

ASB Case Review & Community Remedy Summary Report

The Anti- social Behaviour, Crime and Policing Act 2014 includes two new measures which are designed to give victims and communities a say in the way anti-social behaviour is dealt with;

- The **ASB Case Review** gives victims the ability to demand action, starting with a review of their case, where the locally defined threshold is met.
- **The Community Remedy**, gives victims a say in the out-of-court punishment of perpetrators for low-level crime and anti-social behaviour.

The new legislation will give victims the power to ensure that action is taken to deal with persistent ASB through the new ASB Case Review, and a greater say in what form of sanction an offender receives out of court through the new Community Remedy. It gives victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem-solving approach to find a solution.

Relevant bodies and responsible authorities who include police and health will deal jointly with complaints raised by members of the community to try and resolve ongoing ASB issues. Registered providers of social housing will also have a duty to be co- opted into this group, as they play a key role in tackling ASB in local areas. This statutory group must carry out reviews and publish its procedures.

Cheltenham Borough Council together with Tewkesbury Safety Partnership and Restorative Gloucestershire conducted a 3 month Pilot in June 2014 ahead of the new ASB Case Review, with a view for a countywide roll out. This was completed and a total of three reviews were reviewed. However none of these cases reached the threshold. The review has been put in place to reduce the need for the council and partner agencies adapting several methods used across the county, but also allow for more straightforward management of individuals who move about the county.

The local threshold we have adopted is;

'Anti-Social Behaviour has been reported three times in the previous 6 month period and the victim feels they have not received a satisfactory service'.

The trigger can be activated by three complaints from one person or by five individual complaints from a neighbourhood about the same Behaviour.'

The Case Review is open to all residents, businesses and third parties in the case of vulnerable victims. The single point of contact across the County is Restorative Gloucestershire, which is an independent agency that will assess in partnership if the threshold has been met and will take the individual/business through the process impartially.

The benefits of the meeting with the relevant agencies gives the Case Review proper focused attention, facilitates the sharing of relevant information and makes it easier to co-ordinate and task actions. If the complainant is not satisfied with the response they will have recourse to request an appeal of the recommendations through Restorative Gloucestershire.

The process for responses to the Case Review is contained in this link: <\\vmbusdata\Public Protection\Environmental Protection\ASB ACT 2014\ASB Cabinet report - March 2015\Community Remedy Document PDF 290914.pdf>

There is a requirement for agencies to share information. For each Case Review, an agenda item is added to the start of already held ASB meetings in the appropriate area. Information is also on the councils website and leaflets and posters are being produced and will be distributed shortly. Please see attached.

Financial and resource implications

There have not been any significant resource implications in relation to the Case Review. Restorative Gloucestershire have taken on a part time volunteer who will oversee the Case Review process as part of their role.

A figure for the financial impact of the Case Review has not been assessed. In enabling a coordinated review and response it is financially preferable in comparison to partners working in silo responding in isolation to individual complaints without a review or partnership recommendations to achieve the sustainable solution to the complaints.

Benefits of the ASB Case Review

The ASB Case Review empowers the community to challenge any lack of action taken by any partner and gives the community a voice. The community will have the authority to question the decisions made and have the request to a review not only by an individual agency, but by the ASB steering group collectively. The Case Review has the benefit of bringing about a partnership review and response therefore it is very different from making a complaint about an individual organisation or agency.

In Cheltenham we believe our response to anti social behaviour is strong, by working in partnership, supporting those who are most vulnerable and taking appropriate action when necessary. The development of the Case Review will enable us to evaluate our collective response to anti social behaviour and learn lessons to help us continuously improve our service to the residents of Cheltenham

Lastly the Community Remedy document will give victims of low-level crime and ASB a say in the punishment of offenders out of court.

The PCC has a statutory duty to consult with the local authority and chief of police for the area on what actions they consider should be included. The local authority, youth offending and community safety teams will know what resources and facilities are available locally.

The Community Remedy document is a list of actions that the victim will be invited to choose from when a community resolution is to be used. The list of actions may vary from one police force area to another, based on what is available in the area and what the Police and Crime Commissioner (PCC) and chief constable agree are appropriate. The community remedy document must be published.

Actions or activities that could be included in the community remedy document are:

- Mediation (for example, to resolve a neighbour dispute);
- a written or verbal apology;
- the perpetrator signing an Acceptable Behaviour Contract – where they agree not to behave in anti social in the future - or face more formal consequences
- take part in a restorative justice activity such as a neighbourhood justice panel
- paying an appropriate amount for damage to be repaired or stolen property to be replaced;
- participation in structured activities that are either educational or rehabilitative, funded by the PCC as part of their efforts to reduce crime; or
- reparation to the community (for example, by doing local unpaid work for a short period).