



Initiatives by Social Landlords to Tackle Anti-social Behaviour

A report of action being taken by members of the Social Landlords Crime and Nuisance Group

July 2003

Caroline Hunter
Judy Nixon



Sheffield Hallam University



*School of
Environment and
Development*

Contents	Page
The executive summary	4
The policy context	6
1. The impact of Crime and Disorder Act provisions on multi agency partnership working	8
2. The scale of the problem and the most serious types of anti-social behaviour	10
Building organisational capacity and resource allocation	
3. The provision of specialist anti-social behaviour services	15
The cost benefits of specialist services	
4. Dealing with individual perpetrators,	19
ABCs,	
Possession action,	
Injunctions	
ASBOs	
Cost effectiveness of legal action	
5. Resettlement initiatives and future developments	30
References	34
Appendix 1 The study methodology	35
Appendix 2 Supplementary Tables	37

List of Graphs

Graph 1: Landlords' involvement with different forms of partnerships to deal with anti-social behaviour 2003	9
Graph 2: Average recorded complaints per 1,000 tenancies for LAs and RSLs 1997-2003	10
Graph 3: Average complaints by size of organisation 2003	11
Graph 4: Landlords' perceptions of the most serious anti-social behaviour in 2003	13
Graph 5: Provision of specialist anti-social behaviour officers/teams 2003	15
Graph 6: Provision of specialist anti-social behaviour officers/teams by size of organisation	16
Graph 7: The diverse work of anti-social behaviour specialists	17
Graph 8: Action taken by social landlords to deal with breaches of ABCs	21
Graph 9: Social landlords changing use of possession action 2001-2003	23
Graph 10: % of landlords who have obtained one or more possession order by size	24
Graph11: Social landlords use of ASBOs 2001-2003	26
Graph 12: Resettlement services provided by social landlords 2003	30
Graph 13: The stock size of respondents 2002-2003	36

List of Tables

Table 1 Social landlords use of possession action 2001 2003	22
Table 2 Social landlords use of ASBOs 2001- 2003	26
Table 3 Use of new powers under the Police Reform Act 2002	27
Table 4: Respondents' views on the cost effectiveness of different forms of action	28
Table 5: The survey response rate	36
Table 6: Recorded complaints per 1,000 tenancies for LAs and RSLs for the period 1997/98 - 2002/03	37

**INITIATIVES BY SOCIAL LANDLORDS TO TACKLE ANTI-SOCIAL
BEHAVIOUR:
a report of action being taken by members of the Social Landlords
Crime and Nuisance Group**

July 2003

The Executive summary

This study commissioned by the Social Landlords Crime and Nuisance Group reports on the continuing progress social landlords have made in developing their strategic and operational responses to anti-social behaviour and youth nuisance over the period March 2002 to April 2003. The report is based on data collected from a postal survey of members of the SLCNG and builds on surveys undertaken in 2001 and 2002.

Improvements in partnerships working

In the four years since Crime and Disorder Reduction Partnerships were established many have now reached a level of maturity which enables them to develop more effective ways of bringing agencies together and by 2003 four out of five (84%) of local authority housing departments thought that multi agency working on youth nuisance and anti-social behaviour initiatives has improved. Although some RSLs are still experiencing difficulty in accessing multi- agency partnerships it is to be anticipated that the provisions in the Police Reform Act 2002 and the forthcoming Anti-social Behaviour legislation will result in further improvements in RSLs ability to access CDRP remedies.

Building organisation capacity

Data collected over the last five years on the average annual level of complaints per 1,000 tenancies, combined with landlords' reports of the most serious type of anti-social behaviour, constitutes a robust database which can be used as a reliable indicator of the nature and scale of the problem as it affects social landlords.

Building capacity to effectively tackle anti-social behaviour requires that organisations allocate sufficient resources to deal with initial complaints since early intervention can prevent cases from escalating into more intractable problems. Medium to large landlords with a stock of more than 4,000 dwellings need to ensure they have

resources to deal with on average 30-35 complaints per 1,000 tenancies per annum. Smaller landlords, particularly those who have only recently developed measures to tackle anti-social behaviour are likely to find that complaint levels are somewhat higher at around 40 to 50 complaints per 1,000 tenancies per annum. Section 2 of the report outlines a number of possible reasons why a higher level of reported complaints are associated with landlords with a stock size of less than 4,000 dwellings.

In order to respond to the scale of the problem social landlords are continuing to invest in the provision of specialist anti-social behaviour services with seven out of ten (71%) landlords with a stock size of more than 10,000 dwellings employing a dedicated anti-social behaviour officer/team.

Dealing with individual perpetrators

This year's survey would seem to suggest a lower level of legal activity than last year. One explanation for this lies in the greater use of ABCs by many landlords. ABCs are now routinely used by the majority of social landlords who reported that this intervention was cost effective. This early intervention especially if led by specialist teams, may well lead to a reduction in the need to take formal legal action. There was a strong belief amongst respondents in the efficacy of such action. On the other hand we would also suggest that some landlords, particularly small ones, have still not developed the expertise and confidence which encourages the use of legal action when it is appropriate. Some, in particular in relation to anti-social behaviour orders, have not become part of an active partnership which is able to deliver these. For landlords, however, who have developed the expertise to take legal action it is generally seen as cost-effective.

The policy context

Over the last 12 months devising interventions to tackle anti-social behaviour and the wider issue of community safety have remained firmly at the top of the Government's agenda. The Police Reform Act 2002 received royal assent in July 2002 and the majority of its provisions, including those to strengthen the use of ASBOs and enhance their effectiveness were brought into force in December 2002.

Notwithstanding the provisions in the Police Reform Act, in November 2002, as part of the Queen's speech the Government announced its intention to introduce a bill on Anti-social Behaviour. A White Paper "*Taking a stand against anti-social behaviour*" was issued in March 2003 by the Home Office which highlighted the need for agencies to adopt a holistic approach based on preventative action, effective enforcement and resettlement support. Immediately following the Home Office White Paper the Government introduced the Anti-social Behaviour Bill to take forward key elements of the White Paper proposals in conjunction with a forthcoming Housing Bill and a Green Paper on children at risk. Parts 2 and 5 of the ASB Bill contain a number of measures, which will directly impact on social landlords ability to deal with anti-social behaviour including:

- The creation of new demoted tenancies for people behaving anti-socially facilitating faster evictions and the power to remove the right to buy for anti-social tenants.
- The expansion of the circumstances in which housing injunctions can be used, giving RSLs greater powers to use this form of intervention;
- In housing possession cases, the courts will be required to consider the impact of anti-social behaviour on the wider community;
- The creation of a new duty for social landlords to publish their policies on how they deal with anti-social behaviour;
- A series of amendments to the provisions relating to ASBOs.

Royal Assent for the Bill is expected in late October/early November 2003 and it is anticipated that the majority of these measures will take effect from early 2004.

It is now widely recognised that social landlords have a vital role to play in tackling anti-social behaviour and promoting community safety. This report focuses on the progress RSLs and local authority housing departments have made in developing their strategic and operational approaches to anti-social behaviour over the period

March 2002 and April 2003. The report is based on data from a postal questionnaire completed by members of the Social Landlords Crime and Nuisance Group (SLCNG) and builds on similar surveys undertaken in 2001 and 2002. Full details of the study methodology are provided in appendix A.

The report outlines the study findings under the following headings:

- **Section 1** - The impact of the Crime and Disorder Act provisions and improvements in multi-agency partnership working to deal with anti-social behaviour affecting the wider community.
- **Section 2** - The scale of the problem in terms of the number of recorded complaints received and landlords' perceptions of the most serious anti-social behaviour problems they are asked to deal with.
- **Section 3** - The role of dedicated anti-social behaviour teams/officers outlining the range of functions such teams undertake and the extent to which they are considered to be cost effective.
- **Section 4** - Dealing with individual perpetrators, the use of Acceptable Behaviour Contracts (ABCs) and the development of holistic responses including the use of:-
 - Possession action
 - Injunctions
 - ASBOs
- **Section 5** - Resettlement initiatives and future developments.

Section 1

The impact of Crime and Disorder Act provisions on multi-agency partnership.

Following the introduction of the Crime and Disorder Act 1998 and the formation of local Crime and Disorder Reduction Partnerships (CDRPs) it has been acknowledged that prevention via partnership working is the key to tackling anti-social behaviour. However, social landlords' involvement in local CDRPs, varies from area to area and from one type of social landlord to another (ODPM 2003). The 2002 SLCNG survey found that while most local authority housing departments were active members of their local CDRP four out of ten (42%) of Registered Social Landlords (RSLs) were not involved in any CDRP. In part their lack of involvement was attributed to the lack of information sharing protocols and for RSLs with stock dispersed over a wide geographical area, difficulties were reported in maintaining contact with a number of different local CDRPs.

Improvements in partnership working

In the four years since CDRPs were established many have now reached a level of maturity which enables them to develop more effective ways of bringing agencies together and by 2003 four out of five (84%) local authority housing departments stated that work undertaken by local CDRPs had helped improve and develop multi agency working on youth nuisance and anti-social behaviour in their area. Although a lower proportion of RSLs (58%) thought that the establishment of local CDRPs had had a positive impact on partnership working, the findings from the 2003 survey show that both RSLs and local authority housing departments have become actively involved in a wide range of different forms of partnerships.

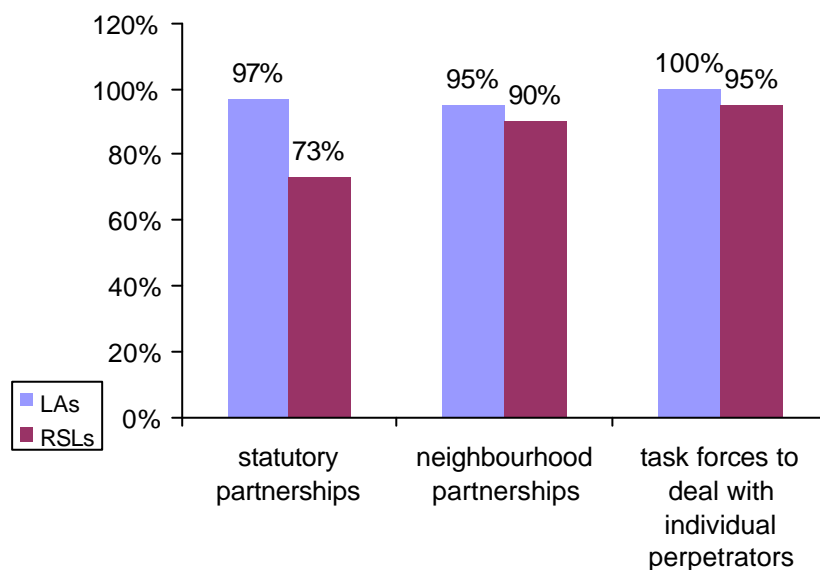
Multi-agency partnerships to tackle anti-social behaviour operate at different levels for different purposes. Commonly CDRPs have developed the following three forms of partnership working:

- Strategic CDRP partnerships usually operating at the borough level and dealing with area based community safety initiatives;
- Neighbourhood partnerships often focussing on specific community concerns about anti-social behaviour and fear of crime;

- Task forces or Panels to co-ordinate interventions to deal with individual perpetrators including the use of ASBOs/ABCs (ODPM 2003).

The 2003 survey confirms that social landlords are involved at all three levels of partnership working, with senior officers from virtually all Local Authority housing departments (97%) and just under three quarters of RSLs (73%) actively participating in strategic working at a borough wide level. Involvement by social landlords in neighbourhood based partnerships and working groups or task forces to deal with individual perpetrators was found to be even higher with over nine out of ten landlords stating that officers routinely were involved in these sorts of multi agency groups. See Graph 1 below:

Graph 1: Social landlords' involvement with different forms of partnerships to deal with anti-social behaviour 2003



It is clear that over the period 1999-2003 there have been significant improvements in the co-ordination of multi-agency interventions to tackle anti-social behaviour. Although some RSLs are still experiencing difficulties in accessing multi-agency initiatives it is to be anticipated that the provisions in the Police Reform Act 2002 and the forthcoming Anti-social Behaviour legislation will result in further improvements in RSLs ability to access CDRP remedies.

Section 2

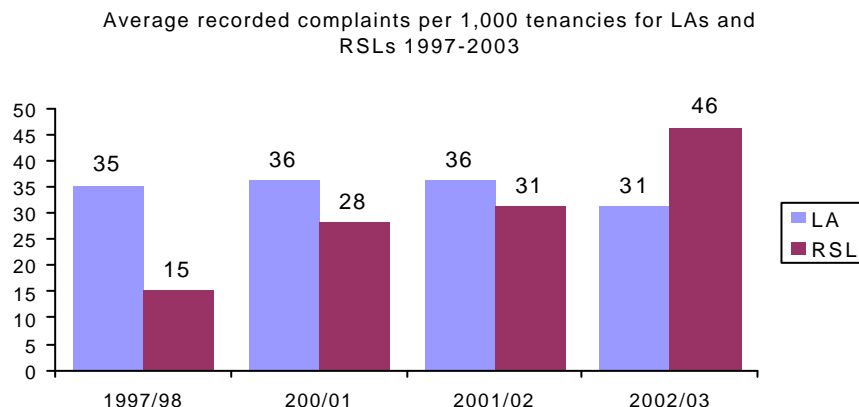
The scale of the problem and the most serious types of anti-social behaviour.

Different organisations employ different definitions and methods of categorising anti-social behaviour and in the absence of a single accepted common definition of anti-social behaviour, it is impossible to measure the extent of the problem and to establish if it is increasing. Over the last five years however, a data base on the reported incidence of tenants' complaints about anti-social behaviour per 1,000 tenancies has been developed. This method of analysis is a valuable indicator of the scale of the problem and allows for a comparison of results across organisations operating in different areas with different stock sizes.

The results from the 2003 survey are interesting in so far as across the sample as whole, the median level of complaints received by social landlords appeared to have increased from 34 per 1,000 tenancies to 44 per 1,000 tenancies with a range of 0 to 290 per 1,000 tenancies. Further analysis however, revealed that the recorded level of complaints varied significantly depending on the size and type of organisation.

Graph 2, below provides a more detailed breakdown of the average complaints by type of landlord for the period 1997 – 2003¹.

Graph 2: Average recorded complaints per 1,000 tenancies for LAs and RSLs



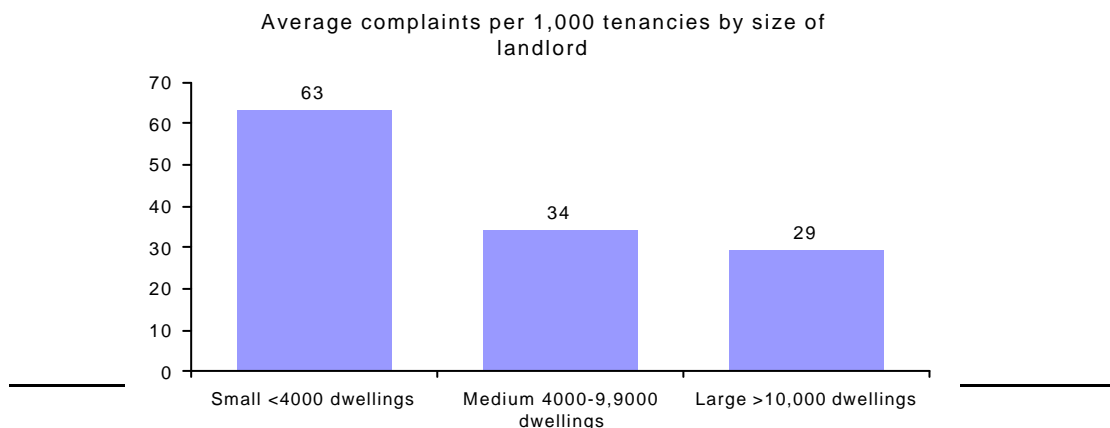
¹ For details of the earlier studies see Nixon J, Hunter C and Shayer S (1999) Hunter C Nixon J Naylor L (2001) *Social landlords use of anti-social behaviour service* Social Landlords Crime and Nuisance Group Coventry. Nixon J, Hunter C (2002) *Tackling anti-social behaviour: a report of action being taken by social landlords* Social Landlords Crime and Nuisance Group Coventry.

For Local Authority landlords the rate of recorded complaints has remained relatively stable over the period 1997- 2003 with a slight decline in the number of complaints from 36 to 31 per 1,000 tenancies having taken place during 2002/03.

For RSLs on the other hand over the last five years there have been year on year incremental increases in the recorded level of complaints from on average 15 in 1997 to 46 complaints per 1,000 tenancies in 2003. Care must be taken in the interpretation of these results since there are a number of possible explanations for the increase in recorded complaint levels amongst RSLs. Rather than representing an actual increase in the scale of the problem, the increase in complaints is likely to reflect improvements that RSLs have made in their capacity to deal with anti-social behaviour. Of particular importance is the fact that following the introduction of Housing Corporation Performance Standards on anti-social behaviour many RSLs have improved their ability to accurately record and monitor complaints. There have also been significant improvements made in RSLs' ability to deal effectively with complaints and this is likely to have had a knock on effect in increasing complaint levels as tenants become more confident that if a complaint is made action will be taken.

In addition to differences found in the level of complaints amongst RSLs and Local Authority landlords, significant differences were also found in the level of complaints according to the number of dwellings managed. Small organisations with a total stock holding of less than 4,000 dwellings reported levels of complaints around twice as high as those found in medium to large organisations. Graph 3 below shows the average level of complaints for small, medium and large organisations.

Graph 3: Average complaints by size of organisation 2003

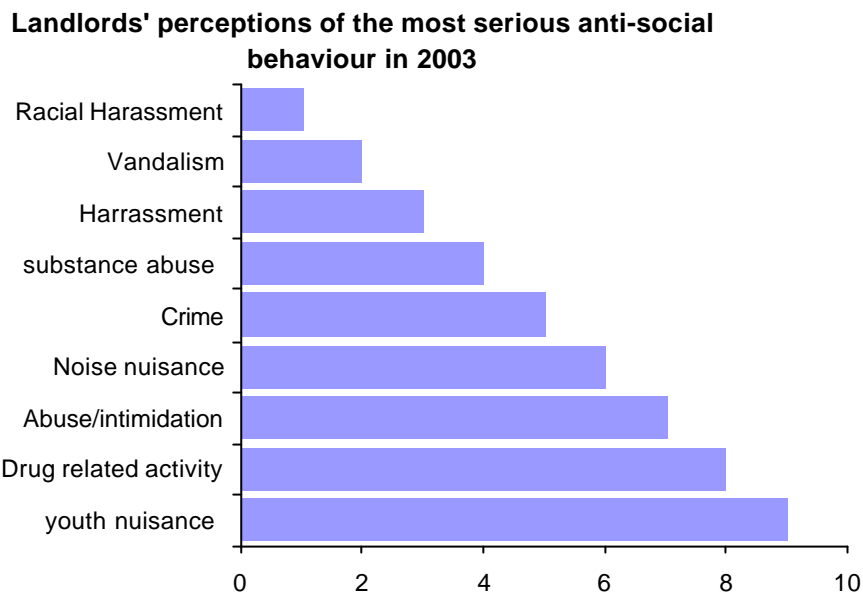


There are a number of possible explanations for the difference in complaint levels found amongst organisations of different size including the uneven development of anti-social behaviour services. Earlier studies (Hunter et al 2000, Hunter and Nixon 2000 and 2001) established that small landlords were less likely to employ specialist anti-social behaviour officers. In the absence of training and support, front-line housing officers found it very difficult to take effective action to stop nuisance behaviours. More recently there has been a heightened awareness of the seriousness of anti-social behaviour and an increase in the provision of specialist officers combined with improvements in landlords' ability to accurately record and monitor complaints. As landlords develop their capacity to tackle anti-social behaviour tenants become more confident that anti-social behaviour problems will be addressed and thus there is likely to be a corresponding increase in recorded complaint levels. A further factor likely to impact on differences in the recorded level of complaints is the fact that different organisations use different methods to record and monitor complaints with some organisations adopting a system in which individual complaints about a single incident are recorded separately while others group complaints around specific incidents. For example, 30 complaints about the same noisy party may count as 1 incident or 30 depending on the system used.

The most serious types of anti-social behaviour dealt with by social landlords.

As in previous surveys landlords were asked to rank the most serious anti-social behaviour problem they have to deal with. In the 2003 survey the types of behaviour landlords were asked to rank were identical to those used in the 2001/02 survey and the result show that youth nuisance, drug related activity, verbal abuse and intimidation continue to be ranked as more serious problems than noise nuisance, crime, substance abuse, vandalism or racial harassment. See Graph 4 below.

Graph 4: Landlords' ranking of different types of anti-social behaviour 2003



Building organisation capacity and resource allocation

Data collected over the last five years on the average annual level of complaints per 1,000 tenancies, combined with landlords' reports of the most serious type of anti-social behaviour, constitutes a robust database which can be used as a reliable indicator of the nature and scale of the problem as it affects social landlords.

Building capacity to effectively tackle anti-social behaviour requires that organisations allocate sufficient resources to deal with initial complaints since early intervention can prevent cases from escalating into more intractable problems. Medium to large landlords with a stock of more than 4,000 dwellings need to ensure they have resources to deal with on average 30-35 complaints per 1,000 tenancies per annum. Smaller landlords, particularly those who have only recently developed measures to tackle anti-social behaviour are likely to find that complaint levels are somewhat higher at around 40 to 50 complaints per 1,000 tenancies per annum.

In terms of devising strategies to deal with the most serious problems, youth nuisance, drug-related problems, and crime, social property owners need to allocate sufficient resources to ensure active participation in operational partnerships with a range of agencies including, the police, Youth Offending Teams and youth workers, teachers and independent drug rehabilitation agencies etc. The vital role of

co-ordinating action and developing closer liaison with crime prevention and community safety agencies was further highlighted by landlords in their positive response when asked about the wide range of benefits associated with the provision of specialist officer/teams. See further Section 3 below.

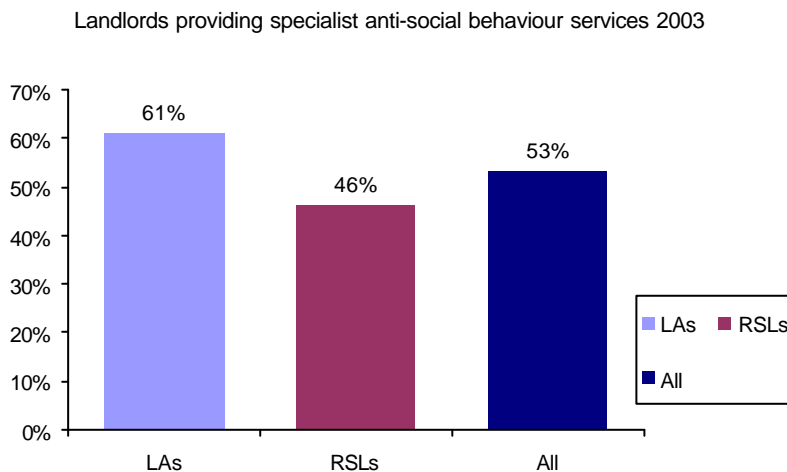
Section 3

The growth in provision of dedicated anti-social behaviour teams/officers

“Experience demonstrates that anti-social behaviour casework requires frequently intensive inputs and knowledge requirements, in addition to maintaining effective links with key partners. The specialist approach provides these. In addition to case work the specialist approach facilitates proactive and strategic management.” (Respondent to SLCNG survey 2003)

The use of specialist anti-social behaviour team/officers whose work is primarily, if not entirely, devoted to dealing with individual cases and developing the organisation’s anti-social behaviour policy is becoming increasingly common. By 2003 over half (53%) of social landlords reported that they now employ either a specialist officer or a dedicated specialist anti-social behaviour team to develop their anti-social behaviour services. See Graph 5 below.

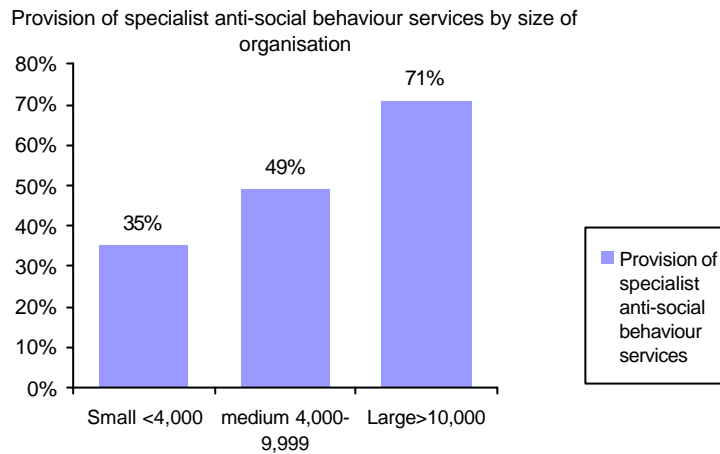
Graph 5: Provision of specialist anti-social behaviour officers/teams 2003



The pattern of provision remains uneven with a greater proportion of Local Authority housing departments (61%) investing in such services as compared to RSLs (46%). The ability to develop specialist services was also found to be affected by the size of the organisation. By 2003, nearly three quarters of landlords (71%) with a stock size of more than 10,000 dwellings had some form of dedicated anti-social behaviour provision. In comparison a much smaller proportion of small landlords had invested in

a specialist services with only 35% of landlords with a stock size of less than 4,000 dwellings stating that they employed a specialist officer. See Graph 6 below.

Graph 6: Provision of specialist services by size of organisation.



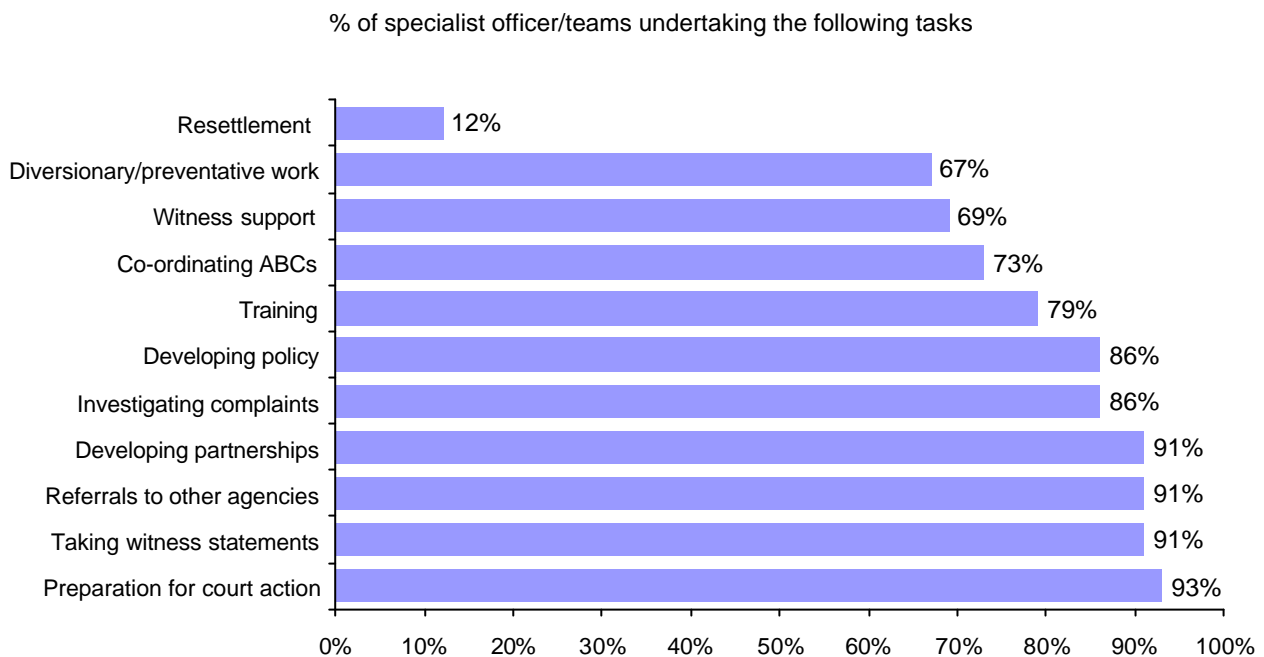
The professional background of officers employed in specialist teams

There was a huge variety in the type of specialist services provided, from small schemes involving a single officer to large interdisciplinary teams of eight or more officers but most commonly, specialist teams consisted of one or two officers usually from a housing background. In the larger teams however, a more diverse mix of professionals was found with over a third of specialist teams including people with a police background and 15% a legal background. The need for joint work between the Police and social landlords has resulted in a relatively high level of secondments from the Police with one in five teams having organised such an arrangement.

The type of services provided by specialist officers/teams

Typically, specialist anti-social behaviour officers/teams undertake a wide variety of different tasks. While on the one hand there is an emphasis on dealing with individual cases by investigating complaints, collecting evidence, preparing cases for court and supporting witnesses, on the other hand many specialists are only too aware of the need to take action to tackle some of the underlying causes of anti-social behaviour and youth nuisance and the work of such teams includes diversionary and preventative work as well as development of neighbourhood partnership agreements. Graph 7 provides a breakdown of the type of work undertaken by anti-social behaviour specialists.

Graph 7: The diverse work of anti-social behaviour specialists



In terms of developing a holistic approach based on preventative action, effective enforcement and resettlement support most commonly landlords reported that their specialist anti-social behaviour services focussed principally on the most serious cases where enforcement action was required with only one in ten (12%) specialist teams undertaking any resettlement work or providing support to persistent perpetrators to change their behaviour. Over half of landlords however, recognised the strategic role that resettlement action can play and many were in the process of developing such services. See further Section 5 below.

The cost benefits of specialist services

As can be seen from Graph 7 (above) nine out of ten (91%) of specialist units or officers undertook work to facilitate multi-agency working, to deal with anti-social behaviour. In the context of multi-agency interventions, it is notoriously difficult to undertake a detailed cost benefit analysis of services provided by any single agency since it is impossible to measure the impact of one intervention in isolation from the other forms of action being taken by other partner agencies. In seeking to establish an objective measure of the cost effectiveness of anti-social behaviour services the problem is further compounded by the fact that anti-social behaviour complaints are

frequently multi-dimensional, for example complaints about drug related activities can involve abuse and harassment, noise nuisance, litter and graffiti, vehicle theft and burglaries etc.

Notwithstanding these difficulties, we were interested in exploring landlords' views of the cost benefits associated with the provision of specialist officers/teams. The results indicate that with the exception of one respondent who had only just established a specialist service and therefore felt it was too early to give an informed view, landlords providing specialist anti-social behaviour services unanimously agreed that there were significant cost benefits derived from such provision. One organisation summed up the benefits in the following way:

“the cost benefits of having a specialist team is that it enables us to deal with anti-social behaviour cases more effectively and efficiently thus helping to stabilise neighbourhoods and therefore reduce the chance of voids and the associated costs of dealing with void management”.

Another commented:

“It is difficult to quantify but we assume that it reduces vandalism and the decline of estates and it is seen as positive by the tenants.”

Generally, it was agreed that there were a number of cost savings to be achieved by the provision of specialist services including:

- Consistency of approach and co-ordination of action resulting in efficiencies, particularly in terms of preparing cases for legal action;
- Savings in staff time and resources were achieved by freeing generic staff from undertaking detailed investigations and evidence gathering;
- Early intervention by specialist staff resulted in a quick resolution of problems with a reduced requirement for costly legal action;
- Economies of scale were achieved through more efficient case management;

Further work is required to establish a detailed cost benefit analysis of specialist anti-social behaviour services provided by different types and size of landlords but there is no doubt that those investing in such services felt they were getting value for money.

Section 4

Dealing with individual perpetrators

The Use of Acceptable Behaviour Contracts (ABCs)

Acceptable Behaviour Agreements/ Contracts are individual written agreements made between a young person, normally between the ages of 10-18, and a Local Authority housing department, a RSL and/or the Police, in which the young person agrees not to carry out a series of identifiable behaviours which have been defined as anti-social. An example of an ABC is provided below:

AN EXAMPLE OF A ACCEPTABLE BEHAVIOUR CONTRACT

This agreement is made on (date) **between** (insert name of landlord) **and** (insert name and address of perpetrator)

(name of perpetrator) **agrees the following in respect of future conduct –**
(list specific assurances) e.g.

1. I will not write graffiti or damage property(specify where),
2. I will not climb on roof tops or enter lift shafts other prohibited areas,
3. I will not throw anything at residents or passers-by

Further (name of perpetrator) **enters into a commitment with** (name of landlord) **not to act in a manner that causes or is likely to cause a nuisance to other people or breach the terms of the tenancy agreement or lease.**

If (name of perpetrator) **does anything which (s) he has agreed not to do under this agreement then the** (insert the name of landlord) **will take legal action, including an application for a possession order, an anti-social behaviour order or an injunction.**

Declaration

I confirm that I understand the meaning of this agreement and that the consequences of breaking it have been explained to me

Signed _____ Date _____

Signed _____ Date _____
(by parent or guardian if under 18)

Witnessed

Signed _____ Date _____
Designation _____

Other Witness

To be signed if an officer from another agency has been involved in this case, e.g. Police, Social Services etc

Signed _____ Date _____
Designation _____

ABC's can be used to deal with nuisance behaviour by people who are not tenants and although the agreement is not legally binding should the young person continue to act in an anti-social manner then the agreement could be used as evidence in subsequent legal action.

The 2003 survey shows that ABCs are now routinely used by nine out of ten (90%) Local Authority housing departments and seven out of ten (73%) of RSLs. Over the 12 month period March 2002 to April 2003, 59 landlords reported that they had used ABCs in 803 cases, with on average 6 contracts being issued by each landlord but with a range as high as 125 contracts per landlord. Respondents reported that most commonly the landlord (63%) took the lead role in issuing the contract, arranging meetings between the young person, their parents or guardian and the responsible officers but in over a third of cases the lead role was either taken by the police (15%) or was shared between the landlord and the police(22%). Whichever agency takes the lead role ABCs are essential a multi-agency form of intervention with representatives from the Police, Youth Offending Teams, Social Services, and Schools most frequently involved in drawing up the terms of the contract and assisting in monitoring the contract.

Dealing with breaches of the contract

On the whole, respondents in the 2003 survey reported that ABCs had proved to be a very effective form of intervention to deal with youth nuisance and anti-social behaviour by young people. Indeed without exception landlords stated that in their view ABCs were a cost effective form of intervention which could be successfully used to prevent cases from escalating into major problems requiring legal intervention as one respondent explained:

"We would look to using the ABC as an early deterrent which if broken could be used to justify ASBO proceedings....ABC's are a cost effective way to tackle anti-social behaviour because they are free"

Guinness Trust Housing Manager.

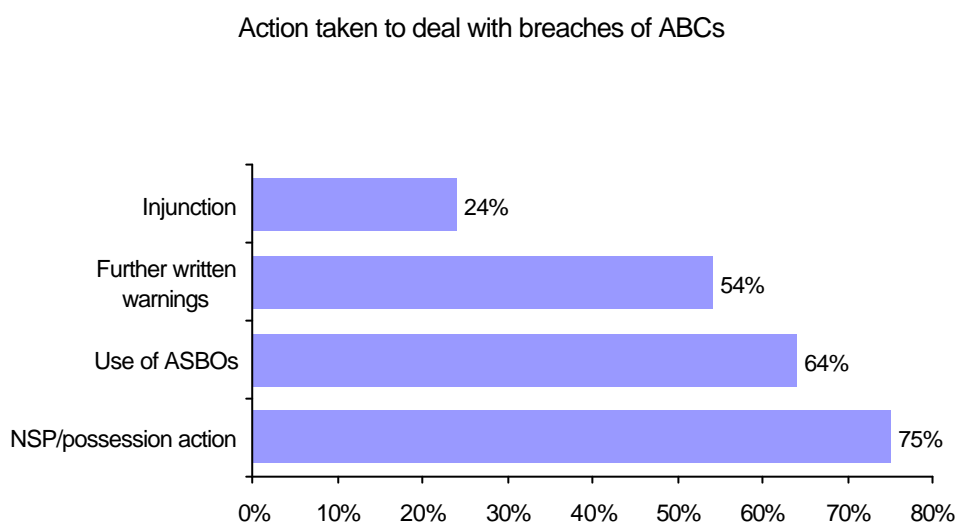
Where ABCs were breached landlords in conjunction with the other lead partners reported taking a range of action including:

- Issuing the parents of the young person with a NoSP/possession summons;

- Commencing ASBO proceedings using the breach of ABC as evidence of anti-social behaviour;
- Injunctive action;
- Re-interviewing the young person and giving them a final written warning.

Graph 8 below provides details of the interventions used by social landlords to reinforce the terms of the ABC.

Graph 8: Action taken by social landlords to deal with breaches of ABCs



ABCs represent a significant extra-statutory development in tackling youth nuisance and while most landlords were very positive about the results they were achieving in using ABCs many landlords stated they would welcome more guidance to ensure greater consistency in their use. Such guidance has in fact been published by the Home Office but perhaps needs to be more widely promoted and disseminated amongst social landlords. The *Guide to Anti-social Behaviour Orders and Acceptable Behaviour Contracts* (Home Office 2002) provides detailed information on, and examples of, ABCs including:

- A standard contract;
- Advice on how to obtain and monitor ABCs;
- Guidance on conducting an ABC meeting.

Copies of this publication can be obtained free of charge from the Crimereduction web site. www.crimereduction.gov.uk

Possession Action

Where landlords wish to seek possession against either their secure or assured tenants they must first serve a notice of seeking possession (NSP). As in previous years almost all respondents had taken this first step in at least one case during 2001/2002 (see Table 1, below). 54 landlords (68%) were able to provide figures on the exact numbers they had issued. Again as in previous years, there was a very wide range from 1 to 166, although 50% (27) had issued 11 or fewer. Three landlords had issued over a hundred nsps: all were local authorities.

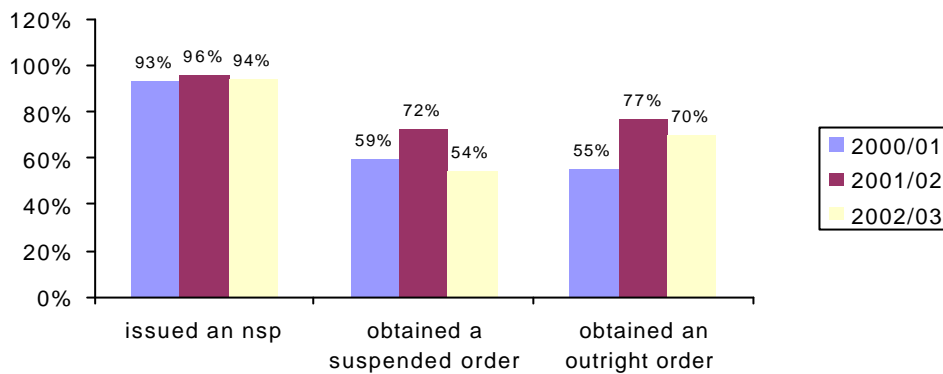
Table 1: Social Landlords Use of Possession Action 2000/01 – 2002/03

	Local authorities (number and % using remedy at least once in last 12 months)			Registered social landlords (number and % using remedy at least once in last 12 months)			Total (number and % using remedy once in last 12 months)		
	00/01 n=35	01/02 n=38	02/03 n=38	00/01 n=36	01/02 n=40	02/03 n=41	00/01 n=71	01/02 n=75	02/03 n=79
Issued an NSP	32 (91%)	35 (92%)	34 (90%)	34 (94%)	40 (100%)	40 (98%)	66 (93%)	75 (96%)	74 (94%)
Obtained suspended possession	20 (57%)	31 (82%)	23 (61%)	22 (61%)	24 (63%)	20 (49%)	42 (59%)	55 (72%)	43 (54%)
Obtained outright possession	24 (69%)	34 (90%)	29 (76%)	15 (42%)	24 (65%)	26 (63%)	39 (55%)	58 (77%)	55 (70%)

Compared to the fairly stable figures on the use of nsps, as can be seen from Table 2 and Graph 9, there appears to have been a decrease this year in the number of landlords who have obtained at least one possession order. The drop-off is most significant in relation to suspended possession orders (72% to 54%). While as in previous years local authorities are more likely to have obtained some form of possession order, the fall-off has occurred amongst both LAs and RSLs. There is no clear explanation of why this drop-off should have occurred. Several explanations are possible.

Graph 9 Social Landlords' changing use of possession action 2000/01 – 2002/03

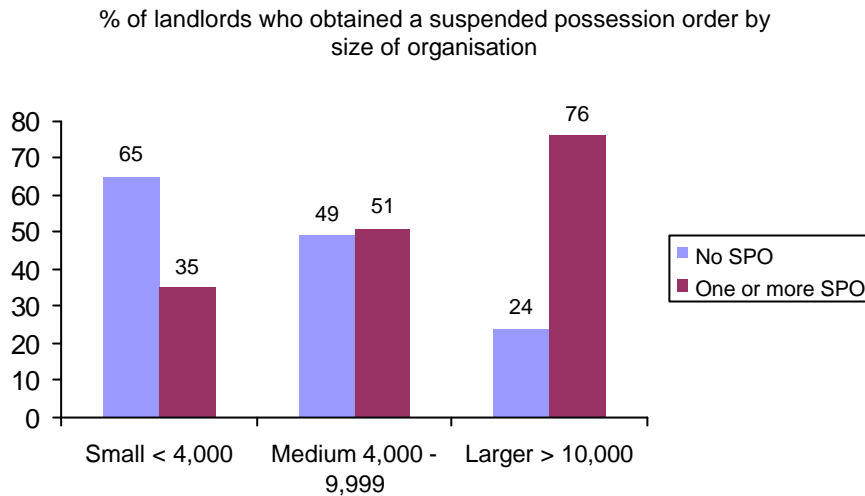
Social landlords' use of possession action 2000/01 - 2002/03



First it may simply be that, given different responses to the issue of an nsp, there will inevitably be a variation from year to year. A longer time-series of figures would be necessary to know if fluctuations are the norm. A second explanation is that there had been a switch to other forms of legal action, but this does not appear to be borne out by the figures for injunctions and anti-social behaviour orders (asbos), below. A third explanation is that landlords are getting better at early forms of intervention (particularly the use of ABCs), bolstered by the experience which specialist teams and officers give, and are accordingly resorting less to actual legal action.

Finally and perhaps most tellingly, this year we have a larger number of responses from landlords with a small or medium sized stock and fewer from large landlords. Notably the smaller landlords recorded a greater incidence of complaints. It may be the case that while these landlords have improved their recording procedures, they are not yet geared up to taking possession action, particularly to seeking suspended possession orders. This is to some extent borne out by a closer examination of the figures for suspended possession orders by size of landlord. As Graph 10 illustrates large landlords were more than twice as likely to have obtained at least one suspended possession order during the last year. A similar pattern also emerged for outright orders.

Graph 10: % of landlords who have obtained one or more suspended possession order by size 2003



Where landlords were able to provide exact figures for how many orders they had obtained there was again a range, although this was smaller than last year. While last year one RSL had obtained 129 suspended possession orders, the highest number overall (again by an RSL) was 32. The highest number of outright orders was 22, again by an RSL.

Injunctions

The use of injunctions is an important part of the anti-social behaviour strategy of many social landlords. In our initial survey in 2000/01 there was a marked difference in the number of LAs using injunctions compared to RSLs (62%: 39%). Last year, however, in relation to injunctions for breach of tenancy agreement (the main form of injunction available to both LAs and RSLs) a larger proportion of RSLs (57%) than local authorities (50%) stated that they had used an injunction for breach of tenancy at least once in the past 12 months. In 2002/03, while the number of LA landlords having obtained at least one injunction in the last 12 months has slightly increased (53%), there has been a drop in the numbers of RSL landlords to 41%. Again this may be a question of smaller RSL landlords not taking such action. The highest number of injunctions that any one landlord obtained was 21 by a LA.

Local authorities have additional powers to obtain an injunction under the Housing Act 1996, s. 152. Again there appears to have been a drop-off in the numbers of LAs using this remedy, with only 45% reporting using it in the past 12 months, compared to 60% of respondents in 2001/02. The highest number obtained by any one

authority was 8. Some problems have emerged over the use of s.152 injunctions because of the decisions of the Court of Appeal in *Enfield L.B.C. v. B* [2000] 1 W.L.R. 2259 and *Nottingham C.C. v. Thames* [2003] H.L.R. 14. In particular members of SLCNG have reported elsewhere that some courts will not grant them to protect owner occupiers residing in the locality of their own accommodation. It is not clear whether this is a cause for the reduction in the use of s.152 injunctions, but it cannot be discounted.

One of the proposals in the Anti-social Behaviour Bill is to repeal s.152 and introduce instead a broad injunctive power available to both LAs and RSLs, which will apply in cases of nuisance behaviour not just those involving actual or threats of violence. It seems likely that when this provision comes into force there will be an increase in the use of injunctions, although given that the current injunction powers are not yet being used by the majority of landlords (compared to the high use of nsps) it may need strong guidance to encourage their take-up and use.

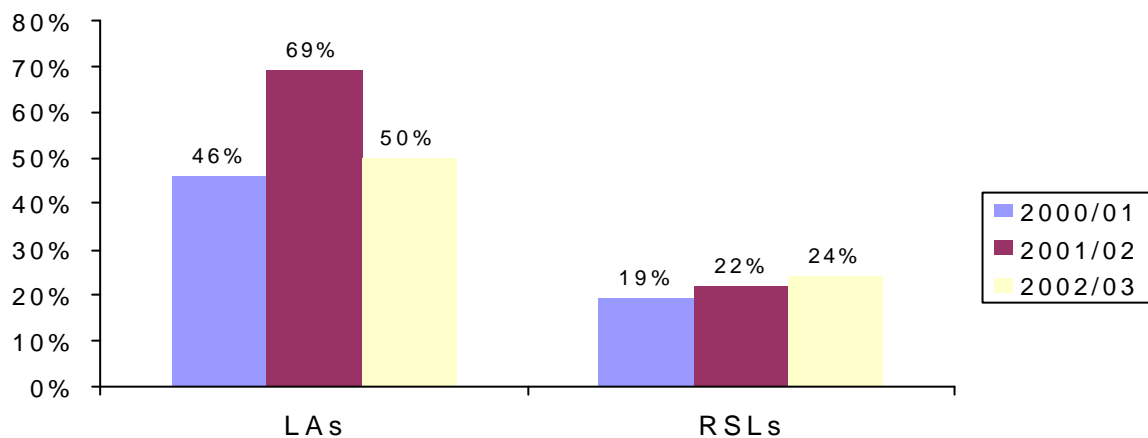
Anti-social behaviour orders

The use of anti-social behaviour orders under the Crime and Disorder Act 1998 has been increasing generally since they were introduced in 1999. The latest figures available on the dedicated crime reduction website (www.crimereduction.gov.uk) show a total number of applications since they were introduced some four years ago standing at 1143. Nearly 700 of these have, however, been obtained in the last 18 months. Their use by social landlords requires the landlord to have access to the partnership working set up by the local authority and the police to make decisions on applications for ASBOs. Not surprisingly local authority housing departments have found this easier to access than RSLs, and the numbers reporting having obtained at least one in the past 12 months remains higher for LAs than RSLs (see Table 2 and Graph 11). While there is a small upward trend for RSLs, for LAs, as with other legal action, there again appears to be a falling off in their use. The reasons set out above (p.23/24) in relation to possession action may also provide some explanation of why this should be so.

Table 2: Social landlords' use of ASBOs 2000/01 – 2002/03

Year	Local authorities			Registered social landlords			Total		
	00/01 n=36	01/02 n=35	02/03 n=38	00/01 n=35	01/02 n=35	02/03 n=41	00/01 n=71	01/02 n=70	02/03 n=79
No. and % of landlords obtaining at least 1 ASBO	16 (46%)	25 (69%)	19 (50%)	7 (19%)	7 (22%)	10 (24%)	23 (32%)	32 (45%)	29 (37%)

Graph 11: Social landlords' use of ASBOs 2000/01 – 2002/03



Given the low levels of ASBOs sought, particularly amongst RSLs we also sought to explore how easy respondents felt it was to initiate ASBO proceedings. Here there has been some improvement in the position from last year. In 2001/02, 97% of RSLs and 88% of LAs stated that they had found it difficult or very difficult to initiate ASBO proceedings. This year those figures have reduced to 71% and 55% respectively. This would suggest that those landlords who have become engaged with using ASBOs are generally becoming more familiar with the process, while others remain unfamiliar and have yet to develop procedures which enable them to engage easily with the CDRP.

The impact of the Police Reform Act 2002

In recognition of the difficulties that many CDRPs reported in the use of ASBOs the Police Reform Act 2002 introduced a series of changes designed to strengthen the use of ASBOs and enhance their effectiveness. The measures, the majority of which came into effect in December 2003 were as follows:

- The introduction of an interim ASBO designed to put a quicker stop to anti-social behaviour and help protect witnesses
- Extension of the geographical area an ASBO can cover from the local authority district to include the whole of England and Wales if necessary. This measure has been designed to address the problem of displacement amongst people who are likely to continue their anti-social behaviour in other areas.
- Power for the criminal courts to make an ASBO against a person on conviction for a criminal offence.
- Registered social Landlords and the British Transport Police empowered to apply directly for ASBOs
- The county court to have power to make ASBOS in particular circumstances and thereby remove the need for a separate legal process (this only came into effect in April 2003)

It is too early to measure the impact of these provisions in any detail although it may be noted that the following use of the new powers was reported by landlords:

Table 3: Use of new powers under Police Reform Act 2002

Type of action	Number	
	Local authority	RSL
Interim ASBO obtained	8	1
ASBO applicable outside district obtained	3	0
ASBO imposed on criminal conviction	7	2
Application for ASBO directly by RSL made or considered	N/a	18

Notwithstanding the early stage of the implementation of these measures, we were interested to establish how useful members of the SLCNG considered these measures and in particular if RSLs had been empowered to play a more active role in CDRPs by the provision enabling them to apply directly for ASBOs. Accordingly we asked RSLs who stated that they had not applied for or considered applying for an ASBO in their own name why not. The responses from 22 RSLs were essentially four-fold, with some RSLs falling into more than one category.

First and most frequently, RSLs stated that they preferred working through the police and local authority. This was sometimes allied with the second reason which encompassed the difficulty, cost and lack of experience in dealing with ASBOs. Thus one respondent commented that their organisation had:

"lack of experience of due legal process, plus working in partnership with council who are keen to proceed to ASBO but have not achieved one yet."

Thirdly several respondents noted that they simply had not yet had any suitable cases, but they were not ruling it out in the future. Again for some this was allied with the fourth reason, that they were seeking to use other measures such as ABCs, which were effective in dealing with the problems. One respondent noted that:

"other solutions have been more appropriate. The use of ABCs have negated against the use of ASBOs."

Given these responses it seems likely that over time the number of RSLs who are applying directly for ASBOs will increase, although some may choose to continue to work through the local authority and police, rather than take on the task themselves.

Cost-effectiveness of legal action

In this year's survey, for the first time, we also asked members' views of the cost-effectiveness of taking different legal action. This is of course, a crude way of measuring cost-effectiveness, being as it is very impressionistic, rather than a systematic evaluation of costs incurred and saved by the taking of different types of action.

In general the majority of respondents felt that all types of legal action were cost-effective. The outcomes varied between 71% feeling ASBOs and outright possession orders were cost-effective to 100% of respondents who had used s.152 injunctions stating that they were cost-effective (see table 4).

Table 4: Respondents' views on the cost effectiveness of different forms of action

Type of action	% considering it cost-effective
Notice of seeking possession	76
Suspended possession order	82
Outright possession order	71
Breach of tenancy injunction (without power of arrest)	83
Breach of tenancy injunction (with power	95

of arrest	
Section 152 injunction (with or without power of arrest)	100
Anti-social behaviour order	71

In order to explore this further it would be necessary to undertake more qualitative work with members to understand what lay behind these views, and to enter into a detailed costing exercise. We understand that the Home Office are currently seeking to commission research which may examine this further.

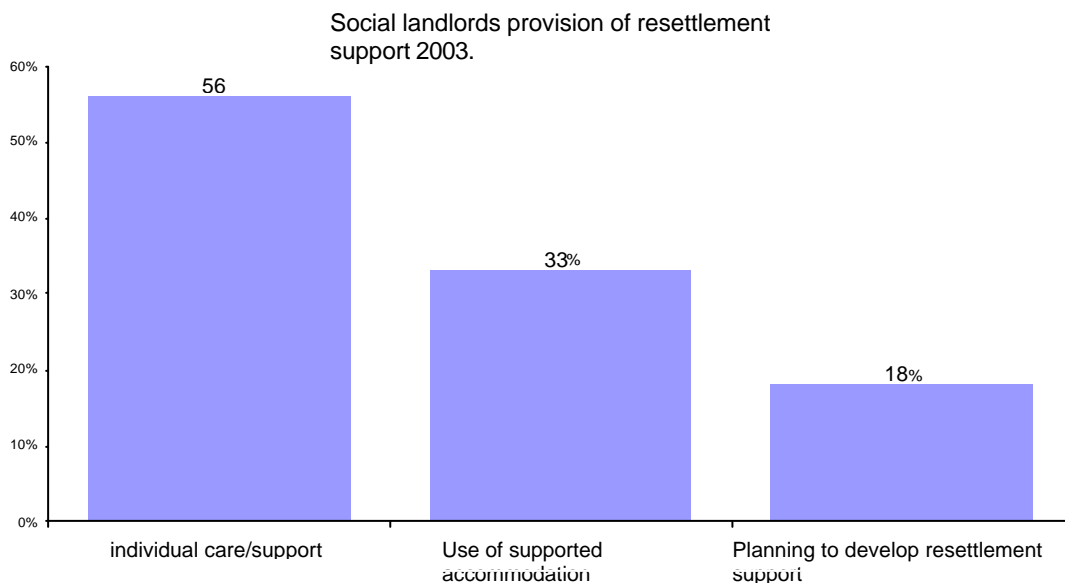
Section 6

Resettlement Initiatives and future developments

The White Paper *Respect and Responsibility – Taking a Stand Against Anti-Social Behaviour* (Home Office 2003) highlights the need for action to be taken to provide those behaving in an anti-social manner with support to change their behaviour. A Parenting Fund of £25 million was announced in 2002 to provide a range of services including, parenting classes and workshops, community based family centres, parenting help lines and home visiting services (para 2.11 Home Office 2003). Further, it was recognised that some families require specialist, intensive and long-term support tailored to their particular needs and the Home Office White Paper refers to the Dundee Families Project run by NCH Action for Children as an innovative model of intervention to deal with the underlying causes of the disruptive behaviours (para 2.28).

Social landlords are increasingly recognising that an important element of anti-social behaviour strategies is the provision of support and resettlement for perpetrators of anti-social behaviour. Since 2000/01 the proportion of social landlords investing resources in the provision of individual care/ support packages to deal with anti-social behaviour has doubled from 28% in 2000/01 to 56% in 2002/03, (see graph 12 below).

Graph 12: Resettlement services provided by social landlords 2003



Over half (56%) of the survey respondents stated they currently provide some form of individual support to households involved in anti-social behaviour. Most commonly

landlords were making use of floating support schemes to provide intensive tenancy support to such households:

“ we have a tenancy support service that we can refer anti-social tenants to and we have six supported accommodation projects where we can re-house people.” (RSL landlord)

“we offer a floating support service to individuals who have or who are deemed to be involved in anti-social behaviour or whose lifestyles may conflict with neighbours.” (RSL landlord)

In addition a third (33%) of respondents also referred households to a range of supported accommodation such as drug rehabilitation units, foyers and Family Support units provided by local, independent and voluntary agencies.

While the above forms of provision were considered valuable the 2003 survey provides evidence to suggest that an increasing number of landlords (18%) are interested in developing more specialist forms of anti-social behaviour resettlement provision. A couple of respondents were planning to refer families to the NCH resettlement projects being developed in Bolton and Manchester while a number of others stated that they are considering developing similar dedicated resettlement unit based on the Dundee Families model of provision:

“We are looking at resettlement to cover homelessness and associated problems with vulnerable groups to enable sustainability and social inclusion. A Dundee Family project is currently under consideration. (LA Landlord)

“As part of our current Best Value review we have identified resettlement as a gap in our practice, we are interested in the Dundee Families Project and whether it could be replicated in our area.” (RSL landlord)

Future Developments

Improved access to advice and information on new initiatives

As the introduction to this report made clear there has been no end to government legislation in this area, and yet more is in sight. The issue of anti-social behaviour is one that remains current as both a media and policy concern. This means that there is little time to bed down and evaluate one response, before landlords are having to move on to another. Some of these new measures directly affect social landlords, some are more tangential. The Police Reform Act 2002, e.g. introduced the new

Community Support Officer, who has power to issue fixed penalty notices for certain types of behaviour. We asked landlords whether any of the areas in which their stock was located was served or was about to be served by such officers. Knowledge of this amongst local authorities was much higher where only 13% (5) LAs did not know the answer. For RSLs, however nearly half, 49% (20) were unsure whether there were any plans to introduce Community Support Officers in areas in which their stock is located.

In order to be able to respond in a more informed manner to new initiatives practitioners stated they would welcome the development of a dedicated web site to be used as a forum for information exchange on innovative practice. In fact there are now a number of such sites providing fairly comprehensive guidance and information on how to tackle anti-social behaviour but many landlords are unaware of how to access them. The SLCNG should consider issuing a briefing note outline the current provision of online information including the following key sites:

- The Home Office Crime Reduction Web site contains up to date information on all aspects of the Government's Crime Reduction Strategy. The Anti-social Behaviour Crime Reduction Toolkits provide a summary of knowledge and good practice about anti-social behaviour, mainly from the crime dimension but also covering social housing issues. www.crimereduction.gov.uk
- The Home Office has a site dedicated to the Crime and Disorder Act 1998, where the relevant statutory and guidance materials can be found: <http://www.homeoffice.gov.uk/cdact/>
- The Office of the Deputy Prime Minister web site contains useful information about developing strategies to tackle anti-social behaviour and has published research and good practice guidance on landlord accreditation schemes, which is available to download from: www.housing.odpm.gov.uk/inforamtion/index02.htm
- The Audit Commission has a site dedicated to community safety issues at: www.audit-commission.gov.uk/comsafe

- RaceActionNet is an interactive password protected web site run by Lemos and Crane consultants which covers good practice in tackling racial harassment some of which is very useful in addressing anti-social behaviour. The web site address is www.RaceActionNet.co.uk

Improved local performance

Landlords who operated across a number of different local authority areas reported that their capacity to deal with complaints about anti-social behaviour varied according to how proactive the CDRP was and the approach taken by the lead agencies. As well as improving dissemination of good practice amongst social landlords there is a need for improvement in the performance of other partners to facilitate the work of social landlords and to bring the practice across the country up to the standards of the best.

Improved action to deal with perpetrators

This years' survey would seem to suggest a lower level of legal activity that in previous years. One explanation for this lies in the greater use of ABCs by many landlords. This early intervention especially if led by specialist teams, may well lead to a reduction in the need to take formal legal action. There was a strong belief amongst respondents in the efficacy of such action. On the other hand we would also suggest that some landlords, particularly small ones, have still not developed the expertise and confidence which encourages the use of legal action when it is appropriate. Such landlords would benefit from further guidance and training in the use of legal remedies as part of a holistic response to anti-social behaviour.

References

Home Office (2002) A guide to Anti-social Behaviour Orders and Acceptable Behaviour Contracts London Home Office Communication Directorate

Home Office (2003) *The White Paper Respect and Responsibility – Taking a Stand Against Anti-Social Behaviour*

Hunter, C, Nixon J, and Naylor L (2001) *Social landlords' anti-social behaviour services* Coventry Social Landlords Crime and Nuisance Group

Hunter C, Nixon J and Shayer S (2000) *Neighbour nuisance social landlords and the law* Chartered Institute of Housing/JRF Coventry

Nixon J, Hunter C and Shayer S (1999) *The use of legal remedies by social landlords to deal with neighbour nuisance* CRESR paper no.H8 Sheffield Hallam University

ODPM (2003) *Tackling anti- social behaviour in mixed tenure areas* London

Nixon J, Hunter C (2002) *Tackling anti-social behaviour a report of action taken by social landlords* May 2002 Coventry Social Landlords Crime and Nuisance Group

Appendix 1

The study methodology

The study aims were twofold:

- Building on early surveys undertaken in 2001 and 2002, to establish the extent to which members of the Social Landlords Crime and Nuisance Group had developed their anti-social behaviour services over the three year period 2000 to 2003 ;
- To examine practitioners' views on the effectiveness of different remedies and to consider what support landlords would like to develop their strategic and operational responses to anti-social behaviour.

The study was commissioned by SLCNG and was designed and undertaken by Judy Nixon and Caroline Hunter from Sheffield Hallam University.

The survey profile

The survey was conducted in April 2003 and a short postal questionnaire was sent to all the members of the Social Landlords Crime and Nuisance Group who comprise of a mixture of Local Authorities, Registered Social Landlords, Housing Action Trusts and a small number of Tenants Organisations, operating in a range of geographical locations across the county. The survey questions focussed on the priority given to dealing with anti-social behaviour, the types of anti-social behaviour most commonly complained about, the development of specialist asb services and the use of different remedies to tackle anti-social behaviour. Where quantitative data was requested organisations were asked to use data collected between the period 31st March 2002 to 1st April 2003 A small amount of qualitative data was obtained along with the mainly qualitative questionnaire data.

79 out of possible 194 landlords operating in England and Wales returned questionnaires giving a response rate of 41%. The 2003 survey included landlords operating in both urban and rural settings with respondents located across the county, some based in areas of low demand, others in areas of high demand for social housing.

The response from the Northern Ireland Housing Executive was analysed separately due to differences in the legislative framework. An equal number of LAs and RSLs responded to the questionnaire.

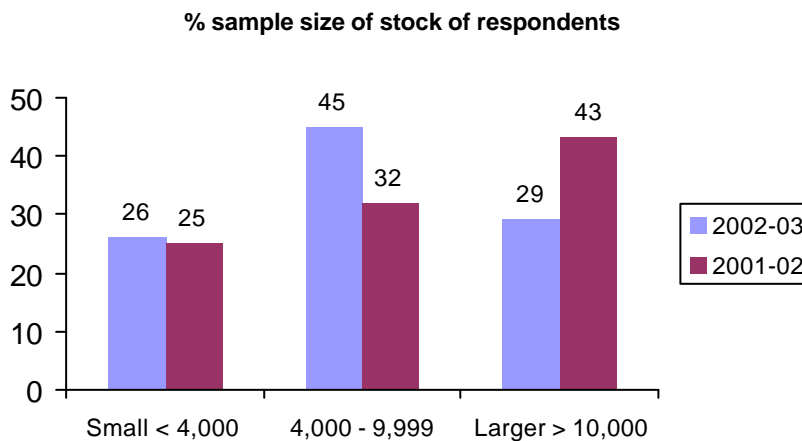
Details of the survey respondents are provided in Table 5 below.

Table 5: The Survey Response Rate

<i>Type of organisation</i>	<i>Sample size n=79</i>	<i>Total membership of SLCNG n =192</i>
Local Authority Landlords	38 (48%)	
Registered Social Landlords	41 (52%)	
Return rate	79 (41%)	
Total	(100%)	

Graph 13, below gives details of the changing composition of the survey sample. The 2002/03 sample included a fewer large landlords with stock in excess of 10,000 units.

Graph 13 The stock size of respondents 2002-2003



Appendix 3

Supplementary Tables

Table 6: Recorded complaints per 1,000 tenancies for LAs and RSLs for the period 1997/98² to 2002/03

	Sheffield Hallam Study 1997/98	
	LAs n=57	RSLs n= 29
Median rate of complaints	35	15
Range of complaints	Less than 3 - 285	Less than 1 - 135
	SLCNG Study 2000/01	
	LAs n=29	RSLs n= 24
Median rate of complaints	36	28
Range of complaints	Less than 1 - 234	Less than 6-283
	SLCNG Study 2001/02	
	LAs n=26	RSLs n=24
Median rate of complaints	36	31
Range of complaints	Less than 8 - 377	Less than 0-238
	SLCNG Study 2002/03	
	LAs n=25	RSLs n=34
Median rate of complaints	31	46
Range of complaints	Less than 2 - 173	Less than 0-290

² For details of the earlier study see Nixon J Hunter C and Shayer S (1999) *The use of legal remedies by social landlords to deal with neighbour nuisance* CRESR paper no.H8 Sheffield Hallam University