



Report to Customer and Communities Committee

8 May 2014

Title: Anti-Social Behaviour Performance Update 2013/14

Report of: Director of Customers and Communities

Purpose of Report

1. The purpose of this report is to provide committee with an annual update on anti-social behaviour (ASB) performance.

Background

2. The report provides a summary of performance results between April 2013 and March 2014. This performance is broken down further by neighbourhood area and is included in appendices one to nine.
3. Further detail is provided on the strategic assessment and our partnership work and progress in relation to safeguarding, supporting vulnerable victims; domestic abuse; hate crime and the development of the mental health link worker role.
4. Additional information is also provided to the committee on legislative change in respect of the Anti-Social Behaviour, Crime and Policing Act. A summary of the new powers that are specific to ASB case management is attached as Appendix 12.

Strategic Assessment

5. Further to an update in the last committee report, consultation has taken place with customers and stakeholders about their views on crime and anti-social behaviour within their neighbourhoods. The findings from this identified three strategic themes; People, Place and Engagement. Priorities under each theme have been agreed by the Community Safety Board. These will now form the main priority areas during 2014/15 of our partnership work in relation to ASB service delivery as follows:

People

- Tackle Domestic abuse
- Support Vulnerable victims (including victims of hate crime)
- Address substance misuse

Place

- Reduction of crime and anti-social behaviour
- Reducing Re-offending

Engagement

- To improve community engagement and increase community confidence

Performance Update

6. During this period 2008 new cases were opened, this is a 5% increase compared to the same period last year where 1898 cases were opened.
7. There were 376 current ASB cases open at the end of March 2014. This is a decrease of 18% compared to the end of March 2013 where 460 were open. The ASB cases opened during this period are broken down by case type in appendix one.
8. 2,097 cases closed during this period. Of these cases, 2,020 (96%) were resolved without the need for legal action.
9. Details of case closures are broken down by office within appendices 2 to 9.
10. In conclusion whilst the current caseload has decreased, the number of new cases reported has increased and the number of cases being closed also shows an increase. Overall this demonstrates that we are successfully resolving cases at an earlier stage.
11. The top three category case types reported during this period are: -
 - Noise Nuisance (561)
 - Domestic Violence (282)
 - Animal Nuisance (231)
12. Noise Nuisance remains consistently the highest reported type with 28% of all incidents reported during this year relating to noise nuisance.
13. During this period 746 Legal or Formal Actions were taken; this is an increase compared to the previous year where we took 640 Legal or Formal actions.
14. A breakdown of the type of Legal or Formal actions taken is detailed below:

• Formal Warnings Issued	625
• Acceptable Behaviour Agreement Signed	3
• Notice of Seeking Possession Served	76
○ Suspended Possession Granted	6
○ Outright possession granted	4
○ Eviction	5
• Notice of Termination Served and granted	5

- Extension of Introductory Tenancy served and granted 4
 - Injunction Applied for 10
 - Interim Injunction granted 1
 - Full Injunctions Granted 7
15. The number of legal actions has increased by 14% on the same period last year. This equates to 2.27 legal actions being taken every week.

Customer Satisfaction

16. During this period, 256 customers were surveyed following the closure of their ASB case. Of these, 238 (93%) customers stated that they were satisfied with how their case was investigated. During the previous year we surveyed 246 customers following the closure of their ASB case, of these 230 (93%) were satisfied with the way the case was investigated.
17. During this period 18 customers told us that they were dissatisfied with the outcome of their ASB case. Of these, two said their complaint was still ongoing, four said they did not receive regular updates. One customer said they have moved house due to the problems, nine customers felt that more could have been done to resolve their case and two customers felt that the case took too long to resolve.
18. Of the 18 dissatisfied customers, these cases were reviewed by a Neighbourhood Relations Manager. All of the cases were investigated correctly in line with procedure; however three cases have been discussed with investigating officers regarding the detail of feedback given to customers.
19. Monthly case reviews have continued to be undertaken as part of our approach to providing our customers with high quality ASB case investigation. Feedback from managers and investigating officers has evidenced that the reviews have been beneficial in a number of areas such as; allowing early corrective actions to be put in place; avoiding delays in resolving complaints through the provision of specialist advice and guidance; ensuring consistent performance and identifying training and development needs.

Referrals to other Agencies

20. During this period, 1,945 referrals were made to other agencies. This is an increase of 10% compared to the same period last year where 1,751 referrals were made.

Vetting and Exclusions

21. During this period, we received 353 Safer Estates Vetting requests. Of these, 273 were in relation to male applicants and 80 were female applicants. Of the 353 requests received, 121 met the criteria to be excluded from the Housing Register, 198 did not meet the criteria to be excluded and were given access to housing and 34 are currently being processed.
22. The requests were received from a range of sources as detailed below.

- Tyne and Wear Homes 310
- Homeless - Council 23
- Supported Tenancies - Council 20

23. A breakdown of the vetting requests is detailed in Appendix 11.

Hate Crime

24. During this period 55 Hate Crime reports have been received by TGHC.

Year	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
2012/2013	10	22	10	17	59
2013/2014	10	20	13	12	55

25. There are currently 12 cases relating to Hate Incidents being investigated in partnership with other agencies.

26. During this period, we closed 56 cases relating to Hate Incidents. The reasons for closure are detailed below: -

- Resolved without the need for legal action 33
- Written warning issued 5
- Non-engagement from Customer 7
- Customer Re-housed with TGHC support 1
- Investigated but no hate incidents evidenced 4
- Referred to other agencies 1
- Customer ended their tenancy 2
- Perpetrator ended their tenancy 1
- Legal Action Taken against Perpetrator 2

Security Measures

27. Two repairs have been completed for victims of Hate Crime during this period. As security measures are discussed with all customers who report Hate Crime, the low take up rate reflects positively that the majority of our customers who report Hate Crime feel safe within their properties.

Hate Crime Developments

28. Further to an update within the previous committee report consultation has taken place with customers, partner agencies and employees on the updated Hate Crime Procedures.

29. This has involved presentations by an NRT Manager and Involvement & Diversity Officers to the ASB Service Improvement Group, BME Forum and Disabled Persons Forum. The revised document was also shared for comment with employees and partners such as the Mental Health Link Worker, Police Community Support Coordinator, Community Safety and Education who attend the Hate Crime & Tension Monitoring group.

30. To ensure that we had broader customer representation from all of our communities, the Involvement & Diversity team assisted in identifying customers from our involvement database or who had previously expressed an interest in

helping us to review our approach towards tackling Hate Crime. An additional focus group of these customers was also held, with a number of positive suggestions being made that have assisted with revising the content of the guidance document and the Hate Crime awareness staff training. The revised draft Hate Crime guidance is attached as Appendix 13 for information and comment.

31. Hate Crime Awareness training will be delivered to all neighbourhood relations staff and neighbourhood offices teams during May and June 2014.

Domestic Abuse

32. During this period, 282 Domestic Abuse new cases have been reported to TGHC.

Year	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
2012/2013	47	48	49	68	212
2013/2014	59	68	85	70	282

33. There are currently 39 cases relating to Domestic Abuse cases being investigated in partnership with other agencies.
34. During this period we closed 306 cases relating to Domestic Abuse. The reasons for closure are detailed below;

- MARAC - recorded for partnership arrangements 137
- Resolved without the need for legal action 95
- Customer re-housed via Housing Options (council) 18
- Customer ended their tenancy 14
- Non-engagement from Customer 12
- Perpetrator Re-housed with TGHC support 7
- Referred to other agencies 7
- Customer Re-housed with TGHC support 6
- Written warning issued 4
- Perpetrator ended their tenancy 3
- Notice of Seeking Possession served but not pursued 2
- Perpetrator Evicted 1

Security Measures

35. 204 security measures were completed for 114 victims of domestic abuse. This equates to 40% of domestic abuse cases which were investigated. The average cost per security repair is £72.37.

Customer Assessment Tool

36. 769 Customer Assessment Tool forms were completed with customers reporting anti-social behaviour complaints. These forms were in relation to 587 ASB cases.

37. The number of forms completed with customers represents an 8% increase on last year when 704 forms were completed in relation to 625 cases. Further this highlights that more of our cases now have more than one customer.
38. The Customer Assessment Tool scores were as follows:-
- | | |
|----------|-----------|
| High | 180 (23%) |
| Medium | 385 (50%) |
| Standard | 204 (27%) |
39. All Customers with a high score were discussed with partner agencies at Neighbourhood Tasking & Co-ordination meetings.
40. During this period, 401 Customer Assessment Tool 2 were completed with customers prior to case closure. Of these the vulnerability score reduced for 370 Customers, 13 Scores remained the same and 19 increased.

Victim Support

41. During this period 70 referrals were made by us to the Victim Support Champion which is more than one referral per working week.
42. The committee is asked to note the retirement during April 2014 of Jim McCoy the Victim Support Champion. Jim had held this post since September 2005 during which time he has dealt with over 950 referrals for support made directly from TGHC. In addition he has received referrals on behalf of our customers from a range of our sources; self-referral, Northumbria Police, advocates, Community Safety and Gateshead ARCH.
43. Updates on this role will be provided within future reports.

Mental Health Link Worker (MHLW)

44. Further development has continued to take place in relation to the MHLW who has met with the Rent & Income Team (RAIT) to take part in a question and answer session and explain how support could be offered to customers who are experiencing stress or anxiety due to financial difficulties. A Team Brief on this role will now be delivered to all frontline staff during May to promote the availability of primary mental health services and explain how referrals can be made. Discussion has also taken place with Community Safety to promote referrals being discussed for vulnerable victims of hate crime and domestic abuse. To date, two referrals have been made to the Mental Health Link Worker. Updates in relation to the development of this role and number of referrals made will be included within the next committee report.

Non-Attendance Panel

45. Seven panels have been held during this period which has discussed 88 cases of which 33 related to young persons living in council tenancies.
46. Research was completed on all cases which the panel used to consider appropriate decision making regarding the level of non-attendance. There were no subsequent actions arising from the meetings in respect of council tenants.

Safeguarding Adults

47. To ensure all staff are aware of the importance of protecting adults at risk a team brief was delivered to all employees during May 2013. This provided basic awareness raising and also information on signs and symptoms of abuse and how staff can raise a safeguarding alert.
48. During this period 16 referrals were made by TGHC to the Safeguarding Adults team. These related to the following neighbourhood areas:

East	5
West	1
South	4
Central	3
Inner West	3

49. The following outcomes were reached: -
- 5 Cases were investigated by the Safeguarding Adults team but no further action was required.
 - 6 Cases were investigated by the Safeguarding Adults team but did not meet the criteria.
 - 1 Customer was subsequently detained under the Mental Health Act and is currently receiving support within a psychiatric care unit.
 - 1 Referral made to the SMART team who provided support for substance misuse.
 - 3 Currently awaiting feedback from Safeguarding team.

Safeguarding Children

50. During this period 20 referrals were received in relation to safeguarding children. Following initial checks undertaken by NRT, two referrals were not relevant and therefore 18 safeguarding referrals were made to Children's Services. These related to the following neighbourhood areas:

East	2
West	2
South	13
Central	1
Inner West	0

51. The following outcomes were reached: -
- 7 Cases were investigated by Social Services but no further action was required.
 - 2 Cases were already open to Children and Families who will continue to support
 - 6 Referrals pending feedback from Children and Families,
 - 3 Have been allocated Social Workers who are currently supporting the families.

Children and Families Research

52. NRT have been providing Children and Families with supporting information in relation to child protection enquiries since June 2013. The information provided includes ASB case information and tenancy details.
53. Since June 2013 we have carried out 220 child protection checks.

Families Gateshead

54. We have completed 457 background research checks in relation to Families Gateshead cases; this includes tenancy checks and ASB checks to ensure lead practitioners have a holistic view of the family's issues. 271 were Gateshead Council properties. 186 were owner occupiers/ private rented properties.

Multi-Agency Public Protection Arrangements

55. During this period 18 MAPPA panel meetings were attended which discussed the risk management issues relating to 38 cases

Customer Involvement and consultation

56. The ASB Service Improvement Group (SIG) has met on 5 occasions during this period where they have been involved in reviewing our hate crime procedure, evaluating the delivery of ASB employee training, and agreeing their work-plan priorities for 2014/15.
57. Agreed work-plan priorities include; guidance on tackling garden fires and rubbish burning, hoarding, disability hate crime, restorative justice and dog fouling and environmental nuisance.
58. Consultation has also taken place with the group on ASB Performance Indicators and the content of draft leaflets to promote the launch of the Community Trigger pilot.

Anti-Social Behaviour, Crime and Policing Bill

59. Following agreement by both Houses the Bill received Royal Assent on 13 March 2014. The result of this is that the Bill is now an Act of Parliament (law). However it does not yet come into force and we anticipate parts of the Act will now become effective during the summer months.
60. At the previous committee members were provided with an update on the development of Gateshead's approach to the Community Trigger. This multi-agency procedure has now been agreed and consultation is currently taking place with the Police and Crime Commissioner and implementation is scheduled for May/June 2014.
61. To underpin the new tools and powers we have met with partner agencies to discuss refreshing the terms of the Graded Response to Anti-Social Behaviour which was last updated in 2007. A task and finish group has been established to oversee this review and the group will revise current protocols and ensure that consultation mechanisms are fit for purpose for the new powers. A brief summary on some of the new tools and powers which will become available to us

are included as Appendix 12. More specific details on the new powers and refreshed Graded Response will be provided to the Committee within a future report.

Impact on tenants

62. We gather customer views throughout the year in relation to ASB performance via surveys and through Involvement activities. Service Plans and performance management framework are developed to effectively respond to feedback from our customers with the aim of providing excellent and consistent ASB case investigation.

Link to Values

63. The report is aligned to the following values of the Company:-
- Being customer focused, innovative and professional
 - Being motivated, trained and committed across the company
 - Embracing equality
 - Being honest, accountable and transparent
 - Being a listening and learning organisation

Risk Management Implication

64. Through the use of the customer assessment tool we continue to seek to identify the risks to our customers at the earliest opportunity. Further we share data appropriately with other agencies so that tailored measures can be put in place to prevent and reduce the serious risk of harm to our customers

Financial Implications

65. There are no direct financial implications arising directly from the recommendations of this report.

Value for Money implications

66. The provision of security measures for victims who have been personally targeted allows these vulnerable customers to remain in their homes and alleviates subsequent costs which would arise should they wish to be rehoused for example the provision of temporary accommodation.

Equality and Diversity Implications

67. Procedures to address Hate Crime have been developed to support our aims of embracing equality and recognising the diverse needs of customers including hard to reach communities.

Consultation carried out

68. A number of customers have been consulted in relation to the review of our hate crime procedures and guidance.

Health Implications

69. Through our partnership arrangements for the Mental Health Link Worker role with NHS Talking Therapies we are seeking to promote mental health wellbeing for our customers.

Environmental Implications

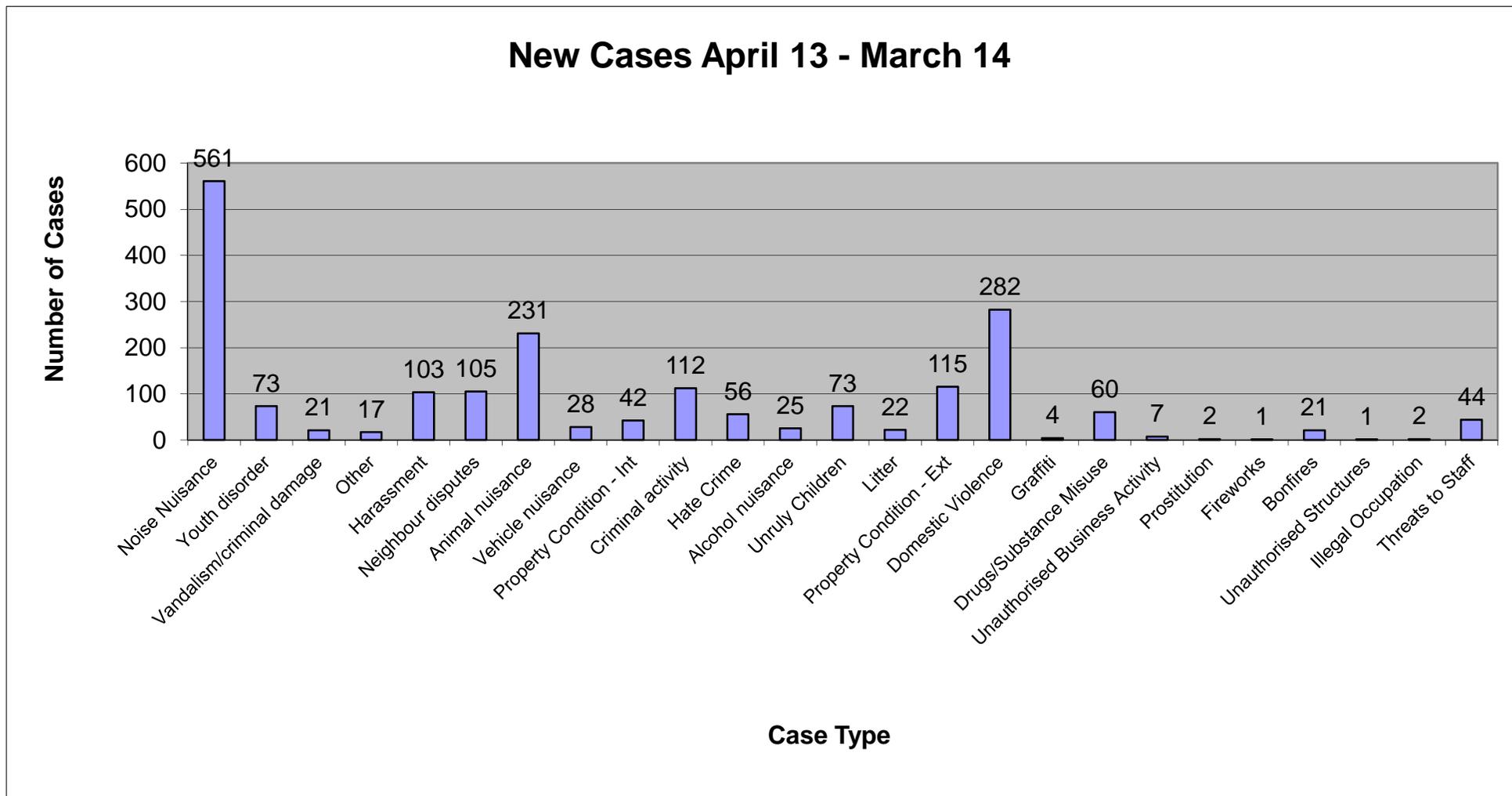
70. There are no direct environmental implications arising from this report.

Recommendations

71. The views of the committee are sought on whether it is satisfied with the performance update for 2013/14.
72. Further the committee are asked if they are satisfied with the updated revised Hate Crime guidance for staff and customers.

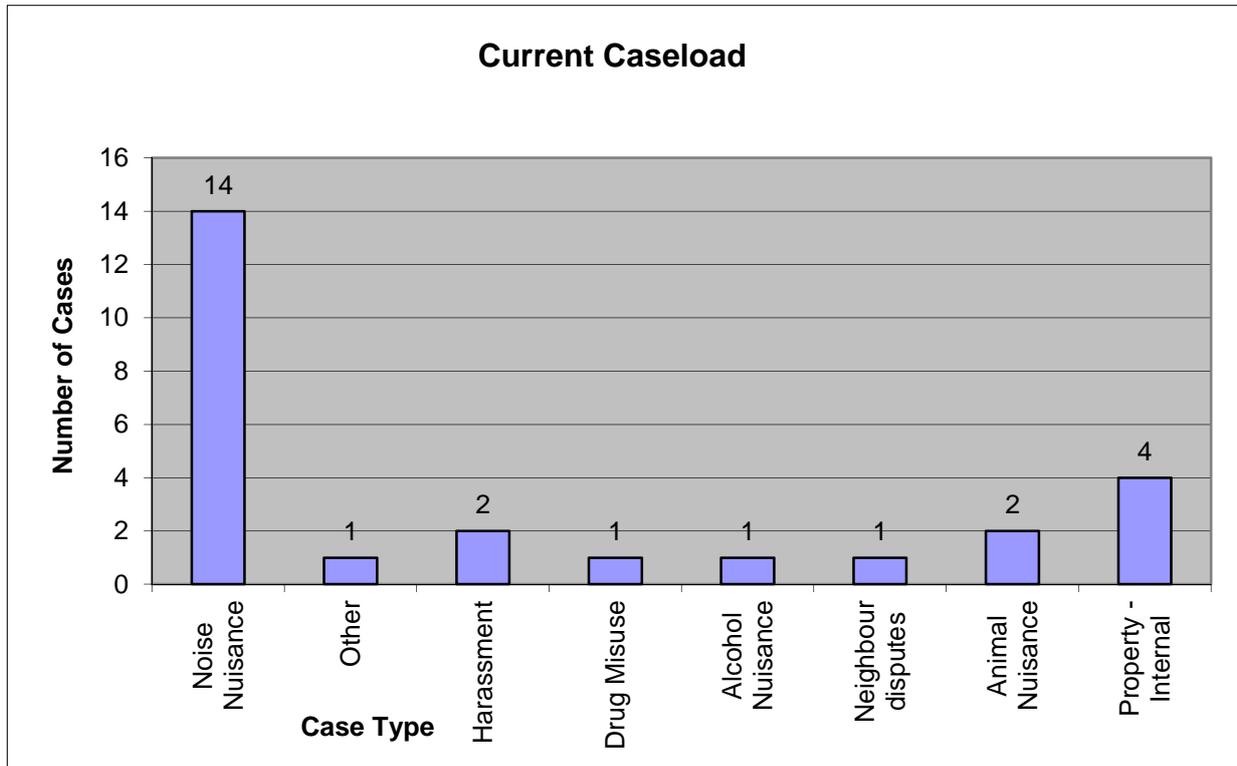
Contact: Deborah Ewart, Housing Services Manager

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Central**Current Caseload**

The current caseload for Central Neighbourhood at the end of March 2014 is 26 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 37 cases were open.

**New Cases**

Between April 13 and March 14, 183 new ASB cases have been opened in Central area. This is a decrease compared with the same period last year where 221 new cases were opened.

Closed Cases

Between April 13 and March 14, 176 cases have been closed within the Central area. This is a decrease compared with the same period last year where 230 cases were closed.

Formal Actions

Between April 13 and March 14, 65 written warnings were issued. This is a decrease compared to the same period last year where 82 warnings were issued.

Service Standards

Between April 13 and March 14, 183 new cases were opened and 180 98% of these cases were acknowledged and investigations begun within timescales. This is equal to the same period last year where 98% of cases met this standard

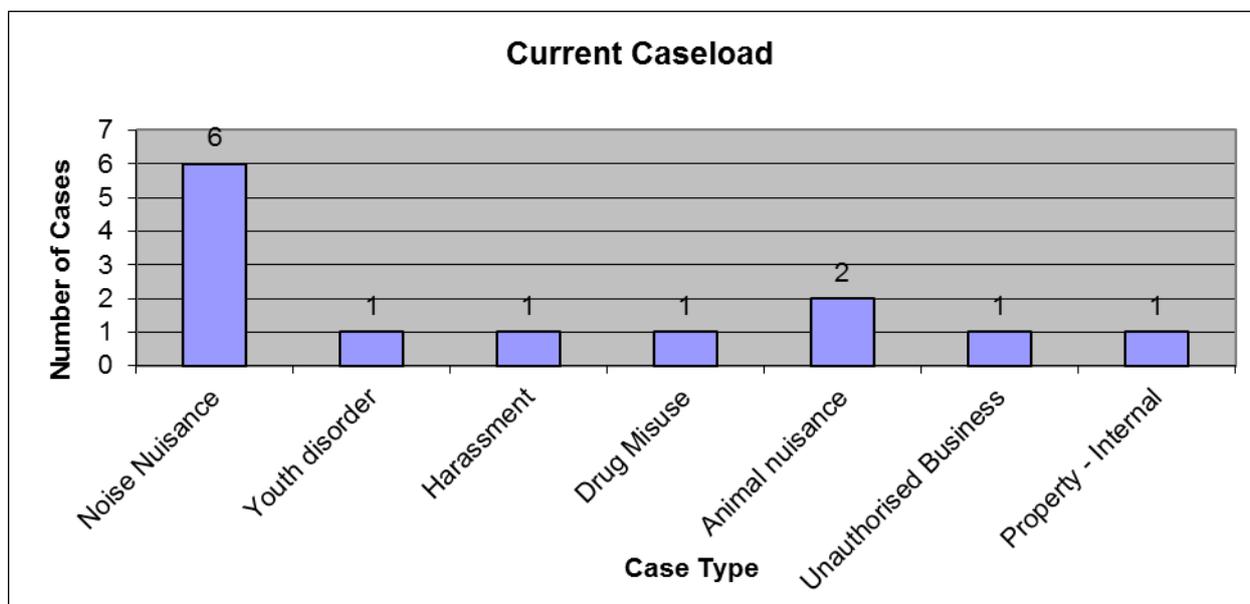
Between April 13 and March 14, 176 cases were closed, of these 176 100% customers were sent a case closure letter prior to their case being closed. This is an increase compared to the same period last year where 99% of cases met this standard.

Referrals to Agencies

Between April 13 and March 14, 81 referrals have been made to other agencies. This is a decrease compared to the same period last year where 105 referrals were made.

Inner West**Current Caseload**

The current caseload for Inner West Neighbourhood at the end of March 2014 is 13 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 28 cases were open.

**New Cases**

Between April 13 and March 14, 160 new ASB cases have been opened in Inner West area. This is an increase compared with the same period last year where 154 new cases were opened.

Closed Cases

Between April 13 and March 14, 165 cases were closed within the Inner West area. This is an increase compared with the same period last year where 150 cases were closed.

Formal Actions

Between April 13 and March 14, 65 written warnings were issued. This is a decrease compared with the same period last year where 74 warnings were issued.

Service Standards

Between April 13 and March 14, 160 new cases were opened, 158 (99%) of these cases were acknowledged and investigations begun within timescales. This is equal to the same period last year where 99% of cases met the standard.

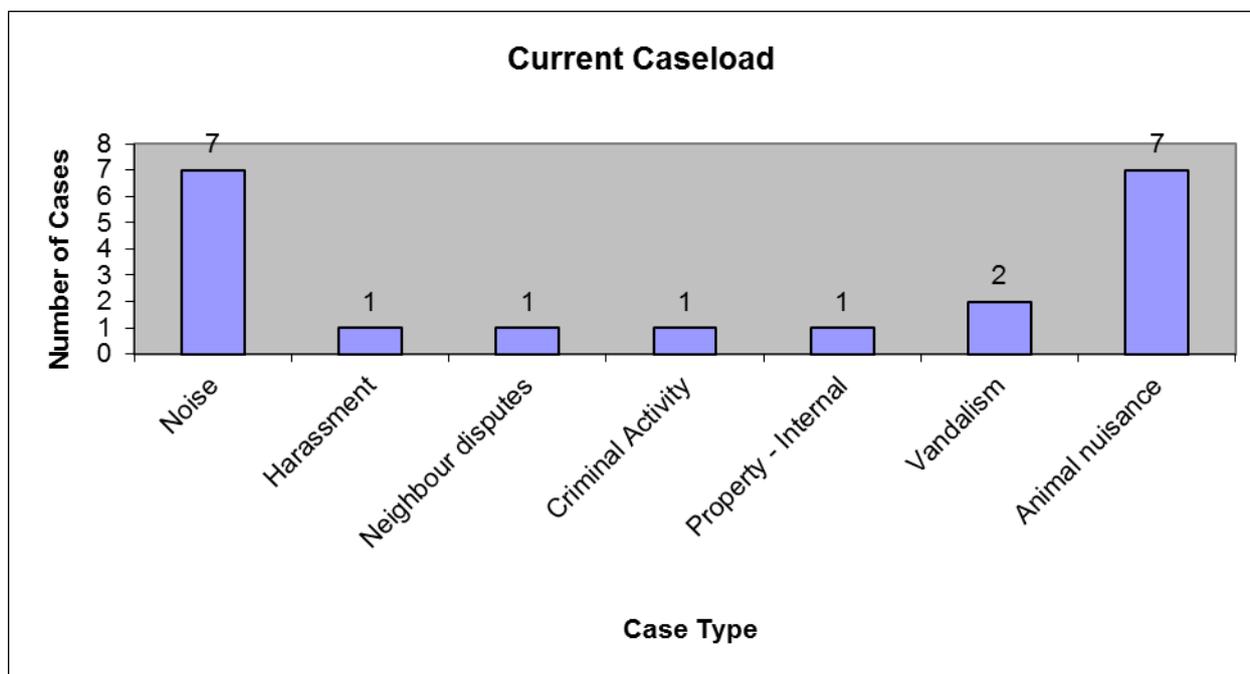
Between April 13 and March 14, 165 cases were closed, 165 (100%) customers were sent a case closure letter prior to their case being closed. This is equal to the same period last year where 100% of cases met this standard.

Referrals to Agencies

Between April 13 and March 14, 169 referrals were made to other Agencies. This is a decrease compared to the same period last year where 190 referrals were made.

West**Current Caseload**

The current caseload for West Neighbourhood at the end of March 2014 is 20 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 28 cases were open.

**New Cases**

Between April 13 and March 14, 144 new ASB cases have been opened in the West area. This is an increase compared with the same period last year where 140 new cases were opened.

Closed Cases

Between April 13 and March 14, 144 cases were closed within the West area. This is an increase compared with the same period last year where 140 cases were closed.

Formal Actions

Between April 13 and March 14, 19 written warnings were issued. This is an increase compared with the same period last year where 10 warnings were issued.

Service Standards

Between April 13 and March 14, 144 new cases were opened, 138 (96%) of these cases were acknowledged and investigations begun within timescales. This is equal to the same period last year where (96%) of cases met the standard.

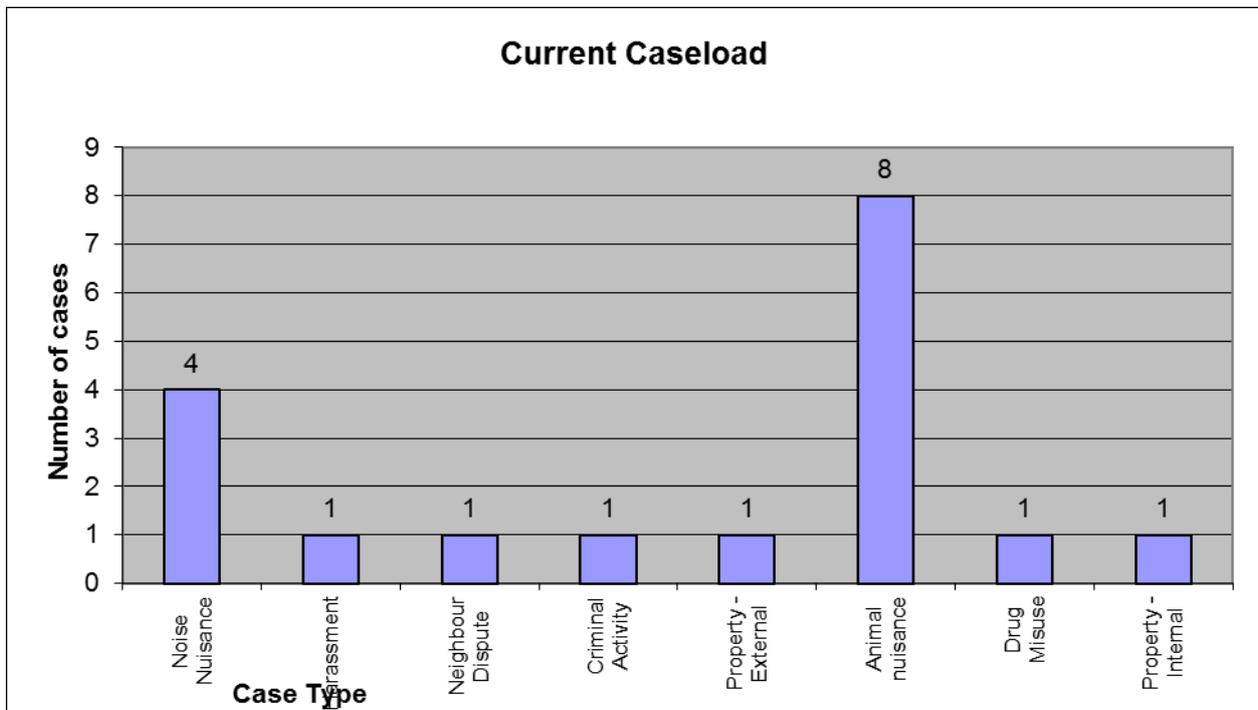
Between April 13 and March 14, 144 cases were closed, 144 (100%) customers were sent a case closure letter prior to their case being closed. This is equal to the same period last year where 100% of cases met this standard.

Referrals to Agencies

Between April 13 and March 14, 94 referrals were made to other agencies. This is an increase compared to the same period last year where 42 referrals were made.

East - Felling**Current Caseload**

The current caseload for the Felling area at the end of March 2014 is 18 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 20 cases were open.

**New Cases**

Between April 13 and March 14, 174 new ASB cases have been opened in the Felling area. This is an increase compared with the same period last year where 103 new cases were opened.

Closed Cases

Between April 13 and March 14, 152 cases were closed within the Felling area. This is an increase compared with the same period last year where 93 cases were closed.

Formal Actions

Between April 13 and March 14, 62 written warnings were issued. This is a decrease compared with the same period last year where 109 warnings were issued.

Service Standards

Between April 13 and March 14, 174 cases were opened, 173 (99%) of these cases were acknowledged and investigations begun within timescales. This is an increase compared with the same period last year where 97% of cases met this standard.

Between April 13 and March 14, 152 cases were closed with 152 (100%) of customers were sent a case closure letter prior to their case being closed. This is equal to the same period last year where 100% of cases met the standard.

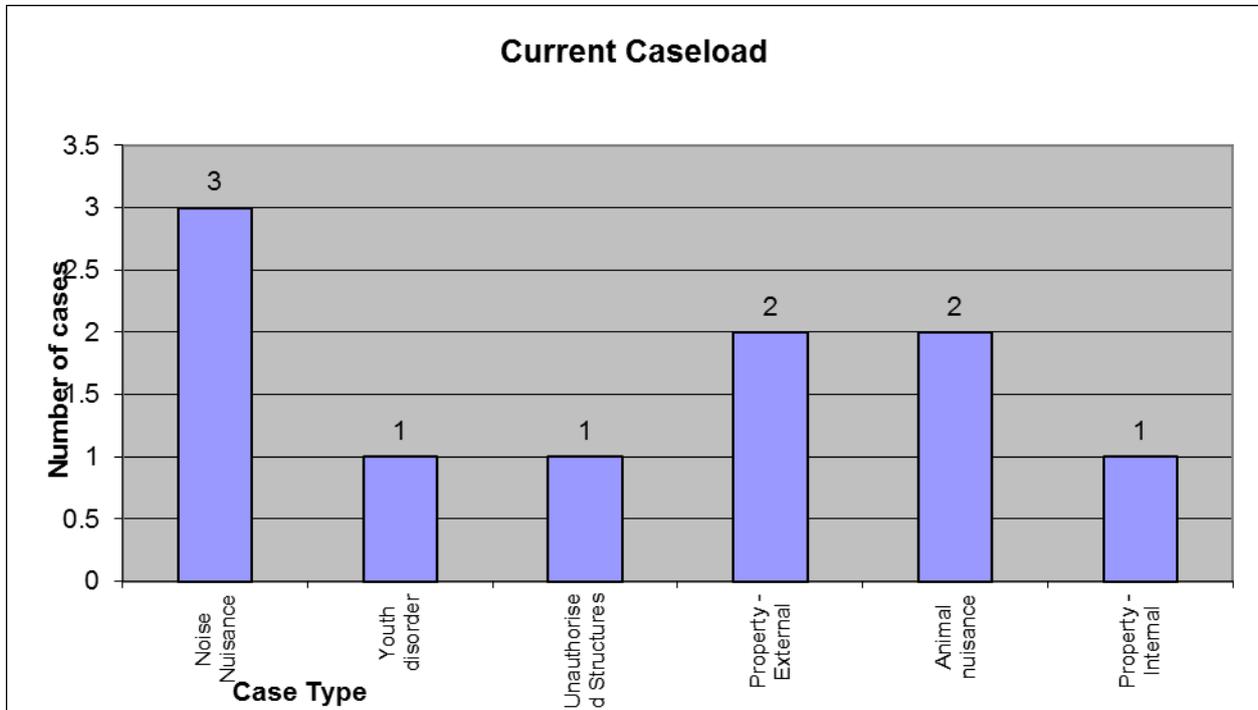
Referrals to Agencies

Between April 13 and March 14, 109 referrals were made to other agencies. This is an increase compared with the same period last year where 73 referrals were made.

East - Leam Lane

Current Caseload

The current caseload for Leam Lane area at the end of March 14 is 10 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 19 cases were open.



New Cases

Between April 13 and March 14, 148 new ASB cases have been opened in Leam Lane area. This is an increase compared with the same period last year where 125 new cases were opened.

Closed Cases

Between April 13 and March 14, 154 cases were closed within the Leam Lane area. This is an increase compared with the same period last year where 113 cases were closed.

Formal Actions

Between April 13 and March 14, 31 written warnings were issued. This is an increase compared with the same period last year where 25 warnings were issued.

Service Standards

Between April 13 and March 14, 148 cases were opened, 148 (100%) of these cases were acknowledged and investigations begun within timescales. This is an increase compared with the same period last year where 97% of cases met the standard.

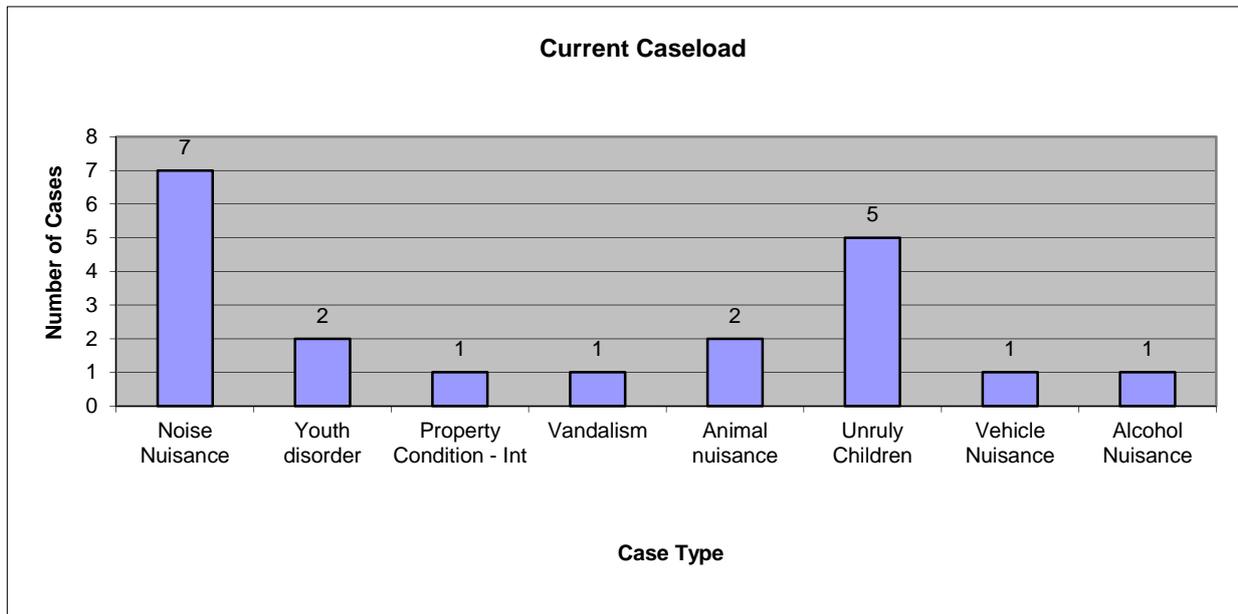
Between April 13 and March 14, 154 cases were closed, 154 (100%) customers were sent a case closure letter prior to their case being closed. This is equal to the same period last year where 100% of cases met this standard.

Referrals to Agencies

Between April 13 and March 14, 104 referrals were made to other Agencies. This is an increase compared with the same period last year where 57 referrals were made.

South - Birtley**Current Caseload**

The current caseload for Birtley area at the end of March 2014 is 20 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 30 cases were open.

**New Cases**

Between April 13 and March 14, 100 new ASB cases have been opened in Birtley area. This is a decrease compared with the same period last year where 149 new cases were opened.

Closed Cases

Between April 13 and March 14, 102 cases were closed in the Birtley area. This is a decrease compared with the same period last year where 137 cases were closed.

Formal Actions

Between April 13 and March 14, 5 written warnings were issued. This is a decrease compared with the same period last year where 8 warnings were issued.

Service Standards

Between April 13 and March 14, 100 cases were opened, 99 (99%) of these cases were acknowledged and investigations begun within timescales. This is equal to the same period last year where 99% of cases met the standard.

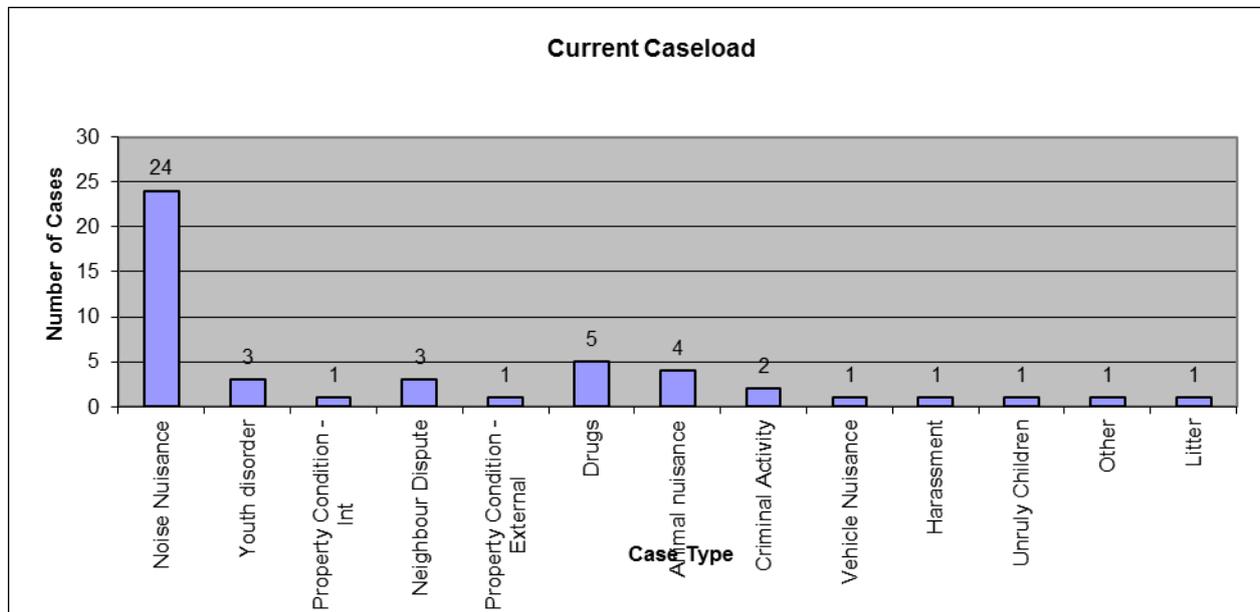
Between April 13 and March 14, 102 cases were closed with 101 (99%) customers were sent a case closure letter prior to their case being closed. This is equal to the same period last year where 99% of cases met this standard.

Referrals to Agencies

Between April 13 and March 14, 164 referrals were made to other agencies. This is an increase compared to the same period last year where 142 referrals were made.

South - Wrekenton**Current Caseload**

The current caseload for Wrekenton area at the end of March 2014 is 48 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 53 cases were open.

**New Cases**

Between April 13 and March 14, 336 new ASB cases have been opened in Wrekenton area. This is an increase compared with the same period last year where 296 new cases were opened.

Closed Cases

Between April 13 and March 14, 330 cases were closed in the Wrekenton area. This is an increase compared with the same period last year where 262 cases were closed.

Formal Actions

Between April 13 and March 14, 68 written warnings were issued. This is an increase compared with the same period last year where 40 warnings were issued.

Service Standards

Between April 13 and March 14, 336 cases were opened, 333 (99%) of these cases were acknowledged and investigations begun within timescales. This is an increase compared with the same period last year where 97% of cases met the standard.

Between April 13 and March 14, 330 cases were closed, 330 (100%) customers were sent a case closure letter prior to their case being closed. This is equal to the same period last year where 100% of cases met this standard.

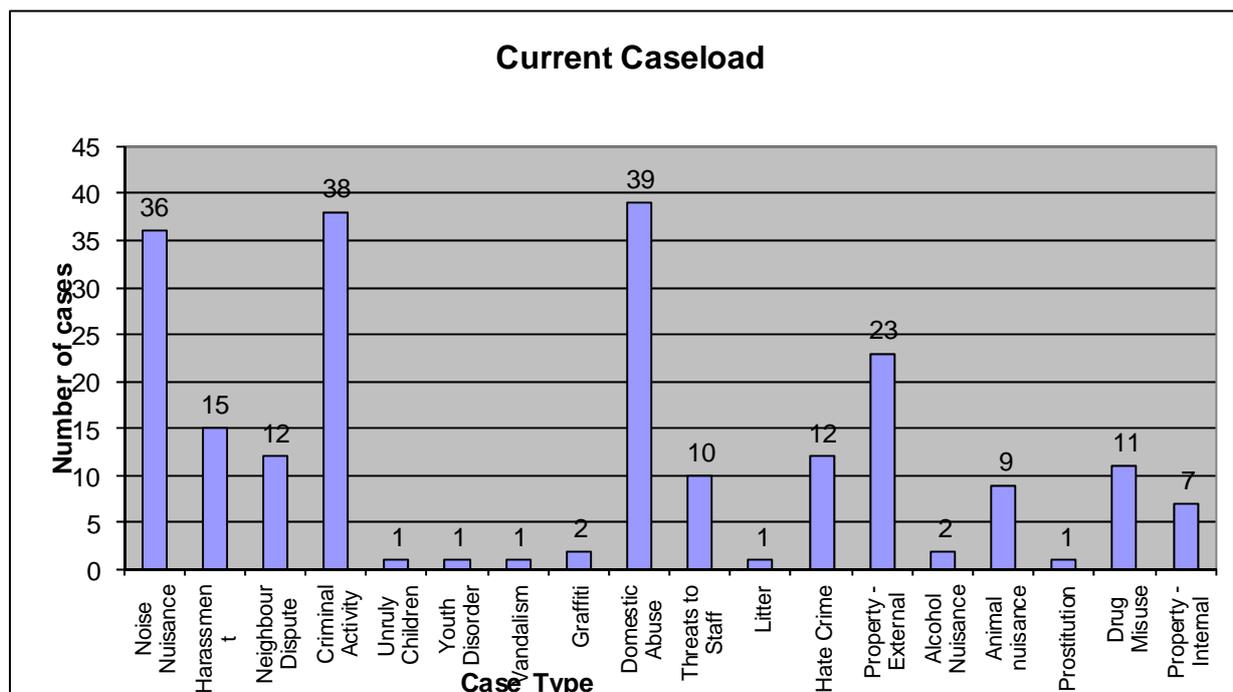
Referrals to Agencies

Between April 13 and March 14, 142 referrals were made to other agencies. This is an increase compared with the same period last year where 71 referrals were made.

Neighbourhood Relations Team

Current Caseload

The current caseload for The Neighbourhood Relations Team at the end of March 2014 is 221 open cases. This can be broken down further by case type. This is a decrease compared to the same period last year where 245 cases were open.



New Cases

Between April 13 and March 14, 763 new ASB cases have been investigated by the Neighbourhood Relations Team. This is an increase compared with the same period last year where 710 new cases were investigated.

Closed Cases

Between April 13 and March 14, 874 cases were closed within the Neighbourhood Relations Team. This is an increase compared with the same period last year where 765 cases were closed.

Formal Actions

Between April 13 and March 14, 429 legal and formal actions were taken; 118 Legal actions, 1 ABA and 310 written warnings were issued. This is an increase compared with the same period last year where 372 legal and formal actions were taken; 91 Legal actions, 281 written warnings were issued.

Service Standards

Between April 13 and March 14, 763 cases were opened, 762 (99%) of these cases were acknowledged and investigations begun within timescales. This is equal to the same period last year where 99% of cases met this standard.

Between April 13 and March 14 872 cases were closed. 872 (100%) customers were sent a case closure letter prior to their case being closed. This is equal to the same period last year where 100% of cases met this standard.

Referrals to Agencies

Between April 13 and March 14, 1082 referrals were made to other agencies. This is an increase compared with the same period last year where 1071 referrals were made.

Performance Indicators

Measure	Target	April 13 March 2014	April 12 March 2013
Performance Indicator			
The number of hate crime incidents reported	Increase	55	59
% of hate crime incidents that resulted in further action	100%	100%	100%
The number of Domestic Violence incidents reported	Increase	282	212
% of Domestic Violence incidents that resulted in further action	100%	100%	100%
% of ASB cases that are resolved without the need for ASB legal action	96%	96%	97%
Satisfaction with the way ASB complaints are dealt with	94%	93%	93%
Satisfaction with the outcome of ASB complaints	93%	91%	91%

Service Standards

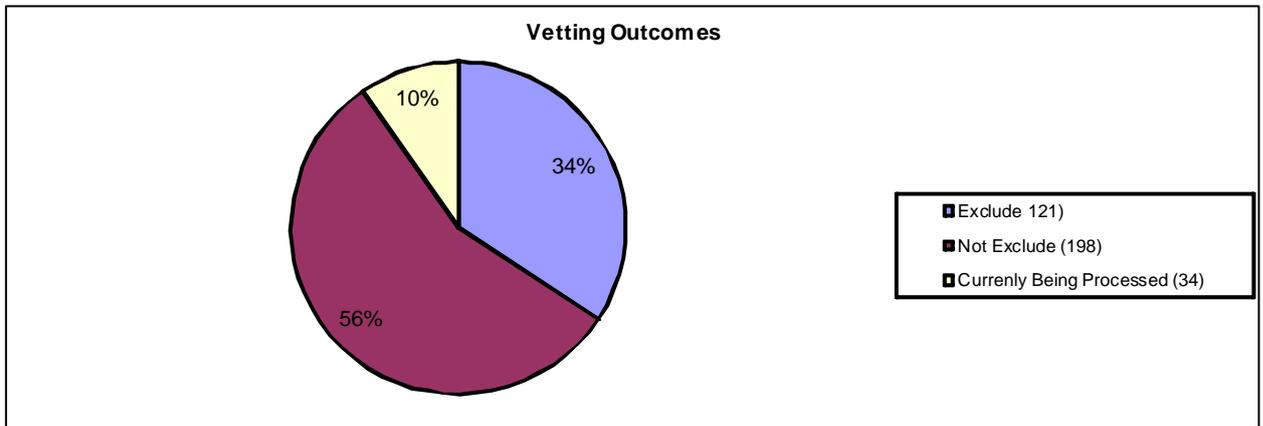
During this period 2008 cases were opened of which 1989 (99%) cases were acknowledged and investigation begun within the agreed timescales. Performance remains the same as the previous year where 2097 cases were opened and 2055 (98%) cases met the standard.

During this period 2097 cases were closed with 2096 (99%) customers were sent a case closure letter prior to the investigating officer closing the case.

Vetting and Exclusions

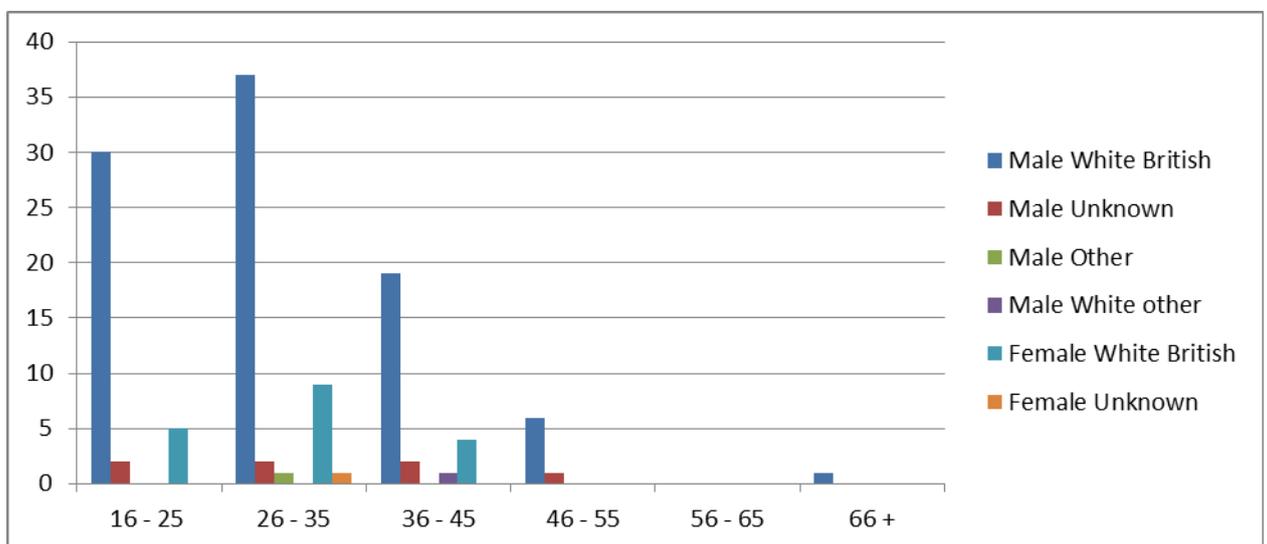
Between April 13 and March 14, 353 vettings were received, 273 were in relation to male applicants and 80 were female applicants.

198 were not excluded, 121 applicants were put forward for possible exclusion and 34 are currently being processed.



Of the 121 applicants put forward for possible exclusion 102 (84%) were male and 19 (16%) were female.

The possible exclude cases can be further broken down by age, gender and ethnicity:



SUMMARY – REFORM OF ANTI-SOCIAL BEHAVIOUR POWERS

Part 1

Injunction to Prevent Nuisance and Annoyance (IPNA)

Background

To stop or prevent individuals engaging in anti-social behaviour quickly; this is a civil power and can be fast and effective protection for victims. The court may grant an IPNA against anyone who is over 10 years old

Who can apply?

- Local councils
- Social landlords
- Police (including BTP)
- Environment agency
- NHS

Test

- On the balance of probabilities the person has engaged or is threatening to engage in conduct capable of causing nuisance and annoyance to any person; and
- The court considers it is just and convenient to grant the injunction to stop the ASB

Details

IPNA's will be issued by the county court for over 18's and the youth court for under 18's. The injunction will include prohibitions and can also include positive requirements to get the perpetrator to address underlying causes. Agencies must consult youth offending teams for applications for under 18's.

IPNA's can be for a fixed or indefinite period for adult perpetrators; for under 18's the prohibitions or requirements must have a specified time limit and the maximum term is 12 months. The court may exclude a perpetrator from any premises or an area specified within the terms; this can include their home where the court thinks that ASB includes the use or threatened use of violence against other persons or there is a significant risk of harm.

Social landlords will only be able to exclude their own tenants whilst councils and police will be the lead agencies in applying to exclude private tenants or owner occupiers. Such applications will only be made in the most serious or extreme cases. Breach of the injunction is not a criminal offence but breach must be proved to the criminal standard, beyond reasonable doubt. Penalty on breach for over 18's: civil contempt of court with unlimited fine or up to two years in prison. For under 18's;

supervision order or as a last resort a detention order of up to three months for 14-17 year olds.

Appeals for over 18's will be dealt with by the High Court and for under 18's to the Crown Court.

Part 2

Criminal Behaviour Order (CBO)

Background

The CBO is available on conviction for any criminal offence in any criminal court. The order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court. A CBO can be granted against anyone over the age of 10 years.

Who can apply?

The prosecution, in most cases the Crown Prosecution Service (CPS) either at its own initiative or following a request from the police or council.

Test

- If the court is satisfied beyond reasonable doubt that the offender has engaged in behaviour that has caused or is likely to cause harassment, alarm or distress to any person; and
- The court considers that making the order will help prevent the offender from engaging in such behaviour

Details

A CBO can be issued by any criminal court; the ASB does not need to be part of the criminal offence, however if there is no link this may increase the likelihood that an application will not be successful.

The order will include prohibitions to stop the ASB but it can also include positive requirements to get the offender to address the underlying causes. Agencies must consult the youth offending team for applications for under 18's

Effective partnership working will be required between local agencies to ensure the CBO application can be properly reviewed and notice served as soon as practicable without waiting for a verdict in the criminal case – there is no scope for retrospective applications. Effective information exchange is needed to ensure a CBO is considered every time an ASB offender is brought to a criminal court.

A CBO for adults is a minimum of two years and up to an indefinite period and for under 18's the order must be between one and three years.

Breach of the order is a criminal offence and must be proved to the criminal standard of proof, beyond reasonable doubt. For over 18's on summary conviction: up to six months imprisonment or a fine or both; for over 18's on conviction on indictment: up to five years imprisonment or a fine or both. For under 18's: the sentencing powers in the

youth court apply where the maximum sentence is a two year detention and training order.

Appeals against orders made in the Magistrates Court will be heard in the Crown Court. Appeals against orders made in the Crown Court will be heard in the Court of Appeal.

Part 3

Police Dispersal Power

Background

The dispersal power is a flexible power which the police can use in a range of situations to disperse anti-social individuals from public places and provide immediate short term respite to a local community. The power is preventative as it allows an officer to deal instantly with someone's behaviour. The dispersal requires a person committing or likely to commit ASB, crime or disorder to leave an area for up to 48 hours. A direction can be given to anyone who is or appears to be over the age of 10.

Who can apply?

- Police officers in uniform; and
- Police community support officers

Test

Two conditions need to be met for a direction to be given:

- the officer must have reasonable grounds to suspect that the behaviour of the person has contributed or is likely to contribute to: members of the public in the locality being harassed, alarmed or distressed; or crime and disorder occurring in the locality; and
- the officer considers that giving a direction to the person is necessary for the purpose of removing or reducing the likelihood of ASB, crime or disorder

Details

The direction must be given in writing, unless it is not reasonably practicable. The written notice will specify the locality to which the direction relates to and for how long the person must leave the area.

The officer can also impose requirements as to the time by which the person must leave the locality and the route they must take. The officer can confiscate any item that could be used to commit ASB, crime or disorder. A person under the age of 16 and given a direction can be taken home or to another place of safety.

Breach is a criminal offence; failure to comply with a direction to leave: fine up to £2,500 and/or up to three months in prison. Failure to hand over items: up to a £500 fine.

Part 4

Community Protection Notice (CPN)

Background

The CPN is intended to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible. The CPN stops a person (anyone over 16), business or organisation committing ASB which spoils quality of life.

Who can issue the CPN?

- Council officers
- Police officers
- Police Community Support Officers
- Social landlords (if designated by the council)

Test

The test is designed to be broad and focus on the impact ASB is having on victims and communities. A CPN can be issued by one of the above agencies if they are satisfied on reasonable grounds that the conduct of the individual, business or organisation:

- Is having a detrimental effect on the quality of life in the locality;
- Is persistent in nature; and
- Is unreasonable

Details

A written warning must be issued informing the perpetrator of the problem behaviour, requesting them to stop and the consequences of continuing. The CPN is issued including a requirement to stop things, do things or take reasonable steps to void further ASB. The CPN can allow the council to carry out works in default.

Breach is a criminal offence; a fixed penalty notice can be issued of up to £100; a fine of up to £2,500, or £20,000 for businesses.

The terms of a CPN can be appealed by the perpetrator within 21 days of issue; the cost of works undertaken by the council can be challenged by the perpetrator if they think they are disproportionate.

Public Spaces Protection Order (PSPO)

Background

PSPO's are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can enjoy public spaces by stopping individuals or groups committing ASB.

Who can make a PSPO?

Councils will be responsible for making the new PSPO after consultation with the police and Police and Crime Commissioner and other relevant bodies, such as community representatives.

Test

Behaviour being restricted has to:

- Be having or likely to have a detrimental effect on the quality of life of those in the locality;
- Be persistent or continuing in nature; and
- Be unreasonable

Details

The council can make a PSPO on any public space within its own area. Restrictions and requirements will be set by the council; these can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times.

It can restrict access to public rights of way where the route is being used to commit ASB. For example it can prohibit activities such as drinking alcohol, making sure dogs are kept on leads, etc. It can be enforced by a police officer, police community support officer or council officer.

Breach is a criminal offence and enforcement officers can issue a fixed penalty notice of up to £100, or a fine of up to £1,000 on prosecution.

Appeals can be made by anyone who lives in or regularly works in or visits the area, in the High Court within six weeks of issue.

Closure Power

Background

The closure power is a fast and flexible power that can be used to protect victims and communities by quickly closing premises that are causing nuisance or disorder.

Who can apply?

- local council
- police

The power comes in two stages: the closure notice and the closure order which are intrinsically linked. The closure notice can be used by the council or the police out of court. This short-term closure notice can then be extended upon application for a closure order to the magistrates court.

Test

The following has occurred or will occur if the closure power is not used:
Closure notice (up to 48 hours)

- nuisance to the public; or
- disorder near those premises

Closure order (up to six months)

- disorderly, offensive or criminal behaviour;
- serious nuisance to the public; or
- disorder near the premises

Details

A closure notice is issued out of court in the first instance. Flowing from this the closure order can be applied for through the courts.

Notice: can close premises for up to 48 hours out of court but cannot stop owner or those who live there accessing the premises.

Order: can close premises for up to 6 months and can restrict all access. Both the notice and the order can cover any land or any other place, whether enclosed or not including residential, business, non-business and licensed premises.

Breach is a criminal offence. Notice: up to three months in prison; Order: up to six months in prison; Both: up to an unlimited fine for residential and non-residential premises.

A closure notice cannot be appealed. A closure order can be appealed through the Crown Court and must be made within 21 days.

Part 5

Absolute Ground for Possession

Background

The ASB Act introduces a new absolute ground for possession of secure and assured tenancies where anti-social behaviour or criminality has already been proven by another court. The purpose is to expedite the eviction of the landlord's most anti-social tenants to bring faster relief to victims.

Who can apply?

- Social landlords (local authority and RSLs)
- Private rented sector landlords

Test

The tenant, a member of the household, or person visiting the property has met one of the following conditions:

- Convicted of a serious offence
- Found by a court to have breached an injunction to prevent nuisance and annoyance (IPNA – new power)
- Convicted of breaching a criminal behaviour order (CBO – new power)

- Convicted for breaching a noise abatement notice or
- The tenants property has been closed for more than 48 hours under a closure order for ASB (new power)

Details

Offence or breach needs to have occurred in the locality of the property or affected a person with a right to live in the locality or affected the landlord or his staff/contractors.

Secure tenants of local housing authorities will have the statutory right to request a review of the landlord's decision to seek possession.

If the above test is met the court must grant a possession order (subject to any human rights defence, including proportionality) – this means the court will be more likely to determine cases in a single short hearing. There will be no need to prove that it is reasonable to grant possession. The court will not be able to postpone possession to a date later than 14 days after the making of the order except in exceptional circumstances, and will not be able to postpone for later than six weeks in any event.

Review procedure

Local council tenants will have a statutory right to request a review
The request for review must be made in writing within seven days of the NOSP being served

The review must be carried out before the end of the notice

The landlord must communicate the outcome of the review to the tenant in writing
If the review upholds the original decision the landlord will proceed by applying to the court for the possession order

Hate Crime Guidance 2014 – 2015 (DRAFT)

Background

The neighbourhoods and individual estates which are managed by The Gateshead Housing Company are now more diverse than ever and composed of a rich mix of different races, cultures, beliefs, attitudes and lifestyles.

Regrettably however there are still issues of prejudice, intolerance, bigotry and extreme views which can come to the fore and prevent the cohesion and integration of different groups into communities.

Context

This guidance seeks to compliment and support the aims of Gateshead Vision 2030 and Communities Together strategies (see Gateshead Council website www.gateshead.gov.uk for further details)

We want to ensure that no person should be targeted because of who they are and nobody should have to suffer because of this.

Background

It is acknowledged that many victims are reluctant to report hate crime which can occur for a variety of reasons; fear of attracting further abuse; mistrust of agencies and lack of awareness of how to report incidents.

We have therefore developed this procedural guidance through consultation with our customers and partner agencies. The purpose of this guidance is to give clear direction to our employees and customers on how hate crime can be reported, clarify the standards of services which can be expected and the level of support which can be offered

The guidance will be reviewed on annual basis and supported through the delivery of employee training, structured reviews of casework and scrutiny via our governance process.

Introduction

Hate incidents can damage everyone. They not only devastate individuals and families, but can divide and isolate communities. Through our partnership work we wish to make it expressly clear that we will not tolerate harassment or discrimination in any form.

We are therefore committed to the overall aims of **Safer Gateshead** and the **Hate Crime Strategy Action Plan** which seeks to:

- Prevent hate crime through engagement and education, and tackling it decisively when it does occur

- Ensuring that local people can realise their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead.

Hate Crime and Hate Incidents

A **Hate Crime** is any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a personal characteristic. Hate crime can be motivated by disability, gender identity, race, religion or faith and sexual orientation.

A **Hate Incident** is when someone is harassed because of their, ethnicity, religion, gender identity, disability or sexual orientation. , this is called a **hate incident**.

Hate Crime and Hate Incidents occur when a perpetrator's actions are motivated, in whole or in part, by hatred, bias or prejudice, based upon the **victim's actual or perceived race or ethnicity, religion, gender identity, disability, or sexual orientation**. Types of incident can range from verbal abuse, threatening behaviour and criminal damage through to arson and physical attacks.

Individuals may also be targeted due to other issues such as **personal characteristics** which identify them as 'different'. A tragic example of this was the murder of Sophie Lancaster who was attacked due to her appearance and membership of the 'goth subculture'.

Specific examples of Hate Crime and Hate Incidents can include:

- Harassment, verbal abuse or conduct that ridicules any of the characteristics listed above. Examples may include; mimicking or making derogatory remarks in relation to a person's accent, speech, or mannerisms
- Provoking hatred of a racial group
- Political activities which seek to incite racial disharmony
- The display or distribution of derogatory materials which relate to ethnicity, religion, gender identity, disability, sexual orientation.
- Unprovoked assault
- Threatening and/or abusive correspondence either by letter, e mail, MSN, video or via social networking sites
- Deliberately 'outing' or threat of 'outing'(e.g. as being gay or having mental health needs)
- Damage to property, for example, breaking windows in the home
- Arson or attempted arson
- Offensive graffiti or posters on or near the home
- Threatening behaviour, for example, spitting or failing to control dogs
- Malicious and unfounded complaints made on a repeated basis to agencies
- Vandalism of vehicles
- Activities intended to deter a person from occupying a particular dwelling or enter a known area/local amenity

Aims

To treat all reports of harassment and hate crime seriously and as a matter of high priority and ensure early action is taken in line with our **Anti-Social Behaviour (ASB) Service Standards**. These can be found in our Guide to Services via our website.

To promote the opportunities available to report hate crime and ensure they are accessible to all communities.

To fully consider the support needs of all parties involved; victims, witnesses and perpetrators. For example, some perpetrators may have mental health problems, which may contribute to their conduct.

Objectives

Hate Incidents which occur in any form are unacceptable.

Our approach with partners is to ensure that any incident or crime that occurs due to prejudice will be captured, recorded and dealt with as a hate crime. We will continuously seek to review and improve our services to effectively deal with such unacceptable behaviour at the earliest possible opportunity.

We are committed to working with all partners including Gateshead Council, Northumbria Police and those in the voluntary sector. By doing this we will raise awareness of hate crime reporting, improve promotion of Safe Reporting Centres and remove barriers which prevent victims reporting hate incidents.

We will do this through effective training of frontline employees, monitoring and recording all incidents and raising confidence across communities that hate crime will not be tolerated.

Supporting Victims

It is our policy that all employees believe customers when they report a hate crime/incident and take them seriously. When we receive a report our officers will always be sympathetic and understanding.

All victims will be offered tailored support relevant to their needs in conjunction with their wishes. This will include the opportunity to be referred to the specialist **Victim Support caseworker**. Individual cases may also be discussed more widely at partnership meetings such as **Tasking & Co-Ordination** and **Safer Neighbourhood Groups**. This will seek to share intelligence, work together and draw upon assistance from partners to improve support to victims and resolve problems.

We are committed to using our **customer assessment tool** to help us identify the effects of hate crime on a victim's wellbeing and to seek to reduce the risk of harm.

We work in partnership with **South of Tyne NHS Foundation Trust -Talking Therapies**. This allows us to offer referrals for customers who suffer primary mental health problems such as anxiety depression, trauma, stress and other emotional issues as a result of Hate Crime.

Once we have made a referral to another agency we will continue to investigate reports and will not a close your case without contacting the customer first.

Reporting

In October 2010 the Community Safety Board launched **Gateshead ARCH**, a reporting and case management system for hate incidents. ARCH allows

victims or witnesses to report incidents at a number of **designated safe reporting centres** or through the **24 hour reporting line 0191 433 2648**.

We accept that many victims will be too frightened or intimidated to report incidents themselves. Therefore, other people can report incidents on their behalf, or report an incident they have witnessed without being the victim.

From a single report a range of organisations can be informed, allowing a co-ordinated multi-agency response. However, this is only done so with the victim's permission. In cases where victims or others reporting hate crime do not want to give their personal details, an anonymised report can be submitted.

Anonymous reports or those received on behalf of other parties will be investigated appropriately in line with our **ASB Service Standards**. However, without being able to contact you directly to establish full facts, incidents reported anonymously will be more difficult for us and partner agencies to progress or take formal actions against perpetrators due to a potential lack of information.

Accessibility

All safe reporting centres are accessible and based in communities across Gateshead. You will recognise a safe reporting centre as it should clearly display the logo (see Appendix 1). You can also report incidents online at (insert web address).

Anyone with specific needs reporting a hate crime will be offered support which includes: -

- Language Line
- Face to Face Interpreters
- British Sign Language Interpreters
- Information in different formats
- Lip Readers
- Hearing induction loop
- Signposting to other agencies such as advocacy services.

All housing company offices are fully accessible and but we cannot guarantee that other community venues have immediate access to the above support services.

Employees

Training will be delivered to all staff on a regular basis on the ARCH database around how to effectively record hate incidents or hate crimes. This will be reviewed at regular intervals via the appraisal process or in accordance with legislative changes and updates to the database.

Hate crime awareness training is a mandatory requirement for all new employees.

Should any employee be subject to Hate Crime, whether undertaking duties or in their personal lives then appropriate support and advice will be offered in relation to the housing company's policies. A list of the applicable policies is included in appendix two.

Monitoring

We will collect record and report on all relevant data relating to harassment and hate crime.

Reports will be collated from the ARCH database which aims to help us to;

- Increase the number of hate incidents that are reported
- Increase the support available to victims
- Identify and tailor support Repeat Victims
- Improve action taken against perpetrators
- Increase the understanding of hate incidents in Gateshead in order to develop a multi-agency approach to preventing hate incidents
- Deliver a customer focussed approach
- Enable us to monitor tensions within communities.

Increasing Reporting

The partnership has an established network of reporting centres and systems in place to monitor the number and types of hate crimes taking place in the borough. Where appropriate we will encourage victims or people reporting on their behalf to use community contact points across Gateshead. This approach recognises that for some victims or persons reporting on their behalf may feel more comfortable talking to someone they already know or trust. We acknowledge that within Gateshead there a wide network of support groups, Places of Worship and carers who

We will analyse information obtained through our use of the Customer Assessment Tool to ensure that all hate incidents are appropriately captured and recorded.

A key objective is to promote greater reporting of low level incidents to prevent escalation into more serious incidents such as physical attacks and criminal damage.

To further improve access and reporting we will use a variety of different mediums to proactively promote hate crime awareness and improve confidence within those groups where reporting is low, particularly lesbian, gay, bisexual and transgender; disabled communities and young persons. This will include publicity via targeted media campaigns; use of social media; attending residents and community groups and working with local schools to educate young persons.

Performance Monitoring

We monitor actions taken to resolve hate crime incidents on a monthly basis via the **Hate Crime & Tension Monitoring Group** meetings with partner agencies including Community Safety, Northumbria Police and Education services.

Performance in relation to hate crime incidents is also reported monthly to managers and on a quarterly basis to Customers and Communities Committee and the Board.

Actions to Tackle Hate Crime

The actions we are able to take to prevent escalation of hate crime will be dependent on individual circumstances and the level of evidence available. This can include warning letters, joint visits with police or other agencies or by asking a perpetrator to sign an **Acceptable Behaviour Agreement (ABA)**.

We may also seek to protect victims by applying for **Anti-Social Behaviour Injunctions (ASBI's)** or **Anti-social Behaviour Orders (ASBO)**.

In serious or repeat cases where the perpetrator lives in a council tenancy we may seek to end their tenancy.

Please refer to the **TGHC's ASB Procedure guidance** for further details of the management tools that can be employed to tackle harassment and hate crime.

Contact Information

Further information about our procedures to address Hate Crime can be obtained by contacting:

Gateshead ARCH

24 hour reporting line – 0191 433 2648

Neighbourhood Relations Team, The Gateshead Housing Company-

Telephone: 0191 433 5327

e-mail: art@gatesheadhousing.co.uk

Website – www.gatesheadhousing.co.uk

Community Safety, Gateshead Council –

Telephone 0191 433 2701

Email: ARCH@gateshead.gov.uk

Northumbria Police

Telephone - '101'

Website – www.northumbria.police.uk

Safe Reporting Centres

Details of Safe Reporting centres where you can visit can be found on Northumbria Police's website www.northumbria.police.uk

Community Contact Points

A list of current community contact points can be found by accessing Gateshead Council's website – www.gateshead.gov.uk

Glossary

To help explain some of the terms used in this guidance document, please refer to the list below;

(DETAILS TO BE INSERTED)

(list in alphabetical order)

Acceptable Behaviour Agreement
Anonymous reporting
Anti-Social Behaviour Injunction (ASBI)
Anti-Social Behaviour Orders (ASBO)
Appraisal process
ARCH
ASB Database
ASB Service Standards
Case management system
Customer Assessment Tool (CAT)
Discrimination
Frontline employee
Harassment
Hate Crime Strategy Action Plan
Hate Crime
Hate incident
Legislative changes
Outing
Perpetrator
Racial disharmony
Safer Gateshead
Safer Neighbourhood groups
South of Tyne NHS Foundation Trust, Talking Therapies
Tasking & Co-Ordination groups
Victim
Victim Support caseworker

Appendices

Appendix 1 – Safe reporting centre logo (insert)

Appendix 2 – TGHC policies in relation to this guidance document;

DETAILS TO BE INSERTED – DRAFT VERSION

Employee Guidance

Draft Hate crime guidance

The customer reports they are experiencing problems which they or someone else **perceives** to be targeted at them due to their identity / personal characteristics (it does not have to be proven at this point)

Log details on to ARCH system (located via intranet) – ideally this should be done while customer is on the telephone or with you so that all the relevant details can be taken and the ARCH reference number given to them. Clarify information provided by the customer to check you have correctly understood the details so that the most appropriate action can be taken and no unnecessary delays are encountered

The ARCH system will guide you through any relevant referrals that need to be made to other agencies (victim support, police etc)

When registering details on ARCH complete the details from the customer's point of view, not yours e.g. Are you reporting an incident that has happened to you? This should be answered from the customer's point of view, not the officer adding the details

Log case on to ASB system and include ARCH reference number on the main details.

Ensure CAT form is completed and risk assessments carried out

REFER CASE TO NEIGHBOURHOOD RELATIONS TEAM

Are security measures required for victims? – complete assessment and send form to NRT manager for approval

Provide feedback to NRT Manager so that case can be discussed with partner agencies at hate Crime & Tension Monitoring meeting

Continue case investigation as normal (with agreement of customer), **ensuring ARCH is updated with all actions**

The policy will be reviewed on annual basis. This review has been conducted in consultation with customers and key stakeholders

May 2014