They are not however specifically designed to review cases where an application is likely to be made for an ASBO against a young person. However Inspectors appreciate that the issue of support for children and young people and their families, particularly those at risk of offending, is being looked at more widely as part of the Children's and Young People's Strategic Partnership.

Status: Partially achieved.

Recommendation 7

Senior management in all agencies should reinforce with all staff the need for accurate and timely recording and monitoring of Section 75 information relating to ASBOs, and that quality assurance mechanisms should be developed to ensure the accuracy of this data.

Agency responses

NIHE response

This objective is addressed through the delivery of Anti-Social Behaviour competency based training to all front line staff.

PSNI response

Through the Anti-Social Behaviour Forums the need for accurate and timely recording and monitoring of data in relation to ASBOs applied for and granted, in particular relating to Section 75 categories, can be reinforced. Data within the PSNI is accurate, timely and quality assured.

Council response

Most councils have a designated Equality Officer who manages council's responsibilities in relation to all aspects of Section 75 issues. The issue of anti-social behaviour and any resultant ASBOs will form part of this process.

Inspectors' assessment

Improvements have been noted in relation to the completeness of the data collected on Section 75 information (in some categories more than others - see earlier in this report). However, discrepancies exist between the PSNI and the NICTS data in relation to the number of ASBOs issued. This therefore calls into question the accuracy of the Section 75 data related to this. It is currently unclear which data set is accurate. There is therefore still work to do in this area and Inspectors have addressed this by way of a further recommendation in the main body of this report.

Status: Partially achieved.



Recommendation 8

The tripartite agencies should ensure that a specified role in their respective organisation includes dealing with anti-social behaviour as a core function. The role will include liaison with all agencies involved in seeking to reduce anti-social behaviour.

Each agency should develop and support this by ensuring:

- *where the organisation does not have a role description that includes responsibility for dealing with anti-social behaviour, then a specific role description that outlines responsibilities for dealing with anti-social behaviour should be created;*
- *appropriate training and development is provided where required;*
- *regular attendance at anti-social behaviour fora;*
- *full involvement in anti-social behaviour reduction work;*
- *promotion internally and with the local community of the respective organisations commitment to reduce anti-social behaviour.*

Agency responses

NIHE response

This objective has been met by the NIHE through the provision of a specialist Community Safety Team and the appointment of five specialist/area based Community Safety Officers.

PSNI response

The role of Anti-Social Behaviour Officer has been subsumed into Neighbourhood Policing Teams. There are 85 Teams across Northern Ireland. Their role will include:

- *liaison with all agencies involved in seeking to reduce anti-social behaviour;*
- *regular attendance at anti-social behaviour fora;*
- *involvement, oversight and management of anti-social behaviour reduction work in the district; and*
- *internal and external promotion of the PSNI commitment to reduce anti-social behaviour.*

The formation of a tripartite forum has been established in several districts. The forum is supported by the agreement for the sharing of personal information which includes the Housing Executive, district councils, (excluding Derry City Council), the PSNI and the YJA. Meetings are on a regular basis to discuss issues of anti-social behaviour and how these can be addressed.

Suggested responsibilities for Neighbourhood Policing Teams:

- *Attend the tripartite Anti-Social Behaviour Fora within the Districts Areas.*
- *Provide updates on individuals being monitored.*
- *Provide details on individuals and premises requiring referral to the Anti-Social Behaviour Forum.*
- *Attend Anti-Social Behaviour Management Meeting.*
- *As part of problem solving responses bring to the Anti-Social Behaviour Management meeting those issues that require discussion or referring to the tripartite forum, for example, problems with a particular fast food outlet.*
- *Refer to Council and Northern Ireland House Executive those issues which can be progressed within their domain.*



- *Through the National Intelligence Model seek appropriate resources to target Anti-Social Behaviour Offenders or location.*
- *Monitor Issuing of Cease and Desist notices, Warning Letters. Dip sample same.*
- *Ensure records are maintained and up-to-date.*
- *Monitors neighbourhood incidents from the daily incident review sheets or Command and Control – identify appropriate incidents/offences for receipt of letter.*
- *Receives non-offence referral forms from Youth Diversion Officer.*
- *Issues the first Cease and Desist notice and adds to letter register.*
- *File non-incident referral forms and copy letter(s).*
- *File incident details and copy letter(s).*
- *Maintain letter register for the area.*
- *Advise Youth Diversion Officer to include second letter details on the Anti-Social Behaviour register for monitoring.*
- *Evidence gathered on individuals on agenda for Anti-Social Behaviour management meeting.*
- *Delivery of Acceptable Behaviour Contracts and to circulate details.*
- *Prepare ABSO files if directed and attend all court hearings in relation to same.*
- *Complete the monitoring forms and email to All Community Safety Branch (completed for all applications – granted or not).*
- *Advise Criminal Intelligence Officer to place an alert on Integrated Intelligence System with details of the ASBO and prohibitions, and which control room will hold the ASBO hard copy.*
- *Identify, target and seek to resolve anti-social behaviour issues in consultation with partner agencies and the community.*
- *Anti-social behaviour non-offence referrals.*
- *Occurrence Management Forms for offence referrals.*
- *Email to Community and Schools Involvement Officer identifying individuals/incidents other than non-offence referrals or Occurrence Management Forms, for example, a community rep gives you details of an individual and actions being taken by them but he will not make a statement as he fears retaliation (you can put this in a third party statement if required (Appendix F)).*
- *Deliver by hand second warning letters.*
- *Monitor individuals and report to Neighbourhood Policing Team Sergeant on allocated actions for the information of the Anti-Social Behaviour Management meeting and Anti-Social Behaviour Liaison.*
- *Sergeant to enable updating at the tripartite meeting.*
- *Monitor subjects on register at request of NIHE/council – review police evidence and provide documentation of incidents for information of Neighbourhood Policing Team Sergeant.*
- *Deliver, in consultation with Youth Diversion Officer/Community and Schools Involvement Officer, Acceptable Behaviour Contracts and circulate details.*
- *Prepare ASBO file if directed and attend all court hearings in relation to same.*
- *Complete the monitoring forms and email to All Community Safety Branch (completed for all applications - granted or not).*

Council response

Each council currently has a designated ASBO Officer who acts as a single point of contact for all anti-social behaviour issues. This Officer will, in many cases also be the council representative at the Anti-Social Behaviour Forum.





Inspectors' assessment

The NIHE and councils continue to have dedicated staff who attend the Forums. The PSNI has moved away from having a specified role in each district and this is at the discretion of the relevant police District Commander. As a result, some districts still retain dedicated Officers, some have devolved responsibility to specific individuals (commonly in Neighbourhood Policing Teams) and some have devolved this to all Officers in Neighbourhood Teams (for example, leaving responsibility to the Officer for a particular beat area). Inspectors understand the reasons behind this and can see the benefits of this approach. However, there appeared to be a lack of training, guidance and knowledge of these Neighbourhood Officers as to the process of applying for an ASBO.

Status: Partially achieved.

Recommendation 9

The tripartite agencies should develop a mechanism for individually and collaboratively reviewing work undertaken to ASBOs to date and sharing this best practice at both strategic and operational level.

Agency responses

DoJ response

This objective is met through the newly established Anti-Social Behaviour Delivery Group and the Regional Steering Group for Community Safety, both of which have representatives from other relevant departments/agencies. In the future this will be built upon through joint best practice events and seminars including for Policing and Community Safety Partnerships.

NIHE response

This objective is met through interaction at the Department of Justice Anti-Social Behaviour Working Group meetings and other inter-agency/best practice/seminars.

PSNI response

The PSNI has appointed an operational Anti-Social Behaviour lead who ensures that regular reviews on anti-social behaviour work are carried out throughout Northern Ireland, that can be held up as best practice and shared if found to be effective. He chairs an operational Anti-Social Behaviour Forum that acts as the Working Group in this regard. This is supported in terms of Policy and ASBO/Warning Letter/Acceptable Behaviour Contract records management by the Community Safety Branch.

Council response

Councils, largely through their group system have an established liaison and co-ordinators mechanism into which issues of anti-social behaviour feed. At a regional level sharing of best practice and inter-agency collaboration is facilitated through the Department of Justice Steering Group on Anti-Social Behaviour. A very successful training and exchange of best practice day was facilitated on 4 March 2010.

Inspectors' assessment

At a strategic level the newly established Anti-Social Behaviour Delivery Group and the Regional Steering Group for Community Safety, both of which have representatives from other relevant departments/agencies, aim to achieve this recommendation.



The DoJ Community Safety Unit has overseen a number of pilots and initiatives in relation to anti-social behaviour in general, and best practice is collected and shared through various groups (for example, the Community Safety Forum). At an operational level the sharing of best practice was being developed, however Officers within the PSNI did not appear aware of best practice sharing mechanisms, other than seeking advice from dedicated ASBO Officers who were considered experts.

Status: Partially achieved.

Recommendation 10

Senior management in the tripartite agencies should reinforce with all staff the need for accurate and timely monitoring and reporting of information relating to breaches of ASBOs and ensure that this data is centrally collated and used to assess effectiveness and opportunities for further learning.

Agency responses

NIHE response

The NIHE has in place competency-based training framework which is delivered to all staff involved in the processing of all reported incidents of anti-social behaviour. Part of this framework involves training on the agreed procedures for the communication/feedback of actions taken to resolve anti-social behaviour. This would include information on the use of ASBOs.

PSNI response

As per policy information is collated centrally. In addition, quarterly reminders are also sent to the Districts. The application of the Service Procedure is monitored by Community Safety Branch. The Service Procedure is reviewed annually by Community Safety Branch.

Council response

This issue is reinforced via training sessions and encouraged through the Northern Ireland Council representative on the Department of Justice Steering Group to each council's designated ASBO Officer.

Inspectors' assessment

Data received from the PSNI was not complete in relation to breaches or outcomes of breaches, and therefore it is not clear if all breach data is being recorded appropriately. Technological solutions should be utilised to obtain this data. There was no evidence from Inspectors interviews of this data being used to assess effectiveness and opportunities for further learning.

Status: Not achieved.



Recommendation 11

Action should be taken by PSNI Senior Management to enhance the knowledge of PSNI Officers in operational roles in relation to ASBOs in order to enable them to address breaches more effectively.

Agency response

PSNI response

Where a training need has been identified this subject is reinforced at district training level. In addition there are the knowledge sharing days, internal website pages and working group. The policy is also reviewed, at least annually by Community Safety Branch.

Inspectors' assessment

Inspectors found evidence of an awareness by Officers of ASBOs and their responsibilities in relation to dealing with breaches of an ASBO. In some areas, Officers were also able to obtain information from NICHE Records Management System in relation to ASBO conditions to enable them to deal with breaches effectively. This is an example of good practice which should be built upon.

Status: Achieved.

Conclusion

The findings from this follow-up review suggest a mixed picture in terms of progress against the recommendations made in the original inspection report. The Housing Executive stand out as continuing to be a key driver in relation to developing the Anti-Social Behaviour Forums. The wider awareness of Officers in the PSNI about anti-social behaviour issues generally, and ASBOs more specifically, was clear from this inspection, as would be expected in the period of time since the previous report was published in October 2008.

Inspectors also appreciate however, that the context in which ASBOs are used is a changing one, and that the approaches to addressing anti-social behaviour are more focussed on earlier intervention and use of alternative methods of enforcement, rather than reliance on ASBOs to address behaviour. This is reflected in the decreasing numbers of ASBOs granted by the courts. Inspectors recognise therefore that some of the recommendations made are not as relevant in 2012 as they were in 2008-09 when the original fieldwork was undertaken.

The benefit of undertaking this follow-up review as part of a wider thematic inspection of anti-social behaviour, is that where issues continue to create difficulties or halt progress, they have been raised in the main body of this report. This has therefore enabled Inspectors to make decisions around whether further recommendations are required.







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