**Performance and Resources Scrutiny Programme 2017/18**

**Report to: the Office of the Police, Fire and Crime Commissioner for Essex**

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| **Title of Report:** | **An outline of what works in the multi-agency approach to Anti-Social Behaviour in Essex.** |
| **Chief Officer** | **ACC Prophet** |
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| **Report from:** | **Essex Police** |
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| **Date of Approval:** |  |

1. **Purpose of Report**

This paper follows a report submitted for Performance and Resources scrutiny in July 2018. That report provided data (from the previous 12 months) detailing reductions in the levels of reported Anti-Social Behaviour (ASB). The Board requested more information on the impact of local authority partners, Community Safety Partnership Hubs and Restorative Justice on ASB levels.

1. **Recommendations**

No recommendations but the Board is asked to note the benefit of / progress in the following areas:

1. The need to complete the launch of Community Safety Hubs in (policing) districts across the county to best support the work on ASB.
2. There benefit of encouraging all districts (local / unitary authorities) to maximise use of the legislative tools provided by the [Anti-Social Behaviour, Crime and Policing Act 2014](http://www.legislation.gov.uk/ukpga/2014/12/notes/division/5/4), specifically; Community Protection Warnings and Notices (CPWs and CPNs).
3. **Introduction/Background**

The definition of ASB is broad; “***any behaviour where the victim is suffering harassment, alarm, distress, nuisance or annoyance***”. The behaviour will sometimes include a criminal offence but frequently does not.

Responding to ASB effectively often requires collaborative working between the Police, Councils and Housing to determine the most appropriate solution.

Effective problem solving has been shown to reduce crime and ASB more than traditional police activities can do alone. For example; high visibility police patrols in ASB hotspots problem in the long term and studies indicate that random patrols have little impact on reducing crime.

Investigating reported crimes or ASB that have already occurred does not reduce criminal or anti-social behaviour, however adopting a problem solving approach to that behaviour will. A successful response to dealing with anti-social behaviour will therefore focus on managing ***future***behaviour. The necessity to share information with our partners and colleagues is essential in resolving ASB and keeping victims safe.

4.0 **Current Work and Performance**

In understanding why levels of ASB have reduced by 4%, it should be noted that this *could* be directly linked to improved crime data accuracy. Incidents that would previously have been recorded as ASB are instead being recorded as crimes. It is not possible to be precise about how much ASB is now recorded as crime but the decrease largely relates to the category of Personal ASB and is the type of incident where better recording practices are now identifying more crimes.

The following table provides an overview of the reports of ASB received for 1st June 2016 to 31st May 2017 and 1st June 2017 to 31st May 2018:

|  |  |  |
| --- | --- | --- |
| **North LPA** | **2016/17** | **2017/18** |
| Environmental ASB | 3427 | 3320 |
| Nuisance ASB | 13703 | 14174 |
| Personal ASB | 2320 | 1541 |
| **South LPA** | **2016/17** | **2017/18** |
| Environmental ASB | 2930 | 2868 |
| Nuisance ASB | 12461 | 11941 |
| Personal ASB | 1843 | 1271 |
| **West LPA** | **2016/17** | **2017/18** |
| Environmental ASB | 2751 | 2881 |
| Nuisance ASB | 9926 | 9582 |
| Personal ASB | 1593 | 1195 |

Environmental ASB is an area of investigation that is often led by local authorities and it may be that the positive use of Community Protection Warnings (CPWs) and Community Protection Notices (CPNs) used by Chelmsford City Council and Chelmsford CPT in the North LPA may have impacted on the reduction of reports received.

It should be noted that whilst all CPTs are actively using the legislation for Community Protection Warnings, not all local authorities are and this may affect the nature and levels of calls received by Essex Police to report environmental ASB.

The LPA based ASB Officers (3) have become competent in how enforcement tactics such as Community Protection Warnings and Notices and Dispersal Directions should be correctly uploaded to ATHENA so that they can be searched for future analysis.

**5.0 What impact do our partners, including Local Authorities and Housing, have in resolving ASB?**

Effective information sharing is key to effective problem solving, as is a multi-agency approach to tackling ASB. Under section 17(1) of the Crime and Disorder Act 1998, local authorities have a duty to exercise their functions with due regard to the need to prevent crime and disorder in their area, the underpinning ethos being that levels of crime and disorder are influenced by the policies, decisions and practices of agencies and organisations working in a locality.

Social Housing providers also have a duty to investigate ASB that affects their tenants as victims or is perpetrated by their tenants. Where housing providers take the lead and manage the harm, CPT Officers will support and use additional policing skills where appropriate.

There are some excellent examples of where this happens across Essex including:

1. The co-located activity with the Southend Community Safety Hub where Southend Community Policing Team share the benefits of a staff member from Southend Borough Homes who can access STORM incidents and manage investigations that fit better with her agency. Information sharing is excellent as both agencies share the same office space.
2. The fortnightly meetings held between Chelmsford Police, Chelmer Housing Partnership and Chelmsford City Council that promote a proactive response instead of waiting for an urgent response. Chelmer Housing Partnership (CHP) is an excellent example of best practice and was the first housing provider in the county to create a formal information sharing agreement with Essex Police that others have since followed.

The (CSAS) Community Safety Accreditation Scheme enables Local Authorities to deal with certain ASB issues directly. Every Local Authority except Uttlesford is now accredited under the Scheme (Uttlesford is currently working with LPSU to determine what staff require what powers) and all Community Safety Managers report benefits (for example Maldon District Council Countryside and Park rangers undertake joint tasking and patrols with the local CSP which may account for some of the reduction in Nuisance ASB recorded in the North LPA.

Currently, the most successful response to ASB appears to be the use of the Community Protection Warning/ Notice (CPW/N) process created by the [Anti-Social Behaviour, Crime and Policing Act 2014](http://www.legislation.gov.uk/ukpga/2014/12/notes/division/5/4). The CPW/CPN process is used in all Essex policing districts with some leading to a full Criminal Behaviour Order being achieved in the courts.

However, although all CPTs use this legislation, it is not used by all local authorities despite their statutory responsibility to deal with ASB.

* Chelmsford, Maldon, Braintree, Epping Forest and Thurrock issue numerous warnings and achieve significant success in reducing ASB, particularly in the categories of Nuisance and Personal ASB. This is partly reflected in the reductions shown in the data above.
* Harlow and Uttlesford District Councils make minimal use of the legislation.
* Tendring, Southend, Basildon and Rochford councils do not use the legislation and where CPWs and CPNs are recorded in these districts, they have been used by the CPT, not the local authority.

**5.1 Has the creation of Community Safety Partnership Hubs (CSPHs) had any effect?**

Effective multi-agency working enhances the service agencies can deliver, particularly regarding dealing with ASB.

The development of Community Safety Hubs (CSHs) is designed to enhance this approach by improving communication, developing effective working relationships and providing effective problem solving solutions to meet the aims of:

* Improving community safety.
* Reducing crime and disorder.
* Improving victim satisfaction and support.

One of the initial aims of the CSH project was to align local CPT priorities to those of their local CSP. This has enabled key Hub stakeholders to influence CSP priorities (for example Chelmsford and Maldon CSP adopting Rural Crime as a priority with 3 other authorities about to follow suit).

The creation of series of Success Measures for each CSP, regarding progress in developing their Hub allowed for bench-marking and good practice to be adopted and adapted to suit local issues.

At the outset of the project, it was acknowledged that the Hub was a mechanism for partnership working, not necessarily a physical location, however the revised CSH Steering Group Terms of Reference indicate that a Hub is a physical co-location and this remains the aspiration of the programme. Thurrock and Basildon are in the process of agreeing proposals for a fully integrated, collocated CSH.

It has to be emphasised that even where partners are not yet co-located, there is a strong partnership working ethos in every District Policing Area.

There are significant examples of this enhanced relationship detailed below, however, there is no correlation between districts that do not currently have co-location including council Community Safety functions and the local CPT and the lack of appetite for using legislation to tackle ASB.

For example Southend and Tendring Hubs are the longest established but neither council use the ASB powers available. In contrast Thurrock do not yet have a Hub but appear to be tackling ASB effectively in partnership with their local CPTS.

Tendring Hub is based within Clacton Police Station and includes agencies such as Tendring District Council, Social Care and the Youth Offending Service. There is a daily Tasking Conference Call, a monthly Problem Solving Meeting (Case based problem solving) and a quarterly Networking Meeting.

Colchester has a similar system on a smaller scale but core partners include Colchester Borough Homes and the co-location has seen a number of effective measures taken between the local authority and the CPT to tackle ASB.

Braintree has a smaller scale Hub, based within the Community Services Team at Braintree District Council offices providing hot-desks for the local CPT and the local ASB Officer, allowing the council and CPT to discuss issues. Fortnightly Operational Meetings are chaired by the Local Authority Community Services Manager and administered by the Community Safety Officer.

Uttlesford and Braintree District Councils work closely together with a joint CPT and there are hot desks available at Uttlesford District Council Offices for other agencies including the police.

Chelmsford continues to develop the Hub which will be in the Civic Offices when it is finished in March 2019. This will include staff from the Community Policing Team, ASB officer, Missing Person Liaison Officer, Public Protection Unit, Environmental Health Officers and more.

Southend has had an effective Hub since 2014, being one of the pilot areas and is

mentioned earlier in this report.

Castle Point and Rochford have recently established a multi-agency Hub in Castle Point District Council Offices which includes the operating base for the local CPT.

Basildon Hub is established at Basildon District Council offices and the CPT use it as a base throughout officers’ tours of duty. Probation Services and the Youth Offending Team and there are good partnership arrangements in place.

There is no Hub in Thurrock, however, there are strong partnership arrangements in place and Thurrock Borough Council is committed to looking at co-location through a community safety hub and Thurrock Councils transformation team have been tasked with providing options for co-location of a Community Safety Hub.

There is no Hub in Harlow, however, there are strong partnership arrangements in place and daily and fortnightly tasking takes place against CSP Priorities involving the local authority and the CPT.

Epping has made significant progress in developing their multi-agency approach to managing reports of ASB and Epping Forest District Council has funded police officers to be fully seconded and co-located within their offices. The team have fortnightly tasking processes during which council departments can request police support and following assessment by the CSP managers and Hub Sergeant, the requests can be accepted or rejected.

**5.2 How successful is Restorative Justice (RJ) in resolving reports of ASB?**

The report by the Restorative Justice Council: “Improving Victim Take-Up of Restorative Justice” (February 2017) concluded that restorative justice (RJ) works. Evidence shows that RJ meets the needs of victims, reduces the frequency of reoffending and can also save money by diverting people away from prosecution. However, despite the progress that has been made, there are indications that not enough victims are currently being offered RJ.

The Crime Survey for England and Wales (2015-16) found that only 4.2% of victims of crime were offered RJ. In addition, only a small percentage of those offered RJ appear to be choosing to participate. These findings are reflected in Essex.

The Essex Restorative and Mediation Service annual report 2017/2018 confirmed 426 referrals had been received across Essex. A tiny number compared to the levels of reported crimes and ASB each year. However, positively, 42% of these referrals were for incidents of ASB and over 95% of victims were extremely satisfied with the service.

It is therefore important to understand why referrals are low. The Victim Code of Practice requires victims of crime and ASB to receive information on RJ from the police or other organisations that deliver restorative services. The point at which RJ is actually offered to a victim is a key point of engagement.

Research confirms that the person who makes the offer should be a trained RJ facilitator, with the knowledge, understanding and experience of restorative justice to explain it properly to the victim and answer their questions. In making the offer, developing the trust of victims is important, as is exploring the victim’s needs with them, to help them to decide whether RJ is the right choice.

A personalised approach is therefore important, and, ideally, face to face meetings should be conducted with the victim but this creates a significant resource implication for the police and other partner agencies including the Restorative Justice Hub.

Making the offer of RJ requires skill, knowledge and experience of the process and is likely best left to trained facilitators, but this relies on the resources to access potential participants.

There is a need to raise awareness and knowledge of RJ across the organisation. Primary focus should be with Contact Management Command and LPT / response police officers who conduct these early conversations with victims.

The Essex Police lead for restorative justice is Superintendent Cannon, who has recently taken responsibility for chairing the Restorative Justice Strategic Group and is currently implementing a plan for increasing the number of RJ referrals.

The Restorative Justice Hub Manager; Emma Goddard, maintains close links with all police departments and is readily available to offer advice and guidance on referrals made or referrals proposed and the Restorative Justice e-mail address provides a single point of contact for officers to seek advice.

**6.0 Links to Police and Crime Plan Priorities**

Priority 2 of the PFCC Police and Crime Plan states: “Our objectiveis to keep our communities safe across the whole of Essex, reducing the disruption and distress anti-social behaviour causes people”.

**7.0 Consultation/Engagement**

* LPSU
* Supt Cannon
* Emma Goddard

**8.0 Actions for Improvement**

There is area for improvement in the use and offer of restorative services to victims of both crime and ASB. Restorative Justice can sometimes be seen as the ‘soft option’ but it is by far the most likely intervention to reduce offending and achieve victim satisfaction. Therefore alongside further reductions in reports of ASB, it would be a positive outcome to see an increase in referrals to the Essex Mediation and Restorative Justice Hub.

CSPs/ Local authorities need to be encouraged to see the benefits of multi-agency working and to address logistical issues around co-location. This may require significant internal cultural shift. The issue of lack of consistency in councils utilising the relevant ASB legislation is issue is regularly raised at the Essex Community Safety Network by the LPSU Head of Department and/ or ASB Manager and representatives are supportive. ACC Prophet will be writing to all CS managers and the Local Authority Chief Execs asking that proactive use is made of the relevant ASB enforcement powers. This will be reinforced at Safer Essex and the Essex Chief Execs meeting.

**9.0 Future Work/Development and Expected Outcome**

* A team from Essex Police is visiting Hertfordshire Police HQ on 15th October 2018 to understand how they have developed procedures in relation to ASB and learn best practice from the significant changes they have put in place at the point of contact whereby incidents that are not suitable for a full police investigation are referred to partner agencies who have a stake in the parties involved (e.g. tenant) or the powers to deal with the harm being caused. Findings will be discussed with both FCR and Crime Bureau management to ascertain the feasibility of implementing changes in Essex.

* The LPA based ASB Officers (LPSU staff) have been set PDR objectives to develop and increase the use of Criminal Behaviour Orders (CBOs) by providing training briefings to LPT officers. This will include guiding LPT Officers on how to prepare a robust file to present in court.

* A training day for all CPT staff is being arranged by the ASB Officers that will focus on the correct uploading of all ASB interventions onto ATHENA to reduce the amount of manual input errors and allow for better data capture. The training day will also include PCSO training on their current and proposed future powers.

**10.0 Decisions Required by the Police, Fire and Crime Commissioner**

None.

**Appendix A**

**Restorative Justice Improvement Plan**

|  | **Action** | **Owner** | **Update** |
| --- | --- | --- | --- |
| 1 | D/Supt to consider taking over a Chair of the Restorative Justice Strategic Partnership Board to drive activity | Scott Cannon | Feb 2018 – D/Supt Cannon is now the Chair of the Board. Next meeting is scheduled for 21st February 2018. **Action closed**. |
| 2 | D/Supt Cannon and Emma Goddard to deliver a presentation at Synergy to the Senior Management Team to promote the RJ service and benefits. | Scott Cannon & Emma Goddard | July 2018 – 30 Presentation delivered to Chief Officer Team and SLTs at Synergy. **Action closed**. |
| 3 | Emma Goddard to review probationer training in relation to the RJ service and whether there are any opportunities to improve and enhance its delivery | Emma Goddard | Feb 2018 – RJ Manager now attends all EP probationary training and delivers a bespoke input about the Essex RJ service. **Action closed**. |
| 4 | D/Supt Cannon and Emma Goddard to scope options with regards to local Sergeant and Inspector training across the LPAs. | Scott Cannon & Emma Goddard | Jan 2018 – RJ presentation has been delivered across the South LPA as part of locally arranged Sergeant and Inspector training. Emma Goddard to secure attendance at North and West LPA CPDs to deliver training. Action ongoing. |
| 5 | D/Supt Cannon and Emma Goddard to visit all Command Teams | Scott Cannon & Emma Goddard | August 2018 – Lee Carter arranging visits to next available Command Team meetings to talk about RJ and future governance. Action ongoing |
| 6 | Emma Goddard to link in with Alex Perks to arrange for a ‘Focus On’ intranet article promoting RJ as a service and explaining her role. | Emma Goddard & Alex Perks | August 2018 – Focus On article published. 976 views were recorded. **Action closed** |
| 7 | The current RJ webpage is a link on the Essex PFCC website. There is no EP intranet link for RJ. RJ Webpage to be added to the EP Intranet | Alex Perks | Sept 2018 **–** A link has been added to the EP intranet but via the CJ webpage and then following a further link for OOCDs. This is not ideal and The RJ Team should be listed under ‘Teams’ on the intranet. Emma Goddard to liaise with Alex Perks to see if this can be moved across**. Action ongoing.** |
| 8 | Emma Goddard to redraft some simple RJ briefing slides which can be shared across local teams. ‘RJ on a page’ would be better received at a local level. | Emma Goddard | Sept 2018 **–** Emma is in the process of drafting. Action ongoing**.** |
| 9 | Scope options with regards to Victim Support Services in terms of RJ signposting and to increase the number of referrals by VSS | Rita Knox | Sept 2018 – New Action set. |
| 10 | Scope options with regards to running a Pilot whereby an RJ Facilitator works alongside a specific team to test the suitability and benefits in applying RJ as an outcome to crimes and the impact on victim satisfaction. | Scott Cannon | **June 2018 – At this time, the RJ Hub is recruiting an Admin Support Worker to assist in day to day admin. Once recruited and vetted, this will free up some capacity to set up a pilot. Action ongoing**  **Sept 2018 –** Met with Emma Goddard. Admin Support Worker has been recruited and will hopefully start in October 2018. Once in place, Emma has a South based Facilitator who would be suitable to use in some form of PILOT. The challenge will be that Facilitators do not have any access to IT so cannot look at ATHENA records. D/Supt Cannon to consider what a PILOT would look like and how it could function. A Team in the South also needs to be nominated**. Action ongoing.** |
| 11 | Scope options around having an RJ Facilitator based in the new Resolution Centre within FCR who can look at live time incidents and assess their suitability for RJ. | Ed Wells | August 2018 – the Resolution Centre remains subject to an ongoing business case. **Action in abeyance pending the business case being approved**. |
| 12 | Review the current performance dashboard data with regards to RJ and ascertain whether this could be improved to support LPAs | Emma Goddard | September 2018 – Emma Goddard will look at enhancing future performance data so rather than just listing the number of referrals in each District, it will seek to include, good and poor examples of referrals and outcomes. **Action ongoing.** |
| 13 | Consider how RJ could be managed as part of an Out of Court Disposal Team within CJU. | Glenn Caton | September 2018 – A Business Case is being drafted in relation to the creation of a bespoke Out of Court Disposal Team. This team if created, would look at all OOCDs for the force in terms of decision making and QA. RJ is one of the OOCD options. A presentation is being prepared for the next Synergy meeting in November 2018. **Action ongoing**. |
| 14 | Liaise with the Mobile First Team to scope the feasibility of having an RJ App on MDTs | Emma Goddard | Sept 2018 – New Action |
| 15 | A review of the letters sent to victims by EP and VSS. Do they incorporate any signposting to RJ and if not, could they be adapted so that the RJ service is explained and offered to every victim of crime | Rita Knox | Sept 2018 – New Action. D/Supt has e-mailed Rita Knox. |
| 16 | Look at MSGs and obtain performance data for RJ. Are other Most Similar Forces making better use of RJ or seeing higher referral levels.  Consider visiting a force which is making effective use of RJ to see what organisational learning/best practice could be gleaned. | Emma Goddard | Sept 2018 – New Action |