

AGENDA ITEM 5

COMMITTEE: SCRUTINY YOUTH ASB TASK AND FINISH GROUP

DATE: 20TH DECEMBER 2016

SUBJECT: YOUTH ASB ACADEMIC RESEARCH

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IMPLICATIONS:

LEGAL

COMMUNITY SAFETY

EQUALITIES

ENVIRONMENT

FINANCIAL

CONSULTATIONS

STAFFING

OTHER

WARDS AFFECTED:

PURPOSE

1. The purpose of the report is to provide the final paper on youth anti-social behaviour commissioned by the Task and Finish Group.

RECOMMENDATION(S)

2. Based on the information collated nationally and locally, along with the evidence given by local service providers these recommendations are suggested as a way forward for tackling Youth ASB in Luton.

Data Collection

- a) This has been criticised nationally and locally across the UK and much information has been put forward to demonstrate why data collection is inconsistent and inaccurate. It would be difficult to change this locally as information is extracted from national data bases and information gathered in a specific way. What could be done locally is to design a structured method for data collection linked to individuals. It appears that the agencies are already doing some of this however having a co-ordinated approach will lead to more success in gathering individual data on ASB. This would also require some terms of reference to be set out for gathering this information.

Partnership Working

- b) Excellent work takes place across the town with individuals and in some cases information is shared albeit between the local authority and the police. There is some lack of knowledge linked to who and what agencies are working with those involved in ASB. To address this, it is suggested that the previous Youth Intervention Group (YIG) be re-established. This multi-agency, professionals group operated successfully for a long period and was a good example of partnership working.

There is room to develop work with the third sector and these links should be identified and progressed

BACKGROUND

3. Addressing Anti-Social Behaviour (ASB) was a major priority for the New Labour government and ASB became equated with a 'triple-track' approach of prevention, support and enforcement or what has been termed 'coercive welfare.'
4. The definition of Anti-Social Behaviour (ASB) most commonly used by local authority Crime and Disorder Reduction Partnerships (CDRP's) and Community Safety Partnerships (CSP's) is that which is stated in The Crime and Disorder Act (1998) to be: '*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 defendant).*' This definition focuses on the impact

of ASB and differentiates ASB from the more serious end of the criminal spectrum.

5. However, Crawford, (2001) argues that *'Public definitions of disorder and community safety are inconsistent. Different audiences define the same behaviour differently,'* and furthermore that *'In England and Wales, the Crime and Disorder Act (1998) provides no statutory definition of disorder nor is it defined in the accompanying Guidance'* (Home Office 1998) issued at that time. He pointed out that there was no formal process for making decisions about what counts as an instance of antisocial behaviour.
6. In practice, therefore, although the *Crime and Disorder Act 1998* informs public policy and data monitoring, what is classed as antisocial behaviour can vary across the country depending on the interpretations of Local Authorities, and across different agencies concerned with the monitoring and tackling of anti-social behaviour.
7. In respect of this lack of clarity from the *Crime and Disorder Act 1998* the Home Office Research, Development and Statistics Directorate (RDS) 2001 states *'It recognises the need for local definitions to reflect local problems. However, by describing the consequences of the behaviour rather than defining the behaviour itself, the definition lacks specificity and measurability (Armitage, 2002).* He goes on to say that It does not provide practitioners *"with an indication of the specific behaviours that they should be monitoring and attempting to address to tackle the problem of anti-social behaviour within their locality"*.
8. Most CDRPs and CSPs define their working concept of ASB by describing the behaviours and consequences that relate to their specific locality. The Research, Development and Statistics Directorate (RDS 2001) typology recommended as a starting point for local authorities to define these behaviours by providing comprehensive examples of what the public have come to accept as ASB and that local authorities may want to consider as part of their frameworks for policy. These behaviours come under broad categories such as; Misuse of Public Space; Disregard for the Community; Acts Directed at People; and Environmental Damage, which are then further narrowed and defined within. (*Street drinking, begging, prostitution, kerb crawling, rowdy behaviour, nuisance behaviour, intimidation, harassment, criminal damage, littering and rubbish, sexual acts, abandoned cars, vehicle related nuisance, inappropriate vehicle use, hoax calls, uncontrolled animals*) It is left to the LA to decide on which behaviours to include or exclude according to their own findings on public perception.
9. The RDS also points out the need to distinguish anti-social behaviour from criminal activity, such as in cases relating to sexual acts and drug and substance misuse or dealing, and recognises the grey areas that may arise

in certain nuisance behaviour categories. They however leave the decision making in these instances to the public policy of the Local Authorities. (Home Office 2001)

10. When discussing youth related anti-social behaviour, a wide variety of material discussed nuisance behaviour in young people aged 13-17, however as the Antisocial Behaviour and Crime and Policing Act (2014) provides statutory guidance for individuals aged 10-17, this is the accepted age range that should be considered and monitored as youth related ASB.

REPORT

National Policy and Context

11. Community Safety Partnerships and Local Authorities informed their policies on anti-social behaviour with the Crime and Disorder Act (1998) and The Anti-Social Behaviour Act (2003), and continued to use that legislation and ASB remained a high priority, with episodic increases in governmental and media interest driven by events such as the death of Fiona Pilkington and her daughter in 2007 and the riots in urban England in 2011.
12. The Coalition Government has promoted a 'rehabilitation revolution' focused on prevention and a 'second chance society.' In a critique of New Labour governance, the Coalition argued that current formal powers impose stringent conditions to stop future ASB but don't address underlying causes (Home Office, 2012). They introduced the 'Troubled Families' programme aimed at helping troubled families turn their lives around, (DCL 2012)
13. In enabling those working in the field of ASB they passed the Anti-Social Behaviour and Crime and Policing Act (2014) providing the newest statutory guidance for professionals and reformed the powers available to tackle Anti-Social Behaviour in both youths and adults. This guidance looks at how best to use these new powers to bring about changes in children's behaviour, within a supportive system, and in a way, that is in keeping with children's rights and the Government's statutory guidance.
14. The focus of the recent Government reform is on victim-led outcomes, professional multi-agency approaches and flexibility in community orders and consequences with a complete overhaul of the way anti-social behaviour is managed by agencies and victims and offenders are responded to and as such the Anti-Social Behaviour, Crime and Policing Act (2014) includes two new measures which are designed to give victims and communities a say in the way anti-social behaviour is dealt with. These being, the 'Community Trigger', which gives "victims the ability to demand action, starting with a review of their case, where the locally defined

threshold is met” and the ‘Community Remedy’, which gives victims a say in the “out-of-court punishment of perpetrators for low-level crime and anti-social behaviour” (Home Office 2014)

15. There are also 8 new powers in place under the Act, which remove the use of (ASBOs) that were enacted in The Anti-Social Behaviour Act (2003) these being: Early and informal interventions; Civil injunctions; criminal behaviour order; Dispersal power; Community protection order; public spaces protection order; closure power and new absolute ground for possession. (Home Office 2014)

National Data

16. Around 2 million incidents of anti-social behaviour (ASB) were recorded by the police for the year ending March 2015. These are incidents that were not judged to require recording as a notifiable offence within the Home Office Counting Rules for recorded crime. The number of ASB incidents in the year ending March 2015 decreased by 8% compared with the previous year. However, it should be noted that a review by HMIC in 2012 found that there was a wide variation in the quality of decision making associated with the recording of ASB. Thus, ASB incident data should be interpreted with caution.
17. In other data, the ONS at year ending June 2015 the ONS reported that the recorded number crimes in England and Wales reported to the police during the year to the end of that period was 4.3million, of which 1.9 million related to Anti-social behaviour. This was identified as a 9% decrease from the previous years’ reporting period.
18. At year ending March 2016 the and the latest estimates from the Crime Survey for England and Wales (CSEW) showed a 6% fall in the number of incidents against adults for the survey year ending March 2016 (6.3 million, compared with 6.8 million in the previous survey year). This figure includes Anti-Social Behaviour and with the broader scope of all reported crime across England and Wales, however there are yet no individual figures relating solely to ASB for 2016.
19. It should be noted however that a review by Her Majesty’s Inspectorate of Constabulary in 2012, found significant “*variation in the recording of ASB incidents across police forces*’. (ONS 2015). The report goes on to describe why it is extremely difficult to make an authentic and accurate comparison of ASB data over different years to determine trends, as recording methods and policies change so often. (See Appendix 1)

Local Data

20. Data collection for Bedfordshire Police is based on information recorded on the Storm system which captures generic incidents of ASB. To capture information related to youth ASB one must do a manual search using word related to young people and children to get data. Although information can also be accessed from the local Youth Offending Teams who hold perpetrator data and from local organisations working with youth ASB this information as with the national data leaves room for variance and cannot be completely accurate. What is available and has been analysed provides information on trends and types of ASB at a local level that informs policy and practice.
21. The Task and Finish group heard evidence on service provision and interventions from several organisations working locally during the research period. These form separate elements of the final report.

ASB and the link to offending (escalation)

22. There is a range of research that demonstrates the link between ASB and increased levels of offending. In a recent research undertaken by the Big Lottery Fund (2012) it stated that “ASB is often a precursor to more serious offending behaviour among young people”, and went on to say that, “Once this pattern of behaviour is established it can be difficult to break the cycle and reoffending rates for young offenders are relatively high”.
23. The importance of intervening early to steer young people away from ASB and offending behaviours is therefore a policy priority for government and one which the youth sector is well placed to contribute to. Reducing ASB and youth offending results in significant economic and social benefits to young people, communities and society.

Prevention and Support – What Works

24. There is much written about preventing youth offending and these take two different approaches. The first type encompasses coercive interventions; these being sanctions primarily designed to generate restrictive, controlling or punitive impacts on the offender. These include fines, surveillance, curfews, community penalties and incarceration of varying levels of severity. The thinking behind this category is prevention based on the assumption that the offender will change their future conduct to avoid the consequences.
25. The second type consists of developmental interventions which are measures that seek to provide the young offender with an increased range of personal interventions that can build self-esteem and understanding, change attitudes, address personal and social skills, increase education

and training opportunities. The viewpoint is based on rehabilitation and that by taking a preventive stance this may result in the individual embracing a more productive lifestyle that can lead to more positive change.

26. The UK is increasingly attempting to assess and track the outcomes of interventions and programmes. For this report the focus is on undertaking a preventative approach in tackling ASB. Most research points to a range of interventions that can be used to prevent the onset or recurrence of ASB. They fall under three main headings, these being early interventions, coercive and developmental interventions, and situational interventions.
27. In the first of these, early intervention is critical to the prevention of crime and ASB. There is a huge body of research that agrees that the presence of ASB and delinquent behaviour in a child is one of the strongest predictors of an individual's future deviant or anti-social behaviour, (Greenwood *et al*, 1998). This is supported with several longitudinal studies that provide evidential information that poverty, linked with low income and dependency on welfare, as well as parents' history of convictions and imprisonment are some of the factors most closely associated with the risk of ASB and delinquency in children's later life, (Farrington, 2003) By undertaking risk factor analysis (YJB, 2005) with individuals it is possible to target early interventions effectively thereby reducing social exclusion and improving outcomes for disadvantaged people.
28. The second area that attention should be concentrated on is that whereby targeting those at risk takes place. In this area of work young people the attention is not on those who have already committed an offence. Research in this area has identified has constantly identified the importance of education. Crime statistics in England and appear to show that crime rates are lower in areas with higher levels of education, suggesting that education could have a potentially significant influence on an individual's propensity to commit offences and ASB (Feinstein and Sabates, 2005). They go on to say that Education can reduce an individual's likelihood of offending by increasing the "expected value of income from legitimate employment that results from increased education; improving parenting skills, which has implications for rates of criminality in children".
29. Other bodies of research identify education as a key intervention for at risk young people. Schuller *et al.* (2002) says that although they are "rarely designed specifically to reduce ASB, they aim to increase participation in education thus improving outcomes on a range of indicators, including labour market participation, income and health".

30. The third stand of interventions often described as coercive were the previously known ASBO's and ABC's. these were designed to put a stop to anti-social behaviour by the individuals on whom they are imposed. The ASBO was a statutory creation and carried legal force; the ABC was an informal procedure although not without legal significance. Both types of intervention were aimed at stopping the problem behaviour, rather than punishing the offender. These have now been replaced with a menu of interventions under the new Anti-Social Behaviour, Crime and Policing Act (2014).
31. One final area of interventions that have been discussed and analysed by researchers is cognitive behavioural and therapeutic work. Cognitive behavioural approaches are those that seek to address the ways in which "thoughts, feelings and behaviour are interrelated", and which see dysfunctional behaviour as a product of "personal/internal and situational/external factors" (Feilzer *et al*, 2004). These have included family based interventions and restorative justice.

APPENDIX

Figures recorded by the police relating to anti-social behaviour (ASB) can be considered alongside police recorded (notifiable) crime to provide a more comprehensive view of the crime and disorder that comes to the attention of the police. It is important to note that any incident of ASB which results in a notifiable offence will be included in police recorded crime figures (and excluded from the ASB counts). This is to ensure there are no overlaps between the 2 series.

The police record ASB incidents in accordance with the National Standard for Incident Recording (NSIR); Section 5.7 of the [User Guide \(1.36 Mb Pdf\)](#) has further details. These figures are not currently accredited National Statistics. A review by Her Majesty's Inspectorate of Constabulary ([A step in the right Direction\) in 2012](#) found significant variation in the recording of ASB incidents across police forces. It is also known that occasionally police forces may be duplicating some occurrences of a singular ASB incident where multiple reports by different callers have been made.

Following the HMIC review in 2012, it was also found that there was a wide variation in the quality of decision making associated with the recording of ASB. HMIC found instances of:

- forces failing to identify crimes, instead wrongly recording them as ASB
- reported ASB not being recorded on force systems, for instance if the victim had reported it directly to the neighbourhood team or via email (as opposed to by telephone)
- reported ASB being recorded as something else, such as suspicious behaviour
- incidents that were not ASB being recorded as ASB

Furthermore, data on ASB incidents before and after the year ending March 2012 are not directly comparable, owing to a change in the classification used for ASB incidents. From April 2012, ASB incidents also include data from the British Transport Police, so direct comparisons can only be made from 2012/13 onwards. The police recorded 1.9 million incidents of ASB in the year ending June 2015. This compares with the 4.3 million notifiable crimes recorded by the police over the same period. The number of ASB incidents recorded by the police in the year ending June 2015 decreased by 9% compared with the previous year, continuing a downward trend, (ONS. 2015)

LIST OF BACKGROUND PAPERS
LOCAL GOVERNMENT ACT 1972, SECTION 100D

Big Lottery Fund, (2012) Good practice in reducing anti-social behaviour and working with young people who have offended or are at risk of offending (www.biglotteryfund.org.uk%2F%2Fmedia%2FFiles%2FResearch%2520Documents%2Fer_gp_reducing_asb.pdf)

Communities That Care (2005) *Risk and Protective Factors*, Youth Justice Board, UK.

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Department for Communities and Local Government (2012) *Working with Troubled Families: A guide to the evidence and good practice*. London: Department for Communities and Local Government.

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Home Office (2001) Defining and Measuring Anti-Social Behaviour https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116655/dpr26.pdf

Home Office (2002) A Guide to Anti-Social Behaviour Orders and Acceptable Behaviour Contracts', London: Home Office.

Home Office (2012) Putting Victims First: More Effective Responses to Anti-Social Behaviour. London: Home Office.

Home Office (2014) "Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers. Statutory guidance for frontline professional". Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final__2_.pdf

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<http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/year-ending-june-2015/sty-stock-take-of-crime-statistics.html>.

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<http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmar2016#what-is-happening-to-trends-in-crime>