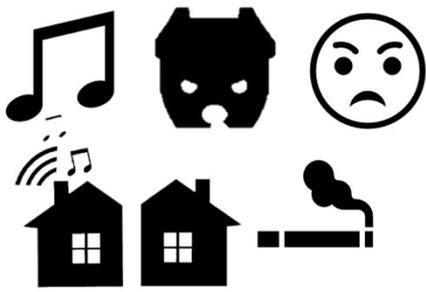


silva

Support and advice
for victims of
anti-social behaviour
(ASB)





What is anti-social behaviour, am I a victim?

ASB is anything that has caused or is likely to cause alarm, distress or harassment to one or more people not in the same household.

Examples of ASB are:

Noise nuisance

- Noisy neighbours
- Noise from barking dogs
- Loud music

Harassment

- Intimidation/groups gathering
- Abusive language and behaviour
- Violence or threat of violence

Other examples of ASB are

- Graffiti/vandalism
- Verbal/physical abuse
- Motorbike/mopeds on foot paths
- Underage drinking
- Excessive noise from vehicles
- Fly tipping

Isolated incidents are not normally classed as anti-social behaviour. ASB is a pattern of behaviour over a period of time.

Support for victims of anti-social behaviour (ASB)

How we manage ASB at Silva Homes

Silva Homes takes all reports of ASB seriously and takes appropriate action to tackle it.

We hope this pack will ease your concerns and make you aware of the support that is available to you at every stage. It also explains how your evidence could be used and your role in the process.

We understand that being a victim of ASB or a witness in a court case can be distressing and scary, so we will support you.

How we can help?

We will ensure we deal with your case in a sensitive, effective, efficient and professional way.

A member of our team will contact you by phone, email or post and arrange to discuss the situation in detail. We will take your complaint seriously and thoroughly investigate the case.

- We will give you advice on how to deal with the problems you are having and put you in contact with further support agencies if we think it is helpful
- We will give you diary sheets, and guidance to record ASB incidents
- We can ask the court for permission to use special measures (where appropriate) for vulnerable and intimidated victims and witnesses.

The affects ASB can have on victims

Being a victim of ASB can be unpleasant with practical and emotional consequences.

Information, support, and practical assistance can improve your circumstances.

It's normal that you may feel:

- Anger or frustration
- Fear or helplessness
- Guilt or a sense of failure
- Depression or physical illness
- Isolation

What can you do to help yourself?

Everyone has their own way of coping when problems affect their lives. There is no right or wrong way of dealing with them, it is what you feel comfortable with and what works for you. Some things you may find helpful are:

- Talk to friends, family and colleagues about what you are experiencing
- Your doctor may be able to help with any physical and psychological symptoms you are going through
- Don't suffer in silence, seek help. In this pack you will find useful details of agencies and groups that can offer advice and support
- Social media - social networking sites like Facebook and Twitter are a great way of keeping in touch with family and friends, but please be very careful what information you share and who you share it with. Once you have put information on the internet, it is very difficult to control.

When dealing with ASB, we will:

- Take your complaint seriously and investigate it thoroughly
- Arrange for any abusive graffiti to be removed in one working day
- Use the full range of powers and tools to tackle ASB, using both criminal and civil powers
- Provide you with a single point of contact, with contact details, for those cases being investigated.

The affects ASB can have on victims

What you could do to tackle the problem

Before reporting ASB to the Police, Silva Homes or another agency, first ask yourself if you could do something to lessen the problem.

For example, if the problem is not too serious and you feel able to, you could approach the person to make them aware that they are causing you distress.

They could simply not be aware they are causing a nuisance. If you decide to talk to the perpetrator, there are several techniques you can use.

- Stay calm and communicate in a friendly manner
- Explain the problem and how it is affecting you and your family
- Listen to the other person's point of view
- Don't interrupt the person when they are speaking
- Do not be abusive or shout
- If approaching a neighbour, make sure you are in a safe situation and let someone know where you are going
- If they cannot be reasoned with leave the situation before it gets out of control and contact the police or Silva Homes.
- Do not use acts of violence; do not put yourself in danger
- If the incident is beyond your control, contact the police immediately
- If the problem continues, worsens or is too serious to approach the perpetrator then contact the relevant agency to deal with the issue.

Why do I have to fill in anti-social behaviour diaries?

We appreciate that for some people filling out diary sheets can be time consuming, but diaries are crucial to a case.

Diaries form a statement that is used for evidence.

If you don't feel able to complete the written diary sheets, please speak to the Neighbourhood Services team who will work with you to try to find other ways of recording incidents.

Frequently people say they can't be bothered to fill in diary sheets, but without this evidence it is extremely difficult to proceed with the case.

Support for the victims of anti-social behaviour (ASB)

When ASB is reported, we split it into two different categories depending on the seriousness of the case.

Once you've reported your case of ASB to us, we aim to carry out an initial interview and open a case on your behalf. Cases will be category A or B and have a response timescale as follows.

Category A (24 hours)

- Criminal behaviour/crime
- Domestic abuse
- Harassment/intimidation/threats
- Hate related incidents
- Physical violence

Category B (3 working days)

- Alcohol related
- Drugs/substance misuse/drug dealing
- Garden nuisance
- Litter/rubbish/fly tipping
- Misuse of communal area or loitering
- Noise
- Pets/animal nuisance
- Vandalism and damage to property
- Verbal abuse

What we can do

The action we will take will depend on the seriousness of the anti-social behaviour and whether the person causing it is a Silva Homes customer.

Mediation: creating a positive solution

Mediation is free, confidential and impartial support, to help resolve disputes between neighbours

We work with an independent mediation specialist called Resolve. If both parties agree to try mediation, we will refer to Resolve and they will make contact with the parties to help improve the situation.

Please visit Resolve's website at

www.resolvemediation.com for more information.

Types of enforcement action

Warning letters - Sending written warning letters highlighting breaches of tenancy.

Acceptable Behaviour Contract (ABCs) - This is an agreement between the people and Silva Homes not to carry out certain identifiable acts.

Injunctions/ASB injunctions - An injunction is applied for in the County Court. If granted, an injunction can either make a person do something or forbid them from doing something. Injunctions can be taken out against anyone, not just tenants.

Possession proceedings - Where there are serious breaches of tenancies we can apply to the County Court for a possession order for the property. This could lead to a person or family being evicted from their home.



Types of anti-social behaviour

Record noise

If you're suffering from noise nuisance it is can be useful to record noise that is causing you any nuisance.

Download the free Noise App from the app store, google play visit our website for details.

Create your account, and select Silva Homes to investigate your noise nuisance reports.

Designated Public Place Orders (DPPO)

Once a DPPO is in place, the police can use their powers to enforce the restriction. It is not an offence to consume alcohol within a designated area, but failure to meet an officer's requests to stop drinking and surrender alcohol without a reasonable excuse is an offence.

Noise

Noise nuisance is the most common form of ASB.

Noise that is unreasonable is:

- Loud music after 11pm and before 7am
- Loud music or any other household noise at an inappropriate volume at any time.

If your neighbour is making a noise that is causing you distress we would strongly recommend you do not retaliate. If you get into a 'tit-for-tat' situation, it can quickly get out of control.

You will also find it much harder to get help from the authorities and an end to the problem because there is fault on both sides.

As well as noisy neighbours, many other types of noise can become a nuisance. They include:

- Construction noise
- Noise coming from businesses and industry including pubs and clubs
- Noise coming from alarms
- Excessive vehicle noise
- Constant dog barking.



Types of anti-social behaviour

Different types of harassment:

There are many different forms of harassment such as:

- Racial harassment
- Sexual harassment
- Disability harassment
- Age harassment
- Hate crime
- Harassment because of sexuality

What are hate crimes?

A hate crime is any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race or based upon the victims:

- Gender (including transgender)
- Race
- Faith/religion
- Sexual orientation
- Age
- Disability
- Nationality
- Cultural beliefs

Harassment

Harassment is unsuitable behaviour which causes someone to be alarmed or distressed. Harassment is both a criminal offence and a civil action under the Protection from Harassment Act 1997. This means someone can be prosecuted in criminal courts if they harass you. It also means you can take action against the person in the civil courts.

For racial harassment, we use the definition given in the Macpherson report into the death of Stephen Lawrence, which is any incident that is perceived to use racism by the victim or any other person.

What is Silva Homes' approach when dealing with harassment?

We do not tolerate any forms of harassment or hate crime. We will:

- Take all reports of harassment seriously
- Take appropriate action against perpetrators
- Work with the police and other agencies
- Support victims and witnesses
- Treat reports in confidence and sensitively
- Arrange to speak to you in a safe and secure environment
- Agree an action plan with you
- Discuss a range of victim support options with you, including extra security and out of hours contact
- Contact you fortnightly or as agreed with you.

What should I do if I am a victim?

If you are experiencing harassment, intimidation, or actual or threatened violence, please contact your local police station. Where you feel you are in danger, call 999.



Types of anti-social behaviour

Domestic violence is a criminal offence

Domestic abuse is when a person is physically, sexually, psychologically or financially abused in a relationship or by a household member. This includes:

- Sexual abuse, for example being forced to have sex, such as rape or non-consensual sexual acts
- Physical abuse, for example hitting, punching, slapping, kicking, pushing, stabbing
- Financial abuse, for example controlling of finances or withholding money that is yours
- Psychological/emotional abuse, for example destroying possessions, being isolated by force, threatening behaviour, verbal abuse, friends and family not being allowed to visit.

Domestic abuse

We believe that none of our customers should live in fear of abuse or violence from a husband, wife or partner, an ex-husband, ex-wife or ex-partner, or another member of their household. We are committed to helping any of our customers who are suffering from domestic abuse, violence, or threats of domestic violence.

What is domestic abuse?

Domestic abuse can happen in all kinds of relationships, regardless of race, class, religion, culture, age, sexuality, disability or gender.

What should I do if I am a victim?

The first thing you should do is call the police, dial 999 for emergencies or your local police station for non-urgent reports. Make sure you and your children are safe.

The police have a duty to protect you and any children and ensure you are safe. If necessary, the police will arrest the violent person.

Contact your Neighbourhood Services Officer by phone, email or in person to make them aware of the abuse you are experiencing. We will not take action against the person responsible unless you give your consent or unless the abuse involves children or vulnerable adults.

What if I want to move permanently away from the perpetrator?

If you decide to leave your home permanently, we may be able to arrange a priority transfer to alternative accommodation. If needed, we can liaise with other housing organisations about the possibility of being housed by them, and we can also help you to contact other agencies which can help.



Types of anti-social behaviour

Types of environmental ASB:

- Littering
- Fly-tipping
- Graffiti and fly-postering
- Abandoned cars
- Abandoned trolleys
- Dog fouling
- Provide you with a single point of contact, with contact details, for those cases being investigated.

Environmental ASB

These forms of ASB are the most visible on our streets and in our communities.

Environmental ASB may often be considered low level, but the impact on a neighbourhood can be significant.

Estate services

The estate services team is dedicated to taking care of the estates to keep them clean, safe and tidy. The team carry out routine duties and provide a response service to reported incidents, which are monitored and recorded. We also work with other local agencies to maintain estates and communal areas.

Things we won't investigate

We have a diverse mixture of customers. Inevitably, some people will view an incident as 'anti-social', even if we cannot reasonably investigate or resolve it. Incidents that are reported as personal differences, or that arise from differences in lifestyle or estate management issues, are not considered to be anti-social.

We would also not consider everyday living noises as anti-social behaviour, for example babies crying, doors closing and banging, children playing, DIY noise taking place at reasonable hours or walking across a floor.

Although we understand this may annoy some residents, this sort of noise is a part of everyday life and we will not investigate it as anti-social behaviour.

Our neighbourhood services may be able to recommend solutions or give guidance.

Things we won't investigate:

- Cats fouling
- Cigarette butts being dropped
- Children playing
- Cooking smells
- Parking disputes on roads and pavements
- One-off party or barbeque
- Living noise such as differences of opinion.

Collecting evidence

When reporting any crime or ASB, providing evidence is important to supporting your case. The more evidence you have to show you are a victim of ASB, the more we will be able to do to put a stop to it.

Evidence makes it a lot easier for us to prove something has happened and to get a solution to the problem. We need evidence to act.

Applicants who go to court need good quality evidence. This section has some suggestions to help.

Diary sheets

This is particularly effective in cases of noisy neighbours.

On the diary sheet, fill in:

- Date and time of the incident
- What exactly has happened
- If you reported the incident to anyone
- How the incident has affected you.

Written proof of threats

If you have received any threatening emails, letters, text messages or anything through social media, keep it as evidence by saving it or photographing it. Written evidence is powerful and even if it is distressing for you to see, you should keep it.

If you have voicemail messages that prove the ASB you should keep them indefinitely or, if this is not possible, we recommend you ask your Neighbourhood Services Officer to listen to it and give you a statement to prove it was heard.

If the message is something posted on a social media site, we recommend you print it out and ask an independent person to sign it and confirm they saw it live on the internet.

If your case reaches the stage where a court hearing may be needed, we will discuss what will be involved with you and support you through it.

Make a diary



Recalling accurate details during difficult situations can be distressing, so please use our diary sheets to record incidents. These can be used as evidence.

Use our online diary sheets, or download or request paper copies.

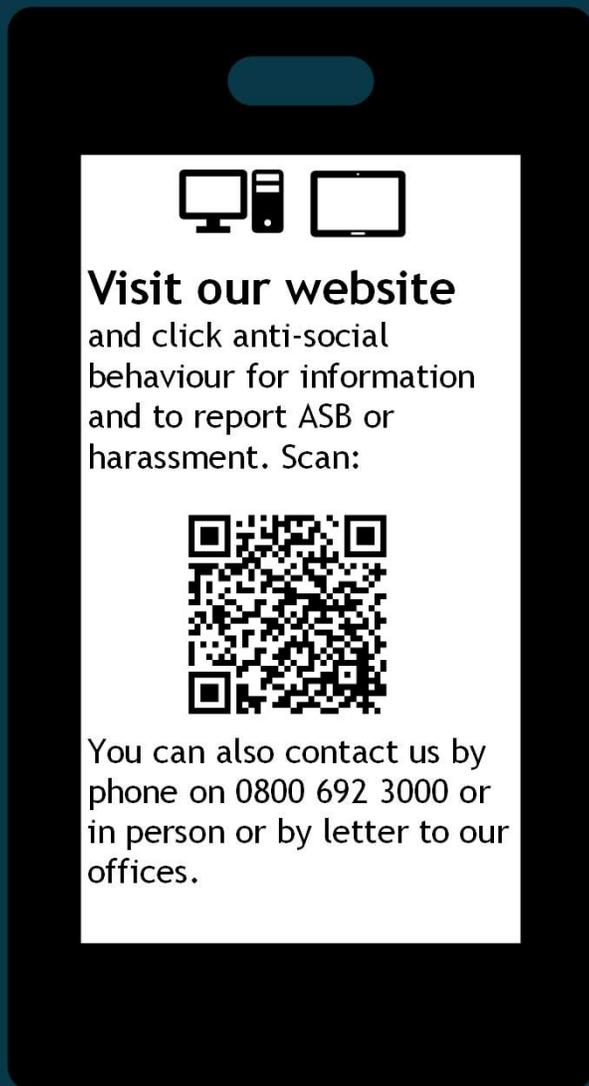
Record noise



See page 5 for details of the noise app.

Any evidence you collect should be shared with your Neighbourhood Services Officer so they can also keep a record of the evidence that has been collated.

Contact us and other support agencies



Silva Homes

Silva Homes
Western Peninsula, Western Road
Bracknell, Berkshire
RG12 1RF
01344 382800
enquiries@silvahomes.co.uk
www.silvahomes.co.uk/anti-social-behaviour

Support agencies

Bracknell Victim Support - 08450 703002
Berkshire's Woman Aid - 01189 504003
Crown Prosecution Service - 01189 513600
Refuge (24 hour helpline) - 08705 995443
Victim Support - 08081 689111
Thames Valley Police - 01344 823480
Police Domestic Violence Unit - 01344 853480
National Domestic Violence Helpline -
08082 000247
Careline - 0845 122 8622
Bracknell Probation Office - 01344 420446
CAB - 0844 4994107
Samaritans Bracknell - 01344 455556/
08457 909090
Male Advice and Enquiry Line - 0808 8010327
Berkshire Family Mediation - 01189 571159

Hospitals / care centres

A&E Department Frimley – 01276 604604
Wrexham Park – 01753 633000
Brants Bridge 01344 551 100

Local authorities

Bracknell Forest Council - 01344 352000
Social Services (Bracknell) - 01344 352000
Housing Advice (Bracknell) - 01344 352000
Hart District Council - 01252 774420
Safer North Hampshire (Hart residents only) -
01252 622122
Vale of White Horse District Council -
01235 520202
Social and Health Care (Oxford) -
0845 050 7666

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