

REPORT TO: COMMUNITIES COMMITTEE ON 16 February 2010

SUBJECT: SCOTTISH GOVERNMENT REPORT – PROMOTING POSITIVE OUTCOMES: WORKING TOGETHER TO PREVENT ANTISOCIAL BEHAVIOUR

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 The reason for this report is to bring to the attention of the Communities Committee the recently published Scottish Government report Promoting Positive Outcomes – Working together to Prevent Antisocial Behaviour in Scotland.
- 1.4 This report is submitted to Committee in terms of the Council's Administrative Scheme relating to Safer Communities.

2. RECOMMENDATION

- 2.1 **The Communities Committee are asked to note the Strategic Aims identified in the Promoting Positive Outcomes report and the strong links between tackling Antisocial Behaviour and achieving the National Outcomes 9, 10 and 11.**
- 2.2 **The Committee is also asked to note the measures The Moray Council have had in place since the introduction of the 2004 Act to prevent antisocial behaviour and the additional initiatives to demonstrate the Council's commitment to deal with antisocial behaviour in a robust but fair manner.**

3. BACKGROUND

- 3.1 The Antisocial Behaviour (Scotland) Act 2004 created a statutory duty on local authorities to take the lead in tackling antisocial behaviour. The underlying objective was that although the Council would take the lead all public sector partners should contribute equally to the common purpose of reducing antisocial behaviour.
- 3.2 The Promoting Positive Outcomes report was commissioned by The Scottish Government to review the Antisocial Behaviour legislation and procedures. The main recommendation of the report was that antisocial behaviour is best tackled by prevention and early intervention. The Promoting Positive Outcomes Report is available on The Scottish Government website – **www.scotland.gov.uk**.
- 3.3 The report acknowledges that the Antisocial Behaviour (Scotland) Act 2004 made a difference to the lives of people within communities in Scotland. It empowered the Community Safety Partnerships (The Partnership) and

communities to stand against antisocial behaviour, however, the review has confirmed there are opportunities to strengthen the act and be smarter in the way partnerships tackle the problem.

- 3.4 As well as preventing antisocial behaviour there is a need to address the causes such as drink, drugs and deprivation; promote positive behaviour; create more choices and chances which are a few of the ten recommendations.
- 3.5 The report highlights three opportunities where amendments to the Antisocial Behaviour (Scotland) Act 2004 may prove beneficial. These are
- Changes to the list of offences eligible for Fixed Penalty Notices.
 - Simplify the Seizure of Vehicle powers and extend them to cover stationary vehicles.
 - Extend Closure Order powers to include Local Authorities.
- 3.6 The Promoting Positive Outcomes identifies four strategic aims within the new framework and a shift of emphasis from enforcement to prevention and early intervention. The use of enforcement measures will continue to be applied in a fair and balanced way to protect individuals and communities in need of assistance. The strategic aims are as follows:-
- Prevention
 - Integration
 - Engagement
 - Communication

All these aims were already identified by The Partnership as priorities and actions allocated to each aim.

- 3.7 Prevention is being addressed by The Partnership through a number of interventions which include Street Football, Midnight Football, Links with Getting it Right for Every Child, Operation Avon's and the use of Acceptable Behaviour Contracts (ABC). A successful bid was made to the Fairer Scotland fund which will enable an ABC/Restorative Justice person to co-ordinate and promote the early use of ABCs and Restorative Justice techniques.
- 3.8 The Partnership has a long history in working together and has an established Information Sharing Protocol which allows for the early identification of antisocial behaviour problems or individuals causing concern. This early identification allows for interventions to be put in place by relevant partners to address the identified issue. The Strategic Assessment and the services of the Community Analyst facilitates the effective sharing of information and intelligence between the partners and allows for interventions to be put in place on an evidence and intelligence led basis. The Business Model and

structure used by The Partnership demonstrates a solid framework for integrated working.

- 3.9 The Community Safety Partnership and in particular the Antisocial Behaviour Service undertake regular surveys to ensure the priorities identified by communities are being tackled. The Partnership further engages with communities through the customer care survey which is sent to every customer making use of the Antisocial Behaviour Service. Community Wardens attend on a regular basis Community Council and Local Area Forum meetings and feed back to The Partnership the concerns of their respective communities.
- 3.10 There is regular communication with local media and radio and they are very supportive in promoting initiatives undertaken by The Partnership. An Antisocial Behaviour Helpline is also available to the communities in Moray to report confidentially any antisocial behaviour. Community Wardens are in constant contact with their communities in their daily patrols and communicate to The Partnership community intelligence which contributes to the prioritising of initiatives.
- 3.11 The policy and procedures introduced by The Moray Council when the antisocial behaviour legislation was introduced addresses many of the recommendations identified in the Strategic Aims contained within the Promoting Positive Outcomes document. The Moray Council, however is not complacent and constantly evaluates policy and procedures to ensure they adequately address the priorities contained within the Strategic Assessment, Promoting Positive Outcomes Strategic Aims and National Outcomes 9,10 and 11.

4. SUMMARY OF IMPLICATIONS

(a) Single Outcome Agreement/Service Improvement Plan

This report identifies the Scottish Government's four strategic aims for tackling antisocial behaviour and how this will contribute to all five of their National Outcomes. However, making our communities safer and stronger will focus primarily on National Outcomes 9, 10 and 11.

(b) Policy and Legal

The Moray Council has a statutory obligation in terms of the Antisocial Behaviour etc (Scotland) Act 2004 to tackle all forms of antisocial behaviour.

(c) Resources (Financial, Risks, Staffing and Property)

None

(d) Consultations

Sgt Adrian Moar, Partnership Development Officer, Grampian Police and all Community Safety Partnership members have been consulted and are in agreement with the contents of this report.

5. CONCLUSION

5.1 The Communities Committee are asked to note the Strategic Aims identified in the Promoting Positive Outcomes report and the strong links between tackling Antisocial Behaviour and achieving the National Outcomes 9, 10 and 11. The Scottish Government report identifies four strategic aims and a shift of emphasis from enforcement to prevention and early intervention. The use of enforcement measures will continue to be applied in a fair and balanced way to protect individuals and communities in need of assistance.

5.2 The Committee is also asked to note the measures The Moray Council have had in place since the introduction of the 2004 Act to prevent antisocial behaviour. It highlights additional initiatives introduced by the Council to demonstrate its commitment to deal with antisocial behaviour in a robust but fair manner.

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Background Papers: Promoting Positive Outcomes – Working together to Prevent Antisocial Behaviour in Scotland. This document is available from The Scottish Government website.
www.scotland.gov.uk

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