



Norfolk Community Safety Partnership

Anti-Social Behaviour Case Review

Procedural guidance

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1. Introduction

The Anti-Social Behaviour Case Review (ASB Case Review) formerly known as the Community Trigger, is a statutory provision introduced in the Anti-Social Behaviour, Crime and Policing Act 2014. It is a safety net for victims of persistent anti-social behaviour (ASB) to request a review of their case to determine if anything further can be done to reduce the impact the ASB is having. The ASB Case Review is not about apportioning blame but is to focus is on problem solving the case using the expertise of partner agencies.

The ASB Case Review confers responsibilities on relevant bodies including the local authority, police, Integrated Care Boards (ICB) and registered providers of housing, to manage and participate in the ASB Case Review process.

This ASB Case Review Policy is conversant with the Statutory Guidance for Frontline Professionals, and future amendments, as outlined in the Anti-Social Behaviour, Crime and Policing Act 2014: Anti-Social Behaviour Powers (Home Office).

2. Anti-Social Behaviour defined

For the ASB Case Review, the ASB must be persistent in nature and this behaviour must be “conduct that has caused, or is likely to cause, harassment, alarm or distress to any person”. For the purpose of the ASB Case Review threshold, agencies should consider the cumulative impact of the anti-social behaviour rather than each individual incident causing harassment, alarm, and distress.

Consideration should also be given to the persistence of the ASB, harm or potential harm caused and the adequacy of the response to the behaviour.

3. Purpose

To give victims and communities the right to request a review of their case, where the local threshold is met, and to bring agencies together to take a joined up, problem-solving approach to identify if it is possible to further reduce the harm for the victim.

4. Principles

The ASB Case Review is available to victims of anti-social behaviour who believe the response/s to their case has not resulted in stopping or reducing the ASB.

It is not an alternative complaints procedure and will not review concerns about service provision. Service complaints should be made to the appropriate agency, using their complaints procedure. This information can be found on their website.

5. Threshold and Qualifying Complaints

To activate the ASB Case Review a victim must meet the following threshold test:

The victim has reported three separate, but related incidents (qualifying complaints) to either the local authority, police, or housing provider within the preceding six months to the ASB Case Review application, and the anti-social behaviour is continuing. The three incidents do not have to be of the same ASB category (noise, threats, foul and abusive language etc) but they need to relate to the same case and not three completely unrelated incidents.

An incident must be a 'Qualifying Complaint.' A qualifying complaint is an incident that has been reported to either the council, police, or registered provider of housing within 30 days of it taking place.

A single incident which is reported to more than one agency only constitutes as one qualifying complaint.

When considering a ASB Case Review application, due regard should be given to the:

- Harm or potential harm caused by the anti-social behaviour.
- Adequacy of response to the anti-social behaviour.
- Persistence of the anti-social behaviour.

Good conscience and professional judgement should be exercised to allow the ASB Case Review to progress, when the threshold is not met but where there are concerns about risk and vulnerability and/or incidents of hate.

Furthermore, all ASB Case Review applications will be passed onto the relevant bodies and responsible authorities (detailed in section 6). When there is uncertainty or debate as to whether the threshold is met, if one or more of the relevant bodies considers that it is met, then the ASB Case Review application should be accepted.

Regardless of the previous actions taken in the case, if the anti-social behaviour persists, an ASB Case Review application (that meets the threshold) should be accepted.

The ASB Case Review hearing will then determine whether any new or alternative actions are more likely to be effective to further reduce the impact or harm.

6. Relevant Bodies and Responsible Authorities

The relevant bodies and responsible authorities are outlined in the statutory guidance as:

- Local Authorities
- Police
- Integrated Care Boards in England
- Registered providers of social housing

In the local context of this policy, the relevant bodies and responsible authorities are listed at Appendix A.

The ASB Case Review must not only include a representative(s) from at least three of the relevant bodies and responsible authorities listed above but should also include representatives from other agencies relevant to the case. This could include the fire and rescue service, mental health, and drug and alcohol support agencies for example.

7. Information sharing

For the ASB Case Review process to be effective, relevant information must be shared across relevant bodies and partner agencies under the following legislation:

The Anti-Social Behaviour, Crime and Policing Act 2014 requires relevant bodies to share information pertinent to a ASB Case Review Schedule 4, para 6(2).

Where a request is made to an agency which does not exercise public functions, that agency may comply with the request subject to:

- para 7(4) Anti-Social Behaviour, Crime and Policing Act 2014.

Paragraph 7 (4) of Schedule 4 Anti-Social Behaviour, Crime and Policing Act 2014 provides the disclosure of information is not required where it relates to non-exempted personal data which would be a breach of Data Protection legislation.

A breach of any obligation of confidence owed by the person making the disclosure.

Or which is prohibited by parts 1 to 7 of Chapter 1 of Part 9 of the Regulation of Investigatory Powers Act 2016.

Schedule 2 5(b) to the Data Protection Act 1998

Section 115 Crime and Disorder Act 1998

In accordance with the Norfolk Community Safety Partnership Information Sharing Agreement (March 2023), any person can disclose information, where certain conditions are satisfied, to a relevant authority or to a person acting on behalf of such an authority pursuant to the power contained in Section 115 of the Crime and Disorder Act 1998, for the purposes relating to the formulation and implementation of a strategy for the reduction of crime and disorder in Norfolk.

8. Who can apply for an ASB Case Review?

A victim can be an individual person, business, or community group.

A friend, relative, carer, councillor, Member of Parliament, or another professional person can make an ASB Case Review application on behalf of a victim, providing the victim has given their consent for this. We will still need to contact the victim to confirm this consent and establish the facts.

A manager within an authority can decide that an ASB Case Review is necessary to safeguard a vulnerable victim of anti-social behaviour (please refer to section 5); even where there is no consent, or the victim does not have the capacity to give consent with or without support to do so.

Further, if any agency recognises that the threshold for an ASB Case Review has been met, (once investigations have commenced) even without a request from either the victim or other, they should instigate an ASB Case Review, using this process.

9. Who is not suitable for the ASB Case Review?

A person:

- that wishes to remain anonymous in the ASB Case Review application.
- that wants a review of a Crown Prosecution Service (CPS) decision in relation to the prosecution or non-prosecution of a criminal offence.
- That is dissatisfied with a decision made by a civil or criminal court.
- whose complaint is about service provision.

10. Raising an ASB Case Review

The Norfolk Community Safety Partnership has the governance of this guidance and process.

It does not matter which agency a victim has reported incidents to as the SPOC will obtain the details of incidents relevant to the ASB Case Review application from all relevant bodies and responsible authorities.

An application for an ASB Case Review can be made by any of the following methods:

- Online portal: Link to Norfolk ASB Case Review:
www.norfolk.gov.uk/safety/anti-social-behaviour/community-trigger
- Download an application form from your local district council, Integrated Care Board, Police or Housing Provider web pages.

Each relevant body and responsible authority have identified a Single Point of Contact (SPOC) with responsibility for managing the ASB Case Review Process. Those details are available at appendix A on page 11. It is also where an application form for an ASB Case Review can be downloaded, completed, and submitted either via email or by posting it to their offices.

If those application options are not available to someone because of disability or lack of access to the internet and/or printing, they can call the SPOC who will complete a form with them over the telephone or in person.

11. The ASB Case Review Procedure

Upon receipt of an ASB Case Review application, the SPOC for the appropriate district area will acknowledge receipt of the application **within seven working days** from the date the OPT/SPOC receives the ASB Case Review application form. (Letter A).

Prior to deciding if the threshold is met, the SPOC will contact the applicant within **ten working days** of the application form being received (preferably by telephone) to gather information about the incidents of ASB and agency involvement in the case and complete the risk matrix.

A harm centred ASB risk assessment will also be completed and a discussion/referral to support services will be made if appropriate.

Where the applicant cannot be reached, the SPOC should make reasonable efforts to contact them (letter, phone, email, visit etc).

Where contact cannot be made, the ASB Case Review application will be listed as withdrawn and closed. A letter confirming this action will be sent by letter to the applicant within **seven working days**. (Letter B).

Once the additional information is received, the OPT/SPOC/Lead Agency and ICB will consider the information and decide if the threshold is met.

If the threshold is met, a copy of the ASB Case Review Application and the additional information should be sent to the SPOC in each identified relevant body and responsible authority. This action to be completed with seven days. (Listed in section 6).

The form will require the identified relevant bodies and responsible agencies to provide information on the reports they have received, and details of any actions taken. The timeframe to return the information is **20 working days** from the date on the form provided.

Good conscience and professional judgement should be exercised to allow an ASB Case Review to progress when the threshold is not met but where there are concerns about risk and vulnerability and/or a hate incident has occurred.

When there is uncertainty or debate as to whether the threshold is met, if one or more of the relevant bodies or responsible authorities considers that it is met, then the ASB Case Review should be undertaken.

A decision letter on whether the threshold has been met should be issued to the applicant within **ten working days** of the application being received.

1: Letter C where the **threshold is not met** clearly explaining the reasons why and include details of the query process.

2: Letter D where the threshold has been met, the decision letter will include:

- An outline of the next steps of the ASB Case Review process with associated timescales. Provide a flow chart if available.
- Contact details of the SPOC.
- Details of support and advocacy agencies available to the applicant and how they can be referred.
- Details of they will be able to attend the initial part of the ASB Case Review Meeting to discuss the harm and impact that the ASB has had on their (and their family's) lives. Alternatively, how to make a written submission outlining the same or that they can have someone to advocate on their behalf.

Other agencies, relevant to the case, such as mental health teams or drug and alcohol support services should also be engaged with, and relevant information obtained.

Reference should be made to the Norfolk Community Safety Information Sharing Agreement; information sharing permitted by the Crime and Disorder Act 1998, Anti-Social Behaviour Act 2014, and Data Protection Act/GDPR 2018.

Where the ASB Case Review threshold has been met, the SPOC will identify the most appropriate relevant body or responsible authority to lead and manage the ASB Case Review. That relevant body or responsible authority will identify an appropriate Officer to function as lead agency officer and this will normally be an officer who has had no direct involvement in the case.

The lead agency officer will contact all the relevant bodies and responsible authorities SPOCs to arrange the date and time of the ASB Case Review Meeting.

This will include an independent chair (taken from the rota held by the ASB Review Gold Group) and a minute taker from within their organisation.

Letter E will be sent to the applicant inviting them to attend the ASB Case Review Meeting.

As a minimum, the ASB Case Review Meeting must include representatives from at least three of the responsible bodies which are detailed below:

- Council ASB Team Manager/equivalent Manager
- Police Sector Inspector/Partnerships Inspector
- Social Housing Provider (relevant management level)
- ICB (relevant management level)
- ASB Case Review SPOC

If during this process an immediate risk of physical or psychological harm is identified; any recommendations or appropriate actions identified should be actioned and not be unduly delayed until the ASB Case Review Meeting.

Any interim actions taken should be communicated to the lead agency officer as soon as they are completed.

At the ASB Case Review Meeting the action plan **must usually** be agreed by all those present at the conclusion of the Meeting. However, if the case is particularly complex or poses a substantial risk, the Independent Chair has the authority to adjourn / defer this decision to allow time for extra consideration. The minutes and agreed Action Plan will be circulated by the lead agency officer within **ten working days** of the date of the meeting. Each agency representative must confirm receipt and **within five working days**, either agree the accuracy or suggest changes.

Anyone who accepted actions to complete must endeavour to do so within the agreed timescale (usually within twenty-eight days) and must inform the lead agency officer when actions have been completed or to explain why an action is delayed.

After the ASB Case Review Meeting, the Lead Officer will inform the applicant of the outcome of the review, within forty-eight hours ideally by phone call but then formalised in writing within **ten working days** of the meeting, using Letter F or G as appropriate.

The applicant should be informed about the actions agreed, except those actions which identify other parties protected personal and sensitive data.

A follow up ASB Case Review Meeting may be required before closing the ASB Case Review, especially in relation to cases where there is a substantial risk or vulnerability. This will ensure the recommendations made on the initial action plan have been completed and further actions can be proposed if necessary.

13. Monitoring of the Action Plan

It is vital to the spirit of the process that the agreed actions are completed in the timeframe set out in the action plan. The timeframe will usually be a period of 28 days of the action plan being agreed. It is the responsibility of the agency's representative to complete their required actions and inform the lead agency officer when each action is completed, or if further time is required, they must seek agreement with the lead agency officer.

If the action remains outstanding by the agreed deadline, the lead agency officer will escalate this to the ASB Review Group.

Outstanding actions that remain incomplete for more than **4 weeks** will be escalated via the ASB Review Group to the independent chair who oversaw the ASB Case Review.

An action is not considered complete until the lead agency officer is informed. If the action is no longer viable or is no longer necessary because another course of action has resolved the case, then it is the responsibility of the person assigned the action to inform the lead agency officer. That person should also advise what the outcome was so that partners can agree further actions to be completed or whether to re-refer the case for discussion.

14. Future applications

Where further ASB Case Review applications are received following a decision, these will be considered on their merit and may be allowed where there is a material change in the circumstances of the case.

Where multiple requests for activation of the ASB Case Review are received without good cause, they may be referred to 'the relevant organisation for consideration under their own vexatious complaints' procedures.

15. Query the decision

If the applicant wishes to query the decision on either the threshold not being met or the way in which the review was conducted, they can contact the Office of the Police and Crime Commissioner (OPCCN) within twenty-eight non-working days of the decision letter.

Office of the Police and Crime Commissioner for Norfolk
Jubilee House
Falconers Chase
Wymondham
Norfolk
NR18 0WW

Email: opccn@norfolk.police.uk

Telephone: 01953 424455

The OPCCN, through the mechanism of the Community Safety and Violence Reduction Coordination Team (CS&VRCT), will notify the relevant OPT that a query has been raised. The CS&VRCT will identify and appoint an independent Chair from a different District to action the query and notify the applicant by letter. (Letter H).

On completion of the query the applicant will be notified by letter of the outcome/s. (Letter I).

Appendix A: list of relevant authorities

Breckland Council

Broadland Council

Broadland Housing

Clarion Housing

Flagship Housing

Great Yarmouth Council

Integrated Care Board

Kings Lynn & West Norfolk Council

Norfolk & Suffolk Constabulary

North Norfolk Council

Norwich City Council

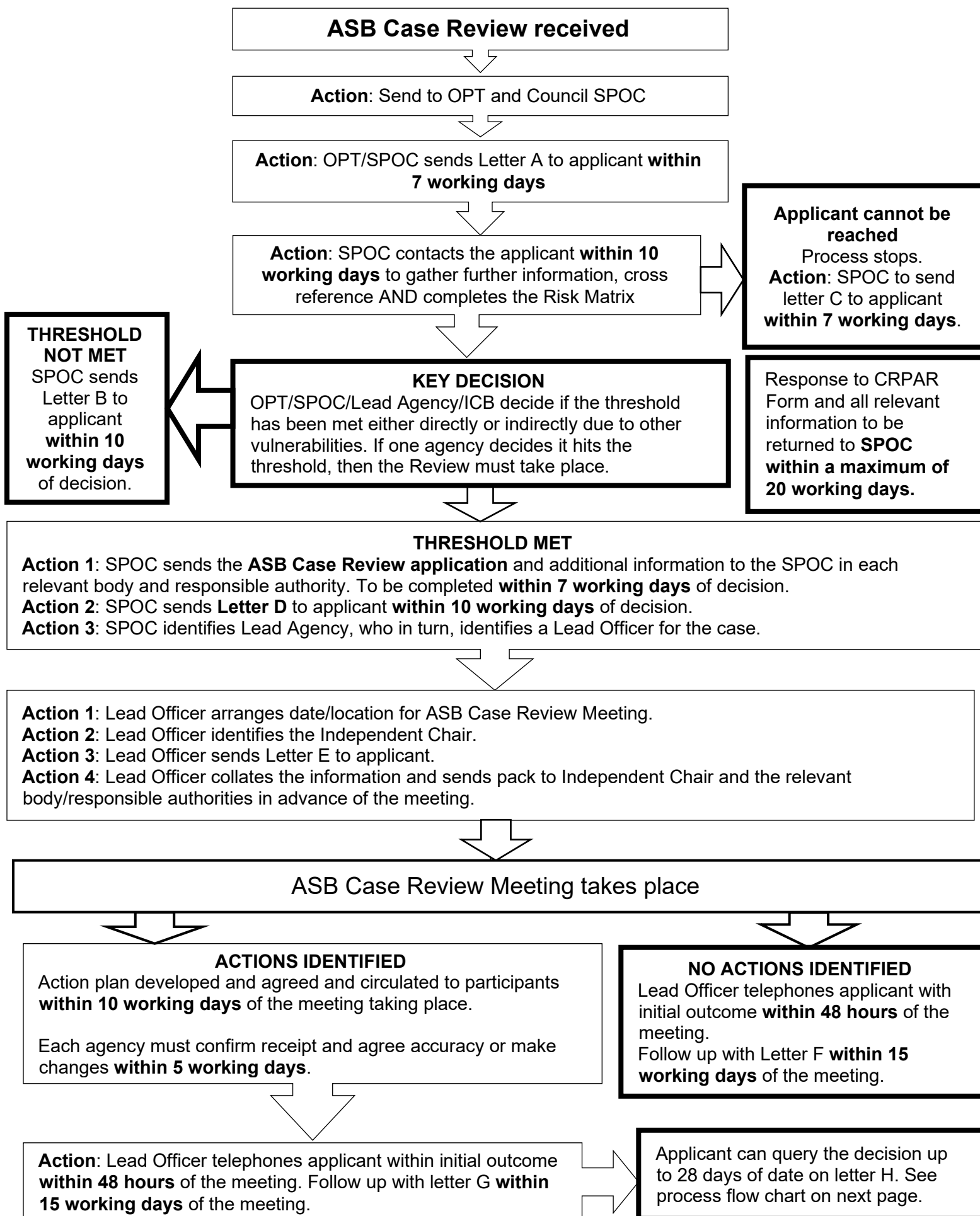
Office of the Police & Crime Commissioner for Norfolk

Saffron Housing

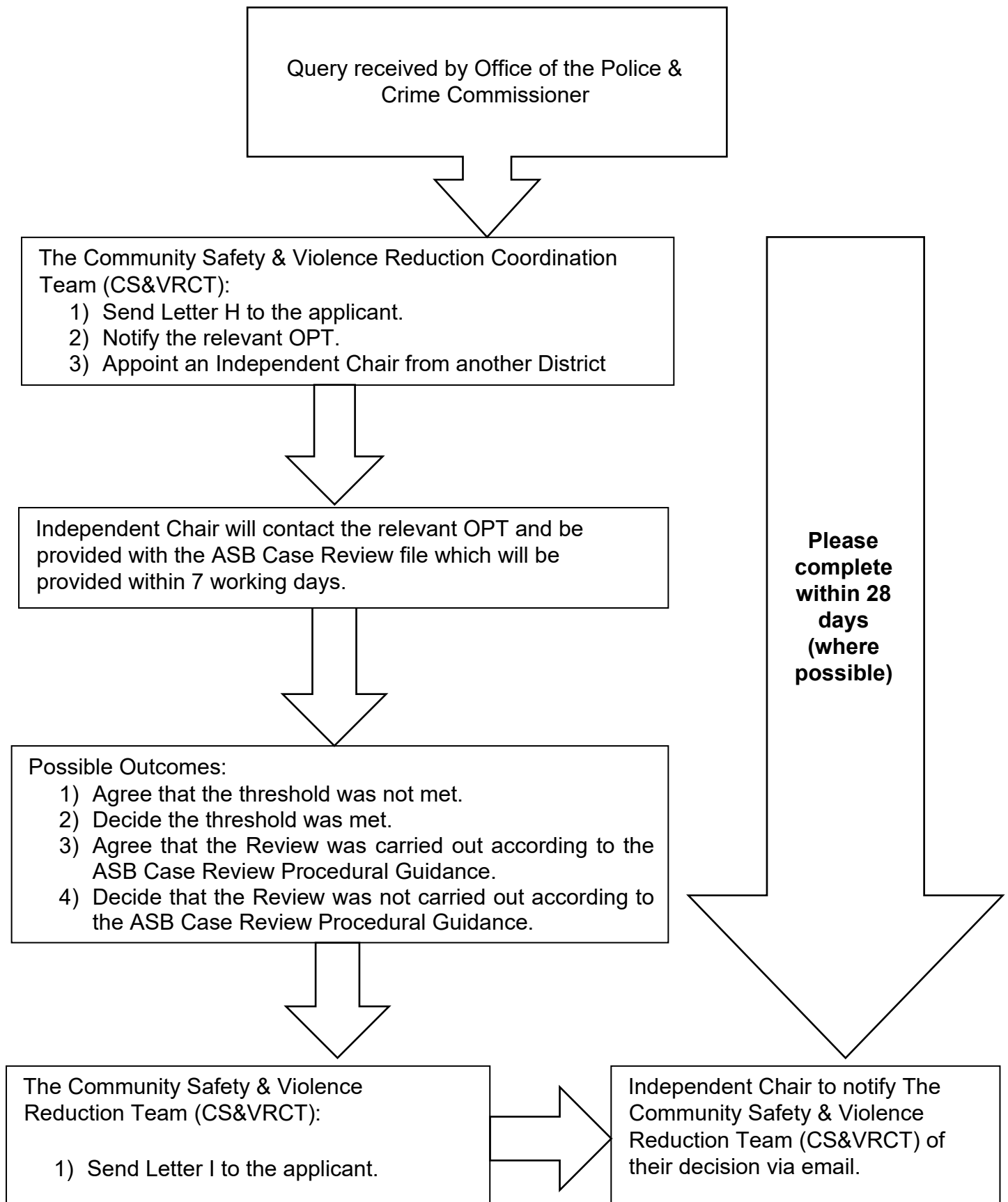
South Norfolk Council

Victory Housing

Appendix B: ASB Case Review Process



Appendix B: Case Review query process



Appendix C: template letters

Letter A

Insert your logo

Date:

Name / Address

Dear insert name of applicant

Re: Anti-social Behaviour Case Review Application

Anti-social Behaviour Crime & Policing Act 2014

Thank you for your application received on insert date of receipt requesting a case review to be done in respect of the anti-social behaviour you have experienced and which you feel is continuing.

I will be your single point of contact for this application so please contact me should you have any questions about the process.

My telephone number is:

My email address is:

Within the next 10 working days, I will contact you via the telephone to discuss the content of your application and gather more information about the incidents of anti-social behaviour that have occurred or are occurring and what actions have been taken so far by agencies etc. If I am not able to speak with you, I will write, email, or visit you to get this information. This is an important step in the process to ensure we have all the information needed for the review to take place.

Once the information is available, it will be considered to check it meets the threshold for an ASB Case Review to be undertaken. The threshold in Norfolk is that there must have been three (3) separate but related incidents reported to either the local council, police or housing provider (if relevant) within the 6 months prior to the application for an ASB Case Review being made.

Please note that I will take all reasonable steps to contact you, but if this information is not provided, the application for the ASB Case Review will be listed as withdrawn and closed. Should this be the case, you will receive a letter advising this within 7 days of the withdrawal.

If in the meantime, you wish to report any further incidents of anti-social behaviour, please contact your housing association (if appropriate), the local council or the Police via 101 or their online reporting mechanism. If it is an emergency always dial 999.

Yours sincerely

Insert Name and title

Letter B

Insert your logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Application

Anti-social Behaviour Crime & Policing Act 2014

Thank you for your application received on **insert date of receipt** requesting a case review to be done in respect of the anti-social behaviour you have experienced and which you feel is continuing.

My previous letter advised that I would contact you to discuss the application and gather more information to assist in the review, however, despite making reasonable attempts I have not been able to speak with you. You are aware that should this stage in the process not be completed, the case would be withdrawn.

Should you wish this review to continue, please contact me within 7 days of the date of this letter to provide the information needed.

After 7 days, the application for review will be withdrawn without further reference to you.

Yours sincerely

Insert Name and title

Letter C

Insert your logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Application Number:
Anti-social Behaviour Crime & Policing Act 2014

Further to your application received on **insert date of receipt** requesting a case review to be done in respect of the anti-social behaviour you have experienced and which you feel is continuing.

Your application and additional information have been considered by the relevant bodies and responsible authorities to see if it meets the threshold for Norfolk as outlined in my previous letter and I am writing to advise that regretfully, it does not meet that threshold for the following reasons:

Outline the reasons here

In addition to the numerical threshold of three (3) reported incidents of ASB, other issues were also considered before coming to this decision. Those issues were:

- The persistence of the ASB throughout the 6-month period.
- Risks or vulnerability which caused concern.
- The harm caused, or the potential for harm to be caused by the behaviour.
- The adequacy of the response to reduce or stop the ASB.

I understand this may be disappointing for you. You have the right to query this decision. Please contact the Office of the Police & Crime Commissioner (OPCCN) within 28 days of the date of this letter.

Office of the Police & Crime Commissioner for Norfolk
Jubilee House, Falconers Chase
Wymondham
Norfolk NR18 0WW

E: opccn@norfolk.police.uk
T: 01953 42 44 55

Appeals will be notified to the Office of the Police & Crime Commissioner for Norfolk who will review the findings.

The OPCCN, through the mechanism of the Community Safety and Violence Reduction Coordination Team (CS&VRCT), will notify the relevant OPT that you have raised a query.

The CS&VRCT will identify and appoint an independent Chair from a different District to review the case and notify you of this by letter.

Within a further 28 days, on completion of the review, you will be notified by letter of the outcome/s of your query.

If you wish to report any further incidents of anti-social behaviour, please contact your housing association (if appropriate), the local council or the Police via 101 or their online reporting mechanism. If it is an emergency always dial 999.

Yours sincerely

Insert Name and title

Letter D

Insert your logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Application Number:
Anti-social Behaviour Crime & Policing Act 2014

Further to your application received on **insert date of receipt** requesting a case review to be done in respect of the anti-social behaviour you have experienced and which you feel is continuing.

Your application and additional information have been considered by the relevant bodies and responsible authorities to see if it meets the threshold for Norfolk as outlined in my previous letter and I am writing to advise that it does meet that threshold and therefore, the ASB Case Review process has commenced.

It has also been agreed that the lead agency for this review is **Insert the name of the lead agency** and your single point of contact (SPOC) for the purposes of the review is:

Insert Name of SPOC
Insert contact phone number
Insert contact email address

The first step is to seek information from relevant bodies and responsible authorities that have been involved in your case. This information is necessary to ensure a full review can be completed to identify a way forward to resolve or reduce the ASB. The timeframe for gathering this information is up to four (4) weeks.

During this period, the SPOC will organise an ASB Case Review Meeting where the relevant bodies and responsible authorities will discuss the case and identify whether there are actions to be taken to stop or reduce the ASB. Sometimes, the outcome of the meeting is that all possible actions have already been taken, but that is rare.

The ASB Case Review Meeting will be chaired by a trained officer from another district to ensure the process is impartial and fair.

You will also be invited to come to the start of the meeting so you can tell us in your own words, the impact the ASB has had and is having on you and your family. It will not be necessary for you to talk about the ASB incidents as this information would have already been provided to everyone. If you do not feel able to attend the meeting in person, we can make alternative arrangements for you, such as writing it down so it can be read out at the meeting or having a friend or family member attend

on your behalf. More detail about this process will be provided in the invitation letter, but if you do have any immediate concerns, please contact the SPOC as given above who will be happy to discuss this further.

Attached to this letter are the details of some support services that you might wish to contact at this point.

If you wish to report any further incidents of anti-social behaviour, please contact your housing association (if appropriate), the local council or the Police via 101 or their online reporting mechanism. If it is an emergency always dial 999.

Yours sincerely

Insert Name and title

Letter E

Insert your logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Application Number:

Anti-social Behaviour Crime & Policing Act 2014

Further to your application requesting a case review to be done in respect of the anti-social behaviour you have experienced and which you feel is continuing.

As outlined in the earlier letter, the first step to collate information from relevant bodies and responsible authorities that have been involved in your case has been completed.

As Lead Officer, I have organised an ASB Case Review Meeting where the relevant bodies and responsible authorities will discuss the case and, where appropriate and possible, they will identify a list of actions to be taken to stop or reduce the ASB.

The ASB Case Review Meeting will be chaired by a trained officer from another district to ensure the process is impartial and fair.

As previously advised, you are now invited to come to the start of the meeting which will take place at: **Insert location, date and time**

It will not be necessary for you to talk about the ASB as this information has already been provided. We want to listen to you tell us how the ASB has made you/your family feel, how it has affected you emotionally, physically and/or mentally – this is your chance to fill in the information that isn't already on file – your opportunity for your voice to be heard.

It is appreciated that this might be daunting for you, so if you do not feel able to attend the meeting in person, we can make alternative arrangements for you, such as writing it down so it can be read out at the meeting or having a friend or family member attend on your behalf.

Please contact the Lead Officer above to confirm if you can attend or whether you wish for alternative arrangements to be put into place.

If you wish to report any further incidents of anti-social behaviour, please contact your housing association (if appropriate), the local council or the Police via 101 or their online reporting mechanism. If it is an emergency always dial 999.

Yours sincerely

Insert Name and title

Letter F

Insert your logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Application Number:

Anti-social Behaviour Crime & Policing Act 2014

Further to the ASB Case Review Meeting held on **Insert date of meeting**, I write to advise the outcome of that meeting.

Firstly, thank you for providing details of how the ASB has impacted on you / your family.

The purpose of that meeting was to identify any additional actions that could be taken to reduce or stop the ASB you are experiencing. The information you have provided together with the other information provided by the relevant bodies and responsible authorities was discussed and it was not possible to identify any further actions that can be taken at this current time.

I understand this may be disappointing for you and if you are dissatisfied with this decision, you have the right to appeal within 21 days of the date of this letter. Your appeal must be made in writing to:

Insert the name and contact details of the Lead Officer

Appeals will be notified to the Office of the Police & Crime Commissioner for Norfolk who will review the findings.

If you wish to report any further incidents of anti-social behaviour, please contact your housing association (if appropriate), the local council or the Police via 101 or their online reporting mechanism. If it is an emergency always dial 999.

Yours sincerely

Insert Name and title

Letter G

Insert your logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Application Number:

Anti-social Behaviour Crime & Policing Act 2014

Further to the ASB Case Review Meeting held on **Insert date of meeting**, I write to advise the outcome of that meeting.

Firstly, thank you for providing details of how the ASB has impacted on you / your family.

The purpose of that meeting was to identify any additional actions that could be taken to reduce or stop the ASB you are experiencing. The information you have provided together with the other information provided by the relevant bodies and responsible authorities was discussed and an action plan was agreed and enclosed with this letter.

The lead agency Officer is is:

Insert Name

Insert contact telephone number

Insert contact email address

They will be monitoring the actions and will provide you with an update on progress in a timely manner. As part of the monitoring process, you will be asked to continue to report any related incidents of ASB and the impact they are having on you / your family, should the actions be ineffective. This information is very important should it become necessary to take formal enforcement actions further down the line.

You have the right to query this decision. Please contact the Office of the Police & Crime Commissioner (OPCCN) within 28 days of the date of this letter.

Office of the Police & Crime Commissioner for Norfolk
Jubilee House, Falconers Chase
Wymondham
Norfolk NR18 0WW

E: opccn@norfolk.police.uk

T: 01953 42 44 55

The OPCCN, through the mechanism of the Community Safety and Violence Reduction Coordination Team (CS&VRCT), will notify the relevant OPT that you have raised a query.

The CS&VRCT will identify and appoint an independent Chair from a different District to review the case and notify you of this by letter.

Within a further 28 days, on completion of the review, you will be notified by letter of the outcome/s of your query.

If you wish to report any further incidents of anti-social behaviour, please contact your housing association (if appropriate), the local council or the Police via 101 or their online reporting mechanism. If it is an emergency always dial 999.

Yours sincerely

Insert Name and title

Letter H

Insert OPCCN Logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Query

Anti-social Behaviour Crime & Policing Act 2014

Thank you for contacting us in relation to your recent ASB Case Review application.

You are querying the decision ****that the ASB threshold was not met or that the ASB Case Review was not carried out in accordance with the Norfolk ASB Case Review Procedural Guidance**** (delete as appropriate).

We will now notify the relevant Operational Partnership Team for your area and inform them that you have raised the query and we will appoint an independent chair from another district area to review the ****decision / process undertaken**** (delete as appropriate).

This process can take a minimum of 28 days, but all efforts will be made to reach a decision in good time. Once that review has taken place, we will write to you with the decision.

Yours sincerely

Insert Name and title

Letter I

Insert your logo

Date:

Name / Address

Dear **insert name of applicant**

Re: Anti-social Behaviour Case Review Query:

Anti-social Behaviour Crime & Policing Act 2014

Further to your query of the recent ASB Case Review Application, I write to advise the outcome. ** delete below as appropriate.

- 1) **The Independent Chair has reviewed the decision that your case did not meet the threshold and agrees that it did not meet the threshold / was carried out in accordance with the Norfolk ASB Case Review Guidance.
- 2) **The Independent Chair has reviewed the decision that your case should have met the threshold / was not carried out in accordance with the Norfolk ASB Case Review Guidance.

If (2) Insert what happens next....

If you wish to report any further incidents of anti-social behaviour, please contact your housing association (if appropriate), the local council or the Police via 101 or their online reporting mechanism. If it is an emergency always dial 999.

Yours sincerely

Insert Name and title

Appendix D: Application Form and Guidance Notes

Anti-social Behaviour, Crime & Policing Act 2014 ASB Case Review Guidance Notes

If you have made three (3) separate reports of anti-social behaviour to any agency or combination of agencies and the behaviour has not reduced or stopped, you can apply for an ASB Case Review. The purpose to the review is to identify whether anything further can be done to reduce or stop the ASB. The type of ASB you have reported does not have to be the same type of behaviour, but they must be related in some way.

What is a qualifying report?

If you have complained to the Police, the Council and/or your housing provider:

- On three or more occasions, about separate incidents of ASB in the past 6 months.
- Reported each incident within 1 month of it happening.

And

- Requested an ASB Case Review up to 6 months after you reported the incidents.

You will be asked to provide details including:

- Dates and times the ASB happened.
- What the ASB was and where it happened.
- When you reported it where you reported it to.

Please fill in this form as completely as you can.

You can ask a friend or family member to fill the form in on your behalf.

You can also contact your local Council and ask someone to help you complete the form.

Independent advice and help are also available from ASB Help. ASB Help is a registered charity in England and Wales which has been set up to provide advice and support to victims of anti-social behaviour.

More information is available here: <https://asbhelp.co.uk/act-now-who-to-report-to/>

ASB Case Review Application Form

Your full name including title			
Your full address including postcode			
Date of Birth		Phone No.	
Email Address			
Preferred means of contact:			
Describe any relevant vulnerabilities			
Reporting Person Details if not the same as above			
Your full name including title			
Organisation (if applicable)			
Email			
Phone No.		Position if applicable	

About the incidents. These incidents must have been reported in the last six months to either your housing provider (if applicable), your local Council or the Police.

Incident One	
Date and Time of Incident	
Brief Details and Location	
Date and who reported to?	
Incident/Crime or Reference No.	
Action Taken and by Whom?	

Incident Two	
Date and Time of Incident	
Brief Details and Location	
Date and who reported to?	
Incident/crime or reference number	
Action Taken and by Whom?	
Incident Three	
Date and Time of Incident	
Brief Details and Location	
Date and who reported to?	
Action Taken and by Whom?	
Please describe the current situation	

How are the incidents affecting you and/or your family?		
Do you think the ASB is happening because of any of the following (tick all that apply)		
<input type="checkbox"/> Ethnicity <input type="checkbox"/> Religion or Faith <input type="checkbox"/> Disability <input type="checkbox"/> Age <input type="checkbox"/> Sexual orientation <input type="checkbox"/> Being transgender <input type="checkbox"/> Any other reason please give details <input type="checkbox"/> <input type="checkbox"/>		
What else would you like to see done to resolve the issue?		
Are you currently receiving support regarding these incidents? Please describe.		
Housing Information – what type of property does the victim live in?		
<input type="checkbox"/> Council Tenant <input type="checkbox"/> Leaseholder <input type="checkbox"/> Private Tenant <input type="checkbox"/> Owner Occupier <input type="checkbox"/> Housing Association <input type="checkbox"/> Other <input type="checkbox"/>	Landlord's Name (if appropriate)	
	Landlord's Address	
	Landlord's Contact No.	
	Contact Officer	
Additional Information		

Please give the names / addresses of others who have witnessed the ASB (if known)	
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Please give the names / addresses of the person/s carrying out the ASB (if known)	
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Declaration			
<p>The information you are supplying is being collected in accordance with the Crime & Disorder Act 1998 and will be used for the purposes of investigation and prevention of crime, disorder, and anti-social behaviour.</p> <p>Your information will not be used for any other purpose and will not be shared with any other third parties unless required by law or with your consent.</p> <p>Your information will be retained for 6 years plus the current year under the Limitation Act 1980.</p> <p>Your data will be processed and held securely and in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018 (and any updates)</p>			
Do you agree to the information sharing statement above?		Yes	No
Date		Signature	

Appendix E: Independent Chair's Pack

Chair's Pack

The information contained in this pack is designed to assist the Chair of the ASB Case Review meeting. The overarching purpose is to facilitate a collaborative discussion inclusive of all agency representatives to identify whether further actions are possible to stop or further reduce the impact of ASB on the victim/s.

The needs of the victim(s) should remain central to this process.

The ASB Case Review is not about apportioning blame. The Chair should emphasise this at every opportunity by fostering a positive culture and using the review as a learning opportunity.

This document should be used with the Terms of Reference and in consultation with **Appendix 1 - Intervention list.**

1. Has the character of the anti-social behaviour been determined?

Defining the type of anti-social behaviour is fundamental to identifying principal agencies who can actively participate in the case review. For example, if the anti-social behaviour is noise nuisance, its character should be identified. If the noise is because of multiple visitors to a property throughout the day and night, this should prompt the panel to consider if there is a crack house and organised crime group activity. This will necessitate a response from multiple agencies. If the noise is from music being played loudly and excessively by a social housing tenant for example, while a multi-agency response should be invited for intelligence purposes, in all likelihood, such a case will be dealt with by the landlord as the lead agency with the Council's environmental protection team in support.

2. Have all victims and all alleged perpetrators been identified?

If not, the most appropriate agencies should be tasked with identification. For example, in the previous crack house example, have the visitors been identified? They may be victims or perpetrators', but they should be identified to ensure they are adequately assessed, and any support requirements identified and implemented.

Additionally, canvassing neighbours to ascertain if they are victims, or if they would be willing to provide witness evidence, even anonymously is advantageous to facilitate appropriate actions.

3. Have risk and vulnerability assessments been completed for the victim(s), alleged perpetrator(s) and agencies?

Gathering this information from the outset is fundamental to ensuring the victim(s) is adequately supported. Completing a risk and vulnerability assessment of the perpetrator(s) is crucial to measuring if proposed interventions are fair, reasonable and proportionate. This will also mitigate

against a successful Public Sector Equality Act defence where legal action is taken.

Likewise, conducting a vulnerability assessment for the victim(s) and wider community, is essential to demonstrate any proposed legal action is a proportionate means to achieve a legitimate aim.

Showing the detrimental impact of the ASB on agency resources and capacity is also important, especially where it has impaired their ability to carry out normal business function.

4. Is there an identifiable lead agency?

If either the alleged perpetrator(s) or victim(s) are tenants of a social landlord, that landlord will ordinarily be the lead agency.

However, the ethos of the ASB Case Review is to work collaboratively, inviting stakeholders to be part of the solution and utilising their powers which may be different to those available to the lead agency.

For example, a case involving a suspected crack house owned by a social landlord requires the participation of multiple agencies: the Police or LA to apply for a Closure Order, drug or alcohol service to assist in identifying and offering treatment to individuals using the crack house, including the tenant.

The service may also be able to assist with facilitating positive requirements where a Part 1 injunction on the tenant is deemed appropriate. The landlord, or multiple landlords, including the LA where the neighbourhood is mixed, are required to work with other residents to obtain witness evidence, and assist with risk and vulnerability assessments.

The LA or Police may be able to deploy mobile CCTV but will be integral to the enforcement of the Closure Order.

Where such interventions fail, the Landlord may feel possession proceedings are the only option and will require statements from other agencies to evidence the interventions attempted prior to taking that course of action, thereby showing a fair, reasonable and proportionate response. Consultation with support services for both the victim(s) and alleged perpetrator(s) should be a continual process to ensure the emotional wellbeing of all parties involved is proactively managed.

5. Is a fair, reasonable and proportionate response identifiable?

Where there is a hate incident or offence or the threat or act of violence, low level interventions such as warnings or acceptable behaviour contracts are unlikely to be a reasonable response and a formal approach is required.

Incidents that seem minor to a practitioner may not be to a victim(s) and the cumulative impact of incidents must be considered along with a profile of the victim(s) to establish any exacerbating factors.

6. Should a criminal investigation take precedence over civil proceedings?

These are not mutually exclusive. Care should be taken not to take a blanket view that unsuccessful criminal action will render civil action impossible.

A charge or conviction is not required to pursue civil legal action.

However, consultation with the Police should be undertaken out of courtesy and to ensure that a civil investigation does not compromise a criminal investigation.

Where a criminal investigation results in no further action, this does not mean civil action cannot be pursued.

The civil standard of proof is lower and hearsay evidence can be used in civil matters.

The same principle applies to a statutory noise nuisance case. Not meeting a statutory threshold does not mean civil action cannot be taken. If upon hearing sound recordings, panel members find it amounts to a nuisance and annoyance, the likelihood is that a civil court would make the same finding.

7. Where anti-social behaviour is secondary to another issue, is the anti-social behaviour still being managed?

Care should be taken to ensure that a victim(s) is not given explanations such as '*a criminal investigation is underway so no further action can be taken while this is on-going*' or that actions are delayed because another agency is managing a different dimension of a case.

A typical scenario may be a case of domestic abuse. This may be dealt with by the Police, but their approach will be focused on offences against the person. However, if the abuse is overheard by neighbours, causing them distress or nuisance, this is anti-social behaviour which should be managed.

This type of case must be managed sensitively so that any proposed resolution does not unduly escalate the risk to the victim(s) of the abuse. Nevertheless, the nuisance must be addressed.

Good conscience should be exercised throughout the ASB Case Review process and meaningful actions identified and implemented (where possible) which will have a positive impact on the victim(s) life.

ASB Case Review Interventions List

Tick all appropriate boxes. Remember that several interventions running simultaneously may be necessary.

This document should be used in conjunction with the Anti-Social Behaviour, Crime and Policing Act 2014 Statutory Guidance for Frontline Professionals.

Information Non-Enforcement Interventions:

Intervention	Who will action	Timescale	Who has Authority?
Written Warning: Inc. Tenancy Warning			All agencies can issue written warnings.
Mediation			All agencies; consider sharing costs.
Restorative Practice			Any Agency.
Verbal Warning			All agencies. Verbal warnings should be documented.
Acceptable Behaviour Agreement/Acceptable Behaviour Contract			All agencies but lead agency should ensure the contract is counter-signed by other agencies incl. Police.
Parenting Contract			Any Agency.
Support/Counselling			Any Agency.

Formal Enforcement Interventions:

Notice Seeking Possession/s.21 for starter tenancy or s.128 Notice for introductory tenancy			Landlord: social, LA or private. This tool must only be used where there is a legitimate intention to take back possession of a property.
Starter/Introductory tenancy extension			Landlord: social, LA or private.
Absolute Grounds for Possession including ground 7a.			Landlord: social, LA or private.
Demotion of Tenancy			Landlord: social, LA or private.
Suspended Possession Order			Landlord: social, LA or private.
Part 1 Civil Injunction (housing related)			Usually landlord but can be any authority.
Part 1 Civil Injunction (harassment, alarm and distress)			Any authority but landlords will usually apply for

			housing related civil injunction.
Committal (where Civil Injunction has been breached)			Responsibility lies with the agency who secured the injunction.
Consider a ‘without notice’ Civil Injunction where there is a threat or use of violence			Responsibility lies with the agency who secured the injunction
Legal Undertaking where Part 1 Anti-Social Behaviour Injunction threshold is not met			Any authority.
Environmental Protection Act 1990 powers including Abatement Notices			LA.
Community Remedy			Police or authorised agency.
Community Resolution			Police.
Conditional Caution/Youth Conditional Caution (Except where DA/HATE is a factor)			Police.
Dispersal Power			Police.
Community Protection Warning			Police/LA. Social Landlords if designated by LA.
Community Protection Notice			Police/LA. Social Landlords if designated by LA.
Public Spaces Protection Order			LA following consultation with agencies.
Closure/Partial Closure Notice/Order			LA/Police.
Harassment Warning			Police.

Appendix F: ASB Case Review Risk Matrix

HISTORY		
Other than this occasion – how often do you experience ASB?	5	Daily
	3	Most Days
	2	Most Weeks
	1	Most Months
	0	Occasionally
Do you think the current incident is linked to previous incidents?	2	Yes – explain why
	0	No
Do you think the incidents are happening more often and/or do you think they are getting worse?	2	Yes
	0	No
Do you know the other party?	2	They know each other well
	1	They are known to each other
	0	They do not know each other
Do you know if the other party (or their friends/relatives) have a reputation for ASB?	6	Yes – they are currently involved in ASB against the victim
	4	Yes, they have been involved in ASB against the victim previously
	2	Yes, they have a reputation for being involved in ASB against others
	0	Not known
Have you informed other agencies about what has happened	0	Yes – give details
	1	No – explain why
VULNERABILITY		
Who do you feel is being directly targeted?	4	You
	3	Your family
	1	Your community
	0	No one
Do you feel the behaviour is associated with your faith, nationality, ethnicity, sexuality, gender, or disability?	3	Yes - details
	0	No
Do you feel there is anything else that is increasing your personal / family's risks?	3	Yes – explain
	0	No
How affected do you feel by what has happened?	0	Not at all
	1	Affected a little

	2	Moderately affected
	3	Affected a lot
	5	Extremely affected