



**ANTI-SOCIAL BEHAVIOUR**

Report by Head of Children's Services/ Chief Social Work Officer

**PURPOSE**

- 1.1 The purpose of the Report is to update Members on the current position on the Comhairle's response to reported incidents on anti-social behaviour.

**EXECUTIVE SUMMARY**

- 2.1 Following a number of representations to Members from constituents relating to actual or alleged incidents of anti-social behaviour in Stornoway (other areas of the Outer Hebrides can be affected by anti-social behaviour also, only to a lesser extent) it was decided to review the Comhairle's existing strategy and procedures to prevent and respond to incidents of anti-social behaviour.

**RECOMMENDATIONS**

- 3.1 It is recommended that the Comhairle:
- (a) note the intention to have one single document which covers the Comhairle's strategy for preventing incidents of anti-social behaviour occurring in the first instance and for intervening when incidents of anti-social behaviour have occurred;
  - (b) note that there will be a revised anti-social behaviour strategy that covers both prevention and intervention. All services within the Comhairle, partner agencies and the wider community will be consulted with in terms of revising the Anti-Social Behaviour Strategy; and
  - (c) approve the interim measures to be put in place until such time as a revised strategy has been approved and implemented.

Contact Officer: Jack Libby, Head of Children's Services/ Chief Social Work Officer

Appendix:

Background Papers:

## IMPLICATIONS

- 4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	n/a
Legal	Section 143 - Antisocial Behaviour etc. (Scotland) Act 2004
Staffing	n/a
Assets and Property	n/a
Strategic Implications	Implications/None
Risk	n/a
Equalities	UNCRC - Article 15 1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly. 2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.
Corporate Strategy	Safeguarding the most vulnerable in our society.
Environmental Impact	n/a
Consultation	Staff from public and 3 <sup>rd</sup> sector bodies, plus the wider community will be consulted with in terms of the revised Anti-social Behaviour Strategy

## BACKGROUND

- 5.1 Local agencies – councils, the police, the children’s hearing system, the courts and registered social landlords – need to work together to tackle antisocial behaviour. They also need to work closely with local people, because they are the ones who experience anti-social behaviour and they need to be involved in developing the solutions. Anti-social behaviour strategies, covering each council area in Scotland, provide the basis for promoting co-ordinated action to prevent and tackle anti-social behaviour in local communities.
- 5.2 The Comhairle aspires to deliver a high standard and quality service to all clients involved in antisocial behaviour, both to the complainant and the alleged offender. The revised Anti-Social Behaviour Strategy, when implemented should help people within the community to understand the role the Comhairle and partner agencies have in helping prevent and resolve disputes and tackling anti-social behaviour.
- 5.3 The Comhairle’s current antisocial policy and procedure dates back to 2012 and due to certain services referenced within the policy and procedure it no longer remains relevant. The Community Planning Partnerships Anti-Social Behaviour Strategy dates back to 2013 - 2017. The comhairle continue to comply with the policy and procedures although given the reduced resources available, the method of service delivery may vary, with there being a need for a renewed strategy.
- 5.4 The National Anti-Social Behaviour Working Group recognises that ASB root causes come from mental health, drugs and alcohol, poverty, housing, etc. Nationally, there is a rethink on what approaches are taken to address Anti-Social Behaviour. There needs to be a multi-agency and multi-strategy response.

## **DETAIL**

- 6.1 Until such time as the revised Anti-Social Behaviour Strategy is implemented, any incidents of anti-social behaviour, where the alleged perpetrator or victim is under 18 years of age, should be directed towards Children's Services. Depending on the severity, nature and who happens to be involved in that child's life at the time, either Education or Social Work will follow up on the concerns.
- 6.2 Where the alleged perpetrator is over 18 and known or suspected to be a HHP tenant, then the complainer should be redirected to HHP.
- 6.3 Where the alleged perpetrator is over 18 and known or suspected to be in privately rented accommodation or an owner occupier or lives in an owner occupied home i.e. adult son or daughter of owner occupier, then the complainer should be referred on to Environmental Health who will triage the referral and either respond to directly or redirect to other services, depending on the nature of the referral.
- 6.4 Where the alleged perpetrator is age 18 or over, and the act is a crime, then the complainer should be redirected towards Police Scotland. All reports of incidents, whether crime related or not, will result in the creation of an incident report which is auditable; Following initial registration, an incident will be recorded as a crime in all cases if:
  - the circumstances amount to a crime defined by Scots Law or an offence under statute; and
  - there is no credible evidence to the contrary

## **CONCLUSION**

- 7.1 As is evident, there is a need to rethink the approach to preventing Anti-Social Behaviour and how agencies intervene when acts of anti-social behaviour do arise. Work will begin in November 2024 on devising a new Anti-Social Behaviour Strategy, which harnesses the resources both within the Comhairle and more widely across the Community Planning Partnership.