

Tackling Anti-social Behaviour

Island Homes' vision is...

“A safe pleasant and welcoming environment” We have powers to prosecute, demote in tenure and even evict perpetrators of anti-social behaviour, where this is necessary.

Anti-social behaviour (ASB) is someone acting: “in a manner that causes or is likely to cause harassment, alarm and distress to one or more persons not of the same household as himself/herself”.

We will investigate anti-social behaviour that involves:

- Breach of tenancy agreement
- Consistent or persistent unreasonable behaviour
- Serious single incidents
- All forms of harassment and hate crime
- Actions that adversely and unreasonably affect you

WHAT YOU CAN EXPECT FROM ISLAND HOMES?

Our standards are set out in the following ASB Service Charter: If the anti-social behaviour is severe, we will contact you within one working day. In all other instances we will contact you within 5 working days.

We will deal effectively with ASB by:

- Treating complaints seriously and professionally
- Working in partnership with residents and other agencies to tackle ASB
- Supporting residents where necessary
- Providing translation and interpreting services if you need them
- Having effective procedures in place
- Dealing promptly with alleged perpetrators of ASB
- Consulting with those involved
- Monitoring what we do to continually learn
- Reviewing what we do to continually improve

If you are subjected to or affected by ASB we will:

- Contact you within 1 working day where the ASB is severe, within 5 working days for all other cases
- Provide you with security measures and repairs if you need them, according to available resources
- Put you in touch with other support organisations (subject to your agreement)
- Use all the powers available to us to deal with the perpetrators of anti-social behaviour
- For serious anti-social behaviour the action we may take can include:
- Anti-social Behaviour Orders (ASBO's)

- Acceptable Behaviour Contracts (ABC's)
- Court injunctions (some with the power of arrest)
- Serving Notice of Seeking Possession
- Demotion of tenancy
- Eviction for persistent perpetrators

For all ASB we will:

- Attempt to interview the perpetrator(s) within 10 days (subject to your agreement)
- Offer you access to mediation services if this is appropriate (subject to your agreement)

Please report incidents of ASB to your Local Housing Officer at the earliest opportunity.

How we define severe Anti-social Behaviour:

- Violence or threats of violence where the threats are perceived by the victim as likely to be carried out, or where other agencies
- (E.g. the Police) have confirmed there is a substantial physical risk to the complainant
- High level, physical or verbal, or other harassment or intimidation causing severe distress
- The unlawful selling of drugs or other substances resulting in intimidation or harassment
- Severe hate-related incidents
- High-level noise nuisance

We will investigate all reports of anti-social behaviour that you report to us.

Here is what Island Homes will do:

The Housing Officer or Anti-Social Behaviour Officer will meet with you to get all the details of what has occurred.

We will ask you to complete Diary Sheets as part of the information-gathering process. Your Housing or Community Services Officer will explain to you what you need to do.

Interpreting & Translating - Where residents do not write English, they can complete the diary sheets in their first language and we will have these translated. We will make arrangements for any translation or interpreting that is required for us to investigate the case.

Contact with alleged perpetrators - We will contact alleged perpetrators and we will do this within 10 days of a complaint, with your agreement.

Treat perpetrators fairly - If you are an alleged perpetrator we will always treat you fairly and without prejudice. If we find evidence of anti-social behaviour we will always try to help you change your behaviour, and offer support if we can, where you are causing alarm or distress to other people. However, if you continue with anti-social behaviour, we will use all the powers available to us to make you stop.

Once you have made your complaint and we have met with you we will then draw up an Action Plan with you. This is the initial agreement between yourself and Island Homes showing how the complaint is going to be investigated and exactly what is required from you and us, including the timescales. We will try to complete investigations in 28 days.

Witnesses & Witness Support – If there are witnesses to anti- social behaviour we will meet with them and ask them to assist in the investigation of the case and to gather evidence. We will offer witnesses appropriate support.

Home Visits – We will only visit you if you are happy for an officer to come to your home.

Anonymity – If you wish to remain anonymous we will respect this and not reveal your identity. Anonymous complaints will be accepted and investigated where a IslandHomes resident is involved, as appropriate. However, we cannot guarantee that the person who is causing the ASB will not guess who has made a complaint to us. If you wish to remain anonymous you must also understand that certain types of action, such as legal action will be limited, or even impossible, if you are unwilling to assist us, as a witness to the anti- social behaviour.

Malicious or unreasonable complaints - If you make a malicious complaint, we will take no action against the alleged perpetrator, and may view this as harassment and a breach of tenancy on your part

Investigation

We will investigate to obtain any available evidence and make informed decisions. We will work closely with the Police to efficiently and effectively gather evidence. We will also work with Environmental Health Services and other agencies to gather evidence and look for solutions.

We will try to establish whether the ASB is, directly or indirectly a consequence of: drug abuse, alcohol abuse, mental health difficulty, disability or any infirmity because of age. Support will be sought for any vulnerable perpetrators from appropriate agencies such as Social Services, Education, Probation Services, and Youth Offending Team etc.

Mediation - Where mediation, through a trained and independent mediator, is acceptable to both you and the person causing a nuisance, we will arrange this.

Island Homes Action

We cannot always gather enough evidence to take further and legal action, but, where we do, we can:

Draw up an Acceptable Behaviour Contract (ABC) – this is primarily aimed at young people to deal with street nuisance caused by anything from, vandalism and graffiti, to noise.

We can ask the court to grant an ASBO (Anti-social Behaviour Order) - an application has to be made to a magistrate to impose the order on the individual deemed guilty of “anti-social behaviour”. These orders are to stop the ASB and it is a criminal offence to breach an ASBO.

We can seek an Injunction - the court can injunct and order an individual to stop specific activity or keep away from an area. In severe cases we can ask for an injunction with powers of arrest.

Seek a Demotion Order (DO) - demotion of tenure is possible to send a serious warning to the tenant that if they continue to misbehave swift action can be taken to end their tenancy outright. Some tenancy rights are removed by a Demotion Order. The County Court judge can grant a demotion of tenancy for 12 months. The tenancy is demoted to an Assured Shorthold Tenancy with less security of tenure.

Start Possession Proceedings - these proceedings can be taken to control the offender's behaviour and may lead to eviction.

Eviction – this is the final sanction where all other action has failed.

Your part in helping us to take action:

It is important that you co-operate with Island Homes in dealing with ASB. Without your help, our response to ASB can be limited. As well as keeping a record of the incidents, we will ask your permission to interview witnesses and the perpetrator.

If the ASB is severe we may ask you to give witness statements and appear at court. If this happens we will support you by:

- Giving you key information on what is happening throughout the process
- Identifying and providing security measures for you
- Keeping everyone up-to-date and involved
- Offering to arrange a court visit prior to any hearing
- Arranging transport and an escort to the court for you
- Paying for any childcare or related costs incurred by any witness in relation to the legal action, where practical and reasonable
- Keeping a careful record of all aspects of the case.

We may ask you to report criminal activity to the Police or get help from the local council's Environmental Health noise patrol teams, if you are suffering noise nuisance.

We will support you, but we need to work together to help resolve ASB in our neighbourhoods.

HOW TO CONTACT US:

You can contact Island Homes in person, by telephone, email, fax or letter. You will be referred to a Housing Officer or the ASB team, who will take all the details of the problem. This person is responsible for undertaking all further enquiries, and arranging for any repairs or other actions to be taken. We will contact you within 1 working day for severe cases, or 5 working days for other types of anti-social behaviour.

Always contact the Police immediately in the case of serious incidents and report other incidents to your local Housing Office as soon as you can

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Repairs & Emergencies

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