WCC ASB Strategy Consultation Commentary and Response

'Certain comments refer more to the general issue of anti-social behaviour, providing more operationally based details, and it should be understood that not every observation is a direct response to the strategy's content. Officers have reviewed these responses, and where appropriate these have not been implemented into the strategy but will be considered for the Strategic Action Plan. '

Consultation Comments	Council Response	
Overarching comments		
The data used in the consultation does not represent an accurate picture of the many challenges as it was collated during the two-year Covid Pandemic.	AMENDMENT: Data lifted from 2023 Safer Westminster Partnership Strategic Assessment draft, reflecting data from October 2021 – September 2022. Notation within Local picture summary: Nb. The Local Picture is based on data collated from October 2021 – September 2022, for the purpose of the Safer Westminster Partnership Strategic Assessment 2023. (Sec.3 The Local Picture)	
Will this also include the business community, it is very resident focused. A lot of ASB e.g. begging takes place in high streets and high footfall areas.	ORIGINAL: This strategy has been developed with the help of partners, residents, and businesses across Westminster through a series of workshops and surveys. AMENDMENT: This strategy has been developed with the help of partners, residents, and businesses (including Business Improvement Districts) across Westminster through a series of workshops and surveys. (Sec.1 Introduction) AMENDMENT: High Street shops, retailers and businesses, especially smaller shops are often victims of ASB. When a business experiences ASB, the impact can almost always be felt by the surrounding	

	community with increased prices, raised premiums on their insurance and underinvestment from business in the locality. (Prevention - Introduction)
	AMENDMENT: Businesses, alongside the council have a role to play in tackling ASB. By taking swift action towards those who are exhibiting ASB, providing evidence and statements to support agencies in taking enforcement action and not selling alcohol or weapons to underage people, ASB can be both prevented and stopped in its tracks. (Prevention CCR – Professionals)
Cite how ASB differs from, and intersects, hate crime	As this is a strategy relating to ASB, we will only focus on ASB. We have made the below amendments to distinguish our approaches to criminal behaviours below.
	Original: 'Importantly, what constitutes ASB is extremely subjective. What one person may consider anti-social another may not, which is crucial in acknowledging the way in which ASB can make the those who experience it feel. Below are a few examples of issues that our communities have experienced and reported as ASB. Although some of these can be defined as criminal offences which should be investigated by the police, we recognise that ASB can easily escalate into criminal behaviours. We will prioritise disruption of these behaviours, collaborating with our partners to use all available tools and powers in the collective to protect our communities.'
	Amendment: 'Given the broad definition of ASB, we acknowledge that people have different tolerances and thresholds. Below are a few examples of issues that our communities have experienced and reported as ASB. Drug Dealing, Discriminative Behaviour (Hate Crime)

	and Vandalism (criminal damage) are criminal in nature and needs to be addressed by the Police. We will work closely with the Police and partners to prioritise disruption of these types of behaviours, ensuring that all available tools and powers are being used together to protect our communities.'
Some respondents feel that the strategy does not delve into much tactical or operational detail - it feels like a collection of principles, which "hardly anything one can disagree with"	The WCC ASB Strategy sets out the strategic approach to how we will address anti-social behaviour. The strategy will be supported by an action plan managed through a multi-agency strategic working group. The action plan and subsequent achievements will be published on a yearly basis.
Prevention	
 Clarify ASB's definition eliminate jargon offer multilingual solutions 	 The definition of ASB quoted in the strategy is the legal definition contained within the ASB, Crime & Policing Act 2014 An Easy Read version is also available. An ASB information pack will be produced as a strategic action, which will be available in the dominant languages within borough.
The 'broken windows theory' noting that damage and issues to the built environment should be swiftly addressed	The broken window theory is the approach that we take within problem solving. This is addressed within the PREVENTION – Know the Signs table as: <i>Unacceptable behaviour will be stopped before it can escalate.</i>
On page 16 [] how will WCC ensure that ASB prevention is considered in planning applications? We suggest the strategy explicitly states how this will be implemented.	The Strategy details the Westminster City Plan (2019-2040) which delivers a well-designed, safe and managed public realm. The ASB strategy does not outline specific actions the Council will take across its 5 year lifetime. The multi-agency ASB Strategic Working Group will determine the strategic action plan for each year following publication of the strategy.

"Different lifestyles are respected and celebrated" I don't think "celebrated" is	The Council's 'Fairer Westminster' Strategy celebrates our diverse
an appropriate word. It is too political. "Tolerated" would be a better word. Enforcement as prevention carried out by all agencies, with visible action serving to deter future ASB. It is also noted that enforcement can feel "unrealistic" because action requires evidence, and the process can take a long time.	communities. ORIGINAL: By prioritising Prevention as a key objective, we are asking everyone to actively invest in their community to combat ASB. We need to focus on reinforcing positive behaviour and ensure that people are aware of the impact and potential consequences of being involved in anti-social behaviour.
	AMENDMENT: By prioritising Prevention as a key objective, we are asking everyone to actively invest in their community to combat ASB. We need to focus on reinforcing positive behaviour and ensure that people are aware of the impact and potential enforcement consequences of being involved in anti-social behaviour. (Prevention – Introduction)
The need for increased data sharing among different partners, including BIDs and Businesses	Both the Metropolitan Police Service's Business Information Sharing Agreement and ASB Information Sharing Agreement are being finalised to provide further opportunity to meet this objective. The strategy states: "It is essential that all agency data and intelligence about ASB is effectively managed, assessed and shared so that we can recognises patterns of behaviour and repeat perpetrators." (Early Intervention – Introduction)
Increased commitment by the Police / resources & joint working	The WCC ASB Strategy is for Westminster City Council; resources belonging to partner agencies are not within our control. However, our duties as a Responsible Authority of the Safer Westminster Partnership (SWP), as defined by the Crime and Disorder Act 1998, requires the Council to work with the police and other agencies to reduce crime and disorder in Westminster. The Council makes a significant contribution to dealing with anti-social behaviour of all kinds and undertakes both investigations and prevention activities.

The need for in-person support and safe spaces that vulnerable people or victims can go to	The ASB strategy does not outline specific actions the Council will take across its 5 year lifetime. The multi-agency ASB Strategic Working Group will determine the strategic action plan for each year following publication of the strategy. This comment will be presented to the strategic working group for consideration within the action plan.
Is ReportIT and ASB ReportIT linked? For example, fly tipping could fall under both? Could information get lost? Would a collaborative approach be better?	Report It regards environmental issues, whereas ASB Report It hyperlinks to Westminster Housing ASB Team. The two are not linked, but we work collaboratively to identify the root cause of the issue and utilise the primary legislation appropriate to the offence.
How are younger people cared for if their legal guardian is the perpetrator or victim of ASB?	The Family would be allocated a worker from WCC's Children Services Early Help Team to assess and identify support needs required. The Early Intervention pillar references our position in ASB case management in taking a whole family approach as follows: "Individuals and families are supported from a whole-family approach, whereby lack of opportunity linked to disadvantage, are tackled to prevent escalating ASB and other issues." This ensures the relevant support is provided to individuals and families inclusive of victim or perpetrator status.
We provide support to over 2,000 rough sleepers annually. [] Given this, we are interested in examining how the funding allocation for dealing with rough sleeping and homelessness can ensure that areas with high numbers of non-local rough sleeping are not unfairly burdened	AMENDMENT: This strategy focusses on behaviours and not the settings or circumstances that they are conducted in. ASB can involve young people, adults, homeless people and can occur behaviours within both residential and business environments. Our strategy is designed to impact ASB no matter where it takes place and by whom.

	The council invests over £7m annually ringfenced to rough sleeping services and secures grant funding of more than £8m annually to meet a range of services to rough sleepers and those who are threatened with homelessness. However, we acknowledge there is more we, our community, and our partners want to achieve together. Working closer than ever before with a commitment to deliver our services through the future strategic priorities to be set by the administration in 2023, with a shared ownership and accountability framework to be established.
Begging is key ASB concern although has no mention in strategy – requires inclusion	The strategy reflects The Government's policy paper on the Repeal of the Vagrancy Act 1824 which states that "Begging by itself does not constitute ASB, but if begging is accompanied by ASB that did meet the thresholds, then the powers under the ASB, Crime & Policing Act 2014 could be used if local areas deemed it appropriate". AMENDMENT: This strategy focusses on behaviours and not the settings or circumstances that they are conducted in. ASB can involve young people, adults, homeless people and can occur behaviours within both residential and business environments. Our strategy is designed to impact ASB no matter where it takes place and by whom.
Absence of Mental Health "or how". Could reference tackling stigma, MH awareness, ability to respond etc. (Mental health workshop)/ Special reference to poor mental health as a source of antisocial behaviour which needs to be tackled differently (Libraries workshop)	Within this strategy, the Council ensures a holistic approach to ASB case management considering all vulnerabilities that may present in a person. If a person is deemed to have capacity, we will hold the person accountable for their actions. If criminal justice options are deemed necessary, we will "include criminal justice options incorporating behavioural restrictions and rehabilitative requirements, based on the seriousness, risks and vulnerabilities in the case." (Bringing Perpetrators to Justice – Appropriate Intervention is taken.)

	AMENDMENT: Rehabilitative Requirements - Rehabilitative Requirements are court ordered services required when a person needs help to keep, get back or improve skills and functioning for daily living. It can include services revolving around Mental Health or Drug and Alcohol dependencies for example. (Appendix 5 - Glossary)
Need to influence change within parents who do not understand implications of ASB in their children if left to escalate / via schools / lived experience etc	We recognise that ASB is the gateway to serious criminal activity and the need to address at an early age to influence change within families. The Strategic action plan will look to embed the Government's Supporting Families programme within all ASB case management. ORIGINAL: Agencies will work with schools and other educational establishments to highlight the damage that ASB can cause. AMENDMENT: Agencies will work with families through schools, educational establishments and social services to highlight the damage that ASB can cause. (Prevention CCR – Professional)
Early Intervention	
BIDs have existing baseline agreements for partnership working including tackling anti-social behaviour with WCC. This is a statutory document and framework outlining resources and processes, but are not currently referenced in the draft strategy (BID)	ORIGINAL: This strategy has been developed with the help of partners, residents, and businesses across Westminster through a series of workshops and surveys. AMENDMENT: This strategy has been developed with the help of partners, residents, and businesses (including Business Improvement Districts) across Westminster through a series of workshops and surveys.

Practitioners also highlighted the need to increase partnership working across different scenarios from AirBnBs to the CAMs/Mental Health Services/ASC work, as well as between Westminster Housing and ASC, and BIDs.

(Sec.1 Introduction)

The strategy prioritises partnership working across all forms of ASB. Specific examples are not cited in the strategy although case studies are used.

Prevention pillar: "All agencies work collaboratively, prioritising the swift disruption of anti-social and criminal behaviours, using all available tools and powers in the collective to protect our communities."

AMENDMENT: This strategy focusses on behaviours and not the settings or circumstances that they are conducted in. ASB can involve young people, adults, homeless people and can occur behaviours within both residential and business environments. Our strategy is designed to impact ASB no matter where it takes place and by whom.

Whilst it is understood that the sharing of information across agencies can be useful in addressing ASB. We have concerns that "identify individuals that have a court sanction made against them as a result of their Anti-Social behaviour" can also serve to isolate/ cause the victimisation of those individuals identified. It would be useful for the strategy to be clear on:

- 1. The purpose and process of making these identifications and how the information will be used by the various agencies.
- 2. The process for informing individuals that these identifications have been made, how it can be appealed and/or withdrawn.
- 3. What evidence the Council has that these identifications will deter an individual's participation in ASB, and what considerations have been made about the potential that labelling an individual as someone with a Court Sanction for ABS can exacerbate their participation in ASB and/ or cause them to experience discrimination from agencies.

Westminster City Council will only identify individuals that have had a court sanction made against them as a result of their anti-social behaviour, where appropriate and where the law allows.

Any Judgment or Order made 'in public' is a public document and automatically available to the public. The general rule is that all hearings are in public, subject to the court's discretion to order a hearing to be held in private.

1) The Council would only advertise prohibitive control measures within a court order to victims who have provided evidence for the purpose of monitoring breaches if it is deemed proportionate and appropriate to do so. This will ensure the effective delivery of the enforcement action.

- 4. What considerations have been made about the mental and physical health and safety of those identified and the support that will be provided for those identified.
- 5. What are the criteria and processes for deciding when it is appropriate to make this identification and when it is not?

As above, the lack of commitment for additional financial support for organisation supporting families leaves concerns that these organisations will not be properly equipped to play the roles they are expected to play in the strategy to combat ASB. (Queen's Park Community Council)

- Information sharing is controlled by law. Agencies are only able to share information on previous convictions if relevant to the case to show an established pattern of behaviour to the courts.
- Agencies are not required by law to inform the person that their court order has been advertised as the court order is publicly available.
 - Any Judgment or Order made 'in public' is a public document and automatically available to the public. The general rule is that all hearings are in public, subject to the court's discretion to order a hearing to be held in private.
- 3) We would not identify persons for the purpose of deterrence or discrimination, but for the purpose of effective enforcement through the monitoring of breaches of the court order.

ORIGINAL: Where appropriate, and where the law allows, the council will identify individuals that have had a court sanction made against them as a result of their anti-social behaviour.

AMENDMENT: Where appropriate, and where the law allows, the council will identify individuals that have had a court sanction containing behavioural control measures made against them as a result of their anti-social behaviour, to assist with the monitoring and enforcement of breaches of said order. (Engaging the Community - Promoting successes and advertising action)

4) When court order applications are made, Westminster City Council considers the types of control measures required to prevent further anti-social behaviour, as well as incorporating

positive conditions built around the individual's vulnerabilities, aiding their rehabilitation. 5) The need to identify court sanctions to the public / victims is considered on a case-by-case basis by the partnership agencies involved in the case management of the person; agencies can include Police, NHS, Social Care, Housing alongside Westminster City Council. The decision around suitability to identify someone will involve reviewing such things as is the identification of the court sanction in the public interest, or outweighed by the risk poised to the individual, their vulnerabilities, the necessity to monitor breaches of orders for effective enforcement. The decision is made prior to the court sanction being granted. Have we the capacity to intervene early and promptly – linked to data sharing We acknowledge that resources are stretched across all agencies, however, smarter intelligence led working, sharing, and using data and partnership working. effectively will enable the correct agency to intervene in a swift and meaningful manner as detailed within Early Intervention. The Council is in constant communication with police teams locally and regionally ensuring the effective use and distribution of resources. We work closely with the government, the Home Office and the Mayor's Office for Policing and Crime securing necessary funding for the delivery of vital services in tackling ASB. Despite current fiscal restraints placed upon Local Authorities, tackling ASB remains at the top of the current administration's priorities for the borough. In addition to identifying funding routes, the Council actively lobbies for improvements to legislation and the Judicial system to effectively bring perpetrators to justice.

Victim Support	
key element is the perceived need for in-person support mechanisms, from using communal boards to share information, departmental representatives coming into libraries, walk-in centres to help combat digital exclusion and trauma.	We fully agree with these suggestions and will include an action within the ASB Strategy action plan to develop within the first year. ORIGINAL: Communities are aware of the issues and agency responses within their neighbourhoods, clear on how they can help
both digital and in-person methods should be used to provide information around existing support. Information should be available in different	contribute to resolving the ASB.
languages and be culturally tailored Establish Community hubs / one stop service for support inc MH / D&A /	AMENDMENTS: Agencies will utilise all forms and platforms of communication, guaranteeing the information is easily accessible and culturally appropriate, to ensure communities are aware of the issues
mediation etc	and agency responses within their neighbourhoods, clear on how they can help contribute to resolving the ASB. (Engaging the Community – Promoting Successes and advertising action)
organisations need to improve interactions with victims from the outset (inc r/sleepers), with a call for specialist training & accountability as well as increased care after cases are underway or closed	The Victim Support pillar recognises the importance of continuous improvements, best practice, and organisational competence. The strategic action plan will look to develop our and partner agency victim care responses alongside Victim Support to ensure that best practice is delivered from the start of a victim's journey to its conclusion.
Re R/Sleepers - We would recommend guidance in this strategy for how businesses can engage with local support services in a meaningful and productive way. (The Connection at St Martin's)	Rough Sleeping is particularly acute in Westminster, and we manage by far the highest number of rough sleepers in the country. Westminster City Council and our partners continue to demonstrate national leadership in the delivery of rough sleeping services, investing millions each year to provide both accommodation and support services, to ensure every rough sleeper in our city receives the best individually

tailored route away from the street.

We are currently arranging a networking meeting in February 2023, with the BIDs leading the discussions on the issues of rough sleeping and how we work collaboratively to co-produce the actions required to move forward. On-going communication, consultation, forums, and meetings will be a key agenda during 2023. **Amendment:** High street shops, retailers and businesses, especially Further clarification on community triggers was requested by three BIDs respondents, who are not able to use this type of process. They also highlight smaller shops are often victims of ASB. When a business experiences that it is not explicitly mentioned that businesses can be victims of ASB. ASB, the impact can almost always be felt by the surrounding community with increased prices, raised premiums on their insurance and underinvestment from business in the locality. (Prevention - Introduction) **AMENDMENT:** Businesses, alongside the council have a role to play in tackling ASB. By taking swift action towards those who are exhibiting ASB and not selling alcohol to underage people, ASB can be both prevented and stopped in its tracks. (Prevention CCR - Professional) Amendment: Further information and advice for victims and Businesses around Anti-social Behaviour, support services and the Community Trigger can be found at ASB Help https://asbhelp.co.uk/ (Appendix 7 - Resource directory) Anyone is able to submit a Community Trigger application on behalf of a victim with their consent, if the victim has met the local threshold of 3 reports of ASB to Police, Council or Housing within a six-month period. More information on the Community Trigger can be found here:

Bringing Perpetrators to Justice	https://www.westminster.gov.uk/leisure-libraries-and- community/crime-and-community-safety/community-trigger https://asbhelp.co.uk/ Anti-social behaviour powers (publishing.service.gov.uk)
need for increasing resources to effectively bring perpetrators to justice.	The Council is in constant communication with police teams locally and regionally ensuring the effective use and distribution of resources. We work closely with the government, the Home Office and the Mayor's Office for Policing and Crime securing necessary funding for the delivery of vital services in tackling ASB. Despite current fiscal restraints placed upon Local Authorities, tackling ASB remains at the top of the current administration's priorities for the borough. In addition to identifying funding routes, the Council actively lobbies for improvements to legislation and the Judicial system to effectively bring perpetrators to justice.
continuous work across borders and agencies is required to tackle ASB	ORIGINAL: All agencies work collaboratively, prioritising the swift disruption of anti-social and criminal behaviours, using all available tools and powers in the collective to protect our communities. AMENDMENT: All partners work collaboratively, across agencies and where necessary, neighbouring boroughs, prioritising the swift disruption of anti-social and criminal behaviours, using all available tools and powers in the collective to protect our communities (Early Intervention – Disruption)
Victims should be cared for during and after the judicial process, while ensuring that perpetrators are also not able to commit offences	The Victim Support pillar recognises the importance of continuous improvements, best practice, and organisational competence. The

	strategic action plan will look to develop our and partner agency victim care responses alongside the charity 'Victim Support' to ensure that best practice is delivered from the start of a victim's journey to its conclusion. Within this strategy, the Council ensures a holistic approach to ASB case management. If a person is deemed to have capacity, we will hold the person accountable for their actions. If criminal justice options are deemed necessary, we will "include criminal justice options incorporating behavioural restrictions and rehabilitative requirements, based on the seriousness, risks and vulnerabilities in the case." (Bringing Perpetrators to Justice – Appropriate Intervention is taken.)
the need to define justice as part of the resolution process	ORIGINAL: Victims are provided the opportunity to consider restorative justice approaches and decide how they want their issues to be addressed
	AMENDMENT: To ensure Justice is delivered as part of the resolution process, Victims are provided the opportunity to consider restorative justice approaches and decide how they want their issues to be addressed
	(Bringing Perpetrators to Justice - Community Resolution / Restorative Justice)
Community Engagement	
the power of visible officers to deter ASB, intervene when necessary and create community confidence that action is being taken	ORIGINAL: Officers have visible presence within our neighbourhoods, ensuring a fluid flow of information between our communities and agencies

	AMENDMENT: Officers have visible presence within our neighbourhoods to deter ASB, intervene when necessary and ensure a fluid flow of information between our communities and agencies (Engaging the Community – Visible Presence)
suggestions around the use of social media, easy read versions and newsletters	ORIGINAL: Communities are aware of the issues and agency responses within their neighbourhoods, clear on how they can help contribute to resolving the ASB.
	AMENDMENTS: Agencies will utilise all forms and platforms of communication, guaranteeing the information is easily accessible and culturally appropriate, to ensure communities are aware of the issues and agency responses within their neighbourhoods, clear on how they can help contribute to resolving the ASB. (Engaging the Community – Promoting Successes and advertising action)
Include libraries in the Cllr ward based newsletter so everyone can see what is going on in the local areas (Libraries)	This will be considered as part of the action plan development.
New residents should contain info packs which include contacts for ASB / FAQs and a ASB support manual we can send out to victims / translate / make available as widely and easily as possible to help support these groups	ASB information and support packs for all victims of ASB, residents, businesses and interested parties will be contained within the Strategic action plan for Year 1.
promotion of the family and friends services acknowledging that drugs and alcohol is all our problem not just those that use (Drugs and Alcohol workshop	We will present this comment to the Strategic Working Group for consideration with the Strategy Action plan
In order to effectively combat ASB, there must be appropriate knowledge and support from the community with considerations for the cultural needs of the diversity of people, and the need to bridge understanding of difference and promote community cohesion through these differences. The strategy needs clarity on how this engagement will be facilitated to ensure engagement across communities	The Fairer Westminster Strategy states that its values will be enshrined in a Charter for Community Participation . The Council is working on several action plans to improve how officers work with the community. The Charter of Community Participation will set out some standards and principles on how we will involve communities in the work that we do. What do we hope to achieve?

Culturally appropriate information for areas across Westminster. Targeted information (Youth hubs)	ORIGINAL: Communities are aware of the issues and agency responses within their neighbourhoods, clear on how they can help contribute to resolving the ASB. AMENDMENTS: Agencies will utilise all forms and platforms of communication, guaranteeing the information is easily accessible and culturally appropriate, to ensure communities are aware of the issues
	Our Equality Objectives set out our plans to enable better involvement of communities through our investment in the voluntary and community sector, ensuring our staff represent the communities we service, and understanding our communities in order to improve access to our services. Our objectives are to: Raise awareness and understanding of what the council does Capture the voice and views and learning how citizens want to get involved Ensure a wide range of citizen views are reflected in the
	 To clearly set out Westminster City Council's commitments and standards in relation to inclusivity, accessibility with public participation, so citizens are clear on what to expect and understand their rights. To empower the citizens of Westminster in relation to public service delivery and the meaningful participation in local government and democratic processes To build relationships and eliminate gaps between citizens and public officers. To ensure responsive and citizen friendly governance.

	and agency responses within their neighbourhoods, clear on how they can help contribute to resolving the ASB. (Engaging the Community – Promoting Successes and advertising action)
ASB Strategy EQIA	
Need to expand on MH/vulnerabilities and how we address when enforcing	AMENDMENT: Rehabilitative Requirements - Rehabilitative Requirements are court ordered services required when a person needs help to keep, get back or improve skills and functioning for daily living. It can include services revolving around Mental Health or Drug and Alcohol dependencies for example. (Appendix 5 - Glossary)
Safer Westminster Partnership Strategic Assessment	
Requirement to update sec.1 Current Picture data using this year's Strategic Assessment	AMENDMENT: Data lifted from 2023 Safer Westminster Partnership Strategic Assessment draft, reflecting data from October 2021 – September 2022. Notation within Local picture summary: Nb. The Local Picture is based on data collated from October 2021 – September 2022, for the purpose of the Safer Westminster Partnership Strategic Assessment 2023. (Sec.3 The Local Picture)
Insertion of SWP's strategic objective around Early Intervention within Strategy table.	AMENDMENT: Intervening early with families and young people to reduce their risk of victimisation and prevent offending. (Appendix 6: Related WCC Strategies)