

Anti-Social Behaviour and Respect

Decisions

This report provides members with an updated LGA position on Respect and Anti-Social Behaviour (ASB). Members are asked to:

- 1. Agree revised LGA position on Respect and ASB and develop a robust and mutually supportive relationship with Home Office Respect Taskforce.*
- 2. Agree to LGA Officers developing a joint work plan where appropriate with Respect Taskforce in development of Local Authority Respect Areas.*

Actions Required

- 3. Officers to action as directed by the Board.*

Action by: *LGA as required*

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Anti-Social Behaviour and Respect

Summary

1. *This report provides members with an updated LGA position on Respect and Anti-Social Behaviour (ASB). Members are asked to agree the position and recommend appropriate further action by officers.*

Background

2. *Anti-social behaviour (ASB) is defined in the Crime and Disorder Act 1998 as behaviour that is "likely to cause harassment, alarm or distress". In practice, this encompasses a wide range of issues for local communities, from low level nuisance such as noisy neighbours, abandoned cars, vandalism, graffiti, litter, to much more serious criminal behaviour of harassment. Additionally, quite apart from the day-to-day impact of nuisance behaviour on neighbours and communities, ASB can contribute to increased fear of crime.¹*
3. *Central Government has repeatedly stated in recent years that tackling ASB is one of its key priorities. The Anti-Social Behaviour Act 2003 provided a framework for this and gave local agencies certain powers to address it on the ground. The Violent Crime Reduction Bill 2005 and the launch of the Respect Action Plan in January 2006 continued the trend. This was followed by the publication of the Police and Justice Bill 2006 and the review of the Crime and Disorder Act 1998, and more recently Respect outcomes now feature in the local government White Paper² [DCLG, 2006].*
4. *With the implementation of the Respect Action Plan nearing the 12-month mark and our understanding that the Home Office is preparing a public consultation on extending the scope of Anti-Social Behaviour Disorders (ASBOs) and Fixed Penalty Notices (FPNs), there is an opportunity for the Board members to look again at the LGA's thinking on these issues. This report therefore revisits the LGA's position on Respect and ASB, notes current progress and makes key recommendation for an updated position and future work.*

LGA current position on the Respect Action Plan

5. *The Government's Respect Action Plan was published on 10 January 2006 as a combination of structural approaches to tackling ASB, such as using Local Area Agreements (LAAs), direct sanctions to deal with it, and preventative measures to address its causes. The action plan includes measures focusing on the following areas:*
 - **Young People** - *introduction of a national youth volunteering service, a Sports Champion mentoring programme and pilot of Youth Opportunities Cards.*

¹ *Ev 4, HC 80-II; Wood, Perceptions and Experience of Anti-social Behaviour, Home Office Findings 252, 2004; Home Office, Respect and Responsibility-Taking a Stand against Anti-social Behaviour, Cm 5778, 2003, p13; Campbell, A review of anti-social behaviour orders, Home Office Research Study 236, 2002*

² *Strong and prosperous communities - The Local Government White Paper [DCLG, 2006]*

- **Schools** - an extension of targeted action against truancy and a new duty on councils to identify truancy and support children back into education.
 - **Support for parents and families** – establishment of a network of intensive family support projects, a National Parenting Academy and extension of parenting contracts.
 - **Housing** - consultation on new closure orders and proposals for a respect standard for housing management.
 - **Neighbourhoods** – including proposals for neighbourhood charters, Community Call For Action (CCfA) on community safety issues, face the people sessions, Roll out of neighbourhood policing and warden schemes, and a introduced a nation-wide single non-emergency number number (SNEN).
 - **Enforcement against anti-social behaviour**- extensions to Penalty Notices Disorder (PNDs), new models for conditional cautioning, and further measures on Anti-Social Behaviour Injunctions (ASBI)
 - **Performance measures** - A mandatory Respect and Anti-Social behaviour outcome in all LAAs by April 2007
6. ASB and issues linked to the Respect Agenda, remain key work areas for the LGA, both at corporate and policy board level. To date we have maintained a consistent policy line in this area. Key outputs include the final report of the LGA Anti Social Behaviour Project, ‘Sustainable solutions to anti social behaviour- local government’s approaches to tackling anti-social behaviour’³, [LGA, 2004], the detailed evidence given by the LGA to the Home Affairs Select Committee on Anti-Social Behaviour [HMSO, 2005], and the LGA’s on the day briefing for Respect Action Plan [LGA, 2006]
7. The on-the day briefing consisted of contributions from several LGA Policy Board Support Teams and was coordinated by LGA Strategy and Communications, (the full briefing is available as appendix 1 of this report). The LGA’s current policy position can be summarised as follows:
- We are supportive of the Respect Agenda and have particularly welcomed the elements of the Action Plan that focus on preventing ASB at the earliest opportunity.
 - We are pleased that the Action Plan recognises the importance of strong local leadership and builds on the innovative work councils are already undertaking.
 - We believe there should be a more balance between the three key areas of enforcement, prevention and rehabilitation. Effective solutions can only be developed on a local basis.

Current Work led by the Safer Communities Board

8. Stemming from this, various parts of LGA’s work on Respect implementation (e.g. young people, schools, support for parents and families housing and key performance measures) have been taken forward by relevant Policy Boards. The following section lists key issues that have been led by the Safer Communities Board.

Lobbying

9. The Board has lobbied on two key bills related to this issue during the 2005/06 Parliamentary sessions: the Violent Crime Reduction Bill 2005 (VCRB05) and the Police and Justice Bill 2006 (PJB06). The lobbying strategy has been based on welcoming sanctions contained within the legislation that are twinned with support measures to help perpetrators

³ This report listed case studies of how local councils and partners up and down the country had used innovative thinking and partnership working to detect and tackle anti-social behaviour.

tackle the root causes of their ASB.⁴ Subject to parliamentary approval, we expect both Bills to receive Royal Assent in the Queens Speech on 15 November 2006

- 10. The LGA's recently launched document 'Neighbourhood by neighbourhood: local action to reduce re-offending' [LGA, 2006] builds upon established lobbying lines, by arguing that tackling the causes of ASB can make a major contribution to reducing re-offending, by diverting people from behaviour and lifestyles that might later lead them into crime.*

Neighbourhoods

- 11. Many of the key Respect measures for Neighbourhoods were followed up in the CDA Review, which was published in late January 2006 in conjunction with the RJB06.*
- 12. The CDA Review sets out a number of suggestions for more effective partnership working through the development of national standards for Crime and Disorder Reduction Partnerships or Community Safety Partnerships (CSPs) in Wales. A key proposal extends the scope of CDRP/ CSP strategies to include ASB and other problems adversely affecting the local environment.*
- 13. The LGA's policy line on the CDA Review was agreed at the 15 May Safer Communities Board meeting. We believe that local government strategies for tackling ASB need to be suitably underpinned by a sustainable commitment from all local partners,⁵ but local priorities should not be constrained by nationally directed targets and priorities.*
- 14. If properly implemented and realistically funded, the outcome of the CDA review should be an opportunity to strengthen local partnership work on community safety, in advance of the new local delivery landscape emerging around stronger Local Area Agreements (LAAs), and reinvigorated Local Strategic Partnerships (LSPs).*
- 15. With the completion of final stakeholder recommendations for Ministers, the LGA will remain closely involved in drafting the regulatory guidance. The aim is for regulations to come into effect in April 2007 and guidance will to be issued in summer 2007.*

Performance measures

- 16. The role of local government in responding to ASB and wider environmental concerns is addressed in the LAA and Comprehensive Performance Assessment (CPA) frameworks for safer and stronger communities.*
- 17. The LGA has lobbied actively for a new performance framework for localities to replace CPA and we have welcomed the proposals in the Local Government White Paper for a new Comprehensive Area Assessment. We shall be working with the Government, Audit Commission and other inspectorates and with member authorities to develop elements of the new framework to ensure that it is owned by the sector, puts the expectations of citizens at its heart and reduces the burden of inspection and regulation.*
- 18. We have therefore voiced concern over the installation of mandatory respect and anti-social behaviour outcomes in all LAAs by April 2007 [LGA/CLP Subgroup, 2006]⁶. Our long term*

⁴ Briefings are available at www.lga.gov.uk Home > Lobbying > Legislation > 2005-06 Parliamentary Session > Violent Crime Bill or Police and Justice Bill

⁵ LGA evidence given to Home Affairs Select Committee on Anti-social behaviour (January 2005)

⁶ <http://www.lga.gov.uk/Documents/Agenda/clp/180106/MINUTES.pdf>

vision for LAAs and wider performance framework project is geared towards a more streamlined set of high level national outcomes (of which this ASB could form a part).⁷ It is critical that the principles that underpin LAAs, and that have been developed between central and local government, are built on in the Respect Action Plan.

Relationship Management

19. Since January 2006, attempts to establish working relations between the Government's Respect Taskforce and the Safer Community Board have met with limited success. This has been partly due to a perception from central government that the LGA position on Respect and ASB is wholly wedded to our preventative arguments and is therefore dismissive of the enforcement elements of the Action Plan.

20. In October 2006, LGA officers met with the Home Office Respect Taskforce to re-establish working links. Following on from this, senior representatives of the Respect Unit will be present at the 13 November Board meeting to update members on Respect Action Plan implementation, and reflect in particular on the role of local government sector in taking this forward in future.

Recommendations

21. In light of the above progress, members are now asked to agree the following:

22. Agree revised LGA position on Respect and ASB and develop a robust and mutually supportive relationship with Home Office Respect Taskforce.

- While the LGA believes that enforcement on its own is not a long term solution, we can also accept that it provides some respite to individuals or communities who suffer as a result of serious ASB, while other measures are put into place.
- Conversely, there are measures within the action plan that are focused on supporting or diverting perpetrators of ASB. For example, Individual support orders have been introduced for children and young people subject to ASBOs. Youth Inclusion Programmes and Youth Inclusion and Support Panels have been developed with the aim of targeting children most at risk of offending and addressing their particular risk factors. Other initiatives such as the Children's Fund, Sure Start, Connexions, and anti-truancy measures have all been developed with the aim of helping to prevent ASB.
- It is therefore recommended that in the future representations, the LGA should give a more balanced welcome both to the preventative and enforcement elements of the Respect Action Plan and for officers to use this revised position to re-engineer closer working relations with the Home Office Respect Taskforce.

23. Agree to LGA Officers developing a joint work plan where appropriate with Respect Taskforce in development of local Authority Respect areas.

- The LGA has consistently stated the important community leadership role for local government in taking forward the respect work [LGA/CLP Subgroup, 2006]. Developing this role requires commitment at both chief officer and frontline officer level, and the LGA has a strong advocacy role in this area. Initial information has been received from the Respect Taskforce on planned development of new Respect areas for early 2007.

⁷ Our national campaign for a reduced set of 30 national outcomes to replace the plethora of national targets and indicators which currently exist centres on the argument that maximum local flexibility and discretion allows councils to use measurements and targets that are meaningful locally.

- *Further information on this will be given in the presentation at the 13 November Board meeting. Early indications suggest a role for the LGA influencing the future work of the Respect Task force. This could entail incorporating more of the LGA's key messages on a balanced approach to enforcement, prevention and rehabilitation and ensuring a stronger, clearer message on the role of local government.*
- *There will also be an opportunity for the LGA and IDeA to promote and disseminate the good practice from the Respect Areas to the wider local government community. This can be achieved in a number of ways, including the possibility of joint events or publications.*

Implications for Wales

24. The implications for Wales will be fully addressed throughout the development of the work programme.

Financial/Resource Implications

25. There are no exceptional financial requirements raised by these recommendations in the LGA or central bodies at present.

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