

## SURREY POLICE AND CRIME PANEL 24 NOVEMBER 2021

### ANTI-SOCIAL BEHAVIOUR

#### 1 SUMMARY

This report sets out the Office of the Police and Crime Commissioner's understanding and approach to tackling and supporting victims of Anti-Social Behaviour (ASB) in Surrey.

#### 2 RECOMMENDATIONS

The Police and Crime Panel is asked to:

- Note the content of the report.

#### 3 REASONS FOR RECOMMENDATIONS

This is an information paper to inform the panel on the OPCC's approach to tackling and supporting victims of anti-social behaviour in Surrey.

#### 4 INTRODUCTION

Anti-social behaviour comprises a wide range of unacceptable activity and includes things like vandalism, graffiti and fly-posting, nuisance neighbours and intimidating groups taking over public spaces. It is defined in the Anti-Social Behaviour, Crime and Policing Act 2014 as:

*(a)conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,*

*(b)conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation or residential premises, or*

*(c)conduct capable of causing housing-related nuisance or annoyance to any person*

ASB is categorised into three areas: personal, nuisance and environmental.

ASB covers a wide range of incidents and is dealt with by a number of different agencies. If ASB is not dealt with appropriately and in a timely manner, it can have a devastating impact on the lives of individuals, families and communities. It is recognised that single agencies cannot tackle ASB alone and must work in partnership to address the issues.

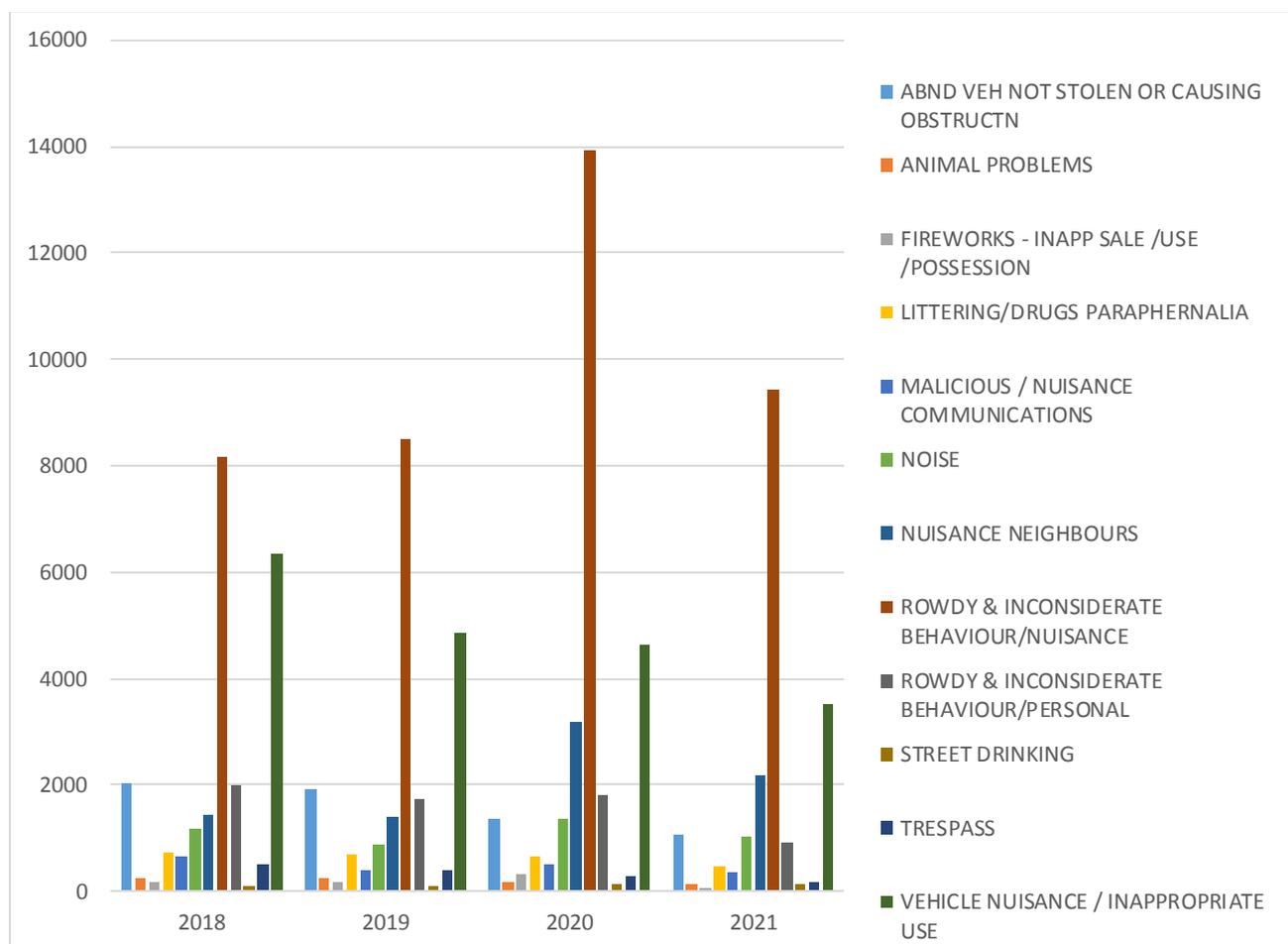
It is also recognised that ASB is often a precursor to other crimes such as serious and organised crime, youth violence, knife crime or exploitation of vulnerable groups. Therefore, in Surrey our approach is to work collaboratively and consider how tackling ASB can help support the work of other strategies locally and nationally to reduce the impact and harm on communities.

## 5 DETAIL

### Current Picture

Current data tells us that in September 2021, Surrey Police received 1,544 calls relating to ASB with the most frequent type of call relating to rowdy and inconsiderate behaviour in a public space.

The chart below shows reported ASB since 2018 and the changes across the 4 years looking at the types of ASB.



In 2020, calls to Surrey Police increased by 33.3%<sup>1</sup>. Much of this increase was attributed to Covid regulation breaches, but nationally, in October, it was reported that ASB which was not connected to Covid was up 12%.<sup>2</sup>

<sup>1</sup> Surrey Police Performance Data January 2021

<sup>2</sup> NPCC Presentation 2020

The 2014 Anti-Social Behaviour, Crime and Policing Act provided partners with a range of powers to deal with ASB including ASB Dispersals, Criminal Behaviour Orders and Public Space Protection Orders. Surrey agencies have been successful in using these powers to protect communities and the most vulnerable. In 2021, 25 ASB dispersal orders have been issued.

### **Victim Satisfaction data**

Alongside recording the number of calls Surrey Police receive relating to ASB, Surrey Police continue to carry out a satisfaction survey.

Surrey Police scoped a new way of collecting feedback from victims and callers of Crime and ASB, with a new 'text message' methodology being implemented from April 2019. This brings the following benefits:

- Reach more victims of different ASB issues.
- Fewer exclusions, therefore including more victims and callers of ASB.
- Fewer questions (5 OR 6 maximum), resulting in an increased response rate.
- Greater focus on 'insight' through victims' comments, rather than closed questions.
- Responses received in 'real time' as opposed to the previous lag of 2-3 months between incidents occurring and results being received.

When a review was done after 12 months, it was found that response rates averaged 25%. Along with the valuable feedback that is being received from a wide range of victims, the new methodology also gives the opportunity to provide service recovery.

The chart below shows the overall satisfaction of the Force and across the District and Boroughs over the past year –

Quarter	Year End 19/20	Qtr. 3 20/21	Qtr. 4 20/21	Year End 20/21	Qtr. 1 21/22	Qtr. 2 21/22	FYTD 21/22
Force	69.2%	69.1%	69.8%	67.4%	63.3%	62.3%	62.9%
East	68.0%	68.5%	72.0%	65.3%	62.9%	64.4%	63.6%
Epsom & Ewell	60.6%	76.9%	63.0%	63.7%	53.8%	61.3%	56.6%
Mole Valley	72.9%	62.0%	83.7%	67.5%	72.9%	69.2%	71.0%
Reigate & Banstead	70.3%	65.2%	70.9%	64.4%	59.3%	66.7%	62.7%
Tandridge	66.8%	71.1%	70.6%	66.4%	68.6%	55.6%	63.2%
North	68.5%	66.5%	67.6%	68.2%	65.9%	65.5%	65.7%
Elmbridge	70.4%	71.4%	72.9%	68.7%	60.4%	66.0%	62.3%
Runnymede	69.5%	69.2%	69.8%	72.5%	68.6%	71.2%	69.8%
Spelthorne	66.0%	59.6%	61.3%	64.1%	70.1%	58.9%	65.7%
West	70.7%	71.7%	69.6%	68.3%	61.5%	58.4%	60.1%
Guildford	73.3%	65.3%	67.9%	65.8%	57.4%	58.2%	57.8%
Surrey Heath	72.4%	79.7%	70.5%	75.5%	62.7%	60.4%	61.7%
Waverley	66.9%	73.3%	74.5%	69.9%	66.7%	65.1%	66.1%
Woking	69.8%	71.8%	67.8%	65.1%	60.5%	51.7%	56.8%

## National Voice and focus in Police and Crime Plan

Often considered low level, anti-social behaviour can ruin lives and create an environment where more serious crime can take hold.

In 2019, the then Victim Commissioner published a report – Anti-Social Behaviour – Living a Nightmare. Baroness Newlove called for change in the way victims of ASB are treated and noted that we all need to recognise that *“the accumulative impact of ASB can cause immense distress and suffering for victims, affecting their health, sleep, work, relationships and leaving victims feeling unsafe in their own home, which should be their place of sanctuary.”*<sup>3</sup>

The report put forward 12 recommendations -

- Recognise the needs of victims of persistent anti-social behaviour (ASB) by amending the Victims’ Code to afford them the same entitlements as victims of crime when they have reached the threshold required to activate the Community Trigger.
- Operation of the 101 police phone line should be reviewed to ensure that it is fit for purpose. This should include calls being answered within a reasonable time limit for victims, facilitating an opportunity for effective police response. Consideration should

<sup>3</sup> Victim Commissioners Report

be given to ensure victims of ASB are not disadvantaged in any way by reporting ASB to the 101 phone line compared with victims of crime reporting to 999.

- A statutory requirement for Local Authorities, Police and Crime Commissioners and Police Force Areas to provide accurate information on the Community Trigger on their websites.
- Empower victims of ASB by informing them about their entitlement to activate the Community Trigger when responding to the second complaint within a six-month period (i.e. - before they meet the threshold of three complaints).
- A statutory requirement for Local Authorities to measure and monitor ASB cases and the use and outcomes of the Community Trigger and report them annually on their website.
- A statutory requirement for agencies to respond to recommended actions from the Community Trigger (including providing full reasons when recommendations cannot be actioned) and monitor progress in ASB resolution.
- Community Trigger investigations and panel meetings to be chaired by an appropriately trained independent lead. Community Trigger meetings should not be chaired by the agencies responsible for investigating the original ASB complaints.
- Currently, if a victim does not agree with the outcome of a Community Trigger, PCCs can act as arbitrator but many choose not to. An independent local arbitrator for Community Trigger appeals should be appointed within each local authority area to deal with escalated complaints about the Community Trigger. This should feed into Local Criminal Justice Boards which in turn submit an annual report to the National Criminal Justice Board.
- Victims of ASB must be given the opportunity to attend and tell the Community Trigger panel in person about their experience of ASB and the effects it has had on them. Similar to the Victim Personal Statement for victims of crime, victims of ASB should also be able to submit a written account of the effects of the ASB and be entitled to read it or have it read on their behalf at the Community Trigger panel meeting. Data protection provisions do not stand in the way of victims being heard in Community Trigger panel meetings and Central Government should provide clear legal advice on the involvement of victims in Community Trigger meetings.
- Key Performance Indicators on ASB to be developed for all social housing providers.
- The Home Office to consider reviewing how local performance relating to ASB is measured and monitored, and how that data can be used to provide opportunities for local areas to learn from each other.
- The Home Office to consider the scope for replicating the statutory powers available to police officers in Scotland in relation to warnings, fines and entering property and seizing noise-making equipment within England and Wales.

The Covid Pandemic put into sharp focus the affects ASB can have on communities with Forces across the country reporting a large increase in ASB. Research from a YouGov poll from March 2020 showed that even before the Covid pandemic, 61% of people felt that more needed to be done to tackle anti-social behaviour in their local area, with 39% of people saying the problem had increased in their area over the past three years.

The feedback from victims is that all too often, they feel they are being constantly targeted by perpetrators; and yet persistently ignored by those with the power to prevent and intervene. Police forces and councils are struggling to cope with the volume of complaints, and this means victims are suffering as they are not receiving the support they deserve. The Victims Commissioner in 2020 called for the Government to honour the recommendations put forward in the 2019 report and put forward measures to combat ASB effectively.

As a result, there is a Home Office Working Group focused on developing good practice for how local areas tackle ASB and support victims. The group is chaired by the Home Office but includes representatives from across the sector, including CC Andy Prophet. It is working with organisations like HMICFRS to develop good practice. Early drafts include a focus on making reporting easy and that victims are kept informed, that organisations and partnerships focus on the harm not simply the occurrence and there are clear referral pathways for victims.

The recommendations from the 'Living a Nightmare' report and the national best practise has formed the basis of the partnership work in Surrey and focused our minds on how we support victims. Surrey is considered to be leading the way with local initiatives and in a HMICFRS inspection, Surrey Police was rated outstanding in relation to its response to ASB.

### **Police and Crime Plan**

In recognition of the national view and local reports from partners and communities, the Police and Crime Plan will include a focus on tackling ASB. The priority 'Working with Surrey Communities so that they feel safe' reflects on the PCC's commitment to ensure everyone living in Surrey feels confident in their communities and those impacted by ASB receive the support and action appropriate.

The plan focuses on ensuring communities can report ASB and be involved in the solutions to making their communities safer through community problem solving. The plan also confirms the PCC's commitment to support and develop services to support victims of ASB, which is an area that the Victim's Commissioner is keen to see increased.

### **Working in partnership**

Surrey has always had a strong partnership approach to tackling ASB and the OPCC has been integral to the development of work in this area. Currently, the strategic group - the Community Harm Reduction Partnership - has a clear strategy which aims to set out how agencies across Surrey will work together to reduce the harmful effects of ASB, Serious and Organised Crime and community safety issues over the next three years. It will build upon the excellent partnership work already operating, at both a local district/borough and county level and ensure that together we continue to drive down incidents of harm and sustain residents' high levels of public confidence and satisfaction.

The group has the following priority areas and listed underneath are some of the partnership successes in the last year.

### **Milestone 1: Improve support for victims of ASB/SOC through district and borough-based Community Safety Partnerships**

- Bespoke ASB Support/Coaching Service for victims of ASB is now provided by the Alliance of Support Coach (ASC) victims across Surrey and is available for all agencies to refer
- Supporting Victims of ASB is now discussed at all CHaRMMS (Community Harm & Risk Management Meetings) and CSPs (Community Safety Partnerships)
- Support service for exploited adults who are experiencing cuckooing – Pilot phase
- Community Trigger Policy produced and implemented in each borough
- ASB Risk Assessment for partners to use
- Inclusion of ASB victims in CHaRMM

**Milestone 2: Improve effective information sharing including shared IT that provides a secure joined up approach to victims at risk and case management of offenders**

- The ECINS system has now replaced SafetyNet as a more capable IT solution and is currently being rolled out across the County

**Milestone 3: Continue to improve the understanding of Anti-Social Behaviour in our local communities by the public and professionals and inform them what responses are available to tackle it**

- ASB Practitioners Forums now run twice a year
- ASB Week embedded into the activity calendar
- Tackling ASB Awards now an annual event
- Surrey ASB Website now hosted by “Healthy Surrey”
- Regular ASB practitioner updates
- Annual ASB Survey

**Milestone 4: Develop a clear communications strategy**

- Surrey ASB Tools and Powers Framework produced
- Guidance around CHaRMM and JAGs (Joint Action Groups) produced
- ASB Week completed and embedded into the communications strategy
- Autumn nights in planning
- Work with Crimestoppers to develop bespoke local campaigns

Alongside the strategic partnership, Surrey have key operational groups to support individuals through the Community Harm and Risk Management Meetings (CHaRMM) and Joint Action Groups (JAGs). These tasking groups are key in a partnership approach to tackling ASB and supporting victims. The OPCC does not attend these operational meetings.

**Victims**

**ASB Pledge**

In the past few years there has been a greater focus on the harm ASB causes and on putting victims first. The Victims Commissioner has campaigned tirelessly for victims of ASB to be afforded the same rights as victims of crime. Charities such as ASB Help have been formed to support victims but also practitioners to find lasting solutions.

ASB Help have developed the Pledge following a pilot in 2019. The Pledge seeks to encourage statutory agencies and housing providers to put victims first and promote the community trigger.

## The Pledge –

**Promote awareness:** Actively encourage the use of the community trigger to residents and partner agencies.

**Legality:** Confirm your organisation is legally compliant and embracing the spirit of the community trigger.

**Ensure accessibility:** Publicise the community trigger so the most vulnerable know what it is and how to invoke it.

**Develop your process:** Embrace the full potential of the community trigger by continually reviewing and learning from best practice.

**Generate inclusivity:** Use community trigger review meetings to work collaboratively and strategically, formulating solutions to end the anti-social behaviour.

**Establish a precedent of using the community trigger to put victims first and deter perpetrators**

Joining the ASB Help Pledge shows communities that each organisation is committed to identifying and supporting victims of ASB. It is designed to demonstrate a willingness to work collaboratively to bring an end to ASB as well as a steadfast determination to deter such behaviour in the future. The pledge comes with a self-assessment for organisations to check how they are doing against best practice. The guidance supporting the self-assessment highlights where organisations' policies and procedures are compliant.

In June 2021, the PCC signed the Pledge, as did Surrey Police and some local authorities.

### **Community Trigger**

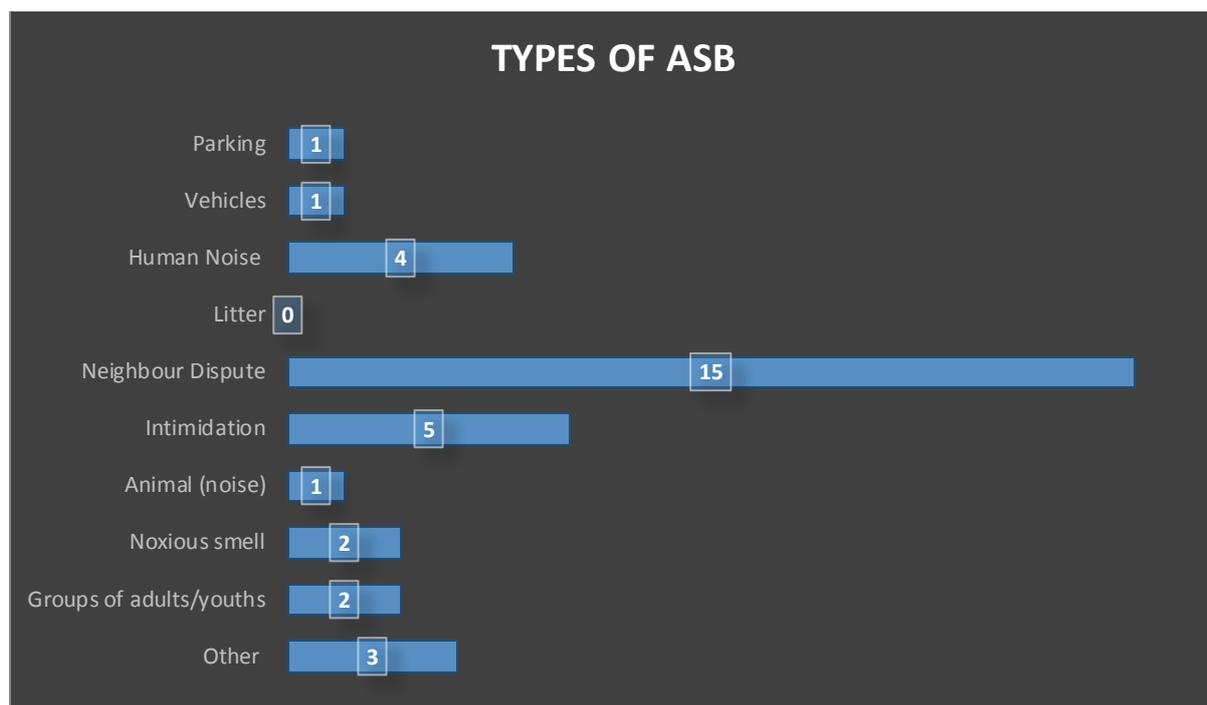
The Anti-social Behaviour, Crime and Policing Act 2014 included specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with, and to help ensure that victims' voices are heard. The Community Trigger was one measure.

The ASB Case Review, often referred to as the 'Community Trigger', is an important statutory safety net for victims of anti-social behaviour who believe they have not had a satisfactory response to their complaints about anti-social behaviour.

Where a locally determined threshold is met, victims can require the relevant bodies in the local area to undertake a formal review of the case, and those bodies have a statutory duty to undertake that review. In addition to the victim, the ASB Case Review can be activated by a person on behalf of the victim who is aware of the circumstances and acts with the victim's consent. This might include a family member, friend, carer, councillor, Member of Parliament or other professional.

Proactive communications around the Community Trigger has led to a sharp increase in the number of requests in the past year with 30 activations being made from April 2021. Of those 30, 15 met the threshold and a formal review instigated.

The chart below highlights what type of ASB the 15 activations related too -



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The guidance recommends that the local Police and Crime Commissioner must be consulted when the ASB Case Review/Community Trigger procedure is set up and whenever it is reviewed. In addition, the PCC can be involved directly in the procedure.

In Surrey, the OPCC's role starts when the victim is dissatisfied with either the decision on whether threshold has been met or the way the CT review was carried out.

*The Office of the Police and Crime Commissioner (OPCC) will provide a route for victims to query the decision on whether the threshold was met or the way the CT review was carried out, if the victim remains unhappy following the Community Safety Partnership's response.*

It is important to note that the role of the OPCC as written in the Framework is not to conduct a second review, but to consider how the responsible authorities carried out the review, e.g. did they follow the Surrey countywide framework and any local policies the Community Safety Partnership have put in place. Once a request is made to the OPCC, the team will consider how the partnership managed and carried out the review, speaking to those involved and responding to the victim when an outcome has been reached.

Nationally, few OPCCs carry out this role in the review process. Alongside the role to review cases, the OPCC also monitors the number of Reviews across the county, the response and where required, supports activity through the Community Safety Fund.

As testament to the partnership working locally, the OPCC has only received 2 escalation requests since 2014.

## Alliance Support Coaching

The 2014 the Anti-Social Behaviour, Crime and Policing Act 2014 gave the police and partners more flexible means to deal with those who cause the greatest harm to our communities. The Act also focused people to put the victims first. Surveys at the time showed that victims were scared and vulnerable and received little support. Partner services focused on processes and solutions to stop the ASB, but little was being done to safeguard and protect victims who suffer physical and mental harm from persistent ASB.

In 2017, the PCC ringfenced £70,000 to commission a specialist provider to establish a support service for victims of ASB. After a competitive process the grant was awarded to Surrey Community Mediation (now Mediation Surrey) to set up the Alliance Support Coaching Service.

The serviced has been running for 4 years and consists of three strands:

- Support
- Coping Strategies
- Signposting

Key to the success of the service is the practical and emotional support provided by the coaches. The mix of paid and volunteer coaches work with the clients to develop coping strategies and ways to view the situation. While this does not solve the ASB, it does allow the client to way to regain control over the situation.

The service has gone from strength to strength and in their end of year report in April 2021, Mediation Surrey reported having received 391 referrals with 127 cases closing within the time period and feedback from the clients is outstanding –

*“The coaching session was brilliant. I have booked a second session and am pleased.”*

*“The coach saved her life. Without coaching I would not be here.”*

The support service is now an integral part of the response to ASB with partners referring victims across Surrey and from a range of organisations.

## Environmental ASB

Environmental crime is widespread in the region and is reported on a frequent basis. Environmental ASB includes flytipping and littering and the impact is just as great in communities. In Surrey we have seen some large-scale flytipping on private land, for example on the Thorpe Industrial Estate. This incident occurred in July 2020 and cost Savills/Tarmac the landowners £110,000 to secure/clear this site. We also know there is a significant link between this type of activity and serious and organised crime. As such, Op Angola was established by agencies across the region.

## Joint Enforcement Teams (JETs)

Since 2013, the OPCC has supported the establishment of Joint Enforcement Teams, who have been dedicated in tackling all ASB, but often with a focus on environmental ASB. In Surrey, we have four dedicated JETs and 3 JETs that are a hybrid version of the original model.

The aim of JETs was to act collaboratively in tackling ASB and while they have made an impact, some areas have chosen not to set them up. In 2020, it was agreed at the Community Harm Reduction Partnership that a partnership approach to environmental crime would be considered. A survey was conducted, which showed there was some excellent collaboration across agencies, and also well-attended Fly-tipping Enforcement Officers meetings. However, it was recognised that there was not a consistent approach.

It was agreed that some agencies collaborate regularly on an operational basis, but it is clear there are missed opportunities to work together more tangibly, to share valuable intelligence and to regularly adopt an 'Achilles Heel' approach, to ensure we robustly tackle Environmental Crime/ASB as well as the other often-linked peripheral crime. This can only be achieved as a partnership.

A small group of partners have since developed the Surrey Partnership Framework. The objective of the framework is to ensure acknowledgement of our collaborative responsibility to tackle criminality by regularly sharing information, working together to support each other and to maximise opportunities to meaningfully intervene. This should in turn ensure we provide an excellent cost-effective service to the public. Within the Framework, each agency is named and their responsibilities to the partnership defined.

The Framework has been agreed by the Chief Executives of each District and Borough and early feedback suggests that the process is helping create a stronger and more effective approach to environmental ASB and associated criminality.

## **6 CONCLUSION AND CHALLENGES**

Anti-Social Behaviour includes a range of nuisances, disorder and crimes which affect people's lives on a daily basis. It looks different and feels different in every area and to every victim. What is considered anti-social by one person can be acceptable to another.

The OPCC in partnership across Surrey recognises that ASB causes great harm and for some, the cumulative impact of ASB can be devastating. We should never forget the case of Fiona Pilkington as a tragic case in point.

We have worked hard and continue to develop victim services and ensure community voices are heard. The new Police and Crime Plan furthers that commitment and keeps the Victim Commissioners' recommendations in mind.

Importantly we need to continue as a partnership to send a clear signal to those who bring so much distress to their neighbourhoods that their behaviour will not be tolerated and victims will receive support and their voices are always heard.

## **7 CONTACT INFORMATION**

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