

# Lincolnshire Police

## Policy Document



## Anti-social behaviour policy

### PD 124

### Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Reference Number:	PD 124
Policy Sponsor:	ACC Kerrin Wilson
Policy Owner:	ASB Strategic Lead – C/Supt Chris Davison
Author:	ASB Tactical Lead – C/Insp Simon Skelton
Publication Date:	December 2019
Review Date:	December 2021

Version:	Date:	Reason For Issue:
6	May 2017	Review of Policy
7	December 2019	Biennial Review

## Legislative Compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the individual and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

### *Other legislation/law which this policy has been drafted to comply with:*

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)
- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)
- [Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)

### **Security Classification**

**Policy to be published on Intranet: Yes**

**Policy to be published on Force Website: Yes**

## Authorised Professional Practice (APP)

This Policy has been checked against APP and there is none in relation to the subject matter of this Policy.

### 1. Policy Aims: (purpose)

1.1. This policy sets out how Lincolnshire Police will work together with partner agencies to effectively manage and resolve reports of anti-social behaviour; building upon the excellent partnership work already operating across the county, ensuring together we continue efforts to reduce anti-social behaviour and provide every member of the community with the highest possible standard of service.

1.2. As a partnership we do not underestimate the impact anti-social behaviour can have on the lives of individuals and communities. The primary focus of our strategy is to put the needs of victims first; to provide effective support and ensure processes are in place to protect them from further harm. Key to this approach is the identification of repeat and vulnerable victims.

1.3. We also recognise the importance in effectively tackling perpetrators of anti-social behaviour and the benefits of early intervention methods to achieve long-term sustainable outcomes.

#### 1.4. Aims

1.4.1. We aim to reduce instances of anti-social behaviour and the numbers of people who are involved in or at risk from anti-social behaviour (both victims and perpetrators). Where anti-social behaviour does occur, we are committed to putting the victim first, particularly if they are vulnerable or a repeat victim.

#### 1.5. Objectives

- 1.5.1.
- Deliver a consistent response to anti-social behaviour across Lincolnshire, irrespective of location or service provider.
  - Provide improved service and protection to the public through the use of swift efficient processes.
  - Manage reports of anti-social behaviour more effectively across partners in Lincolnshire.
  - Improve the experience for victims and witnesses of anti-social behaviour through better engagement and understanding.
  - Identify repeat and vulnerable victims effectively and respond more efficiently.
  - Identify repeat perpetrators of anti-social behaviour and explore opportunities to implement interventions to reduce their negative impact on communities.
  - Tackle problem locations where anti-social behaviour is occurring.
  - Facilitate effective information sharing including the use of a shared IT system to allow for a more joined up approach in managing high risk cases.

## 2. Policy Statement: (Key information)

### 2.1. Introduction

2.1.1. The Safer Lincolnshire Partnership (SLP) is a strategic multi-agency group set up to tackle countywide community safety issues. It is made up of both statutory and non-statutory organisations such as the Police, County Council, District Councils, Fire and Rescue, Probation Trust, Clinical Commissioning Group and Future4Me (which encompasses the Youth offending service). Collectively they are required to identify community safety priorities and develop strategies to deal with them effectively. Each priority area is supported by a Strategic Management Board, which is responsible for delivering all actions set within their delivery plan.

2.1.2. The SLP recognises the huge effect anti-social behaviour has on victims and communities and has therefore made it one of their key priorities

2.1.3. The SLP consist of a SLP Overview and Scrutiny Board (OSB), which represents the views of the public within the SLP and oversees and scrutinises partnership activity and decisions, and the SLP Strategy Board (SB) that is responsible for devising and implementing a strategic plan to address identified SLP priorities. Each priority area is supported by Core Priority Group (CPG), which is responsible for delivering all actions set within the SLP delivery plan. This is illustrated in the diagram below:



2.1.4. The CPG for Anti-Social Behaviour (also known as the Anti-Social Behaviour Partnership) is made up of the following agencies:

- Lincolnshire County Council Safer Communities
- Office of the Police and Crime Commissioner

- Lincolnshire Fire and Rescue
- Lincolnshire County Council Public Health
- Lincolnshire County Council Future4Me
- Lincolnshire County Council Early Help (Troubled Families)
- Lincolnshire County Council Adult Safeguarding
- Humberside, Lincolnshire and North Yorkshire Community Rehabilitation Company
- Lincolnshire Partnership Foundation Trust
- Victim Support
- West Lindsey District Council
- East Lindsey District Council
- City of Lincoln Council
- North Kesteven District Council
- South Kesteven District Council
- Boston Borough Council
- South Holland District Council
- Longhurst Group
- Waterloo Housing
- Lincolnshire Housing Partnership
- ACIS Group Ltd

2.1.5. This policy is intended to support the actions outlined in the SLP Delivery Plan.

<https://www.lincolnshire.gov.uk/Download/118350>

All activity in relation to this document will be led by the Anti-Social Behaviour CPG and overseen by the SLP. Any agency that fails to engage will be held to account by the Anti-Social Behaviour CPG and if not resolved will be taken to the SLP Strategy Board.

## 2.2. **What is Anti-Social Behaviour?**

2.2.1. 'Anti-social behaviour' is the broad term used to describe a range of nuisances, disorder and crime that affect people's daily lives. It covers many types of behaviour that vary in nature and severity, many of which are open to interpretation. Thus what is considered anti-social by one person can be acceptable to another.

2.2.2. Issues that could constitute as anti-social behaviour include (this is by no means an exhaustive list);

- Noise nuisance
- Intimidation and/or threatening behaviour
- Littering or Fly-tipping
- Vandalism, graffiti and other deliberate damage to property or vehicles
- Using or dealing drugs
- Street drinking
- Rowdy behaviour in public
- Abandoned or burnt out cars
- Arson
- Neighbour disputes

2.2.3. There is no single definition of anti-social behaviour but instead a series of different definitions for different purposes; introduced through the Anti-social Behaviour, Crime and Policing Act 2014. These definitions encompass a variety of behaviours covering a whole complex of activities which may be unacceptable in different contexts.

2.2.4. We acknowledge that anti-social behaviour does not exclude other criminal offences and understand that any act of anti-social behaviour associated with a crime will be dealt with accordingly; incorporating the required criminal sanctions into the intervention process.

### 2.3. **Working in partnership**

2.3.1. We know that anti-social behaviour cannot be tackled by one agency alone and that to provide an effective response we must work together. Working in partnership is key to our approach and by doing so allows us to:

- Share appropriate information to identify anti-social behaviour trends and deliver proactive targeted responses.
- Improve co-ordination across agencies to support and protect victims of anti-social behaviour, particularly the most vulnerable.
- Increase and improve the sharing of good practice, skills, and experience across the county amongst both statutory and non-statutory agencies.
- Train staff to effectively deal with reports of anti-social behaviour; utilising all the powers and tools available to them.

### 2.4. **Anti-Social Behaviour case management**

2.4.1. To support our partnership response to anti-social behaviour partners (Police and Local Authorities) have jointly purchased an IT system (E-CINS) to facilitate information sharing and coordinate multi-agency activity more effectively in response to cases of anti-social behaviour. It can also be accessed by a range of other agencies, including Registered Housing Providers, Future4Me and Victim Support.

2.4.2. It is predominately used to manage and co-ordinate all activity in response to high risk cases of anti-social behaviour e.g. repeat/vulnerable victims, persistent perpetrators and hotspot locations, however most Local Authorities now use it to record all complaints of anti-social behaviour. An Information Sharing Agreement is in place to allow users to view the collective information that has been input by the different agencies and by doing so tackle anti-social behaviour more efficiently.

### 2.5. **Definitions**

2.5.1. To ensure the effective and consistent identification of vulnerable and repeat victims, persistent perpetrators and 'hot spot' locations the Anti-Social Behaviour CPG has agreed the following definitions.

#### Vulnerable victim

*'A vulnerable victim is a person whose experience and/or effect of harm as a result*

*of an incident is likely to be more significant because of their individual personal circumstances’.*

- Emphasis should be on how the victim is affected by the anti-social behaviour to determine vulnerability, rather than assuming personal demographics automatically place them in the vulnerable category e.g the nine protected characteristic of the Equality Act 2010 (age, disability, marital status, gender assignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation) it is the impact the anti-social behaviour is having on the individual or community that is important when identifying vulnerable victims of anti-social behaviour.

#### Repeat victim

*‘Repeat victimisations occurs when a person is subjected to three incidents of anti-social behaviour within a rolling 12 month period’*

- It is widely recognised that victims rarely report their first experiences of anti-social behaviour, often waiting until it begins to impact upon their life. This definition, therefore, includes both reported and unreported incidents of anti-social behaviour within the 12 month time frame.

#### Hot spot location

*‘A ‘hot spot’ location is an area where 3 or more incidents of anti-social behaviour have occurred in the same locality within a one month period, reported by more than one person’.*

- ‘Hot spots’ locations tend to be those areas most accessible to the public, for example shopping precincts, children’s play parks, or public car parks, and can even expand to cover entire housing estates. They often involve multiple offenders and more than one victim, resulting in a wider impact on the community.
- Partners will work together to identify and tackle area ‘hot spots’; considering the needs of the community as a whole, as well as individual victims affected.

#### Persistent Perpetrator

*‘A persistent perpetrator is a person who continues to commits acts of anti-social behaviour in spite of initial preventative measures being implemented’.*

- Initial preventative measures could include a verbal warning, written warning, Acceptable Behaviour Contract/Agreement, Future4Me intervention and/or Restorative Justice.

## 2.6. **Hate Crime**

- 2.6.1. This ASB policy is underpinned by a commitment to provide equality of access to services and support to every member of our communities; regardless of – age, disability, marital status, gender assignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation. It is widely understood that those most vulnerable in our society, or those from diverse backgrounds are proportionally more likely to become victims of anti-social behaviour or hate crime. Incidents of

hate crime often manifest themselves in low level forms of anti-social behaviour, which on the surface may appear minor but the impact on the victim and their family can be devastating if not dealt with quickly and effectively. This was clearly highlighted in the case of Fiona Pilkington who killed herself and her disabled daughter, Francesca Hardwick, after suffering years of anti-social behaviour and hate crime. In recognition of this, this policy has been integrated with the Lincolnshire Hate Crime Strategy and the priorities set within it (see Policy link in Section 3).

### **3. Other Related Documents/Appendices:**

- 3.1.
  - App A – Procedural Guidance
  - [Hate Crime Policy PD 96](#)

### **4. Monitoring/Review:**

- 4.1 The Anti-Social Behaviour CPG is responsible for monitoring performance at a countywide level. Our performance will be measured through the anti-social behaviour delivery plan and reported to the SLP SB every quarter.
- 4.2 Satisfaction surveys of victims of ASB will be conducted, monitored and shared by all partners in order to establish an overall picture of our developments, which can be consistently and easily evaluated.
- 4.3 The policy will be reviewed on a biennial basis.

### **5. Who to contact about this policy:**

- 5..1 This policy is owned by the ASB Strategic Lead. Any enquires about this policy should be directed to the force Tactical Lead, C/Insp Simon Skelton, 07771940324, [simon.skelton@lincs.pnn.police.uk](mailto:simon.skelton@lincs.pnn.police.uk).

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### PRO-FORMA FOR THE INITIAL EQUALITY IMPACT ASSESSMENT (EIA)

This screening document is the first stage in a two-stage process to take a systematic approach to assessing the impact of an activity on equality. An activity may mean a:

- policy or policy review,
- a business case
- a business plan
- a project initiation
- a decision to implement a service
- a decision to decommission a service.

This screening should be completed by the lead person for the activity with assistance from any of the following departments:

- Human Resources (Where appropriate)
- Equality and Diversity

<b>Department:</b>	Local Policing	<b>Section:</b>	Neighbourhoods	<b>Person responsible for initial assessment:</b>	CI SKELTON
<b>Name of the Policy to be assessed:</b>	<b>Anti-social Behaviour</b>	<b>Date of Assessment:</b>	December 2019	<b>Is this a new or existing policy?</b>	Existing
1. Briefly describe the aims, objectives and purpose of the policy.	THE EFFECTIVE MANAGEMENT, INVESTIGATION OF ASB IN LINCOLNSHIRE				
2. Are there any associated objectives of the policy? Please explain.	NONE				
3. Who is intended to benefit from the policy and in what way?	SERVICE USERS, POLICE OFFICERS AND STAFF, PARTNER AGENCIES				

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NOT PROTECTIVELY MARKED

4. What outcomes are wanted from this policy?	IMPROVED SERVICE, BETTER ACCESS TO POLICING SERVICES, LEGAL OBLIGATION	
5. What factors/forces could contribute/detract from the outcomes?	NONE	
6. Who are the main stakeholders in relation to the Policy?	LINCOLNSHIRE POLICE, LINCOLNSHIRE COUNTY COUNCIL, LOCAL AUTHORITIES	
7. Who implements the policy and who is responsible for the activity?	DISTRICT CHIEF INSPECTORS	
8. Is there any likelihood the policy <b>could</b> have a differential impact on racial groups? (including Gypsies and Travellers)	N	Please explain
What existing evidence (either presumed or otherwise) do you have for this?		
9. Is there any likelihood the policy <b>could</b> have a differential impact due to gender?	N	Please explain
What existing evidence (either presumed or otherwise) do you have for this?		

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<p>10. Is there any likelihood the policy <b>could</b> have a differential impact on due disability?</p>		<p><b>N</b></p>	<p><b>Please explain</b> <b>SERVICE IS OPEN TO ALL GROUPS</b></p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>			
<p>11. Is there any likelihood the policy <b>could</b> have a differential impact on people due to sexual orientation?</p>		<p><b>N</b></p>	<p><b>Please explain</b> <b>SERVICE IS OPEN TO ALL GROUPS</b></p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>			
<p>12. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their age?</p>		<p><b>Yes</b></p>	<p><b>Please explain</b> <b>Young people will follow a process differing from adults. This is aimed at a supportive and multi-agency approach to ensure that diversion away from ASB and ultimately crime is achieved. It is acknowledged that early years ASB can and will lead to criminality. This positive differential in impact is designed to be supportive, to allow full access through the JDP process to all diversionary options.</b></p>
<p>12a Is there any likelihood the policy <b>could</b> have a differential impact on Young People and Children?</p>		<p><b>Yes</b></p>	<p><b>Please explain</b> <b>Young people will follow a process differing from adults. This is aimed at a supportive and multi-agency approach to ensure that diversion away from ASB and ultimately crime is achieved. It is acknowledged that early years ASB can and will lead to criminality. This positive differential in impact is designed to be supportive, to allow full access through the JDP process to all diversionary options.</b></p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>A full review from partners has led to the current trial (6months) of the process whereby children will progress through JDP rather than ASBRAC. This is based on the diversion and intervention that is available at the JDP panel comparative to ASBRAC.</p>		
<p>12b Is there any likelihood the policy <b>could</b> have a differential impact on Older People?</p>		<p><b>N</b></p>	<p><b>Please explain</b> <b>SERVICE IS OPEN TO ALL GROUPS</b></p>

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What existing evidence (either presumed or otherwise) do you have for this?			
13. Is there any likelihood the policy <b>could</b> have a differential impact on people due to their religious belief?		<b>N</b>	<b>Please explain SERVICE IS OPEN TO ALL GROUPS</b>
What existing evidence (either presumed or otherwise) do you have for this?			
14. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them having dependants/caring responsibilities?		<b>N</b>	<b>Please explain SERVICE IS OPEN TO ALL GROUPS</b>
What existing evidence (either presumed or otherwise) do you have for this?			
15. Is there any likelihood the activity <b>could</b> have a differential impact on people due to Marriage or Civil partnership?		<b>N</b>	<b>Please explain SERVICE IS OPEN TO ALL GROUPS</b>
What existing evidence (either presumed or otherwise) do you have for this?			
16. Is there any likelihood the policy <b>could</b> have a differential impact on people due to them being Transgender or Transsexual?		<b>N</b>	<b>Please explain SERVICE IS OPEN TO ALL GROUPS</b>
What existing evidence (either presumed or otherwise) do you have for this?			

<b>Protective Security Marking:</b>	NOT PROTECTIVELY MARKED
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17. If a differential impact has been identified in 8-16, will this amount to there being the potential for an adverse impact in this policy?	<b>Y</b>	<b>N</b>	<b>Please explain</b>	
18. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?	<b>Y</b>	<b>N</b>	<b>Please explain for each equality heading (question 8-16) on a separate piece of paper</b>	
19. If Yes, is there enough evidence to proceed to a full EIA?			<b>YES</b>	<b>NO</b>
20. Date on which Full impact assessment to be completed by.				

Signed (completing officer) \_\_\_\_\_ S.SKELTON \_\_\_\_\_

Signed (Lead officer) \_\_\_\_\_

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### Groups Affected

Please identify the anticipated impact this activity will have on the following population groups.

- Tick the appropriate box and give explanation if so required,
- Please note that there are both likely benefits and adverse impact within the same group
- Any groups highlighted as likely to be adversely affected should be consulted in the second stage Full Impact Assessment if one has been identified as being needed.

	Likely to Benefit	No Impact	Adverse Impact
<b>Disability</b> - Physical ,Sensory, Learning Disability, Mental Health, Carers		X	
<b>Gender</b> - Male , Female		X	
<b>Transgender</b>		X	
<b>Race</b> - Traveller and Gypsy etc		X	
<b>Sexual Orientation</b> - Lesbian, Gay , Bisexual		X	
<b>Religion and Belief</b>		X	
<b>Age</b> - Young and Old	X		
<b>Marriage and Civil Partnerships</b>		X	