

South LDC Youth Meeting – Consultation on the Anti-Social Behaviour (Scotland) Act 2004 and the Council’s Anti-Social Behaviour Strategy

City of Edinburgh Council

27 January 2005

Purpose of Report

- 1 To refer the outcome of the South Local Development Committee’s consultation with young people on the Anti-Social Behaviour (Scotland) Act 2004 and the updating of the Council’s Anti-Social Behaviour Strategy.

Main Report

- 2 On 21 August 2003 the Council had made a commitment to facilitate the participation of young people in influencing its decision-making processes.
- 3 As part of this commitment, the South LDC held an additional meeting on 1 November 2004 to inform and consult young people in South Edinburgh on the new Anti-Social Behaviour Act and the updating of the Council’s Anti-Social Behaviour Strategy.
- 4 Young people took a lead role in planning and hosting the meeting which attracted over 100 people. The attached summary of the meeting, detailing its aims, format and the key comments made by young people was prepared by the South LDC Co-ordinator and approved by the LDC on 29 November 2004.
- 5 The Committee made the following observations on the Act and the Council’s Anti-Social Behaviour Strategy:
 - It was important to get the message out to young people on the provisions of the Anti-Social Behaviour Act in relation to ASBOs and ABCs and also of their own rights and responsibilities.

- Publicity about the Act had raised public expectations and in some cases fears therefore it was important that the community perceived that problems were dealt with quickly. The Act provided a “toolkit” with which to tackle problems.
- It was heartening that the young people at the meeting had expressed sympathy for the victims of anti-social behaviour and were aware of its unpleasant and damaging effects. However, it was important to counter perceptions in some quarters that all young people were involved in this behaviour.
- While anti-social behaviour affected lives enormously, it should be borne in mind that the vast majority of young people in South Edinburgh were responsible and took part in community activities. It was felt that the Act would be difficult to administer even-handedly and would require close working with all involved.
- The meeting had been very informative regarding the legislation. The young people who had attended and taken part in the meeting should be commended for their positive outlook. The devil was in the detail however and there was a need to use ASBOs wisely.
- Anti-social behaviour is a very real and a very serious issue. There is a need for communities to be able to live together, a need to feel safe and this is a responsibility of all. The Act does not say all young people are anti-social – it is not about that. It must be noted that tonight’s comments will be added to the others received and will need to be balanced against all views. If the Strategy helped to change anti-social behaviour patterns the Council would be delighted if the powers of the Act were never used.
- The legislation afforded the opportunity to counter serious anti-social behaviour which was unlikely to change until challenged. The young people who had attended this evening’s meeting should be commended for their contributions to the debate.

Recommendation

- 6 That the Council note the report.

Councillor Fred Mackintosh
Convener, South Local Development Committee

Appendix	Summary of South Local Development Committee Additional Meeting
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Wards affected	City wide
Background Papers	

**Summary of South Local Development Committee
Additional Meeting on 29 November 2004**

**To Inform and Consult Young People in
South Edinburgh on:
The Anti-Social Behaviour (Scotland) Act 2004**

1 Overview

This paper provides a general overview of the aims, the meeting format and the key comments received from young people (and others) at the additional SLDC meeting which was held on 1 November 2004 in Gracemount High School.

Following a request from the Council for each LDC to increase the level of engagement by young people, the SLDC agreed to work towards planning a meeting that would aim to encourage participation by young people from South Edinburgh.

Over the summer, local representatives from Edinburgh Youth Council (EYC) raised concerns about anti-social behaviour. Because this was a key issue, it was agreed that the additional SLDC meeting would try to 'inform and consult young people in South Edinburgh' about:

The Anti-Social Behaviour (Scotland) Act 2004.

It was also agreed that young people themselves would take a lead role in planning and hosting the meeting.

The South (EYC) representatives were supported by, and worked closely with, Community Education, the Youth Services Team and the SLDC to plan the Agenda, the format and publicity for the meeting. The aim was to attract young people from all the High Schools in the South Edinburgh area.

In addition, Donald Urquhart, (Head of Service, Anti-Social Behaviour), agreed to consider comments made by young people and others at the meeting, as part of the consultation on aspects of the new powers under the Anti-Social Behaviour (Scotland) Act 2004.

The meeting attracted over 100 people. Around half were local young people with the remainder comprising of representatives from local Community Councils, other local organisations and staff. A fuller breakdown of where young people came from is set out in the PP vote results in Appendix 1.

Many schools in South Edinburgh were represented and included the Royal Blind School, Gracemount High, James Gillespie's, Liberton High, Kaimes School, George Watson's, Howdenhall and St Catherine's.

All young people attending the meeting were given an information pack which included, the Draft Anti-Social Behaviour Strategy Summary, an Agenda for the meeting, information about Young Edinburgh, 'What's On' leaflet and the autumn edition of the local youth magazine 'Branded'. The Agenda was available in Braille for young people from the Royal Blind School.

2 Format of the Meeting

A format was designed which retained a key role for young people throughout the meeting and also provide basic information about three key aspects of the Act, mainly ASBOs, Dispersal Powers and Acceptable Behaviour Contracts.

The format included:

- young people from EYC delivering a presentation covering 'What's EYC' and 'What's an LDC'
- young people having the opportunity to 'Have Their Say' by using on-line voting pads. A young person from EYC asked the questions;
- young people obtaining basic information about the Act, using a 'Mastermind' format, (this included a black leather chair, dimmed lights, music and sound effects). Donald Urquhart (Head of Service Anti-Social Behaviour), delivered the information to the audience by answering key pre-set questions on his 'specialist subject' - The Anti-Social Behaviour Act 2004. A young person from EYC was the Mastermind host.
- young people being supported and having the opportunity to discuss what they had heard during smaller breakout sessions (a copy of the unedited comments from the breakout groups is detailed in Appendix 2); and
- a question and answer session with Donald Urquhart and Chief Inspector Douglas Forsyth.

For many young people this was the first introduction to the powers under the Act and it is likely that they would tend to find the information complex and confusing. However, the on-line voting pads allowed young people in the audience to consider and vote on some of the key consultation questions relating to the type of behaviour that is classed as anti-social, and what the Act aims to achieve. The host for the on-line voting session was a young person from EYC.

Youth workers from the Council or the voluntary sector facilitated breakout groups and all facilitators were fully briefed in advance of the meeting. To ensure that comments/issues raised by the breakout groups were recorded, scribes were allocated from the Council or the Police (including Chief Inspector Forsyth and the South Edinburgh Youth Action Team).

3 Key questions/concerns/issues

- it was evident that amongst young people, there was a degree of confusion about what constitutes anti-social behaviour;
- clarity is required because the consultation questions about 'noise' or 'being drunk in public', were generally **not** viewed as anti-social by many young people who used the on-line voting pads;
- It was stressed that only a very few young people are involved in anti-social behaviour;
- young people were concerned about the dispersal powers, however it was stressed that if they are used, it would only be in a few localised areas and linked to more serious problems;
- if dispersal powers are used, the need for Police/others sensitivity was acknowledged;
- it was stressed that the aim of the Act is to provide more effective remedies to tackle problems earlier and before they escalate;
- young people thought it was important for people who are subject to an ASBO are given support to help them change their behaviour;
- there were questions about how long an ASBO or an Acceptable Behaviour Contract would last;
- young people said it was important that all young people are made aware of the powers under the Act;
- many people did not think that anti-social behaviour was a problem in the area where they live;
- many young people and adults at the meeting did not think that the new powers would be effective in tackling anti-social behaviour.

4 The Next Steps

- Information gathered at the meeting will be referred to the full Council Meeting scheduled for January 2005.
- The feedback provided by young people and other members of the audience will be input into the wider consultation exercise.
- EYC will be invited to present an overview of this meeting at the SLDC meeting in February 2005, which will also consider the Anti-Social Behaviour Act 2004 as part of the agenda.
- The SLDC will retain its links with EYC and continue to work towards encouraging increased engagement by young people in South Edinburgh.
- The effectiveness of the meeting will be reviewed.

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APPENDIX 1

What is Anti-Social Behaviour?

Your Vote

Your Say

Who is No 1 is the charts this week?

1	Ja Rule	42%
2	Robbie Williams	50%
3	The Libertines	8%

Which of the following areas are you from?

1	Burdiehouse & Southhouse	17%
2	Merchiston, Morningside, Marchmont	13%
3	Newington	17%
4	Gilmerton	13%
5	Gracemount	4%
6	Inch	0%
7	Prestonfield	0%
8	Kaimes	0%
9	Moredun	4%
10	Other	30%

What does ASB stand for?

1	A social brain	4%
2	Anti-social behaviour	92%
3	A strange brand	4%

What do you think of the following statements?

	Statement	Agree	Disagree
1	Anti-social behaviour is any behaviour that affects your quality of life It is also behaviour that causes, or is likely to cause, alarm or distress	90%	10%
2	Only adults are affected by anti-social behaviour	15%	85%

	Statement	Agree	Disagree
3	The Anti-Social Behaviour (Scotland) Act 2004 requires the Council to prepare an Anti-Social Behaviour Strategy and to consult with other people it affects	86%	14%
4	Tonight's meeting is part of this consultation process to help form Edinburgh's Anti-Social Behaviour Strategy	91%	9%

Do you think the following are examples of anti-social behaviour?

	Example	Yes	No	Unsure
1	Dropping litter in public places	71%	26%	3%
2	Allowing your dog to foul in public places	76%	15%	9%
3	Being drunk in public	58%	30%	12%
4	Making noise	25%	47%	28%
5	Being involved in vandalism	82%	15%	3%

Which of the following measures does the Anti-Social Behaviour (Scotland) Act 2004 include:

1	Strengthening penalties for litter and graffiti	6%
2	Introducing parent orders requiring parents to act in the best interests of their children	9%
3	Giving the police power to disperse groups	6%
4	Banning the sale of spray paints to under 16s	0%
5	Extending anti-social behaviour orders to 12-15 year olds	3%
6	Introducing the availability of electronic tagging of children	3%
7	Strengthening local authority powers to tackle noisy neighbours	0%
8	All of the above	72%

APPENDIX 2

Discussion Groups and Feedback

Red Group

Dispersal Powers

- More than once
- Up to 3 months
- Move to another area
- Not just young people – more adult
- Splitting up dangerous
- Press
- What is antisocial behaviour
- Resentment of authority

ASBOs

- Don't know enough about ASBO – unclear, undefined
- Extreme cases – sign a contract to tackle the problem (both sides agreeing to try to solve the problem)
- All councillors informed
- Doesn't bother young people unless it affects them

Light Green Group

Dispersal Powers

- Does everyone understand what “dispersal powers” are? NO!
- Is “hanging about” antisocial? NO!
- Would police target certain groups of young people?
- Where would young people move to if asked to move on? Just meet somewhere else?
- What about the quality of life for young people?
- Young people hang about in numbers because they feel safer.
- Would argue with the police if told to disperse or to move on.

ASBOs

- Would ASBOs work? No. They'll just go somewhere else and cause problems there.
- Complainers might face intimidation

- ASBOs will only work if the parents help to make it work
- If parents are struggling, the ASBO might help to control the young person
- How long does the ASBO last?
- ASBOs should be review to see if behaviour has improved

ABCs

- Will an ABC work? Depends on the individual.

Dark Green Group

Dispersal Powers

- Concerns expressed about the way the powers are portrayed in the media – too simplistic/unfair (young people “hanging around”. Agreed that only a minority of people involved
- Main issues from young peoples perspective –
 - Be clear about aim – why dispersal
 - Common people perception – young people are troublemakers
 - Young people need excitement – somewhere to go. Need to rebel (natural)
- From adult/older people – dispersal powers to constructive response
- Act will help prevent fear of crime
- Young people have concerns for safety too (2 way)
- Sensitivity needed by the police
- Common definition and shared of antisocial behaviour – learning experience for young people and adults

ASBOs

- Will it stop antisocial behaviour?
- Preventative measures – will help
- Want things done earlier and quicker – speed of response slow
- Behaviour is there before ASB committees
- Depends on the agencies deal with it
- What support is there for victims?
- ASB universal not class/deprivation dependent

ABCs

- Will it work?
- Some?
- May support early intervention
- Need to deal with underlying causes of ASB – not just symptoms
- Gap is peer pressure – how to mobilise

Light Blue Group

Dispersal Powers

- Not a good idea
- Sometimes not doing anything, but get moved along anyway
- Fair enough if making lots of noise
- Young people just want to hang out with friends outside
- More things for young people to do, such as youth centres
- “Trouble makers” would cause trouble elsewhere if moved on

ASBOs

- Under 16 should not be charged – too young
- Old enough to do it – old enough to take responsibility – less likely to re-offend later in life
- Depends if young people care – explain consequences
- Give young people the chance to explain their side

ABCs

- If whole community is involved, it might work better – not focus on one person
- More levels the better
- Involve the parents

Dark Blue Group

Dispersal Powers

- Will the problem be moved elsewhere?
- Seriousness of issue?
- Should more serious incidents be tackled first
- “Significant, Persistent, Serious” **are** important terms

ASBOs

- Due to persistent behaviour – it may not stop the behaviour
- It is not prevention, it is a cure
- Badge of honour
- Could be supportive of local businesses – trade

ABCs

- Only a piece of paper
- Quicker to have an official warning
- Is it an unnecessary stage of the process

Orange Group

Dispersal Powers

- Who decides
- Every teenager would be encapsulated
- Minority behaviour
- What constitutes a group? 2 or more person?
- Dispersal doesn't cure a problem, just separates it out
- More complaints regarding teenagers
- Why do we need this power? Do we not already have these powers in place

Yellow Group

Dispersal Powers

- Can police split up any groups of young people hanging about?
- What is suspicious behaviour
- Splitting up groups – they'll just move somewhere else
- Depends where identified areas are

ASBOs

- Something that can or is likely to cause harm or distress to other
- Legislation to prevent this – some one who is persistently behaving antisocially – what if I get an ASBO
- If over 16 - Power of arrest if contract broken, be banned from a certain area, or evicted from your house
- Under 16 – report to the childrens panel, action decided from there
- Sheriff grants an ASBO
- Strictly implements, will work. Most people would get to that stage – the ones who do maybe they won't care by then. Perhaps if they realise the seriousness.

Unknown Group

Does it apply to adults?

Should be applied more to adults – “pubs etc”

Do you think the powers affect you?

Positives –

- Sleep at night
- Helps to recover from alcohol and prevent drinking
- Feeling safer

Negatives –

- If used too often, creates resentment. Smaller groups could be more vulnerable

Why are there so many TV cameras

- **For your own safety!**
- Can help in court – evidence

Dispersal Powers

- The police can split you up and give you a curfew
- Police can give you a “white slip”

Designate Areas

- Identify – Persistent offenders/offences

Will they help: Communities?

- Split no/yes
- Don't care (Boundaries)
- Will stop local battles that are stupid
- Dispersed groups will meet again

ASBOs

- **Clarification on parenting orders**

Where is the support

- **School**
- Police Station
- Social Work (Emergency)
- Streetwork
- Befriender
- Council Support Workers

ASBO – Breached!

- Secure placement (last resort)

Does ASBO Prevent Anti Social behaviour

- Yes
- Depends – if you do something- you can run and not get caught
- Will stop the majority
- Recognise difficulty for repeat offenders – only useful if other support packages are available

ABCs

Will ABC make a young person behave differently?

- Yes
- Probably
- Not bothered about me, more bothered about Mum. Would probably make me behave different
- If served one, would be bothered
- Wouldn't happen to me
- Are there individual support packages for individuals with ABC/ASBO and how often are they reviewed?

APPENDIX 3

On-line voting session

Question	Yes	No	Unsure
1 Do you think there is a problem with anti-social behaviour in your area?	43%	43%	13%
2 Do you think these new powers will help tackle anti-social behaviour in your area?	35%	45%	20%
3 Did you enjoy this evening's South LDC meeting?	65%	35%	N/A
4 Did you feel you had an opportunity to have your say?	78%	22%	N/A