



Home Office

ACCEPTABLE BEHAVIOUR CONTRACTS AND AGREEMENTS

August 2007



Introduction

This guidance booklet has been produced by the Home Office's Anti-Social Behaviour and Alcohol Unit, in response to demand from practitioners for an accessible guide to current practice in this field. It has been drawn up with the help and advice of a range of partner agencies, including the police and local authorities. It reflects what is actually being done with ABCs/ABAs, by agencies that have found this intervention an effective part of the toolkit for tackling anti-social behaviour. It is important to remember that this intervention is not aimed solely at under 18s:

- ABCS/ABAs are useful against adult perpetrators too;
- many victims of ASB are under 18s, and they need protection too;
- where this tool is used with under 18s, appropriate support must be given, to ensure engagement with the process, and thus achieve long term behavioural change.

An Acceptable Behaviour Contract (sometimes referred to as an Acceptable Behaviour Agreement - ABA) is a written, voluntary agreement between a person who has been involved in anti-social behaviour and one or more local agencies whose role it is to prevent such behaviour. ABCs can be used with the same age group as for anti-social behaviour orders but also children under the age of 10. However, where under 10s are

involved, agencies may prefer to use a parenting intervention such as a parenting order or parenting contract instead. ABCs are useful for stopping low levels of anti-social behaviour and nipping it in the bud. Their flexibility means they can also be used effectively in other more serious or problematic situations.

This booklet gives advice on getting the best out of ABCs. It replaces the previous guidance issued in 2003 which was combined with guidance on anti-social behaviour orders. It must not be seen as formalising the contract arrangements. If areas have found their own effective system for using them there is no need to consider making changes. The guidance brings together good practice from practitioners and any examples set out here are merely suggestions that others may wish to try, particularly if this is new territory for them. We are not looking to replace existing local protocols.

A report by the National Audit Office¹ found ABCs to be highly effective, particularly when agencies provided support to improve the recipient's chances of meeting the conditions. This type of early intervention is therefore effective, as well as being low cost, particularly when used as part of a tiered approach. Some agencies use a traffic lighting approach, to match individuals to the risk they pose and the intervention that will work best in their case.

How they work

The contract is agreed and signed at a meeting with the individual and the lead agencies. Where the person whose behaviour is at issue is a child or young person, parents or guardians should be strongly encouraged to attend as it is important to involve them in the process, although the contract could still be made without them. For similar reasons, it is important within the context of effective multi-agency working to inform social services of any intervention involving someone under 18. In the case of under 10s as parenting contract or parenting order may be preferable. Since 29th June 2007, local authorities (LAs) and Registered Social Landlords (RSLs) have had the power to enter into parenting contracts and apply for parenting order where anti-social behaviour is the trigger under amendments to the Anti-Social Behaviour Act 2003 in the Police and Justice Act 2006. Further information about this is available on www.respect.gov.uk.

The contract specifies a list of anti-social acts in which the person can be shown to have been involved, and which they agree not to continue. The contract can also include positives, ie. activities that will help prevent recurrence, such as attending school.

The defining principle of the contracts is that they are voluntary, and involve:

- an acknowledgement by the perpetrator that his/her behaviour is having a negative impact on the community;
- an agreement to stop that behaviour.

The main aim is to lead perpetrators towards recognition both of the impact of their behaviour, and of the need to take responsibility for their actions. For this reason it is important that the individual should be involved in drawing up the contract.

The flexible nature of ABCs means that they can be used incrementally. This means that very minor misdemeanours can be nipped in the bud quickly with nothing more than a simple contract with just one agency. Where behaviour is more problematic - either because it is persistent or because it is serious – then support to address the underlying causes of the behaviour should be offered in parallel to the contract. This may include diversionary activities (such as attendance at a youth project), counselling or support for the family. It is vital therefore to establish which agencies are already involved in the case so as to maximise the opportunities for co-operation and to minimise the risk of duplication or inconsistency.

Legal action (such as an application for an anti-social behaviour order or a possession order, if the perpetrator is in social housing) should be stated on the contract where this is the potential consequence of breaking the agreement. The prospect of a more formal, legal intervention can provide an added incentive to adhere to the contract. Where the ASB cited on the ABC is an actual criminal offence (eg. criminal damage), then criminal proceedings also remain a possibility for breach.

Types of behaviour ABCs have been used for

ABCs have been used to address a wide range of anti-social behaviour² including:

- harassment of residents or passers by
- verbal abuse
- criminal damage
- vandalism
- noise nuisance
- writing graffiti
- threatening behaviour
- racial abuse
- smoking or drinking alcohol while under age
- substance misuse
- joy riding
- begging
- prostitution
- kerb-crawling.

It is not true that the behaviour has to be criminal, and nor is it true that it may not be – what is important is that local agencies believe that the ABC approach in each case is a more effective way of dealing with problem behaviour. This approach can involve opting not to pursue a more formal legal response, but the long term benefits mean that the ABC approach is still putting the community's interests first.

Multi-agency working

The flexible nature of ABCs allows for various agencies to take the lead according to the circumstances of each case, local practice, and which agencies can have greatest impact on reducing unacceptable behaviour. In Islington, for example, the Anti-Social Behaviour Team oversees the running of the ABC scheme by representatives from the local authority housing department and the local police. In other areas the lead agency is the

Youth Offending Team working closely with the local police. Whichever agency takes the lead it is important to explore fully the cause of the anti-social behaviour and consider alternative diversionary tactics.

Youth Inclusion Support Panels (YISPs) are multi-agency and provide a package of support to help young people committing anti-social behaviour and becoming at risk from their own behaviour. They seek to prevent offending and anti-social behaviour by offering support services and other complementary interventions for high risk children and their families. Details of Camden's YISP are contained in an annex to this guidance as a possible model that others may wish to follow.

Acceptable behaviour contracts for kerb crawlers – Other agencies involved with ABCs – either as signatories on the contract or in providing support to the individual and family – include registered social landlords, social services, schools, environmental health and health services. This is not an exhaustive list – but it illustrates the need for planning and co-ordination to underpin success.

Providing training for staff in partner agencies involved in ABCs will enable schemes to work more effectively. In particular, training should cover the practical implications of contracts (such as the paperwork required) and how to deal with broken agreements. The training should also include engaging and communication methods/tools needed for working with the young people and their parents. In some cases it may be appropriate to apply for a parenting contract as well as the ABC. Practitioners should also be aware that Local Authorities and Registered Social Landlords now have new powers available to them to apply for parenting orders.

² The typology of ASB is dealt with in more detail in other publications – for example, in the NAO report mentioned already, and in the Home Office's ASBO guide (<http://www.crimereduction.gov.uk/asbos/asbos9.htm>)

Multi-agency working has a number of benefits. It can:

- increase the speed of evidence gathering
- improve background information on the individual's circumstances
- help to ensure that interventions are tailored to the individual
- improve monitoring of contracts
- reduce the number of broken agreements by the provision of other support
- enhance the effectiveness of the scheme through joint training and planning
- use a variety of expertise to intervene early in anti-social behaviour.

Publicity

It is important that agencies and the community are aware of the full range of available responses to anti-social behaviour. This will not only encourage the community to come forward and report incidents, it also sends out a message that anti-social behaviour will be tackled, not tolerated, by showing that effective action can and will be taken. The ABC scheme itself (rather than individual participants) should be well publicised locally - amongst young people in particular, for example, within local schools, youth clubs and amongst other agencies in the area that work with young people.

Identifying individuals for ABCs

People for whom a contract may be beneficial can be identified using a wide variety of evidence sources:

- complaints to housing staff or police officers
- housing staff observations
- police stops or arrests, and other police intelligence
- photographic and video evidence

- self admission
- discussions with residents
- information from the education service, especially relating to truancy and exclusions
- information from and about the victims of anti-social behaviour
- social services information
- referrals from other schemes and agencies, eg. youth services
- park and street wardens, and community support officers.

Once agencies have identified an appropriate candidate for a contract, checks should be made into whether the individual or family is subject to any other investigations or support. In the case of a young person the local youth offending team should be informed and if appropriate the social services or education welfare. It is vital that consideration is given to whether an individual is really suitable for the scheme. Where there is serious and persistent anti-social behaviour an ASBO may be more appropriate (see A Guide to Anti-Social Behaviour Orders³ issued in 2006 by the Home Office, the Association of Chief Police Officers, and the Youth Justice Board). If the behaviour amounts to criminal activity other legal action may supplement the use of an ABC, or be more appropriate.

Meeting with the perpetrator

Once the appropriate agencies have been consulted, the individual involved should be formally invited to take part in a meeting with all the relevant parties. The meeting should be used as an opportunity for the individual and his or her family, where appropriate, to discuss the meaning of the term 'anti-social behaviour' and the harm that it does to others. The meeting can be used as an early intervention process to stop the inappropriate behaviour becoming worse and to outline possible repercussions should the behaviour be repeated. It can also be used as an

³ <http://www.crimereduction.gov.uk/asbos/asbos9.htm>

opportunity to provide support to address underlying causes such as family problems. Further action may then be taken by the lead agencies after the meeting to ensure that other agencies become involved as necessary.

Making the most effective use of ABCs

Since every perpetrator of anti-social behaviour is different and the circumstances in which it is committed are variable, the flexible nature of the ABC means that it can be readily adapted to suit individual cases. Clearly some perpetrators are more likely to engage with authority more promptly than others, and the options below provide advice on choosing the best option in the circumstances. It is of course possible that the perpetrator will not engage at the first attempt, and thus other options from this list may be considered. If there is a persistent failure to engage tougher sanctions, such as an anti-social behaviour order, will need to be considered. The youth ASB panel is a good tool to use in considering what remedial action to take if the agreement is not adhered to.

Using ABCs incrementally

The voluntary nature of ABCs generally means that they are normally used for low-level anti-social behaviour or very minor offending. They are therefore often, but not always, used as the first structured (albeit not formally legal) intervention. Where a perpetrator refuses to engage, agencies may use the ABC process by way of a warning that serious sanctions will follow if they fail to comply. In Camden they have successfully used ABCs against street scene problems such as begging, prostitution and drug-related anti-social behaviour (although ASBOs were used for the most persistent perpetrators) by having a system of yellow and red warning ABCs. They found that many of the problems were resolved at the ABC level and they have recently started to experience lower levels of ASBO use as a consequence.

If the young person is under 10 and refuses to engage on a voluntary basis the local authority can apply to the family proceedings court for a child safety order.

Taking action: Newham's ABC+ approach for young people

If the young person's ASB continues to be a problem, then agencies could consider using the ABC+ approach adopted by Newham. This is a six month agreement between the perpetrator, their parent/carer and the relevant agency. Where it differs from a standard ABC is that it provides a package of support throughout the process and educates young people about ASB and the effect it can have on the community. The package is based on an assessment of the young person's behaviour and needs by an ASB practitioner at the outset. If you wish to know more about the scheme please contact:

Laura Timms
Newham Youth offending Team
192 Cumberland Road
Plaistow E13 8LT
Tel: 0208 430 2376
laura.timms@newham.gov.uk

or

Sangeeta Bhui
Crime and Anti-Social behaviour Service
Central Depot
Folkestone Road
East Ham E6 6BX
Tel: 0208 430 2342
Sangeeta.bhui@newham.gov.uk

Using ABCs as a restorative justice measure

What is restorative Justice?

Restorative justice has already been introduced in the criminal justice system and is also suitable for tackling anti-social behaviour. It provides the opportunity for victims, perpetrators and communities to decide on a response to a particular incident. It is about putting victims' needs first and getting perpetrators to face up to their actions.

Examples of restorative justice approaches include:

- perpetrators removing graffiti and repairing property that they have damaged;
- shoplifters meeting face to face with store managers to hear how shop theft affects others;
- perpetrators writing letters of apology to victims.

Perpetrators and victims are brought into contact through:

- direct mediation – where victim, offender, facilitator and possibly supporters for each party meet face to face;
- indirect mediation – where victim and offender communicate through letters passed on by a facilitator;
- conferencing - involving supporters for both parties and members of the wider community. This is similar to direct mediation, except the process focuses on the family as a support structure for the offender (this is particularly useful with young offenders)

When is this approach suitable?

Restorative justice approaches can be used for a wide range of incidents, from minor anti-social behaviour committed by children at school to adults causing problems in their neighbourhood. Victim participation is always voluntary, and perpetrators need to have admitted some responsibility for the harm they have caused.

Using ABCs as an alternative to a formal intervention/disposal

Agencies can use their discretion to make a referral to the multi-agency anti-social behaviour team running the ABC scheme. This can include housing providers who use this as an alternative to pursuing an injunction, or a local authority using it instead of a school exclusion. The police also have discretion in dealing with minor offences that might perhaps be better dealt with by way of a behavioural intervention – the sort of minor disorder that might otherwise attract a PND.

A suggested approach to publicity

Communities need reassurance, and every CDRP should have a strategy for publicising its policies, activities and achievements so as to provide that reassurance. This affects not only the community's perception of ASB (which is a key performance measure), it strongly influences public confidence in the CJS as a whole. Agencies need therefore to agree an approach to publicising their ASB strategy and its successes. This could include publicising the use of ABCs as a means of tackling ASB, but it is more important that communities feel that the problem is being taken seriously and dealt with then it is to publicise particular cases or interventions.

Taking action: using ABCs to tackle disorder in an area or housing estate

Procedure

A letter is sent to all residents on the estate outlining the aims and objectives of the ABC scheme. The letter discusses the problems caused by anti-social individuals on the estate, and includes a general description of the unacceptable behaviour occurring. It invites residents to record the details of all problem behaviour experienced or witnessed and to complete incident record books that can be used for evidential purposes. The local authority housing department, police and other agencies are also encouraged to monitor activity and gather evidence to identify the people involved.

Young people

In the case of a young perpetrator, a second letter is sent specifically to the parents or legal guardian informing them of their child's unacceptable behaviour. This second letter invites both the young person and their legal guardian to attend an interview with police and housing officers at their local housing office to discuss the behaviour of the young person. The letter informs the family that on completion of this interview the child will be invited to sign an acceptable behaviour contract and adhere to its terms and conditions for a period of 6 months.

It is worth thinking about where the meeting should take place. While the use of police premises may reinforce the importance attached to an ABC it is important that care is taken to ensure that the interview is not misinterpreted as being part of a criminal investigation. Parents or guardians, housing or local police officers and any other interested party such as a social worker or family friend may be present if it is considered appropriate.

If the individual who is to become subject to an ABC does not attend without either notification or good reason, further attempts, by letter or a visit, should be made to contact them. If this fails their non-appearance can be documented and used at any future proceedings if the inappropriate behaviour is repeated. Written warning of this should be sent to the person concerned. The meeting where the contract is signed does not constitute legal proceedings.

Key points to consider when arranging and conducting the ABC meeting

- Publicise the scheme locally prior to holding the meeting so that those concerned are aware of it and its aims
- Make the interview less formal to avoid intimidating the family
- Choose a spacious room and only invite key stakeholders
- Involve other agencies prior to this meeting, for example youth services and schools
- Hold a pre-meeting with key stakeholders to share relevant information. This will help to keep attendance at the actual interview to a minimum
- Allow adequate preparation time.

See also suggested Do's and Don'ts of the ABC meeting below.

Drawing up the contract

An ABC normally lasts for six months, though since it is not a legal document any reasonable period may be specified. While the terms of the contract should reflect the behaviour to be addressed they should not be so numerous that the individual is overwhelmed. About half a dozen might be the norm. In addition there needs to be a balance between general and specific conditions. If they are too general it may be unclear precisely what acts are covered, but if they are too specific it may be possible to evade them too easily. The contract should be written in language that the individual can easily understand.

Bear in mind that the underlying idea is that the terms should prevent future misbehaviour, and not be a punishment for the past. For example, if the perpetrator does not commit his ASB at night, then there is no need for a curfew provision. But if the anti-social behaviour takes place at a parade of shops, then an exclusion from that area would be an appropriate part of setting the behavioural boundaries. This distinction between punishment and prevention needs to be made clear to the perpetrator.

Addressing the underlying causes of anti-social

Examples of specific terms agreed in ABCs

I will not:

- damage property
- verbally abuse passers-by
- write graffiti
- throw stones or other objects
- congregate in groups of four or more
- climb on public or private property
- spit
- smoke (if under 16)
- set fire to things
- damage the environment
- smash glass

- damage cars
- or encourage others to do any of the above.

Or they can be positive examples such as:

I will:

- Attend an anger management programme
- Attend school
- Take part in a YOT's diversionary activities.

Clearly it is possible to include a general term such as "I will not behave in an anti-social manner", but that can have two drawbacks:

- if it is difficult for the perpetrator to grasp where the boundary lies between what is and what is not acceptable, he/she might be more reluctant to sign up to the agreement as a whole;
- a general prohibition is difficult to monitor and will lead to more disagreements over compliance, which is counterproductive for a tool aimed at bringing about positive, long term behavioural change.

Some schemes define any criminal offence committed by the individual as breaking the agreement irrespective of whether the behaviour is prohibited by the contract. However, the purpose of the ABC is to make clear the link between specific behaviours and their consequences, and this is particularly important if the behaviour being guarded against is itself a specific offence, perhaps one (for example) otherwise deemed worthy of a PND. It is important therefore to be consistent about what is expected from the perpetrator, and to specify at the outset what the conditions are, and what harm they are designed to guard against, so that it is clear to the perpetrator how he/she can achieve compliance. If behaviour is deteriorating to the point that a ban on offending in any way is thought to be necessary, then the ASB team needs to consider whether the situation has deteriorated beyond the point at which an ABC can be effective.

Renewing the contract

The contract can be renewed after further discussions have been held if the perpetrator has broken the agreement or other forms of anti-social behaviour are continuing. The response to any failure on the part of the perpetrator to improve their behaviour will vary according to the situation. In some cases an extension of the contract may be appropriate or a completely new one. However, where an ABC is not likely to tackle the problem behaviour other measures, such as an anti-social behaviour order, should be pursued quickly.

A copy of the original contract should be made available to all those involved in monitoring the behaviour of the individual. Other interested parties should be informed of the agreed conditions of the contract where appropriate, which may include the youth offending team and other agencies. This factor should be explained to the perpetrator, as part of the monitoring arrangements, and is particularly important if the ABC is to be shared with the wider community as this may have a bearing on his/her acceptance of it.

Monitoring

Continued monitoring is vital for the contract to be effective. Information on broken agreements can be collected from the same sources as those from which the original anti-social behaviour was identified. Accurate and systematic data collection techniques – such as standard forms and reporting systems – will assist with the monitoring and evaluation of contracts. The Newham Chance scheme has a process chart, warning letters in the form of yellow and red cards and the ABC itself.

If the contract is broken there must always be a firm response (see below for possible options). Early intervention can prevent behaviour escalating to more serious levels. Agencies and organisations involved will need to consider the circumstances and decide upon the best course of action.

Key points for ensuring effective monitoring

- Ensure enough staff and resources are available for monitoring.
- Keep the number of contracts in each geographical area of responsibility to a manageable number.
- Ensure that there is good communication between the agencies involved, especially in relation to sharing information. If one agency is primarily responsible they need to inform others of their findings and also make sure evidence is collected from other agencies. Evidence should be corroborated to prevent malicious reporting. Broken agreements can be overlooked if data is not shared.
- Make sure that there are an adequate number of home visits (at least two) during the contract.
- Ensure that there are regular meetings of those involved in monitoring and implementing the scheme.
- Ensure that there is good information for residents who may act as witnesses to anti-social behaviour.
- Ensure parents of children who have entered into contracts receive regular feedback about their behaviour.

Dealing with continued unacceptable behaviour

The action taken should be determined by the seriousness of the incident. An incremental, structured approach can be taken, leading eventually to formal/legal action if the behaviour does not cease and it has become obvious that the situation has gone beyond the ABC approach. Such a structured approach may involve:

- oral warnings;
- written warnings (however this assumes a good level of literacy and visits may be more appropriate);

- an interview to discuss and reiterate the contract terms. This will also help to identify why it was broken and enable agencies to provide additional support that may be required to prevent further examples of non-compliance.

The purpose of this is to bring home to the perpetrator how his/her subsequent behaviour has gone against what he/she signed up to in the original ABC. ABCs are about enforcing as well as setting boundaries. Of course it is open to either side to withdraw from the agreement at any time (and agencies should always put the victims' interests first and opt for more formal action if the continued misbehaviour is serious), but a structured approach to dealing with continued incidents has the advantage of keeping the perpetrator engaged. It is important therefore to be seen to allow him/her to put his/her side of the story. In cases where the witness evidence is disputed or where the perpetrator is adamant that he/she has not acted in a prohibited manner, it is worth referring the case to a multi-agency ASB panel. Agencies nonetheless should always be robust in regarding persistent and baseless appeals as evidence of bad faith that should lead to a withdrawal of the agreement.

If the behaviour is persistent, then it is important to follow it up with formal legal proceedings, eg. for an anti-social behaviour order, or a possession order. This will ensure that victims and the wider community can continue to have confidence in local agencies' ability to tackle these problems, which in turn impacts on confidence and reassurance.

Agencies such as the youth offending team (in the case of a young person) should be involved to identify appropriate measures to address the continued unacceptable behaviour. However, where the community is facing on-going anti-social behaviour, legal action should be considered.

ABCs are not a substitute for anti-social behaviour orders (ASBOs) and should not be seen as a necessary precursor to an application for an order. Evidence collected for an ABC and subsequently for its non-compliance may be cited in court for an application in support of a possession order or an anti-social behaviour order. However, even where an agency is applying for an anti-social behaviour order it is still worth trying to make an ABC because this can be used as evidence of positive engagement or non-engagement when applying for the ASBO.

At the end of the contract

If the subject of the contract/agreement has successfully complied with it over its entire length, then it would be appropriate for the other signatories to send him/her a letter of congratulation. This would help reinforce the message that the contract/agreement was preventive, not punitive, in nature.

Other considerations

Agencies will be familiar with their equality duties and should look to their own in-house resources for further guidance. As a reminder, and as a starting point for those unfamiliar with these requirements, the basics are set out below.

Race and Diversity

Direct or indirect discrimination on grounds of race, colour, nationality (including citizenship), or ethnic or national origin is unlawful under the Race Relations Act. Local agencies have a duty to consider the promotion of racial equality in carrying out their work. Practitioners will be aware of the need to guard against racial stereotyping and assumptions based on race or irrelevant references to race, and make due allowance for different cultural norms or customs. Agencies should also plan how they can support the delivery of support programmes to black and minority ethnic families and

should take into account and form links with voluntary sector organisations with particular expertise and experience.

Disability, Mental Health and Special Educational Needs

Special educational needs, disability and mental health difficulties of a perpetrator may of course be highly relevant to his/her behaviour. Where he/she has a disability, mental health difficulty or special educational needs, practitioners with specialist knowledge of the circumstances ought to be involved in the assessment, to help determine what form the intervention should take. Agencies should ensure that those with disabilities, mental health difficulties or special educational needs are not excluded/discriminated against and are able to access the same quality and level of support and have their support needs met. Experts familiar with the perpetrator or with his/her presenting conditions ought to be involved in the ABC process in order to ensure appropriate support is in place.

An example of an Acceptable Behaviour Contract

THIS CONTRACT is made on [date] BETWEEN [name and address of lead agency/agencies] AND [name of individual].

[name of individual] AGREES the following in respect of future conduct –

1. I will not write graffiti or damage any property in and around the [specify area].
2. I will not congregate in groups (specify number) in communal areas of [specify the area], i.e. stairways and walkways.
3. I will not climb on any rooftops, lift shafts or any other prohibited areas.
4. I will not throw anything at residents or passers-by in or around the estate.
5. I will not threaten or abuse residents or passers-by (specify area). This includes swearing.

[FURTHER [name of individual] enters into a commitment with the [name of agency/ agencies] not to act in a manner that causes or is likely to cause harassment, alarm or distress to one or more persons not in the same household.]

Action on breaking the agreement

If [name of individual] does anything which he/she has agreed not to do under this contract, and which the [agency/agencies] considers amounts to anti-social behaviour, an application may be made to the magistrates' court for an ANTI-SOCIAL BEHAVIOUR ORDER to prohibit [name of individual] from acting in a manner likely to cause harassment, alarm or distress to one or more persons not of the same household.

WITNESSED

SIGNED _____ Police Officer

[name of police officer, for example]

DATE.....

SIGNED _____ Housing Manager

[name of housing officer, for example]

DATE.....

DECLARATION

I confirm that I understand the meaning of this contract and that the consequences of breaking the contract have been explained to me.

SIGNED _____ Youth

[signature of individual]

DATE.....

SIGNED _____ Parent

[signature of parent or guardian]

DATE.....

GOOD PRACTICE IN CONDUCTING AN ABC MEETING – ISLINGTON ANTI-SOCIAL BEHAVIOUR TEAM

This draws on the experience of housing and police officers but can be adapted for other agencies, such as youth offending teams.

Before the meeting

Do

- Consider other measures for tackling anti-social behaviour alongside this action (a notice seeking possession may still be appropriate).
- Identify individuals likely to benefit from the ABC scheme at regular meetings involving police and housing officers. Once a person is being considered, start an Incident Record Book.
- Give reasonable notice of the meeting and hand-deliver the letter where possible.
- Seek to involve both parents or guardians if there is a joint parenting role, even if they do not live at the same address.
- Where the family are known to social services, advise them of the interview, the purpose, and if appropriate ask if they would like to be present. Where the local authority is looking after a young person (i.e. ‘in care’), a representative from social services must be invited to attend.
- If the young person is known to attend a local school, encourage their involvement. The young person could be on a school sponsored scheme that could assist with tackling the unacceptable behaviour.
- Try to find out if the young person is involved in activities organised by the play and youth service. They may be able to assist with diversion activities.
- Contact the youth offending team (YOT) to establish whether they know the young person and to ensure that the action proposed does not conflict with action being pursued by them.
- Contact the police to check whether there are currently any related criminal charges being considered by the Crown Prosecution Service in relation to the young person. If there are, an interview can still go ahead but without the police and without the use of an ABC. The interview would be used simply to clarify to the young person and his parents the terms and conditions of their tenancy agreement. If the CPS find insufficient evidence to make a criminal charge then the ABC interview may be considered again.
- Meet with professionals, such as social services, to clarify the procedure and purpose of the meeting/ABC. Ideally this meeting should not take place immediately before the interview in case there are concerns that need to be resolved. Ensure that if officers from other departments are to be present they are clear who is taking the lead.
- Meet to agree who will take the lead and clarify the latest position on reported incidents and action against the youth or the tenancy.
- Try to establish in advance which other agencies/individuals may attend, if any.
- Consider involving other siblings within the same family in the same meeting if you think they could be vulnerable to becoming involved in anti-social behaviour, even if an ABC is not thought to be appropriate at this stage.
- Be clear in your own mind what the purpose of the meeting is. Remember the aim is not simply to come away with a signed contract, but to stop the anti-social behaviour. The idea of the interview is to talk with the young person and his/her parents so that they both have an understanding of what we mean by anti-social behaviour and what the implications are should further incidents take place.

- Be prepared for the fact that both young people and parents may deny all involvement and that feelings could run high.
- Give consideration to a suitable venue and seating plan so that the meeting can take place in relative comfort with enough chairs and space for everyone. Avoid setting up barriers or creating an 'us-and-them' situation.
- Give consideration to the type of activities the young person has been involved in and those that are particularly relevant on the estate, which you may wish to include in the contract. These should not be used to prepare the contract in advance but to include in the discussion about which activities should be included in the contract.
- Nominate a suitable officer to take notes during the interview. Although you should aim to keep the number of officers to a minimum it is recommended to have a note-taker that will not be involved in the discussion. Detailed notes are not required but the main points, including stated evidence and denials of the allegations made, do need to be recorded.
- Try to ensure that the same people are involved for the duration of the contract and monitoring period. The ABC creates an opportunity to establish rapport with young people on contracts.

Don't

- Hold the meeting at the police station (unless necessary).
 - Expect to be able to follow a script and for all interviews to be the same. They are all different. Of the interviews carried out so far a significant number of parents have been extremely positive about the meetings once they overcome their initial suspicion and concern. The attitude of the young people has ranged in extremes from total silence to hostility and abuse, but the latter is not usual and in most cases it has been possible to have a discussion about anti-social behaviour and what it means.
- Underestimate the importance of the preparation in advance of the meeting. You cannot expect to be able to turn up on the day and carry out an effective interview without being clear on the background to the case. Also, if you fail to involve other relevant departments or organisations you are potentially compromising your position in being able to pursue further action.
 - Prepare the final version of the contract in advance of the meeting. This is defeating one of the key points of the meeting, which is to encourage the young person to list the activities he/she has been involved in or could become involved in future. A draft list of activities that you may wish to include is, however, a good idea.

During the meeting

Do

- Arrive promptly to allow for a pre-meeting, and allow enough time for the meeting so you are not rushed. Some meetings have been known to last two hours, others have been more straightforward. The latter is preferable, since few people have an attention span long enough for a two hour meeting.
- If the perpetrator (and, in the case of a young person, his/her parent/guardian) fails to attend, write once more with a further date for a meeting. If they fail to attend the second meeting, consider moving straight to legal action, write setting out the seriousness of the issue including details of action proposed. Monitor the case as you would have

done if a contract had been signed.

- Wear name badges.
- Use simple language that is free from council/police jargon.
- Aim to get the message across that anti-social behaviour and the signing of the contract is an extremely serious issue, but you should aim to keep the meeting informal and relaxed to encourage full participation of the young person and their parents.
- Make the perpetrator (and parents/guardian if a young person) aware of the consequences of breaking the contract.
- Support each other and be mindful of the issues relevant to both the police and the housing department e.g. possible criminal or civil action.
- Find out how the perpetrator spends his/her time, what their understanding is of anti-social behaviour and how it may impact upon residents, the council, his/her parents (if a young person), him or herself.
- Listen to what is being said about home circumstances and any other pressures or difficulties the family is experiencing. This will help to put together information for dealing with the case and involving any other relevant agencies.
- Explain the purpose of the contract, how it will be monitored and the implications of any further incidents, both in terms of civil action such as possession orders and anti-social behaviour orders or criminal action such as criminal damage, before the contract is signed.
- Take any concerns raised by the perpetrator seriously and attempt to address them.
- Produce the final typed version of the contract as quickly as possible once those

present have agreed the activities to be included. Ideally arrange for someone outside the meeting to do this for you so that you do not leave your colleague on his/her own. Remember that any delay could be a source of irritation to those present and may result in a contract not being signed.

- Remember to get everyone present to sign the contract and to provide a copy for the perpetrator to take away with them.
- Allow 'time out' if the meeting becomes heated. Consider the provision of tea/coffee if appropriate but remember that a hot drink could be used as a missile.
- Take notes of the meeting and any issues that are raised.
- Sum up the main points at the end of the meeting.
- Provide contact details of lead officers to parents if appropriate.
- End on a positive note. If there are no further incidents there'll be no further action.
- Thank everyone for his/her attendance.

Don't

- Behave in a confrontational manner but state any allegations calmly. Remember that the aim is not to accuse but to stop bad behaviour.
- Single out the families for all the problems in the area, if they are told that their children are one of a number of young people and others will also be interviewed, you will find that the parents more readily accept this and be prepared to work with you.
- Attempt to force the perpetrator to sign the contract but DO explain why it is important and persuade them as far as possible.

- Worry if you have been unable to get a signature. This does not mean that the meeting has been a waste of time. Try to establish why there is a reluctance to sign, attempt to address their concerns and keep a record of their responses. It may be that they need time to think it over and you can suggest meeting again in a few days time. You do need to advise that we would like a signed contract as this demonstrates a commitment on their part to taking the issue seriously, and that if they still refuse to sign we can still pursue further action should the bad behaviour continue. This must be followed up in writing.
- Disclose details of complainants.

After the meeting

Do

- Complete the Incident Record Book straight after the interview. This is a very important document which will be used as evidence should further action be pursued.
- In the case of young people, copy the contract to social services, children and families team, where they know the young person. The police are responsible for sending a copy to the youth offending team.
- Notify patrolling police officers.
- Notify the estate services officers, other housing officers, housing assistants, senior caretaker and relevant caretakers that a contract has been drawn up and request assistance in monitoring further activities.
- Write to thank those present for their attendance and to confirm the outcome, attaching a further copy of the agreement. Advise who has been given copies of the contract. This will help to serve as a reminder of what the

implications are should the young person carry out further anti-social acts.

- Monitor the contract for 6 months. If there is a further incident, regardless of how minor it may seem, you must bring this to the attention of the lead officer so that consideration can be given to any further action. This could range from sending a letter to re-iterate the terms of the contract, to applying for a possession order or an anti-social behaviour order. It is most important not to let a further incident pass by seemingly unnoticed.
- Liaise with partner agencies if there is a report of a further incident or trouble on the estate. At the very least monthly updates must be provided at meetings between police and housing officers. Officers should visit the young person with the contract, as part of the monitoring process, on at least two occasions within the six-month monitoring period. A written record of the outcome must be kept on file.
- Ensure that any further incidents are documented in the incident record book promptly.
- Write to the young person at the end of the 6 month period. In the letter acknowledge that the contract period has come to an end, thank them for keeping to the terms of the agreement and remind them of the implications should there be a repeat of the unacceptable behaviour in future.

Don't

- Generally provide complainants (or others) with details of individual young people with a contract, but DO publicise the fact that a number of young people within the area have signed a contract. This could act as a deterrent to others as well as encourage the reporting of incidents.

CAMDEN YOUTH INCLUSION SUPPORT PANELS

TERMS OF REFERENCE

What are its aims?

- To prevent crime and reduce anti social behaviour among young people aged 8 - 17 through agencies working together over a short period.
- To provide a single route of referral for children and young people needing support from different agencies.
- To make sure that agencies work together in the best possible way with children and young people.

PARTNERSHIP

Rationale

Government research suggests that young peoples' lives today are significantly different from those of previous generations and that their exposure to risk behaviour starts earlier and is more intense. One of the most important indicators of future serious offending is the age of an individual's early involvement in violent behaviour and offending. Many serious and persistent young offenders can be traced back to their early childhood problems and experiences and it is increasingly being recognised that there are huge benefits of intervening early in life in order to promote positive outcomes for children and young people. Interventions are more likely to be successful if they occur before problem behaviour becomes entrenched and if agencies work together to develop an integrated approach.

The main benefits of the proposed approach are that it:

- Holds public bodies and agencies accountable for delivering main stream services
- Ensures that preventing youth crime is at the centre of main stream public services responsibility

- Provides a local planning structure to respond to public and political concerns about offending and anti social behaviour experienced by communities
- Ensures that children at risk and their families receive services at the earliest opportunity
- Provides a mechanism for exchanging information on individual risk factors and problem behaviour
- Reduces the demand on public service providers for acute and crisis intervention or services
- Reduces the number of children entering the criminal justice system and potentially becoming persistent offenders

The project will result in a common and systematic process to tackle youth anti social behaviour in a way that minimises the use of criminal law or ASBOs. It is built upon three assumptions:

1. The majority of parents, if informed, will prevent their children from repeat acts of anti social behaviour.
2. A smaller number of parents have an interest in their child stopping the anti social behaviour but they and or their child require support to achieve this outcome.
3. A very small proportion of parents are disinterested in the behaviour of their child and alternative strategies are required to prevent further anti social behaviour.

Who are Camden Youth?

The Camden Youth Inclusion Support Panels (CYISPs) are for children and young people aged 8 -17 who live in the London Borough of Camden and who are causing concern that they might become involved in crime or anti social behaviour, or who are already becoming involved in such activities. Reasons for this

concern might include truancy, exclusion from school, nuisance behaviour, difficulties at home, or drug, mental health or child protection issues.

How many Panels will there be?

There will be five panels across the London Borough of Camden. These will correspond with the area which come under the jurisdiction of the Police Sector Teams and the District Housing Offices and will be as follows:

- Camden Town
- Gospel Oak
- Hampstead
- Holborn
- Kentish Town

What is the role of the Panels?

The Panels will put forward the names of individuals who have come to their attention as a result of low level anti social behaviour. These names can come from any of the Panel members. They will use the expertise of the representatives involved to decide whether the young person should be referred to the nominated support agency. The decision will be based on the information received from the agencies present and a set of risk factors which, if present, indicate that a child / young person may become involved in offending behaviour. The Panels will hold statutory bodies and agencies accountable for delivering services and provide a focus for co-ordinating and analysing the sharing of inter-agency information on risk factors and problem behaviour. The Panels will meet on a monthly basis.

MEMBERSHIP OF CAMDEN YOUTH INCLUSION SUPPORT PANELS

Camden Youth Inclusion Support Panels will have a standing core membership which will be lead by a Chair and will typically involve representatives from the Police, the Youth

Offending Team, Victim Support, Health, Education, schools local to the area, the Play Service, the Youth Service, Housing, local councillors, the Community Safety Team, voluntary organisations, Connexions and the Anti Social Behaviour Action Group. This is not an exhaustive list and from time to time panel meetings will also involve other agencies that are closely involved with the children and young people. Other agencies can come and go according to the person being discussed, for example, it may be appropriate on some occasions to invite a Registered Social Landlord where referrals reside within their properties. The overall decision regarding the constitution of the Panel will rest with the Chair.

An important factor for the effective functioning of the panel will be consistent attendance at panel meetings. Arrangements will need to be agreed locally to ensure that each agency has a nominated deputy to make certain of full attendance at panel meetings. Each of the five Camden Youth Inclusion Support Panels will be serviced by an administrator whose role will include taking and distributing Minutes from the Panel meetings, circulating the agendas and setting and maintaining a database for recording and monitoring cases.

YISP Steering Group

The governance of the YISPs is held strategically by the Chief Officers' Group which has responsibility for Camden's Youth Crime Reduction Strategy. The YISP Steering Group reports direct to the Chief Officers' Group and will be responsible for the evaluation of the YISPs and annual training plan for YISP members.

What is the role of the Chair within the Panels?

The chair will play a pivotal role in ensuring that the Panels function efficiently whilst adopting a professional and business like

manner. Their role within the Panel will include: overseeing the drafting of the agenda, guiding proceedings in an orderly manner, identifying resources within the local area that provide support for young people and their families, facilitating new initiatives, ensuring that all business is effectively conducted and concluded as far as possible, making the final decision of the constitution of the Panels. The very nature and frequency of the meetings of the Panel and the responsibilities that lie therein will result in a workload that may become heavy. The Chair will therefore need to have the ability to manage the Panels efficiently and responsibly to progress business.

THE ROLE OF THE SUPPORT AGENCY AND THEIR RELATIONSHIP TO THE PANELS

Where appropriate, the Panels will refer individuals to a support service. The support service will seek permission from the parent/carer and young person to work with them to address the issues affecting or having an influence on them and will put together an Action Plan of possible interventions that could be used to support the young person. These could include:

- One-to-one work
- Support and advice on such areas as drugs, sexual health, benefits, housing, mental health issues
- Mentoring
- Group work
- Parent and family support
- Leisure activities
- Sport
- Volunteering opportunities
- Training
- Careers advice
- Support with educational issues
- Counselling

Support work may be carried out by staff from the departments and key workers represented on the YISP such as the Youth Offending Team, Positive Action for Young People, Education and Youth and Connexions. Where appropriate and where local boundaries permit, support work will also be provided by specified agencies. These may include Families in Focus (Camden and Holborn), Coram Fields (Holborn), the Alexandra Resource Centre (Hampstead), Transitions, the Neighbourhood Youth Project (Kentish Town), Camden's Community Sports Development Team and Holiday Activities for Young Somalis.

To enable the work of the panels and the support service to work effectively, the panels and the support agency will need to develop a local strategy for targeting and weighting behaviour according to different levels of service. This would typically involve the following but there will be some flexibility within the process:

1. A letter to parent or carers informing them about young people found committing acts of anti social behaviour and the consequences of repeat misbehaviour.
2. A home visit.
3. If the young person continues to commit acts of anti social behaviour the panel will make a decision about whether they should sign up to an Acceptable Behaviour Agreement. For young people under the age of 10, the Panel will decide on whether the parent / carer should be invited to sign up to a Parental Guidance Agreement. At this stage the Panel will decide on whether support should be provided to the youth and, where appropriate, the family, to uphold the Agreement. This support will be provided by one of the three nominated Support Agencies.
4. Integrated support plan for the young person.

5. If the young person's behaviour does not improve, or where the young person / carer refuses to engage in an Acceptable Behaviour Agreement, an Anti Social Behaviour Order (ASBO) may be considered for referral to an ASBO consultation group.

Traditionally within this approach, children and young people move up a stage if their behaviour does not improve or if they come to the attention of the Police or Housing within a short time period. However some young people may go direct to stage 5 due to the seriousness of their anti social behaviour.

It is suggested that the support service will begin to work with the young person and or their family who are willing to co-operate from around stage 2 - 3 using a combination of the sources of intervention mentioned above as part of a support package. It will be the responsibility of the Panel and the support service to ensure that a proper course of action is implemented after work has been completed. The representative from the support service will be responsible for feeding back information on the progress of the young person they are working with.

The criteria for a young person's successful engagement with the support service should include factors relating to:

- Their level of co-operation with the Support Agency.
- Improvements in behaviour and reductions in offending or anti social behaviour.
- Any reported increase in participation levels in education and other services.

What are the criteria for nominations to the Panels?

- Aged 8 - 17 inclusive
- Residents of the London Borough of Camden

- Young people whose behaviour causes concern over potential involvement in offending behaviour or who are experiencing factors which tend to lead towards such behaviour
- There must be a belief that intervention will have a positive effect.
- Parent/carer and child/young person must be willing to take part in the process.

REFERRAL PROCESS

A referral form should be completed for all cases referred to the Panels. The referral form will enable the panel to make an informed decision on whether a young person should be referred to the nominated support service. The referral form will capture the basic information on the young person and their family and the reason for the referral, together with information on their involvement with them. It will be the duty of the Panel members to avoid duplication and gaps and to ensure that a co-ordinated approach is adhered to. Information that could be included is as follows:

Schools:

Truancy and exclusion, incidences of bullying and violence. Achievement levels

Local Education Authority, including Education Welfare and Connexions:

Admission records and transfer requests, young people picked up by truancy patrols

Social Services:

Young people on the child protection register, children looked after and young people using drugs

Housing:

Young people reported for nuisance, anti social behaviour and criminal behaviour

Youth Offending Team and Probation:
Young people who have family members involved in offending or who have received Final Warnings.

Youth Service:

Young people contacted by detached and youth workers not engaged in positive activities and involved in anti social behaviour.

Play Service:

Children brought to the attention of the Play Service and not engaged in positive activities and engaged in anti social behaviour.

Police:

Young people involved in offending under 10 years, young people exposed to domestic violence and children who have received a reprimand.

The administrator will be responsible for acting as a central point for receiving all completed referral forms and for updating the Identification Referral and Tracking system. The Panel will make the decision about whether the young person is referred to a support service.

It is an important principle of the initiative for all referrals to support services to be carried out with the consent of the young person and their parent/carer. The support service will be responsible for obtaining written consent from the parents or carers for intensive work to be done with the young person and for them to be discussed within the Panel.

Information Sharing

An integral aspect of the Panels will be the sharing and storage of sensitive personalised information on an individual's circumstances and risk factors related to predicting offending.

Existing legislation (e.g. Crime and Disorder Act 1998, section 115) allows and enables the sharing of personalised information between certain agencies for the purpose of preventing and reducing crime by young people who are at risk of becoming involved in offending or who have offended.

