

Anti-social behaviour powers and young adults

By Matt Ford,
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How dispersal powers, community protection notices and public spaces protection orders are used to sanction young adults.

Practitioners' accounts

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Introduction

This is the second briefing in a project undertaken by the Centre for Crime and Justice Studies which aims to identify how three key anti-social behaviour (ASB) powers are being used to sanction young adults (18-25 year olds) in England and Wales and to initiate further discussion about their implications.

Six powers are used to sanction ASB. The three powers considered in this report are:

DISPERSAL POWER

A police-only power to exclude individuals from a specified area for up to 48 hours.

COMMUNITY PROTECTION NOTICE (CPN)

Enables councils, the police and housing providers to give notices to individuals and businesses prohibiting them from doing, and / or requiring them to do, certain things.

PUBLIC SPACES PROTECTION ORDER (PSPO)

Allows local councils to prohibit or require specific behaviours in public places.

The remaining three powers not considered in this briefing: Civil Injunction, Criminal Behaviour Order, and the New Closure Power. We chose three of the six powers partly for practical reasons, it was not

within the scope of our project to include all six. We also focused on those powers which are mainly used to sanction behaviour in public places. The first briefing looked at the overall numbers of young adults sanctioned in relation to these three ASB powers in England and Wales. This second briefing, intended to complement the overall picture established in the first publication, focuses in on examples of the use of these ASB tools with young adults.

We spoke with 52 people involved in ASB implementation in local areas, 40 in response to a request to participate in a survey about their work and young adults, and 15 who attended an event to discuss their use of these powers. This briefing:

- Highlights the survey responses received.
- Shares eight examples of the use of CPNs, PSPOs or dispersal powers which are particularly pertinent to young adults.

Young adults are those aged between 18 and 25 years old. Approximately ten per cent of the general population are young adults.

¹ See Transition to Adulthood website www.t2a.org.uk/t2a-evidence/research-reports/

This briefing provides a first indication of how these tools are being used with young adults. To our knowledge, this is the first attempt to capture what is happening on the ground in local areas. As such this briefing is an important and necessary step to understand the lessons about the real-life implications of measures put in place by legislators typically far away from the streets of their subsequent use. Together with the previous publication, this briefing looks at previously uncharted waters.

Very little information is in the public domain about ASB powers; how they are used, who is being sanctioned by them, or what the outcomes are of using them. There is no centralised data collection about their use, and there is significant local discretion regarding when and how they might be applied.

The practices this briefing refers to are part of new and evolving approaches. The tools described here have their origins in ASB strategies that have been in operation for several decades. However, the overhaul of the ASB framework in 2014 created new mechanisms for the – potentially much more extensive – use of ASB responses by councils, housing providers and the police. This briefing covers three of the six powers created in the *Anti-social Behaviour, Crime and Policing Act 2014*.

In addition, young adults have been established as a group for whom there are specific needs. The Transition to Adulthood Alliance have focused on how prisons, probation, courts and policing could best respond to these needs.¹ However, to our knowledge, young adults have not been the subject of research regarding ASB powers. Age considerations in ASB, at least in terms of the research literature, have tended to

focus on under 16 year olds.

ASB has also attracted controversy. For some, ASB legislation has created important tools which can legitimately make public spaces places everyone can enjoy. Others have been critical about the potentially arbitrary nature of an ASB enforcement approach; that its use represents a failure to address fundamental social problems, and may further marginalise vulnerable groups. A recent example of the furore these tools can cause was in Windsor. Windsor's council leader advocated for a police-led enforcement approach to tackle 'organised begging' and 'rough sleeping' in the run up to the Royal Wedding in May 2018. His approach to homelessness was met with both local and national criticism.

The statutory guidance governing the use of ASB powers was updated in December 2017, in part in response to concerns about its use to disproportionately target some vulnerable groups (such as rough sleepers). Additions made to the guidance highlight the importance of focusing on nuisance behaviour rather than specific groups and advises local implementers to give consideration to proportionality prior to commencing with an ASB enforcement approach.

This briefing is not intended to promote the greater use of ASB powers. Nor have we set out to show the use of these powers is necessarily unjustified. Instead we hope to offer rigorous, objective information and critical analysis about the way these powers have been used since important changes in their governance. We hope this is a useful contribution to the ongoing debate about ASB.

What are ASB powers?

Local authorities, the police and housing providers have various powers to sanction behaviours that impact on the quality of life of others.

These powers have been created under anti-social behaviour (ASB) legislation, which was overhauled in 2014. Under New Labour in the 1990s ASB enforcement was created as a top-down process with national oversight. In 2014 the then coalition government devolved ASB powers to local areas with national guidance issued by the Home Office.

Three of the six ASB powers created in the 2014 Act are considered in this data briefing: Dispersal Powers, Public Spaces Protection Orders (PSPOs), and Community Protection Notices (CPNs).²

A wide range of behaviours have been targeted by these powers, including street drinking, loitering in groups, and behaviours associated with rough sleeping.

The measures encompass actions such as warnings, confiscation of items (for example alcohol), and fixed penalty notices (FPNs). Breach of these sanctions is a criminal offence, with consequences following conviction including a fine, and in the case of dispersal powers, may result in a custodial sentence.

About the data

ASB implementation is organised at the level of the 348 city, borough, and district councils and by local neighbour policing units in the 43 territorial police forces in England and Wales. As a consequence it was not within the scope of this project to survey a nationally representative sample of this pool of ASB practitioners. Following initial email contact with over 200 councils and more than 2,000 police officers, 40 people working in ASB implementation were surveyed.

Around a third of the 43 police force areas in England and Wales are represented in the responses we gathered (14 police force areas). There was a spread of use of CPNs and PSPOs in relation to young adults amongst the council respondents, and a range of levels of prosecution against young adults for breach of dispersal powers across the police forces surveyed. There was a relatively even spread of responses across the different regions in England and Wales, and a good mix of responses from urban and rural areas.

Surveys were completed by telephone or self-completion form. Surveys by telephone varied in length between 30 minutes to two hours, with most taking around an hour. The survey took place between January and March 2018.

The survey to councils asked about their use of CPNs and PSPOs, and the survey of police forces asked about their use of dispersal powers. Respondents were asked about their experience of young adults' responses to ASB approaches compared with other age groups particularly in relation to the behaviours which came to their attention, compliance, and support needs.

² More detail on the mechanics of each of these three powers, according to the statutory guidelines for their use, is summarised in the appendix.

Survey respondents	
	No. of respondents
Council ASB teams	22
Police ASB teams	18
Total respondents	40

Respondents were also asked whether they had an example of using CPNs, PSPOs or dispersal powers that was particularly pertinent to young adults. Those that did were asked a detailed set of questions about these examples. We have selected eight of these responses to include in the case studies section of this briefing. These case studies are not shared as showcase examples of good practice with young adults, rather they are intended to explore and better understand the circumstances in which ASB powers are being used to sanction young adults. Each are based on the practitioner's assessment of how the ASB powers have been used, rather than our own.

Case study examples	
Behaviour	Intervention type
1. Nuisance motor vehicles	PSPO and CPN
2. Nuisance motorbikes	CPN
3. Legal highs' related nuisance	PSPO
4. Groups of young adults committing low level ASB	Dispersal powers
5. Poaching	Dispersal powers
6. Street drinking	Dispersal powers
7. Begging	Dispersal powers
8. Committing ASB in a group	Dispersal powers

Survey responses

ASB behaviours, compliance and young adults

ASB linked with young adults (in alphabetical order): begging, car cruising, criminal damage, dogs, drug dealing, drug use, fighting, fireworks, football match related ASB, free running, general night-time economy, intimidation/gangs, 'legal highs', littering, loitering, moped, neighbour disputes, parking, partying /noise, poaching, property damage, rowdy behaviour/ drinking, street drinking, unauthorised cycling, uninsured vehicles, and vehicle nuisance (40 respondents).

The first observation is the range of behaviours associated with young adults, which reflect the gamut of behaviours that fall under ASB. Some are familiar within conventional ASB – such as alcohol and drug use; others retain the flavour of youthful misdemeanours, such as football disorder, car cruising or free running. A number of ASB topics, however, were considered by some respondents to be normally associated with other, typically older age groups, such as neighbour disputes, begging, street drinking (when not linked to the night-time economy), and dog-related nuisance.

When the police were asked to compare young adults with other age groups, there were mixed views about the relative likelihood of young adults committing ASB that came to attention, their relative compliance with directions, and likelihood of criminal prosecution, as well as the relative likelihood of young adults reporting ASB incidents to police.

When councils were asked to make similar comparisons in relation to CPNs or PSPOs, they inclined slightly to the view that young adults were more likely to receive verbal or written warnings, but less likely to receive FPNs or to be prosecuted, or to bring ASB to the council's attention:

*No 18-25 year olds ever do this.
They never respond to consultations*

Comments from police suggested greater concern about older children (16-18 year olds) than young adults. Young adults were considered to be more ready than children to take instructions seriously. The night-time economy tended to generate problems with young adults and a high volume of young adults' directions to leave³ was felt to reflect the number of young adults who used the night-time facilities or seasonal opportunities for alcohol consumption. Indeed police respondents were inclined to believe that young adults were more compliant with directions to leave than other age groups:

The 18-25 year olds in our area who may become perpetrators of ASB are usually drunken students who receive directions to leave quite well.

However councils appeared to be unable to present a consensus view on age groups compliance with PSPOs and CPNs. As one council respondent put it, 'it is very much an individual thing'.

³ Directions to leave are issued to individuals required to disperse through dispersal powers. Individuals can be excluded from a specified area for up to 48 hours for the purpose of removing or reducing the likelihood of ASB, crime or disorder.

For the police, non-compliance with directions to leave was in general linked predominantly to substance addiction, group pressure and a lack of maturity. Similarly non-compliance by young adults was associated most evidently with substance addiction, poor mental health, and peer pressure. Again, maturity was slightly less consistently mentioned. Other factors (aggressiveness, homelessness, social attachment to a place, responsiveness to social cues, a lack of social engagement), were acknowledged as having some influence. These specific patterns for young adults largely echoed responses about reasons for non-compliance in general.

Asked about non-compliance with verbal and written warnings under CPNs and PSPOs, council respondents referred to much the same order of factors. Substance addiction and poor mental health were the factors most often cited to be associated with non-compliance with CPNs and PSPOs. Social attachment to a street or place also featured above maturity, and, indeed, homelessness. When asked about such non-compliance by young adults, council respondents again highlighted substance addiction and poor mental health. Asked about non-compliance with FPNs issued under PSPOs or CPNs, the council replies were much less definite, with fewer responses (reflecting that some areas are likely to have had fewer experiences of escalating enforcement of young adults to FPN stage), though substance addiction and mental health again emerged most frequently as factors. One said that, unless there was non-compliance with several FPNs, prosecution would not take place because of the time and resources needed to do so.

In police eyes, interventions used were broad, ranging from informal conversation and patrols, to directions to leave, referrals to support services, warnings, arrests and

prosecutions. Councils referred to broadly the same repertoire, including informal warnings for PSPOs and CPNs, etc. Police patrolling was mentioned more often than ASB patrols.

Support needs and age considerations

A clear majority (26/41) of council and police respondents regarded the young adults engaged in antisocial behaviour as having distinct support needs compared with those of all age groups, coping with challenges but not being able to access as much support:

18-25s need more support. They need it around alcohol and drugs misuse specifically, also hanging around in the street because they have nothing more to do or nowhere to go. [...] For the younger generation all support services are there and they are dependent on their parents for lots of it. The older generation look after themselves.

(Police officer)

They have a unique set of needs. 18-25 year olds have a variety of circumstances, some are living at home, some are sofa surfing, some are living on their own. Unemployment can be an issue. They are only just coming to the end point of their mental, emotional and physical development so are still vulnerable to influence. Everything could be fine then they have a single knock one day which can throw everything out of whack.

(Council officer)

For the police, young adulthood appeared not to have been a factor in their working practices, such as impact and equality

assessments. In terms of age, these were focused on a younger age range than young adults, in relation to issues such as child sexual exploitation.

Just ten council responses mentioned age as a factor taken into consideration in their working practices, mostly in relation to impact and equality assessments conducted by the community safety team (four cases), or in training / guidance issued to ASB officers (four cases). Again, these tended to be focused on those aged under 18 years old.

Looking ahead

The pooled findings for both sets of respondents gave no clear indication that in respondents' opinion, sanctions against young adults would increase in coming years. Police respondents were not unanimous about this. Some believed that if ASB measures were seen as delivering results there would be an increased use in their area:

YES – We can show success in effectiveness and use. We can show that when we have used them they've been successful and we've been able to avoid arrests. We can use more low-level sanctions.

But other areas stated that the little nightlife in their area would preclude a need for them. A council respondent suggested that city centre developments would attract more young adults and increase incidences of ASB. Another council response indicated a completely different forecast and approach:

NO: I don't think so, because we are focusing on prevention work and we

have plans for extensive support in some priority neighbourhoods.

The impact of the updates to the statutory guidance governing the use of ASB powers made in December 2017 was doubtful with a clear majority (27/33) unsure or denying it would have impact on their decisions.⁴ For some the guidance reinforced an existing approach. One commented that the updates had not proved as radical as expected.

Asked about what future changes would improve community safety work with young adults, police respondents referred to a range of options, several of which involved non-criminal justice agencies: mental health engagement, training and employment services, leisure and youth services, and housing support. Within criminal justice, suggested changes included: 'joined up' court enforcement with the courts visiting areas to witness the impact of ASB, Community Payback, and a legal requirement for sentencers to consider 18-25 year olds as a distinct group from those aged over 25 years old.

Council respondents frequently mentioned service developments, such as: mental health engagement; leisure and education; employment support and opportunities; and housing support. A question was raised about how to engage with drug and alcohol services which have an ethos of non-coercion. Another suggestion was for 'pre-emptive' work with those under 18.

One respondent commented that, outside the big cities, services needed to be spread better. Similarly, outreach mechanisms could deliver better access to services for people in need.'

⁴The guidance was updated in December 2017. Our survey was conducted between January and March 2018. Additions made to the guidance highlight the importance of focusing on nuisance behaviour rather than specific groups and advises local implementers to give consideration to proportionality prior to commencing with an ASB enforcement approach.

Case studies

I. Nuisance motor vehicles	
Background	<p>Street racing in and around a housing estate car park were creating a loud and visible problem for local residents. Complaints related to the sound of 'revving engines' and loud stereos and the dangers created by the speed of vehicles. The large gatherings of people and cars the racing attracted, including spectators as well as other modified car drivers, was also intimidating to some. The respondent had found that time-limited dispersal powers had not been effective at addressing this behaviour.</p>
How used	<p>Use of a PSPO was part of a multi-strand response from the council ASB team that involved elements of engagement, target hardening, information gathering, targeting businesses modifying cars and the use the fire service going to the area where the behaviour was taking place with a damaged car to educate those present about the importance of road safety. The police, who were also present, explained why loud music was anti-social. The car park was gated at night and its CCTV was reinstated. Among the prohibited activities specified in the PSPO were: speeding, driving in convoy, racing, performing stunts, revving engines and using foul or abusive language. The time of day the behaviour occurred meant that the police were considered the only possible or available enforcers of this PSPO. As the behaviour followed a clear time pattern (because it involved car drivers meeting up or organising to be in the presence of others), there was a specific time and place to disrupt with police patrols. The police then used FPNs and CPN warnings to sanction those witnessed 'pulling a stunt'. Fines that were issued were paid.</p>
Outcomes	<p>Initial exchanges were, 'friendly and informal' and 'got a good response from the young adults through going to speak to them'.</p> <p>The respondent felt that this initial engagement meant that formal sanctions such as FPNs were largely not required.</p> <p>The respondent considered this issue more resolvable than other problems which came to their team's attention, 'These behaviours are not as entrenched, which can be an issue in street drinking.' However it was less clear whether the changes achieved could be sustained in the longer term, 'The PSPO completely solved the spectators. It worked well in the first year but reports of ASB relating to nuisance motor vehicles are creeping back up again now.'</p>

2. Nuisance motorbikes	
Background	<p>Motorbikes were being driven across a local park. Complaints related to motorbike noise, cutting up the park and the danger to other park users. This was a common, recurrent issue in the same area. ‘Every year in April/ May-time the ASB team get pressed by councillors, housing associations, and park rangers about the issue. Years ago there was a motorbike field with a track but prohibitive insurance and a bad crash one year meant it closed down.’</p>
How used	<p>Multi-agency response underpinned by CPN warnings. Set up a multi-agency action group (police, council ASB team and housing providers of local social housing). Gathered information to target CPN warnings by:</p> <ul style="list-style-type: none"> • Speaking to garages with car washes and getting CCTV footage to identify motorbike riders. • Setting up a Hotline so people could report this behaviour when it happened. This hotline was publicised in the local area by a leaflet drop, posters, and radio adverts. Found the hotline had low responses. • Working with Housing Associations to identify who had motorbikes in local social housing (i.e properties with motorbikes in front garden). • Working with the police to identify records of local individuals who had previously been stopped for motorbike nuisance or motorbike traffic offences, as well as the police sharing information about which families were known to them or they were working with. <p>From this, a database of approximately 20 names was identified as well as associated descriptions of motorbikes and helmets. The ASB team then wrote CPN warnings to all these individuals not to ride their motorbikes in the park and that the consequences of doing so could include a CPN, being a fine, or escalation to prosecution and confiscation of their motorbike. About half of those contacted responded to deny the allegations to which the council responded to say they were not accusing them of riding their motorbike in the park, the CPN warnings were just to alert them that if they were seen doing it, the consequences have been outlined to them. Housing Associations landlords also visited the identified young adults’ parents and explained that their tenancies were at risk if the behaviour continued. No CPNs or FPNs were issued.</p>
Outcomes	<p>Saw a drop off in complaints about motorbikes in parks. Resourcing and building detailed intelligence were highlighted as critical factors by another respondent who had tried to address a similar off-road motor biking nuisance in their area through a PSPO, ‘We tried to use a PSPO for off-road motorbike nuisance but it worked terribly. The bike riders wear masks, the bikes aren’t road legal and don’t have licence plates, and the police have a no chase policy.’</p>

3. Nuisance behaviour associated with taking ‘legal highs’ in a public place	
Background	<p>At the time of the PSPO implementation (2015), ‘legal highs’ were mind or mood altering substances which were not prohibited under the Misuse of Drugs legislation. The harms of ‘legal highs’ were a prominent national concern: ‘The issue was in the news a lot, “legal highs” were a high profile issue.’ The ASB team were aware of the use of so-called ‘legal highs’ in specific areas linked to the night-time economy.</p> <p>Local residents and businesses had complained about associated littering (canisters of nitrous oxide) and there were some complaints of intimidating behaviour associated with taking ‘legal highs’ in the street. National legislation regarding ‘legal highs’ was making slow and faltering progress through parliament at the time. However the legislation proposed only planned to ban the supply of ‘legal highs’ and did not criminalise the possession or use of ‘legal highs’, hence even when the legislation was in place it would not necessarily address the issues that had come to the ASB team’s attention.</p>
How used	<p>A PSPO was imposed prohibiting the use of intoxicating substances, excluding alcohol and a number of other substances, including ones for medical use or related to food stuff. Selling and supply was also prohibited by the PSPO (until this would be superseded by national legislation prohibiting the supply of new psychoactive substances). This PSPO was imposed across the whole local authority area rather than in the particular ‘hot spots’ where the ASB behaviour was reported. There was a concern that if the PSPO was imposed in only the specific areas then this may simply move the behaviour to other areas in the local authority which would potentially lead to additional PSPOs then being proposed with additional costs. The police enforced the PSPO due to the time of day this behaviour occurred (particularly between 3am and 8am on Sunday morning). No additional staffing resources were given to the enforcement of the PSPO. If police patrols witnessed the behaviour prohibited by the PSPO they would refer the case to the council for them to decide whether a FPN was appropriate. A small number of FPNs were issued in relation to this PSPO and one or two court proceedings for non-payment of these fines. There were no reports of confrontation following sanctioning. No referrals to support services were recorded.</p>
Outcomes	<p>Complaints about this behaviour ‘dropped off’. Respondent thought this change was driven by the introduction of national legislation to ban the supply of psycho-active substances and a cultural change away from legal high use, rather than necessarily linked to the introduction of the PSPO.</p>

4. Groups of young adults committing low level ASB

Background	<p>‘Over the last few months we have had an issue with groups committing consistent ASB and low-level violence.’ This was taking place in and around the city centre. The groups were described as, ‘antagonistic towards adults, deliberately trying to spark a reaction. Spitting, with behaviour from verbal abuse to grievous bodily harm’. The respondent had heard reports of similar behaviour in other parts of their police force area. Public reports of this behaviour were then reported in and around the city centre. The use of social media to record and share behaviour with others was considered an influence motivating the behaviour as were group dynamics, ‘There are some ring-leaders or key players in the gangs and then hangers-on or peripheral people. The key players are some of the most disenfranchised young people’.</p>
How used	<p>The use of dispersal powers was part of wider area strategy to address this anti-social behaviour, including through an existing PSPO and through the referral of individuals to support agencies, ‘Our learning from other police forces is to be very clear with police officers that they deal with main (group) protagonists robustly but proportionally. We don’t want this behaviour to escalate.’ The PSPO in place prohibits the use or suspected use of intoxicating substances including alcohol, and behaviour likely to cause distress or alarm to others. No additional staffing resource was made available to enforce the PSPO. There was a low level of breach of directions to leave. Through monthly Community Safety Partnership meetings involving representatives from education, youth services, and mental health representatives, referrals are made to agencies. ‘It’s worth noting that when young people and young adults commit ASB they are actually usually very vulnerable (most disaffected youngsters) and they are very vulnerable to exploitation from organised crime gangs.’</p>
Outcomes	<p>‘The partnership working described above. Hopefully the medium to long term stuff will come out of this and the council will put stuff in place in terms of services.’</p> <p>The city centre location of this ASB meant regular police patrols and CCTV were already in place and the police were always able to respond quickly to reported incidents. However, the respondent believed that as a result of this approach there had been some displacement of this ASB to more residential areas. This made the ASB now harder to police, ‘now we’re going to have to rely more on members of the public to report because it’s been displaced to residential areas where they don’t have CCTV or regular patrols. The danger is members of the public will think, ‘Will the police do anything? Even if they will, will I end up on the phone for an hour?’ so that could deter reporting’.</p>

5. Poaching	
Background	<p>The police force area had a historic issue with young adults travelling from other police force areas to use dogs to hunt animals or birds on other people's land. This causes damage to crops and the poachers often verbally abused the gamekeepers. Although there are specific criminal offences for poaching, there was insufficient evidence to prove culpability. The respondent also doubted the effectiveness of prosecution as a deterrence, describing some individuals as having 60-70 convictions for poaching offences, 'It is a passionate activity to [poachers] and they will continue unless a sanction means they will lose their liberty.'</p> <p>Dispersal powers were invoked so that police officers could quickly disperse the poachers with the threat of arrest if they did not comply. The incidents were then to be used to apply for Criminal Behaviour Orders so that 'positive requirements' could be placed on the poachers (for example, microchipping their dogs for identification purposes).</p>
How used	<p>Used intelligence gathering with farmers to encourage them to report sightings of suspected poachers to the police. Social media was used to alert police and farmers to suspected poachers in the area. Extra police patrols were carried out. Police in vehicles waited for suspects to drive past before stopping them.</p> <p>Initial engagement involved poachers being 'followed out of the area' and being issued verbal informal warnings. This proactive informal engagement was initially met with 'defiance and objection' by the poachers. Directions to leave were issued. None were breached. Poachers left the police force area. Some of the dogs used for poaching were also confiscated through dispersal powers.</p>
Outcomes	<p>The poachers left the police force area, although the respondent concedes that it is possible that displacement occurred, with the poaching continuing once outside the force boundary. Positive impact considered to be the, 'satisfaction to farmers and involved groups knowing those involved had been removed'.</p>

6. Street drinking	
Background	Local businesses and residents complained and were very vocal in wanting the police to respond to ASB related to groups of Eastern European young adult males street drinking, littering, urinating and defecating in business doorways.
How used	<p>First engagement was with prominent members of the Eastern European community including a vicar and an Eastern European community group. Police distributed leaflets in Eastern European languages setting out what behaviour was acceptable. Signage in appropriate languages was also put up in the area. Met with local businesses affected by this ASB to identify the peak times for this ASB then, ‘flooded the area with officers during these times’. Declared a dispersal zone as part of this operation. Issued directions to leave. Confiscated alcohol.</p> <p>Some of those issued directions to leave lived in the dispersal area so they were then given a direction to go home instead. Discovered that there was a specific place where the men were getting picked up and dropped off from work so did some educational work with the factories the men were employed at.</p> <p>No one breached a direction to leave. Led to some arrests but not for the ASB, for outstanding offences.</p> <p>All those committing this behaviour were working men with families. The problem was considered by the respondent to be a cultural one; they did not want to drink in front of their children and did not understand that some of this behaviour was unacceptable. There was no substance addiction underlying the behaviour and no referral to support services was deemed necessary. Timescale of involvement around four months.</p>
Outcomes	‘Was just a cultural thing, although there were some cheeky non-compliant ones, but once they were hit in the pocket (through FPNs) they stopped [...] the problem died right down.’

7. Begging	
Background	Police patrols, local residents, MPs and local councillors had all picked up on young adults begging in an affluent local area. 'The beggars claimed they were homeless but substance addiction was behind it.'
How used	<p>Involved police resources mainly. Local hostel staff came out with police patrols to engage those begging and signpost those identified to support services. The police identified the beggars who took up these offers and targeted those who did not for an enforcement response.</p> <p>Declared a dispersal zone encompassing a couple of streets. Issued directions to leave. Confiscated alcohol. Used stop and search to check to see if individuals had a significant amount of coins on them. Several arrests were made for non-compliance with directions to leave. Several individuals were prosecuted. Some individuals now have Criminal Behaviour Orders. Work is still ongoing. Timescale of involvement around two years thus far.</p>
Outcomes	<p>'Some take up of support services but some earning too much money to stop and are persistent beggars. So it's been a mixed response.'</p> <p>'Still have some persistent beggars but nowhere near as bad as it was. Now have a matrix of who has been stopped so they know how many dispersal notices have been given. If an individual has received a lot of directions to leave then they look for something more long term like a Criminal Behaviour Order.'</p>

8. Committing ASB in a group	
Background	<p>Through police patrols and reports of crime, they were aware of a group of 18-21 year old males on a council estate who were described as, 'bored and unemployed causing general ASB in a big group and intimidating residents'. People on the estate would not report the ASB through fear of reprisals</p>
How used	<p>Tried informal conversations with the group but the young adults were unwilling to engage with the police. Young adults smashed the police car windows. Targeted group with a multi-agency approach (including youth engagement workers, council officers, housing officers and the fire brigade). Then 'flooded the area with officers.' The fire service were there as a rapid response to the fires that were being started on the estate, as extra eyes and ears and as an authoritative looking agency intended to provide a deterrent. In total a team of about 20 people were out every weekend. There was a specific operation for a few weekends with 'a zero tolerance approach'. Declared a dispersal zone encompassing a shopping area and a few of the surrounding streets. Police issued a lot of directions to leave. Confiscated alcohol. Did not do so much referral to support agencies. 'Sent youth outreach workers but again the young adults didn't want to engage with them.'</p> <p>Respondent saw 'unemployment and, boredom' as reasons for the behaviour rather than any underlying issues with drugs or alcohol. Some arrests were made for breach of a direction to leave and some arrests were made for other outstanding offences. Timescale of involvement around six months.</p>
Outcomes	<p>'Mixed response. Some are hardened criminals and ring-leaders, who will always be criminals. Younger ones who were on the periphery started to listen and got back into education or employment.'</p> <p>'Once we were able to arrest for breach (of a direction to leave) it reduced the behaviour because it reduced the size of the groups. Some young adults thought they didn't want to get arrested again and this acted as a deterrent for others. ASB reduced right down for a time but has begun to creep back up again in the absence of continuing the work. Still nowhere near as bad as it first was.'</p>

Key findings and implications

RECOGNITION OF YOUNG ADULTS

1. Broadly the survey findings suggest young adults were not deliberately and decisively identified in practice. For this age group, there was **little sign of assessment or planning for age-related needs**.
2. It was a persistent theme among survey respondents that **access to resources is more difficult for young adults** compared with under 18 year olds or with older adults.
3. The **range of behaviours** young adults engaged in that came to the attention of ASB practitioners varied hugely. Some of the typical activities associated with the ASB of young adults followed the trajectory of recognised transitions to adulthood, such as nuisance behaviours related to driving and alcohol use.
6. **Engagement methods** were sometimes observed in the different settings. In the case of car activities, there was a successful attempt to engage with and educate the participants. In contrast the motorcyclists were initially identified as suspects by police investigation, rather than by outreach and subsequent dialogue. The council estate group were approached in order to start a dialogue but the approach failed, with instances of hostility to the police
7. The impact of the 2017 updates to the statutory guidance governing the use of these ASB powers **was perceived to be limited**, with its emphases already having been broadly accepted. Much depended on whether local agencies would wish to build on their perceived successes, respond to future pressures such as the building of new entertainment hubs, or seek new directions in preventive work.

ASB PRACTICE

4. Exploring practice through case studies tells us that there was a **crunch point** when decisive steps were taken. Several refer to police officers 'flooding' an area or to sanctions being deployed as part of a visible official presence.
5. In several of the cases, **agencies were actively working together** in various ways to investigate and deploy resources. Hostel staff and housing services were among the agencies taking part in operations to tackle ASB relating to begging. In the case of council estate disorder, the fire service was also an active partner. The police had a leading role in dispersing the city centre street 'gang' problem, liaising with partner agencies. However, co-working was not always clear and evident. For example, **in practice the police took the responsibility** for enforcing the PSPO for 'legal highs'.

ASSESSING OUTCOMES

Practitioners gave detailed descriptions of their use of ASB powers. However, the ultimate 'test' of practice for many was not the deploying of the tools themselves but rather the contribution these methods made to long-term, sustained strategies to address social problems.

8. Several case studies reinforced the impression that initiatives were perceived to have impact over months rather than weeks, and some problems were observed to diminish rather than disappear. Highly localised interventions involving temporary visitors, such as those around poaching, **seemed to have more direct effects, though potentially only in specific locations** (i.e. displacing rather than resolving nuisance behaviour).

9. For the motorbike and the car activity case studies, as well as the PSPO for 'legal highs', complaints 'drop-off' was the test. The measures to control the behaviour of city centre-based street groups were perceived to be successful but again, at the expense of displacing the problem, which created enforcement challenges. **Questions remain about the eventual consequences for those subject to enforcement.**
10. For both the police and councils, **substance addiction and mental health** affected compliance with ASB measures (for young adults as well as more generally).
11. The motorbike case study illustrates problems that arise from **a lack of suitable local facilities**. The council estate disorders were linked to 'boredom' as well as unemployment. If facilities are available, a diversionary strategy using them can help to move young adults away and avoid nuisance to the rest of the public. However, if there is a local shortage of facilities, everyone, including young adults, may find themselves competing for leisure space. In disadvantaged areas it seems as if some of the least well-off will be left to argue over a relatively small pie.
12. In planning and responding to ASB, should there be a **clearer structure for recognising age and maturity**, where such recognition would impact on how assessment and dialogue with groups are managed, helping to identify needs that should be acknowledged by adequate resource allocation?
13. Might it be useful **to see other agencies than the police take the lead** in responding to issues of nuisance behaviour in some circumstances? For example: neighbourhood wardens, mental health professionals, community organisers and, in relation to managing behaviour in the night-time economy, the regulation taxi marshals or individuals such as street pastors may provide. In practice though, the opportunities such responses may bring can only be realised if planning and resourcing ASB doesn't rely on agencies absorbing responses with no additional resources typically available, which is currently widespread practice.
14. In the case of engagement strategies, **how can young adults themselves best be involved in dialogue about nuisance behaviour**, and how might they be involved in resolving difficulties when there is disagreement about what is acceptable behaviour?
15. When underlying issues are not resolved, 'needy' groups are likely to emerge with non-compliant behaviour. How should this affect enforcement strategies and practice? Both police and council respondents saw potential for service developments in the future. **Should multi-agency prevention rather than a strong enforcement phase, be seen as an essential centrepiece in such circumstances?** How can community dialogue regarding the pros and cons

FUTURE IMPLICATIONS

A key challenge raised by the practitioner experiences and accounts is how to build effective practice in the use of ASB tools to provide short term relief, without this action coming at the expense of the **sustained, long term approach which addresses the underlying issues**. Put another way, that action to change behaviour can only work properly if it takes responsibility for changing lives. The following questions are offered as a starting point to take this issue forward:

of different approaches take place about this?

16. **How can the consequences of using ASB tools be rigorously assessed and held to account in the future?** This includes identifying the best and worst outcomes of various approaches and who they work for. How can a clearer focus on consequences for the sanctioned as well as for the community more generally, be captured and built in to the planning and delivery of ASB responses?

Appendix

Dispersal Power: What does it involve?

TRIGGER

ASB, crime or disorder is occurring or police have reason to believe ASB, crime or disorder may occur.

AUTHORISED BY

A police inspector or higher ranking officer must declare the specified area these powers can be used in (a dispersal zone), or must authorise police officers with the power to issue directions to leave. This may be designated either in advance (e.g. over the weekend in a town centre), or in response to a request from a police officer. Specific behaviours do not have to be identified in advance.

WHERE CAN BE USED

Must be a defined area, could range from a few named streets, to a shopping centre to a town centre or whole London borough.

DURATION

An area can be designated as a dispersal zone for a period of up to 48 hours. Can be used in the same area repeatedly.

WHO ENFORCES

A direction to leave is issued by police officers or Police Community Safety Officers (PCSOs) to individual(s), in writing if reasonably practicable. The direction must include the area the individual is excluded from and the period of time for

which they are excluded (up to 48 hours). Items may also be confiscated (e.g. fireworks / spray paint / alcohol).

BREACH AND CONSEQUENCES

Being observed in the designated area during the exclusion period is a criminal offence for which individuals can be arrested. Conviction carries a max penalty of a £2,500 fine, or up to three months in prison. Failure to surrender items is also a criminal offence with a maximum penalty of £500.

AGE CONSIDERATIONS

Can be issued to individuals believed to be over ten years old. Children aged 16 and under may be returned home or to a place of safety.

ILLUSTRATIVE EXAMPLE

Police routinely respond to drunk and disorderly behaviour in a town centre on Friday and Saturday nights. A dispersal zone is authorised from 7pm on Friday. Late on Saturday night a police officer observes a group of young adults shouting verbal abuse at passers-by and drinking alcohol in the street. The group are given a directions to leave and provided with a written note of the area they cannot re-enter until Sunday evening. Cans of alcohol are confiscated.

Community Protection Notice: What does it involve?

TRIGGER

ASB must be persistent or continuing.
Can be issued to individuals, businesses or organisations affecting the community's quality of life.

AUTHORISED BY

No prior authorisation is required, however statutory guidance advises consulting with members of the community prior to use.

WHERE CAN BE USED?

Anywhere behaviour impacts on others.

DURATION

N/A. Issued to individuals.

WHO ENFORCES?

The council, police officers and (if designated), by PCSOs and social landlords. A written warning is first issued, requesting for the behaviour to stop and the consequences if the behaviour continues. Should behaviour continue, a Community Protection Notice (CPN) can be issued. This written notice can include requirements aimed at rectifying the problem and preventing it occurring in future.

BREACH AND CONSEQUENCES

If the behaviour continues, this is a breach of the notice and a criminal offence. A FPN of up to £100 can be issued. Individuals can also be arrested and charged. Conviction carries a max penalty of a £2,500 fine (individuals), or £20,000 (businesses). Conviction can also include paying for remedial work and the forfeiture / seizure of items (e.g. a motorbike).

AGE CONSIDERATIONS

Can be issued to those aged over 16.

ILLUSTRATIVE EXAMPLE

Complaints are received about graffiti in a park. On the basis of observation and patrolling, a group of young adults are identified spraying graffiti by a community safety patrol. The identified individuals are each issued a Community Protection Warning stating not to graffiti and that the consequences of doing so again will be a Community Penalty Notice. A community safety officer identifies the group of young adults with spray paint cans in a park. Community Protection Notices are issued to all the individuals. If the young adults are found again they face a fine or prosecution.

Public Space Protection Order: What does it involve?

TRIGGER

Targeted behaviour has to have had a detrimental effect on the quality of life of local community or it has to be likely that activity will take place that will have a detrimental effect on the local community. Targeted behaviour also has to be, or be likely to be, continuing or persistent in nature. People who breach prohibitions or requirements can be sanctioned.

AUTHORISED BY

Councils designate PSPO restrictions (e.g. no street drinking, required to walk dogs on lead, no aggressive begging) and the area it applies to. An order can have one or more requirements / restrictions. The Police, Police and Crime Commissioner and local community have to be consulted as part of this process. Other bodies with responsibility for public land can designate a PSPO with the agreement of the Secretary of State. Information about the Order must be published and displayed on signage in the designated area.

WHERE CAN BE USED?

Specified public area, can range from a town square, to a park or a London borough.

DURATION

Up to three years, can be renewed.

WHO ENFORCES?

Council enforcement officers or the police. This may include informal warnings and requests to move on. If prohibited behaviour is witnessed by enforcement teams the individuals can be

asked to leave the area, items (e.g. alcohol) can be confiscated.

BREACH AND CONSEQUENCES

If the individual does not comply (e.g. the behaviour persists or they do not leave) this is a criminal offence. A FPN of up to £100 can be issued. Individuals can be prosecuted. Conviction carries a maximum penalty of £1,000 or £500 if related to alcohol prohibition.

AGE CONSIDERATIONS

FPNs can only be issued to those aged over ten years old. The parents / legal guardians of anyone under ten years old can be contacted regarding a child's behaviour. Councils will also have their own protocols regarding issuing fines, including for example, whether or not fines are issued to those aged under 18 years old.

ILLUSTRATIVE EXAMPLE

A community safety team receives complaints about a number of cars gathering in a housing estate car park. Local residents report being kept awake by the associated noise and dangerous driving. A community safety officer seeks to designate a PSPO for vehicle nuisance in the car park and streets around the housing estate. Prior to commencement, the community safety officer speaks to those gathering. The group are warned once the PSPO commences anyone caught committing vehicle nuisance will be fined and can be prosecuted.

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