



**Open Report on behalf of Martyn Parker, Assistant Director Public Protection, Adult Care & Community Wellbeing**

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| Report to: | <b>Public Protection and Communities Scrutiny Committee<br/>Crime and Disorder Scrutiny Committee</b> |
| Date:      | <b>25 July 2023</b>   |
| Subject:   | <b>Anti-Social Behaviour Community Trigger</b>  |

**Summary:**

This report provides information on the Anti-Social Behaviour (ASB) Community Trigger and the countywide process established in Lincolnshire by the Safer Lincolnshire Partnership (SLP) Anti-Social Behaviour Core Priority Group (ASB CPG). This topic area comes at the specific request of Committee Members.

**Actions Required:**

The Public Protection and Communities Scrutiny Committee is invited to:

- (1)** Review and comment on the detail of the contents of this report;
- (2)** Endorse the report and commit their support in helping SLP raise awareness of the Community Trigger and how it can support victims of persistent ASB, throughout Lincolnshire;
- (3)** Request that a follow up report be submitted in the next year, providing updates and progress against set targets and actions, as these are set out within the SLP delivery plan.

## **1. Background**

The Anti-Social Behaviour Core Priority Group (ASB CPG) forms part of the Safer Lincolnshire Partnership (SLP) (see Appendix 1 for Structure Chart) and is responsible for delivering a series of actions set out within the SLP delivery plan. The group comprises of a wide range of organisations, each having a role in the response to ASB, whether that be through enforcement action or providing a support service. The ASB CPG work closely with each of the CPGs across the SLP to address cross cutting themes and avoid duplication.

The current objective for the ASB CPG is to work with partners to increase awareness amongst professionals and communities on neighbourhood ASB; to have the mechanisms in place to resolve neighbourhood ASB within a timely manner and decrease the number

of severe cases, including a reduction in the number of cases that escalate. This involves exploring the contributing factors linked to neighbour disputes and potential opportunities to improve our response and prevent an escalation in such cases of ASB.

In addition to this work, the ASB CPG have a key role in ensuring statutory duties set within the ASB Crime and Policing Act 2014 are met, including the Community Trigger, which allows victims of persistent ASB to request a formal review of their case, where the local threshold is met. It is important to note, the government have recently announced a proposed change to the name of the Community Trigger, to ASB Case Review. As this has yet to be formalised, our documents continue to refer to the process as Community Trigger, with reference to it also being known as the ASB Case Review to prevent any confusion to the public.

Despite being in place for 9 years, research commissioned by Resolve UK found just 6% of people have heard of the Community Trigger and only 2% of people fully understand how it works. This is also reflected in the 2021/2022 Victim's Commissioner's Annual Report, which states "*[i]t can represent the best hope for victims to escape their nightmare but remains poorly promoted and underutilised*".

For the purpose of this report the focus will remain on the Community Trigger; with the aim to improve understanding and equip Members of the Committee with sufficient knowledge to promote the Community Trigger across Lincolnshire as a valuable tool available to victims of persistent ASB.

In 2022, the ASB CPG instigated a review of Lincolnshire's Community Trigger process. Working with ASB Help, a national charity who provide advice and support to victims of ASB, councils, police, and registered social housing providers, we have overhauled our Community Trigger Policy with the aim of providing an improved service to victims experiencing persistent ASB.

### **Purpose of the Community Trigger?**

To give victims and communities the right to request a review of their ASB case where a local threshold is met, and to bring agencies together to take a joined up, problem-solving approach to find a solution for the victim. It is not a complaints process and will not address concerns about the service provided by a specific agency involved in the case.

The responsible authorities for this provision are police, District Councils, registered social housing providers and Integrated Care Boards. Each District Council administers the process on behalf of the responsible authorities.

The threshold for Lincolnshire is:

1. The victim has reported three separate, but related incidents to either the district council, police, or registered housing provider within the preceding 6-months to the application and the ASB persists.

OR

2. A senior manager (District Council Community Safety Manager/Police Inspector) within the authority decides that a Community Trigger is necessary to safeguard a vulnerable victim of ASB.

### **Who can use the Community Trigger?**

A victim of ASB, or another person acting on behalf of the victim (with their consent), such as a carer or family member, Member of Parliament, local councillor or other professional.

The victim may be an individual, a business or a community group.

### **How to request an ASB Community Trigger?**

A victim (or someone acting on their behalf) can request a review of their case by completing a 'Community Trigger Request Form' found on each district council website, or by contacting them by phone. Once submitted, it will be assigned to a specific point of contact who has had no direct involvement in the case to coordinate the request and collate the necessary information.

Where the threshold is not met the victim will be notified and informed of the reasons why. If the threshold is met the victim will be contacted and advised on the next steps.

The review will identify how partners responded to the ASB case and establish whether any further action can be taken to try to resolve the issue. Additional agencies not involved in the case might be invited to the review meeting, or asked to lead the review in order to ensure an independent view is taken. After the review the victim will be informed of the outcome.

There is a right to appeal if the victim is dissatisfied with the way in which the case review has been carried out, or with the decision on whether the threshold has been met. Further information on this can be found on the District Council website.

As part of the relaunch of the Community Trigger in Lincolnshire a short video has been produced to help explain the process. This can be found on the Lincolnshire County Council YouTube channel or via <https://youtu.be/RtPVo310HXY>.

### **Publishing Community Trigger data**

The ASB Crime and Policing Act 2014 stipulates that the relevant bodies must share specific data in relation to the Community Trigger. In Lincolnshire this information is published on the websites of each District Council, on an annual basis. For Lincolnshire's 2022/23 figures please see the Community Trigger Annual Report in Appendix 2.

## **2. Conclusion**

Continued monitoring of the revised Lincolnshire Community Trigger (ASB Case Review) process will be undertaken, beginning with a 6-month review, which is due to commence

imminently. This includes the use of case studies to help us to understand what works well and identify areas that require improvement. See Appendix 3 for the first case study carried out in Lincolnshire.

**3. Consultation**

**a) Risks and Impact Analysis**

Not applicable.

**4. Appendices**

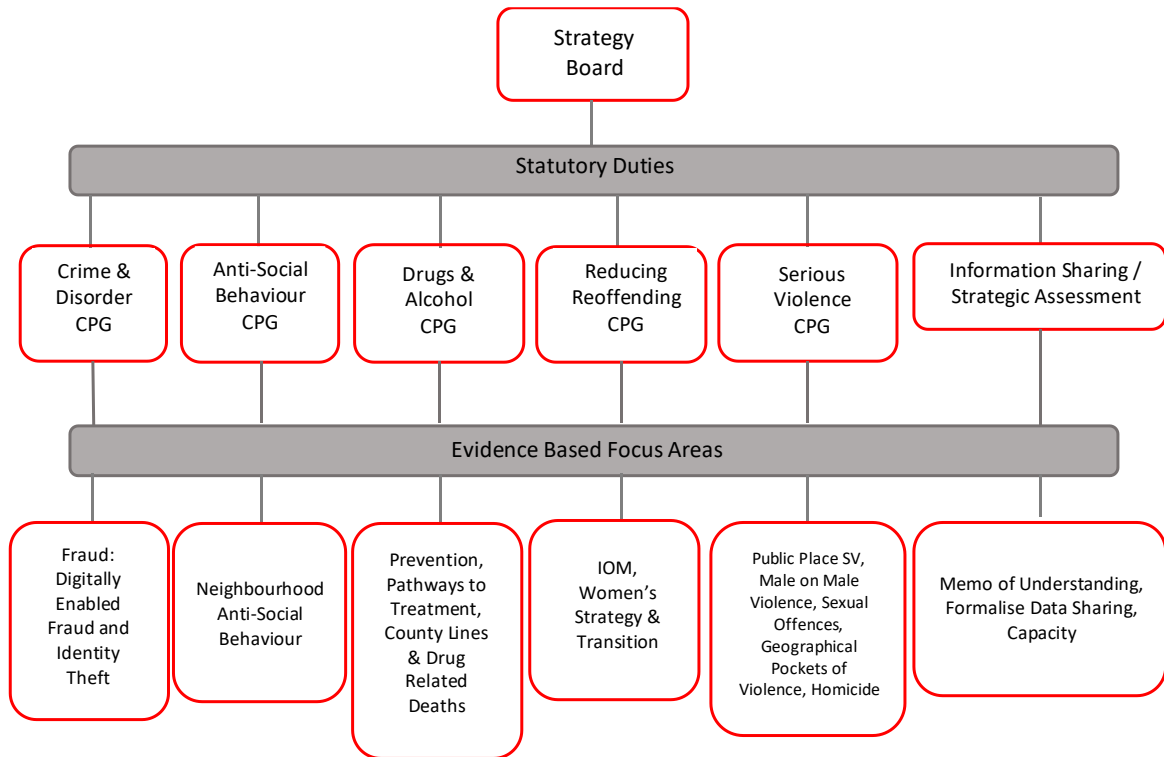
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| These are listed below and attached at the back of the report |  |
| Appendix A  | Safer Lincolnshire Partnership Structure Chart |
| Appendix B  | Community Trigger 2022/23 Annual Report        |
| Appendix C  | ASB Case Review - Case Study in Lincolnshire   |

**5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Lisa Merriman, Community Safety Strategy Co-ordinator – Safer Communities who can be contacted on 077 7070 1634 or via [Lisa.Merriman@lincolnshire.gov.uk](mailto:Lisa.Merriman@lincolnshire.gov.uk).

Safer Lincolnshire Partnership Structure Chart



**Community Trigger Annual Report – 2022/23 (1<sup>st</sup> April 2022 - 31<sup>st</sup> March 2023)**

The 'Community Trigger' is a key part of the Anti-social Behaviour, Crime & Policing Act 2014 that came into effect on Monday 20<sup>th</sup> October 2014.

The purpose of this report is to provide an annual update on how the Community Trigger is being used across Lincolnshire, including details on –

- the number of applications for the Community Trigger received – 12\*
- the number of times the threshold for review was not met – 6.
- the number of Community Trigger case reviews carried out – 4.
- the number of Community Trigger case reviews that resulted in recommendations being made -2.

\*Two applications had met the threshold for review but at the time this data was collated the reviews were scheduled but had not been carried out, which is reflected in the figures.

### Anti-Social Behaviour Case Review - Case Study

An application requesting an Anti-Social Behaviour (ASB) Case Review was e-mailed to the Community Safety Team at the district council. The applicant had heard about the ASB Case Review from the Citizen's Advice Bureau. The applicant was experiencing ongoing issues relating to a noisy neighbour, this included verbal abuse from visitors to the property. The issues had been happening since September 2022, and despite reporting them to the council Environmental Health department, Lincolnshire Police and the Registered Social Landlord, the issues were ongoing.

After receiving the application, a telephone call was made to gather further details and confirm that the applicant was happy for their information to be shared with other agencies. A risk assessment was completed and a referral to support services offered.

Information was then requested from the agencies involved in the case to find out what reports they had received and what action they had taken. This information was used alongside the information provided by the applicant to assess whether the threshold for a review panel had been met. In this case the threshold was met as there had been three separate (but related) incidents of ASB reported to agencies within the preceding 6 months, and the ASB was ongoing.

A letter was sent to the applicant to inform them that their application had met the threshold for a review panel meeting. They were also advised that they could share the harm and impact of the ASB with the panel via a choice of options: in person for the initial part of the meeting, via a written summary which would be read out, or for an advocate to attend the initial part of the meeting on their behalf.

An independent chair was identified from a pool of officers trained to chair ASB Case Reviews. This provides a fresh pair of eyes and impartiality in the review. A date was then arranged for the meeting to take place and the applicant informed of the date by letter.

The panel meeting took place with a range of partners in attendance including the local authority (representatives from Community Safety, Environmental Health, and a Domestic Abuse Officer), Lincolnshire Police, the Registered Social Landlord, Children's Services, and an Independent Chair and Vice Chair. A confidentiality statement was read out and the purpose of the meeting was reiterated, more specifically it was emphasised that the meeting is focussed on finding an end to the ASB, it is not about finding fault in the way agencies responded.

The victim summary was read out at the start of the meeting. The panel heard how the ongoing ASB was affecting their mental and physical health due to lack of sleep, they were having to sleep on the sofa to get away from the noise and it was impacting their job. Their children were afraid to sleep in their own rooms and scared to go to the toilet alone during the night.

Each agency involved in the case was then given the opportunity to discuss their involvement and the action they had taken. The meeting then focussed on what additional actions could be identified to form an action plan going forward.

Several actions were identified as part of the review, including the use of a Community Protection Notice Warning (CPNW), gathering information to underpin serving a Section 21 notice, signposting the neighbour to support services, house to house enquiries to be undertaken by police, and referring the case to the Anti-Social Behaviour Risk Assessment Conference (ASBRAC) for ongoing monitoring of the action plan. It was identified that agencies had not been as joined up as they could have been in managing the case and this was taken away as a learning outcome.

Following the meeting a telephone call was made to the applicant to provide an overview of the actions agreed, followed up with a letter. The applicant was satisfied that agencies had been able to identify some actions which will aim to alleviate the problem.