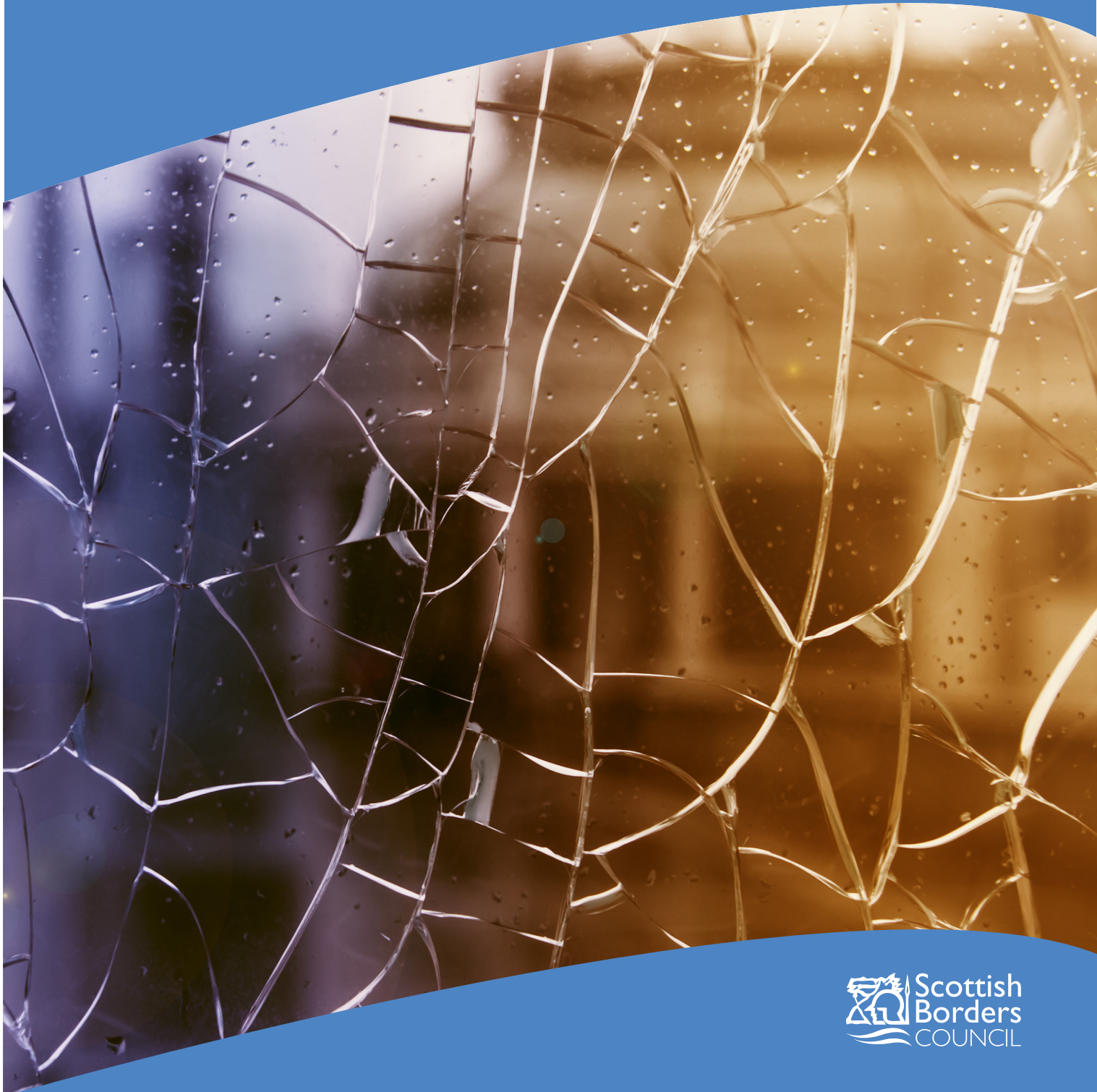


SCOTTISH BORDERS COUNCIL & POLICE SCOTLAND

# Antisocial Behaviour Strategy

2019 – 2023



THE SCOTTISH BORDERS ANTISOCIAL BEHAVIOUR STRATEGY HAS BEEN AGREED AND ENDORSED BY:

- SCOTTISH BORDERS ANTISOCIAL BEHAVIOUR PARTNERSHIP WORKING GROUP
- POLICE SCOTLAND
- SCOTTISH BORDERS COUNCIL

THE FOLLOWING ORGANISATIONS HAVE BEEN CONSULTED THROUGH OTHER REFERENCE DOCUMENTS USED TO FORMULATE THIS STRATEGY:

- LOCAL ELECTED REPRESENTATIVE
- SCOTTISH FIRE & RESCUE
- REGISTERED SOCIAL LANDLORDS
- NHS BORDERS
- PROCURATOR FISCAL
- COMMUNITY
- VICTIM SUPPORT

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SCOTTISH BORDERS  
ANTISOCIAL BEHAVIOUR STRATEGY 2019 - 2023

**Date of signing:**

**Title:** Stuart Easingwood Chief Officer for  
Public Protection  
Chief Social Work and Public Protection Officer/  
Interim Service Director Children and Young people



**Signed:** \_\_\_\_\_

**Title:** Angus MacInness,  
Superintendent  
The Lothians & Scottish Border (J) Division



**Signed:** \_\_\_\_\_

# ANTISOCIAL BEHAVIOUR STRATEGY 2019 - 2023

## FOREWORD

Scottish Borders Council and Police Scotland are required under the Antisocial Behaviour (Scotland) Act 2004 to prepare and publish a joint strategy for dealing with antisocial behaviour in the council area. An initial strategy was developed in 2005 as the legislation was introduced.

Individuals, families and communities can be adversely affected by antisocial behaviour and this strategy sets out the partnership approach being taken in response. Within the Scottish Borders we have strong connections within and across organisational boundaries enabling a consistent method of working to be taken. Performance is reported upon quarterly to the Police, Fire & Rescue and Safer Communities Board enabling progress to be monitored. Policies and procedures underpin activity intended to challenge and de-escalate negative behaviour. Available options range from mediation to a case being heard in court.

There has been recent investment in noise monitoring equipment and the use of digital technology to improve the service that can be provided.

It is important to recognise that not all cases of perceived antisocial behaviour are deliberate or intentional. The identification of underlying factors is important so that an appropriate response can be applied.

This strategy sets out how we will work in partnership to tackle antisocial behaviour in the Scottish Borders.

Cllr George Turnbull

Chair of the Scottish Borders Police, Fire & Rescue and Safer Communities Board

The purpose of the Antisocial Behaviour strategy is to outline how behaviour of this type will be tackled in the Scottish Borders and ensure there is no gap in provision and consistency of approach by all agencies for people who suffer the effects of Antisocial Behaviour.

Antisocial Behaviour will be tackled in the Scottish Borders using 7 strands which incorporate the PIER (Prevention, Intervention, Enforcement and Rehabilitation) approach which was adopted when the act came into being in October 2004. The Promoting Positive Outcomes pillars (Prevention, Integration, Engagement and Communication) outlined in the framework document published by the Scottish Government in 2009.

1. Communication
2. Prevention
3. Integration
4. Intervention
5. Engagement
6. Enforcement
7. Rehabilitation

Within this strategy we outline the specific services provided within those strands. This strategy outlines how, by working in partnership, we will tackle antisocial behaviour and our shared vision to support all people within the Scottish Borders who want to live in a safe environment.

## Background and Context

The problem of antisocial behaviour is not new.

The Scottish Government has made tackling such behaviour a priority and introduced the Antisocial Behaviour etc (Scotland) Act 2004 to support this work.

It provides local authorities, police and other agencies with extra powers to tackle antisocial behaviour.

One of the requirements of the Act is that local authorities, jointly with the Chief Constable, produce an Antisocial Behaviour Strategy. This strategy must state:

- ***The extent and type of antisocial behaviour in the area***

This information is laid out in Appendix 1 to this Strategy and was the result of a Strategic Assessment conducted in 2018.

- ***Information on all the services, available and planned, to tackle antisocial behavior***

All agencies that have signed up to the Scottish Borders Antisocial Behaviour Policies & Procedures (ASB P&P) and Scottish Borders Antisocial Behaviour Information Sharing Protocol (ISP) have agreed the measures to tackle ASB in the Scottish Borders.

- ***How progress will be reported back***

Through reporting to Scottish Borders Police, Fire and Rescue and Safer Communities Board (Scrutiny Board) on a quarterly basis.

- **How information will be shared between agencies**

This is contained within the Scottish Borders ISP and ASB P&P (Section 2).

## What is Antisocial Behaviour?

The Act states: A person engages in antisocial behaviour if they:

*“Act in a manner that causes or is likely to cause alarm or distress, or Pursue a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them and that this includes speech and must involve conduct on at least two occasions”*

In practice, antisocial behaviour can mean different things to different people. Behaviour regarded as acceptable by some, can be seen as antisocial and completely unacceptable to others.

Expectations of standards of behaviour can also vary between communities. So tolerance and awareness of people’s needs is an important part of tackling antisocial behaviour. It is important that care and consideration be given to all when dealing with complaints of antisocial behaviour.

An early indication to someone that their behaviour is disturbing the peace or the lifestyle of their neighbours can be enough to resolve the problem at an early stage.

Antisocial behaviour is not confined to one specific group of people. This strategy will support all people within the Scottish Borders who want to live in a safe environment.

## So where are we now?

The partnership has resources and policies in place to tackle anti-social behaviour. Good working practices that are already in place include:

- Multi-agency Core Group Meetings
- Multi-agency Hot Spot action through Problem Profiling

These are tried and tested ways/methods of tackling cases about individuals or by location.

- Noise Monitoring Equipment

Specifically bought so that difficult to prove cases of ASB noise could be monitored, analyzed and used to take further action against perpetrators of ASB causing alarm and distress to their neighbours or in the community.

- Youth Community Police Officers – Officers with a particular focus of early intervention and joint working with schools and youth organisations
- Local Authority Liaison Officer (LALO) - The officer represents Police Scotland at multi-agency meetings and co-ordinates multi-agency responses to community problems

- Community Action Team (CAT) – Funded by Scottish Borders Council, a team of 6 Officer and a Sergeant with responsibility for tackling antisocial behavior within the community
- Mediation Officer
- Victim Support for person affected by ASB

All these services are available to the ASBU and specifically target antisocial behavior, its causes and effects.

## The way forward:

The partnership is committed to a joint ASB strategy for tackling antisocial behaviour within the Scottish Borders.

To take this forward, we have collected information on the extent and type of antisocial behaviour within the area, and those options available to us. Antisocial behaviour itself will be tackled under the 7 strands previously described.

1. Communication
2. Prevention
3. Integration
4. Intervention
5. Engagement
6. Enforcement
7. Rehabilitation

Within each of these themes we also describe how we will use the measures provided in the Act.

It is also important that we feedback regularly on how our services are working. We have outlined this process in the Monitoring and Evaluation Section.

## Communication (1)

We will use effective communication methods to reassure the public and promote confidence, and as a tool for influencing appropriate behavior.

Raising awareness of the problems caused by antisocial behaviour is an important part of this strategy. It is also important that the remedies available in the Scottish Borders are publicized and understood. Good Communication ensures the public is aware of the work being carried out, aware of the positive results and where to go for help.

### So where are we now?

- Productive relationships have been established between the partners and this supports a joint approach to dealing with antisocial behaviour
- Literature advertising our service is available at locations throughout the Scottish Borders including Scottish Borders Council Offices, Libraries, Social Housing Provider Offices, Police Stations, Doctor's Surgeries and online



## The way forward:

- Publicize information on initiatives, events and projects through the local media
- Report our progress to the Scrutiny Board
- Make information available on line
- Ensure that operational staff continue their important role by sharing information during their day-to-day contact in communities
- Continue to ensure that the information we provide is accessible by all

## Prevention (2)

We will use effective prevention methods to ensure that antisocial behaviour can be stopped as early as possible, while striving towards a continuous reduction of antisocial behaviour in the long term.

Early intervention reduces the incidence and re-occurrences of antisocial behaviour. It also means that the impact should be contained and allow the perpetrator to amend their behavior without further punitive measures.

## So where are we now?

Through close working within the Antisocial Behaviour Partnership Working Group we have introduced several low key but effective measures.

We have a Partnership Analyst co-located with the Safer Communities Team who collects and analyses information on antisocial behaviour so that problematic areas are identified and dealt with efficiently and effectively with the resources available. Other low key but effective measures are:

- Housing suitability checks for persons known to be antisocial
- Noisy house warnings given at an earlier stage
- Input to licensing for House of Multiple Occupation
- Informing perpetrators of ASB about being monitored from an earlier stage
- The ASBU work closely with partner agencies to deal with more serious and protracted cases of antisocial behaviour
- We have established a Police Community Action Team tasking and coordination meeting

## The way forward:

- We will continue to seek out early intervention alternatives
- Continue to provide youth prevention schemes that offer young people an alternative to criminal and antisocial behaviour
- Continue the good work of the Community Action Team to work with the Scottish Borders communities to prevent antisocial behaviour occurring
- Continue to work closely with schools and other partner agencies to help reduce antisocial behaviour

## Integration (3)

We recognize the importance of supporting the victims of antisocial behaviour and will use appropriate services to enhance that support when required.

It is important to recognize that the actions of one person can have a significant effect on the lives of many. Trying to address behavior that has an impact on others can take time to resolve for a variety of reasons, it is important that we support victims for as long as it takes while we try to obtain a resolution.

### Where are we now?

- Victim Support deals with a number of people who are the victims of antisocial behaviour. They provide advice, guidance, and support for both victims and witnesses
- RSLs provide Tenancy Support and Sustainment Officers have been specially trained to provide support to tenants and provide help and advice
- RSLs have also identified officers as key contacts for ASB matters
- We use Mediation where possible to resolve neighbour disputes

### The way forward:

- Continue to encourage victims of antisocial behaviour to engage with the assistance of Victim Support
- Encourage perpetrators of antisocial behaviour to engage with their landlord for support if required
- Will continue to use the services of Victim Support to keep victims updated as long as the case is open
- Identify new partners who can contribute to the reduction of antisocial behaviour and support the victims
- Look at appropriate referrals for perpetrators to access support services addressing behaviour

## Intervention (4)

Where antisocial behaviour develops in the community, we will employ effective intervention at an early stage with the aim of resolving matters, and changing the behaviour of the offender. It is recognised that if antisocial behaviour occurs, then prompt and effective intervention is required. Working with partners, victims and perpetrators, we will endeavor to solve underlying problems and persuade perpetrators of the need to change their behaviour.

### Where are we now?

In 2010 the ASBU were relocated to join the Safer Communities Team at Council headquarters, over the next 5 years, we became part of an integrated team comprising:

- ASBU, Police Scotland, Domestic Abuse Advocacy Support Service, Community Safety Officer, Borders Alcohol and Drug Partnership, Scottish Fire & Rescue Service. All located in the same area



We have access to other services, although not co-located, they do provide support services to the wider team that comprises:

- Multi-Agency Forums and co-ordinate multi-agency responses to community problems
- We have procedures in place to deal with repeat victims
- We have a well-established system for reviewing cases
- We have formed effective working relationships with partner agencies to ensure that relevant information is shared so that the victims of antisocial behaviour can be supported and referred to other services when necessary
- We have established Multi Agency Tasking Arrangements which we use to ensure relevant information is shared between partners and that resources are deployed effectively

### The way forward:

- Work closely and proactively with perpetrators of antisocial behaviour to ensure effective resolutions are reached, looking at other agencies and legislation
- Work closely with victims of antisocial behaviour to ensure prompt and adequate support is put in place that continues whilst the case is ongoing
- Ensure that Policies & Procedures are reviewed
- Work with schools, community and residents groups
- Where necessary take formal court cases proceedings against perpetrators of antisocial behaviour
- Further develop the role of the CAT team

## Engagement (5)

This is an area of work that will require some real integration of resources so that we can use the true power of partnership working to fully engage with the communities that we serve.

### So where are we now?

- We treat all complaints of ASB with empathy and you will get regular updates on how your case is progressing
- When requested, we are able to support community events with help and information
- We use the services of Victim Support to assist us in ensuring you have a voice in your case

### The way forward:

- Place more information online and established communications networks
- Development and consultation with the public on ASB strategy reviews

## Enforcement (6)

We aim to address the issues of antisocial behaviour by using early interventions but, when this does not work, we will consider enforcement action to address and contain the behavior.

Working in partnership, we will try and address the causes of antisocial behaviour and take remedial action. However, when this is not successful, we understand the importance of enforcement as the ultimate deterrent.

## So where are we now?

Antisocial Behaviour Orders (ASBOs) are orders to protect the victims of antisocial behaviour. ASBOs were first introduced by the Crime and Disorder Act 1998, but were limited to people aged 16 years or over.

ASBOs are not restricted to dealing with neighbour problems, and may for example be used to deal with antisocial behaviour in retail parks, recreational parks or city centers. They can also be made against any person irrespective of their housing tenure whether they be owner-occupiers, private sector tenants or tenants of public sector landlords including local authorities.

## ASBOs for adults

In cases where antisocial behaviour cannot be resolved informally consideration will be given to applying to the Sheriff Court for an Antisocial Behaviour Order as a tactic for changing offending behaviour. Breach of an Antisocial Behaviour Order is a crime and having a joint strategy produced by Police Scotland and the Scottish Borders Council is key to an effective response.

## ASBOs for 12 – 15 year olds

As a result of the Antisocial Behaviour etc (Scotland) Act 2004, the application of ASBOs has been extended to 12 – 15 year olds. Within the Scottish Borders they will be viewed as a preventative measure intended to modify antisocial behaviour in a way which prevents it escalating to the level of criminal behaviour. They will only be applied to those young people for whom alternative options have not been effective in protecting the community.

## The way forward:

- Where an persons behaviour is at risk of escalating to criminal behaviour or is causing considerable alarm and distress to the community, take steps to consider the application of an antisocial behaviour order
- Work with housing services to consider housing options which will include eviction - legal, if necessary and proportionate
- Explore the use of all the powers available within the Act to prevent matters from getting worse
- Work with agencies who may have alternate powers to deal with an issue

## Rehabilitation (7)

*“Where intervention and enforcement has been used, we recognize the need to establish the underlying reasons for antisocial behaviour and tackle these through effective methods of rehabilitation”*

Whether the measures of intervention or enforcement have worked, it is still important that those who have been the perpetrators of antisocial behaviour are given the opportunity to be rehabilitated.

## So where are we now?

The Housing (Scotland) Act 2001 introduced the Short Scottish Secure Tenancy (SSST) which is a tenancy offering a reduced security of tenure. This can be used in defined circumstances and is often put in place after legal action has been taken in respect of antisocial behaviour. Such a tenancy will be accompanied by an agreed package aimed at rehabilitating the individual or family concerned and the eventual conversion back to a Scottish Secure Tenancy.

Police Scotland is part of the Safer Communities Team and provides support to partners and shares information. The team consists of a LALO and the Information and Statistics Officer (civilian support staff).

## The way forward:

- Use of the Short Scottish Secure Tenancy measure to support the rehabilitation of those who behave in a manner that causes distress to others
- Identify suitable programmes for the perpetrators of antisocial behaviour to allow them to focus on changing their behaviour
- Work more closely with the Justice Team to encourage perpetrators to engage with support services

## Links to other Strategies and Plans

It is important to ensure that this strategy compliments and links with the other plans and strategies within Scottish Borders. A number of these are outlined below:

- Scottish Borders Community Plan - This document sets out the Community Planning Partnership's shared vision for Scottish Borders Council and makes reference to improving the safety and environment of the Scottish Borders
- Scottish Borders Council Corporate Plan - The Council's Corporate Plan outlines the corporate priorities of
- Police Scotland Policing Plan – outlines the objectives of reducing crime and antisocial behaviour and improving public safety and the feeling of safety. This is also reflected in The Police Scotland Local Policing Plan

## Information Sharing

To effectively manage antisocial behaviour it is vital that agencies share information at a local level.

Scottish Borders Council and Police Scotland are committed to sharing information about incidents of antisocial behaviour. They will also share with others involved in addressing antisocial behaviour. Appropriate protocols are in place for this purpose.

It is recognised that the Antisocial Behaviour etc (Scotland) Act 2004 makes substantial provisions for enhanced sharing of information between, and the provision of information to:

- Local authorities
- Chief Constable
- Principal reporter
- Registered social landlords
- Authorities administering housing benefits

Having a protocol in place is recognised by all partners as one of the key tools to effectively tackling antisocial behaviour within a framework consistent with Data Protection and Human Rights legislation.

To this end the partners undertake to ensure that when involved in joint working to tackle antisocial behaviour, only relevant information required to address incidents of antisocial behaviour is disclosed.

## Equal Opportunities

Partners are committed to discharging their functions in a manner consistent with the support and promotion of equal opportunities.

They will act in a manner which has as its objectives the prevention, elimination or regulation of discrimination between people on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

## Monitoring and Evaluation

This strategy has outlined the work that is being undertaken to address the issue of antisocial behaviour. This work will be monitored and evaluated to ensure that services are making a difference and providing best value.

Safer Communities Team management will be provided with a monthly performance update and will report to the Scrutiny Board on a quarterly basis, information which will be available to the public and the partners.

The Scottish Government developed a framework for measuring the performance of antisocial behaviour strategies, which includes measures they require to compare performance at a national level. These indicators are split into the categories of:

- Disregard for community or personal wellbeing
- Acts directed at people
- Environmental damage
- Misuse of public space
- Agencies' performance in tackling antisocial behaviour

However, the Scottish Government has advised that local performance measures should also be identified.

The partnership has identified key indicators which are monitored. The key indicators are:

- Number of antisocial behaviour incidents reported to police, and the number of cases opened for Antisocial Behaviour Unit and RSL's
- Number of persons being monitored for ASB
- Number of early interventions that are undertaken to prevent ASB

Scottish Borders Antisocial Behaviour Partnership Working Group is committed to the success of this strategy, and believe the services provided will support all people within Scottish Borders who want to live their lives in a safe and secure environment.

In the production of this strategy the following has been considered:

Scottish Borders Local Police Plan 2017 – 2020  
Community Empowerment Act 2015  
SB Community Plan (2017)  
Corporate Plan – 2018 – 2023  
Reducing Inequalities (National Outcome 9)  
Police “your view” 16/17 survey  
National Single Outcome Agreement – 2013 – 2023  
Community Fire and Rescue Plan for Scottish Borders 2018  
Scottish Borders Household Survey 2018

## 1. ANTISOCIAL BEHAVIOUR

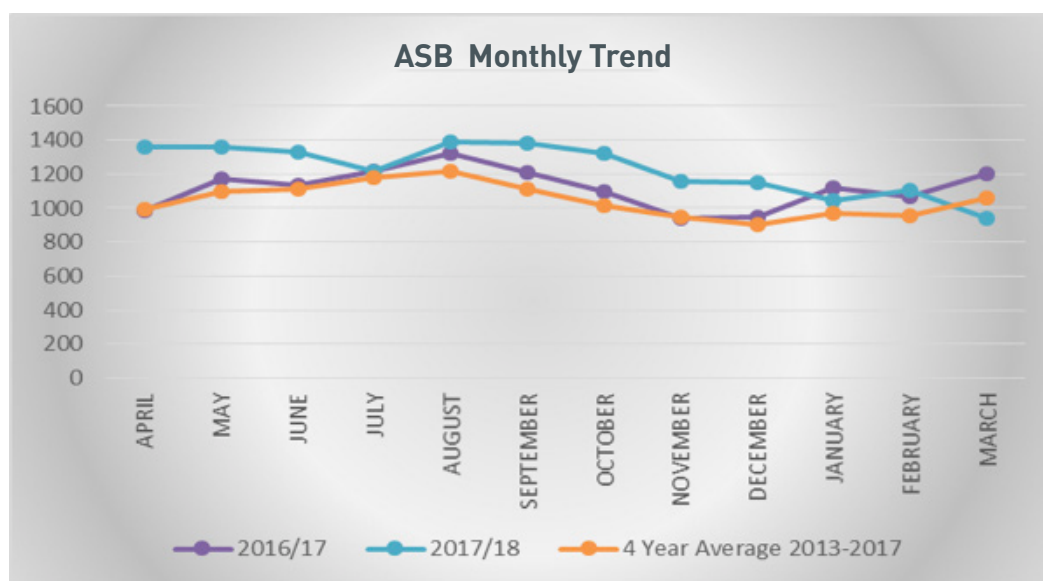
Antisocial behaviour (ASB) is perceived by many in the Scottish Borders to be a significant and increasing problem. Calls volumes in relation to antisocial behaviour are very high. Antisocial behaviour incidents reported to the Police were analysed to establish the types of problematic behaviour experienced by Scottish Borders residents.

### ASB Incidents

The graph below shows the five-year trend for ASB incidents reported to the Police and locally recorded and classified. ASB incidents are at a five year high at the end of 2017/18.



As antisocial behaviour is a significant and increasing issue in the Scottish Borders further detailed analysis of the issues was undertaken. The graph below shows the volume of antisocial behaviour incidents broken down by month for the past two years and over a 4 year average from 2013 to 2017. The monthly trend pattern is very similar across the years but it the increase in incidents over the past two years is evident.





Within Scottish Borders antisocial behaviour is classified and recorded under four major categories. The volume of incidents for 2017/18 for each category is shown below:

ASB Category	Number of Calls
Acts Directed At People	3391
Disregard For Community Personal Wellbeing	8678
Environmental Damage	916
Misuse Of Public Space	1778
<b>Grand Total</b>	<b>14763</b>

Disregard for community and personal wellbeing accounts for 59% of all reported ASB. The types of incidents contained within this category are: rowdy behaviour (3531), nuisance behaviour (3135) and noise (1119). Acts directed at people include physical violence, harassment and verbal abuse and account for 23% of calls.

**14%** of incidents in 2017/18 were attributed to young people under the age of 18.

In **15.6%** of incidents in 2017/18 alcohol was considered to be an aggravating factor.

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