

Tackling anti-social behaviour supportive interventions essay sample

[Psychology](#), [Behaviorism](#)



Chapter 1: Introduction

1. 1. Aims of the Research Study This evaluative Research study looks at Supportive interventions for tackling Antisocial Behaviour (henceforth -ASB), implemented by a Housing trust in London, since the Respect Agenda Standard was launched in 2006. Supportive interventions were introduced by the Respect Agenda Acton plan as a twin-pack approach to be used alongside enforcement interventions at tackling ASB. The aim of the Research project was to explore the use of Supportive interventions and establish if they were effective as compared to Enforcement interventions at tackling ASB, especially when working with tenants with mental health problems. To facilitate an in-depth understanding of the phenomena that is ASB, the research gathered basic demographic data for both the victim and the perpetrator, examining the relationships between their age, gender and ethnicity and reported cases of ASB.

The research project also looked at the type of ASB reported, the intervention/s implemented, their effectiveness at dealing with the particular ASB, and finally, the research sought to establish the extent to which people with mental health problems were involved in ASB as both perpetrators and victims, examining the interventions applied in their case and if they were effective at dealing with the ASB issues identified. First the research study looked at a definition of ASB and its impact on the people involved it.

1. 2. Debate on the Definition of Anti-Social Behaviour Criminologists and legal philosophers have been debating with difficulty, the precise nature and limits of criminal activity for decades (Garland 2002), especially, what

exactly makes certain behaviours anti-social. Without tighter definitional limits ASB could be anything from the mildly annoying through to the seriously criminal. For instance, if I answer my mobile phone loudly on a train or at a cinema, I am deemed anti-social, but so too if I steal your mobile phone. Most people would exclude both behaviours from definitions of ASB, as being either too trivial or adequately covered by criminal law. ASB seems to sit somewhere in between 10

Within a public order enforcement context Anti; – Social Behaviour is a comparatively recent addition to the common lexicon. However, within psycho-social literature it has been a term used for many years as a label for unwanted behaviour as the result of personality disorder, and is the opposite of pro-social behaviour (Millon et ...al. 1998). For instance, writing from a psycho-social perspective, David Farrington (1995a) stated that teenage anti-social behaviour in particular, ‘ covers a multitude of sins ... such as theft, burglary, robbery, violence, vandalism, fraud and drug use ... bullying, reckless driving, heavy drinking and sexual promiscuity ... heavy smoking, heavy gambling, employment instability and conflict with parents’. This is an exceptionally broad remit. Relatedly, sociopathy and psychopathy are now more commonly regarded under the umbrella term ‘ anti-social personality disorder’ (ASPD) (see e. g. Squires and Stephen 2005).

To avoid any confusion, this is not what this research study is focused on. Instead a much narrower concept of Anti social behaviour is considered, with the focus entirely on ASB as understood within a public order enforcement context. However, ASB has greater overlap with conceptions of deviancy and

delinquency – including some minor forms of criminality. It also has a lot in common with incivilities, disorder and ‘ quality of life crimes’; terms that describe a ‘ cocktail of social unpleasantness and environmental mess found in decaying neighbourhoods’ (Burney 2005).

1. 2. 1. ASB as a political and media invention There is a suggestion that the label ‘ ASB’ was simply invented by politicians and by the media to describe a loose collection of neighbourhood problems (Millie 2007a). Just as categories of ‘ crime’ can be regarded as inventions of the criminal justice system, (Hulsman 1986), ASB can be regarded as a label of convenience for noncriminal and minor criminal neighbourhood concerns. UK crime rates had been falling from the mid-1990s onwards (e. g. Thorpe et al. 2007) and so ASB provided an opportune ‘ menace’ to target for political rhetoric and action. By keeping the definition of ASB as vague as possible it also made it easier to claim successes. This is, of course, a dangerous game as it can draw people’s attention to ASB-type 11 "problems and enhance worries among vulnerable people especially the elderly (Bannister et al. 2006). It seems unlikely that politicians have been quite as calculating, although there has almost certainly been a degree of political packaging of ASB, and it is certainly possible that the media over-sold the problem (Millie 2007a).

It would be wrong to suggest that people do not behave anti-socially and that some people and neighbourhoods do not suffer the consequences of this behaviour. While New Labour had certainly embraced the concept of Anti social behaviour enthusiastically and launched the Respect Agenda Standard, The term ASB, in fact pre-dated Labour coming to power in 1997

and featured in earlier Conservative legislation. In legislative terms, the origin of what became known as ASB can be seen as the Conservative 1986 Public Order Act? The term ASB is not in fact used in this instance, but what is of significance is the focus on ‘harassment, alarm and distress’, what became the three pillars of later New Labour legislation to address ASB. According to the 1986 Public Order Act (s. 5 (1)); A person is guilty of an offence if he (a), uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or (b) displays any writing, sign or other visible representation which is threatening, abusive or insulting, within the hearing or sight of a person likely to be caused harassment, alarm or distress.

A person found guilty of causing unintentional ‘harassment, alarm or distresses could be given a fine. If intentional (s. 4 (a)), then the maximum sentence was six months’ imprisonment or a higher fine. What is immediately apparent is the subjectivity of the terminology used. For instance, I can be harassed, alarmed or distressed by quite different things to someone else. One of the first definitions of ASB was put forward by the Chartered Institute of Housing (1995), as: – ‘Behaviour that unreasonably interferes with other people’s rights to the use and enjoyment of their home and community’. This highlighted the importance of housing in ASB discourse. It has been noted elsewhere (Brown 2004; Flint 2006a), that much of the current focus on ASB originated in a housing context in an effort to address issues of ‘problem neighbours’ or ‘neighbours from hell’ (. Field 2003), something quite different to public order targeted by the 1986 public order Act. At the Chartered Institute of Housing’s annual conference in 1995,

a lobby group was formed called the ' Local Authority Working Group on Anti-Social 12

Behaviour', later to become the ' Social Landlords Crime and Nuisance Group' (SLCNG {see Burney 1999},). Their influence on Labour Party policy (then in opposition), was almost immediate as in the same year, Labour published their white paper, A Quiet Life: Tough Action on Criminal Neighbours. This white paper outlined proposals for a ' Community Safety Order', which evolved into the ASBO when introduced in 1998. However, the term ASB was not adequately defined in any of these discussions, although it had become synonymous with neighbourhood disputes and people's rights to ' the use and enjoyment of their home and community'. This emphasis was apparent in the 1996 Housing Act introduced by the Conservative government. It was the first time ASB was mentioned in legislation, here relating to powers for social landlords to grant injunctions against anti-social tenants.

According to the Act (s. 152), a person is guilty of ASB if she or he is: (a) engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to a person residing in, visiting or otherwise engaging in a lawful activity in residential premises to which this section applies or in the locality of such premises (b) using or threatening to use residential premises to which this section applies for immoral or illegal purposes, or (c) Entering residential premises to which this section applies or being found in the locality of any such premises. This definition was certainly not the shortest.

In this case what was deemed to be ASB centred on ‘nuisance’ or ‘annoyance’, as opposed to the ‘harassment, alarm or distress’ of the 1986 Public Order Act? The injunction powers also included persons using or threatening to use premises for immoral or illegal purposes – principally to cover drug dealing or prostitution. The definition also left a lot of scope for interpretation of other people’s behaviour. ‘Harassment’ was also a feature of the 1997 Protection from Harassment Act, one of the last pieces of Conservative legislation enacted before the general election in May that year. ‘Harassment’ was defined as follows:- A person must not pursue a course of conduct (a) which amounts to harassment of another, and (b) which he knows or

ought to know amounts to harassment of the other. (s. 1 (1)). Here, according to Finch (2002a,) the definition is left vague as it, ‘enables the victim to determine the parameters of acceptable interaction on an individualistic basis with primacy given to the victim’s interpretation of events when attributing liability’. Not only was acceptability of behaviour a subjective decision made by the victim, it was stated that the perpetrator ‘ought to know’ that it is harassment. In effect, the perpetrator is in the peculiar position of having to understand how someone may perceive their actions. That said, there was some elaboration as the behaviour had to have occurred at least twice (s. 7 (3)) and could include speech (s. 7 (4)) (see Finch 2002b: 423). Still, this left considerable scope for individual interpretation.

1. 2. 2. Legal definitions of Anti:-social behaviour The Housing Act 1996 defines ASB AS: – ‘ Conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in unlawful activity in a locality’. The Crime and Disorder Act 1998 defines it as:-‘ 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’. This is the legal definition that is used in relation to anti-social behaviour orders and has also been adopted by the majority of Crime and Disorder Reduction Partnerships or Community Safety Partnerships in local government and housing associations.

The Anti-Social Behaviour Act 2003, defines ASB AS, “ Conduct which is capable of causing nuisance or annoyance to any person and which directly or indirectly relates to, or affects, the housing management functions of a relevant landlord or conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose”. This definition enables injunctions to be applied for where there is conduct, which is ‘ capable of causing a nuisance or annoyance’, and ‘ directly or indirectly relates to or affects the landlords housing function’

The Respect Agenda standard of 2006, defines ASB as: – covering a “ wide range of selfish and unacceptable activity that can blight the quality of community life” (Respect action plan, 2006, pg 8-12). Terms such as ‘ nuisance’, ‘ disorder’ and ‘ harassment’ are also used to describe some of this behaviour. 1. 2. 3. Types of Anti- social Behaviour According to the

Respect Agenda, most types of ASB fit into one of three categories: Street problems, Nuisance neighbours and Environmental crime (Respect Action plan; pg-20). These categories cover a wide range of conduct, ranging from groups of youths behaving aggressively in shopping Malls and high streets, to neighbours who don't clean up after their dogs, or restrain them from excessive barking, to the misuse of fireworks. Examples of street crimes are:

- Intimidation, begging, public drug dealing, cab crawling, soliciting and the reckless driving of mini-motorbikes/mopeds. Nuisance neighbours have a big impact on the community around them. Just one or two families can ruin other people's lives because of their intimidation, harassment, criminal damage, rowdiness, excessive noise nuisance and animal-related problems.

Environmental ASB;- such as graffiti and fly tipping, has a huge impact on communities and the well being of individuals living in them. It can ruin public spaces and is expensive to clean up. In a recent British Crime Survey, respondents named vandalism and property damage as the most serious ASB issues in their area. Environmental crime can include:

- Fly-tipping - dumping household or commercial rubbish in private or communal areas.
- Littering: - deliberately dropping litter on the streets.
- Grffiti: - spray-painting or otherwise marking private property or communal areas like the sides of bus-shelters and houses.
- Vandalism: - damaging private property or communal facilities like telephone booths, street lights, bus stops etc. Poorly lit neighbourhoods with no access to a public telephone booth eventually become hotbeds for far more serious criminal activities such drug dealing, muggings and gang activity.

1. 3. Impact of ASB on People's lives. ASB ruins lives. It impacts adversely on people's quality of life, directly by causing fear, alarm and distress to victims and witnesses, and indirectly by, for example, disrupting local businesses, community life and public transport services. These impacts tend to be felt more acutely by those living in hard-pressed or deprived areas. ASB prevents the renewal of such areas by making them impossible to live in and expensive to maintain, thereby creating an environment where more serious crime can take hold (British Crime Survey, 2006). ASB is a major issue in some of the UK's more deprived or disadvantaged communities. It is also expensive, estimated to cost the British taxpayer £3. 4bn a year (Respect action plan, 2006 pg -7). There are a variety of factors, which increase the risk of ASB.

These are: Parenting – Poor parenting skills, a weak parent/child relationship and a family history of problem behaviour. School – Truancy exclusion and unchallenged bad behaviour. Community life – Living in deprived areas with disorder and neglect, lack of community spirit, living in areas with an already high-level of ASB. Individual factors – Drug and alcohol abuse, mental health problem, alienation and early involvement in anti-social behaviour. The more of these which are present, the more likely someone is to become involved in ASB.

1. 4. Enforcement intervention Tools for Anti- social behaviour

Enforcement intervention tools are powers that could be used to take action against ASB that causes repeated misery and distress to its victims. The Respect Agenda emphasised that, ' it was important for communities to set the standards of behaviour by which they expect people to live'. If these

standards were to be credible and respected, the police, local authorities and other agencies should work with local people to take swift and effective action to uphold them. The key aims of any intervention are:

To protect victims, witnesses and the community

To enable the individual perpetrator of ASB to recognise the consequences of their behaviour To ensure that they change their behaviour for the long term.

The Anti-Social Behaviour Act 2003 clarified, streamlined and reinforced the powers available to practitioners, by building on measures already available, including ASBO's in the Crime and Disorder Act (1998), penalty notices for disorder in the Criminal Justice and Police Act (2001), and housing injunctions in the Housing Act (1996). The range of remedies was to be designed to be as flexible as possible and different combinations of tools would be appropriate for different individuals and families. There were a number of stages at which different levels of intervention and enforcement were appropriate, which varied according to the persistent nature of offending, requiring an inter-professional and multi-agency approach These enforcement interventions include: (a). Anti-social behaviour injunctions (ASBIs) An injunction is a civil order made by the county court to compel an adult (over the age of 18) to do something, or to prevent a particular action or behaviour.

They can be applied for by social landlords against tenants, owner-occupiers and non-tenants. Injunctions are used when someone is committing anti-

social behaviour, including noise nuisance, verbal abuse, visitors causing nuisance to neighbours, untidy gardens and threats of violence or actual violence. (b). Anti-social behaviour order (ASBO) An anti-social behaviour order (ASBO) is a civil order that protects the public from behaviour that causes, or is likely to cause harassment, alarm or distress. ASBO's are not criminal penalties, but breach of them is a criminal offence. They could be made on anyone aged 10 or over who has displayed anti-social behaviour in the previous six months. They are intended to protect the public from further anti-social behaviour by specific individuals. These orders could be applied for by police, councils, registered social landlords and the British Transport Police. Anti-social behaviour orders were usually arranged when an application had specifically been made for one.

The order would contain details of what or where the defendant was prohibited from doing or "going. There was no specified maximum duration for these orders and they last for a minimum of two years. If an order was breached the defendant could be prosecuted and face a fine of up to £5, 000 or up to five years in prison. Juvenile offenders could be given a detention and training order sentence which has a maximum term of 24 months. (c). Crack house closure orders When a property has been taken over by drug users or dealers of class A drugs, crack house closure orders can be used to close the house down and keep it closed. Council's and housing association teams work in collaboration with the Metropolitan Police partnership unit under the Anti-Social Behaviour Act. An order can last for up to three months, and can be extended for a further three months. During this time

the property will be sealed, and it is an offence to enter or remain in the property. (d.)

Tenancy demotion orders Tenancy demotion orders were and still are used by landlords when a tenant, resident or visitor to the tenant's home has behaved or threatened to behave in a way which is capable of causing nuisance and affects the housing management of an area. They allow landlords to apply to the courts to reduce the security of tenure for tenants, by removing a number of tenancy rights, including the right to buy and the right to exchange. If a tenant or a member of their household or their visitors behaves antisocially, the landlord can apply to the court for a demotion order to end the tenant's existing tenancy agreement and replace it with a less secure demoted tenancy arrangement.

This removes the tenant's right to buy and security of tenure for at least a year. At the end of a year if the landlord is satisfied by the tenant's conduct, then a review will take place to reinstate the tenant's original status. (e).

Dispersal order (for groups) With the introduction of new powers, Councils and housing association teams in collaboration with the police could use dispersal orders to disperse youths and other groups from causing a nuisance in identified ASB hotspots. The dispersal order means that the police can pick up youths that break the order and take them home or in some "cases take further action. Dispersal powers are used in public spaces (such as shopping malls, high streets or parks) where groups gather and intimidate and harass the public. Once an area has been designated a dispersal area then police can direct groups of two or more people to leave if

they are causing a nuisance, and if they don't live in the area. They may be excluded from the area for up to 24 hours. (f). Fixed penalty notices Fixed penalty notices (FPNs) are one off fines issued for anti-social behaviour designed to help police tackle low level nuisance such as littering, fly-tipping, and urinating in public and loud music.

They can be issued by local authority officers and in a limited capacity by police community support officers (PCSOs). FPNs can be issued to anyone over 10 years old. Many fines are set at £75 but local authorities could set their own fine levels locally. More serious offences such as truancy and noise nuisance attract larger fines. (g.) Gating orders Councils can order gating of a highway in order to prevent crime or anti-social behaviour from occurring. If the alley is a public right of way it can still be closed or diverted if suitable alternate routes exist and the council deems it necessary for the purposes of preventing or reducing crime and/or anti-social behaviour which would otherwise disrupt the life of the community. (h).

Housing injunctions The landlord may obtain an injunction from the court without any notice on the day that the anti-social behaviour occurs. This enables a landlord to apply to the court for a housing injunction to prevent any behaviour which would cause nuisance and annoyance and which either indirectly or directly affects their management of the premises. This makes it easier to exclude those responsible for anti-social behaviour from areas where they have been causing trouble. It also allows for the power of arrest, proceedings for possession and for protection of people in the community.

(i.). Noise abatement notices A noise abatement notice requires the abatement of noise nuisance or prohibits or restricts its occurrence or recurrence. They can also require a person to carry out works, and/or take other steps to stop the noise nuisance, for example seizing the noise making equipment. A notice must be served if the noisemaker cannot be persuaded to desist or restrict occurrences of the nuisance, or if the local authority is satisfied that a statutory nuisance continues to exist after a seven day deferral period. (j.) Penalty notices for disorder Penalty notices for disorder (PNDs) are one-off fines which can be issued on the spot for a range of low-level disorder offences such as throwing fireworks, being drunk and disorderly and causing harassment. They can be issued by the police, police community support officers and accredited persons to anyone over 16 years old, and attract penalties of £50 or £80 depending on the offence. 1. 6.

Supportive Intervention Tools for Anti- Social behaviour Supportive interventions can be implemented to engage individual victims and perpetrators.

To the individual victim; Supportive intervention tools can serve to reassure and enable them to report incidents of ASB without fear of intimidation. To the individual perpetrator; these interventions can be used to engage him, to change his own behaviour and support him to tackle some of the underlying problems leading to the anti social behaviour, (Respect Agenda, 2006, pg-16.). According to the Respect Agenda, the most successful interventions were those that engage the individual in changing their own behaviour by ensuring that individual perpetrators understand the impact of their

behaviour on their neighbours and the community whilst offering the necessary support for them to stop, in the long-term. Supportive intervention tools can be part of a twin -pack approach, combining enforcement tools whereby an order had already been issued (such as a warning letter, an ASBO and/or a Housing injunction). In this situation, supportive interventions worked to prevent the perpetrator from breaching the terms of the order while addressing the difficulties that may have led to their being anti-social in the first "place.

Since 2003, a number of local authorities, registered providers of housing (RPH) and charities have established dedicated ASB teams to provide supportive interventions for families with children who are at risk of homelessness or eviction due to ASB. Examples of supportive intervention tools include:(a). Acceptable behaviour contracts Acceptable behaviour contracts (ABCs) are non-legally binding written contracts between one or more local agencies and someone who has behaved anti-socially, outlining what that person should or should not do. They are often used with children and young people, but can equally be used for adults, when a warning has been unsuccessful in addressing a problem. An ABC is a written agreement between a person who has been involved in anti-social behaviour and one or more local agencies who are responsible for preventing such behaviour. The contract is agreed and signed at a meeting with the individual. The contract will list the acts in which the person has been involved and which they agree not to continue to do.

Legal action in the form of an anti-social behaviour order can be stated as the possible consequence of a breach of the contract. Acceptable behaviour contracts usually last for six months, but they can be renewed. (b). Parenting programmes A parenting programme teaches parents techniques to improve their child's behaviour. They can be used at the first sign of problems, for example when a warning about a child's behaviour is first given. The programmes focus on teaching parents skills to remedy the causes of problem behaviour by building a relationship with the child, use of praise and incentives and establishing consistent boundaries, with 'time out' for infringements. They are delivered by a range of organisations including the NHS, schools, children's centres and youth offending teams. (c). Parenting contracts Parenting contracts are voluntary agreements made between local agencies and a parent or parents.

They set out what parents will do to address the anti-social behaviour of a child or children for whom they are responsible. This may contain an "agreement to attend a parenting programme, or to ensure that a child attends school regularly. They are often made between schools or local education authorities with the parent(s) of a child who has truanted or been excluded from school. (d) Parenting orders Parenting orders can be made by a court when there has been a problem with a young person's behaviour. They impose requirements on the parent(s) or guardian, which will usually include their attendance on a guidance or counseling programme. Other requirements, such as ensuring that the child attends school, can also be included. Parenting orders are imposed by the courts and non-compliance

can result in a fine of up to £1, 000. (e). Intervention orders Intervention orders (IOs) can be attached to anti-social behaviour orders (ASBOs) in the same way as individual support orders (ISOs), and are designed to tackle antisocial behaviour as a result of drugs misuse.

They require individuals who act antisocially as a result of drugs misuse to comply with positive conditions that tackle his/her anti-social behaviour, such as attending an alcohol rehab facility. IOs can only be given to individuals aged 18 or over and can last six months or less. (f). Community agreements Community agreements are written settlements reached between the residents of a community to resolve disputes. The agreement is based on the wishes of the majority, and facilitated by independent mediators who make private and confidential visits to each person involved. They are used when there is conflict or unrest within a neighborhood. (g). Individual support orders Individual support orders can be attached to an ASBO against a person aged between 10 and 17.

They contain positive obligations designed to tackle the underlying causes of the person's anti-social behaviour, and are usually overseen by a member of the youth offending team or social services. The orders can last for up to six months, and "can require the young person to attend up to two sessions a week. Failure to comply is a criminal offence. (h). Witness support The council's or housing association team liaises closely with other key services and encourages witnesses to go to court. If a witness feels vulnerable, fears reprisals and is at risk, then the team will provide them with both moral and physical support. The team makes sure that witnesses feel safe at their

residence and can provide further safety steps by supplying a fireproof letter box, a spy-hole camera and personal alarms. The team also briefs witnesses throughout the court process and makes sure that the witnesses feel confident and are able to give their evidence in front of a judge. 1. 7. Home