

Handling your report of anti-social behaviour



Homes for Islington (HFI) believe that all our residents have a right to feel secure and happy in their home. Anti-social behaviour can have a serious impact on the lives of our residents if reports are not dealt with quickly and appropriately. We take all reports about anti-social behaviour very seriously and have a procedure for dealing with such.

This leaflet, one in a series of anti-social behaviour information leaflets, explains how we will handle your report and the steps we may take, together with you and other agencies to help resolve the problem. It also sets out how someone who is suffering from anti-social behaviour can help themselves and prevent the situation from getting worse.

It is important to understand that we can only take action to deal with certain types of anti-social behaviour. Although we can offer advice and suggestions, there may be some things that you feel you want to report that we cannot help you with. For example an isolated incident or unavoidable noise nuisance caused by a 'clash of lifestyles'. In these cases, we urge people to try to sort the problems between them or agree to go to mediation.

What is anti-social behaviour?

Anti-social behaviour is acting in a manner that caused or is likely to cause harassment, alarm or distress to one or more people not of the same household. It can also be described as behaviour that unreasonably interferes with other peoples' rights to use their home and community.

Before you contact us with a report of ASB, please ask yourself whether your report fits these definitions. Here are some examples of the reports we would investigate:

- Violence or threats of violence against someone
- Arson or attempted arson and damage to our or someone else's property
- Alcohol and drug misuse
- Unreasonable and persistent noise
- Neighbour disputes
- Dumping rubbish
- Abandoned cars and other vehicle nuisance

Below are some examples of incidents that we would advise you to try to sort out between yourselves or by agreeing to go to mediation:

- One-off indiscriminate noise nuisance (e.g. a party)
- Climbing on buildings (if no damage occurs and the act is not designed to harass or intimidate anyone)
- Ball games (though we might investigate if the noise was persistent - against someone's wall, for instance)
- Trivial neighbour arguments where there are no witnesses
- Reports that are made solely because of prejudice or intolerance to someone's lifestyle or characteristics and therefore are deemed to be mischievous/malicious in nature. In such cases, the person making that report might find themselves in breach of their tenancy and action might be taken against them

What can you do before reporting something to us?

Have you spoken to the person causing you distress? Often this person may not realise the effect they are having on your enjoyment of your home or neighbourhood. The first step is to speak to them and explain how their behaviour is affecting you. If you do speak to someone, try to follow these few tips:

- **Do** keep calm and do not raise your voice
- **Do** explain your problem to them and suggest possible solutions
- **Do** give the other person the opportunity to respond and put forward their point of view
- **Do** try to come to an agreement on what happens next
- **Do** not make threats, swear and do not retaliate

How you can help us when you report an incident

When you report an incident of anti-social behaviour please tell us:

- Who you are
- Where you live
- Your contact details
- Whether it was you affected or whether you are contacting us on behalf of someone else
- If you have contacted any other organisations about the incident like the police or (in the case of excessive noise) the Council's Public Protection Division Noise Service.

Also:

- **Do** stick to the facts
- **Do not** exaggerate
- **Do not** claim to have seen or heard anything unless you have done so first hand

- **Do** try to be objective at all times even though you might feel anxious or emotional
- **Do** tell us if you have 'hearsay' evidence that we can use that in our investigations

Our service promise to you

Our service standards are laid out in our Service Promise leaflets, available from your Area Housing Office. When dealing with anti-social behaviour we will:

- Take all reports of anti-social behaviour seriously, whether made in person, in writing or over the phone.
- Treat your report sensitively and in total confidence.
- Complete an initial report and acknowledgement form when you make your report and provide you with a copy of the acknowledgement form.
- Make an appointment to carry out a more detailed interview, if necessary, within five working days, or 24 hours in urgent cases.
- Involve you in an action plan to help deal with problems or gather evidence. This could include asking you to keep an incident diary.
- Seek your permission before contacting anyone else about the anti-social behaviour. If you do not want us to contact the person causing the nuisance, or other people, it is more difficult for us to sort out the problem.
- Contact any other relevant Council sections (such as the Council's Public Protection Division Noise Service.) as well as the local police if necessary.
- Take action against those responsible where we have evidence of anti-social behaviour. Action includes warning letters, acceptable behaviour contract's (ABC's), notices seeking possession, possession orders, anti-social behaviour orders (ASBO's), injunctions and other types of legal action.
- Keep you up to date with progress on your report.
- Do everything we reasonably can to sort out your report and let you know if and why we decide to close a case.

Please remember:

- At the time you report something to us, it is only an allegation.
- Our investigations will be made on the basis that your allegations are true (that is why it is so important to tell us only the facts) unless or until proved otherwise.
- In order for us to do anything, evidence is essential. We may, therefore, ask you to give us further evidence. This could involve keeping incident diary sheets, or having a noise-recording machine installed in your home.
- We will need to speak to the alleged offender. If we do, we will respect your wishes in terms of you being identified to that person or persons.

- **It is very important that you let us know whether or not you wish to be identified if and when we contact the offender.** Our ability to help resolve the problem may be significantly reduced if you prefer to remain anonymous or are unwilling to give evidence.
- There are ways in which we can support victims and witnesses who wish to be identified and give evidence. Details of the Witness Support service and other support services, which are available to help you, can be found in area offices.
- Staff will always be happy to talk to you about what options are available.
- If the case goes to court, you may be asked to give evidence. If you do, your identity may be revealed even if you do not appear in person.
- If you are approached by the offender/s, be calm and do not enter into any discussion. If you feel in danger of being harmed, telephone the police and contact us immediately. We will always support the victims and witnesses of valid reports of anti-social behaviour.

What happens once a case has been reported?

- We will start our investigations at the earliest possible time following receipt of the report.
- We will give you the name of the person who will be your point of contact throughout the investigation.
- We will agree an action plan with you on how we intend to proceed.
- We will be honest with you about the possible outcome of the case. We will not promise actions we do not think we can fulfil.
- If our initial investigation confirms that your report needs our intervention, we will spend as much time as is reasonably necessary gathering evidence to support your report of ASB. We may speak to neighbours or others who witnessed the event, the police, the local authority or housing association (If the offender is not a HFI resident) youth workers, the offender and their parents, if they are under 18.
- How long our investigation takes will depend on a number of factors - for example, the nature of the report, the amount of evidence available and the willingness of others to help us.
- The successful outcome of our investigation will depend on many things but evidence is the most important. **What we can do in terms of action will very much be affected by what you are able and willing to do to assist us to gather evidence. If we ask you to complete diary sheets, please do so.**
- We will let you know if we close the case and why we have decided to do so. If you object and think there is a good reason to keep the case open we will listen to your objections.
- When a case has been closed, we will ask the victim and any witnesses we have contacted for feedback on how HFI handled the case and look for improvements that could be made for the future.

What action can we take against offenders?

- It depends on the available evidence. If the evidence is weak, insubstantial, unwitnessed or contradictory, we may not be able to take much or any action until the evidence becomes stronger, other than having discussions with the offender. If we close a case through lack of evidence, it can still be re-opened at a later date if further incidents occur.
- If the evidence is stronger, and if it is appropriate, we may ask a partner agency, such as the police, to intervene and work with us.
- In the case of acts committed by children and young people under 18, we will talk to the parents, or possibly Social Services. We may ask for them to enter into an agreement that is called an 'Acceptable Behaviour Contract' to encourage and monitor their improved behaviour.
- In the most severe cases, criminal or civil proceedings may be brought against the offender. This can result in Court injunctions, fines or even imprisonment, anti-social behaviour orders (ASBO's) and possession orders being awarded by a Court against an offender. In extreme cases we will ask the Court for permission to evict someone from their home.

In nearly all circumstances we will not resolve proven cases of anti-social behaviour by re-housing you or the offender.

Area Housing Office contacts:

Anti-social behaviour out of office hours hotline
020 7527 7272 (24 hours)

Central Street Area Housing Office

85 Central Street
London EC1V 8DT
Tel: 020 7527 6524
Fax: 020 7527 6207
Email: csha@homesforislington.org.uk
Minicom: 020 7527 6202

Holland Walk Area Housing Office

85-88 Holland Walk
London N19 3XS
Tel: 020 7527 7497
Fax: 020 7527 7407
Email: holland.walk@homesforislington.org.uk
Minicom: 020 7527 7405

(continued overleaf)

Lyon Street Area Housing Office

1 Lyon Street

London N1 1DQ

Tel: 020 7527 6834

Fax: 020 7527 6827

Email: lyon.street@homesforislington.org.uk

Minicom: 020 7527 6830

Upper Street Area Housing Office

Northway House

257 Upper Street

London N1 1RU

Tel: 020 7527 5323

Fax: 020 7527 5301

Minicom: 020 7527 5440

Email: upperstreetAHO@homesforislington.org.uk

Visit our website at
www.homesforislington.org.uk

