

Antisocial Behaviour Thematic

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Reviewing Scotland's Approach to Antisocial Behaviour Scottish Community Safety Network and Scottish Government, 7th November 2023; [Link here](#)

Context

- The former Minister for Community Safety, Ash Regan MSP, asked the Scottish Community Safety Network (SCSN) and the Scottish Government to review antisocial behaviour (ASB) in Scotland.
- The review was based on 25 stakeholder sessions which involved close to 250 people from both urban and rural settings across different parts of Scotland (including those who have experienced ASB, frontline staff who seek to prevent and tackle ASB in their community and equality groups which include those who represent minority communities in Scotland).
- The report is clear that the findings do not amount to a definitive statement on what people feel needs to be done to address antisocial behaviour and that further work is required – it may be regarded as a “stepping stone” to identifying potential themes and areas of interest for future work.

Summary/Findings

- The definition of ASB given in the Antisocial Behaviour etc. (Scotland) Act 2004 is noted to be “extremely broad” and that ASB can “mean various things to different people” which is problematic in having a consistent approach to ASB. The definition of antisocial behaviour in the act (aside from Parts 7 and 8 which relate to local authority duties around housing) is as follows:
 - A person engages in antisocial behaviour if they (a) act in a manner that causes or is likely to cause alarm or distress; or (b) pursue a course of conduct that causes or is likely to cause alarm or distress, to at least one person who is not of the same household (section 143(1)).
- While reported ASB rates have been broadly in decline over the past 10 years, concerns remain high amongst communities and individuals.
- The report outlines several thematic areas that became apparent over the review. These include:
 - **Root causes** – Poor mental health; misuse and influence of drugs and alcohol; poverty; stigma and stereotypes; housing; and Covid-19 pandemic.
 - **Preventing and addressing antisocial behaviour - improving our approach** – Early intervention; constraints on resources; hate crime linkages; considering gendered aspect to ASB; challenging stereotypes around ASB; mistrust of authorities; promoting greater understanding of others; community engagement and co-production; community-led solutions; joined-up working and services; person-centred and trauma informed approach; better support for victims; support for those committing ASB and professionals who deal with ASB; public sector services and multi-agency partnerships.
 - **Refreshed approach to antisocial behaviour:** development of standard definition; improving reporting process; updating legislation; penalties; alternatives to penalties and arrest; use of mediation and restorative justice services; housing considerations; advocating a refreshed approach to ASB; and having evidence-based approaches and evaluation for any revised ASB policy/intervention.

Antisocial Behaviour Thematic (continued)

Summary/Findings (continued)

- While the above covers many areas of relevance to policing, insights that specify policing include the following:
 - Police and civil enforcement were noted to be impacted by resource considerations, along with feelings of key community roles with prevention focus (e.g. community policing and wardens) being eroded.
 - Housing associations deal with ASB differently with some leaving them to the police, others having ASB Officers etc. so support varies regionally and nationally.
 - Regarding hate crime, some communities were noted as being wary of reporting issues to police due to, for example, fear of retaliations or lack of trust with the authorities.
 - Police were suggested to have a crucial role in building trust and community relationships via community police officers (and school police liaison officers with young people). However, building up relationships could be short lived with officers diverted into operational duties and police need more support/training in working with communities/people.
 - Bringing together police, social work, health services (including co-located shared hubs) was suggested to allow greater information sharing, communication and collaboration. Local Authorities and Police Scotland working better together was also suggested by a respondent to explore improved data sharing opportunities and collaboration.
 - It was felt that [Police Architectural Liaison Officers](#) should be involved in new housing developments at the design stage.
 - The [Lothian Buses Police Liaison Officer](#) was seen as good practice for early intervention and diversionary work.
 - Police custody was mentioned as providing an opportunity for intervention.
- One respondent from the voluntary sector noted "police attitude towards people inflames rather than de-escalates the situation". Another from an equality group felt "Local Authorities and other organisations, such as Police Scotland, youth services, and housing associations, are failing to meet obligations to observe equal opportunity requirements in antisocial behaviour policy and practice".
- There were two recommendations in the report:
 - **Recommendation 1:** That Scottish Ministers, and statutory, non-statutory and voluntary sector service providers and communities themselves recognise that our approach to preventing and tackling antisocial behaviour needs to be a long-term approach and that there needs to be a programme of activity which will provide a framework that will guide taking forward this agenda in alignment with other linked national policies.
 - **Recommendation 2:** The setting up of an independently chaired group of experts (potentially including statutory, non-statutory and voluntary service providers, community representatives and other key interests) to develop a long-term framework for addressing antisocial behaviour (this has already been [announced](#) with membership in development). The group will be jointly Chaired by Fiona Dyer, Director of the Children and Young People's Centre for Justice (CYCJ), and Lorraine Gillies, Chief Officer at the Scottish Community Safety Network. The Authority has previously worked with both Chairs, including on the [Places of Safety for Children in Conflict with the Law Event](#) and our [national polling on antisocial behaviour](#).

Antisocial Behaviour Thematic (continued)

Previous Oversight by the Authority

- In Summer 2023 the Authority commissioned national polling on antisocial behaviour, with questions developed in partnership with the SCSN, which was presented to the Policing Performance Committee in [September 2023](#).
- The Authority and Police Scotland [Community Confidence Action Research Project](#) has heard about perceived issues around antisocial behaviour in all four areas the project is active in, with a perceived lack of police response in this area being felt to impact confidence in policing. Findings for the evaluation in the Letham area also indicate the importance of community officers (instated as part of the project) but the subsequent negative impact of officers being pulled away for response policing.

Future Oversight by the Authority

- Authority staff are preparing a public briefing on antisocial behaviour in Scotland.
- The Authority and Police Scotland [Community Confidence Action Research Project](#) will close in April 2024 with final reporting anticipated for mid-2024.
- Police Scotland will be presenting further detail on their approach to antisocial behaviour committee during 2024, which will be informed by the work of the national group.

External Sources

- CYCJ - [Independent Antisocial Behaviour Working Group announced - Children and Young People's Centre for Justice \(cycj.org.uk\)](#) – 8th November 2023
- SCSN - ['Reviewing Scotland's Approach to Anti-Social Behaviour' – Scottish Community Safety Network \(safercommunitiesScotland.org\)](#) – 7th November 2023
- Scottish Government - [Tackling antisocial behaviour - gov.scot \(www.gov.scot\)](#) – 7th November 2023