

## **Antisocial Behaviour**

### **Report by Chief Executive**

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## **Scottish Borders Council**

**25 January 2024**

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### **1 PURPOSE AND SUMMARY**

- 1.1 This report provides Scottish Borders Council with a summary of what is being done to prevent and where necessary, address antisocial behaviour among young people. This report is submitted in response to a motion by Councillor Pirone agreed by Council on 26 October 2023 whereby members recognised the importance of addressing anti-social behaviour among our young people in our communities, valued positive youth engagement and acknowledged the need for a safe environment that promotes the growth of our young residents. In approving the motion Members sought information as to what the Council is currently doing to address anti-social behaviour among our young people and whether there is more we can do within the Scottish Borders in partnership with others.
- 1.2 Antisocial behaviour involving young people recorded by Police Scotland is expected to account for fewer than 13% of total calls during 2023/24. Youth warning letters issued by the council funded police Community Action Team (CAT) have been on a downward trend, and the council's Antisocial Behaviour Unit have had very few referrals involving young people.

### **2 RECOMMENDATIONS**

- 2.1 **I recommend that the Committee:-**
- (a) Note the content of the report.**
  - (b) Endorse the suggested enhancements and improvements across engagements with young people to expand diversionary activities within communities.**

### **3 BACKGROUND**

- 3.1 This report is in response to the question raised by Councillor Pirone, *"Scottish Borders Council recognises the importance of addressing anti-social behaviour among our young people in our communities and that we value positive youth engagement. We acknowledge the need for a safe environment that promotes the growth of our young residents. We therefore ask the Chief Executive to bring a report to Council detailing what the Council is currently doing to address anti-social behaviour among our young people and if there is more we can do within the Scottish Borders in partnership with others."*
- 3.2 There are approximately 8600 young people aged between 12 and 18 residing in Scottish Borders, the vast majority of whom engage positively in their communities however there are small pockets of behaviours which cause nuisance, harm or distress to communities.
- 3.3 In most instances, issues are dealt with effectively through positive interventions with partnership working and engagement with young people and their families to redirect behaviours and provide supports however where these are not sufficient to resolve the issue, there are a range of further measures which can be effected as set out in the following paper.
- 3.4 The reasons behind anti-social behaviour are wide ranging and can be complex, ranging from a simple lack of positive activities and opportunities leading through to mental health issues, family instability and trauma experience. Understanding the root cause of a behaviour is critical in providing appropriate preventions, supports and interventions.

### **4 Education**

- 4.1 Curriculum for Excellence sets out the purpose to enable each young person to achieve 4 capacities which include being responsible citizens and effective contributors. These principles guide staff to provide an engaging curriculum with a wide range of activities/opportunities in and out of the school day.
- 4.2 Personal and Social Education focuses on citizenship and safe choices while supporting pupils to develop positive relationships and good mental health and wellbeing, while specific programmes teach children and young people to understand how to stay safe and explain the dangers relating to for example, fire, water or substance use.
- 4.3 Targeted programmes and school-based interventions such as the Mentors in Violence Prevention programme, Quarriers Resilience Practitioners and Youth Work provide an early intervention and prevention approach to young people who are identified as needing further supports or advice.
- 4.4 Parent supports are important in recognising and supporting the challenge of positive parenting and programmes such as "Raising Teens" offer all families a structured and effective toolbox to ensure young people are appropriately guided.

- 4.5 Joint working with Police Scotland, and youth engagement officers, contribute to education and the identification of vulnerability and where appropriate, this extends to close work with families. There are established close working relationships with other partner agencies whether to deliver specific programmes such as fire safety with SFRS or to deliver targeted interventions with individuals.
- 4.6 This partnership working extends into community-based activity, for example TD1 Youth in Galashiels work in school to support and educate young people at risk of antisocial behaviour and provide a range of activities and opportunities in the evening, weekends and holidays offering both support and positive diversions.
- 4.7 The Children and Young People's Planning Partnership takes a network approach to delivering key outcomes for young people through key areas such as providing a good childhood and whole family support. The partnership commission supports for young people including youth work across all localities, trauma support and advocacy. Through the partnership approach, a robust programme of holiday activity and wellbeing support is effective in supporting families during periods when the structure of school is not available.
- 4.8 Clear boundaries and expectations are necessary to ensure young people understand and are held responsible for their behaviours, risks and impact of negative behaviour. A strong example of the effectiveness of this approach is the charter for school transport. This sets out the expected behaviours when travelling to and from school, the reason these are implemented and highlights actions which can and will be taken where behaviour falls short of expectation. This is shared with all families and agreement to adhere to the charter is required from all pupils and parents.

## **5 INTERVENTION**

- 5.1 Where education and preventative measures have not been successful in supporting young people to behave positively and responsibly, there are a range of interventions, of hierarchical formality which can be implemented. Often having a relationship with a trusted adult such as a youth worker, social worker or police liaison officer can be successful in redirecting behaviours. Likewise a programme of activity through volunteering for example, can provide a positive focus and bring about a sense of worth through making a contribution to the community for a young person to change their behaviours.
- 5.2 Where all preventative measures are not sufficient to bring about a change to a situation, it may be necessary for a young person to be referred to the youth justice system.
- 5.3 Early intervention offence referrals for all those aged 12-18 are considered by the Early and Effective Intervention (EEI) process. Representation and diversionary options vary by age. For those under 16

responses from education, Police warning letters, Police Restorative Justice Warnings, or referrals to the Offence Resolution Programme (ORP) are considered.

- 5.4 For those aged 16 and 17, the EEI process seeks to divert young people away from the judicial process and potential contact with adults involved in the Justice system. Diversionary options for this group include diversion through Skills Development Scotland, Youth Justice, Police warnings or referral to Quarriers Wellbeing service for substance use concerns. ORP intervention is voluntary, the criteria being a third charge for low level offending behaviour or first serious offence.
- 5.5 In the last twelve months 27 children have been referred to Youth Justice for ORP intervention. The ORP Programme involves four sessions of work with young people on a focus on consequential thinking and victim empathy. Where both parties agree, a Restorative meeting may take place or letter of apology offered to the alleged victim with the aim of repairing the harm caused by the alleged offence(s).
- 5.6 More serious offences fall within the Lord Advocates Guidelines and must be referred to the Children's Reporter or Procurator Fiscal (PF), however, Youth Justice aim to offer support whilst awaiting a decision. Where the PF is of the view it is not in the public interest to prosecute the child, Diversion from Prosecution suitability will be assessed, 16 young people were assessed for Diversion from Prosecution in the last 12 months. Those suitable are offered support to address their alleged behaviour as well as other needs that may be linked to their behaviour, examples include referral for substance use support or employability support.

## **6 Council Funded Police Community Action Team**

- 6.1 The financial years from 2021/22 show that youth incidents compared to all incidents reported to Police in the Scottish Borders are circa 13% and projected to be lower in 2023/24 than the previous 2-year average.
- 6.2 The number of youth warning letters issued by the council funded police CAT has reduced, from 143 in 2021/22, to 56 in 2022/23, and to November 2023 currently totals 27, it is projected that by year end the number will be circa 40. For those young people whose parent or guardian receives a letter very few go on to receive further contact from the police.
- 6.3 Through the CAT monthly tasking process the number of youth related issues have increased, 2021/22 26%, 2022/23 29%, and 2023/24 (Apr-Oct) 41%. Areas for additional police attention are identified through the council partnership analyst.
- 6.4 To date 2023/24 there have been 3 young people involved with the council Antisocial Behaviour Unit.
- 6.5 The existing CAT SLA expires on 31/03/24.

## **7 Town Centre CCTV and Mobile Cameras**

- 7.1 Members will be aware that a report is due back to Council on the replacement of the town centre CCTV. This is an opportunity to align any new system to hot spots for crime and antisocial behaviour.
- 7.2 Budget was set aside for deployable cameras that can be moved to areas that are not covered by the fixed CCTV system. Work is underway to finalise the Data Protection Impact Assessment with Police Scotland.
- 7.3 Both elements complement each other and should act as a deterrent and evidence gathering tool.

## **8 What More Can be Done**

- 8.1 There is scope for all public agencies, and the 3<sup>rd</sup> sector to work more closely together, at a local school cluster level, to target resource at the areas of greatest need in relation to young people, and in particular diversionary activities for those involved in ASB. The development of the Team Around the Cluster model in education offers a platform for all agencies to work together to identify and plan support and interventions for young people at risk of becoming disengaged or who are experiencing challenges.
- 8.2 In some areas there are a lack of activities in the evening and at weekends or holiday periods for young people or a mechanism to capture young people's views on what might be suitable. Work is underway to make consultation material more accessible to young people and the best practice model of partnership approaches to youth work demonstrated in Galashiels with TD1 will be used as the benchmark for development in all areas.
- 8.3 Engagement of young people to ensure that they have an active voice in identifying the types of activities and environments needed to support positive engagements in their community as well as to identify target issues and supports is essential. The CYPPP has a key priority to develop the youth engagement strategy with a focus on the most marginalised and at-risk groups of young people and the appointment of an education officer to develop stronger representation of young people at school, community and Council levels will complement this work.
- 8.4 The United Nations Convention on the Rights of the Child grants all people under the age of 18 a comprehensive set of rights including rights to health, education, family life, play and recreation and protection from abuse and harm. There is now a legal requirement for all public authorities in Scotland to comply with these. Taking a rights-based approach to developing strategies and interventions around anti-social behaviour will ensure that young people are supported to reach their full potential.
- 8.5 Following recent research published by the Centre for Child and Youth Justice (CYCJ, May 2023) in relation to National Referral Mechanism use and emerging national concerns regarding Children Criminal Exploitation

(CCE), the Community Justice Partnership plan to consider how this may impact on children in the Scottish Borders and whether any actions are necessary in relation to identification or responses to those at risk of CCE.

## **9 IMPLICATIONS**

### **9.1 Financial**

There are no specific additional costs attached to any of the recommendations contained in this report.

- (a) Proposals for the police CAT post 31/03/24 will come before Council for a decision.
- (b) Proposals to replace the existing town centre CCTV will come before Council for a decision on specification and cost.
- (c) Budget has been set aside already for the deployable cameras.
- (d) There may be cost associated with additional activities for young people and the budget consequences can be assessed once a more detailed assessment is undertaken.

### **9.2 Risk and Mitigations**

As highlighted in the report the current service level agreement for the police CAT funding expires on 31<sup>st</sup> March 2024. These officers deal with a significant amount of reported youth related issues. Should the funding not be maintained then some of the capacity to deal with low level antisocial behaviour would be lost. It could be argued that additional activities for young people might mitigate some of the impact.

### **9.3 Integrated Impact Assessment**

This report sets out what is currently in place to reduce instances of antisocial behaviour involving young people and suggestions to engage with them to improve activities and diversionary options that are available.

### **9.4 Sustainable Development Goals**

N/A

### **9.5 Climate Change**

N/A

### **9.6 Rural Proofing**

N/A

### **9.7 Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

### **9.8 Changes to Scheme of Administration or Scheme of Delegation**

N/A

## 10 CONSULTATION

10.1 The Director (Finance & Procurement), the Director (Corporate Governance), the Chief Officer Audit and Risk, the Director (People Performance & Change) and Corporate Communications have been consulted and comments will be tabled at the meeting.

### Approved by

**Name David Robertson**

**Title Chief Executive**

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**Background Papers: N/A**

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