Anti-Social Behaviour Policy

Abstract

This policy and procedure describe an overarching response to a broad range of criminal and disorderly behaviours that may be defined as Anti-Social Behaviour (ASB) and incorporate partnership working to help solve problems and prevent further harm.

This policy outlines how Surrey Police will deal with ASB and applies to all officers and police staff who investigate or take complaints of ASB.

Supporting Documents

- Home Office Statutory Guidance for Front Line Practitioners
- Surrey ASB Case Review Process – Formerly Know as Community Trigger
- ASB Still Living a Nightmare – Victim Commissioner's Report 2024
- Giving Victims a Voice – Victim Commissioners Report 2024
- Surrey ASB and Community Harm Reduction Strategy 2024-2027
- Surrey Police ASB Action Plan 2026-2028
- Neighbourhood Policing Guarantee
- The ASB Hub - HARA Flowchart.pdf - All Documents

Policy

1. Introduction

1.1 The phrase Anti-Social Behaviour takes in a range of nuisances, disorder and crimes which affects people's lives on a daily basis. It looks different and feels different in every area and to every victim. What is considered anti-social by one person could be acceptable or tolerated by another.

1.2 The Home Office describes Anti-Social Behaviour as, 'any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life'.

The ASB, Crime and Policing Act 2014 describes ASB as:

conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,

conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or

conduct capable of causing housing-related nuisance or annoyance to any person.

1.3 Antisocial behaviour causes people to feel unsafe. It damages communities and it can destroy the lives of its victims. In the year ending 30 September 2024, about 1 million antisocial behaviour incidents were reported to the police. Each is potentially a cry for help from communities and victims.

However, antisocial behaviour is sometimes perceived, and referred to, as low-level crime by the police, the public and the media. This attitude doesn't reflect the significant impact it has on communities and on victims' lives, and the trauma sustained antisocial behaviour can cause – trauma that has led to loss of lives.

Dealing with antisocial behaviour effectively need not be complex. In many cases, effective early intervention can prevent incidents becoming more entrenched and difficult to resolve.

It is now widely accepted that ASB is a precursor to occurrences linked to other crimes such as hate crime, serious and organised crime (SOC), youth violence, knife crime and exploitation of the vulnerable.

2. Scope

2.1 This policy describes the process of how Surrey Police:

- Accurately records incidents of ASB.
- Assesses the risk to individuals.
- Prioritises the response required.
- Takes action to deliver positive outcomes for victims.
- Shares information with partners to solve problems and prevent further harm.

3. Policy Statement

3.1 Surrey Police recognise the right of individuals to live their life free from intimidation and fear and are committed to identifying and protecting people who are suffering harm as a result of the behaviour of others.

3.2 We recognise that the reduction of harm will often be beyond the capability of the Police Service and requires a coordinated approach with partner agencies. We will work with partners to identify and protect those individuals who are being caused personal harm as a result of the conduct of others, work with partners to positively

deal with those causing personal harm and further seek to remedy the cause within the affected communities.

3.3 This policy is to be applied in partnership with a problem-solving approach using the principles of Scanning, Analysis, Response and Assessment (SARA). Problem-solving and ASB are inextricably linked and both areas are supported by the Anti-Social Behaviour, Crime and Policing Act 2014. This specifies the powers available for dealing with individuals who behave in an anti-social way and the expectations from Parliament on how police and partner agencies will work together.
All the guidance and documents for problem-solving can be found on the HUB

3.4 Surrey police have signed up to the ASB Help Pledge and will support and promote the use of the ASB Case Review process.

Procedure

1. Introduction

1.0 ASB is defined at Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 as;

(a) Conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person

(b) Conduct capable of causing nuisance or annoyance in relation to that person's occupation or residential premises, or

(c) Conduct capable of causing housing-related nuisance or annoyance to any person

The Surrey ASB & Community Harm Reduction Partnership describes ASB as any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life

1.2 Surrey Police recognises that ASB is an "umbrella term" which means that it overarches a number of crime and incident types which can sometimes have other labels, such as bullying, harassment or hate crime.

1.3 What constitutes ASB is a subjective matter for individual interpretation because what is deemed as acceptable behaviour can differ between communities and age ranges. People have differing tolerance levels according to their own personal circumstances and characteristics; this may include people who are disabled, elderly or people with mental health conditions. It is therefore important to judge situations from the perspective of the individual suffering the harm and avoid the risk of providing a generic

response. Officers and staff dealing with ASB must focus on the circumstances and harm caused to the victim, who may require specific support

1.4 **The Harm Centred Approach**

Surrey Police has adopted a harm centred approach which means focusing on the harm being caused, whatever the behaviour being complained about, regardless of how another might view or react to the same set of circumstances.

2.0 Crime/Incident Recording

2.1 It is important that we record accurate data in the records we hold about protected characteristics. This data is critical to delivering outstanding public service because it deepens our understanding of what our communities demand from us, what response we currently give and where we need to improve. Protected characteristics can be defined as age, gender, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race (including colour), nationality, ethnic or national origin, religion or belief and sexual orientation. For more information refer to the Crime and Incident Disposal, Recording and Auditing Policy

If ASB is reported as a notifiable crime, each crime will be accurately recorded as required by the National Crime Recording Standard (NCRS). If a crime forms part of problem-solving activity, where the objective is to obtain, for example, a Civil Injunction, the crime should be recorded, but the evidence will form part of the wider problem-solving file. Where ASB is recorded as a notifiable crime, the ASB qualifier must be used in NICHE.

2.2 Definition of "Harm"

Harm, for the purposes of ASB, is the harm caused to individuals (personal harm). It includes mental or emotional harm as well as physical harm. Mental and emotional harm can have extreme consequences on the quality of life for victims. On the harm continuum, ASB Personal is likely to have a higher impact on the victim than ASB Nuisance or ASB Environmental.

2.3 ASB Definitions

The three categories of ASB that Surrey Police will adopt are:

- ASB Personal, ASB Nuisance and ASB Environmental.

ASB Personal.

Are incidents that the caller, call-taker, or anyone else perceives as either deliberately targeted at an individual or group, or having an impact on an individual or group, rather than the community at large.

ASB Nuisance.

Are incidents where an act, condition, thing, or person causes trouble, annoyance, inconvenience, offence or suffering to the local community in general rather than to individual victims. It includes behaviour that goes beyond the conventional bounds of acceptability and interferes with public interests including health, safety, and quality of life.

ASB Environmental.

Are incidents where the behaviour of individuals or groups is having an impact on the surroundings, including natural, built, and social environments, to the detriment to others

3.4 Opening/Closing Codes

Officers and staff creating STORM Computer Aided Dispatches (CADs) must only use ASB opening/closing codes if no crime is present. It is recognised that there may be a degree of subjective assessment as to who is impacted by the conduct, and therefore which category of ASB an incident may be in.

Where the circumstances are such that an incident may be ASB Personal and/or ASB Nuisance or ASB Environmental, it should always be recorded as ASB Personal in reflection of the greater risk of personal harm being caused.

Investigating officers and reviewing officers should always be mindful about a potential wider impact and ensure that this is reflected in the measures taken to manage the ASB concerned.

3.5 Incidents which will not be considered as ASB

The following will not be considered as ASB, and this policy will not apply to them:

ASB can be difficult to define, and although annoying, there are some types of behaviour that are not classed as anti-social unless it is targeted and/or of a persistent nature, these include:

Children playing in the street or communal areas - unless they are being threatening or intimidating or causing damage to property

People gathering socially - unless they are rowdy, inconsiderate and being intimidating to individuals

Being unable to park outside your own home on the public highway

DIY or off-road car repairs - unless these are taking place late at night or early in the morning

Lifestyles differences i.e. cultural differences, food smells, work shift patterns

Occasional or one-off events i.e. birthday parties, barbeques, other celebrations

Noise caused by everyday living i.e. walking around, loud conversations, doors opening and closing, lawn mower

Fireworks when used lawfully, to find out more please read the Government Guidance Fireworks: The Law

Property boundary disputes

3.6 Hate Crime/Incidents

Surrey Police have a stand-alone Hate Crime Policy. If matters being reported as ASB are hate crimes, then the Hate Crime Policy should be followed in parallel with this policy.

4. Hate and ASB Risk Assessment (HARA) & Victim Support

4.1 A Hate and ASB Risk Assessment (HARA) is a risk assessment utilised by Surrey Police to determine the risk of harm being posed to an individual(s). Professional judgement and investigation are crucial to the process. Effective identification and management of vulnerability, repeat victimisation, and ongoing harm are essential to reducing risk and improving outcomes for victims.

The HARA has a risk scoring matrix. Best practice is for this to be completed face to face with the victim, rather than on the telephone but Surrey Police recognises that this will be completed on the telephone in some circumstances. The risk assessment should be completed as a conversation with the victim and without reference to the scores and associated levels of risk. The form automatically allocates scores to the questions which will be invisible to the officer at the time of completing. It is recommended that officers do not give the victim the options for the answers but ask open questions and then based on the answer determine the most appropriate option.

The key elements of this assessment include:

• Frequency of behaviour reported.

• Identification of the victim’s specific vulnerabilities.

• Overall impact on the victim of the behaviour being complained of.

Any one of these may indicate a significant risk when ASB is involved and if they appear together, “very considerable problems may be present”.

A HARA must always be completed for ASB Personal. HARAs must also be completed where the information from the victim or informant or any other party in the case of ASB Nuisance or ASB Environmental indicates a repeat or vulnerable victim(s).

It is important to understand the cumulative effect that relatively minor incidents can have when a person is repeatedly subjected to them. Research has shown that acts of bullying or victimisation tend to become more serious, both in nature and in terms of the harm they cause, the more they are repeated.

Similarly, to domestic abuse, vulnerable victims can be reluctant to report incidents of ASB. When they do, they have often already suffered significantly. It often takes a vulnerable person a lot of courage to make a report for multiple reasons, including fear of reprisals and feeling they may not be taken seriously.

Therefore, when reports are made, it is important that officers use the opportunity and time to gain the full picture of what has been happening.

The ASB The ASB Hub - HARA Flowchart.pdf - All Documents should be followed in **all** reports of ASB made to Surrey Police. A copy of the flow chart can be found in supporting document attached to this policy.

The key features of the flow chart are

- All reports of ASB Personal should have a HARA completed.
- All Medium and High scores should be tasked to Safer neighbourhood teams (SNT)
- All medium risk cases must be reviewed by a supervisor.
- All High-risk cases must be reviewed by a supervisor and then referred to ~~the~~ an Inspector prior to termination of duty.
- In High-risk cases, the Inspector should ensure that fast time actions are completed to reduce or manage the risk and should ensure that the risk is handed over to the oncoming Inspector.
- All cases referred to SNT must have HARA Harm reduction plan completed.
- A Repeated HARA should be completed prior to filing.

See The ASB Hub - HARA Flowchart.pdf - All Documents in supported documents

4.2 ASB Case Review

The ASB Case Review (formerly known as the Community Trigger) is an important statutory safety net which gives victims and communities the right to request a review of their case, where they believe they have not had a satisfactory response

to their reports about anti-social behaviour. Where a locally determined threshold is met, the relevant bodies in the local area have a statutory duty to undertake a review. The ASB Case Review should not be perceived as a complaint, but instead an opportunity for agencies to find a solution for the victim(s) of the anti-social behaviour. Anti-social behaviour can often be motived by hate. In Surrey, the ASB Case Review will therefore be used for Hate Crimes and Incidents too.

The ASB Case Review can be activated by the victim of anti-social behaviour or another person acting on their behalf with the victim's consent. This might include a family member, friend, carer, councillor, Member of Parliament or other professional. The victim may be an individual, a business or a community group.

The threshold for the ASB Case Review in Surrey is:

Where a person has reported three qualifying incidents of anti-social behaviour and/or Hate Incidents within a six-month period and is dissatisfied with the response they have received.

The definition of anti-social behaviour in this context is behaviour causing harassment, alarm or distress to a member or members of the public. When deciding whether the threshold is met, agencies should consider the cumulative effect of the incidents and consider the harm or potential harm caused to the victim, rather than rigidly deciding whether each incident reached the level of harassment, alarm, or distress.

For the purposes of the ASB Case Review, a qualifying incident is:

• Where the anti-social behaviour was reported within one month of the alleged behaviour taking place; and

• The application to use the ASB Case Review is made within six months of the report of anti-social behaviour.

NB The three incidents do not need to have been reported to the same agency.

If the threshold is met, an ASB Case Review meeting MUST take place.

The ASB Case Review application is manged by the Local Authority Community Safety Teams via their website or their usual contact options: The links to their pages can be found on the Health Surrey Website -Request an ASB Case Review

In Surrey we promote and champion the use of the ASB Case Review when speaking to victims of ASB

5. Perpetrators of ASB

This policy rightly focuses on the harm that ASB can cause victims. Officers must also be alert to the possibility that some perpetrators of ASB are vulnerable, or whose protected characteristics may be influencing how they are perceived by others. This may include, for example, a perception by some that young people cause the majority of ASB which could lead to reporting bias. Another example might include a lack of understanding about a disability or neurodivergence, and how this might lead to a perception that their behaviour is intentionally anti-social.

As well as ensuring that they are dealing with victims as individuals and taking their perspective into account, officers must also consider any potential bias that may be being directed towards a perpetrator and ensure that any resolution does not treat people unfairly

Where a perpetrators behaviour warrants intervention than Surrey's ASB Specialists should be consulted for advice and support in securing any court applications.

6. Partnership Working

Section 17 of the Crime and Disorder Act 1998 states that Statutory partners also have a duty of care when it comes to reducing the harm ASB and Crime cause; this often means that they are best placed to lead on a case or issue. This does not mean they have to complete all the work but means they are jointly responsible for ensuring that all the work is completed and reviewed.

The lead agency will be the one that is likely to have the greatest ability to have the most positive impact in resolving the situation causing the ASB.

Surrey has a strong and well-established partnership approach to tackling ASB and reducing community harm. It has its own Partnership Boad which produces and works towards a partnership action plan and reports to the Surrey Community Safety and Prevention Board for oversight and scrutiny. This collaborative thinking ensures there is a "one Surrey" approach to ASB, which has seen the production of joint partnership guidance and co-commissioned services to support ASB victims. Operationally, the local areas all manage partnership problem solving meetings to deal with issues

This is managed via the Community Harm Risk Management Meeting (CHARMM) for individuals (offenders & victims) and Joint Action Group (JAG) for locations or crime trends linked to ASB.

Information Sharing is vital to effective partnership working and is facilitated by creating good partnership relationships and data sharing agreements. You can find the Force Policy for sharing data with partners here and more information on partnership information sharing via the Crime and Disorder Information Sharing Protocol

7. Governance Structure

The Force has a Lead officer for ASB who is responsible for ensuring the Force produces an Action Plan to tackle ASB. The Force lead has a quarterly ASB Force Performance Board which is the delivery forum where the 'We Prevent Crime and Solve Problems' mission within Our Plan, specifically, 'Reduce ASB' is overseen and corresponding activity is driven

The ASB Performance Board will be responsible for monitoring and delivering the ASB Action Plan and ASB performance as per the agreed targets, with reporting into the ACC Local Accountability Board and the Crime Data Integrity Board as required. The board will also drive activity to reduce hidden crime within ASB incidents and will be the forum for Divisional attendees to share ASB best practice across Boroughs and Districts

The ASB lead also consider the aims and objectives of the Surrey Retail Crime Strategy along with the following working groups/strategies which have a crosscutting theme of ASB within their strategies: Serious Violence Reduction Strategy, SCC - Place Ambition Priority Theme 3 - Enhance the place offer of Surrey's towns and urban areas, Hate Crime Strategy, Surrey Fire and Rescue Community Protection Plans, Community Safety Agreement, Surrey Combating Drugs Partnership, Surrey Serious and Organised Crime Strategy, Domestic Abuse, Surrey Health and Wellbeing Strategy, Violence Against Women and Girls and local Community Safety Partnership Plans End

Team – Prevention and Problem-Solving Team