

CULTURE AND COMMUNITIES SCRUTINY PANEL

A meeting of the Culture and Communities Scrutiny Panel was held on Thursday 10 March 2022.

PRESENT: Councillors Councillor Chris McIntyre, R Arundale, S Dean, C Dodds, L Lewis, D McCabe and J Rostron

PRESENT BY INVITATION: Councillors

ALSO IN ATTENDANCE: K Anderson (ASB help) and H Saimbhi (CEO ASB Help)

OFFICERS: Susie Blood, Geoff Field, Jane Hill and Marion Walker

APOLOGIES FOR ABSENCE: G Wilson and M Nugent

21/23 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received at this point in the meeting.

21/24 **MINUTES - CULTURE AND COMMUNITIES SCRUTINY PANEL - 10 FEBRUARY 2022**

The minutes of the Culture and Communities Scrutiny panel held on 10 February 2022 were submitted and approved as a correct record.

21/25 **ASB HELP- SUPPORT FOR VICTIMS**

The Chair welcomed Harvinda Saimbhi, CEO of ASB Help and Katy Anderson, Practitioner Support Manager to the meeting.

The Panel had covered all terms of reference set, however one aspect undiscovered was the perceptions and impact of anti-social behaviour. BBC Panorama documentary – Anti-social behaviour- afraid in my own home, had recently been televised and spoken to the Mayor and local residents/ ward councillors within the Hemlington Ward.

During the programme, the former CEO of ASB Help featured and therefore the panel were thrilled to have them present at the meeting.

The CEO firstly provided some background to ASB Help, advised the following:

- ASB Help is a registered charity in England and Wales set up to provide advice and support to victims of anti-social behaviour in 2013.
- The Charity has a website that is dedicated to the memory of Fiona Pilkington from Leicester who in 2007 killed herself and her 18 year old disabled daughter Francecca after Leicester police failed to investigate her 33 complaints to them about harassment.
- Purpose and aim is to work with victims of anti-social behaviour (ASB). The founder of the Charity was adamant that what happened to Fiona should not happen again.
- ASB Help aims to provide information and advice to interested parties and members of the public involved with and suffering from anti-social behaviour.
- Following such high-profile cases of vulnerable victims who did not receive any help from the authorities, ASB help believe there is a clear need for coordinated information and advice that is readily accessible to those who need it.
- ASB Help primarily offer support through their informative website particularly focusing on equipping victims of anti-social behaviour with the necessary tools to effectively report it.
- They provide one to one support and advice to practitioners on a wide range of ASB areas, such as advice on cases, provide training, sit as independent chairs or panel

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members for community trigger meetings, lead on developing local ASB conferences or briefings to a range of audiences.

- ASB Help was also in the process of developing a practitioner site which will contain useful information, templates and best practice examples. They believe this is important because ultimately victims of anti-social behaviour will receive a better response where ASB practitioners are well-informed through sharing best practice, updates in the sector and opportunities to be innovative to get results for victims.
- ASB Help also plan to build up a database of information from visitors to the website on how effective they have found their local authorities and police to be in responding to reports of ASB, populated by our online survey.
- ASB Help have particular interest in the Community Trigger (also known as the ASB Case Review) introduced in the Anti-Social Behaviour, Crime and Policing Act 2014 to empower victims who feel they are being ignored by local agencies. They hope that they can assist victims in accessing their local Community Trigger and as we gain more knowledge and experience in this area, undertake political lobbying to ensure it is fit for purpose.
- ASB Help also encourage authorities to sign up to the Community Trigger ASB Help PLEDGE

Katy Anderson, Practitioner Support Manager provided the panel with further information on the community trigger ASB Help pledge. The panel were advised that the ASB Help Pledge was introduced in 2019, to get national consistency with the community trigger. The manager outlined that the guidance around community triggers can appear vague, and that they are aware all local authorities are set up differently, and this allows you to fit the community trigger round the key existing frameworks. However due to the vague guidance, there were a lot of inconsistencies across local authorities and the aim is to place the victim at the heart of the process and ensuring the victims voice is heard. It is not a complaints or accountability process- it is a problem solving exercise to address ongoing asb.

ASB Help therefore actively encourage local authorities to sign up to the ASB Help Pledge, by ensuring that they:

1. Promote awareness: Actively encourage the use of the community trigger to residents and partner agencies. One of the key things is that the community trigger is the voice of victim and where the agencies collectively agree an action plan.
2. Legality: Confirm your organisation is legally compliant and embracing the spirit of the community trigger. For example, having an independent chair and therefore ASB Help encourage local authorities to work together so that the Chair is completely independent from the area.
3. Ensure accessibility: Publicise the community trigger so the most vulnerable know what it is and how to invoke it.
4. Develop your process: Embrace the full potential of the community trigger by continually reviewing and learning from best practice.
5. Generate inclusivity: Use community trigger review meetings to work collaboratively and strategically, formulating solutions to end the anti-social behaviour. The guidance was updated in 2021 so that victims can now attend the community trigger review meeting or produce a statement to have their voice heard at the beginning of the meeting.
6. Establish a precedent of using the community trigger to put victims first and deter perpetrators.

ASB Help welcome interested organisations to look at what the Pledge is and how subscribing to it will show commitment to victims of anti-social behaviour. The Manager advised it is a really good tool when used well and they she has never sat in a community trigger meeting where has been no actions. ASB help can work with local organisations to work on these processes and then it also shows that local authorities/ organisations have worked with them to sign the pledge.

The CEO advised that Plymouth had recently signed the pledge and this has enabled them to get the housing associations to have a more joined up approach to the community trigger so that there is a much for smoother journey for the victim.

Following the presentation, a panel member outlined that the levels of asb across Middlesbrough are high and there is a general feeling that the town has been let down by the judicial system.

Head of Stronger Communities, whilst not being able to comment of the judicial service advised that Middlesbrough council are aware that they have a long way to tackle asb, however they work closely with partner agencies to look at this and address issues (as discussed in previous meetings with the panel). In terms of level of asb, there are pockets across the town, however looking at police records of asb over the past 5 years, the current level of asb is at its lowest.

The Manager of ASB Help advised that the definition of asb is subjective- key words are nuisance/ annoyance and alarm/ distress and we would never take away the seriousness of this. Even though it may be crime, the ASB tools and powers may be able to be used to address this due to the threshold test for civil legislation.

The Director advised that the term ASB is used a lot, however some activities currently being displayed is criminal activity and we are working with partner organisations to address this. The Council have daily briefings with partners to look at levels of asb/ crime and collectively we should set standards to ensure we have acceptable behavior across the town. The 2 year pandemic has also had a significant impact on crime and anti-social behavior.

A panel member also outlined that it would be useful to offer activities to deter anti-social behavior but sadly funding has put a stop to most of these activities.

The Head of Stronger Communities referred to the Asb policy (which would be circulated to panel members), where all early interventions are identified, including asb contracts, right to civil injunctions and criminal behaviour order. The Council work with colleagues from early help to registered social landlords to address these issues. In terms of perpetrators it is a 50/50 age split of perpetrators (under 24 years and over).

A panel member advised that they had never heard of the community trigger until the documentary and therefore felt wider promotion should be done on this.

AGREED- That the information be noted.

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COMMUNITY TRIGGER- SUPPORT FOR VICTIMS OF ANTI-SOCIAL BEHAVIOUR

Jane Hill, Strategic Community Safety Manager for Middlesbrough Council followed with a presentation in relation to community triggers. She started by reassuring the panel that Middlesbrough Council have an excellent team and victims of crime and asb are their upmost concern and we put them at the forefront of what the council do.

In terms of community triggers, as way of introduction:

- The Community Trigger was introduced under the Anti-social Behaviour, Crime and Policing Act 2014.
- Purpose - To give victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem solving approach to find a solution.
- Vulnerable or repeat victims of ASB being missed due to agencies working in isolation (Fiona Pilkington case)
- Information regarding problems in an area not being shared between agencies
- Poor coordination of problems and lack of problem solving or joint working between agencies

The following agencies are involved in the community trigger:

- Middlesbrough Council
- Cleveland Police
- Tees Valley Commissioning Group (CCG) if required
- Co-opted Housing Associations (Thirteen lead contact)

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The community can ask for the community trigger to be activated when it hits the following thresholds:

- An individual, business or community group has made **three** or more reports regarding the **same** problem in the past six months to Middlesbrough Council, Cleveland Police, or their Housing Association Landlord, or
- More than one individual, business or community group has made **five** or more reports about the **same** problem in the past six months to Middlesbrough Council, Cleveland Police, or their Housing Association Landlord.

The request for the community trigger to be activated when:

Qualifying requests:

- Requests cannot be made more than 6 months after the problems to review have occurred.
- Requests cannot be made where the problems were not reported to official agencies within 1 month of their occurrence.
- Generally requests cannot be made about problems that occurred outside of Middlesbrough.
- The Community Trigger process is a request for a **review**. It is not a **complaint** process.

The trigger process in Middlesbrough:

- All requests must be made by telephone, email or letter to the Council's Neighbourhood Safety Team.
- Acknowledgement letter sent.
- Information request made to all 'responsible' agencies
- Legal Services decide if threshold met
- Case Review Panel meeting arranged
- Applicant informed of outcome

The community trigger process would be circulated to the members after the meeting. The Manager also acknowledge ASB Helps comment regarding victims and their attendance at the case review meetings. In the past Middlesbrough has not invited victims, however following on from the meeting the procedures would be updated and all victims would be invited in the future.

The Manager made reference to the comment made by a panel member with respect to not being aware of the community trigger, and the Manager felt that more work was required to promoting the community trigger, this has been done in the past, however clearly needs reviewing.

The Manager outlined that the information on the Middlesbrough Council website did not provide full details of the Trigger and this has therefore been reviewed and new information will be uploaded as soon as possible by ICT. Middlesbrough Council also share good practice and the Manager made reference to Redcar and Cleveland who would be reviewing their process and proforma.

If the thresholds are met, the review panel will consider the following:

1. Have the reports been acknowledged?
2. Was the victims vulnerability assessed? The Manager outlined that she carried out some work with the Home Office to produce a matrix for Victims of anti-social behaviour which was rolled out nationally.
3. Did any response consider the vulnerability of the victim?
4. Was there appropriate information sharing / problem solving / joint working?

5. Were procedures followed?
 6. Was the victims vulnerability reduced to a satisfactory level?
 7. Was the problem reduced to a level where the behaviour reported is no longer a cause for concern?
 8. Case review panel may make recommendations and/or produce an action plan
- In terms of numbers of Community Triggers:

Community Triggers by Quarter – Financial Year 2021/22						
Quarter	Total	Date Received	Ward		Met Threshold	Appeals
Q1 (Apr-Jun)	2	Jun-21	North Ormesby		Y	N
		Jun-21	Coulby Newham		N	N
Q2 (Jul-Sep)	4	Jul-21	North Ormesby		N	Y
		Jul-21	Park End & Beckfield		N	N
		Aug-21	Brambles & Thorntree		Y	N
		Sep-21	Hemlington		N	N
Q3 (Oct-Dec)	4	Oct-21	Brambles & Thorntree		Y	N
		Dec-21	Berwick Hills & Pallister		Y	N
		Dec-21	Berwick Hills & Pallister		Y	N
		Dec-21	Berwick Hills & Pallister		Y	N
Q4 (Jan-Mar)						

There had been 10 to date, however the Manager outlined that in previous years there were few community triggers, however after the all member briefing, requests were made and therefore it shows that of you promote the trigger, they are requested.

The Manager outlined that Middlesbrough work very hard with partners, however one aspect that they fail is reporting back to the community e.g. need to report back on days of action. Lastly the Manager provided some information on the early interventions in Middlesbrough:

- Active Intelligence mapping (AIM) – multi agency problem solving approach (Chaired by Geoff Field)
- Operational task & finish groups
- Set up location individual perpetrator records
- Preventative measures/liaison with other agencies i.e. Police, Fire, Schools, Early Help, YOS, Social Care
- Evidence gathering – Diary sheets, CCTV, warden reports. We do struggle to gather evidence as many young people still wear masks so it is difficult to identify the perpetrators.
- Supporting victims (residents & businesses) throughout process
- Warning letters/home visits
- Acceptable behaviour contracts
- Joint patrols
- Final warnings
- Legal action (injunctions, house closures, Criminal Behaviour Orders, PSPO etc)

The Head of Stronger communities further stated that whilst the community trigger is a tool,

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there are also other tools (as outlined above) to support the victims. The overwhelming amount of anti-scoail behavior issues which are reported to the Council, we hope can we dealt with through the multi- agency approach.

The community trigger is a safety net and anyone can raise a community trigger or on behalf of the victim (subject to consent) and ASB Help outlined that the process of Middlesbrough council looked very thorough and in terms of promoting the pledge they would be happy to work with Middlesbrough.

The officers were thanked for their presentation.

AGREED- That the information be noted.

21/27

CHAIR'S OSB UPDATE

The Chair provided a verbal update to the Board from information received at the Overview and Scrutiny Board on 22 February 2022.

AGREED- That the update be noted.

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ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.

The Chair advised that the final report in relation to Enforcement in Middlesbrough would be submitted to the next meeting.