

# Anti-Social Behaviour: Living a Nightmare

Victims' Commissioner for England and Wales,  
ASB Help & Nottingham Trent University

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## Foreword



In this report, my last as Victims' Commissioner for England and Wales, I look at the impact of anti-social behaviour (ASB) on victims and the response from agencies to tackle it.

The feedback from victims is that all too often, they feel they are being persistently targeted by their perpetrators; and yet persistently ignored by those with the power to prevent and intervene. For many victims, their experience can be like living a nightmare.

Given that my first introduction to the criminal justice process was through my own family's experience of ASB, it seems fitting that I have gone full circle and finish my term as Victims' Commissioner on this issue.

In 2007, youths targeted ordinary working families, living in an ordinary street in an ordinary neighbourhood, with a campaign of vandalism and violence. It culminated with my husband, Garry, being kicked to death on our doorstep. It seems implausible that 12 years later, here I am still raising the issue of anti-social behaviour. But the truth is, depressingly little has changed.

I find it infuriating and quite frankly disrespectful to hear ASB being referred to as 'low level crime'. That description illustrates very neatly how ASB is often treated as a series of isolated incidents, rather than taking into account the cumulative effect that it has on its victims.

Even the expression "anti-social behaviour" woefully plays down the impact of the crime. For me, anti-social behaviour is a neighbour's son's 21<sup>st</sup> birthday party getting boisterous in the early hours of the morning. Yes, inconsiderate, but a one-off and life moves on.

What I am talking about is "anti-social abuse". This is sustained and remorseless bullying and harassment. With victims feeling distressed and unsafe in their homes, which should be their place of sanctuary.

This report draws on the work of ASB Help and Nottingham Trent University, along with the work of my Office to gain an understanding of the experiences of victims of ASB and responses by the authorities responsible for resolving it.

ASB is on the increase. Latest figures from the Crime Survey for England and Wales show 37% of people have personally experienced or witnessed anti-social behaviour in their community, the highest percentage recorded since this data was first collected.

This report highlights examples of police and council staff failing to appreciate the cumulative impact of persistent ASB on its victims - with each incident being treated in isolation and the underlying causes being ignored. This culture of diminishing ASB fails to recognise the impact it can have on victims' mental health, their ability to hold down employment or the strain on family relationships.

Police, local authorities and social housing landlords all have responsibility to tackle anti-social behaviour by working together to help victims. Too often, victims are being passed from one to the other and feeling as if no one is listening. The failure of police, councils and housing associations to advertise the Community Trigger and provide a cohesive response is a dereliction of duty to residents.

The report makes the following recommendations to improve the experiences of victims of ASB:

- Recognition of the impact on victims of persistent ASB, by **revising the Victims' Code of Practice**, to afford them the same entitlement to support as all other crime victims, when they reach the 'three complaints' threshold needed to activate the Community Trigger.
- **Tackling the failure to adequately respond to 101 phone calls quickly – or in some cases, not at all and reviewing the charges** and whether to mirror the free 999 emergency number.
- A legal requirement for Local Authorities, Police and Crime Commissioners, Police and housing associations to **display accurate guidelines on the Community Trigger prominently on their websites and notice boards and publications**, enabling all victims to seek help.
- **Empowering victims of ASB by informing them about their entitlement** to start the Community Trigger when responding to the second complaint within a six-month period.
- **Involving victims by** enabling them to attend resolution meetings to explain in person the impact the behaviour is having on them.
- **Making resolution meetings a real opportunity to challenge by** having meetings chaired by an independent person, thereby avoiding the impression of police and councils "marking their own homework".
- A call for the Home Office to **consider replicating legal powers** available to police in Scotland who can serve warnings, fines and seize noisy equipment.

I want this report to be a catalyst for change. I strongly believe if we crack down on ASB, empower victims by informing them of their rights and give powers to police, councils and housing providers to investigate and take rigorous action, it can reduce ASB and stop it spiralling into violence and worse.

A handwritten signature in black ink, reading 'Baroness Newlove' with a stylized flourish at the end.

**Baroness Newlove of Warrington**

**Victims' Commissioner for England and Wales**

## Acknowledgements

The Victims' Commissioner would like to thank Jennifer Herrera from ASB Help and Dr Becky Thompson and the team of researchers at Nottingham Trent University for their written contributions, summarising their own research findings for this report. Thank you to ASB Help also for their support in recruiting victims of ASB to take part in research interviews for this report. ASB Help provide information, support and advocacy to victims of ASB.

Thank you to Rory Geoghegan and Alice Wilcock from the Centre for Social Justice. The Centre for Social Justice hosted a round table meeting with prominent ASB charities, practitioners and policy makers whom the Victims' Commissioner would also like to thank for their insights into victims' experience of ASB. Thank you to the Centre for Social Justice for hosting the launch event for this report.

Most importantly we would like to thank the victims of ASB who shared their experiences in the case studies presented in this report. The Victims' Commissioner is also grateful to Stephen Wooler CB for peer reviewing this report.

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# 1. Recommendations

This report makes the following recommendations:

1. Recognise the needs of victims of persistent anti-social behaviour (ASB) by amending the Victims' Code to afford them the same entitlements as victims of crime when they have reached the threshold required to activate the Community Trigger.
2. Operation of the 101 police phone line should be reviewed to ensure that it is fit for purpose. This should include calls being answered within a reasonable time limit for victims, facilitating an opportunity for effective police response. Consideration should be given to ensure victims of ASB are not disadvantaged in any way by reporting ASB to the 101 phone line compared with victims of crime reporting to 999.
3. A statutory requirement for Local Authorities, Police and Crime Commissioners and Police Force Areas to provide accurate information on the Community Trigger on their websites.
4. Empower victims of ASB by informing them about their entitlement to activate the Community Trigger when responding to the second complaint within a six-month period (ie - before they meet the threshold of three complaints).
5. A statutory requirement for Local Authorities to measure and monitor ASB cases and the use and outcomes of the Community Trigger and report them annually on their website.
6. A statutory requirement for agencies to respond to recommended actions from the Community Trigger (including providing full reasons when recommendations cannot be actioned) and monitor progress in ASB resolution.
7. Community Trigger investigations and panel meetings to be chaired by an appropriately trained independent lead. Community Trigger meetings should not be chaired by the agencies responsible for investigating the original ASB complaints.
8. Currently, if a victim does not agree with the outcome of a Community Trigger, PCCs can act as arbitrator but many choose not to. An independent local arbitrator for Community Trigger appeals should be appointed within each local authority area to deal with escalated complaints about the Community Trigger. This should feed into Local Criminal Justice Boards which in turn submit an annual report to the National Criminal Justice Board.
9. Victims of ASB must be given the opportunity to attend and tell the Community Trigger panel in person about their experience of ASB and the effects it has had on them. Similar to the Victim Personal Statement for victims of crime, victims of ASB should also be able to submit a written account of the effects of the ASB and be entitled to read it or have it read on their behalf at the Community Trigger panel meeting. Data protection provisions do not stand in the way of victims being heard in Community Trigger panel meetings and Central Government should provide clear legal advice on the involvement of victims in Community Trigger meetings.
10. Key Performance Indicators on ASB to be developed for all social housing providers.
11. The Home Office to consider reviewing how local performance relating to ASB is measured and monitored, and how that data can be used to provide opportunities for local areas to learn from each other.

12. The Home Office to consider the scope for replicating the statutory powers available to police officers in Scotland in relation to warnings, fines and entering property and seizing noise-making equipment within England and Wales.

## 2. Introduction

The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

- (a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.

Experience of ASB is on the rise. In the year ending December 2018, the Crime Survey for England and Wales estimated that 37 per cent of respondents had experienced or witnessed ASB in their local area (defined as within a 15-minute walk of the respondent's home) (Office for National Statistics 2019a). This is the highest percentage recorded since this data was first collected.<sup>1</sup>

Despite often being described as 'low level crime', the accumulative impact of ASB can cause immense distress and suffering for victims, affecting their health, sleep, work, relationships and leaving victims feeling unsafe in their own home, which should be their place of sanctuary.

ASB can often be symptomatic of more serious behaviour involving crime. For example, drug gangs taking over or '*cuckooing*' a property to sell drugs generates a great deal of anti-social behaviour and is also symptom of serious violence and drug offences.

Despite increased incidents of ASB, its devastating effects on victims and its links with serious crime, ASB seems to have fallen out of discussion in the media and amongst criminal justice agencies. Recording of ASB has changed. Incidents are now recorded individually rather than being under the heading of ASB. This means that the focus has gone from the cumulative effect of multiple ASB incidents to the individual crime types. The public and political focus has switched to serious violence, forgetting that ASB can be its precursor and failing to recognise the impact on the communities and individuals affected by it.

This report draws together three key sources of research to identify the current levels of experience and perception of ASB across different demographic types of victim, the availability and effectiveness of the Community Trigger in resolving ASB and linking victims' lived experiences of ASB with what is known to best support victims of crime.

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<sup>1</sup> Office for National Statistics (2019a) Crime in England and Wales: Year Ending December 2018 [online]. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingdecember2018> Accessed 26 April 2019.



Contributions by ASB Help, Nottingham Trent University and the Office of the Victims' Commissioner are combined to give a comprehensive understanding of the current landscape of ASB. The effectiveness of current legislation in resolving ASB is assessed and recommendations are proposed for improvements that could make a real difference for victims of ASB.

### **3. Data Sources**

This report draws on the work of Nottingham Trent University, ASB Help and the Office of the Victims' Commissioner in understanding the experiences of victims of ASB and responses by the authorities responsible for resolving it.

Nottingham Trent University's research involved combining data from four separate data sources to create one large quantitative data set. This gave the researchers a detailed picture of the individual, household and area characteristics of ASB victims. Data from the Crime Survey for England and Wales (CSEW), Understanding Society, the Index of Multiple Deprivation and the UK Census were combined for this research. The CSEW was the main source of data used which is a household survey in England and Wales, asking people about their experiences of crime and anti-social behaviour. Importantly it captures those incidents which are not reported to or recorded by the police or other agencies as well as those that have been reported and recorded. The research project used all sweeps of the survey from 2011/12 to 2015/16.

ASB Help recently undertook a data collection exercise on the level of Community Trigger activations across England and Wales. Researchers received responses from 193 local authority areas, half of which treated the data request as a Freedom of Information Request in spite of it being information that is legally required as set out in the Anti-Social Behaviour, Crime and Policing Act 2014. ASB Help drew on this research as well as their case work with victims of ASB to gain an understanding of how the Community Trigger is advertised and implemented across England and Wales.

The Victims' Commissioner regularly receives communication from victims of ASB. It is the incident type widely cited by victims that contact the Office. The Victims' Commissioner carried out a series of visits to all Police and Crime Commissioners in England and Wales and met many victims of ASB at those local visits. As well as this case work and anecdotal evidence, this report draws on the experience of 7 victims, all of whom have suffered from ASB and struggled to find resolution to their problems. In-depth qualitative interviews were carried out with the ASB victims asking them about their experience of ASB, reporting the ASB, interaction and support that they received to resolve the problem by the police, local authority, housing authority or other criminal justice and local support agencies and their experience of the Community Trigger. Whilst they cannot be said to be a nationally representative sample of victims of ASB, they do illustrate some of the issues these victims face. Taken together with the statistical evidence and the experience of ASB Help, this evidence points strongly to the Community Trigger arrangements being largely ineffective through a combination of limitations and serious inertia on the part of those responsible for its implementation.

In March 2019, the Centre for Social Justice held a round table meeting with prominent ASB charities, practitioners and policy makers to discuss what can be done prevent ASB and, when unfortunately ASB does occur, how we might improve our response to it, as well as how different agencies of the criminal justice system work together to resolve ASB issues. This report draws on the experiences that these practitioners reported at the round table and their suggestions for improvement.



## 4. Who experiences anti-social behaviour and in what context? Nottingham Trent University

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This section outlines the headline findings from an Economic and Social Research Council funded research project which explored: ‘who experiences or witnesses anti-social behaviour (ASB) and in what context?’ It begins with a brief overview of previous research and outlines the distinctive contribution of this project to what we already know about ASB victimisation<sup>2</sup>. Having discussed the scope of our project, and the data and methods used, it then presents an overview of the headline findings under four main themes: experience, perception, reporting and impact. It follows with a discussion of potential policy implications and finishes with a summary.

### 4.1. PREVIOUS RESEARCH

Previous research studies have found there are particular characteristics about an individual, or the area in which they live, which make them more likely to perceive ASB. For example, analysis by the Office for National Statistics (ONS) (2013) found being young, female and/or a victim of crime increased the likelihood of perceiving high levels of ASB. The proportion of young people (16-24 year olds) living in an area as well as high population density but low levels of transient population are additional factors linked to ASB (Kershaw and Tseloni 2005; Tseloni 2007). Levels of ASB and fear of crime in an area are also strongly associated (Tseloni 2007). Having said all this, the most consistent finding to emerge across studies is the association between ASB call volume and area-level deprivation (Innes and Innes 2013; Flatley et al. 2008; Millie 2009; ONS 2013) – there are (in general) higher levels of ASB in more deprived areas. The primary limitation of this body of previous research (with some exceptions, e.g. Taylor, Twigg and Mohan 2015) is that it explores ASB as a ‘catch-all’ category and does not look in detail at the different types of ASB.

### 4.2. WHAT DID THIS RESEARCH COVER?

The main question this project sought to address was:

*Who experiences or witnesses anti-social behaviour and in what context?*

In other words, are there characteristics about a person, their household or where they live that might make them more vulnerable to experiencing ASB? Identifying who is most vulnerable to experiencing ASB is really important in informing both prevention activity and developing the most effective harm reduction interventions.

The research focused upon four main themes:

- **Experience** – are particular individuals, households and areas more likely to experience/witness ASB<sup>3</sup>?

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<sup>2</sup> For need of a better phrase, the terms ASB victimisation and ASB victim are employed in the remainder to denote experiencing or witnessing ASB, recognising that in some instances it may not purposefully target the individual who experienced/witnessed it.

<sup>3</sup> Survey respondents are asked to comment on whether they have experienced or witnessed ASB in their local area – defined as within a 15-minute walk of their home.

- **Perception** – how does experiencing ASB shape an individual’s perception of other problems in their local area?
- **Impact** – what is the impact of an ASB incident on a victim’s quality of life and daily routine?
- **Reporting** – what proportion of ASB incidents are reported and are certain types of ASB more likely to come to the attention of particular agencies? Does satisfaction with how the matter was handled vary by ASB type and organisation reported to?

Each of the four themes is discussed in more detail in Section 4<sup>4</sup>.

### 4.3. HOW DID WE CONDUCT THE RESEARCH?

With few exceptions (Kershaw and Tseloni 2005; Tseloni 2007; Taylor, Twigg and Mohan 2010; Taylor, Twigg and Mohan 2015) previous published research has drawn upon bivariate associations of ASB and a collection of individual, household and fairly rudimentary area characteristics or data relating only to those ASB victims known to the police. This research used advanced statistical modelling of four existing data sources to address some of the analytical shortcomings of previous work. This sub-section outlines the data sources used and main methods employed.

#### 4.3.1 Data

The research involved combining data from the following four sources:

- Crime Survey for England and Wales (2011/12-2015/16)
- Understanding Society (2010-2015)
- Index of Multiple Deprivation (2010)
- UK Census (2011)

A brief overview of each of the datasets is provided below. The ‘combined dataset’ (linked via geographical identifiers under UK Data Service ‘Special Licence’ conditions<sup>5</sup>) provided us with a more detailed picture of ASB victimisation, individual, household and area characteristics, than when using the datasets in isolation.

#### 4.3.2 Crime Survey for England and Wales

The CSEW is considered by many to be the best source of victimisation data internationally (Flatley 2014; Tilley and Tseloni 2016). Conducted since 1981, the survey currently samples approximately 34,000 respondents each year (ONS 2019a). It collects information on experiences of crime and ASB (regardless of whether the incident has been reported to, or recorded by, any agency) as well as respondent and household attributes. It therefore provides an unrivalled picture of the true extent and nature of crime and ASB. Having said this, the CSEW does not cover crimes or ASB against businesses, against those not resident in households (e.g. individuals in care homes, the homeless etc.) or so-called ‘victimless crimes’.

In relation to ASB, questions relating to ‘perceived’ ASB in a respondent’s local area and ‘experiencing or witnessing’ ASB have been collected since 2001/02 and 2011/12 respectively. If the

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<sup>4</sup> More details of any aspect of the findings, data or methodology discussed in the following sections are available upon request.

<sup>5</sup> The CSEW (ONS 2016, 2017, 2018) and Understanding Society (Kantar Public 2018) datasets were obtained via the UK Data Service Secure Lab.

respondent states they have experienced or witnessed ASB, they are asked to describe the incident so it can be categorised into one of 13 types<sup>6</sup>. The 'Anti-Social Behaviour module' also gathers information regarding the frequency of ASB victimisation, impact of the incident on daily routine and quality of life, whether the incident was reported and (if applicable) satisfaction with how the matter was handled. This research analysed both ASB as a whole (combining all 13 types) and the 13 categories separately to determine if they were similar or different in terms of who experiences them, the impact and reporting patterns etc.

#### 4.3.3 Understanding Society

Understanding Society is a longitudinal study of households in the United Kingdom with a representative sample of approximately 40,000 (University of Essex 2018). It was first carried out in 2009 and gathers data annually from household members over 10 years of age. Selected variables were utilised to generate a comprehensive picture of the dominant individual/household types in an area (in this case Lower Super Output Area). Information relating to the local neighbourhood were used, namely measurements of willingness to help neighbours, trust and social networks. Taken collectively, this dataset allowed us to test the relationship between social capital, community cohesion and ASB victimisation.

#### 4.3.4 Index of Multiple Deprivation

The Index of Multiple Deprivation (IMD) is a source of statistics on *relative* deprivation in small areas (LSOAs<sup>7</sup>) in England (McLennan et al. 2011). The IMD ranks all areas in England from most to least deprived (Department for Communities and Local Government (DCLG) 2011). It combines information from seven domains each of which measures deprivation of different types<sup>8</sup>. This research used the IMD as a measure of the relative deprivation of different LSOAs in our sample. It used both the overall IMD score as well as the scores across the seven domains to ascertain if different types of deprivation had varying impacts upon ASB victimisation.

#### 4.3.5 UK Census

This research used key statistics from the 2011 UK Census (ONS et al. 2016). "Statistics from the UK censuses help paint a picture of the nation and how we live. They provide a detailed snapshot of the population and its characteristics..." (ONS 2019c). It used data relating to, for example, national identity, social class, student population and religion (to name just a few) to generate an area-level snapshot of the population diversity of different areas.

#### 4.3.6 Methodology

Different statistical methods were employed to address different aspects of the project depending upon the data available, and the question we were trying to answer:

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<sup>6</sup> These are: 1: Youths/teenagers/groups hanging about on the streets; 2. Street drinking/drunken behaviour/under-age drinking; 3. Vandalism, criminal damage or graffiti; 4. Inconsiderate behaviour; 5. Loud music or other noise; 6. People using or dealing drugs or evidence of drugs; 7. People being intimidated, threatened, verbally abused or harassed; 8. Environmental, e.g. litter or rubbish or dog fouling; 9. Nuisance neighbours; 10. Vehicle-related; 11. Begging, vagrancy, problems with homeless people; 12. Sexual, e.g. prostitution or kerb crawling or evidence of prostitution; and 13. Problems with out of control or dangerous dogs. For more information, see ONS (2019b).

<sup>7</sup> A statistical geographical area containing between 400 and 1,200 households (ONS 2012).

<sup>8</sup> The seven domains are: income deprivation; employment deprivation; education, skills and training deprivation; health deprivation and disability; crime; barriers to housing and services; and living environment deprivation (DCLG 2011).

- *Who experiences ASB?* Hierarchical logistic regression (Snijders and Bosker 1999) was used to account for the clustering of individuals within areas (LSOAs) that allowed us to investigate whether ASB differs mostly between individuals or between areas. Further, we identified the individual, household and area characteristics that increased or decreased the likelihood of experiencing ASB (or not). Individual ASB types (e.g. drink-related ASB or vehicle-related ASB) were also investigated via this methodology.
- *Perceptions of ASB.* Latent variable methodology was used, including latent class analysis and latent class regression (Lazarsfeld and Henry 1968). These methods classify people according to their chances of belonging to a particular class or group. This allowed us to group ASB victims in terms of how much of an issue they rate various problems in their area.
- *ASB reporting and ASB impact.* Descriptive statistics as well as advanced methods such as bivariate logistic regression with sample selection (Greene, 1997) and odds ratios were utilised here. Zero-inflated negative binomial models also allowed us to explore the self-reported impact of ASB upon a victim's quality of life taking into account their individual, household and area characteristics.

#### 4.4. HEADLINE FINDINGS

This sub-section provides an overview of some of the headline findings under four themes: experience, perceptions, impact and reporting.

##### 4.4.1 Experience

This strand of the research sought to build upon previous research by Ward, Thompson and Tseloni (2017). First, it explored whether particular types of ASB were more common than others, as well as if certain types of ASB were more prone to repeat victimisation. It then used advanced statistical modelling to predict the likelihood of experiencing or witnessing ASB based on a range of individual, household and area characteristics. In other words, were there characteristics about a person, their household or where they live that might have made them more likely to experience/witness ASB? The headline findings were as follows:

- *Certain types of ASB were more likely to be experienced than others*

According to the analysis, the ASB types most likely to be experienced/witnessed were: street drinking/drunken behaviour (this ASB type accounted for 11.5% of those who reported experiencing/witnessing some form of ASB); groups hanging around (9.5%); inconsiderate behaviour (7.1%); and vehicle-related ASB (5.1%)<sup>9</sup>.

- *Certain types of ASB were more prone to be repeated*

The research explored how often, on average, each ASB type occurred (e.g. daily, weekly, once a month etc.). It found certain types were more prone to repetition, namely: environmental (e.g. litter, fly tipping, dog fouling) (71.8% of those who witnessed this ASB type did so *at least once a fortnight*);

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<sup>9</sup> Similar findings were also reflected in research by Ward, Thompson and Tseloni (2017).

vehicle-related ASB (67.8%); begging (67.2%); people using or dealing drugs (57.3%); and groups hanging around (53.2%).

- *Particular individuals/households were more likely to report experiencing/witnessing ASB*

A number of different models were run for this particular aspect of the analysis, for example we predicted the likelihood of experiencing any type of ASB as well as the likelihood of experiencing the different types separately. In general, and in the interests of space, when looking at all ASB types combined, younger, male, white individuals with educational qualifications<sup>10</sup> who had lived in an area with higher income deprivation and higher crime risk for longer than 12 months were more likely to experience ASB.

- *Who experiences/witnesses ASB varies by ASB type*

As alluded to above, the analysis reported here involved predicting the likelihood of experiencing any type of ASB as well as the 13 types separately. The reasoning behind this was to establish whether there were differences in victim profiles by ASB type. The analysis suggests there are differences in that who experiences/witnesses ASB varies by ASB type.

#### **4.4.2 Perceptions**

We explored whether all individuals who directly experience/witness ASB were also likely to perceive lots of other problems in their area. The intention here was to determine if there were differences in the number of perceived problems among those who had experienced/witnessed at least one ASB incident. The headline findings were as follows:

- *Experiencing ASB does not uniformly shape perceptions of problems in the local area*

Three distinct subgroups of those who had experienced/witnessed ASB were identified based on their perception of problems in their area:

- o 'Low negative' perception group: consisted of individuals who, despite experiencing ASB, did not perceive the listed ASB issues to be a problem in their area (35-45% of respondents who experienced ASB);
- o 'Medium negative' perception group: consisted of individuals who found some of the issues to be somewhat problematic in their area (40-45% of those who experienced ASB); and
- o 'High negative' perception group: this group reported almost all issues to be a big problem (except abandoned cars) (12-19% of those who experienced ASB).

- *The likelihood of perceiving lots of problems in the local area can be predicted (for ASB victims)*

This analysis allowed us to predict who, amongst those who experienced/witnessed ASB, were most likely to have low, medium or high negative perceptions of problems in their area. These findings provide scope for targeted intervention.

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<sup>10</sup> Any 'formally recognised' qualification, e.g. NVQ, BTEC, GCSE, O Level, A Level, First Degree etc. Not including 'other qualifications' or overseas qualifications.

#### 4.4.3 Impact

Becoming a victim of ASB can have serious financial, physical and psychological consequences (ASB Help 2019). The level of harm caused by an ASB incident “...depends upon an interaction between the characteristics and situation of the victim, and the nature of the problem itself” (Innes and Weston, 2010: 24). Relatedly, HMIC (2010) criticised a number of police forces for their lack of understanding of the intensity of harm caused by ASB to communities and vulnerable individuals. The headline findings were as follows:

- *Certain ASB types had a bigger impact on a victim's quality of life than others.*

If a respondent experienced or witnessed ASB, they were asked to rate the impact of that incident on both their quality of life, and daily routine. The ASB types generally reported as having the largest impact on quality of life were out of control or dangerous dogs and nuisance neighbours.

- *The impact of a particular ASB was greater when experienced with other ASB than when it was experienced alone.*

Experiencing more than one type of ASB (e.g. nuisance neighbours and environmental) generally increased the impact of each ASB type compared to experiencing just one type of ASB.

- *The impact of ASB incidents not only varies by ASB type but also by individual and household characteristics.*

A victim's self-assessment of the impact of an ASB incident varies both by ASB type and by who experiences/witnesses it. Put more simply, certain people and households are more likely to report higher levels of impact as a result of experiencing/witnessing ASB.

#### 4.4.4 Reporting

One of the advantages of using data from the CSEW is that it captures incidents either not reported to, or not recorded by, any organisations/agencies. In relation to ASB incident reporting, the survey asks a number of questions. First, did any organisation come to know about the incident and, if yes, which one? If reported, respondents are also asked how satisfied they were with how the matter was handled. The headline findings are:

- *Less than a third of ASB incidents were reported to the three main reporting agencies*

According to the 2015/16 CSEW, approximately 31% of ASB incidents were reported to the police, local authority or housing association/private landlord. Of those reported, most were reported to the police (of all agencies). The ASB type most likely to be reported was nuisance neighbours<sup>11</sup>

- *Satisfaction with how the matter was handled varied by reporting agency*

Victims were generally satisfied with the response received from the police (with the exception of some ASB types which had lower satisfaction levels (e.g. vehicle-related ASB, drug-related ASB and problems with dogs)) and generally less satisfied with the response received from the local council or housing association/private landlord.

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<sup>11</sup> These findings were also reflected in research by Ward, Thompson and Tseloni (2017).



- *Generally speaking, as frequency of ASB occurrence increased, satisfaction with response decreased*

In general, the more frequently the ASB was experienced, the lower the satisfaction with how the matter was handled.

## 4.5. POLICY IMPLICATIONS

These findings could be used to inform risk assessment at the point of reporting. The research has identified certain characteristics about a person and where they live that makes them more likely to experience an incident and for that incident to have a greater impact on their quality of life.

These findings can inform: (a) the appropriate items to be included in a risk assessment form and (b) the weighting or score particular characteristics of the ASB victim and their area should be given to assess their risk and harm. This would provide an evidence-based assessment of the likelihood of the incident occurring again and the likelihood of a greater impact on the victim's quality of life. This would help inform decisions about the most appropriate response and hopefully reduce the chances of the incident being repeated.

The project team is currently developing an 'ASB Harm Index' which considers the victim's own judgement of the impact of different types of ASB whilst also taking into account individual, household and area characteristics. This is an online, interactive tool which ultimately aims to assist practitioners in identifying the neighbourhoods where, when ASB happens, it is likely to have the greatest impact. The team also hope that some of these findings could be used more proactively in trying to stop ASB from happening in the first place having identified particular individuals and communities who are at greater risk.

## 4.6. SUMMARY

This research explored ASB victimisation (including experience, impact, perceptions and reporting) and deprivation in an unprecedented level of detail and rigour utilising national top-quality data from a range of sources. The central finding to emerge is that there are subtle differences depending upon: which *type* of ASB is considered; who experiences one or more types; whether the incidents are reported; and their impact. Therefore, examining all ASB types combined risks masking these subtle underlying differences. In addition, the analysis reported here provides a more comprehensive understanding of the impact of ASB. This research is unique in that it analyses the impact of the incident upon the victim, as assessed by the *victim*.

Practically, the findings from this research can be used to inform both ASB prevention activity and response to incidents that come to the attention of organisations/agencies. In relation to prevention, our work identifies the individuals and communities most vulnerable to ASB who could be the focus of targeted activity. With regard to response, the findings directly inform risk assessment practices at the point of report in terms of assessing the likelihood of both repeat and potential impact.

# 5. Availability and use of the Community Trigger: ASB Help

## 5.1. Introduction

The Anti-Social Behaviour, Crime and Policing Act 2014 streamlined the existing tools and powers to deal with anti-social behaviour down to just six which were designed to be quicker to obtain and more flexible. In addition, the legislation also introduced the ASB Case Review, more commonly

called a Community Trigger, enabling victims to hold their local agencies to account. If they meet a threshold (usually three reports of separate incidents within a six-month period) victims can activate the Community Trigger (through the lead agency, usually police or council) and a multi-agency case review must be held to discuss the case and seek to resolve the anti-social behaviour.

ASB Help is a charity focused on victims of anti-social behaviour. As such we have focused our work on the Community Trigger since the Anti-Social Behaviour, Crime and Policing Act (2014) was passed.

Our extensive work has found fundamental problems, covering every aspect of the process.

## **5.2. Availability and Accessibility**

In 2016 ASB Help published a report based on extensive work looking at how each local agency published information about the Community Trigger on their website. We identified the following issues:

1. there is great confusion over how to use the Community Trigger;
2. there has been limited publicity of the Community Trigger meaning that many victims who would be entitled to activate it are unaware of its existence;
3. statutory guidance to make the Community Trigger accessible to all victims has been frequently ignored; and
4. data on its usage is very difficult to obtain and effectively compare.<sup>12</sup>

We commissioned a YouGov poll in February 2016 and just 3% of those polled had heard of the Community Trigger. This is not surprising because there was no national promotion of the power nor many attempts by local agencies to ensure it was well publicised.

Instead, many lead agencies have put a short summary on their website but you would only find it by knowing to search for the words Community Trigger or ASB Case Review (different parts of the country use different terms). Astonishingly, very few Police and Crime Commissioners have chosen to display information about the Community Trigger on their website, in spite of naming vulnerable victims as a priority in their Police and Crime Plans.<sup>13</sup>

The statutory guidance for frontline practitioners states that consideration should be given to access and that the needs of vulnerable victims should be taken into account, reminding agencies that some victims may feel more comfortable contacting one agency than another. However, in many areas the police are the lead agency and the only way the Community Trigger can be activated is by calling 101, in complete disregard of the guidance.

Other areas only supply a form that needs to be downloaded and completed before returning it by post or scanned in an email, making it inaccessible for those without online access and/or a printer. Only 20% of all local authority areas supplied four different ways to activate the Trigger (email, online form, phone, post), whilst 36% of local authority areas gave only one option, running contrary to the whole spirit of the statutory guidance.<sup>14</sup>

In '*The Community Trigger: Empowerment or Bureaucratic Exercise?*' we spoke at length about the issues with promotion and accessibility of the Community Trigger. Nothing has changed in the

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<sup>12</sup> ASB Help (2016), *The Community Trigger. Empowerment or Bureaucratic Exercise?* page 4

<sup>13</sup> ASB Help (2016), *The Community Trigger. Empowerment or Bureaucratic Exercise?* page 8

<sup>14</sup> ASB Help (2016), *The Community Trigger. Empowerment or Bureaucratic Exercise?* page 10

past two and a half years, with victims continuing to contact us to tell us that they are attempting to activate a Community Trigger and the agencies do not know what they are talking about.

*“Very few know of the Community Trigger. The majority of professionals that have been involved in my case were unaware of it, and I had to explain it to them, this includes police contact 101.”*

A local authority area could have excellent processes behind the scenes to effectively manage a case review, but if their portal is bad, it's all a waste of time because victims will never know it exists, that they can use it, or feel able to access it.

### 5.3. Threshold and Legislative Confusion

There is general confusion over the legislation of the Community Trigger. ASB Help analysed the threshold each local area is using for their Community Trigger activations and there is a concerning pattern.

In the Community Trigger pilots and original plans, a two-tier threshold was suggested as follows:

- three or more complaints from an individual about the same problem, where no action has been taken by relevant agencies, or
- five individuals complaining about the same problem where no action has been taken by relevant agencies.

However, in the legislation for the Anti-Social Behaviour, Crime and Policing Act 2014, this was dropped. The whole concept of a threshold is confusing to the victim and so simplifying it to three incidents, whether by an individual or affecting different households, helps make it a little simpler.

Our research shows that a staggering 44% of areas<sup>15</sup> use the two tier 3 individuals/5 households threshold in spite of it not being legal. There are also instances (for example London Borough of Islington<sup>16</sup>, Hampshire Police<sup>17</sup>) that state that a Community Trigger can only be used if a victim's case has been closed. This is simply not true.

The original premise was that it could be used by victims who were not getting a satisfactory response to push local agencies to act, and indeed it has been successfully used in these situations. We would suggest that, more often than not, the case will still be open (after all, each incident must have been reported within the past six months) but the response is proving inadequate.

To add this additional requirement, totally contrary to the legislation, is to further dissuade a victim from accessing what is rightfully available to them and keep them disempowered.

### 5.4. The Case Review Meeting

The feedback we have received from victims and practitioners has raised a number of concerns about the case review meeting. It has been difficult to find many practitioners who embrace the process and, crucially, have seen results for victims of anti-social behaviour. The victims who make contact with us are usually expressing their frustration at the process and the obstacles they have encountered. Concerns include:

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<sup>15</sup> ASB Help (2019) *The Community Trigger. Where We Are Today*. Page 21

<sup>16</sup> <https://www.islington.gov.uk/community-safety/anti-social-behaviour/community-trigger>

<sup>17</sup> <https://www.hampshire.police.uk/advice/advice-and-information/asb/sf/asb-community-trigger/>

- partners more focused on covering their backs than an open discussion;
- partners refusing to share confidential information;
- recommendations made are not then acted upon with no legal recourse to insist upon it;
- some victims who activate the Trigger are usually just not happy with the decision taken by the local agency rather than actually being ignored by agencies (perhaps because they want the perpetrator evicted rather than just the anti-social behaviour stopped); and
- some victims bring minor complaints to the case review which are not really appropriate for a high-level multi-agency review.

A range of victims have written to ASB Help about their experience of the Community Trigger which illustrate some of these issues:

*“In short, an acceptable response to a Community Trigger appears to be: provide the complainant with a list of all the things we COULD do but ultimately won’t due to funding and training issues, then just have them contact the police, who may possibly attend if they aren’t busy. In my opinion, the Community Trigger really isn’t worth doing!”*

*“Now that I have used the Community Trigger I think it is an absolutely useless provision. It is too easy for the police and council to stitch things up and close ranks.”*

A council officer recently informed us of a Community Trigger case review held in September 2018, where there was then delay and a lack of willingness on the part of the landlord to take action. The victim passed away in January 2019. The stress of the anti-social behaviour had seriously affected her health and is felt by the local council to have been a contributing factor to her death. There must be some penalties to non-compliance to recommendations from the Community Trigger to really bring empowerment to victims.

From our perspective, to have a victim or victim representative present at the case review seems to be the exception rather than the rule, and the practice of an entirely independent chair is also not routine. Both of these are crucial to an objective, victim-focused process. It would be excellent to see a democratically elected representative form part of the case review, either a Councillor or someone from the Police and Crime Commissioner’s office, to feed into the review.

Despite the substantial amount of negative experiences, we encountered there is evidence of good practice which is highlighted in the case study in Annex A and Sarah’s experience (9.5) in Annex B.

## 5.5. Data on Community Triggers

ASB Help has recently undertaken the tortuous process of gathering up-to-date statistics on the level of Community Trigger activations across England and Wales. Consistent with the same exercise undertaken in 2016<sup>18</sup>, over half of local authority areas have treated this as a Freedom of Information request, in spite of it being information legally required as set out in the 2014 Act.

Also, consistent with 2016, nearly half of all areas are reporting a zero return, that is to say not a single Community Trigger activation in the 2017/18 financial year. This means the modal average of Triggers is also zero.

This might suggest that whole swathes of the country have not had a single anti-social behaviour issue which needs reviewing. The stories of victims strongly indicate that this is not the case. Rather, victims are not aware of the Community Trigger and therefore cannot activate it or have given up entirely on getting any help with the problems they are experiencing.

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<sup>18</sup> ASB Help (2016), *The Community Trigger. Empowerment or Bureaucratic Exercise?*

For example, one victim told us:

*“It took me 28 months to finally get rid of my antisocial neighbour just before Christmas. The stress and sleep deprivation he caused wrecked my mental and physical health. It was easier for the authorities to just ignore me than do something about him.”*

The average number of Community Triggers activated per year is just 2.6 for each local authority area (2.2 if you remove the extreme outlier of Bristol, with 72 Triggers) with an average of 1.1 case reviews held. With such small numbers there is little opportunity for areas to improve and develop their process. With no sharing of best practice or national narrative about it, there is a real concern as to the quality of the whole process.

## 5.6. Research Evidence

In 2017 ASB Help worked with Dr Vicky Heap of Sheffield Hallam University to interview victims who had activated the Community Trigger in a city in the South of England. The research was commissioned by the local Community Safety Partnership to better understand victims' experiences of the Community Trigger process. The interviews were harrowing and the results disturbing.

The key findings were:

- Activating or attempting to activate the Community Trigger was not effective at stopping the long-term anti-social behaviour being experienced, and in some cases the anti-social behaviour incidents became worse. In a few cases, participants were unsure if the Community Trigger had stopped the anti-social behaviour or not because they were not informed what action had been taken.
- After finding it simple to activate the Community Trigger, participants were critical of the case review process. This was due to a lack of feedback about the case's progress, whether a review was being held or what actions arose from the review. There were delays of months in some cases, with participants feeling like they had to chase the responsible authorities for information, which generated uncertainty about what was happening and why.
- Participants were genuinely dissatisfied with the Community Trigger process. Many thought they would be invited to the case review meeting and were not, and expressed a strong desire to attend. The Community Trigger did not meet their expectations as the anti-social behaviour had not been stopped. Furthermore, participants felt they were not taken seriously, that they were let down and that the process was a waste of time.
- The participants did not feel empowered by the legislation. Many were unhappy with the contact they had had with the relevant authorities (throughout their case), with suggestions of rudeness and not being listened to by officers, which led to a lack of trust.<sup>19</sup>

This is the only detailed qualitative research we are aware of on the Community Trigger and it provides important academic support to the statements we have made about the Community Trigger since its introduction in 2014 and to the feedback we receive from victims.

## 5.7. Statutory Guidance Updated

The statutory guidance to the Anti-Social Behaviour, Crime and Policing Act was updated in 2017. Whilst this was primarily driven by issues with Public Spaces Protection Orders in relation to

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<sup>19</sup> Heap, V and Herrera, J (2018) *Investigating the Community Trigger in Action: A Report for [REDACTED] Community Safety Partnership*. Sheffield: Helena Kennedy Centre for International Justice, page 2



homelessness, ASB Help embraced this opportunity to make suggestions to improve the statutory guidance in relation to Community Triggers, starting with the obvious step of clarifying its two names!

All of ASB Help's suggested changes were approved and ASB Help spent much of 2017 campaigning for the Home Office to use the launch of the updated statutory guidance as a chance to promote the Community Trigger and encourage its wider usage. Instead, it was launched on Christmas Eve 2017, a Sunday<sup>20</sup>. ASB Help believes this was a huge opportunity missed. It also speaks volumes for the priority the Home Office places on victims of ASB, in spite of the rhetoric in the statutory guidance itself of putting victims first.

Used well, the Community Trigger has the potential to capture repeat anti-social behaviour early on and force local agencies to take action. This is likely to be extremely cost-effective in the long run because situations of anti-social behaviour, if not taken seriously at the outset, can often become so complex that many more resources need to be devoted to tackling them. We also know that unchecked, anti-social behaviour can sometimes lead to far more serious behaviour, such as serious violence or gang activity. Early intervention is highlighted as a key way of preventing these issues from escalating. The Community Trigger can offer an opportunity not just to support victims but also identify vulnerable perpetrators, whose behaviour could be stemmed by earlier intervention.

It is also worth highlighting that what a victim perceives as anti-social behaviour (such as domestic arguing or high volumes of visitors to a property) could be symptomatic of other issues, such as domestic abuse or gang activity, both of which could be tackled earlier if the victim received the appropriate response they deserve rather than being left to suffer in silence.

## 5.8. Conclusion

The Community Trigger was introduced in the Home Office's 2012 White Paper '*Putting Victims First*' to fulfil the following purpose:

*We want to empower victims and communities. Too often people in a local area are desperate to have the behaviour that's blighting their neighbourhood dealt with, they just don't know how to get the authorities to take action. Elected Police and Crime Commissioners and neighbourhood beat meetings will help, but we will support local communities by introducing a new Community Trigger to compel agencies to respond to persistent anti-social behaviour.*<sup>21</sup>

We firmly believe that the Community Trigger has the potential to make a difference for victims of anti-social behaviour. It would also encourage early intervention by agencies which can help challenge and tackle perpetrator behaviour before it turns to serious crime. The effects for a victim of ongoing, persistent, distressing anti-social behaviour cannot be overstated. The main issues as set out in *The Community Trigger. Where We Are Today*<sup>22</sup> are:

1. The Community Trigger is largely unknown and inaccessible to victims.
2. An opportunity was lost to promote the Community Trigger when the statutory guidance was updated. This statutory guidance continues to be ignored in regard to its accessibility, clarity and content.
3. The threshold is a confusing concept and is not being used properly. We believe a universal threshold should have been adopted which would make it much easier to explain and promote.

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<sup>20</sup> <https://www.gov.uk/government/news/new-guidance-on-the-use-of-the-anti-social-behaviour-crime-and-policing-act-2014>

<sup>21</sup> Home Office (2012), *Putting Victims First. More Effective Responses to Anti-Social Behaviour*, page 3

<sup>22</sup> ASB Help (2019), *The Community Trigger. Where We Are Today*, page 22



4. Qualitative evidence and feedback from victims suggest the case review itself is failing to deliver for victims.
5. 45% of local authority areas report a zero return with no Community Trigger activations for the 2017/18 financial year and many treat our request for these statistics as a freedom of information request in spite of the legal requirement that they are published.
6. Best practice examples are difficult to identify with practitioners sharing a range of concerns about how the case review is undertaken.
7. There is no-one taking overall ownership of the Community Trigger or any aspect of anti-social behaviour from a victim perspective.
8. Victims are not put first and this important safety net is failing them.

The Community Trigger needs leadership from within central government to ensure it is fit for purpose and unlock its potential. We believe action taken in each of the areas discussed above would enable the Community Trigger to become effective and operate more in the spirit of the original premise of putting victims first and empowering them to hold local agencies to account.

## 6. Supporting Victims of ASB: Office of the Victims' Commissioner

### 6.1. Introduction

In 2016, the Office of the Victims' Commissioner co-published a rapid evidence assessment (REA) exploring 'What Works' to effectively support victims of crime, working alongside the University of Portsmouth (Wedlock & Tapley 2016). The review established that there are four key principles underpinning effective support: information and communication; procedural justice; multi-agency working; and the professionalisation of victims' services. Regular contact with victims of ASB and the in-depth interviews with victims presented in this report demonstrates that these four key principles also relate to the experience of ASB victims and should underpin the way in which agencies act to support these victims.

### 6.2. Information and communication

*'[The Community Trigger] forces agencies that don't communicate to come together, but it is not well publicised. It is just a small paragraph on the website. It needs to be communicated much more clearly so that people are aware it exists.'*

The 'What Works' REA found that timely and accurate information and clear, empathetic communication is vital in providing effective support for victims. Victims need to be provided with information about procedures and their entitlements at the time it is needed. This information should be communicated with empathy, in a manner which is easy to understand and that the victim is able to receive when they are going through a particularly stressful and distressing time.

ASB victims face a number of issues in terms of access to information and how it is communicated to them. Some victims report a lack of empathy in communication with agencies, and being made to feel that they themselves are the ones being a nuisance:

*'The housing attitude was very unfriendly and negative. They regarded me as a complete nuisance. At the start, I got an email from them to say they had visited my neighbour, and that he had denied what I had said, and he said that he was fed up of my complaints. I said I was fed up of making complaints!'*

ASB victims are encouraged to use the police non-emergency 101 phone line to report incidents of ASB. When calling the 101 phone line, victims often face lengthy waiting times, which can result in victims giving up their attempt to report the ASB, or being put off reporting in the future. The 101 phone line costs victims 15p to call in comparison with the emergency phone number 999 and

NHS Direct phone line 111 which are free. Some victims tell us that calling the 101 police phone line results in no action and some reports being passed from one agency to another, with the police saying it is a council matter and the council informing victims that the matter should be dealt with by the police, housing association or private landlord.

*'The police tried to fool me and the other residents with the 101 line. We rang it religiously thinking something would be done, but it never was. The 101 for us down here is just like window dressing.'*

Other opportunities for regular face to face contact between agencies and residents have been eroded. Initiatives such as local neighbourhood offices and community action days no longer exist in many communities. As a consequence, the opportunities for regular and personal interaction between the authorities and local residents have been lost, and the ability to build up relationships and trust has gone. Victims are encouraged to report any problems through online portals, which can feel stark and officious. As a result, some people will be put off reporting ASB.

Some victims tell us they would like to have direct contact with officials in the local authority or housing association, but are told there is no capacity for home visits or even a phone call, and everything must be done by email or through the online portal.

In some communities there is a stigma to reporting ASB or crime. The victim can be labelled a 'grass' which can put them in an uncomfortable and vulnerable position within their community. The lack of visible interaction with the authorities means that things can't just come up in conversation; they have to be formally reported, which can be intimidating for some victims and may deter them from coming forward. Instead, they suffer in silence.

This lack of interaction with council officials comes at a time when many police forces are withdrawing from a neighbourhood policing approach. The Police Foundation report that since 2008 there has been a:

*'significant attrition to outputs and outcomes traditionally associated with neighbourhood policing, community engagement, visibility, community intelligence gathering, local knowledge and preventative proactivity are consistently reported to be in decline.'*

(The Police Foundation May 2018).

In turn, research from Nottingham Trent University based on analysis of the Crime Survey for England and Wales in Section 4 of this report indicates that victims' satisfaction with regards to their experience of handling ASB is generally higher when the police are involved. Significant attrition to neighbourhood policing and involvement in resolving ASB can only lead to attrition in victims' satisfaction with regards to ASB.

As reported in Section 3, information regarding the Community Trigger is variable across local areas. The findings of the ASB Help research demonstrates a lack of information, as well as often misleading or incorrect information about the Community Trigger on local authority websites. This leaves victims uninformed of their entitlement to activate the Community Trigger.

In addition to a lack of information about the Community Trigger on local authority websites, victims report not being told about their entitlement to activate the Community Trigger directly by the police or by local authority staff. Some victims come across the Community Trigger only through carrying out their own on-line research, when all other avenues to resolve the ASB seem to have failed. Victims report phoning their local council to activate the Community Trigger and council workers having to look it up on the internet to find out what it is.

Information about how to report ASB and activate the Community Trigger needs to be consistently available for all victims of ASB, in different formats (not just on-line) regardless of what local authority area they live in. Victims should also be routinely informed about their entitlement to

activate the Community Trigger by the authorities before they reach the threshold for the Community Trigger. Local authority staff need to be trained on how the Community Trigger works and how to deal with complaints professionally and effectively.

### 6.3. Procedural justice

*'The victim is not given a thought here; all the resources are going in to the criminal element and the law abiding are just dismissed.'*

The 'What Works' REA found that the way in which victims are treated throughout criminal proceedings has a great impact on whether victims feel supported and satisfied with the process. Indeed, their perception of whether they have received procedural justice can be as important as the criminal justice outcome.

Victims want to be treated fairly and equitably with the perpetrator and doing so helps victims to feel that justice has been done often regardless of the outcome of the case.

In ASB cases, the main outcome victims are seeking is for the ASB to stop, but the way in which they are treated in the procedures to investigate and resolve the ASB will have an effect on whether the victim feels they have been treated fairly.

In order to achieve a sense of procedural justice, victims want their concerns to be taken seriously and for the authorities to acknowledge that harm has been done to them. It seems that quite often victims are not taken seriously and are seen as a nuisance for reporting the ASB.

*'[I wanted them...] to take me seriously, to listen to me, to take seriously the effect it was having on me. To not outright call me a liar, to not imply I had a problem, to step up and take responsibility for this. I shouldn't have had to have gone through 2 years of that.'*

It is important to recognise the persistent nature of anti-social behaviour. ASB is not a series of unrelated single incidents, but instead it should be viewed and dealt with as an overarching series of related crimes. It is the persistent nature of the crime that has a compounding and demoralising effect. Victims often find that when they report ASB, each incident is dealt with in isolation, so that the compounding effect is not understood or taken into account. The domestic nature of ASB is similar to that of domestic abuse. Each incident of ASB just as each incident of domestic abuse cannot be viewed in isolation. It is a pattern of behaviour, the cumulative effect of which is more than the sum of its parts.

ASB affects victims' day to day life often within their own home. Victims tell us about the impact this has had on their mental health, sleep patterns, ability to function at work and the strain it places on relationships. Victims of ASB, just as those of domestic abuse, are left feeling distressed, anxious and unsafe in their homes which should be their place of sanctuary.

*'Even now, I can't relax at all, I can't rest in that house. It's going to take many, many months I think. I mean the stress has been phenomenal. I think, at the moment, [even though the perpetrator has been evicted] I'm suffering very much from anxiety, and there's nothing else in my life which would cause this level of anxiety.'*

Often in ongoing ASB cases, the perpetrator will eventually make a counter-allegation in retaliation against victims who are seeking an intervention for the ASB. Some victims report that these counter allegations can be taken more seriously than the victim's initial complaint. The handling of the counter allegation can seem heavy handed, adding "insult to injury". For some victims, the impression is that the authorities use the counter allegation as an excuse to withdraw, claiming "six of one, half a dozen of the other".

In cases of ASB, the lack of appreciation of the cumulative effect on victims means that authorities can sometimes be slow to acknowledge that wrong is being done to the victim. Acknowledgement of wrong doing and appreciation of the harm caused is fundamental to victims feeling a sense of procedural justice (Wedlock and Tapley 2016). When victims feel that they have been treated fairly and equitably and they are informed of and receive their entitlements, this increases victims' satisfaction, aids their perceptions of legitimacy and aids compliance with the authorities.

Victims of ASB are not included in the Victims' Code and so do not have the entitlements afforded to victims of crime. The key entitlement of victims of ASB is the Community Trigger. It is vital that information about victims' entitlements to activate the Community Trigger is available and that it is used effectively to give victims a sense of procedural justice.

The Anti-Social Behaviour, Crime and Policing Act 2014 allows for the inclusion of victims' views and experiences in the Community Trigger, however the updated 2017 Statutory Guidance on ASB, contains no specific requirement to include them in the Community Trigger process or meeting.<sup>23</sup>

*'Putting victims first: It is good practice to have somebody involved in the case review to represent the victim, such as from Victim Support or another organisation providing support for victims in the local area. Consideration should also be given to whether it is appropriate for the victim to be invited to attend the case review to help all members of the panel understand the level of harm and impact or whether, in the circumstances, there are good reasons for them not to do so. In such circumstances, it may more be appropriate to invite a representative of the victim to attend, especially where they have activated the case review on behalf of the victim.'*

In practice, anecdotal evidence suggests that victims very rarely, if ever are invited to take part in the Community Trigger meeting.

*'Can't they find a way around it so they can hear my story? I felt shut out, I wasn't happy. I should have been involved in the process. They were having meetings and I was not allowed to speak to them. The victim is ignored, but not the perpetrator.'*

Victims of crime are entitled to make a Victim Personal Statement (VPS) and to have it read out in court to express the emotional, physical, financial, and psychological effects of the crime. Victims say the VPS has a significant value to those who choose to make one (Victims' Commissioner 2015). Victims of ASB are not given the opportunity to make a VPS and are seldom allowed to attend a Community Trigger meeting to express the effect the ASB has had on them.

When one victim asked to meet with council officials to discuss why he wasn't allowed to attend the Community Trigger, he was told that even this would not be possible. He was simply told again that it was a data protection issue. This is not putting the victim first as is the stated intention in the statutory guidance.

*'They didn't want me to be there or hear how it affected me. The purpose wasn't to listen to victims, it was about proceedings.'*

Some victims are offered mediation between them and the ASB perpetrator. Mediation could be a form of procedural justice if it gives both parties an equitable opportunity to have their say. However, in ASB cases mediation is often offered too late, when relationships have broken down too much to be viable. Victims sometimes find that although they are prepared to take part in

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<sup>23</sup>Home Office (2017) Anti-Social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers. Statutory guidance for frontline practitioners. Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/679712/2017-12-13\\_ASB\\_Revised\\_Statutory\\_Guidance\\_V2.1\\_Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679712/2017-12-13_ASB_Revised_Statutory_Guidance_V2.1_Final.pdf) Accessed 28/03/2019

mediation, mediators can find perpetrators to be unreasonable, unwilling to participate and often purposefully obstruct the process.

Victims often feel that the needs of perpetrators are taken more into consideration than their own needs. Victims report that the mental health needs of perpetrators are taken into account by the authorities, but the effects of the behaviour on victims' mental health and well-being is often ignored.

Mental health issues of the perpetrator are sometimes cited by agencies and local authorities as reasons for the perpetrators behaviour and victims are asked to consider this and raise their tolerance threshold for behaviour. This is unacceptable.

Victims report that local authorities often tell them they cannot attend a Community Trigger meeting because of data protection issues. Victims are told that the perpetrators mental health problems present a particular issue around data protection. This makes no sense as informing victims of the perpetrator's mental health status is a breach of data protection in itself.

Data protection issues need not be a barrier to victims attending a Community Trigger meeting. Ways can be found for victims to present their views and experiences to the panel without contravening any data protection laws.

One victim told us that the medical and mental health needs of prostitutes in her local area are considered and taken care of by authorities and local charities, but the effects on the local victims suffering from soliciting, kerb crawling and drug taking in their neighbourhood are not.

*'All we got off the police was 'we're working with the prostitutes, we're looking after their welfare' and I said, 'what are you doing for the residents?' And the policeman said, 'well we're short staffed, we can't be everywhere'.'*

In another case, the rights of illegal tenants delayed the council from evicting ASB perpetrators, while the victim had to suffer months of abuse when waiting for the eviction notice to be served.

These are just a few examples which demonstrate a lack of procedural justice for victims of ASB. It leads to victims feeling the perpetrator has more rights than the victim, causing frustration and distress over and above the distress already caused by the ASB.

In some cases, resolution is only found when the victim takes matters into their own hands and moves away from the area where they are experiencing ASB. Some authorities regard this as a "resolution" whereas in reality, it should be regarded as a failure. Worse still, we have heard cases where the perpetrators follow the victim and continue to harass them. Victims have to start the process of reporting all over again and the continued harassment is dealt with as a new and separate incident.

Victims experience a lack of transparency in the Community Trigger procedures. They are often conducted or chaired by the local council that was responsible for dealing with the case in the first place, or another authority that has been involved in the response to the ASB. Sometimes the Community Trigger will be conducted by another department of the local council or it may be conducted by authorities in a neighbouring local area. Even when the Community Trigger is run by a neighbouring area, receiving the results of the trigger from the original local council involved leaves victims feeling there is a lack of independence in the process.

*'We made the appeal to the local safety partnership and we got a letter back with the outcome after the appeal, which to me seemed very strange because it [the appeal] was meant to be held by another community partnership. So, the outcome of the appeal came from [the same local area] which did not give me any satisfaction that there'd been an independent review. It was on the [local area's] letterhead signed by one individual from [a nearby] council, which makes me think they're all in each other's pockets.'*



If victims are not satisfied with the outcome or procedures of the Community Trigger they have nowhere else to turn to. PCCs can act as final arbitrator but some refuse to do so. There is no statutory accountability for the Community Trigger by PCCs.

*'We wrote back to PCC to say that trigger was flawed. Another member of team came back and said PCC can't get involved. I don't think that's acceptable because there's nowhere for victims to go, if they can't go to the PCC. We have legitimate concerns about the process in [local area]. We were shut down by the PCC's sidekicks which I find very concerning. They decided between them that a lot of work had been done, but the harassment is still ongoing and they have closed ranks.'*

In turn, there is no national lead in Central Government for ASB. This means there is no one holding local authorities, housing providers, the police and PCCs to account in their handling of ASB and the Community Trigger.

Procedural justice for ASB victims in England and Wales differs from that of victims in Scotland. For example, legislation in Scotland in relation to police powers to tackle noise ASB differs greatly from that in England and Wales. The ability to warn perpetrators, to charge on the spot fines and to enter property and seize noise making equipment means that noise ASB in Scotland can be dealt with swiftly by attending police officers. Extending these powers to police in England and Wales would provide equitable procedural justice across the country.

#### **6.4. Professionalised services for victims of ASB**

*'The Council need to make the Community Trigger a lot more obvious. When I tried to do it, the phone number on the council website was a generic number, and the person I spoke to had no idea and had to google it, which doesn't help when you're at breaking point and the person has no idea what you're talking about.'*

The OVC rapid evidence assessment 'What works in supporting victims of crime' (Wedlock and Tapley 2016) found that professionalised, specifically targeted services for victims is most effective in aiding victims' coping and recovery.

There is no consistent approach across the country to training ASB case officers, neither is there a general understanding of what the role should involve. There is a sense that ASB case officers or people making decisions on Community Trigger panels are distanced from the lived experience of victims of ASB. Victims are told that an ASB case worker cannot visit them in their home. A lack of local regular face to face surgeries or neighbourhood visits mean that people who are making decisions in ASB cases don't have a full appreciation of what the reality of ASB is like for victims.

There is no requirement for agencies to collect, publish or monitor data on ASB, let alone systems for using that data to improve services for victims. Local authorities are required to publish data on their use of the Community Trigger, but seldom do so. There is no professional oversight of ASB and the Community Trigger within central Government, leaving no one holding local authorities to account if they do not comply with this requirement. No one has the statutory responsibility to lead and coordinate agencies to ensure that victims receive a better service.

Monitoring would help local areas benchmark against each other and provide an opportunity to identify good practice as well as provide a better understanding of the use and success of the Community Trigger. If a victim does not agree with the outcome of the Community Trigger there is nowhere left for them to turn.

Housing management varies across different providers. There are no set standards to inform them how to effectively handle ASB cases. A set of centrally developed and endorsed standards and associated Key Performance Indicators (KPIs) could provide guidance for housing providers in



ASB case handling. This would help to achieve a more consistent approach for victims across the country.

Victims' of ASB are not covered by the Victims' Code. PCC funding for victims' services is ring fenced for victims of crime and so when ASB victims approach locally commissioned victim services they are frequently turned away. Specialist charities are effective in remotely providing nationally based support, but victims of ASB are not afforded the same entitlements as victims of crime who are supported by local commissioned services. This leaves victims of ASB nowhere to turn to in their local area to gain support in coping with and recovering from ASB.

## 6.5. Multi-agency working

*'The police worked closely with the council ASB lawyers because it's the council system that took them through to the magistrate's court that's the power the council has. Police are witnesses... There will have been discussions between the planning part of the council and ASB part of the council. Sure, they talked about the different powers they have and confident they had those conversations some prompted by us. Cross body working in [the victims' local area] is quite good, they work together quite well is my perception.'*

The 'What Works' REA found that multi-agency partnership working across statutory and voluntary sectors can provide effective support for victims in terms of information sharing. It can assist in reducing the duplication of tasks, so that the process is less confusing for victims. Collaboration between agencies can also contribute to effective prevention strategies.

The nature of ASB is such that it may require many agencies to be involved in investigating and resolving it. Responsibility may lie with the police, local authority, housing association or private landlord. There is often confusion about who holds responsibility and many victims tell us they get passed from one agency to another when reporting or trying to resolve ASB.

Victims need to have confidence in the authorities in order to be able to report ASB. Victims tell us that when they ring the local council, they are asked who their landlord is and if they are a tenant of a housing association they are told to direct their complaint to them. Some victims say that they try to report ASB to the council, and are told it is a police matter, the police in turn say ASB should be dealt with by the council. This demonstrates a frustrating lack of multi-agency working and leaves victims scrambling about trying to find an authority to take responsibility for resolving the ASB.

When victims are dealing with the local authority they can find their case being passed from one department to another, with no clear ownership or understanding within the council of who should take responsibility.

Case sharing and data protection has previously been seen by different agencies as a barrier to multi-agency working. Practitioners report that the use of case management platforms across agencies is becoming increasingly possible. Case sharing and management can ensure that authorities can see all incidents related to a victim, an offender or address, helping agencies to see the bigger picture rather than treating each incident separately. However, they report that a lack of training often prevents staff from making the most of the case management platforms.

In addition to sharing information about cases across agencies within one area, practitioners report that there is a need for a centrally facilitated platform to share validated good practice amongst case workers across the country. They would like the opportunity to seek advice from other ASB practitioners across England and Wales, creating a professional community of practice in ASB case work.

## 6.6. Conclusion

The Victims' Commissioner's interaction with victims of ASB, as well as in-depth qualitative interviews with victims, demonstrate that 'What Works' in supporting victims of crime, unsurprisingly, also applies to victims of ASB. Victims of ASB are, however, not afforded the same entitlements as victims of crime because they are not covered by the Victims' Code. Locally commissioned support services for victims of crime are not always available for victims of ASB.

The cumulative effect of ASB is often not taken into account, resulting in those handling ASB complaints failing to appreciate the scale of the impact on victims. Victims are passed from one agency to another when reporting or attempting to resolve the ASB. Victims reporting ASB to the 101 police phone line face lengthy delays in having their calls answered; we hear that sometimes calls are not answered at all. This delay is likely to put people off reporting ASB, or if they do report it the delay may eliminate the opportunity for any effective police response.

There is little knowledge of the Community Trigger amongst victims and, worryingly, those working in frontline agencies. It has the potential to be an effective way to get agencies to come together when a resolution has not been found, but in practice, the process lacks transparency and is often highly unsatisfactory for victims. Data protection issues are used as an excuse not to include victims in Community Trigger meetings and there is a need for some clear legal guidance from Central Government on how to give effect to victim participation in Community Trigger meetings. There is no central accountability for ASB and the Community Trigger, which can leave victims with no one to turn to when they cannot get a resolution.

Systemic change is required to ensure that victims of ASB are taken seriously and the cumulative effects of ASB are fully appreciated. Changes to Community Trigger procedures are needed so that they are fair, accessible and transparent. Measurement and monitoring of ASB and the Community Trigger is essential to assessing the effectiveness of ASB legislation and to hold agencies to account. Central Government must oversee ASB and the Community Trigger, holding agencies to account so that victims of ASB receive their entitlements with the consideration and dignity that they deserve.

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## **9. Annex A: Availability and use of the Community Trigger.**

### **9.1. Case Study: Trigger brings Positive Results**

A tenant of a housing association complained to her local council that despite making numerous reports to her landlord about noise nuisance from a neighbour, nothing had been done. She said that her requests for updates from the landlord were ignored.

On investigation it was found that the problem neighbour had moved out of the property to live with a new partner. This meant that her son was now living alone at the property and was having regular, rowdy parties with his student friends.

The housing association reported that they were having trouble getting evidence on which they could act. They had also been unable to speak to the named tenant to discuss the complaints with her.

The victim contacted the council to activate the Community Trigger. The threshold was met and the review meeting was attended by representatives of the housing association, the council, the police and Victim Support.

As the different partners met to discuss the case, it became apparent that the housing association lacked the confidence and knowledge to deal with the issues. The housing association had been so focused on the anti-social behaviour that it had overlooked the potential subletting issue.

The Community Trigger panel advised the housing association to issue a 'notice to quit' as the named tenant was believed to be living elsewhere. They also offered advice on how to monitor noise.

The housing association followed the Community Trigger panel's recommendation and wrote to the named tenant who, fearful of losing her own home, moved back to the property. The noisy parties stopped immediately and there was complete respite for the victim.

The Community Trigger process was a success and brought respite for the victim. It also brought positive results for the housing association and its capacity to deal with issues of anti-social behaviour too. The council has offered ongoing support to the housing association which is really beneficial to both parties.

## **10. Annex B: Victims' experience of ASB and the Community Trigger**

### **10.1. James' experience**

James lives in a social housing block of flats meant specifically for tenants aged over 50. In July 2017, a young woman who didn't fit into the age group moved into the flat below James. After she moved in James began to suffer ASB in the form of dogs barking, shouting in the middle of the night, evidence of drug paraphernalia, alcohol and cigarette butts littering the block of flats. James' sleep was being badly affected with disturbance from the noise. He complained to the tenancy officer who spoke to the neighbour and things improved slightly.

In December 2017, the young woman passed away suddenly. The flat remained empty for two months until members of the woman's family moved in illegally, breaking a window to gain access.

There were regularly twenty people in and around the flat. They would hang around in the hallway and sit on the wall outside the property shouting up to others in the flat. They had barbeques on the balcony below, shouting, swearing and fighting on the balcony. There was constant noise with doors slamming, shouting abusive language and swearing throughout the night. The group vandalised the fire door so that it wouldn't close to enable them easier access to the property.

Although the ASB wasn't aimed directly at James, he found it unpleasant and intimidating. He left his flat by the fire exit to avoid confrontation. He moved a camp bed into his kitchen to sleep because there was too much noise coming from directly below his bedroom. James was already suffering from severe health issues and the lack of sleep was making it worse. He frequently stayed with friends just to be able to get a night's sleep. James' GP wrote to the council to explain the impact of the ASB on his health.

James was reporting this ASB to the council on a daily basis and reporting the noise disturbance to the noise line most nights of the week. The noise was at its worst at around 3 and 4am, but this was too late for the noise line officials to attend the property as it closes at 1am. The noise was intermittent and when the council installed noise equipment in James' home it didn't pick up anything.

The tenancy officer came to try and speak to them but got an aggressive, abusive response. The council said there was nothing they could do about the ASB because they were unlawful tenants and that it would take a long time to get them out of the property.

James found it hard to contact the right people directly in the local council. He tried to contact the ASB team directly three times through the contact centre but nobody got back to him and James



had no response to the reports he made. He felt abandoned by the council: *'we were left to our own devices with little support'*.

The safer neighbourhoods and Metropolitan police did respond to James every time he contacted them. The police took the issue seriously and told the people to get out of the flat but despite their best efforts they refused to go and it was down to the council as landlord to sort it out.

James found out about the Community Trigger from ASB Help. Five residents wrote a joint letter to the council to activate the Trigger. James contacted his local MP and ward councillor who helped to chase things up. James wanted to attend the Community Trigger meeting to explain how badly the behaviour had been affecting him. He was told he could not attend the meeting due to data protection issues. James thought something could have been done to facilitate his participation in the Community Trigger without breaching any data protection guidelines: *'Can't they find a way around it so they can hear my story? I felt shut out, I wasn't happy. I should have been involved in the process. They were having meetings and I was not allowed to speak to them. The victim is ignored, but not the perpetrator.'*

James asked to meet the Assistant Community Director in the local council to discuss why he was not allowed to take part in the meeting. He was told this wouldn't be possible and was again simply told that it was a data protection issue. *'They didn't want me to be there or hear how it affected me. The purpose wasn't to listen to victims, it was about proceedings.'*

The report from the Community Trigger acknowledged the severe ASB perpetrated by the unlawful tenants and proceedings were put in place to repossess the property. The case went to court in June 2018 and it took a further two months to evict the unlawful tenants. James had been told that the council put the legal papers in to start the eviction proceedings in February, but a Freedom of Information Request showed that the papers were actually served in April. James continued to suffer from the ASB throughout this time and feels that the council could have acted quicker to support the lawful tenants in the block of flats. They were finally evicted in August 2018 after seven months of illegal tenancy and harmful ASB.

James feels that the Community Trigger and the residents' joint letter did help to move things along, but the Community Trigger is not widely known about or publicised by the council. *'It forces agencies that don't communicate to come together, but it is not well publicised. It is just a small paragraph on the website. It needs to be communicated much more clearly so that people are aware it exists.'*

He is frustrated though that more wasn't done to help himself and the other residents and feels that the unlawful tenants seemed to have more rights than they did. *'They don't want to help their own tenants who pay the rent on time, but when we have a problem they are not interested. I was seen more as a nuisance than the people below.'*

James is so disappointed in the council's response who ignored his ASB complaints that he has taken a stage two complaint to the council and has contacted the Housing Ombudsman. He feels that despite paying his full rent on time and being a good tenant, he was not able to make proper use of the property as his home during the ASB. He feels that the council did not respond quickly or appropriately and so is seeking a rent rebate for some of the rent that he paid during this time.

A new neighbour has now moved in below who is in the over 50's age group intended for the property and there have been no problems with ASB since.

## **10.2. Mark's experience**

In spring of 2017 a young woman and her four-year-old daughter moved into the flat next door to Mark. The two lived on their own but were visited frequently by the woman's boyfriend. A month

after they moved in, Mark and his wife heard a domestic disturbance next door. Mark and his wife decided not to get involved because they didn't think it was any of their business but when it happened again a couple of weeks later, Mark's wife went next door to ask the neighbour if she needed any help. Mark's wife got a mouthful of abuse from the boyfriend but told the woman to let her and Mark know if she needed any help.

Following this incident, Mark and his family frequently heard domestic incidents next door. On one occasion, Mark could hear what sounded like people getting hit and things being thrown around the flat. The woman and her daughter were screaming for help. Mark went to intervene but the woman begged him not to call the police *'because they'll take my daughter away from me.'* The disturbance had been so loud that another neighbour had already called the police who arrived at the scene but didn't seem to take any action. From that point on there were regular incidents next door which Mark tried to report to various authorities because he was worried about the woman and particularly about the safety of the little girl.

Mark went to domestic abuse charities and the Citizens Advice Bureau who both said he should report the incidents to the Local Authority. He was then put in touch with the local Safer Communities team. Mark was given a named contact to report the incidents to. This contact said Mark did not need to report incidents to the police, instead he would act as a liaison between them. Mark was told that social services were aware of the situation because of the little girl. He continued to report incidents to his contact who said the local authority had tried to offer help to the woman and her child on many occasions, even before she moved into the property but she had refused their offers. Having offered help and having it refused the Safer Communities team considered the matter to be closed.

In December 2017 things intensified and Mark was being verbally abused by his neighbour's boyfriend. He was told in no uncertain terms to keep his nose out of the neighbour's business. The police had been to the property, but again nothing happened. Every time the police came out and nothing was resolved, Mark and his family would get the brunt of the abuse for having called the police. At night time, Mark and his wife would tell their children to put their headphones on and turn up the volume so they couldn't hear what was happening next door. They would discuss whether they should call the police, but they knew that if the police came, nothing would come of it and they would be put in danger themselves because the perpetrator would know they had reported them to the police.

Mark asked the police and the Local Authority to protect him, but was asked 'how do they know it is you who is reporting the behaviour'. Mark explained that the neighbour on the other side was an elderly lady who spoke little English. She was unlikely to report the incidents to the police.

Mark tried to talk to the neighbour's private landlord about the behaviour, but she in turn told the neighbour that Mark was reporting him to the police and social services, putting Mark in a compromising position. Mark feels that the Local Authority didn't want to get involved because his neighbour was a private tenant. He was told that if he wanted to sort it out he could get a solicitor and take action himself against the landlord. Mark felt like a 'victim of [his] location' because different local authorities handle ASB so differently.

When Mark's contact in the Safer Communities team retired, Mark was given another named contact to report the incidents to. He was told that the council didn't know where the information was that Mark had been reporting to his original contact. It had all been lost and he was asked to start reporting all over again reporting ASB to the new contact.

After Mark reported two further incidents of domestic disturbances and one of drug use. He decided to activate the Community Trigger. Mark would have liked to attend the panel meeting but he was not invited. The local authority reported back on the outcome of the Community Trigger saying simply that they were *'managing the situation'*. Mark was given no feedback or

reassurances that actions would be taken to resolve the anti-social behaviour. The Community Trigger didn't seem to make any difference at all.

In February 2018, a particularly bad domestic disturbance occurred. The women and her child were screaming for help. Mark's own two young children were crying and screaming at Mark to make it stop. Mark was compelled to call the police. Four police cars and two police vans responded to the incident and the police took the neighbour's boyfriend away. The local authority told Mark that the police now have the matter in hand.

A month later it seemed that the neighbour's boyfriend had moved out, but then he accosted Mark when he was taking his children to school, verbally abusing Mark and threatening him with physical violence. Mark's children were shaken and upset. Mark had to talk to their teachers at school to help reassure them. Mark reported this incident to the police who said it would be one man's word against another. If Mark wanted to take it further he was told that his eldest child would have to give evidence and Mark didn't want to put his child through that stress.

In June 2018, the neighbour's boyfriend moved back into the flat. Mark witnessed a pattern of drug use and his car was badly vandalised. Mark asked the Local Authority if there was anything they could do to help, but the local authority wrote back and said they were aware of the situation but there was nothing they could do about it as it was a matter for the police. In turn, the police would say the local authority should be dealing with ASB. The local authority said they had offered help to the neighbour and her child, but because their help was refused there was nothing they could do. Mark felt like he was stuck in the middle. He thought that attempts were made to help the neighbour, but Mark and his family were also victims in the situation. They were victims of ASB and nothing was being done to help them or resolve the ASB.

After three further reported incidents, Mark wrote to the Local Authority to activate the Community Trigger again. The local authority replied that they had already dealt with this and would not be accepting another Community Trigger. This letter rejecting Mark's request, containing details of Mark's reports to the police was sent in an envelope addressed to Mark, but to the perpetrators address. Luckily, Mark was home when the postman recognised his name, knocked his door and delivered the letter to the correct address. Police later told Mark that if the letter had been delivered to the perpetrator, there could have been serious repercussions for Mark and his family. Mark reported this matter to the Information Commissioner who chastised the local authority for their breach of data protection.

Mark was contacted by an intelligence officer from the police who asked to meet him and help build a case against the neighbour and her boyfriend. The police officer said that the couple were both known to be involved in a drugs gang. The police raided the property in September of 2018. No drugs were found during the raid but police did find evidence that the property was being used to store and deal drugs. The police told the tenant and her boyfriend in no uncertain terms that they had a very lucky escape.

Following this police raid, the flat was sold and the neighbours moved out of the property. The perpetrator still lives within a mile of Mark. He sees him in the neighbourhood on a weekly basis and continues to worry that the perpetrator will seek retribution for reporting him to the police and local authority. *'It's in the back of my mind, are they going to do something, are they going to take revenge on us?'*

### 10.3. Sue's experience

Sue is retired and has lived in her neighbourhood all her life. The area has a history of prostitution going back many years but more recently the problem has escalated dramatically. Previously, prostitutes solicited in public houses and only at night, but Sue now finds that prostitution and drug taking takes place openly in the streets of her local neighbourhood at all times of the day and night.

Sue has been approached by curb crawlers making lurid gestures and suggestions to her when she went out for coffee at 9am in the morning. She describes how young girls have to wait for the school bus on the street alongside prostitutes touting their trade. There have been a number of serious sexual violent attacks on women and children who are resident in the local area. People take drugs openly in the street and are not put off from doing so even when police officers are present. A prostitute was caught in the local primary school playground with a customer and children have witnessed prostitutes carrying out sexual acts with their customers on the way out of school. This anti-social behaviour goes on night and day and is having a terrible impact on local residents.

*'People have been terrorised outside their front doors, there's children going to doctors because they're not getting any sleep. It's just like the wild west'.*

Sue has consistently reported this anti-social behaviour to the police. She does not feel that her complaints have been taken seriously. They were not investigated and nothing was done to stop the problems. She feels that the police and the local council are aware of these issues and that her neighbourhood has in fact become a 'containment zone' for many of the problems in the local area. Sue has been told by the police that they are working to support the health and well-being of the prostitutes but does not feel that the same consideration is given to the residents who are suffering from this behaviour.

*'All we got off the police was 'we're working with the prostitutes, we're looking after their welfare' and I said, 'what are you doing for the residents?' And the policeman said, 'well we're short staffed, we can't be everywhere'.'*

Sue and a group of residents went to the press about the issues in the local area a few years ago because they were under the impression that the police were turning the area into an unofficial red-light zone. As a result, the area got better for a short time but these changes were short lived. She feels that changes in police personnel meant that the anti-social behaviour in her area was no longer a priority and things then got worse than ever.

Sue wrote to the local council trying every avenue she could to improve the situation. The police and local council referred Sue and her neighbours to a local charity, but again she found that the charity was there to support the well-being of the prostitutes rather than the residents.

After calling the 101 police service for years and getting no improvement in her experience of anti-social behaviour, Sue activated the Community Trigger as a last resort. Sue would have liked to attend the Community Trigger meeting but was not invited to attend or even told when the meeting would take place. Her local councillor was also not invited to the meeting. In response to activating the Community Trigger, Sue received a letter from the local council saying that the 'status quo would remain.' The only recommendation in the report was that a street light should be installed in a street on the outskirts of where the issues were occurring.

Sue felt that the Community Trigger had given her and her neighbours some hope, but they were disappointed, angry and frustrated at the outcome and the lack of action resulting from the process. She felt that her complaint was not taken seriously and that she had been treated with contempt. The neighbours had all been waiting for the results of the Community Trigger to bring about improvements to their experience of anti-social behaviour, but now they didn't know where else to turn. Calling the police had no impact and Sue describes the 101 police phone line as '*window dressing*' because it does not result in any investigation or action being taken to improve the situation. The residents have lost hope and now don't even bother to phone the police. Other residents were thinking of activating the Community Trigger themselves but following the results of Sue's complaint, they don't think it is worth the effort and they feel that they have been abandoned by the police and the authorities.

Sue continues to feel threatened and unsafe in her own neighbourhood as well as being let down by the authorities.

*'[I feel] angry, frustrated, well I suppose disappointed, also I'm always aware – I've got an emergency action plan. So, when I go out the door, I've got an emergency action plan, not to go near cars, be careful of doorways. It's like angry, anger at the moment and frustration because I know there's nowhere to go, because the Community Trigger, I thought was the last resort but they showed on that Trigger that they intended to do nothing. I feel helpless.'*

Sue didn't receive any support throughout the process. The Community Trigger made no difference to the anti-social behaviour that she and her neighbours experience and she feels that the only support available is for the prostitutes working in the local area.

*'The victim is not given a thought here; all the resources are going in to the criminal element and the law abiding are just dismissed. Just dismissed.'*

#### **10.4. Kate's experience**

Kate moved into her new housing association home in 2016. About six weeks later, a small incident occurred when the young man living next door put his rubbish into Kate's bin at the front of her home. Kate asked him not to do that again. The two neighbours didn't particularly argue over the incident and it didn't seem like a big problem to Kate. However, Kate describes the subsequent anti-social behaviour that her neighbour subjected her to following this event as 'two-years of hell.'

Kate's neighbour routinely woke her up in the middle of the night shouting abuse directed at her through the thin adjoining walls of their neighbouring properties. This happened almost every night. He would throw furniture against the wall and bang loudly on it whilst shouting abuse and threats. At times he went quiet for a while and then just as Kate started to fall asleep he would resume his behaviour, shouting at Kate, banging on the wall and repeatedly slamming his door so much that Kate's own house shook.

If Kate went into her back garden to hang her washing out, her neighbour would shout abuse at her from his window. In one event, the neighbour and his friends sat on Kate's front step, swearing and shouting abuse at her, blocking her from entering her own home until Kate called the police who intervened.

Kate felt frightened and harassed. She no longer invited her daughter and grandchild to her home because she didn't want the young child to hear the swearing, threats and abuse that the neighbour was shouting at her. This made her feel isolated and vulnerable. She could hardly sleep because her neighbour kept her awake at night. Kate has a disability which is exacerbated by stress. Feeling stressed and anxious and unable to sleep, her physical and mental health suffered. Kate had to take time off work to rest but as soon as her neighbour saw that she was home the abuse would start again. She felt like she could easily lose her job because of the effects of the anti-social behaviour, but was grateful that her colleagues at work were so supportive. Kate was worried in case her neighbour acted on his threats and attacked her as she came out of her front door. She asked the housing association to put a fence between the properties because she felt it would slow him down if he attempted to attack her. The housing authority refused, saying that the neighbour 'was not violent.'

Kate tried to talk to her neighbour, to ask him why he was doing this to her. He denied doing anything, accusing Kate of lying and then threatened to put her in hospital. She reported the on-going anti-social behaviour to the police, her local council and the housing association on several occasions. She used a housing association phone app to record him shouting abuse, making threats against her, her children and grandchildren and being racially abusive towards Kate. The police interviewed the neighbour on several occasions. He told the police that he may have carried

out the abuse but could not remember. The housing association informed Kate that her neighbour had drug and alcohol problems and suffered from mental health issues. Kate just wanted to be taken seriously, to be believed and the effects on her own health and her disabilities to be taken into consideration. Kate asked repeatedly for a housing officer to visit her in her home, but she was told that this would not be possible and everything had to be done by email.

The police referred Kate to Victim Support. Kate appreciated their support and was happy to have someone to talk to but she didn't receive any practical help from authorities who could make a difference to her situation.

Eventually Kate had recorded so much abuse on the housing association app that she felt they were forced to investigate. She felt that the housing association staff were unfriendly and negative, making her feel like a nuisance. Kate received an email saying that the housing association had investigated the matter, that the neighbour denied the allegations and said he was *'fed up of her making complaints.'*

The housing association suggested that Kate and her neighbour attend mediation. Kate was unsure because she didn't want to have to face her neighbour. The mediator explained that mediation didn't have to be carried out face to face and the two parties could each discuss their point of view with the mediator separately. Kate agreed to take part in the mediation on these grounds. The night before Kate was due to meet the mediator, her neighbour woke her at 4am with a torrent of abuse which Kate recorded. The mediator was shocked when she heard the recording. Kate's neighbour booked three appointments with the mediator and failed to turn up to any of them. He refused to open the door when the mediator came to his house.

The housing association then required that both parties sign an agreement. Kate was asked to sign a 'good neighbour contract' in which she was asked to accept that people have different 'lifestyles' and accept the fact that the neighbour may be up all night and that he had 'issues.' Kate refused to sign the contract. Her neighbour signed an 'acceptable behaviour' contract with the housing association, agreeing to behave in an acceptable manner.

Kate did some research on the internet, desperate to find some help and came across information about the Community Trigger. Kate activated the Community Trigger four or five times. She felt that it was the only way to get the housing association to take action. She filled out the form online and was contacted by her local council who said there would be a meeting to discuss the case with the police, the local council, housing association and social services. Kate asked to attend the meeting but was told this would not be permitted, she was told this was because of data protection regarding the neighbour's mental health issues.

Shortly after signing the acceptable behaviour contract, the neighbour resumed his anti-social behaviour and Kate recorded it, giving clear evidence that he had broken the contract. It took a further nine months until the neighbour was evicted from the property on breach of the acceptable behaviour contract. The first attempt to evict the neighbour involved bailiffs, a lock smith, two PCSOs and council officials, but the neighbour refused to leave, shouting obscenities and threatening everyone present. The failed eviction left Kate feeling less safe than ever. A later, second attempt to evict the neighbour was successful and he has now left the property.

Kate is now waiting to see who her new neighbour will be. The housing association has told her that the new tenant will not have drug, alcohol or mental health problems. She continues to feel highly anxious and says it will take her a long time to get over her prolonged ordeal:

*'Even now, I can't relax at all, I can't rest in that house. It's going to take many, many months I think. I mean the stress has been phenomenal. I think, at the moment, [even when the neighbour has been evicted] I'm suffering very much from anxiety, and there's nothing else in my life which would cause this level of anxiety.'*



## 10.5. Sarah's experience

Sarah and her partner live in a block of 20 flats in a small estate in the centre of a city. It was the sort of residential area where she knew her neighbours and everyone got along fine. Sarah had bought her flat on a long leasehold but nearly all of the other tenants were renting from the owner of the block. In January 2017, the majority of tenants were evicted from the block leaving Sarah and two other flats which were rented by a company as the only permanent residents.

Sarah noticed a change when there were a series of noisy parties in the block. She had lived in the flat for 10 years and in the local area for 25 years. She was used to the occasional party and accepted it as part of communal living, but this series of noisy parties in a number of different flats seemed strange. She looked up her address on the internet and found that the flats her neighbours had been evicted from were now being rented out as short lets through a hotel booking website.

It felt as though overnight Sarah knew no one in the building. People were coming in and out of the building at all hours having hen and stag dos. People were constantly getting locked out, misplacing keys and ringing doorbells to get let into the block. There were rowdy parties and drunken behaviour. People would come back to the flats drunk at different times in the night so that Sarah could be woken multiple times in the night by occupants of different flats. She came home to find drunken people sprawled in the hallway. There were signs of prostitution and drug taking. One night someone mistook their room for Sarah's and she was woken by people trying to gain entry to her flat. Sarah felt like she just didn't know what she would be coming home to. Instead of feeling safe and secure when she came home, she would feel stressed and fearful. She found the ASB hugely distressing and her sleep was completely disturbed.

*'If you are stressed, you come home and tuck up with a movie and a cup of tea, but if it's your home that's the problem where do you go? That was really hard. You shouldn't have to learn to live with it.'*

A new owner had bought nearly all of the flats in the building with the express purpose of letting out them out as short-term rentals. Sarah described it as *'operating as a hotel but without the staff or supervision.'*

Sarah got in touch with the hotel booking website that the flats were let through, but they were very unhelpful and said if Sarah was not a customer they wouldn't do anything to help her.

Sarah reported the ASB through the local council's on-line portal. She received an acknowledgement of her complaint and was told that the council had contacted the owner of the flats. The council advised Sarah to maintain a log of the ASB and sent her a pro forma to complete which she submitted every couple of weeks. Sarah hired a lawyer who wrote to the landlord on her behalf expressing a number of her concerns about ASB. Sarah also reported the issues to the planning authorities because of the change of use of the property.

The cumulative effect of the ASB badly affected Sarah and her partner's health and her GP prescribed her medication to help her cope with the stress. Other than the medication, the GP said there wasn't much the medical profession could do to help as the effects Sarah was experiencing was 'the body's natural response to basically being held under siege.'

Sarah felt *'isolated and under threat'*. It wasn't until she connected with tenants from some of the other blocks on the estate who were experiencing the same thing that she started to feel more supported. They shared their feelings about the ASB along with hints and tips about how to try and cope with it.

The tenants seemed to be stuck and nothing was being done about the ASB. They turned to social media, posting a request for help, targeted at senior officers in the local police force. Within a

couple of hours, they received a phone call from the police and were allocated to a specialist ASB police team which Sarah describes as *'exceptional... really focused and professional, amazing ability to empathise with us. Of all the places we had been and all the conversations this was the first time we got empathy. It's amazing the difference it made. Before we felt isolated and [the specialist ASB police team were] empathetic, professional and determined to get the right thing done. They were appropriately challenging of us, making sure we kept our cool.'* The ASB police team developed links with the local council ASB team and worked closely with the council's specialist ASB lawyer who Sarah describes as being *'very good and very knowledgeable.'*

Sarah felt that it wasn't the sort of case that the ASB professionals usually deal with and the perpetrators were transitory so it was hard to pin down the blame for the ASB. The flats were owned through a father and son who bought them through a complex set up of 4 or 5 businesses. It was difficult to work across different legislation to see exactly what the offence was and who was responsible. In July 2017, a closure notice was served at the magistrate's court but the case was deferred on the basis that it had not been served on the correct company. The lawyers acting for the company said the owners would 'clean up their act'. A decision was taken not to proceed with reissuing a closure notice and unfortunately the ASB continued.

Sarah continued to fill in logs of the ASB she experienced and reported it to the police. Sarah was aware of the Community Trigger and submitted one in January 2018, but everyone involved felt that the most appropriate route to resolve the ASB was through planning legislation.

The council and police ASB teams liaised with the planning authorities. Sarah feels that the authorities worked well together to come up with an appropriate solution and they agreed to serve an enforcement notice which was issued in January 2018.

The landlord has lodged an appeal and under planning law he has the right to continue to operate as short let accommodation until the appeal is heard. Sarah thinks the council ASB lawyer also issued the owner with a warning that they would serve a closure notice if the ASB continued before the appeal was heard. Sarah is pleased that the owner started to rent the flats out as long-term rentals from March 2018. They are still waiting for the national planning inspectorate to appoint an inspector to hear the appeal which will decide whether to uphold the council's decision to serve an enforcement notice or allow the short-let usage to resume.

## **10.6. Elizabeth's experience**

Elizabeth lived with her husband and young son in a neighbourhood by the coast for many years. One day in 2013 they were awoken by the sound of their neighbour opposite banging the side of a large wheelie bin at 5.45am. After the first instance, this noisy behaviour went on for months. Every day the same thing would happen, with the neighbour deliberately and repetitively striking the side of the bin to make a loud noise. The behaviour and noise had a huge effect on the family's sleep. Her son's school asked Elizabeth if there was something wrong because he was so tired at school. Eventually Elizabeth's husband went over to the neighbours to politely ask them to keep the noise down. From this day onwards, Elizabeth's family experienced what she called *'a campaign of harassment'* against them by their neighbours.

Whenever Elizabeth and her family left their home to get into the car, the neighbours would laugh loudly at them from the vantage point of their balcony. Elizabeth described this as *'deranged laughter'* and she and her family found it extremely unsettling. Elizabeth's autistic son was particularly disturbed by this maniacal laughter which the neighbours directed at Elizabeth's family. The neighbours would shout abuse at the family and harass Elizabeth's husband about his employment status when he had lost his job. The neighbours would tailgate the family when they were in their car, driving close to their bumper, harassing the family both in their home and in their car.

Elizabeth found out that other families in the street had suffered similar harassment with one neighbour reporting that the deliberate bin banging in the morning was in fact done to wake her early everyday as part of an ongoing campaign of harassment.

After four years of harassment and with no action being taken against her harassers Elizabeth and her family felt they had no option but to move home to a different town. They did this at significant cost and loss to themselves.

*'So, the next thing, we decided we had to move purely for the sake of our son. I could never go out of the front of our house anymore, we became like prisoners.'*

Elizabeth even experienced anti-social behaviour on the day she moved when the neighbours subjected her family and the removal men to five hours of verbal abuse. The neighbours called the removal company, trying to find out the address that Elizabeth was moving to.

After moving to a new town in the summer of 2017, Elizabeth and her family felt like they could make a new start, even though their new home could not match up to the one they had been forced out of because of the anti-social behaviour. Elizabeth's husband got a job in a supermarket nearby. Their old neighbours turned up at the supermarket, harassed Elizabeth's husband and made a scene in his new work place. Elizabeth's husband had only just started this job and was worried he might not pass the probation period because of the embarrassing scene, but the incident was caught on CCTV. His employers were very understanding but the police refused to view the CCTV when Elizabeth's husband reported the incident.

Elizabeth's neighbours were served with at least five warnings from the police in the period 2013 - 2017, including warnings for harassing their son. The police had also tried to bring in a mediator to try to resolve the anti-social behaviour. The mediator met Elizabeth's neighbours and reported that mediation would not be possible with them because they kept cancelling appointments. Elizabeth is disappointed that the police didn't get tougher on her neighbours at this point.

Elizabeth carried out her own research on anti-social behaviour and found out about the Community Trigger from the relevant legislation. She decided to activate the Community Trigger as a last resort after they had moved home and were still being victimised by the anti-social behaviour perpetrators.

*'We decided to go to Community Trigger after the incident in the supermarket, having been bullied out of our home, having to go live in another town, we decided that was enough.'*

Elizabeth filled in the form on-line which required three reported incidents in the previous six months. At one time during their experience the police had called Elizabeth's husband into the police station to give evidence to help them build their case against the perpetrators. Her husband had been interviewed for two hours about their experience on this occasion and Elizabeth included this interaction with the police as one of the incidents in her Community Trigger application. The local community safety partnership rejected her application to activate the Community Trigger on the grounds that Elizabeth had not reported enough incidents within the six months even though one of the incidents was when the police came to them rather than when they went to the police. Elizabeth decided to take this decision to appeal.

Elizabeth would have liked to attend the appeal hearing but was not invited. She was told it would be held by a neighbouring community safety partnership, but strangely the outcome of the appeal was sent to her by the community safety partnership which had first dealt with the community trigger application. Elizabeth did not feel this was an independent review and would have liked to have been called to present her evidence of the anti-social behaviour that she had been experiencing for many years. She felt that the appeal panel only considered the evidence from six months prior to the trigger being activated and did not consider the six years of anti-social behaviour that had forced the family out of their home.

Elizabeth was disappointed with her experience of trying to activate the Community Trigger and with the appeal procedures. She decided to contact her local PCC about her experience of the Community Trigger and the appeal, not only for herself but for the sake of other victims coming after her. She wanted to discuss guidance for using the Community Trigger, support for victims when activating it and the independence of the appeal process. Officials from the PCC Office replied to Elizabeth stating that the PCC would not meet with Elizabeth as they have no responsibility for the Community Trigger.

Elizabeth feels let down by the police, the local safety partnership, the Community Trigger, appeal processes and her local PCC. Despite moving to a new house and doing everything they can to provide evidence to the police in their investigations, Elizabeth's family continue to be harassed by the perpetrators.

*'This legislation does not service victims. The weight still lies with the council and police and silences the victim.'*

### 10.7. Claire's experience

Claire and her family moved into their property in the summer of 2010. The anti-social behaviour soon started with extremely loud music being played by their neighbour in the property next door. This happened every Thursday for six months before eventually escalating so that the loud music was being continuously played all day, every week.

The neighbouring property is privately rented and so Claire, at first, tried reporting the noise to the letting agent for this property, but no action was ever taken. After enduring the noise for 5 years, Claire started reporting it to the local council anti-social behaviour team. Claire described the moment she decided to report it formally:

*'The first time I rang, it was because I'd gone out for two full days because I couldn't stand the music. On the third day I rang as I just couldn't stand it [anymore].'*

Eventually, someone from the council came out to visit the perpetrator. Claire found, however, that the noise which was already bad, got significantly worse after this, and was accompanied by a campaign of harassment targeted towards her family.

After reporting the noise, the perpetrator started making threats to report Claire and her family to social services. The noise continued, with the perpetrator now also banging on the walls between the two properties. Claire, her young son, and any visitors to their home were subjected to verbal abuse and items being thrown at them when they went into their garden or left the house. Claire and her husband were videoed, these videos were then posted online, and at night, a strobe light was repeatedly shone into her son's bedroom so that he couldn't sleep. On one occasion the perpetrator threw some metal shears at Claire and her son as they left their front door. The perpetrator even placed derogatory signs about Claire and her family in front of their property, which is located along a busy road.

The impact of the ASB on Claire's family has been severe and while the family has had some contact with Victim Support who promised to look into support for her son, nothing has ever come of this.

*'It's been horrendous. I've got a little boy who last year was absolutely terrified to play in his own garden. He hated going out of the door, we've had to put CCTV up now. He wasn't sleeping because of the music and strobe lighting...he's had nightmares. We've ended up with school nurses [getting involved], but there's nothing they can do. [...] My husband was phoning every hour every day from work, because he works out of town, because he was terrified if something happens when he's at work. I don't sleep anymore.'*

As the harassment escalated, Claire first reported the anti-social behaviour to the police, however, they got back to her two days later to say that they were letting the council deal with it 'as a whole'. Claire was continuing to report to the council alongside reporting to the police, but nothing was happening. At first, Claire was reporting through a phone number on the council's website, but this line was then removed and Claire had to fill out a form on their website instead. Responses to this form were often slow and ineffectual.

*'About a week later they would send an email back saying it had been passed to another department. That was all I ever got, and then it was 'that was dealt with and it's closed now'.*

At one point, Claire was issued with diaries to record the ASB in, but despite filling out several of these, they were never followed up on at all.

Claire activated the Community Trigger last year as she felt the ASB had worsened and she was at her 'wits end' of what to do. After finding out about the Trigger on an ASB charity's website, Claire phoned her local council to activate it. The number was a generic enquiry line for the council, and the individual Claire ended up speaking to didn't know what the Community Trigger was and had to look it up online. Claire found this extremely unhelpful at a time when she already felt at breaking point.

The council suggested that Claire and the perpetrator undergo a mediation process. Claire agreed to this but the perpetrator refused to take part. Claire understands that the perpetrator cancelled and rescheduled the appointment, and then made allegations against the mediator which resulted in the mediator pulling out of the process. Claire was not offered any other action or options to resolve the ASB when the mediation fell through. As a result, Claire ended up making formal complaints to the council and the police about how the process had been handled.

Claire is extremely dissatisfied with her experience of reporting the ASB, and how it has been taken forward by the council and the police. Claire reported a lack of activity on the issue, and a lack of information and explanation received in terms of what these agencies were doing. On one occasion the police told Claire that they were going to deal with the ASB as a harassment case, but then dropped this when they realised that the perpetrator suffered from poor mental health. This was the first Claire knew of the perpetrator's mental health, but because of the way it has been handled, she feels *'it's almost as though he can do as he pleases, and we've just got to put up with it.'*

After activating the Community Trigger, Claire was told that a multi-agency meeting was going to be held to try to address the anti-social behaviour. The police, the local council, a mediator and a local Victims' Champion all attended. Despite being originally told that she would be able to attend the meeting, it was then organised without Claire or a representative for her family being invited to take part. Following the meeting, Claire was told that a warning notice had been issued to the perpetrator.

While Claire recognised that the noise and harassment had reduced somewhat after the warning notice had been issued, the anti-social behaviour is still on-going and has been steadily building up again over time. The warning notice only lasts for six months and Claire is worried that once it expires, the abuse and harassment her family have been dealing with for so long will start all over again.

*'It has been less, I'll admit, but it's slowly getting worse and worse. I am terrified about what will happen, because it's only for 6 months, and I think it will all kick off again and he just thinks he can do what he likes. Because it's already just gradually getting worse and worse again.'*

Claire and her family haven't been told who to contact now this warning notice has been issued. They were only informed that the perpetrator had received it. As a result, the anti-social behaviour

is still on-going and this, as well as the threat of it worsening, hangs daily over Claire and her family.