

Reviewing Scotland's Approach to Antisocial Behaviour

**A report by the Scottish Community Safety
Network and the Scottish Government**

November 2023

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Executive summary

The former Minister for Community Safety, Ash Regan MSP, asked the Scottish Community Safety Network (SCSN) and the Scottish Government to undertake a review of antisocial behaviour (ASB). This report presents the findings from work undertaken to gather views on the current approach to antisocial behaviour in Scotland. It is based on discussions with key stakeholders across Scotland including those who have experienced antisocial behaviour, frontline staff seeking to prevent and tackle antisocial behaviour and community and equality groups including those representing minority communities in Scotland. The discussions included people from both urban and rural settings across different areas of Scotland.

The findings do not amount to a definitive statement on what people feel needs to be done to change the way we view, prevent and address antisocial behaviour. However, they do provide a qualitative evidence base given the size and breadth of engagement. It is clear from these sessions that there are no quick fixes or easy solutions here. Therefore, we need to look at how we set the path to begin the journey and identify future work activity and milestones.

Overall, 25 engagement discussions involving close to 250 people, representing a wide range of interests (Annex B - methodology summary) were held by the Scottish Community Safety Network and the Scottish Government. We are indebted to all who shared their time and their expertise. This report reflects the views, opinions and experiences from those discussions, and additional written feedback received.

The Scottish Government and its partners believe that everyone has the right to be, and feel, safe in their community and homes. Embedding change which will have a positive sustainable impact, requires a process of innovating, evaluating and building on success. We can also learn from challenging issues and sharing best practice.

What has come across very clearly during this engagement, is that prevention is better than cure and that working collaboratively in partnership is essential to finding long term solutions to address antisocial behaviour and make all of our communities safer and more welcoming places to live.

We all have a role to play in preventing and tackling antisocial behaviour and hope that this report will be used as the starting point of a much broader and deeper discussion of these issues, leading to a long-term road map of how we can work collectively to prevent and address antisocial behaviour in effective ways.

We can, and should, come together to address the mutual problems we face in our communities, but we will achieve little if we approach this in a way that is not properly considered, including the potential for unintended consequences, and therefore we need to develop structures which we can work within to achieve change and incrementally build on approaches which are proven to be successful.

As such, two recommendations arise from our assessment of the qualitative evidence:

Recommendation one

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 (that recognises societal changes and evolves) and that we need to make a commitment to a programme of activity which will provide a framework that will guide us in taking forward this agenda in alignment with other linked national policies.

Recommendation two

An independently chaired group of experts, potentially including statutory, non-statutory and voluntary service providers, community representatives and other key interests should be brought together to develop a long-term framework for addressing antisocial behaviour.

This should have a strong focus on steps that can be taken to prevent antisocial behaviour from occurring as well as considering the effectiveness of current approaches to tackling the antisocial behaviour which occurs.

The findings in this and other relevant, existing reports should form the foundations of the group's work and they should not be restricted in identifying what areas are most important to move this agenda forward, which could include considerations of the effectiveness of current legislation.

The group should be able to commission and gather evidence to support their work and have a free hand to engage with anyone who can support this agenda. Central to this work should be building broad support for any long-term work that the group proposes.

Introduction

The Scottish Government and its partners believe that everyone has the right to be, and feel, safe in their community. Many people, communities, agencies and statutory and non-statutory bodies across Scotland, often working in partnership, are actively involved in addressing antisocial behaviour. It is a problem which continues to affect both rural and urban communities ranging from general nuisance to ongoing and entrenched neighbourhood issues which can negatively impact on people's health, wellbeing and ability to go about their daily business undisturbed.

The [Antisocial Behaviour etc. \(Scotland\) Act 2004](#), defines antisocial behaviour as: acting in a manner (or pursuing a course of conduct) that causes, or is likely to cause, alarm or distress to at least one person not of the same household as the perpetrator.

As can be seen, this description is extremely broad and antisocial behaviour can mean various things to different people. The range of issues and behaviours that could fall within the scope of this definition can include a vast and complex range of activities such as verbal abuse, threatening behaviour, noise nuisance, vandalism and more criminal behaviour.

The potential breadth of activities that antisocial behaviour covers is problematic - practitioners (professionals in relevant fields) share good practice and intelligence but the interpretation of the language of the legislation, thresholds of tolerance and recording of incidents can vary across the country which, in turn, can lead to inconsistent approaches.

So, when it comes to finding the best way to respond to antisocial behaviour, we have to accept from the outset, that there will never be a 'one size' fits all solution, and also that, as time moves on, the types of antisocial behaviour that will be experienced will continue to change. This challenges the ability of statutory and non-statutory agencies to respond to changing forms of antisocial behaviour and, while there is a role for legislation, the reality is that developing new legislation, as well as changing and adding to existing legislation, is a slow and lengthy process.

Since the [Antisocial Behaviour etc. \(Scotland\) Act 2004](#) was introduced there has been a significant shift which has recognised that the best way to make communities and victims safer is to focus on preventing antisocial behaviour from happening in the first place, rather than dealing with its consequences.

At the time of writing this report, it has been nearly 15 years since the publication of the [Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland](#) strategic framework. It is right that we consider the impact that the approach set out in this framework has had and what we can learn from it to further develop our approach to responding to antisocial behaviour.

The recent [Vision for Justice in Scotland](#) prioritises the need for person-centred, holistic and trauma-informed services, that link into lived experience of people and

communities, to create safer communities by addressing the attitudes and circumstances that perpetuate antisocial behaviour, crime and harm. We are also aware of other important reports relating to community safety that need to be considered - in 2018, the report [Community Safety – the emerging landscape and future opportunities](#) was published. In 2019, the follow-up report [Developing a Community Safety Narrative for Scotland](#) was published. These reports highlighted the need for an increased focus on understanding what drives people to behave antisocially.

In 2020, the Scottish Community Safety Network published [The Scottish Picture of Antisocial Behaviour](#). This looked at trends and also helped to inform us about underlying issues including: the strong link between antisocial behaviour and area deprivation; the need to address false perceptions; stereotypes around particular communities and how these can be addressed in a holistic way by working with as many members of the community as possible. It indicates that those working in the community safety sector in Scotland, who are focussing on preventative approaches, are on the right track, but argues that we have further to go in working together to find solutions to many of the deeply ingrained problems that communities face.

Whilst sources such as the [Scottish Household Survey](#), [the Scottish Crime and Justice Survey](#), and the [Recorded Crime in Scotland](#) report that antisocial behaviour has broadly been in decline over the last decade (e.g. the number of Antisocial offences recorded by the police decreased by 62% between 2013-14 and 2022-23), concerns about antisocial behaviour remain high among communities and individuals and feedback from some local authorities tells us that since the advent of the pandemic, there has been an increase in types of antisocial behaviour in some localities.

At the time of writing, it was not possible to say with certainty what was causing this perceived rise, but it is suspected that lockdown frustrations have led to lower levels of tolerance, increased mental health difficulties, substance misuse and increased social isolation. However, we also know that during the Covid-19 pandemic, 'pro-social' behaviour happened organically, such as, doing shopping for others, or helping older neighbours who lacked support.

Looking at such behaviour post-pandemic gives us an opportunity to learn more about what drives goodwill, neighbourliness and collective community action, including how this can support preventing and tackling antisocial behaviour.

Given the context of the published quantitative data, and perception of an increase in antisocial behaviour, the Scottish Government felt it would be worthwhile to conduct engagement sessions to obtain qualitative evidence.

The Scottish Government believes that it is timely to look at how we refresh and modernise the ways in which we prevent and address antisocial behaviour, and reflect on whether there are further steps we can take to achieve this, and be realistic about what we need to do to prevent antisocial behaviour now and in the future.

To begin this work, a series of discussions were held during 2022 with a broad representative cross-section of stakeholders. The following chapters summarise the

evidence that was gathered during these sessions which were run by the Scottish Community Safety Network and the Scottish Government.

Detailed findings in response to the three questions that were asked are contained in three feedback sections. It was by working through this feedback that we arrived at the two comprehensive recommendations for a long-term approach as set out in the Executive Summary.

It is recognised that the varied issues raised in these engagement sessions have far reaching implications for many sectors in Scotland, and that responding to these will present many challenges, particularly in the context of resource constraints for local authorities and other key partners. Here we have to recognise that public sector resources are always going to be finite and that we need to find effective ways of working within these to ensure value for money to the public purse.

The evidence points to the value of developing a long-term approach, for real and sustainable change, which recognises that there are no quick fixes and that we need to coordinate our work going forward. By working collaboratively, we can take a more holistic approach, while recognising the need to tailor the delivery processes to achieve these outcomes, to the needs and circumstances of local communities across Scotland.

Feedback from engagement sessions

Approach taken for engagement sessions

This report reflects the views, opinions and experiences of 25 different stakeholder sessions, involving close to 250 people representing a wide range of interests (Annex B - methodology summary), who were consulted via discussion workshops, in-person and online with the Scottish Community Safety Network and the Scottish Government.

Unfortunately, some groups we contacted were unavailable to participate within the given timescales, so we acknowledge that the report does not necessarily represent the views of the entire population, all communities or all under-represented groups. Nonetheless, given the size and breadth of engagement, the report does provide a substantive qualitative evidence base.

Greater detail of these conversations can be found in the feedback section of the report. Discussions included officers from various Local Authority services (community safety partnerships, antisocial behaviour teams, community wardens) and councillors (elected members), community councils, community groups, equalities groups (such as race, faith, disability, younger and older people, women's and men's groups), the emergency services, social housing providers, public transport operators and victim support representatives. In addition, some written feedback was also provided.

Three questions were asked:

- a) What changes should be made to the current approach or what further steps should be taken to help prevent antisocial behaviour?**
- b) What might the challenges - or the unintended consequences - be of making these changes?**
- c) How could we support people better to deal with antisocial behaviour?**

A discussion paper was provided to all groups (Annex A).

This was a listening, reflective process inviting people to share their views based on their experience. No quantitative statistics were collected for this exercise although there was general awareness of statistical data. Therefore, the data gathered provides qualitative evidence from our review of the feedback from these discussions which were collated and considered before being summarised in this report, reflecting common themes and ideas that were expressed.

This report may be regarded as a 'stepping stone' in identifying potential themes and areas of interest including improvement suggestions for future work.

These conversations confirmed that it is timely to review Scotland's approach to antisocial behaviour and endorsed the view that prevention is better than cure. The discussions indicated that there is no single approach that will prevent all antisocial

behaviour, which can be caused by complex problems experienced by individuals and communities. In other words, we need to look for underlying problems to identify drivers for this behaviour.

Themes that emerged are wide ranging, and are summarised in the following sections of this report, with primacy given to themes that arose more often, alongside other qualitative information that was shared.

Root causes

To better prevent and address antisocial behaviour, we need to better understand the - often complex - root causes that can lead to this antisocial behaviour.

These include:

Impact of poor mental health

Poor mental health was felt by some people to be a prominent root cause linked to antisocial behaviour. In considering this, we need to recognise that having a lifelong or short-term mental health condition can also make an individual vulnerable themselves. This highlights that health issues, which drive behaviour, can potentially contribute to the perception of antisocial behaviour in communities. Of course, it was also flagged that, mental health conditions could arise with those who are adversely impacted by antisocial behaviour and such individuals may also need support. Views were also shared that the process of dealing with antisocial behaviour could, in itself, cause poor mental health, which is an area for potential further consideration.

Despite pathways between statutory, non-statutory and/or voluntary agencies becoming increasingly well established to provide support for individuals, some community safety officers expressed the view that they felt under-resourced and not sufficiently trained to support and work with individuals with challenging mental health problems. Feedback referred to cutbacks to mental health support and resources which were noted as a further barrier.

Drugs and alcohol

The misuse and influence of drugs and alcohol was identified as a root cause of antisocial behaviour and access to support services was felt to be critical to people's recovery. Underage drinking was noted by some people as a problem. There were also aspects of "drinking culture" to be taken account of in terms of contributing to antisocial behaviour. It was noted that community support was vitally important to help tackle addictions in adults and prevent youth disorder, but a lack of access, including reduced service provision, was having a serious impact.

Poverty

As set out in the [Vision for Justice in Scotland](#), crime and victimisation are intrinsically linked to poverty and deprivation, and the Scottish Community Safety Network's research '[The Scottish Picture of Antisocial Behaviour](#)' outlines the strong link between antisocial behaviour and area deprivation.

Our discussions highlighted the view that poverty was a primary root cause of antisocial behaviour and that this could be generational and cultural with some people not being conscious that particular behaviours are deemed to be antisocial behaviour.

Ethnic and other minority communities who live in areas of deprivation, felt that they could be disproportionately affected by antisocial behaviour as they could be specifically targeted because of their ethnicity, religion, sexual orientation or other

characteristics. Where someone lives, may also affect perceptions of what is considered to be antisocial behaviour; and it was felt important not to inappropriately criminalise people who may in fact be frustrated, distressed and traumatised. Tackling poverty was therefore imperative, as was recognising inequalities, and providing support for these communities.

Incorporating antisocial behaviour, within a cross governmental approach to tackling poverty, with policy being aligned and developed through co-production was endorsed.

Stigma and stereotypes

Stigma and stereotypes were also considered to be particular root causes of antisocial behaviour. Some respondents were concerned about the ways in which antisocial behaviour was reported through the media, including language which was considered by some to be political and sensationalising antisocial behaviour which can set people against one another and inflame rather than decrease tensions.

Greater respect and understanding to confront these narratives, especially from those in positions of power, was felt to be important. There was some discussion around how the term antisocial behaviour can be stigmatising in itself.

Housing

The quality of existing housing stock concerned many people we spoke to.

Poor housing could lead to noise issues and complaints because of limited soundproofing and unsuitable flooring.

Several respondents felt housing problems had been exacerbated by short-term lets and 'party-flats'. It was noted that some councils were addressing these issues through using new legislation available to them.

Concerns were also expressed about how private landlords address antisocial behaviour. It was highlighted that there was not a universal approach to how all social housing associations deal with antisocial behaviour, meaning that support and approaches could vary dramatically across the country. It was noted that many people affected by trauma can live beside each other and that greater consideration should be taken regarding who is housed next to one another.

Covid-19 pandemic

The impact of the pandemic and lockdown was felt to have been profound and lasting. Although strong community efforts had taken place in some areas during the pandemic (using what might be termed a "prosocial approach"), many considered the pandemic had negatively affected a high number of people's mental health, with a noticeable decrease in people's "tolerance" levels.

Some people reported a perceived increase in antisocial behaviour since the pandemic, particularly in relation to the behaviour of some young people, and respondents who have protected characteristics (under equalities legislation) also noted a rise in hate crime.

Preventing and addressing antisocial behaviour - improving our approach

Early intervention

Early intervention work can allow agencies to develop and build good community relations and also earn and maintain trust. Such work is preventative and has a focus on supporting those at risk of engaging in antisocial behaviour as well as those who have been the victim of it. Such approaches can be resource intensive with the aim being about delivering long-term changes in communities.

The majority of respondents saw early intervention work as crucial in preventing antisocial behaviour. Better use of 'referral' systems and pathways, as well as partnership working and breaking down silos were all mentioned as important in improving early intervention.

Early intervention and young people

When building relations with, and opportunities for, young people, it was felt important to work in partnership with communities to identify gaps in the provision of things such as positive diversionary activities and programmes, safe outdoor spaces and community hubs.

Young people themselves felt that activities should be available for them during the evenings and weekends within well-designed safe environments. The lack of safe community spaces and youth work provision was highlighted by those who had engaged in antisocial behaviour themselves.

Early intervention and education

Embedded within the [Curriculum for Excellence](#), which reflects and recognises the lifelong nature of education and learning, is a theme aimed at helping children and young people to become good, thoughtful and responsible members of their community and wider society. Most groups were very supportive of this approach, and of the preventative activities and public health messaging already taking place in schools. However, some people felt there should be a greater focus on these activities.

Suggestions were made about the value of collaborative working with the likes of Education Scotland to tackle antisocial behaviour more clearly within the curriculum. It was also suggested that national resources to promote good behaviour, such as communications on public transport, could be developed. It was noted that for communications to be effective with young people, it can be helpful to involve and engage young people in their development.

Resources

Concerns were expressed that the extent of preventative work had diminished in recent years, and that this pattern of constraints to resources was continually affecting local authorities and wider public sector partners.

It was felt that key community roles, that focussed on preventative work had also been eroded including community policing and wardens. It was noted that experienced staff were hard to replace. It was mentioned that some community safety roles had been “diluted” meaning that some staff were now more likely to be involved in reactive response approaches, as well as other duties, such as parking enforcement, instead of building community relationships.

This was seen by some as adversely impacting on establishing relations within communities and putting a strain on remaining staff, who faced increased pressures to deliver with shrinking resources. It was also noted that professionals must have sufficient resources to be properly supported in their roles.

Police and civil enforcement resources were also noted as being affected by resource considerations. Reference was made by some participants to delays in court procedures which could be frustrating.

Although, at a national level, overall drug funding provision has been increasing, feedback referred to cuts to wider services, such as those dealing with public health, supporting social care services, as well as mediation services to help settle community disputes. These cuts were also felt to have had an impact in reducing the ability to address antisocial behaviour. In addition, it was considered that voluntary and community services were affected by resource pressures, including community resources, sports and youth work.

Hate crime

Some minority groups reported that they felt antisocial behaviour and hate crime were closely connected and considered to be a driver for the antisocial behaviour they had experienced. In Scotland, the law currently recognises hate crime based on prejudice towards the following groups: disability, race, religion, sexual orientation and transgender identity.

Once in force, the Hate Crime and Public Order (Scotland) Act 2021 will maintain current legislative protections against offences aggravated by prejudice towards disability, race, religion, sexual orientation and transgender identity (which as present includes protection for those with variations in sex characteristics). The Act will also - for the first time - include protections against offences aggravated by prejudice towards a person’s age.

One victim support representative advised that, during a particular year, nearly all of their antisocial behaviour referrals were related to hate crime. Others felt that some public sector bodies do not properly consider equality requirements within their antisocial behaviour policies/approach. Some communities were wary of reporting issues to the police through, for example, fear of retaliations or lack of trust with the authorities.

We heard that there was a need to improve the data collected on antisocial behaviour to provide a better evidence base for how this impacts different communities.

The Scottish Government published a new [Hate Crime Strategy](#) on 24 March 2023. The Strategy sets out a vision for a Scotland where everyone lives free from hatred and prejudice, and where our communities are empowered, inclusive and safe. It makes a number of commitments, including ensuring improved support for victims of hate crime, improving data and evidence on hate crime and developing effective approaches to preventing hate crime. It will also support the implementation of the [Hate Crime and Public Order \(Scotland\) Act 2021](#). A delivery plan, setting out the immediate and longer term activity, will be published later this year.

Misogyny

Some respondents had experienced misogyny which had led to antisocial behaviour harassment and considered that the gendered aspect of antisocial behaviour should more clearly be recognised.

Stereotypes

There was general agreement that young people, in particular, could be tarred with an “antisocial behaviour brush”, especially by the media. Importantly, the point was made that those engaging in antisocial behaviour vary significantly. Challenging media narratives was seen as important in confronting stigma and discrimination. Stereotypes could pigeon-hole victims, and those engaging in antisocial behaviour, which could result in victims being less likely to report issues as they felt they would not be taken sufficiently seriously.

Mistrust of authorities

Feelings of discrimination, were thought to lead to a mistrust of authorities, such as the statutory and non-statutory agencies, which in turn could result in less likelihood of antisocial behaviour being reported. Some minority groups felt frontline workers could express discriminatory attitudes and professionals recognised that these mistrust issues existed. There was general agreement that people engage more with those they trust and that lack of trust presented a real problem.

Greater understanding of others

In terms of community cohesion, it was felt there was a need for a greater understanding of one another. Work to address this could include projects to break down barriers, promote greater understanding of the impact of behaviours and challenge intergenerational mistrust.

Respondents considered there to be a need to better understand those in distress who were committing antisocial behaviour but might be experiencing trauma and other mental health issues. Developing our understanding, of the drivers of antisocial behaviour, will be helpful in reframing the response of a community to an individual. In a wider context, this was also seen as helpful in terms of enhancing the community’s understanding and tolerance of the issues.

It was suggested it might be helpful to promote more positive pro-social stories in the media, such as good community work and education (in schools and in the community), which could be key in supporting understanding of others, in terms of the causes and impacts of antisocial behaviour.

Community engagement

The significance of real community engagement and co-production (different organisations and communities working together to design and deliver services) was endorsed, as a way to support and empower communities to deal with and prevent antisocial behaviour better. By tapping into lived experiences, including that of minority communities, better policy could deepen our understanding and develop effective solutions.

Some people felt that it was important that local authorities were in tune with communities' needs, as this would enable statutory and non-statutory agencies to focus on the real lived experiences of communities and thereby achieve better outcomes for those concerned. One suggestion was for local Community Planning Partnerships to have a particular requirement to promote community cohesion.

Community-led solutions

Community-led solutions were considered to better address community issues and "trusted services", such as the emergency and voluntary sector services, were seen as most effective in preventing and tackling antisocial behaviour. The police, it was suggested, also had a crucial role in building community relationships and trust through their community police officers getting to know those in local communities.

It was noted that good training and support for community officers was essential. It was also noted that school police liaison officers can be very helpful in building trust and relations with young people. Additionally, it was felt that the development of policies and provision should involve communities and democratic processes, to empower the communities that they aim to benefit.

Joined-up working

It was recognised that a lack of joined-up working (working in isolation and silos) was sometimes prevalent with those dealing with antisocial behaviour. This presented a significant challenge to effective and necessary partnership working, and barriers to the provision of a more holistic approach which can serve communities better. Some endorsed the need for greater collaboration and multiagency working. This need for more joined-up working affected government too.

Joined-up services

Partnership work was felt to have been impacted by limited funding resources, but it was acknowledged that, in order to counter these restrictions, innovative work could nonetheless take place in terms of working collaboratively with partners, potentially sharing resources and services.

Working in partnership was considered the most effective way, in addressing and preventing antisocial behaviour, whilst providing support to individuals and communities. When working with other partners, it was suggested that clear communication and guidance outlining different types of antisocial behaviour was helpful to identify which service was best to engage with and options for resolution.

It was also suggested that it may be valuable to bring together the police, social work and health services and examples of best practice were given, including co-located shared hubs with community safety partners where greater information sharing, communication and collaboration can take place.

The benefits of having more joined-up services with multi-agency partnerships, such as addiction support, community mental health and social services, was endorsed. By working in a more holistic way and using a public health, whole systems approach, it was felt that this might better collectively address the widespread issues that often need to be taken account of in addressing antisocial behaviour.

It was suggested that improvements to data sharing and referrals were needed, to improve effectiveness and collaboration, taking into account control requirements such as the [General Data Protection Regulations \(GDPR\)](#). Subject to these provisions, the need to share data on a need-to-know basis was emphasised, as was the need to ensure that the human rights of all individuals were being respected.

Person-centred and trauma-informed approach

The benefits of a person-centred and trauma informed approach in building relationships and preventing antisocial behaviour through constructive, compassionate and healthy engagement were widely endorsed.

If possible, it was suggested that by working holistically to better understand the needs of the individual's antisocial behaviour using a person-centred and trauma-informed approach to take account of other issues that are going on in their lives, could be more effective in preventing antisocial behaviour. Examples are provided of person-centred approaches in the Feedback section of the report.

These approaches complement a holistic approach, in terms of providing support and signposting to victims and those committing antisocial behaviour. This involves co-ordination with partners, and staff trained in a trauma-informed, person-centred and whole family approaches. Signposting people to a range of informal support options was also suggested as helpful, for example drop-in cafes, gyms, exercise or meditation.

Most respondents felt there was more to be done in terms of adopting these approaches and that there were important benefits for both victims and those committing antisocial behaviour.

Better support for victims

Some respondents felt that the existing processes for dealing with antisocial behaviour could exacerbate victims' distress and impact on their mental health and feeling of isolation. Victims reported they felt that the people committing antisocial behaviour received more support than they did, and it was important they were listened to and kept updated. The approach and time spent by staff in updating and involving victims was considered to be beneficial. But it was noted that, at times, this required intensive resource. Some felt there was a need for authorities to be held to account in terms of progress of cases and there was merit in considering data to facilitate this analysis.

Managing people's expectations was seen as necessary so that they had a realistic idea of the work involved to secure sufficient robust evidence. Otherwise, this could lead to dissatisfaction about the process as well as about the service being provided.

Support for victims was also required when legal matters arose and courts were involved.

It was highlighted that it could be frustrating for victims to have to repeat issues to different staff and a single person of contact would be especially helpful.

It was suggested that it may be helpful to have guidance and information for victims which was up-to-date, clear, consistent and well communicated. This could include signposting and information on different types of antisocial behaviour, and the range of engagement and resolution options available.

Respondents felt that effective mental health and counselling, especially in connection with trauma, as well as other therapeutic support, should be available for victims. Victim Support Scotland (VSS) and other agencies were seen to provide valuable services but it was noted that some partners providing support services for victims were facing funding and capacity issues.

Support for people committing antisocial behaviour

Access to therapeutic and recovery services, and more mental health support services, linked closely with alcohol and drug support services, were highlighted as an essential and effective way to prevent and support those committing antisocial behaviour. It was suggested that engagement should continue after any legal processes, as that was arguably when people needed support most.

Support for professionals who deal with antisocial behaviour

It was felt vital to support staff as they often deal with difficult, challenging situations and behaviour. In supporting their resilience and morale, up to date training was also considered to be important, including on the use of trauma-informed approaches, social media and technology. Access to sufficient, supportive resources and technology such as noise equipment should also be considered.

Public sector services

Most respondents felt that effective, multi-agency partnerships and joined-up working, was essential, particularly in terms of preventative work. Examples of public sector responses to antisocial behaviour are given in the Feedback section of the report including 'weeks of action' from the authorities and partners with an antisocial behaviour focus.

In summary, respondents considered that public sector services should:

- Prioritise a more visible community presence including police and community wardens.
- Encourage increased collaboration and multi-agency working.
- Be less outcomes focused instead more whole-systems focussed to secure lasting resolutions.
- Aim to make 'every contact count', and get referrals and early intervention 'right', with the focus being on the long-term.
- Take a longer term, person-centred approach.
- Prioritise cutting waiting lists and having support there when it is needed.
- Be more inclusive of those with additional requirements, e.g. hearing and sight impairments, English as a second language (ESOL).
- Not lose the lessons from the pandemic and 'build back better'.
- Be more accountable around trauma-informed practice and [the incorporation of the UN Convention on the Rights of the Child \(UNCRC\)](#).

Safe Community Spaces

Community hubs and place-based support were regarded to be trusted locally and were seen as a safe environment. Work that takes place in these spaces is '[asset-based](#)' and includes peer mentoring; diversionary activities; youth work; intergenerational work and poverty interventions.

It was suggested that communities could potentially use these spaces to seek local solutions to antisocial behaviour issues and they had the benefit of providing a more neutral place to report concerns.

Refreshed approach to antisocial behaviour

The following section sets out areas where improvements could be made for further consideration. These represent a significant amount of work and there is a need to consider what can be taken forward as a part of a phased long-term approach to addressing antisocial behaviour.

Definitions

There are many different types of antisocial behaviour which require varied approaches. Some respondents saw the value of a broad definition as this allows for more individualised local responses. Many, however, felt the current definition of antisocial behaviour was too broad and vague. There are varying interpretations and thresholds of what is considered to be antisocial behaviour within different social groups and communities. This can make it hard to decide when intervention is beneficial. Therefore, the development of a standard definition was felt to be helpful.

Reporting antisocial behaviour

It was considered that improvements could be made to the processes for reporting antisocial behaviour to make it easier for victims, particularly those who are vulnerable or have additional support needs. It was also noted that the UK Government's Antisocial Behaviour Action Plan, refers to planned improvements in how antisocial behaviour is reported and acted upon.

Those with English as a second language, needed more clarity around who, and where, to report antisocial behaviour and reporting pathways could be made clearer. It was also suggested that the availability of reporting of issues at the evening and weekend be considered with the possibility of a national helpline.

Fears of retaliation, as a victim or a bystander (in reporting or intervening in antisocial behaviour), were shared, particularly by minority ethnic and community-based groups in relation to hate crime incidents. Wherever possible, anonymity was important to give victims confidence and reassurance.

The need for sufficient evidence as well as the required paperwork from victims when reporting was viewed by some respondents as off-putting and a potential barrier.

Legislation

It was reflected that the legislation and guidance were written at a time before the impact of social media was understood and, when our understanding of mental health issues, including the importance of trauma-informed practice, was not well understood. Some respondents considered that existing legislation and tools were sufficient but a question around using these effectively exists due to the pressure on staff resources.

Other respondents felt that the [Antisocial Behaviour etc. \(Scotland\) Act 2004](#), did not provide sufficient flexibility to tackle more complex issues and some authorities used

[Adults with Incapacity \(Scotland\) Act 2000](#) and [Adult Support and Protection \(Scotland\) Act 2007: code of practice](#) when appropriate.

Some respondents felt that evidence relating to social media required to be reviewed, in connection with antisocial behaviour processes, and that updating the legislation should be considered.

Since the [Antisocial Behaviour etc. \(Scotland\) Act 2004](#), social media and technology have grown exponentially which had impacted on antisocial behaviour. Online antisocial behaviour, was linked to hate crime and cyber bullying, and was described as visible to only the victim and the people committing antisocial behaviour unless the victim/s chose to share this. Online views can also become entrenched, and disputes can quickly be shared, sometimes with incorrect information, amongst neighbourhoods and escalate at the 'touch of a button'.

Suggestions about the legislation, which could be examined further, included:

- Updating legislation to deal with current issues, such as social media and transport.
- Making the penalties between rented and private accommodation the same.
- Having legislative powers for preventative approaches, support and referrals.
- Reducing the threshold for an [Interim Anti-Social Behaviour Order](#).
- Finding more creative court disposals for those found guilty of offences.
- It was highlighted that there were thresholds between civil and criminal law which affected being able to share data.
- Considering whether it is possible to include mandatory conditions for individuals to engage with professional support services such as addiction services.

Suggestions about the legal guidance on antisocial behaviour included:

- Making clearer what laws pertain to Scotland and not England.
- Ensuring all Local Authority constituents (residents and those living, studying, or working in an area) have access to up-to-date and consistent information.

Penalties

Diverging opinions were shared during discussions about how best to respond to antisocial behaviour. Some respondents wanted tougher enforcement, and more consequences to antisocial behaviour, which they considered would act as a deterrent. Most supported a more person-centred approach.

It was noted that victims, and elected members, could push enforcement action when other dynamics required consideration, for example, more support for the person/s engaging in antisocial behaviour.

There were mixed views on the effectiveness of fines. It was felt that on-the-spot penalties could be helpful in making action quicker, and easier, in terms of intervention and justice, but views were shared that they create an administrative burden and may discourage engagement with support services and change of behaviour. The complexities that surround the effectiveness of evictions were also considered.

A point was raised that [Acceptable Behaviour Contracts \(ABCs\)](#) only worked for a small percentage of first-time offenders and were not legally binding. Therefore they were not considered a real deterrent to reoffending. Public transport operators pointed to a lack of powers to enable them to deal with antisocial behaviour, particularly with young people.

Alternatives to penalties and arrest

It was acknowledged that flexibility in enforcement approaches currently existed and these options were regarded as important, especially where penalty responses were not appropriate. Many felt alternatives to legal enforcement could be a better way to support those who commit antisocial behaviour in terms of preventing further offending.

It was considered important, wherever possible, not to criminalise young people and also to make efforts to understand people's behaviour, to enable support to be provided, where appropriate, especially in terms of rehabilitation.

It was also noted that tougher enforcement could sometimes cause friction and increase antisocial behaviour.

Mediation and restorative justice services

Some respondents advocated for the use of mediation and restorative justice services, where appropriate, in responding to antisocial behaviour. Mediation was felt to be an effective tool to consider other people's viewpoints, although this is subject to both parties' agreement. Where behaviour is particularly offensive or harmful this may not be appropriate.

Restorative justice can be an effective tool for some people in effecting behavioural change and facilitating a better understanding of the impact of someone's behaviour.

It was noted that there are some aspects of this in the UK Government's Antisocial Behaviour Action Plan. Although this can help some victims, and provide reassurance that their concerns are being considered, it is important to ensure that this is done carefully to avoid power imbalances and unconscious bias, including racial bias.

It was noted that these services were not universally available across the country.

Housing Considerations

It was suggested that private landlords should be reminded of their responsibilities in terms of antisocial behaviour and the consequences of failing to address these issues.

There was not a universal approach to how all housing associations (social housing landlords) deal with antisocial behaviour. Some had their own antisocial behaviour officers benefiting from local knowledge whilst others left it to the statutory authorities to lead on the response. This meant that support and approaches varied dramatically across the country. It was felt that more work could potentially be done with social

housing landlords to offer advice to ensure complaints are dealt with effectively and more consistently.

It was suggested that social housing landlords should be more sensitive and take into account a person's specific needs and circumstances, So that, for example, a woman fleeing violence is not homed next to a male with a history of aggressive behaviour. Some respondents felt young people should receive more support to manage their first tenancies and understand their responsibilities to their neighbours and wider communities.

It was suggested that new housing developments should include [Police Architectural Liaison Officers](#), at the design stage and safe neighbourhoods should have well-lit street lighting, appropriate CCTV, safe walking routes and green and open spaces.

Advocating a Refreshed Approach to antisocial behaviour

Overall, there appeared to be support from the statutory agencies and others for a refreshed more preventative and supportive focus in preventing antisocial behaviour from occurring in the first place. Some feedback suggested that an approach focussing on more uniform outcomes to antisocial behaviour was needed.

Further consideration of a refresh could consider the following issues:

- Definition
- Legislation and guidance
- Powers
- Reporting including support and outcomes
- General approach including partnership working and public information
- Person centred and trauma-informed approach

Evaluation

Evidence-based approaches and evaluation were endorsed in taking forward any revised antisocial behaviour policy and intervention to make sure there are no unintended consequences. Some respondents were concerned about any over emphasis on outcomes as it can be difficult to evidence preventative work.

Recommendations

The recommendations, emerging from our assessment of the qualitative evidence, have confirmed that everyone has a role to play in preventing and tackling antisocial behaviour. We hope that this report will be used as the starting point, of a much broader and deeper discussion of these issues, leading to a long-term road map of how we can work collectively, to prevent and address antisocial behaviour in effective ways.

We therefore make the following two recommendations:

Recommendation one

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 (that recognises societal changes and evolves) and that we need to make a commitment to a programme of activity which will provide a framework that will guide us in taking forward this agenda in alignment with other linked national policies.

Recommendation two

An independently chaired group of experts, potentially including statutory, non-statutory and voluntary service providers, community representatives and other key interests should be brought together to develop a long-term framework for addressing antisocial behaviour.

This should have a strong focus on steps that can be taken to prevent antisocial behaviour from occurring as well as considering the effectiveness of current approaches to tackling the antisocial behaviour which occurs.

The findings in this and other relevant, existing reports should form the foundations of the group's work and they should not be restricted in identifying what areas are most important to move this agenda forward, which could include considerations of the effectiveness of current legislation.

The group should be able to commission and gather evidence to support their work and have a free hand to engage with anyone who can support this agenda. Central to this work should be building broad support for any long-term work that the group proposes.

Detailed findings from the engagement undertaken by the Scottish Government and Scottish Community Safety Network: is there another way to approach antisocial behaviour?

Feedback question one

This paper summaries the responses of 25 engagement discussions held by the Scottish Community Safety Network and the Scottish Government with a representative cross-section of stakeholders in Scotland.

This included representatives who work directly with those affected by antisocial behaviour, as well as community and equalities groups. These conversations took place face to face, virtually and by email.

We asked participants what another approach to preventing and tackling antisocial behaviour might look like: whether this was something that could be delivered in Scotland; and, if so, what should this include and how might we go about this?

Three central questions were asked and this section reflects all of the answers to question one:

Question one - What changes should be made to the current approach or what further steps should be taken to help prevent antisocial behaviour?

Early intervention and prevention

Early intervention was the main area, that consultation respondents overwhelmingly, felt should be prioritised, in order to prevent antisocial behaviour.

There was a strong response from participants, enthusiastic to share their beliefs that practitioners and service providers could: “see the signs [of potential issues] and make an impact earlier, if we had the resources” - practitioner respondent. There were also strong feelings that previous ‘good work’ in early intervention is being eroded by cuts.

Indeed, another practitioner shared: “previous work revolving around early preventative action has been struggling in place of a reactive approach, due to funding cuts.” Other respondents agreed with this assessment, adding that they were doing work that was “mostly reactive” and “firefighting”, rather than pro-actively tackling issues at “grassroots”.

Cuts to community safety services are being felt more broadly, and acutely, in some areas. Community Wardens explained that in the most recent years of austerity, they have been required to take on added responsibility for various extra tasks, e.g. car parking enforcement.

Crucially, enforcement was seen as an aspect of the job which some respondents felt contradicts the originally intended purpose of the Community Warden role, which was established after the [Antisocial Behaviour etc. \(Scotland\) Act 2004](#), to help build community relations and trust: “a focus on enforcement is time consuming and not as effective as the previous approach, which allowed wardens to invest in community work and relationship building to prevent issues”.

They also fed back that being involved in enforcement, was seen by some people within the community as ‘surveillance’ and undermined relations. Community Wardens also explained how their role could add value to developing early intervention approaches, dealing with non-housing issues and assisting antisocial behaviour teams, “nipping issues in the bud” through preventative investigation and intervention, when responding to complaints.

Early intervention and young people

A main focus of discussion about early intervention centred on young people.

Emergency services respondents stressed the importance of nurturing and educating young people with youth intervention schemes, tailored to meet local needs, and taking account of the local environment, as accounting for things like deprivation.

Voluntary sector respondents echoed this sentiment: “[prevention] is the most important element of any approach and needs to be targeted towards the right people, at the right time and right place, as most young people don’t actually cause trouble.”

Many excellent examples of early intervention and diversionary work were cited by consultation respondents, predominantly begun as a result of effective partnership working. Of note, were those, who worked in partnership with the private and voluntary sectors to provide prevention activities, for example; a project between Stagecoach and multi-agency partners with evening activities for young people; a [Lothian Buses Police Liaison Officer](#), working with groups of young people; and activities through the Widget Project in East Renfrewshire.

Another significant area of concern, raised in connection with early intervention and young people, was the lack of youth and community services and spaces.

Practitioner respondents commented that: “more support is needed to work with young people, especially as youth and volunteer services have been impacted by funding cuts”. Indeed, this was widely mentioned, with sharp emphasis placed on the importance of funding community resources and spaces; places where local people feel a sense of ownership, and young people can establish trusted relationships with ‘grass roots’ community development projects and services, which are well placed to deliver positive diversionary and early intervention programmes.

One practitioner wrote: “during the pandemic, lots of youth services, diversionary projects and community facilities were paused or closed down. Many of these have struggled to re-establish themselves and there are community facilities which remain

closed. There should be a focus on establishing gaps in the provision of these types of services and engaging with the community to recreate them, to maximise prevention opportunities and divert people within the community away from engaging in antisocial behaviour”.

A lack of safe spaces and “somewhere to go” for young people was also highlighted by many. It was felt that groups of young people often congregate where there is light (in the evenings), toilets or Wi-Fi, and that this needs to be considered by city planners and housing developers.

Early intervention and education

Education on ‘good citizenship’ was another theme that emerged as an area of particular focus, regarding early intervention specifically. In many instances, this was alluded to as ‘pro-social behaviour’, an approach which should ideally start in early years education. This reflected the views of many who felt that behaviour is learned from ‘a young age’. Most groups were very supportive of this approach, and of the prevention activities and public health messaging (behaviour and relationships) already taking place in schools.

However, some respondents felt there should be even greater focus on these activities: “Children need to be educated from a young age about the wrongs of antisocial behaviour, the impacts on victims and other people that their behaviour can have and the consequences on communities” - a local authority respondent.

Other important points mentioned around early intervention included:

- Respondents who work with victims noted that earlier emotional support for victims would be worthwhile, as many are already “at the end of their tether” by the time they seek support.
- Emergency services respondents commented that they deal with the ‘aftermath’ of antisocial behaviour on many occasions. They felt that more prevention of antisocial behaviour would help ease strain on already exhausted and depleted blue-light services.
- One voluntary sector respondent noted: “there are often missed opportunities for intervention - e.g. in police custody. [For example] Alcohol Brief Interventions ... This should be standard with the amount of people doing antisocial behaviour due to alcohol or drugs”.

Tackling poor mental health and other root causes including poverty

Mental health

Of all the engagement discussions, mental health was felt to be the most prominent root cause linked to antisocial behaviour. Mental health was commented on both in terms of a root cause as well as a consequence of antisocial behaviour. Indeed, community safety practitioners pointed to mental health as the main root cause but also as part of a wider context of vulnerability.

It was noted that, while more health pathways (e.g. signposting and referrals) have opened up as a result of community safety organisations increasingly working

together in partnership, there appears to be a persistent feeling that community safety officers are under-resourced and under-trained to tackle this significant issue.

As with early intervention and prevention, lack of investment and cutbacks to mental health support and resources were reported as a “huge barrier” to preventing and dealing with antisocial behaviour.

In general, respondents felt strongly that the pandemic had resulted in an increase in mental health issues and a lowering of tolerance, in both behaviour and complaint.

The new culture of working from home, it was felt, had made people more aware - perhaps sensitive - of personal environments and noise, in addition to being under increased mental strain. Similarly, the cost-of-living crisis had led to more noise and nuisance complaints as well, with, for example, people staying at home to socialise, or being awake at unsociable hours due to stress or unusual routines.

The impact of the process of dealing with antisocial behaviour complaints was also mentioned frequently, described as something that exacerbates and can cause poor mental health and isolation. There were reports of victims being sent “round in circles” and: “sending customers on an institutional ping-pong journey before they eventually find a team willing to take their case on” by practitioners.

There were also reports that; “complaints go on for years and years”. One victim stated that there was: “no information given in nine and a half years about how to cope with antisocial behaviour on mental health.” Some groups were concerned that victims often felt left behind, with more time being seemingly spent with the perpetrator of antisocial behaviour when simply regular communications would help them feel included and listened to.

One victim said having one ‘point-of-contact’ was extremely helpful: - “What made a huge difference to me was one officer - he updated me, had difficult conversations for me, I felt listened to, I was included in decision-making, he was my one point of contact”.

A practitioner noted: “being the victim can be stressful and can impact on people’s health and wellbeing; many victims just want the issue to be ‘fixed’ quickly and this expectation often falls on the local authority”. Another practitioner shed more light on this: “It is incredibly difficult to manage customers’ needs and expectations in a reality where time spent on each case is practically limited”.

To help cope with the above challenges, there were calls from many respondents for more joined-up working and a ‘holistic’ approach.

A practitioner commented: - “Involve addiction, community mental health teams and social workers”. One emergency service organisation respondent acknowledged there is a lot of good work going on regarding mental health, but joined up working could still be better - for example, a shared referral form.

One practitioner organisation said: - “The development of a national public health approach is important to [our] aims to support individuals during periods of crisis and prevent them from engaging in behaviour which may cause upset and distress to others within their communities” (More information on what a Public Health Approach to policing in Scotland, can be found at [Scottish Violence Reduction Unit](#)).

Drugs and alcohol

In addition to mental health, drug and alcohol misuse in adults was mentioned regularly as a root cause of antisocial behaviour. Again, access to addiction and recovery support was seen as a major part of the problem, and the solution.

Young people and underage drinking was also mentioned as an issue, often with regards to young people congregating. In-community support was considered as being of particular importance, to help tackle both addictions in adults and youth disorder.

One organisation that worked with victims referred to drugs and alcohol featuring in many of their referrals; this was seen as a crucial issue for communities. One public transport stakeholder advised, that the biggest direct antisocial behaviour issue they face relates to alcohol and people being intoxicated.

Poverty

In terms of a root cause, poverty was frequently mentioned, with much agreement that: “poverty lies at the root of many of the other root causes” - one voluntary sector respondent. Generational poverty was also mentioned many times as a particular cause of antisocial behaviour, in terms of being: “socialised into behaving in certain ways” - one third sector respondent.

Many respondents felt it was important to understand inequalities and areas of deprivation better, and to provide support for people in these environments, so as not to: “criminalise people who may simply be frustrated” - local authority respondent.

Groups consulted who identified as ethnic or other minorities were keen to stress that poverty, and other associated root causes, are felt disproportionately by their communities, and that antisocial behaviour policy should take this into account. They felt it was particularly important for policy makers to co-produce policy from ‘start to finish’ including evaluating its effectiveness.

One respondent from the Voluntary Sector said: “antisocial behaviour needs a wide governmental strategy around poverty if we want to address the root causes”. A local authority respondent wrote: “Any strategy to target antisocial behaviour cannot look past those systemic, visceral circumstances of social unfairness, which no smart, digital and creative tactic can freely side-step and ignore when it affects individuals and communities on a basic physical level”.

One local authority respondent referred to their multi-agency partnership including the Economic Development team, as one example, where poverty and antisocial behaviour were being directly linked and tackled together.

Housing

The quality of existing housing stock was brought up most often around housing issues, such as a lack of soundproofing and suitable flooring: - “Tolerance and antisocial behaviour issues arise massively out of the poor construction of buildings” - local authority respondent. Several respondents felt this issue has been exacerbated by the rise in short-term lets and ‘party-flats’.

Some suggestions around improving this included:

- Ensuring private landlords are aware of their responsibility, in terms of antisocial behaviour.
- Inclusion of short-term lets in the antisocial behaviour legislation and guidance.
- Working more closely with social landlords to offer advice and ensure complaints are dealt with effectively.

A voluntary sector respondent mentioned how useful [Police Architectural Liaison Officers](#) can be at the design stage of new social housing developments as this is: “an excellent opportunity to help design positive environments” in terms of antisocial behaviour and ‘designing-out crime’.

Others also commented that housing planners and designers should take lighting, safe spaces for young people and security cameras into account, alongside green and open places and this could even be a legal requirement.

It was noted that each Housing Association deals with antisocial behaviour differently. Some leave complaints entirely to the attention of authorities, such as the police, whilst others employ their own Antisocial Behaviour Officers, or buy services from their local authority. This means that the level of support can vary dramatically, regionally and nationally. However, local, community-based housing associations themselves noted how they felt “ideally placed” to tackle antisocial behaviour before it escalates, because they know their area and their tenants well. In some cases, tenants had a real say through effective governance arrangements.

Local Authority letting policies were subject to some criticism in terms of their sensitivities around who is placed where. A voluntary sector respondent claimed: “no thought [is given] as to who is being inserted into a community and whether it is best for all” and further explained that being housed alongside antisocial behaviour and domestic abuse issues can be seriously re-traumatising for many women.

There were comments around the real need for young people to have more support with their first tenancy: “school leavers don’t understand responsibility - don’t know about hoovering late, smell of cannabis. [There is] no tenancy support for young people before it goes to enforcement” - *Voluntary Sector* respondent.

Culture

One aspect of culture mentioned was 'seeing things as a laugh or 'banter'.

Secondly, drinking (alcohol) culture was, again, also cited as causing much of the issues surrounding antisocial behaviour on transport particularly rail.

Thirdly, as noted earlier, some felt that antisocial behaviour is learned through a 'generational culture': "To achieve any real change in people's behaviour who commit acts of antisocial behaviour, generations of embedded culture need to be changed" - local authority practitioner. There was also recognition that preventative work is a continuous process.

Also mentioned, was a culture amongst some social groups, e.g. race, faith, young people, of 'mistrust of authorities'. One practitioner noted that when dealing with antisocial behaviour, we must be careful how the victim is treated, otherwise this: "is detrimental to early intervention and allowing problems to fester, and also reinforces the distrust and resentment already present towards public authorities in many affected social groups".

Enforcement and legislation

Most respondents mentioned changes to enforcement and legislation in some capacity as a way to prevent antisocial behaviour. Indeed, discussions around enforcement fell into two distinct categories and there was an evident polarity in opinion.

Some respondents focussed mainly on authoritative enforcement methods as a deterrent and felt there should be "tighter controls" and "more consequences".

But the majority of engagement participants were in favour of a more preventative and supportive approach. There was a feeling amongst many that: "authoritative measures...can cause friction and increase the antisocial behaviour, not reduce [it]" - local authority practitioner, and that 'criminalising' people is counter-productive, particularly for young people.

There was some discussion from local authority practitioners that: victims and (Local) Councillors can often advocate enforcement action when there are other dynamics at play and the perpetrator requires additional support.

There appeared to be support for a refresh to the current approach to antisocial behaviour. One respondent from a statutory authority said they supported the proposed provision of a refreshed approach focusing more on prevention and support, rather than tackling issues after they have happened. And a local authority practitioner wrote: "as it [antisocial behaviour] is still happening, the current measures in place need to be reviewed. We should be engaging in a supportive way with both victims and perpetrators, to understand the root cause and why this is recurring."

As noted previously, there is unease amongst some Community Wardens that their role has moved away from a focus on community relations, towards enforcement.

One participant stated that they felt: “a more enforcement-gearred approach is seen as ‘surveillance’ and loses trust.” One local authority practitioner said: “law enforcement does not prevent antisocial behaviour but relationships do. Community should be the focus”. Another respondent from the voluntary sector felt that: “they use it [enforcement] as a big stick and focus on issues with the victim, rather than tackling the problem”. One respondent considered that [Acceptable Behaviour Contracts \(ABCs\)](#) are only effective for a ‘small percentage’ of first time offenders, given they are not legally binding and hold no real deterrent to reoffending.

A disparity in how antisocial behaviour is enforced and reported across the country was also highlighted by a practitioner who called for a more: “consistent, uniform approach to antisocial behaviour”.

Definition

A major part of the discussions about enforcement centred on the definition of antisocial behaviour. Most felt it is too “broad” and “vague”.

There were numerous comments observing that not all antisocial behaviour is equal in severity and requires different approaches. Some noted that different social groups or geographies have different interpretations of definition and threshold.

Others felt that having a broad and varying interpretation makes it hard to tell when early intervention should take place, and that a broad definition also makes it difficult to achieve a national, uniform consistency.

Suggestions to help make the definition clearer were:

- Clarity on the scope between crime and non-crime;
- Clarity on the scope of civil and criminal antisocial behaviour;
- Clarity between public and private antisocial behaviour;
- The difference between hate crime and antisocial behaviour explained;
- Production of a simple guidance document for national consistency.

Some respondents from the Voluntary Sector said they “dislike the term ‘antisocial behaviour’” and felt it contributes to “criminalising already marginalised communities”.

One Local Authority representative holder group said: “a standard definition of antisocial behaviour should be issued with performance indicators to help with benchmarking, transparency and shared learning across Local Authorities.”

However, another felt that: “having the current broad definition was proportionate and assisted in assessing how best to help all affected by antisocial behaviour, whether victim or perpetrator. The current position allows case-by-case advice, warnings, support and partnership input, and for Local Authorities to pursue the most appropriate legislative regime”.

Legislation and guidance

As already mentioned in the introduction, it has been almost twenty years since the Antisocial Behaviour etc. (Scotland) Act 2004 was put in place, and over a decade

since the 2009 publication of the framework '[Promoting Positive Outcomes - Working Together to Prevent Antisocial Behaviour in Scotland](#)'. The majority of comments about legislation were around its age and questioned whether it needs to be brought up-to-date to better reflect the realities of the day, e.g. greater understanding of mental health issues and the growth and impact of social media.

Specific comments about the legislation from respondents included recommendations to:

- Update the legislation to deal with current issues, such as social media and transport;
- Make the penalties between rented and private accommodation the same;
- Have legislative powers for preventative approaches, support and referrals;
- Reduce the threshold for an [Interim Anti-Social Behaviour Order \(IASBO\)](#);
- Find more creative court disposals for those found guilty of offences.

Replies to the legal guidance on antisocial behaviour included suggestions to:

- Make clearer what laws pertain to Scotland and not England;
- Ensure all Local Authority constituents have access to up-to-date and consistent information.

Powers

There was mixed opinion over whether increased powers for 'on the spot' penalties were worthwhile. Some felt increased powers would make things 'quicker and easier', in terms of early intervention and justice for the victim. Others disagreed and felt penalties should be a 'last resort', believing they increase administrative burden, and increase risk of the person(s) behaving anti-socially, and may discourage engagement with support services as a result. This again showed the polarity in opinion, between enforcement-led and supportive approaches.

A practitioner commented that: "all the practical antisocial behaviour tools already exist but aren't used effectively". This feeling was supported by some Community Warden participants who felt that: "more powers are not needed - people want 'boots on the ground'".

Public transport stakeholders pointed to a 'lack of powers' to enable them to deal effectively with antisocial behaviour, especially regarding young people. There was also a need to be aware of safeguarding duties and risks concerning young people.

Reporting

This area fell into two categories. First, reporting of antisocial behaviour - that people need more clarity around who to report to and where, especially concerning minorities and those with English as a second language. Second, reporting on antisocial behaviour - that authorities need to be held more accountable on the progress they are making with antisocial behaviour cases.

One respondent from a community stakeholder group said they would like to see: "data broken down to demonstrate the extent of antisocial behaviour on specific communities". It was also important that people could easily report issues (with clear

signposting to the right people) and supported through the process, e.g. receiving feedback.

Approach

As part of enforcement, many respondents discussed the general approach taken. Most prominently, was the clear value and importance of working in partnership around the issue of antisocial behaviour: - “Tackling antisocial behaviour is a complex matter and we have found that working in partnership is the most effective way to address behaviour, identify prevention opportunities and provide local support to individuals and communities” - one practitioner respondent.

One local authority practitioner felt more could be done still to improve partnership working to prevent antisocial behaviour: - “We need to work with Local Authorities, housing providers and other partners, to provide clear communication and guidance around antisocial behaviour. This should include outlining types of antisocial behaviour, routes for engaging with the most appropriate service, taking consideration of all digital/technological advances and potential options for resolution, in order to help us all work more efficiently and effectively in tackling antisocial behaviour”.

In terms of budget pressures, pooling resources of local partners for multi-agency approaches was important including appropriate co-location.

Some respondents, especially those in the voluntary sector, mentioned how the [General Data Protection Regulations \(GDPR\)](#) have affected the ability to refer quickly. Steps to improve the sharing of data was also considered ‘critical’ by some respondents, in preventing antisocial behaviour consistently and to support prevention and earlier intervention. It was suggested by one respondent that Local Authorities and Police Scotland could work together better, to explore opportunities for improved data sharing and collaboration.

One practitioner suggested that a refresh should develop consistent and comprehensive guidance at a national level, and this could include reference to partners that should be considered and at different stages - this could be adapted to meet local needs.

Another local authority officer said it was important: “to have a national approach, not a postcode lottery”. Strategically, it was suggested that all policy areas nationally and locally are: “connected to ensure that antisocial behaviour’s impact on individuals and communities is acknowledged and understood, and that all policy areas - where there is synergy, outcomes, resources and potential positive outcomes...that can be achieved - are aligned by a cohesive and collaborative approach”. Suggested policy areas for more effective alignment included:

- [The Promise](#)
- [Restorative Justice](#)
- [Alcohol and Drugs Policy](#)
- [Mental Health Policy](#)

Some respondents mentioned the need to evaluate antisocial behaviour better, to have a greater idea of ‘what works’ and crucially: “that ideas and strategies are

evaluated, especially for good outcomes - black box thinking” - one practitioner respondent.

As mentioned before, there were calls from community groups for local authorities to be more accountable on their outcomes on antisocial behaviour. To do this, and for benchmarking reasons, it was suggested by one practitioner respondent that: “nationally agreed data types for consistency of recording” would be needed.

Some local authority respondents commented that: “prevention, early-intervention, and longer-term work means that providing the data that demonstrates the difference this approach makes, is a challenge. It requires managing to record and analyse outputs and outcomes, quantitative and qualitative data.”

Person/family centred approach

There was a lot of discussion around the merits of a person-centred approach, which involves giving officers time to build relationships with victims and those behaving anti-socially, especially as part of a preventative approach. Indeed, there appeared to be a number of local authorities already operating in this way. One practitioner claimed: “*many Antisocial Behaviour officers think they do not do support but in reality, they do lots of this before it reaches enforcement*”.

Examples of more formalised, person-centred approaches were given:

- In Glasgow, the Antisocial Behaviour Team took the innovative step to become mentors for young people through the ‘Motivation, Commitment and Resilience’ [MCR pathways](#) programme, to try and ‘give back’ to the community.
- In Edinburgh, antisocial behaviour is managed through the [Family and Household Support Service](#) and officers are trained to Scottish Vocational Qualification (SVQ) level in behaviour modification and a theoretical approach.

A practitioner commented that a person-centred approach is: “not a ‘quick fix and may appear to ‘favour’ the perpetrator, due to the need to focus on them to change their behaviour”.

Another part of a person-centred approach is [trauma-informed practice](#). Some felt that those working within antisocial behaviour need to move away from ‘victim’ and ‘perpetrator’ language and recognise people can be - and often are - both. On the subject of trauma, a respondent felt there is: “no understanding that the person behaving badly is vulnerable” when discussing the response from authorities to antisocial behaviour.

Another facet of trauma-informed practice that was mentioned, in respect of antisocial behaviour services, was the issue of victims having to re-tell their story frequently, and not having a single point of contact: - “Chopping and changing people who are dealing with the issue is not conducive to fixing it. It just adds to the mental strain” - one third sector respondent, which was also discussed earlier under mental health.

Additionally, in discussions about a person-centred approach, a number of respondents again mentioned the need to work 'holistically', to better understand the needs of individuals and why they are behaving the way they do. This often points to additional support needs, such as mental health and substance misuse.

One Antisocial Behaviour Officer said: "issues are diverse and often complex so 'problem solving' hubs are useful." Others from the voluntary sector talked about the '[whole family approach](#)': - "The problem is with the wider family and community and not the one particular person, but we don't have the agility to work in the wider context" and "some families have lots of other issues ongoing and call on other services: education; health; mental health and money problems – [it is] best dealing with all those issues together, if possible."

Services

Support services were frequently mentioned as pivotal to preventing antisocial behaviour. Use of the community and voluntary sector support services for prevention and early intervention were widely held in high regard by respondents as: "Community-focused staff are important to help build trust and relationships and help identify issues before they get out of hand" - third sector respondent.

Mediation services (offered by many Local Authorities) were cited often as highly effective in antisocial behaviour cases. Mediation was described as an innovative approach which: "isn't heavy-handed and can help bring people together" - local authority respondent. Effective and relevant mediation services, that are available and affordable, were described by respondents as "crucial". It was recognised that mediation only worked when both parties were prepared to give it a 'go' and may not always be an appropriate option.

Restorative justice was another service described as used effectively within antisocial behaviour: "If a supportive (informal) justice approach is applied, that allows ... people to consider the consequences of their actions and hopefully give them an opportunity to explain their actions" - voluntary sector respondent. There were reports however, of restorative justice resources being patchy across Scotland.

Many respondents talked of a '[whole-systems approach](#)' and again, 'joined-up services' as vital in dealing with antisocial behaviour. However, many respondents also talked about problems with services being 'siloes'. Partnership work was seen as very important to prevent siloes working:- "Without partnerships, approaches are disjointed, lacking communication with each organisation operating in silo" - one voluntary sector respondent.

Empowering communities

Community breakdown was often cited as a root cause of antisocial behaviour, and community-led solutions were championed. Indeed, community breakdown was referenced in many forms.

Stigma and stereotypes

Stigma was mentioned as a root cause of antisocial behaviour. Some respondents commented that the political language used, and media reporting, around antisocial behaviour could be 'toxic' and set people against one another.

Other practitioner respondents discussed a: “lack of understanding and tolerance levels” towards people committing antisocial behaviour, especially around vulnerability, trauma and addictions. Another respondent said: “very little antisocial behaviour is intended to cause harm or nuisance but is a symptom of distress”. And another respondent commented that it is important to refer to antisocial behaviour in respect of the behaviour rather than the person so that there is less stigmatisation. Another respondent noted: “people can be nasty and not recognise that someone might have mental health issues”.

Judgements made by those in positions of power were commented on too, such as police and politicians. Respondents from one community group said, for them, this has been especially true. Indeed, they felt current UK policy on seeking asylum has also contributed to stigmatisation in the media: - “It states that UK is seeing huge amounts of migrants, but compared to many other countries, we have a lot less; this can result in prejudice and discrimination”.

Some participants in the consultation also commented on how opinions on antisocial behaviour are still subject to stereotypes in the media, such as ‘the yob’, in reference to young people from poorer backgrounds. One respondent from the voluntary sector felt that the: “police attitude towards people inflames rather than de-escalates the situation”.

Hate crime and discrimination

Members of minority groups who took part in the engagement found the lines between antisocial behaviour and hate crime ‘blurry’:- “The line between hate crime and antisocial behaviour is not always clear – particularly for minorities” - voluntary organisation respondent.

Some respondents felt that fear and hate had actively contributed to their experience of antisocial behaviour and indeed pointed to statistics which show minority groups are more likely to suffer from antisocial behaviour. One organisation stated that in 2020, 98% of the antisocial behaviour complaints they supported were related to hate crime.

One respondent from an equality group felt that: “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”.

Some participants highlighted particular difficulties in reporting hate crime:- “There is no point reporting it because we won’t be listened to” - community group respondent. Therefore, some respondents felt an equalities focus must be intrinsic in any response to antisocial behaviour: “for refugees, both antisocial behaviour and racist incidents are inter-related and so the response to it must be too.”

Misogyny

An equality group representative felt antisocial behaviour can be aggravated by misogyny - “harassment is because the person hates women” and “not enough is said about the gendered aspect of antisocial behaviour”. Indeed, another

respondent's feedback explained they had experienced misogyny when reporting antisocial behaviour, for example: "being told by an Antisocial Behaviour Officer, who was a man, that the problem was me, and my anxiety".

Community-led solutions

In light of these comments on community breakdown, many pointed to community led solutions.

Community groups and 'trusted' services such as the Scottish Ambulance Service (SAS) and the Scottish Fire and Rescue Service (SFRS), commented that there: "should be support in the community, way before police need to get involved" and "when the police are involved, there's an assumption that they will lead at an incident". Those who consider themselves to be trusted by the community they serve felt they were well placed to engage with the community.

Community policing was felt to be positive and: "can work in building up relationships with the same faces, but this can be short lived...where officers are diverted onto other operational duties" - Community respondent, who also reported community policing to be patchy and considered: "police themselves need more support/training to work with communities/people".

Other practitioner respondents commented that: "engaging with the community will encourage ownership and build resilient communities". Reference was also made to school police liaison officers having made a good impact and building trust with young people.

Moreover, community participation was mentioned as a solution: - "Involve the communities in discussions about what may work for those communities affected by antisocial behaviour" - practitioner respondent, as well as more funding for places and spaces that would allow this: "We should be investing in learning and community resources to meet community needs so they feel included and part of something. This should include places for social interaction to allow different people to get to know each other" - equality group respondent. Importantly, to aid community breakdown, it was felt these spaces must be inclusive of "people with lived experiences....and not white, middle-class, middle-aged people".

Detailed findings from the engagement undertaken by the Scottish Government and Scottish Community Safety Network: is there another way to approach antisocial behaviour?

Feedback question two

This paper summaries the responses of 25 engagement discussions held by the Scottish Community Safety Network and the Scottish Government with a representative cross-section of stakeholders in Scotland.

This included representatives who work directly with those affected by antisocial behaviour, as well as community and equalities groups and these conversations took place face to face, virtually and by email.

We asked participants what another approach to preventing and tackling antisocial behaviour might look like; whether this was something that could be delivered in Scotland; and, if so, what should this include and how might we go about this?

Three central questions were asked, and this section reflects all of the answers to question two:

Question two - What gets in the way of preventing antisocial behaviour?

Resources and funding cuts

The vast majority of respondents felt that cuts to funding and resources were the biggest barrier to preventing and tackling antisocial behaviour.

Cuts to public sector services

Firstly, cuts to public sector resources, such as community policing and community wardens, were mentioned regularly: - "Joint police work with Antisocial Behaviour Officers and Community Wardens has reduced dramatically" - practitioner respondent. Moreover, there were reports of community safety teams losing roles and projects which focus on prevention, in particular, such as schools' teams, lawyers and police liaison officers. In addition, a respondent expressed their fear of the: "risk of losing experienced community wardens and failing to recruit" due to the extra strain that has been put on the role. One local authority respondent warned that: - "staff need to be trauma informed and need to be properly supported, safe and appropriately equipped to do their jobs".

Secondly, cuts to 'key' public services in the prevention of antisocial behaviour, were reported by some, including mental health, alcohol and drug services, and mediation which were having a big impact, especially in addressing offending behaviour: - "The current financial position and constraints have a big impact...all (of us) have limited budgets and finite resources, time, and space to pro-actively deal with persistent offenders." - practitioner respondent.

Another practitioner said: - "Police or civil enforcement requires to be able to put 'boots on the ground' and be able to be seen more and do more in person, rather than issuing suitable self-help advice all the time, or signposting to other overloaded partners". The respondents from local authorities went into more detail on this issue:

- “Partners are struggling with resourcing issues, e.g. GP support referral slots not being available, Police Scotland not able to respond to antisocial behaviour, the courts failing to serve interim orders quickly”.

Funding cuts were also reported to be having an impact on partnership work too.

One practitioner respondent said the cuts are greatly affecting the “glue that hold local partnerships together”. Nevertheless, many respondents pointed to working more innovatively to counter financial restrictions: - “Financial constraints and the rising cost of living will mean that we have to work more efficiently with existing resources and facilities. However, by working collaboratively with partners, we can share our services and resources” - practitioner respondent. Other practitioner respondents concurred: - “Effective outcomes can still be achieved sometimes, even with resource capacity issues”. One practitioner mentioned how: “shared hubs co-locating agencies has worked” to help mitigate the effects of cuts, improved working and better outcomes.

Cuts to the voluntary sector

Cuts to the voluntary sector, such as community resources, place-based work, sports and youth work, were also mentioned often. This issue was highlighted particularly by those who had engaged in antisocial behaviour themselves, who complained of: “places being closed at night” and “not enough funding for services and activities for young people”. In addition, a public sector service respondents noted that a lack of funding for the third sector has also: “prevented a lot of front line (voluntary) services engaging”. One respondent from the Voluntary Sector said there is: “patchy funding and therefore patchy delivery”.

Many respondents mentioned how funding cuts and short-term funding to voluntary service providers has an impact on early intervention, with one respondent stating: - “The pull on resources is so tight that there is a gap in early years intervention”.

Another respondent also noted how lack of funding affects consistency, staff turnover and trust: - “Not having time to build this trust causes people to not build safe relationships with professionals”. Practitioner respondents also mentioned how cuts were affecting their relationships with partners and, in turn, referral pathways.

Not enough focus on prevention

Most respondents pointed to not enough focus being put onto prevention when discussing what gets in the way of tackling antisocial behaviour. Much has already been discussed, in terms of the importance of prevention, positive diversionary and early intervention activities, and the role of partnership working to achieve this.

Other important areas that were mentioned with regards to focussing on prevention included:

- That there needs to be flexibility in resources so organisations can deal with the root causes better.
- That Local Authorities need to be more in touch with communities’ needs and less ‘light touch’.
- That more focus needs to be on long-term goals, such as tackling the ‘generational culture’ of antisocial behaviour.

Once again, education as a form of early intervention was mentioned frequently and seen as 'critical'.

Community engagement and participation

There was strong support for more community engagement and participation as a way to prevent antisocial behaviour. There were many comments in response to the question around inclusion of communities in finding the solutions to antisocial behaviour. However, some respondents felt that: "communities are more and more excluded from decisions made locally and design of services" - practitioner respondent.

Indeed, one respondent from an equality group suggested that: "There should be significant structural rearranging so all people can input, and all agencies understand (Black Minority Ethnic - BME) communities better". Other feedback included: "A lot of ideas are developed without community engagement, then decision-makers are surprised that their work isn't being effective".

Other comments on this issue focussed on lack of community ownership and lack of meaningful participation by those with lived experience. Many pointed to the role that the voluntary sector have in building relationships: "This needs to be harnessed far more. Communities and third sector have the networks" - equality sector respondent.

Community cohesion and understanding each other

In response to the question, it was often commented that people, in general, need to understand each other better if we are to prevent antisocial behaviour.

One stakeholder shared that: "young and old need to understand each other better". Another practitioner respondent suggested there should be: "intergenerational projects to build bridges and a sense of understanding between different age groups".

Others felt more work needed to be done to understand those in distress. One antisocial behaviour participant described this as: "People at a level of such distress that they are kicking off in the community". Another equality sector respondent explained that: "many people experiencing a lot of trauma (are) all living beside each other". Another respondent said: - "everybody needs an understanding and tolerance for people with mental health issues".

A final point made was on how ignorance of one's own behaviour can affect others: "people don't know their boundaries and have been brought up in a different environment...they have a lack of understanding" - equality group respondent. Indeed, another respondent said: "people not realising the circumstances of the people they are affecting" was an issue. In addition, a transport respondent, commented that: "youths don't realise how boisterous they are".

Covid-19 Pandemic

One area consistently highlighted was the Covid-19 pandemic's adverse effect on community cohesion: - "Culturally we have now changed and how people behave has changed" - voluntary sector respondent. There were many comments from

community safety officers in general that the pandemic has significantly contributed to a decrease in 'tolerance' levels and good mental health.

Young people described how some were affected during the pandemic. One respondent suggested that young people were: "stuck inside, bored, lashing out with vandalism and harassment". One transport respondent noted that there has been: "antisocial behaviour on and off the buses and this seems to be accelerating, being more prevalent especially over the last year, involving young people".

Refugee, race equality, disability and women's centre respondents all noted a rise in hate crime during the pandemic. There was also a 'class dynamic' noted by one respondent: - "It felt like I'd been through The Somme, living where I live, during the pandemic. It was horrific". Another respondent said: "The pandemic was much worse for people with protected characteristics. It compounded it. Much worse for those in poverty".

But conversely another respondent from an equality group, encouragingly noted that: "strong communities came alive during the pandemic - it was holistic, and person centred and place-based. There was 'immediate' help. For this to be forgotten about and not included in a new solution to antisocial behaviour would be a real loss".

Enforcement and reporting

An area of enforcement where it was felt improvements could be made, was reporting. One community respondent expressed concerns about their experience and delays with using the 101 service. The same group also felt that: "agencies could do more to encourage reporting and make it easier to do so". This was particularly true of hate crime, as noted previously.

There were also comments about the approach taken by those responding to reports. One practitioner expressed concerns about a: lack of trauma-informed approach from the statutory authorities: "Lots of rhetoric, but not a blanket approach. If the approach is not trauma informed, then it acts as an accelerator to antisocial behaviour".

Again, as we heard earlier, it was felt that: "services must find a way to stop people having to repeat themselves" - equality group respondent, which is a key tenet of trauma-informed practice. Another respondent stated: - "Training is needed for authorities as victims may have it [trauma] but they [authorities] have a lack of understanding on the impact of trauma on the victims."

The need for evidence was also mentioned as 'off-putting' in terms of reporting antisocial behaviour - "People don't believe you [due to] lack of proof and there is so much evidence required which puts people off complaining" and "there is too much red tape and many people feel that their complaints go unnoticed" - respondent from a community group. Indeed, some groups described the process as 'jumping through hoops' and one respondent said: - "it's bad enough suffering from antisocial behaviour - you shouldn't have to deal with all the paperwork".

Understanding the system

There were various ways in which understanding the system better would be helpful to people and encourage a better response to antisocial behaviour issues.

One area mentioned by community safety practitioners was expectations, and the need to manage these: - “Public expectation in relation to antisocial behaviour can lead to challenges, as there can be a lack of understanding of the amount of work and time required for evidence gathering, verification and policy application, as well as reporting structures to comply with. Managing expectations of complainants can be resource consuming and lead to complaints not only about antisocial behaviour, but about the Local Authority’s handling, which leads to duplication in the response activity” - local authority respondent.

Other feedback included: “ensuring that people understand fully what evidence is required” and helping people understand “complex legal language”.

Penalties

There were various comments regarding the appropriate penalties for antisocial behaviour. Regarding fines, there were some calls for expansion of use, while others felt: “Fines work but not for repeat offenders.” - community respondent.

In agreement, there were comments around the need for flexibility in enforcement: “One size doesn’t fit all. [We] need to adapt and be flexible, legislation alone won’t work” - practitioner respondent. As already discussed, community resolutions were highlighted as a positive alternative to criminal justice responses, such as a fine or arrest.

Evictions were also discussed as a form of penalty. While some wished to see ‘quicker and easier’ evictions, others felt that we need to change how we manage people who are causing distress, that there is: “too much just moving people to other houses” - practitioner respondent. Other practitioners commented that: “partner agencies may contradict each other, e.g. evictions due to antisocial behaviour leading to homelessness then becomes statutory to rehome that person, so it is important to work together”.

One Local Authority felt that: “antisocial behaviour needs to be dealt with outside the criminal sphere with its own language and unique considerations”. They described the current approach as being: “deficit-focused, with emphasis on failure and penalty” noting that they felt the system “creates criminality” and is: “effectively penalising the vulnerable and up-tariffing them onto a justice pathway, when it is likely that the behaviour is rooted in social injustice and poor childhood experiences”.

Legislation

Once again, legislation and guidance were mentioned, this time as a barrier to preventing antisocial behaviour.

Some felt the [Antisocial Behaviour etc. \(Scotland\) Act 2004](#) was not effective as a piece of legislation, namely that it: “is too clinical. Doesn’t offer a ‘grey’ area [of a] more complex perspective” - equality group respondent. To deal with this complexity, it was noted that some Local Authorities use the [Adults with Incapacity \(Scotland\) Act 2000](#) and [Adult Support and Protection \(Scotland\) Act 2007: code of practice](#) as an alternative.

Community safety practitioners who work closely with antisocial behaviour discussed specific issues concerning legal thresholds, between civil and criminal law. This line of discussion acknowledged the limited options that the Antisocial Behaviour etc. (Scotland) Act 2004 provides, such as an inability to share information between criminal and civil law, and the inability to mandate help or referrals.

Social media

A major issue mentioned by many as a barrier to preventing antisocial behaviour, was social media. Several groups discussed how significant social media had become in affecting antisocial behaviour, and how [the Antisocial Behaviour etc. \(Scotland\) Act 2004](#) needs to be updated to meet the challenges of the modern day. In addition, there was a lot of discussion about how the pandemic had increased people's dependence on, and use of, social media. One respondent said: "antisocial behaviour is online as well as in physical spaces now".

Indeed, online antisocial behaviour was linked to hate crime and cyber-bullying repeatedly throughout engagements. A respondent from a community group said: "No-one knows that online bullying is happening - only the victim and bully. People get away with more things online. In person, antisocial behaviour is more noticeable". Another respondent from an equality group said: "People become entrenched in their views online". A respondent from the voluntary sector observed:- "What trans people are dealing with online right now is terrible and (there are) real worries this will spill over into real life". Indeed, those in minority groups felt that social media had exacerbated their experience of hate crime.

An area of concern was around disputes, for example between neighbours or groups of young people, which can escalate: "unbeknownst to the Community Safety team" - practitioner. Indeed, another said: - "We are in a 'new age of complaints' due to social media and how fast and wide antisocial behaviour complaints can be spread. Officers need to have up-to-date equipment to tackle and capture antisocial behaviour, such as more availability to noise equipment, drones, better in-house equipment".

Another practitioner agreed: - "Training needs to be in (the) current context and generation of people, e.g. impact of social media". A further response added that: "evidencing and using evidence related to social media needs to be looked at and improved on in relation to antisocial behaviour processes". It was nonetheless noted that making best use of technology including social media could be used to address antisocial behaviour as well as effective communications.

Ways of working

Siloed

The most prevalent 'way of working' discussed - and regarded as a barrier - was silo working. Participants agreed that this makes partnership work difficult, in tandem with trying to deliver more holistic, harmonious services.

One respondent from an equality group said: - "Most organisations work in silo and do not explore what is needed in communities". Respondents from

the voluntary sector were particularly vocal about silo working, and how this prevents 'coordination' and 'a more joined-up approach', especially regarding referrals.

There was also frustration expressed by those working for the public sector services. For example, one practitioner expressed the hope that a partnership could be built with Education Scotland to put: "antisocial behaviour into the curriculum in schools".

One practitioner respondent said that: "it needs a triangulation of police, social work and health to give a more holistic assessment...antisocial behaviour in the private domain is the perfect area to triangulate".

There were examples of non-silo - or joined-up best practice - working, such as co-located hubs for community safety partners. There were also suggestions about how improvements to data sharing, saving money, and involving more diverse partners could help improve efficiency and effectiveness.

Outcomes approach

There was also some criticism from voluntary sector respondents that there is: "too much focus on outcomes and evidence" and that 'proof' of prevention - or proving the absence of something - is difficult to demonstrate.

One practitioner respondent said: - "Participation and engagement should be a solid outcome in itself." They went on to explain that they felt some Local Authorities approach outcome reporting in a 'problematic' way: - "Unless it is to be reported on in the [Community Justice Outcome Improvement Plan \(CJOIP\)](#), the issue gets lost – where is the accountability for this?"

Evidence-based

Respondents were also keen to see more evidence-based approaches: - "Without a robust evidence base, policy development and implementation can become misdirected and difficult to evaluate. A poor understanding of antisocial behaviour, specifically regarding its perpetrators, victims, and social and criminal justice response, significantly limits our ability to design and deliver effective preventative and early intervention measures" - equality group respondent.

One practitioner respondent also said: "Keep strategy and intervention under evaluation, to make sure there are no unintended consequences".

Fear

Fear was mentioned as a barrier to preventing antisocial behaviour on some occasions. This was particularly pronounced in conversations with minority and community-based groups.

One community respondent discussed: "bystanders saying nothing out of fear and intimidation". Members of an equality group said: "it can be difficult to raise issues due to a fear of being targeted" and others discussed "fear of repercussions". One

respondent from a community group was also in agreement: - “the risk of repercussions is a big issue in reporting antisocial behaviour therefore, many are loathed to report any antisocial behaviour activity so often there are no consequences for perpetrators.” Practitioner respondents commented that: “victims are afraid to come forward publicly”.

The threat of peer pressure was also discussed as a barrier to preventing antisocial behaviour, especially in groups of young people. A respondent from an equality group felt that peer pressure is one of the reasons why minority ethnic groups can be targeted by young people: “so they can be accepted into groups.”

Discrimination

Stereotypes

Some groups shared that they felt: “tarred with the antisocial behaviour brush” and that people “view antisocial behaviour as something young people do but realistically it is in many different age bands” - community group. One practitioner respondent from Social Work said: “all antisocial behaviour perpetrators are tarred with the same brush, but they should not be - they vary hugely”. Voluntary Sector representatives discussed how “young people are demonised, especially by the mainstream media” and how we need to stop: “talking about ‘neds/chavs”.

Stigma and judgement

Again, stigma and judgement were mentioned, this time as barriers to preventing antisocial behaviour through people’s attitudes. In terms of public attitudes, one respondent from the voluntary sector said: - “We suffer from a lack of sympathy which makes it difficult to address antisocial behaviour”.

One equality group respondent said: - “The public and politicians want there to be victims and perpetrators - [which is] easier to manage and to be seen as fixed”. Another practitioner respondent said: “describing perpetrators as victims is seen as ‘soft’ but it is about breaking the cycle of behaviour for the future”.

Mistrust of authorities

As a consequence of discrimination, many stated they felt there was an inherent ‘mistrust of authorities’ which prevents antisocial behaviour being reported and can be a cause of antisocial behaviour as well.

One respondent from an equality group said they felt that there is a strong power dynamic, regarding antisocial behaviour in that: “engagers have no power” and “complainers have the power”. Some respondents talked about how: “those with protected characteristics feel discriminated against when reporting” causing mistrust. Another group said: “there can be prejudice and discrimination from front line workers”.

Community safety practitioners agreed that mistrust is a big issue: - “The challenges in gaining the trust and rapport with the affected groups still remain real. Overcoming distrust of authority may take years or generations of

consistent support being provided”. As noted previously, participants commented that people are more likely to engage with organisations they trust.

Detailed findings from the engagement undertaken by the Scottish Government and Scottish Community Safety Network: is there another way to approach antisocial behaviour?

Feedback question three

This paper summaries the responses of 25 engagement discussions held by the Scottish Community Safety Network and the Scottish Government with a representative cross-section of stakeholders in Scotland.

This included representatives who work directly with those affected by antisocial behaviour, as well as community and equalities groups and these conversations took place face to face, virtually and by email.

We asked participants what another approach to preventing and tackling antisocial behaviour might look like; whether this was something that could be delivered in Scotland; and, if so, what should this include and how might we go about this?

Three central questions were asked, and this section reflects all of the answers to question three:

Question three - How could we support people better to deal with antisocial behaviour?

Support services

The vast majority of respondents saw support services as the most important way to help people deal with antisocial behaviour better.

Victim support

When discussing reporting antisocial behaviour, some practitioner respondents shared their preference to having greater clarity for victims, by having: “refreshed, clearly communicated, consistent guidance, outlining all types of antisocial behaviour and highlighting how to report these with potential resolutions and outcomes”.

Some Antisocial Behaviour Officers and Community Safety Partnership (CSP) Leads mentioned how improvements to websites for signposting, self-help, collecting evidence and advice on engaging with neighbours might be more helpful for those reporting antisocial behaviour.

Rail Stakeholder respondents mentioned that their [free text number](#) on trains, and [The Railway Guardian App](#), has helped make reporting easier. There were also suggestions by some for availability of reporting services to be provided at evenings and weekends, possibly with a national helpline.

Most respondents felt there should be more mental health and counselling support for victims, and many spoke of the trauma suffered. One equality group respondent said: - “Victims are left traumatised, but for the council, it is dealt with and done, but I’m still having nightmares”.

Victim Support Scotland (VSS) was mentioned as an effective organisation for supporting victims, however, as a third sector organisation, capacity and funding can be affected. Moreover, in some circumstances Local Authorities have also lost funding to commission VSS.

One respondent from the Society of Local Authority Chief Executives (SOLACE) suggested that it can be helpful to have support to assist victims with resilience and coping strategies, such as counselling, neuro-linguistic planning, and cognitive behaviour therapy.

Regarding legal proceedings, some local authority respondents felt: “victims would benefit from better support and understanding around court proceedings.” An equality group’s members agreed that: “victims need to be supported throughout the whole legal process.” and pointed to failings in the current system of supporting victims throughout the process of antisocial behaviour.

Some practitioners felt mediation is helpful for victims: “particularly to allow people to consider other’s viewpoints”. This quote from a victim of an assault reinforces the benefits of this approach: - “Having conversations with my attacker helped me recover. I could see how mentally distressed she was. It made me feel sorry for her. She needed help”.

Some respondents from a Race Equalities group felt that, in some cases, the actions of someone had been so offensive that mediation could be difficult. Other people recognised that mediation worked only when the two parties were prepared to engage.

Guaranteed anonymity, where possible, was mentioned by some as very important in order to support victims, as they can be afraid to report and should therefore: “be better supported and helped anonymously” - practitioner respondent.

There were also comments from some respondents that, in general, victims feel they are not listened to, that antisocial behaviour is not taken seriously and that victims are not ‘given a voice’.

One practitioner respondent suggested: “a review of how antisocial behaviour is dealt with by Police and Local Authorities, may be an area for consideration” another suggested: “a nationwide antisocial behaviour pledge and new legislation to ensure all [Community Planning](#) Partners are held to account, to respond to victims of antisocial behaviour ” which they claimed would be similar to the [Community Trigger](#) approach in England. However, in a context of cuts to funding, some respondents felt managing victim’s expectations is equally as important.

Support for people engaging in antisocial behaviour

As observed from responses to the previous questions, more mental health support services were cited many times, as an effective way to prevent and support those engaging with antisocial behaviour.

Most people felt that mental health support linked strongly with drug and alcohol addiction, and crucially that there needs to be more access to services for therapy and recovery.

As noted, cuts to resources have seriously affected this area, with one voluntary sector respondent saying: - “Mental health services fall very far short - they do not meet the scale of the challenge - especially with drugs and alcohol”.

An interesting point raised was that: “intervention stops after the [Antisocial Behaviour Order](#), when really this is when the intervention should escalate. After ASBO -- contact drops and case is closed. In any other legal order, the level of intervention increases - except in antisocial behaviour” - practitioner respondent.

Holistic support

Mentioned by many respondents, when discussing support services, was the idea of support being more ‘holistic’. This was explained as including better co-ordination and flexibility between partners, staff taking a trauma-informed and person-centred approach, and work taking a ‘whole-family’ approach, as highlighted previously: - “Provide a holistic approach for individuals, families, and communities i.e. a timely, appropriate and needs-led approach, to needs and requirements for individuals, families, and communities” - practitioner respondent.

One Local Authority response said: “signposting people to drop-in cafes, gyms, exercise, online meditation, yoga, mindfulness apps, all offer respite from the anxiety that neighbour nuisance and antisocial behaviour can cause. Opportunity to access this type of provision through Community Support Hubs could offer holistic solutions to support wellbeing of those affected”.

Staff support

Some mentioned the importance of supporting staff who are involved in dealing with antisocial behaviour, as they are often subjected to “extreme behaviour”. The impact of this on staff resilience and morale was noted, as well as the need to guard against it. One respondent pointed to the importance of training, to create: “strong, resilient people who can in turn manage challenging antisocial behaviour cases and support people appropriately” - practitioner respondent.

In-community support

Referrals and signposting

Signposting to services within the community was mentioned regularly. Respondents stressed that signposting and referring early and clearly was important, as was having flexibility and multiple pathways and options: “There must be a focus on flexibility, the provision of alternative informal support services, and enabling people to access care within their own community, and trusted spaces” - equality group respondent.

Partnership approach and local participation were seen as ‘key’ when discussing referrals. It was also noted that there should be different routes of support for different groups of people.

Spaces and places

Community and place-based support was mentioned many times. Resistance to cuts to these resources was understandably high on the agenda: “If we are going to be a safer and stronger community/nation, then we need to invest in the infrastructure to enable this to happen” - practitioner respondent.

There were comments made around the loss of community spaces to vaccination centres during the pandemic, as well as duties on housing associations to provide community spaces.

The work that was described as taking place in these spaces was ‘asset-based’ and included:

- Lived experience and peer mentoring;
- Diversionary and employment focussed;
- Developing resilience and capacity-building;
- Youth work, including outreach work;
- Intergenerational work;
- Poverty interventions.

These community spaces were often referred to as ‘trusted spaces’ and ‘non-statutory’. With regards to reporting antisocial behaviour, one voluntary sector respondent said there are: “no avenues other than police - there needs to be a space in the middle - which there is not.” Indeed, Community Safety Partnership Leads talked of signposting to ‘neutral’ places such as [Citizens’ Advice Bureau](#) or [Shelter](#).

The idea of Community Hubs were discussed as a solution for support in terms of a: “safe environment and places for people to go, share their frustrations and share solutions and create a community response” - practitioner respondent. These ideas also focussed on the ‘local’ rather than a national approach, and discussed using a community’s existing assets, such as community councils, community centres, and volunteers.

Public sector services

As previously noted, a majority of the discussion regarding public sector services concerned effective, multi-agency partnerships, and more joined-up working, especially through prevention activities.

Of particular note, with regards to supporting people, respondents mentioned reassuring communities through police and warden patrols, and ‘boots on the ground’. -An example of great partnership work from public sector services included: ‘Work in some areas involved ‘weeks of action’ for partnership staff to reach out within the community. This would involve chats with people, [home fire safety checks](#), antisocial behaviour focus by the police, Local Authority cleaning up graffiti and removing abandoned cars. This makes people feel better and improves their perception of antisocial behaviour and community”.

Transport operators cited the example of some of their drivers (some of whom had been verbally assaulted etc.) going to schools to give interactive talks on the issue and impact. One operator had produced a promotional video addressing antisocial behaviour - it was suggested that one national video or communication strategy would be good for various partners to use.

Training for frontline workers was again, considered essential, particularly with regard to trauma-informed and public health training. A practitioner respondent discussed how community safety professionals, including healthcare should aim to make 'every contact count' at individual, family and organisational level. Others stressed how important it is to get referrals and early intervention 'right', and how focus should be on long-term and not just 'immediate' solutions.

Respondents also noted that public sector services need to:

- Be less outcomes - and more whole-systems - focussed;
- Take a longer term, person-centred approach;
- Prioritise cutting waiting lists and having support there when it is needed;
- Be more inclusive of those with additional requirements, e.g. hearing and sight impairments, English for speakers of other languages (ESOL), etc.
- Not lose the lessons from the pandemic and 'build back better';
- Be more accountable around trauma-informed practice and the incorporation of the [United Nations Convention on the Rights of the Child \(UNCRC\)](#).

Understanding each other

Stigma and discrimination

In supporting people to deal with antisocial behaviour, it was considered important to challenge stigma and discrimination. One practitioner respondent said: "really addressing the stigma and understanding the drivers people have faced can completely reframe a community's response to an individual". Indeed, challenging media narratives of 'good' and 'bad' was also seen as important. Moreover, regarding the media, another respondent asked: "Can we get some good news stories about how individuals, families and community can change and have dealt with antisocial behaviour locally?"

Education

Many felt education was key in supporting people to understand each other better. Mostly, respondents referred to education, in both schools and in the community, around tolerance and: "understanding everyone is human. Seeing the person behind the difference" - equality group respondent.

Education around understanding the causes and impacts of antisocial behaviour was mentioned regularly. One community respondent said: "Stop judging people who have [committed] antisocial behaviour and ask why the behaviour is happening in the first place". Another voluntary sector respondent said there needs to be greater understanding that: "Some people

who engage in this behaviour cannot even envisage what a well-behaved, middle-class life would look like. They have never known anything different. Services expecting people to know how to behave differently is not going to work”.

Conversations in schools and communities around these issues were seen as an important tool. Indeed, a practitioner respondent felt being: “better educated in why the perpetrator is acting in this way” would help victims to cope. There were calls for more ‘enlightened’ conversations around mental health, social justice and challenging stigma. Once again, the definition of antisocial behaviour was brought up as stigmatising and needing challenged: - “a lot of the time, what we call antisocial behaviour is not antisocial behaviour, but distressed behaviour.” - Voluntary Sector respondent.

As before, education around what is ‘socially acceptable’ and ‘pro-social’ behaviour in school from an early age were seen as a key tool in understanding each other better.

There were some good examples of organisations going into schools to give informative and interactive talks, including faith groups explaining the similarities (and differences) between their faiths to increase the understanding and interest of young people.

Alternatives to penalties and arrest

Many respondents felt alternatives to penalties and arrest would be a better way to support those committing antisocial behaviour and prevent further offending.

Some said it is important to remove ‘the law’ from antisocial behaviour issues. There were frequent calls: “not to criminalise young people at an early age” - practitioner respondent. Some respondents felt: - “Punishing people just reinforces their identity, that they are anti-social people” - voluntary sector respondent.

Indeed, one person who committed antisocial behaviour said: “Ask people why they are acting the way they are, rather than branding them and punishing them straight away. I’m not a bad person - I’m actually a lovely person”.

Moreover, agencies described the complexity between treating people as ‘victims’ and ‘offenders’ when: “in many circumstances, especially in deprived areas, the line between the perpetrators of antisocial behaviour and those suffering from it can be really blurred” - practitioner respondent.

Another person who had committed antisocial behaviour said: - “If you punish the person, it just makes them worse. These people could be rehabilitated. They could really make something of their lives. Why can’t their community service be seeing a counsellor?”

Some respondents mentioned, as noted earlier, that antisocial behaviour legislation: “should include mandatory conditions for engaging with support”.

Restorative justice

Restorative justice as an alternative to penalty or arrest, was mentioned most frequently. It was felt to be an extremely effective tool for behaviour change, so that those who commit antisocial behaviour: “have a level of understanding of the impact of their behaviour” - practitioner respondent.

Moreover, restorative justice can help victims better understand what drove someone to offend and reassure that the complaint is being taken seriously.

Respondents from minority groups did mention the importance of restorative justice being practiced carefully, to avoid power imbalances and unconscious bias.

Community engagement

Finally, community engagement was mentioned regularly as an important aspect in supporting communities to deal with antisocial behaviour better: “Empowering communities to engage in preventative activity will create more resilient and pro-social communities, to impact on and reduce anti-social behaviour” - practitioner respondent. Another respondent said: “Communities have to be key to finding solutions for what works locally. More community participation and ownership. When a meaningful collective voice happens, then people feel more empowered”.

Some respondents discussed the importance of community engagement and cohesion in policy making: - “Change in the thought process for the Scottish Government...ask the people with real experience working in direct community engagement” - community respondent. Another respondent suggested: - “Amend the [Community Empowerment \(Scotland\) Act 2015](#) to require Community Planning Partnerships to act with a view to promoting community cohesion, as is already required for socio-economic inclusion” - equality group respondent.

Annex A: Background paper and questions given to participants

Is there another way to approach antisocial behaviour?

Discussion paper by the Scottish Government and Scottish Community Safety Network

Introduction

1. Addressing antisocial behaviour (ASB) remains a key aim of many community groups, agencies and statutory bodies across Scotland. ASB is a re-occurring problem which continues to affect both rural and urban communities.
2. There is no precise definition of antisocial behaviour and it can mean different things to different people. However, the Antisocial Behaviour etc. (Scotland) Act 2004 defines it as:
 - acting in a manner that causes or is likely to cause alarm or distress
 - pursuing a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as the perpetrator
3. The [Antisocial Behaviour etc. \(Scotland\) Act 2004](#) was the last time legislation was put in place to address the issue in Scotland. The publication '[Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland](#)' however, was developed by CoSLA (Convention of Scottish Local Authorities) and the Scottish Government in 2009 and is currently the key framework that antisocial behaviour practitioners in Scotland use for guidance. This framework set out a new approach, focussing less on Antisocial Behaviour Orders and more on "smarter" solutions using prevention, integration, engagement and communication as key tools. This approach has meant Scotland has seen a welcomed decrease in punitive action, however - are there further steps we can take to prevent anti-social behaviour?
4. The [Christie Commission's](#) findings in 2011, identified the need to take a preventative approach to tackling social issues. Since then, there have been many initiatives which have been influenced by, and built upon, the aims of this work. However, over a decade on from the Christie Commission, it is clear that we must also consider how to refresh and modernise this agenda and reflect that there is still a long way to go concerning effective prevention. How might we do this?
5. The general landscape of community safety in Scotland has changed and developed over the last 10 years (see the 2018 report [Community Safety – The emerging landscape and future opportunities](#) and the 2019 report [Developing a Community safety Narrative for Scotland](#)) which has mirrored justice policy, in terms of seeing a shift in its interpretation of prevention with increased focus on understanding what drives people to offend. Indeed, the recently published [Vision for Justice in Scotland](#) prioritises the need for

person-centred, holistic and trauma-informed services that use the skills and assets of communities and people with lived experience to create safer communities and shift societal attitudes and circumstances which perpetuate crime and harm.

6. Existing examples of this kind of approach, can be seen through:

- [Scotland's Violence Reduction Unit \(VRU\)](#) which has used a [public health approach](#) to tackle gang and knife violence, with the work of the VRU now being replicated in other parts of the UK and receiving international acclaim.
- The work of [Community Justice Scotland](#) using what they term as 'smart justice' to prevent offending and keep people out of prison as far as possible by addressing the needs of people affected by the justice system through effective community interventions and support.

These initiatives have used the best evidence around 'what works' to design innovative services that are making real progress in tackling social problems. Drawing inspiration from these examples - is there another way we might approach anti-social behaviour? What might this look like?

There are some examples from England and Wales of approaching ASB in a different way, for example, by the introduction of Police Community Support Officers (PCSOs) to engage with local communities and address low level disorder. These PCSOs are given more scope to support work to reduce the vulnerability of those engaging in ASB rather than using enforcement. It is an approach that is also being used in City of Edinburgh Council, through their [Family and Household Support Service](#).

Current Scottish picture of ASB research

7. The SCSN undertook some research in 2020 entitled '[The Scottish Picture of Antisocial Behaviour](#)' which tells us that:

- Levels of ASB have decreased over the past 10 years and the public have noticed this decline in their areas. 29% of adults in 2017/18 thought ASB was common in their area which is down from 46% in 2009/10. Police data continues to highlight general disturbances; noise nuisance; neighbour dispute; and vandalism as the most frequent forms of ASB reported to them.
- Nevertheless, those living in the most deprived areas, in socially rented housing and in large urban areas, as well as younger people, are more likely to perceive ASB issues in their area.
- While it is an improving picture, there is a strong link between ASB and area deprivation, possibly arriving as a result of intensively neighboured housing and a lack of community facilities and social services.

- Perceptions of ASB and who engages in it are also often inaccurate and influenced by stereotypes.
 - Court action for ASB has decreased over the last 10 years, reflecting a shift from treating ASB as an issue of law and order to one of addressing the vulnerability of those engaging in ASB to prevent further issues.
8. The key findings from the report point to the need to address false perceptions around ASB and its prevalence but also how best to approach the issue in a holistic way, working with all members of the community. The report clearly indicates that the community safety sector are on the right track in Scotland but reiterates a message that we have further to go in finding solutions together.
 9. Feedback from local authorities tells us that since the advent of the pandemic, there has been an increase in ASB due to rising frustrations, lower tolerance and increased mental health difficulties, substance misuse and isolation. However, we also know that during COVID-19, 'pro-social' behaviour happened organically, such as, doing shopping for others, clearing paths of snow, or keep a watch for elderly neighbours. While 'building back better' from the pandemic, there is a rare opportunity to learn more about what drives ASB as well as keeping hold of the collective goodwill shown during the pandemic.
 10. We also know since the pandemic that there is public support to continue much of the adaptation and innovation that emerged during this time of crisis. Various studies have pointed to the list below as key areas of support. How might these influence another way to approach anti-social behaviour?
 - Person-centeredness
 - A focus on relationships
 - Participation and collaboration with communities
 - Agility and flexibility
 - Fostering community spirit
 - More support for the vulnerable
 - Addressing income inequality and social justice

What could another way to approach ASB look like in Scotland?

11. Thinking about the above, we are interested in knowing what you think another way to approach ASB might look like; whether you feel this is something that could be delivered in Scotland; and, if so, what should this include and how might we go about this?
12. Specifically:
 - (a) What changes should be made to the current approach or what further steps should be taken to help prevent ASB?
 - (b) What might the challenges – or the unintended consequences - be of making these changes?

(c)How could we support people better to deal with ASB?

13. Please let us know your views in person at an event / or by emailing:
ASBConsultation@gov.scot.
14. If you have been affected by anti-social behaviour, you can contact:
 - [Police Scotland](#)
 - Your Local Authority
(also your social housing association if a tenant)
 - [Victim Support Scotland](#)
 - [Scottish Mediation](#)
 - [Scottish Independent Advocacy Alliance](#)
 - Other voluntary support/information bodies, e.g. Citizens' Advice, Age Scotland
15. Please find some blogs produced by SCSN for further reading:
 - [Poverty & Community Safety – guest article, Niven Rennie, Director, VRU Scotland](#)
 - [Adopting a trauma informed approach in Scotland – guest article, Laura James, Improvement Service.](#)
 - [A Public Health Approach to reducing crime – Guest blog by Niven Rennie, Director, Violence Reduction Unit](#)
 - [Lived Experience - Community Safety - Why it Matters - Dawn Exley](#)
 - [The approaching storm and why we must protect youth work – Dawn Exley](#)

Annex B: Participating stakeholder list, glossary, and methodology summary

List of Participating Stakeholders

This is the list of stakeholder groups/organisations who submitted feedback (most participated via Teams discussion or in person).

*Denotes written feedback only. The general public were not directly consulted at this stage. But a wide representative cross-section of interested community and stakeholder groups, including practitioners for different sectors, participated in providing their views and people with 'lived' experience.

The number of representatives for each group/organisation varied, some contained large numbers and not all invited reps attended.

Community / criminal justice bodies

Criminal Justice Voluntary Sector Forum.

It was hoped the following would participate but this was not possible - Crown Office and Procurator Fiscal Service (COPFS), Scottish Courts and Tribunals Service (SCTS) and Community Justice Scotland (CJS).

Community / victim support reps

Neighbourhood Watch Scotland; Scottish Community Councils (all were invited)
Victim Support Scotland (VSS)

Emergency services

Police Scotland*; Scottish Ambulance Service (SAS)
Scottish Fire and Rescue Service (SFRS)

Equality groups

Age

Young people: 6VT; older people: Glasgow's Golden Generation*

Disabilities

Disability Beyond Borders*

Gender

Glasgow Council for Alcohol LGBTQ Group (see substance use groups) Men Matter; Scottish Women's Convention

Faith

Edinburgh Interfaith Association; Hindus in Scotland
Scottish Council of Jewish Communities

Race

African Women in Scotland; Coalition for Racial Equality and Rights
Edinburgh and Lothians Regional Equality Council

Grampian Regional Equality Council

Refugee / diverse lifestyle

Refugee / asylum group at Mental Health Foundation

It was hoped a Gypsy Travellers group could participate but this wasn't possible.

Health support groups

Mental Health

Mental Health Foundation* hosted refugee / asylum group (see Refugee/Diverse lifestyle groups)

Substance use

Glasgow Council for Alcohol LGBTQ+ Group (see gender equality groups)

Housing and homeless sector (social housing)

Association of Local Authority Chief Housing Officers

Social Housing Provider reps: Glasgow West of Scotland Housing Forum;

Osprey Housing; Scottish Federation of Housing Associations; Wheatley Group.

It was hoped homeless groups could participate but this wasn't possible. No specific discussion was held concerning private sector housing.

Local Authority sector reps - officers and elected members

ASB Lawyers' Forum; ASB Officers' Forum; Community Safety Partnership Leads; Community Wardens' Network; Convention of Scottish Local Authorities (CoSLA) - senior councillors - Wellbeing Board; Edinburgh Family Support Service (Social Work); Society of LA Chief Executives* (SOLACE).

People who have committed ASB (names of groups only)

Via Fife ASB Team

Transport sector (bus / rail)

Bus Task Force - First Bus, Lothian Buses, Community Transport and other reps.

Strategic Transport Safety Group members - British Transport Police, ScotRail, Strathclyde Regional Partnership and other reps.

Transport Scotland were at both bus and rail focused meetings.

SCVO Gathering

The engagement work began with an event at the Scottish Council of Voluntary Organisations' (SCVO) Gathering conference.

Abbreviations and Glossary of Terms

Note - this table is an informal guide to some common terms used in the ASB sphere and/or within the report.

Antisocial behaviour (ASB)

A person is involved in ASB if they: act or behave in a way that causes or is likely to cause alarm or distress to anyone (at least one person not of the same household as them). In this definition 'conduct' would include speech, and a course of conduct must involve conduct on at least two occasions.

Antisocial behaviour orders (ASBOs)

ASBOs can be applied for (to the courts) for the most persistent/serious ASB in order to impose conditions on a person (aged over 12) to manage their behaviour and impact on other people. Breach of an ASBO is a criminal offence. Interim ASBOs can be applied for prior to a full ASBO application.

Acceptable Behaviour Contract

An informal (voluntary) agreement to help manage, and support, a person with their behaviour.

Children's hearings system

The Scottish system which deals with the needs and behaviour of children and young people, usually under 16 but in some circumstances up to the age of 18, who need care and protection or who have committed an offence.

More information is at [Children's Hearings - mygov.scot](http://www.mygov.scot/childrens-hearings).

Fixed penalty notices (FPNs)

Police Scotland and Local Authorities may issue 'on the spot' fines for some behaviours/offences to people aged over 16 or over.

Formal Warnings

If you've been charged with a minor crime the police can decide to:

- send you and your parents a warning letter
- get you help for a problem – for example, for drugs or alcohol
- give you a restorative police warning – a police officer will help you understand the effect of the crime and take responsibility
- give you a [recorded police warning](#) – if you're 16 or over and not on a compulsory supervision order

Police warnings or help from a support organisation will not become part of your criminal record. More information is at <http://www.mygov.scot/young-people-police>.

Non-statutory service providers

These are services not required by law, i.e. discretionary services, which are generally not funded by government unless through grants. These may be registered companies or other forms of governance.

Reporter to the children's panel

The reporter is a locally based official to whom all referrals must be made relating to children and young people who may need compulsory supervision. If, after an investigation, the reporter decides compulsory measures are needed, the child will be referred to a children's hearing. The reporter is employed by the Scottish Children's Reporter's Administration (SCRA).

Registered social landlords (RSLs)

Commonly referred to as housing associations (social housing providers).

Scottish Children's Reporter's Administration (SCRA)

Non-departmental public body responsible for managing the reporter system and providing suitable accommodation for children's hearings.

Statutory service providers

These are mandatory services required by law and funded by government, e.g. the police, fire service and NHS.

Some other terms can be found at [Guide to the Antisocial Behaviour etc. \(Scotland\) Act 2004 - gov.scot \(www.gov.scot\)](#).

Methodology Summary

At the outset, this review was a first stage of work seeking views from all sectors (public, private and voluntary/community) as well as both urban and rural environments.

Careful consideration was given to mapping out the wide range of interests to ensure that views were sought from a solid representative cross-section to properly inform the review. These included practitioners - relevant local authority (council) staff, emergency services' staff, housing and transport bodies etc. Also wider public input - people with 'lived experience' from equality groups representing a wide range of people and interests as well as victim support bodies.

In addition, elected members' (councillors) views were sought from all 32 Local Authorities and their representative body - Convention of Scottish Local Authorities (CoSLA) and all local community councils were invited to participate.

This was a qualitative approach to get a strong picture of what people's experiences were and their views and suggestions both from a practitioner's perspective and that of people from different groups and as many walks of life as possible, covering the broad range of different population demographics. Inevitably, not all groups were available but nevertheless there was a strong spread of interests.

The same discussion paper was used for all sectors (see Annex A). Within that paper were the core basic questions of interest. We also provided a template for people to prepare their thoughts and/or send written feedback (same questions). A third document was a privacy statement to provide assurance that people's views would be collated and not personalised.

Between SCSN and Scottish Government, 25 engagement sessions were held including the initial Gathering event (part of the Scottish Council of Voluntary Organisations' annual event held at the Scottish Events Centre, Glasgow). In addition, some attendees also sent written feedback and five organisations/groups sent written feedback only.

Some sessions had a few attendees whilst some were large with multiple attendees including umbrella groups representing numerous members. Close to 250 people took part directly in the engagement sessions but far more were represented through the umbrella groups and the Gathering was also a multiple attendee event.

Unfortunately, some groups we contacted were unavailable to participate within the given timescales, so we acknowledge that the report does not necessarily represent the views of the entire population or all communities and all under-represented groups. We sought business/retail sector feedback but they had other live priorities.

The scope of people, including senior reps, as outlined above was widespread for a good representative cross-section of interests and views providing for quality engagement. The findings have provided the basis for this report and next steps (future work).



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-83521-538-8 (web only)

Published by The Scottish Government, November 2023

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1370694 (11/23)

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