

# Mending Fences

The development of a  
problem solving and  
community oriented  
approach to anti-social  
behaviour

**Project Workbook**

June 2005

The  
Nuffield  
Foundation

**THAMES VALLEY**  
**PARTNERSHIP**   
Working for safer communities

## Preface

This workbook brings together the accumulated experience and learning from our Mending Fences project over the last three years. The full report is aimed primarily at managers and practitioners working in the fast developing field of anti-social behaviour. It contains practical advice and guidance based on our work with partners in the Thames Valley and the findings from the pilot projects, which we supported as part of Mending Fences.

This Mending Fences Workbook is accompanied by a new section on our website [www.thamesvalleypartnership.org.uk](http://www.thamesvalleypartnership.org.uk) where you will also find links to other documents, reference points and websites as well as examples of policy and practice guidance, and protocols. There is also a shorter summary of the findings.

We are very grateful to the Nuffield Foundation, which has supported Mending Fences for three years. We have also appreciated their active interest in our work and their understanding that we have been working in a difficult and fast changing world, and as a result we have needed to be flexible and pragmatic about what can be achieved.

This work could not have happened without the support and co-operation of many partner organisations and individuals - notably Thames Valley Police, the five Mediation Schemes in the Thames Valley and colleagues working across the Thames Valley as Anti-Social Behaviour Co-ordinators and Community Safety Managers. Thanks also to the Mending Fences Steering Group who guided and supported us, giving us their expertise and their time. Thanks to Rose Hallam who worked alongside the pilot scheme and contributed to large parts of this report and to Nick Page who worked on the summary document and website. Particular thanks to John Hedge who led the project and held on to the vision in a fast changing and challenging environment.

We hope you find it helpful. Please feel free to contact John Hedge at Thames Valley Partnership (tel 01844 202001 or by e-mail to [johnh@thamesvalleypartnership.org.uk](mailto:johnh@thamesvalleypartnership.org.uk))

Sue Raikes  
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June 2005

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# Executive Summary

## a. Introduction

The Mending Fences project was set up with a three-year grant from the Nuffield Foundation in November 2002. It had five key aims: -

- Support and strengthen the work of community mediation schemes and their use in responses to anti-social behaviour
- Support the development of policy and practice on anti-social behaviour within the Thames Valley.
- Identify, support and develop good practice in prevention work and responses to anti-social behaviour.
- Use local experience from the Thames Valley to contribute to the national debate on anti-social behaviour work.
- Support for the development of restorative approaches in tackling anti-social behaviour.

A theme throughout has been to support the case for a proportionate response to anti-social behaviour, based on fair assessment, local problem solving and coherent use of a linked range of options, built into local policies and procedures. The strength of restorative justice roots and the constructive approach of many Thames Valley Crime and Disorder Partnerships have enabled the Project to identify many examples of good practice. We have also supported some new areas of work by sponsoring a range of pilot projects.

## b. The Wider Context

### i. The Rationale for the Project and its Overall Aims

At the time funding was being sought, anti-social behaviour (ASB) was already emerging as a priority area for Crime and Disorder Partnerships (CDRPs). At that stage ASB normally described a wide range of problematic behaviour, capable of causing great distress, but normally sub-criminal or doubtfully prosecutable. Use of both Anti-social Behaviour Orders (ASBOs) and Acceptable Behaviour Contracts (ABCs) was still at a relatively early stage.

The main notion behind Mending Fences was that a comprehensive approach to ASB should maximise the use of preventative and problem solving strategies and that this should make sense in terms of achieving sustainable solutions which empowered local people, whether as neighbours, or part of larger groupings.

A key aim of Mending Fences was to help with the capacity building of mediation, including the demonstration where possible of its potential to provide best value provision as against statutory intervention. Other key aims included:

- Promoting the role of other problem solving approaches including community conferencing and restorative approaches.
- Developing effective working links between mediation and restorative justice at a local

level, based on a clearer mutual understanding of role and methods.

- Encouraging and tracking the development of best practice on ABCs.
- Promoting best practice in inter-agency working.
- Illustrating the connections between ASB and community development issues both in preventing problems and finding sustainable solutions, owned by local communities.
- Exploring the role of housing providers, and how best they might be involved in integrated practice.

## ii. A Problem Solving and Community Oriented Approach — The Vision

In the early years, responding to ASB was dominated by the 'toolkit' approach, with very little sense of the relationship between the different 'tools', or the infrastructure within which they might be used. We believed a more dynamic approach was needed, with enough structure to achieve fairness, consistency and proportionality, but enough flexibility that a range of resources and approaches could be used at different levels. This implied a number of core requirements:

- Consistent, robust assessment methods at an inter-agency level.
- An agreed definition of ASB.
- Commitment to intervention at as early a stage as possible.
- Clarity about what should be coped with 'in house' and what should be referred on to inter-agency provision.
- Panels or meetings where inter-agency decisions can be agreed and all providers are represented as well.
- An assumption that all responses need to be 'packages' — for example, an ABC will need resources not only to assist changed behaviour, but also to take up non-compliance.

Community involvement and empowerment were regarded as crucial to a comprehensive response, as were training and referral awareness for many groups of staff. Prevention and diversion were important. The ASBO should be seen as the top of a hierarchy of options, but even at that stage there may be some room for restorative or problem solving contributions.

## iii. Some Initial Concerns

From the outset we had several basic concerns.

- Much of the national political and practice debate about ASB was founded on assumptions from inner-city areas and areas of high multiple deprivation.
- The political profile of ASB was very high, with a number of very strong central pronouncements about the primacy of enforceable powers, especially the ASBO.
- The increased focus on ASB led to a blurring between criminal and civil; a generally more punitive approach, and the risk of enhanced fear rather than low level community based solutions.

iv. So What Happened? An Overview of Events, Nationally and in the Thames Valley 2002 to 2004

Most of these initial assumptions proved accurate. The 2003 Anti-social Behaviour Act introduced a wide range of new powers, a much broader notion of what is covered by the term, and an ever-heavier emphasis on enforceable options, and behaviour control.

The dividing line between crime and ASB has become harder to define, and criminal justice agencies all now have direct responsibilities. The new powers accentuate even further the disproportionate focus of control on the tenants of social landlords, and, funding has followed enforcement, on the basis of very clear statements from ministers and the Anti-social Behaviour Unit. Indeed, there has been an assumption that those areas making limited use of ASBOs were being slow and unresponsive to local need.

ASBOs are an important provision when absolute control and immediate enforceability are required, but they are essentially a punitive measure, rather than a positive community based response. Early evidence implies that breach rates are high, and that the orders do not allow for active intervention to assist behaviour change.

Within the Thames Valley the overall approach from CDRPs, and their lead agencies has been to see ASBOs as a final resort in most cases. This has been backed up by some effective use of preventive options and imaginative work on ABCs. The Thames Valley Police response has steadily developed coherence, and does reflect the generally preventive and proportionate response to ASB described earlier.

In the light of this overall context therefore, Mending Fences has sought to operate pilot programmes, build capacity and influence thinking at a time of rapid change and tough thinking.

**c. What Have We Learnt From Mending Fences?**

In the various activities and events we have tried to establish what needs to be in place to achieve an anti-social behaviour response based on the three 'P's.

- Prevention
- Problem solving
- Proportionality

This assumes that early intervention, accurate assessment and community involvement are all needed if any response to anti-social behaviour work is to be effective.

i. A Full Range of Skills, Methods and Responses

Web sites and manuals have tended to oversimplify what needs to be available. The toolbox approach is misleading because, as well as the tools (methods of intervention) you also need to have information, skills, capacity, and a clear idea of what 'tools' can be used in conjunction with each other. The checklist for a comprehensive approach to anti-social behaviour needs also to address areas such as: -

- Data and mapping
- Prevention
- Problem solving and conflict resolution methods
- Acceptable behaviour contracts and enforcement
- Information and guidance

## ii. Structures, Systems and Strategies

Though good structures and protocols are not usually seen as the creative end of anti-social behaviour work, they are crucial to good practice and development. Without them there is not much chance of consistency, responsiveness, or accountability. Our learning suggests that the main issues are as follows: -

- Structures need to be clear and with enough seniority to ensure sufficient resources and funding.
- Protocols need to be intelligible, well defined and cross-referenced, regularly updated and with clear guidance on use of mediation and preventive measures as the initial options.
- Community Safety Strategies and ASB Strategies need to reflect both the local position and the range of options available — including mediation and community engagement.

## iii. Assessment

Lack of a coherent definition of anti-social behaviour inevitably makes consistent assessment difficult. The Home Office RDS typology of behaviours is useful in categorising the broad categories of behaviour as misuse of public space; disregard for community or personal well being; acts directed at people or environmental damage. However, we found an overall anti-social behaviour problem will often have a number of different components — for example, both noise and threatening behaviour.

A further complicating factor is that assessing the seriousness of any given behaviour also involves assessing the impact felt by victims. Similar anti-social behaviour may attract different levels of response from the victims, from stoic tolerance to outright fear. In this way inconsistent assessment and potentially unfair treatment can result. Our work with Mending Fences suggests that: -

- Difficulties in consistent assessment become more easily managed if a problem solving approach is adopted whenever possible.
- Assessment needs to be a robust process, with clarity about responsibility.
- Assessment forms and methods vary considerably, and we would argue strongly for a more unified approach across the Thames Valley.
- Workers in all the agencies should be strongly supported in dealing with matters at the lowest level possible, within individual agencies.

There are, of course, some occasions where the complainant is actually being unreasonable or disproportionate. We do not serve the cause of reducing fear of crime and disorder very effectively if we forget this.

#### iv. Capacity Building

A wider response is often needed to anti-social behaviour, especially around the issues of community engagement and community development. There needs to be more reliance placed on established community development methods, both for assessment of problems, and longer-term solutions. Public involvement may be important in building confidence and resilience, so that neighbourhoods may feel less dependent on external authority and more empowered to make things happen for themselves.

### **d. The role of Mediation in Anti-Social Behaviour**

#### i. Introduction and Context

One of the central objectives of Mending Fences was to find ways to ensure that the contribution of community mediation to anti-social behaviour responses was increased, and that coverage was achieved across the Thames Valley. This was tackled in five ways:-

- Some funding for co-ordinators over two years, to 'back fill' the extra time needed for them to become involved in local structures and local strategy work.
- Some direct capacity building work undertaken with each scheme over the life of the project.
- Two specific projects on racial tension in Oxford and Milton Keynes
- A number of events to provide schemes with a joint access to key players at a Thames Valley wide level.
- Support for the development of the existing Thames Valley Community Mediation Consortium, so that it could provide a more effective infrastructure and tackle common goals such as improved training and joint bid making.

Some of the problems which mediation faces arise from confusion about what it is and what it does. Community mediation schemes can be defined as: -

- Organisations which provide independent conflict resolution in a range of community situations with two or more parties, and where all concerned are parties to a dispute rather than perpetrators and victims.
- Relying on agreement to participate and using processes, which are recognised by Mediation UK, and which aim toward an agreed outcome between the parties.
- Using methods of work which are evidenced within Mediation UK's CLS Quality Mark, and services delivered by authorised mediators, whether paid or voluntary, who have training and regular supervision of their work.

Community mediation schemes typically face the following issues: -

- They are likely to be working in a whole range of contexts — from NHS disputes, through environmental health to County Court settings.
- They are forced to follow funding in quite short-term ways, and this can impede the contribution to anti-social behaviour.
- Confusion between different problem-solving approaches, such as restorative justice, community conferencing, and family group conferencing can lead to unhelpful competition for scarce resources and referrals.

- Lack of knowledge about the capacity of community mediation and its range of applications tends to limit its use to neighbour disputes.
- While many professionals work in a mediative way, that is not the same as mediation - which is all about the application of specific processes in a skilled way by trained staff from an independent organisation.
- A by product of being independent and in the voluntary and community sector has tended to mean small, financially vulnerable charities or groups, which struggle to participate in local structures and negotiations.
- Lack of adherence to the Compact, lack of understanding of Mediation UK standards and preoccupation with price make it easy for community mediation schemes to be undercut by individual practitioners or 'front room' providers.

#### ii. The Organisations Involved in Mending Fences

The original funding agreement for direct financial support applied to four schemes across the Thames Valley.

- Mediation Buckinghamshire
- Mediation Oxfordshire
- Resolve
- Thames Valley Community Mediation

In the event it became clear very quickly that Milton Keynes Community Mediation, though not a recipient of 'back filling' funding should be fully involved in Mending Fences.

#### iii. Summary of Work Undertaken

Mending Fences worked in a variety of ways to promote increased use of mediation in anti-social behaviour, and as well as identifying the barriers and options also undertook work on mediation's capacity to respond. However on the ground a recurring theme was that when mediation was involved in cases of anti-social behaviour the results were often impressive.

#### iv. Illustrative Case Material

This section of the report contains a wide range of examples are taken from cases across the Thames Valley within the last two years. Broadly, the examples fall into the following categories:

#### v. Neighbours

While mediation can become over-identified with neighbour disputes there is no doubt that these are both frequent and often have major consequences if unaddressed, including poor health, and sometimes violence. Most such cases have clear anti-social behaviour implications.

#### vi. Parents and Teenage Children

The majority of Thames Valley schemes have involved funded work to prevent homelessness among young people, and sometimes self-referrals focus on difficulties

between parents and children. Though this work is sometimes done by family mediation or family group conferencing there are advantages to having only one door to knock on, and clear implications for social inclusion, and crime and disorder prevention.

#### vii. Inter-generational Problems and Conflicting Life Style

Problems in these areas are widespread and often go on unresolved for long periods resulting in escalating emotional problems and even violence. These issues can be of great relevance in understanding high fear of crime levels.

#### viii. A Community Organisation and Local Residents

Mediation can be involved in some of the situations which are now described as being suitable for community conferencing.

#### ix. Consultation and Facilitation with User, Community and Residents' Groups

Social inclusion and social cohesion are key preventive issues around anti-social behaviour, and a number of the schemes had examples showing what could be achieved.

#### x. Cases Involving Racism or Racial Tensions

Mediation cannot change deep-seated racist views and attitudes, but it can promote understanding where views are based on ignorance, and clarify situations based on wrong assumptions or miscommunications.

#### xi. Explicitly Anti-social Behaviour Cases

Mediation can be used not only as a preventive measure but also to improve the setting up of ABCs.

#### xii. Mediation Issues Arising from the Mending Fences Work

#### Money

- All the community mediation schemes in the project were financially fragile.
- There was a lack of coherence about funding within local authorities.
- Crime and Disorder Partnerships (CDRPs) did not usually fund directly, though where ASB panels existed there was sometimes funding for specific cases.
- Money from the central sources did not permeate through to mediation schemes, despite their relatively higher profile during the life of Mending Fences.
- Pricing is a significant issue in the financing of mediation.

Although mediation is quite good value relative to other interventions, especially if it prevents the need for more expensive enforceable options, the message is still not heard by many agencies. In order to address this, community mediation needs to: -

- Develop a higher local profile.
- Feedback to both referrers and funders, and find ways of reconciling this with confidentiality concerns.
- Collectively promote awareness of quality standards, and the Quality Mark — in many

ways this is community mediation's unique selling point.

- Collaborate more effectively together within the developing Thames Valley Mediation Consortium to screen for regional and national funding opportunities and develop bidding expertise, and a better understanding of pricing and best value issues.

### Referral and Capacity

Referral and capacity issues both have major implications for funding and sustainability. Mediation schemes depend on publicly funded referrals for most of their business, including anti-social behaviour related work. Funding tends to be tied to referral levels, so low levels of referral often mean reduced funding, or even non-renewal. Under-referral can therefore be a real problem, and within Mending Fences a number of key issues became clear about this problem.

- Mediation needs to be written into key protocols about the management of anti-social behaviour.
- Agencies need to ensure higher levels of staff awareness and better referral performance
- There needs to be a robust, clear briefing and referral system with clear protocols and procedures, regular reviews of numbers and performance and good information, with particular support for early referrals.

Some recurring anxieties and misunderstandings around referral and use of mediation were evident in our work. The main three can be summed up in three questions:

#### Whose problem is it?

Many citizens feel they cannot deal with conflict themselves, resulting in reduced confidence, lowered resilience and disproportionate fears about crime, disorder and the motives of others. The problem is accentuated by political preoccupation with enforcement. Community development relies on people having the chance to resolve problems and live with each other effectively.

#### Why do we need someone else when we have all these public officials?

It is often suggested that all we need to do is train officials. Officials, regardless of how good they are, cannot properly be mediators in terms of the mediation processes under discussion here. Any reading of cases quickly illustrates how easily officials become accused of taking sides, precisely because of the power they represent.

#### But does it work?

There is national and international evidence about mediation and its impact. Although there is undoubtedly a need for more research, there are dangers in too much of a 'wait for the research' approach, because the case for problem solving approaches will always depend on soft data and value judgements. Mediation is in the double bind which affects newer initiatives and radical solutions; 'show us the evidence and you get the money, but we won't give you the money to get the evidence'.

## Organisations and Structures

Issues of management and organisational capacity were of major importance in all the Thames Valley schemes, and this is broadly reflective of the position nationally. Four key recommendations to improve this situation have emerged from our work:

### Work in close collaboration within the Thames Valley Consortium

There is now considerable commitment to this overall idea, though the exact shape and limits of collaboration have to be determined by the organisations themselves. It is certainly clear that many more interests than differences bind the organisations together.

### Consolidation of the number and size of schemes

This is a sensitive issue, but the fragility of community mediation means that it will need to be considered. Although all the schemes have their own separate legal identity and arrangements for governance, not to mention their own local connections, some further consolidation to achieve capacity and attain critical mass may be inevitable.

### Develop an alternative model to the charity structure

There is also the possibility of schemes developing an alternative identity, and the new legal entity of the public interest or social firm may merit serious consideration.

### Consolidation of problem solving and conflict resolution provision within the community mediation framework

In the Thames Valley, there is a tendency to set up new organisations to do closely related work. There is a strong case for consolidation of tasks into larger fewer community-based organisations.

## **e. The Role of Restorative Justice and Community Conferencing**

### i. Overlapping Approaches and the Problem Solving Market Place

One of the central issues which arose from the work of Mending Fences, is the extent to which there is an overlap of skills, approaches and contexts between community mediation, community conferencing and restorative justice approaches. Many professional groups and agencies are engaged in this range of work now, with real risks of duplication and confusion — in YOTS, in schools, and in the police as well as the VCS sector. Clarity about the key concepts and differentiation between them is therefore now very important and overdue.

### ii. An Operational Model for Conferencing

The model provided by Anne Curran described on pages 50-52, suggests a process whereby the interested parties in a community problem are brought together and helped by a trained facilitator to address problems and identify outcomes and agreements, the implementation of which is then monitored and reviewed.

### iii. Restorative Justice and Anti-social Behaviour – Some Key Issues

Clarity about the respective contributions of restorative justice, mediation and community conferencing is vital if problems are to be addressed promptly and fairly. This means clear procedures, appropriate training and an inter-agency approach between partners, which involves voluntary sector agencies, and which can be communicated clearly to the public.

#### **f. Using Mediation in Cases of Racial Tension**

This chapter gives a detailed account of two mediation schemes, in Oxfordshire and Milton Keynes, which developed new approaches for ASB cases with a racial element. Mediators and referring agencies in the Thames Valley reported a relatively low number of racial tension cases. The reasons for non-referral often related to: -

- Sensitivities around reporting racial tension
- Racial tension is an underlying issue, rather than the main reason for the referral
- Referrals were made too late and the case had become too serious for mediation

It was important to acknowledge that for police, housing providers and other agencies, the victim perspective was central in assessing and responding to crime and disorder, including ASB. There were some concerns about underuse of statutory powers. However, especially in cases of cultural difference and communication difficulty, there was a range of behaviour which could respond effectively to mediation especially with early referral.

#### **g. 'Grounds to Agree'**

In the housing management field the use of mediation has been recognised as an important area of good practice for some time, with many local authority departments and Registered Social Landlords using mediation services to resolve neighbour disputes or allegations of anti-social behaviour. However, there has been surprisingly little written about how this work is funded, whether outcomes justify the funding, and whether the interventions offer value for money. This chapter gives a case study on the costs and benefits of mediation use in housing and attempts to answer some of these questions.

#### **h. An Overview of Positive Work with Young People in the Thames Valley**

ASB managers and practitioners from a range of agencies across the Thames Valley were asked about their experience of positive interventions, what the problems were, and how they saw the work developing. The picture emerged of a broad range of schemes, at different stages of development, and with varying levels of experience, but which are new, still developing, and which require continued learning and sharing of good practice.

#### i. What is good practice? — The Four 'P's

During discussions with ASB staff in the Thames Valley who worked with young people on ABCs, four main themes emerged: people; principles; policies; practice.

##### People

- Finding and retaining staff with the right experience, knowledge and skills is a key

aspect of building capacity and expertise.

- The use of outreach workers is vital in ensuring the most excluded communities and individuals are reached and can access services.
- There is increasing recognition of the benefit of having local people providing services from a local patch.
- Some people had found that by linking in with other departments/organisations that they had been able to access valuable learning/training opportunities, such as through an RJ unit, or a local YOT.
- There was recognition of the usefulness of sharing good practice and lessons learnt at local/regional/national level.
- Effective communication and networking skills with a broad range of people and agencies were seen as key.
- Partnerships need to encompass the broad range of agencies involved, and operate at different strategic and operational levels.
- Public sector organisations in the Thames Valley should develop relationships with voluntary sector agencies, many of which work at the grassroots level, making them more accessible for young people, and often providing relevant and sometimes innovative activities in response to local needs.
- Co-ordination is key in developing work where a number of agencies are involved. ASB co-ordinators have an important role in joining services together, signposting, and holding an overview
- Spending time with communities is important, a Street Warden or youth outreach worker having an informal conversation on the street, or visiting the local shopkeeper can often be more effective than more formal processes

### Principles

- Clear and strong principles need to underpin service plans. These should ensure that staff and others have an understanding and commitment to service aims and objectives and how they are delivered.
- Early and positive intervention, informed and accurate assessment, and community involvement are all needed for ASB work to be effective for the individual and community alike.
- Where meeting targets often takes priority, strong principles act as reminder of what the work is all about and prevent a purely 'number counting' mentality
- Strategic planning, alongside grassroots community involvement work is needed in the initial stages in order to bring information and people together.
- A strong commitment is needed to raise awareness of ASB work, through a communication strategy that provides clear and accessible information for all interested parties, including local communities.
- A strong commitment to training and development is needed.

### Policies

- Good practice relies on clear written policies and systems that describe the approach and processes involved.
- Policies in relation to ABCs should offer clear guidance on who, when, how and what needs to happen, and plans should clearly state the priorities, and where resources should be targeted.
- Policies need to describe the steps to be taken when low-level ASB is encountered,

how and when to use ABCs, and action in the event of a breach.

- Different groups need to be tackled in different ways, and with a range of people involved. Policies on how this should be achieved in each area, particularly at the strategic inter-agency level are needed.

### Practice

- Restorative justice was frequently mentioned as an important tool in relation to ABC work.
- Constructive activities are a key factor when considering positive interventions with young people with ASB – they address boredom/lack of direction, offer opportunities for the young person to express themselves in new ways, to view the future more positively and develop aspirations.
- Young people's engagement in positive activities also gives reassurance to the community that 'something constructive is being done', and provides security in the knowledge that if young people are engaged in 'supervised' activity they are unlikely to be getting into trouble.
- Understanding young people's needs and the reasons they choose not to engage in some activities are vital practitioner skills.
- The politics of rewarding a young person for bad behaviour is very real, it's important that other young people don't see bad behaviour as a way of getting 'perks' if they are given an ABC

#### **i. Case Studies of Positive Interventions in the Thames Valley**

This section provides examples of some of the positive interventions happening in the Thames Valley, including the four Thames Valley Partnership-funded pilots.

#### **j. Other Projects and Schemes Which Have Contributed to Mending Fences**

As the work of Mending Fences developed and the scope and profile of anti-social behaviour increased it became clear that a number of other Thames Valley Partnership initiatives had significant implications for the development of a range of preventive and conflict resolving approaches to anti-social behaviour. This chapter illustrates these projects and the lessons that can be learnt when considering anti-social behaviour.

# 1. Introduction

The Mending Fences project was set up with the following five key aims in November 2002 with a three-year grant from the Nuffield Foundation.

- Support and strengthen the work of community mediation schemes and their use in responses to anti-social behaviour
- Support the development of policy and practice on anti-social behaviour within the Thames Valley.
- Identify, support and develop good practice in prevention work and responses to anti-social behaviour.
- Use local experience from the Thames Valley to contribute to the national debate on anti-social behaviour work.
- Support for the development of restorative approaches in tackling anti-social behaviour.

In the ensuing two years the profile, political significance and scope of anti-social behaviour has grown extremely rapidly at all levels and in all localities.

The Mending Fences project has tried to respond flexibly to these developments by reviewing and upgrading the work plan regularly. As lessons have been learnt about the roots of anti-social behaviour and sustainable solutions to it, the links with other aspects of community safety work have become apparent - good examples are crossovers with the community cohesion agenda, and the whole range of citizenship issues.

A theme throughout has been to support the case for a proportionate response to anti-social behaviour, based on fair assessment, local problem solving and coherent use of a linked range of options, which are built into local policies and procedures. In the face of a heavy national political emphasis on maximising use of enforceable measures, especially Anti-social Behaviour Orders, this has proved a difficult challenge. However, the strength of Restorative Justice roots and the constructive approach of many Thames Valley Crime and Disorder Partnerships have enabled the Project to identify many examples of good practice. The creation following the May 2005 general election of a Minister for Communities may lead both to a more integrated and community based approach to anti-social behaviour and better connections between the Home Office and ODPM interests in this area.

We have been able to support some new areas of work by sponsoring a range of pilot projects. This work book has been produced to share learning from the project in a practical and accessible format, and it is hoped that this will make a useful contribution to further progress in an area of work which impacts on all communities and the agencies which serve them.



## 2. The Wider Context

### a. The Rationale for the Project and its Overall Aims

At the time funding was being sought from the Nuffield Foundation, Anti-social behaviour (ASB) was already emerging both nationally and throughout the Thames Valley as a priority area for Crime and Disorder Partnerships (CDRPs), as was noted in the initial scoping document published in 2002, 'A Common Priority'<sup>(1)</sup>. This work gave an overview from the 16 Thames Valley CDRPs and two County Community Safety Departments.

At that stage anti-social behaviour was still normally regarded as describing a wide range of problematic behaviour, capable of causing great distress, but normally sub-criminal or doubtfully prosecutable. At that stage use of both Anti-social Behaviour Orders (ASBOs) and Acceptable Behaviour Contracts (ABCs) was still at a relatively early stage. Some of the findings of 'A Common Priority' reflected the need for a more comprehensive strategy:

- The need for consistent and comprehensive inter-agency protocols both on information sharing and joint action.
- The need for more work on definition both nationally and locally.
- The risk of inconsistent responses to similar behaviours because of poor assessment or disproportionately heavy intervention.
- The lack of a comprehensive tool kit, because some provision was lacking or not consistently available - access to mediation as a significant option for early intervention was a good example of this.
- The importance of coherent local inter-agency structures for assessing and managing interventions was clear, but few areas had developed these.
- The Police were key players in all the CDRP areas, but police roles and responsibilities were at an early stage of development. In some areas individual police officers had made pioneering contributions, especially with ABCs. At a more strategic level much police effort concentrated on ASBOs.
- The mapping and typology of anti-social behaviour were at a very basic level, and there was little national guidance available.

The main notion behind the bid to establish Mending Fences was that a comprehensive approach to anti-social behaviour should maximise the use of preventative and problem solving strategies. It was argued that this should make sense not only in terms of achieving sustainable solutions, but ones which empowered local people, whether as neighbours, or part of larger groupings. There was already some evidence of good practice both from community mediation and police-led restorative justice work.

For the community mediation schemes in the Thames Valley, anti-social behaviour represented a considerable challenge. All were small organisations with limited

management capacity. How to respond to new structures and concerns in a field becoming dominated, in the Thames Valley, by statutory agencies provided both opportunities and threats.

A key aim of Mending Fences was to help with the capacity building of mediation, including the demonstration where possible of its potential to provide Best Value provision as against statutory intervention. Other key aims were as follows: -

- Promote the role of other problem solving approaches including community conferencing and restorative approaches.
- Develop effective working links between mediation and restorative justice at a local level, based on a clearer mutual understanding of role and methods.
- Encourage and track the development of best practice on ABCs.
- Promote best practice in inter-agency working.
- Illustrate the intimate connections between anti-social behaviour and community development issues both in preventing problems and finding sustainable solutions, which are owned by local communities.
- Explore the role of housing providers, and how best they might be involved in integrated practice.

#### **b. A Problem Solving and Community Oriented Approach - The Vision**

Thinking about responses to anti-social behaviour was dominated in the early years by the 'toolkit' approach, characterised by a list of interventions, but very little sense of the relationship between the different 'tools', or the infrastructure within which they might be used. There was a tendency to differentiate between preventive or diversionary provision and enforceable solutions. This distinction tends to pigeonhole mediation and community initiatives, instead of regarding these as approaches capable of use at more than one stage.

Our view was that a more dynamic approach was needed, with enough structures to achieve fairness, consistency and proportionality, but enough flexibility that a range of resources and approaches could be used at different levels, enabling a 'recipe approach' to be adopted. This implies a number of core principles and requirements: -

- Consistent assessment methods, robust enough to work at an inter-agency level.
- An agreed definition of anti-social behaviour.
- A commitment from all agencies to intervention at as early a stage as possible.
- Clarity about what should be coped with 'in house' and what should be referred on to inter-agency provision.

- Panels or meetings where inter-agency decisions can be agreed and all providers are represented.
- An assumption that all responses need to be 'packages' - an ABC will need for example resources not only to assist changed behaviour, but also to take up non-compliance.
- Community involvement and empowerment were regarded as crucial to a comprehensive response - from prevention and assessment right through to ongoing monitoring of response. For this reason the roles of Community Development and Youth and Community specialists were seen as very important.
- Community conferencing as an emerging approach was seen as a high implementation priority.
- Training and referral awareness for many groups of staff were seen as crucial in developing a coherent and consistent approach.

In this vision prevention and diversion are important and in need of good resourcing, but the agencies concerned may also function as well at later stages in a hierarchy of options. At the top of the pyramid is the ASBO, but even at that stage there may be some room for restorative or problem solving contributions.

### **c. Some Initial Concerns**

From the outset we had several basic concerns. The first was the problem that much of the national political and practice debate about anti-social behaviour was founded on assumptions from inner-city areas and areas of high multiple deprivation. Much of the rhetoric about 'neighbours from hell' and 'horror' estates originates from those areas. The reality is that little of this applies with the same intensity in the Thames Valley, but fear of crime and disorder, anxiety about the behaviour of young people, and the national rhetoric do fuel local concerns in all communities. We were certainly concerned about the impact on proportionality the national context would have for those areas in the Thames Valley with quite low crime levels.

A second concern was that right from the outset the political profile of anti-social behaviour was becoming very high, with a number of very strong central pronouncements about the primacy of enforceable powers, especially the ASBO. This was the clear Home Office focus, and a driving up of ASBO numbers was the central imperative of the newly established anti-social behaviour unit. In other parts of central government, the more community developmental and problem solving approach of the ODPM, and the diversionary ideas of the Department of Constitutional Affairs seemed more balanced, but in no sense 'joined up' with the Home Office line. We felt that this would make the building of a case for the greater use of problem solving more difficult.

Overall we were concerned that the increased focus on anti-social behaviour would lead to a blurring between criminal and civil; a generally more punitive approach; an increase in custody associated with breached ASBOs, and the risk of enhanced fear rather than low level community based solutions.

#### **d. So What Happened? An Overview of Events, Nationally and in the Thames Valley 2002 to 2004**

In the ensuing two years most of our initial assumptions proved to be accurate. At a national level the political stakes have become steadily higher. The 2003 Anti-social Behaviour Act has been the focus for this with a wide range of new powers as follows:

- Closure of drug houses.
- New powers and responsibilities for social landlords.
- The application of parenting orders to anti-social behaviour and new powers for schools and local authorities over truants.
- Dispersal powers for the police in dealing with intimidating groups.
- New powers over firearms
- Extension of police powers over assembly
- Loosening of reporting conditions on ASBOs against juveniles, though at the court's discretion.
- Broadening of the power to apply for ASBOs to housing organisations, county councils and British Transport Police.
- More powers for youth offending services alongside powers on curfew and supervision.
- Powers on 'high hedges' for the local authority.
- Powers to impose ASBOs following criminal conviction.

The legislation, unaccompanied by any further defining of anti-social behaviour, demonstrates the much broader notion of what is covered by the term, as well as the ever-heavier emphasis on enforceable options, and behaviour control.

There are a number of implications from all this. First the dividing line between crime and anti-social behaviour has become harder to define, and criminal justice agencies all now have direct responsibilities. Secondly, the new powers accentuate even further the disproportionate focus of control on the tenants of social landlords as against owner occupiers. Thirdly since the main policy drivers have been enforcement led, funding has followed this on the basis of very clear statements from ministers and the Anti-social Behaviour Unit. Though the Unit always stresses that it is also committed to prevention and diversion these are not areas of its work which have attracted much funding or much overall attention.

The ASBO, first introduced in 1999 has very quickly become the best known measure in the public mind, and the drive to get the power used to its maximum has been very determined, with a clearly expressed assumption that those areas making limited use were being slow and unresponsive to local need. There is certainly an argument, based on experience in Manchester that ASBOs should not be regarded as the last resort pinnacle of a hierarchy of responses but a frequently used first resort power when seriousness can justify it. The argument runs that it is this approach which inspires public confidence and assists the building of community resilience.

Our position from the beginning, however, has been that ASBOs are of course an important provision when absolute control and immediate enforceability are required, but that they are essentially a punitive measure with draconian sanctions rather than a positive community based response. The early evidence has been that breach rates are high, and that the Orders do not encourage active intervention to assist behaviour change.

ASBO breach and ASBOs on conviction for other offences bring anti-social behaviour into the criminal justice arena, for prison and probation, though neither resources nor guidance has been issued to either of those services – a gap which our Guidance Notes for Probation Staff tried to fill within the Thames Valley<sup>(2)</sup>. At the least more research and overall guidance is needed on the performance of ASBOs and best practice in making them work.

Within the Thames Valley, although use of ASBOs has developed over time the overall approach from CDRPs, and their lead agencies has been to see them as a final resort in most cases. This has been backed up by some effective use of preventive options and imaginative work on ABCs. In most areas anti-social behaviour protocols are in place and many of them reflect the need for proportionality. However, there has been use of ASBOs in a targeted way for groups of people where alternative criminal charging would have been used previously, the most obvious examples being street beggars and prostitutes. These two categories in several parts of the Thames Valley have accounted for a substantial number of the Thames Valley ASBOs made and within the field there is some concern about both the appropriateness and the wider implications of such an approach.

New structures and roles have developed across the Thames Valley. The Home Office funding for each CDRP to have an anti-social behaviour co-ordinator, usually matched by a police equivalent, has provided an important focus for inter-agency work. The local structures and availability of options vary very considerably as might be assumed from an area with nine district and seven unitary authorities, but within this diversity a good range of constructive work has been undertaken, many examples of which form the basis of this workbook.

Despite generally limited funding, a range of preventive initiatives have been developing. This has tended to be in an ad-hoc way as thinking and plans have developed rather than as part of an overall integrated approach. One implication of this has been that the 'market' for problem solving and conflict resolution has in some areas become quite crowded. This has significant implications for small providers such as community mediation, as identified in a later section.

The Thames Valley Police response, rather reactive in the early stages, has had to develop in the context of the Thames Valley's complexity and range of settings, but has steadily developed coherence, and does reflect the generally preventive and proportionate response to anti-social behaviour described earlier.

In the light of this overall context therefore, Mending Fences has sought to operate pilot programmes, build capacity and influence thinking at a time of rapid change and tough thinking. The main lessons learnt are covered in the next section, and thereafter the emphasis is on the work undertaken and the practice issues identified across a range of anti-social behaviour approaches.

## References

<sup>(1)</sup> 'A Priority in Common'. Thames Valley Partnership (2002)

<sup>(2)</sup> 'Anti-Social Behaviour - A Practice Guide for Probation Staff'. Thames Valley Partnership (2004)



### 3. What Have We Learnt From Mending Fences?

In the various activities and events we have tried to establish what needs to be in place to achieve an anti-social behaviour response based on: -

- Prevention
- Problem solving
- Proportionality

The case for such an emphasis is not based on any denial of the importance of enforcement in some circumstances. It is based on assumptions that early intervention, accurate assessment and community involvement are all needed if any response to anti-social behaviour work is to be effective. In our experience such a response cannot be developed in a vacuum, and needs to be part of a broader community based approach which regards local involvement, local solutions and local ownership as critical and integrated components of an effective approach to anti-social behaviour.

#### a. A Full Range of Skills, Methods and Responses

Web sites and manuals have tended to oversimplify what needs to be available. These listings tend to talk about the 'toolbox'. The toolbox approach is itself misleading because, as well as the tools (methods of intervention) you also need to have information, skills, capacity, and a clear idea of what can be used in conjunction with what else. Also of fundamental importance is the instruction manual indicating how interventions are to be used properly and effectively! A great deal of progress has been made in some of the Thames Valley areas over the last three years, though no area would claim to have a completely comprehensive and integrated system. However, the checklist for a comprehensive approach to anti-social behaviour would require the following elements: -

##### i. Data and Mapping

- Is information being collected in a standardised way from all agencies?
- Is use made of the Home Office classification?
- Is the data mapped and put against other indicators, and is this information used on an inter-agency basis in responding to anti-social behaviour, and forward planning?

##### ii. Prevention

- Are diversionary schemes in place and do they reach the right people? Are they evaluated, and do they involve the local community.
- Is the youth offending team involved in prioritised work with young people at risk and do the other agencies know about it?
- Is the youth service engaged with anti-social behaviour responses, including enabling young people to be involved in consultation and community responses?

- In management of public space is early action taken to 'target harden', increase public involvement and a sense of community ownership? Were all the available resources used to improve the physical environment, including unpaid work by offenders? How was the community allowed to become part of any solution?
- Is commitment and capacity for community development work built into preventive strategies? Even where an ASBO has had to be used, communities are likely to need further work to identify the leadership and resilience necessary to cope with any further problems.

### iii. Problem Solving and Conflict Resolution Methods

- Are community conferences or public meetings used to identify problems and discuss solutions?
- Is there a community mediation scheme available, which is sufficiently funded to enable a range of anti-social behaviour cases to be referred?
- Are restorative justice and reparative options in place? Who delivers them and are they adequately resourced?
- Is community conferencing available and sufficiently resourced?
- Do these options all fit together so that their respective roles and capacities are well understood by local agencies, and systematically used in responding to anti-social behaviour?
- Is the use of these methods supported by protocols and public information, and are staff from the various agencies trained and updated about them?

### iv. Acceptable Behaviour Contracts and Enforcement

- Are ABCs proportionately used, and evaluated?
- Do other agencies buy in to ABCs by providing activities and packages which support remedial work, and constructive activity?
- Are there sufficient resources to ensure reasonable monitoring levels?
- If there are compliance problems, is it clear who deals with getting things back on track?
- Are ASBOs and the other enforceable options used proportionately, and effectively?

v. Information and Guidance

- Is there clarity about who does what about anti-social behaviour in an area, and is there a widely available guide both to responsibilities and resources? Can it be updated?
- Is the public informed about the local strategy on anti-social behaviour including the options available to deal with it? Does this include ways for people to deal with problems on their own initiative?
- Are community organisations and voluntary sector agencies included in anti-social behaviour at all levels, from policy through to practice? Is there scope for volunteering?
- Is there a coherent training strategy?
- How is feedback about performance made available both to practitioners and those involved in strategy?

**b. Structures, Systems and Strategies**

The structures and systems regulating anti-social behaviour work still vary considerably across the Thames Valley, and we have found a number of good practice examples, which will be posted on the web links supporting this workbook. Though good structures and protocols are not usually seen as the creative end of anti-social behaviour work they are crucial to good practice and development. Without them there is not much chance of consistency, responsiveness, or accountability.

Our learning suggests that the main issues are as follows: -

i. Structures

- Are structures in place to undertake strategic and review work, and are those involved sufficiently senior to influence resourcing?
- Is there a panel or interagency practice meeting, which can make case management decisions in a consistent and proportionate way?
- Do both levels have sufficient buy in from the range of agencies, and does this include non-statutory agencies other than RSLs?
- Are there sufficient links between the two levels?
- Is anti-social behaviour mainstreamed sufficiently in terms of Section 17?
- Is there a specific anti-social behaviour budget?
- Is there clarity about where anti-social behaviour structures fit within the CDRP and local authority?

## ii. Protocols and Guidance

- Are they generally intelligible?
- Are the definitions clear?
- Are there clear cross-references to related documents - notably on information exchange and specific policy issues such as crack houses, abandoned vehicles etc?
- Is there clear guidance on use of mediation and preventive measures at different points in the process?
- Are protocols and guidance readily available and regularly updated?
- Are they as few in number as possible?

## iii. Community Safety Strategies and Anti-social Behaviour Strategies

- Does the local strategy define anti-social behaviour and identify specific priorities within that general heading? Does this include some degree of local definition?
- Do targets reflect the range of options including for example the use of mediation and community engagement options?
- Do the strategies cross-reference with other key strategies in more than name - licensing, health, children's and drug strategies are all relevant.

## c. **Assessment**

Lack of a coherent definition of anti-social behaviour inevitably makes consistent assessment difficult. The Home Office RDS typology of behaviours is useful in providing broad categories of behaviour (for more information see the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html)): -

- Misuse of public space
- Disregard for community or personal well being
- Acts directed at people
- Environmental damage

Though the typology manages to fit most reported behaviours into these overall categories, it also acknowledges that in the absence of a definition there may be others.

In fact we found that an overall anti-social behaviour problem will often have a number of components - noise and threatening behaviour is one simple example.

A further complicating factor in assessment is that it may be possible to categorise behaviour, but assessing the seriousness of that behaviour must also involve assessing the impact felt by victims. Given the wide range of responses from victims, from extreme resilience and tolerance through to vulnerability and intolerance, assessment may mean

that similar behaviours attract different levels of response. This can lead to inconsistency or potentially unfair treatment.

Difficulties in consistent assessment become more easily managed if a problem solving approach is adopted whenever possible. In any case where there are differences of account, counter allegations, or doubt about victim and perpetrator status then mediation approaches need to be the first resort.

Assessment forms and methods vary considerably, and we would argue strongly for a more unified approach across the Thames Valley. One suggested model might include the following sections: -

- A full description of the behaviour complained about, using the RDS typology, and indicating all its components, plus any counter behaviours.
- The time scale and location of the behaviour, and any patterns. Have there been previous incidents?
- Reaction of the complainant(s), and the impact on them of the behaviour.
- Information about the perpetrators. (This can be difficult in cases of group behaviour, or where there is uncertainty about levels of responsibility).
- An overall assessment of the seriousness of the situation taking everything into account. It may be that a gravity scale would be helpful based on a balanced judgement between seriousness of the behaviour, the impact on those affected, and the level of culpability of those responsible.

If these are the levels of assessment information needed then the next questions are about responses. At the most serious end of seriousness, impact and culpability (SIC) there are cases where criminal prosecution is the right response. Other options quite rightly will be ASBOs or removal of tenancy, but even in these relatively clear cut cases a package of other measures, including rehabilitation and resilience building should be agreed on an inter-agency basis.

It is probably only at the high end of the SIC scale that a parallel with criminal justice will work. Below that level, most cases appear to have a range of behaviours and reactions in play. It does seem clear that at most levels problem solving methods can be used very effectively, and this should certainly be considered as a potential response in every case. Where there is still clearly a perpetrator/victim situation then an ABC may well continue to be the best option, but again within a package of measures.

Assessment needs to be quite a robust process, with clarity about responsibility. Since proper assessment will involve some time and resources it follows that workers in all the agencies should be strongly supported in dealing with matters at the lowest level possible, within individual agencies. Similarly there are some occasions, painful as it may be, where the complainant is actually being unreasonable or disproportionate. We do not serve the cause of reducing fear of crime and disorder very effectively if we forget this.

#### **d. Capacity Building**

Our work with Mending Fences suggests that a wider response is often needed to deal with anti-social behaviour, especially around the issues of community engagement and community development. One of the strong arguments for powerful measures of enforcement has been that this may empower the community, provide respite and provide the basis for a stronger neighbourhood. Quite rightly policing reform has centred on a neighbourhood approach. In our view there needs to be much more reliance placed on established community development methods, both for assessment of problems, and longer-term solutions. While there are powerful arguments for street wardens, and police community officers in terms of prevention and intervention we need to think more carefully about the messages this may give about community safety and personal responsibility. Public involvement including work with young people through to a wider role for Neighbourhood Watch may all be important in building confidence and resilience, so that neighbourhoods may feel less dependent on external authority and more empowered to make things happen for themselves. The Government promotion of Community Champions is valuable, and a more local version of this would be helpful, so long as we remember that anti-social behaviour champions will also include mediators, youth club volunteers and so on.

Some ideas for taking the community development approach forward would be: -

- Training for neighbourhood leaders.
- Neighbourhood consultations.
- Training for mediation and community conferencing.
- Further development of YOT schemes which make use of volunteers.
- A local approach, as envisaged by the Government to making local choices about unpaid work by offenders. How can this be made to work on a neighbourhood basis?

None of these are new ideas, but they can all be harnessed to a more effective response to anti-social behaviour.

Within the work of Mending Fences we have gained experience from projects and pilot schemes, which have contributed to the ideas, aspirations and overall learning. The following sections cover them in more detail, and in each case we have included not only a description of the different approaches, but also, (and probably more importantly) an analysis of how things seem to work and what makes success more likely.

## **4. The role of Mediation in Anti-Social Behaviour**

### Work undertaken, case illustrations, and lessons learnt from Mending Fences

#### **a. Introduction and Context**

One of the central objectives of Mending Fences was to find ways of ensuring that the contribution of community mediation to anti-social behaviour responses was increased, and that coverage was achieved across the Thames Valley. This was to be tackled in five ways.

- Some funding for co-ordinators over two years, to 'back fill' the extra time needed for them to become involved in local structures and local strategy work.
- Some direct capacity building work undertaken with each scheme over the life of the project by John Hedge, Mending Fences Project Leader.
- Two specific projects on racial tension in Oxford and Milton Keynes, which are covered in a later section of this report.
- A number of events organised by Thames Valley Partnership to provide schemes with a joint access to key players at a Thames Valley wide level.
- Support for the development of the existing Thames Valley Community Mediation Consortium, so that it could provide a more effective infrastructure and tackle common goals such as improved training and joint bid making.

The Mediation organisations involved and the main work undertaken using these approaches are described below. First though, some thoughts about what community mediation actually is, and what were the shared characteristics of the organisations involved in Mending Fences.

A working definition of Community Mediation schemes and their essential characteristics might be as follows: -

Community mediation schemes are organisations which provide independent conflict resolution in a range of community situations with two or more parties, and where all concerned are parties to a dispute rather than perpetrators and victims. Community mediation relies on agreement to participate and uses processes, which are recognised by Mediation UK, and which aim towards an agreed outcome between the parties. The methods of work are evidenced within Mediation UK's CLS Quality Mark, and services are delivered by authorised mediators, whether paid or voluntary, who have training and regular supervision of their work.

Some of the problems which mediation faces arise from confusion about what it is and what it does, so clarity is important. Some key concerns arising from this definition are: -

- Community mediation schemes are likely to be working in a whole range of contexts - from NHS disputes, through environmental health to involvement in some County Courts. They are often forced to follow funding in quite short-term ways, and this can impede the contribution to anti-social behaviour.
- Confusion between problem solving approaches, including restorative justice, community conferencing, and family group conferencing for which separate structures and organisations have often been established. This can lead to unhelpful competition for scarce resources and referrals. Issues about the problem solving market place and the respective roles of other conflict resolution options are discussed in Chapter 5.
- Lack of knowledge among statutory agencies about the capacity of community mediation and its range of applications tends to identify them primarily with neighbour disputes. This emerged as a key marketing issue, and a range of illustrative case material is given later in this chapter.
- The independence of mediators is a crucial part of the definition of mediation. While it is doubtless very important that a range of professionals work in a *mediative* way, and can benefit from some training in this by mediation practitioners, that is not the same as *mediation* - which is all about the application of specific processes in a skilled way by trained staff from an independent organisation. Case studies support this distinction in terms of impact.
- Community mediation schemes tend to be small and relatively vulnerable financially. This can mean insufficient management resource to participate in local structures both about policy and practice. In many ways community mediation organisations are ahead of the VCS sector in coming to terms with business planning and service level agreements, but because their activity tends to spread across a range of local authority departments, RSLs and other agencies, they are often having to manage complex funding bases. At a central government level their interest straddles at least the Home Office, ODPM and DCA. Within the Government's 'Change Up' agenda mediation is a key area for progress.
- There is evidence from the Thames Valley that lack of adherence to the Compact, lack of understanding of Mediation UK standards and a preoccupation with price make it all too easy for community mediation schemes to be undercut by individual practitioners or 'front room' providers. The case needs to be made more strongly that public funding of work should only go to organisations which either have or are working towards the national Quality Mark.

## **b. The Organisations Involved in Mending Fences**

The original funding agreement for direct financial support applied to four schemes across the Thames Valley.

**Mediation Buckinghamshire**, covering the county and a charity formed from the amalgamation the year previous to Mending Fences of separate schemes in Aylesbury and High Wycombe.

**Mediation Oxfordshire**, covering the county, and established in 1995 as a charity.

**Resolve**, covering the unitary authority area of West Berkshire and established as a charity.

**Thames Valley Community Mediation**, operating in Reading and subsequently East Berkshire and constituted as a group of paid mediators working collaboratively.

In the event it became clear very quickly that **Milton Keynes Community Mediation**, though not a recipient of 'back filling' funding should be fully involved in Mending Fences, both because of the success of the scheme there and the need to work across the whole of the Thames Valley area. The Milton Keynes scheme is a charity working across the city and one of its distinctive characteristics is that it relies almost entirely on volunteer mediators.

All these organisations meet the criteria expressed in the definition given above. Buckinghamshire has achieved the Quality mark, and the other four organisations are acknowledged as working towards it. All are members of Mediation U.K. All have been doing a good deal of anti-social behaviour work from one source or another. While Milton Keynes is essentially staffed by volunteers, and TVCM by paid mediators, the other schemes run a mixed economy with those in training normally starting as volunteers, moving on, in due course if they wish to have a lead mediator role with payment per case. All the schemes are small, but have at least a paid Co-ordinator, office premises, administrative capacity and a public identity. Schemes differ, again on the basis of funding, as to whether they can offer public access to services. Some have a scale of charges for those seeking help, if funding is not provided to cover this.

### **c. Summary of Work Undertaken Both with Individual Schemes and on a Wider Basis**

#### **i. Individual schemes**

##### Mediation Buckinghamshire

- Development of contacts with Police and Crime and Disorder Partnerships to achieve a higher profile and police funding.
- Inclusion of Mediation in the Bucks Anti-social Behaviour Protocol, and the Bucks Anti-social Behaviour Strategy Group handbook on anti-social behaviour.
- Work to support mediation inclusion in Bucks Anti-social Behaviour Protocol subsequently adopted as a good practice model by Thames Valley Police. (For more information see the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html)).

##### Mediation Oxfordshire

- Management support for business planning, and funding approaches.
- Facilitation of links with CDRPs
- Support for work to increase awareness by RSL staff.
- Funding for Pilot work on Racial tension cases (See later section)

## Resolve

- Work to facilitate development of a funders group.
- Support for involvement of the co-ordinator in the anti-social behaviour panel.
- Work on development of police liaison and funding.
- Evaluative work on Resolve Mediation use by Sovereign Housing. (See later section)

## Thames Valley Community Mediation

- Development of community mediation work in Bracknell, and Windsor and Maidenhead where there was no existing provision, and the structures to support this.
- Evaluative work on Reading Borough Housing Department use of mediation (See later section)

## Milton Keynes Community Mediation

- Support for funding bids.
- Funding for pilot work on racial tension and recruitment of young mediators. (See later section).

### ii. Thames Valley Level Work

- Workshop for schemes on communications strategy, led by Fiona Tarrant of Thames Valley Probation area followed up by a joint promotion exercise on National Noise Day, and sharing of media contact details.
- Development by Tany Alexander, Thames Valley Partnership Associate, of text and illustrations for a general mediation brochure for use by schemes
- Police/Mediation Workshop event to improve police awareness of mediation and identify key practice and funding issues, with follow up work at police HQ.
- Co-ordinated contribution to Thames Valley Police review of Community Problem Solving and Neighbourhood Policing (For more information see the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html))
- Workshop for community safety managers and staff on mediation and problem solving in anti-social behaviour.
- Workshop for mediation schemes, Police RJ Advisers and Police anti-social behaviour officers to consider mutual concerns, local liaison and collaboration.
- Two housing events in Oxford and South Bucks on Mediation in anti-social behaviour

### iii. Work with the Thames Valley Mediation Consortium

- Support for development of shared training initiatives.
- Development of a shared bid to Community Legal Service Development Fund for area-wide work on extension of services to prevent homelessness in the Thames Valley.
- Work by Rose Hallam, Thames Valley Partnership Associate to develop an options paper for development of the consortium, and follow-up work with scheme committees.
- Ongoing work to find funding for a Consortium Development Worker.

#### iv. Work Beyond the Thames Valley

- Workshop for anti-social behaviour conference organised by Centre for Crime and Justice Studies.
- Workshop for Mediation UK National Conference - Sheffield 2004.
- Work with National Community Safety Network to produce a strategy paper on anti-social behaviour, which incorporates mediation and use of problem solving methods.

So Mending Fences worked in a variety of ways to promote increased use of mediation in anti-social behaviour, and as well as identifying the barriers and options also undertook work on mediation's capacity to respond. Later in this chapter the main lessons learned are identified. Inevitably the picture is a mixed one, not least because of the national climate as discussed in Chapter 1. However on the ground a recurring theme was that when mediation was involved in cases of anti-social behaviour the results were often impressive. Before considering how things might be further developed therefore a range of case studies is given to illustrate both range and potential. All these cases were collected from the schemes during the life of the project.

#### d. **Illustrative Case Material**

In this section geographical location is not given to ensure confidentiality, but all examples are taken from cases across the Thames Valley within the last two years. Further case material is available in the chapters on racial tension pilots and housing work. Case examples are also given in the document 'Community Problem Solving and Neighbourhood Policing: Meeting the Challenge?' by Andrea Hughes of Thames Valley Police, March 2005. (For more information see the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html)). All the examples given in this section have strong relevance for anti-social behaviour, but to highlight the range of work undertaken the examples are given thematically.

#### i. Parents and Teenage Children

***The majority of Thames Valley schemes have been involved in funded work to prevent homelessness among young people, and sometimes self-referrals focus on difficulties between parents and children. Though this work is sometimes done by family mediation or family group conferencing there are advantages to having only one door to knock on, and there are clear implications for social inclusion, and crime and disorder prevention.***

Unresolved relationship breakdowns are a common cause of young people being made homeless. Often the dispute is around respect for different values, ground rules and ways of interacting. Mediators have had to be flexible in adapting procedures to engage the young people. The outcome of mediation may prevent a young person becoming homeless or restore family support for one who has already left home. One father and son, who had two mediated conversations after a complete breakdown in communication, reported resolving 80% of their issues of contention and building bridges from which they felt they could tackle the outstanding and future difficulties.

ii. Inter-generational Problems and Conflicting Life Style

***Problems in these areas are widespread and often go on unresolved for long periods. The results can be escalating emotional problems and indeed violence. These issues can be of great relevance in understanding high fear of crime levels. The following case illustrates some of these issues and what can be done to address them.***

The case concerns a woman and her partner with two small children who lived in a flat below two boys who had been moved into their flat by a housing association as part of their care-leaving arrangements. The main issues were noise and damage. Efforts had been made to tackle the problems but to no avail, and the case had been referred to the Police RJ Co-ordinator. The case was referred to mediation though by the housing association, as a last chance to deal with it before police action.

After separate sessions it became clear that one of the boys was very scared about what he saw as threatening behaviour from the woman's partner. The woman herself was upset because she felt her problem was not being taken seriously, and the partner was surprised to hear that the boys were scared of him. The joint meeting which then took place was described by one of the mediators involved as one of the most transformative she had been involved in, because of the following results: -

- The woman said she had felt listened to and respected.
- The partner was able to reassure the boys.
- The boys acknowledged the serious impact of their behaviour and apologised.
- The eventual agreement included one of the boys, who had caused damage in the garden, committing himself to putting things right by helping put right damage to the garden.

iii. A Community Organisation and Local Residents

***Mediation can be involved in some of the situations which are now described as being suitable for community conferencing, an issue discussed in chapter 5. The following example illustrates this.***

A drop-in day centre for homeless people was relocated to a new neighbourhood, whose residents were alarmed about the closeness of their new neighbours. Despite much better provision than the previous building (which would enable the users to congregate inside and not on the street, and strong rules banning any drug or alcohol users), residents feared the impact of the centre on them and their children's safety, comfort and security. Above all they were angry they had been given so little voice in the relocation planning process. The centre managers were upset by what they saw as unfounded allegations and lack of respect for their professional skills and views.

Mediators facilitated two meetings involving the managers, local residents, police, health and planning officers having solicited concerns and views beforehand and, with a representative sub-group, drawn up an agenda for discussion.

Many of the residents' apprehensions were shown to be based on wrong or partial information, and the others were addressed by collectively agreeing lines of

communication, responsibility and protocols to deal effectively and quickly with situations if they arose. What started out as a very attacking forum transformed with communication and understanding to a supportive local community.

iv. Consultation and Facilitation with User, Community and Residents' Groups

***Social inclusion and social cohesion are key preventive issues around anti-social behaviour, and again a number of the schemes had examples showing what could be achieved. This is one example.***

A local authority engaged mediators to facilitate meetings with groups of homeless people in hostels as part of its Homeless Review Strategy. The local authority anticipated a fair amount of hostility and was keen for the meetings to be as constructive as possible and for the homeless to feel they had been given a real chance to express their views and experience. Not surprisingly negative views of the experience of being homeless and the role of the local authority were expressed but the consultation was able to be a civil and serious discussion around the many issues raised leading to a better understanding from both sides.

v. Five Cases Involving Racism or Racial Tensions

***Mediation cannot change deep-seated racist views and attitudes. It can however promote understanding where views are based on ignorance – of cultures and individuals – and clarify situations based on wrong assumptions or miscommunications. The examples here illustrate different facets of this capability. The later chapter on the two Mending Fences pilot projects describes efforts to develop work with a racial dimension more systematically. Since British Crime Survey data on anti-social behaviour continues to suggest that people from black and ethnic minority backgrounds suffer disproportionately from anti-social behaviour the availability of a full range of options is very important. Clearly, though, as with other housing and anti-social behaviour problems, failure to resolve will need to be followed by enforceable action.***

- A middle- aged white couple were experiencing disturbance from the Asian family containing 4 young children who lived above them. Their complaints about the very real noise problem were couched in racist terms. In the course of a face-to-face meeting both sides were able to agree that sound proofing deficiencies and inappropriate housing were responsible for the problems. The white couple not only took on board that the Asian family were doing everything they reasonably could to keep the noise levels down, but gave genuine support to their efforts to seek more appropriate housing from the local authority.
- A black couple were subjected to abuse escalating to assault from their white male neighbour. They felt scared and intimidated and believed it to be racially motivated though the abuse was not specifically racist. A number of agencies became involved. When all sides eventually met misunderstandings and assumptions came out. The white man had initially been annoyed by something the couple had unwittingly done and admitted he had over-reacted. Their subsequent hostility to him had further angered him and he reacted with abuse and eventually lost control. He insisted that

his behaviour had been a response to their individual interaction and was surprised that they thought it was racially motivated. He acknowledged the level of distress he had inflicted on them. The situation improved and the couple were able to report real change.

- Two single people from different Asian backgrounds lived in neighbouring properties. The woman made a series of complaints about the man and the RSL referred them to mediation. Discussion showed that their differences were very much of lifestyle and expectations – but not basic values – and a lot of goodwill was generated. Towards the end the man said to the woman that he had always felt that her complaints and attitude towards him were motivated by racism. She assured him that on the contrary she took comfort that he, another Asian person albeit from a different country, lived next to her.
- A group of young asylum seekers from the same country had begun to gather to exchange news at the end of a particular residential street. They also used this as a convenient time to phone their home country on mobile phones. Because of the time difference this was quite late at night, and there was anxiety and resentment from local residents about the noise and number of people involved. A process of negotiation between representatives of the residents and the asylum seekers led to awareness of mutual concerns and an agreed solution, which resolved the problem.
- An Asian mother reported to the police that a neighbour's son was harassing her children and causing damage to her property. The children were subject to racial abuse at school and in the street. Liquid had been poured through her letterbox and damage done to her car. The police interviewed both families and lacking any firm evidence recommended mediation.

Mediators visited both families and also spoke to the children. Both parties accused each other of abusive language and threatening behaviour, denying that their own children had acted improperly. However there was a willingness to meet. At the meeting mothers and children were present. There was initial disagreement about what had happened and the various allegations, then one of the first party's children admitted that they were almost as much to blame as the other party's son and also referred to other children being involved. These others seemed to have been involved in stirring up bad feeling between the two families. In the meeting the children agreed that they would prefer to be friends and the two mothers agreed that in future they would approach each other with any difficulties and try to resolve them amicably.

#### vi. Explicitly Anti-social Behaviour Cases

***The following case examples illustrate mainstream examples of mediation's potential with anti-social behaviour. The first example illustrates how mediation can be used not only as a preventive measure but also to improve the setting up of ABCs.***

- Police, housing, community safety and environmental health were all brought in to deal with multiple complaints against a young woman, and more specifically her visitors who she was unable to control. Local residents felt intimidated and threatened and were demanding action to end the situation – ie eviction of the young woman.

Agencies involved appreciated the level of nuisance but felt that she needed support rather than punitive action. A mediator was brought in to reconcile the various needs. In a preliminary meeting with all the agencies, it was agreed to pursue a combination of mediation between the young woman and one of her immediate neighbours acting as a representative for the local residents. A conference in which all the professionals involved contributed in drawing up an Acceptable Behaviour Contract. This was designed to safeguard her tenancy and the well being of the neighbourhood. By hearing from her neighbour the extent of the impact of the behaviour of her visitors, the young woman was more motivated to uphold the ABC. The neighbour was able to contribute to the process and to see the young woman's commitment to change. In facilitating the meeting, the mediator ensured that the requirements of officers with four different perspectives on the problem were met and that the meeting was supportive to the young woman despite the serious conditions being imposed on her. It was in effect a restorative ABC conference. The housing officer present said that "it was immediately obvious that mediation is perfect for ABC's".

***The final three examples also relate to mainstream anti-social behaviour issues, but demonstrate engagement at an inter-agency or community level.***

- A multi-issue neighbourhood/school dispute. Housing and police jointly referred this problem which started either between the parents, or their children and spread to other generations and relatives in other neighbourhoods. In a preliminary meeting with the housing and police officers, the mediator felt strong concerns about underlying issues. She helped them to clarify and prioritise these concerns and to decide on a different course of action, not mediation between the parties, which would address them. As a result a multi-agency case conference was held and a third agency took over lead responsibility. The original referrers had been struggling with the pressure on them to act and their own limitations. The mediator enabled them to think 'outside of the box' in seeking solutions.
- There were numerous problems between tenants in a block of flats, with allegations of harassment and racial abuse. Others were concerned with the behaviour of some residents and also of the condition of the flats. Many of the residents were so unhappy they wanted to move. Due to the seriousness of some of the allegations and the extensive police involvement, there was a briefing meeting between the mediation service, the police, and the housing association, before mediation began. After initial discussions with the main parties, the main issues were identified as an alleged prowler; verbal abuse; children's misbehaviour, litter, loud music and a range of other allegations. All eventually agreed to meet for mediation. After two joint meetings and some shuttle mediation two separate agreements covering the various points were achieved. Check-in calls were made to the parties after three weeks, and no further problems were reported. After one further month, the only reported problem had been a loud-voiced boyfriend of one of the parties, which the person mainly affected was prepared to tolerate. A chance meeting of one of the mediators and one of the parties, one year later, revealed that all was well, no one had had to move out, and there was a sense of peace and wellbeing in the block.

***The final case is described at some length, as it illustrates some issues which have relevance to the wider potential for the wider use of mediation in anti-social behaviour work. These are: -***

- *The need to see mediation often as part of an overall series of measures - you may need to use enforceable measures such as evictions or even ASBO for serious abuse or ringleaders, but there are usually many other outstanding issues which need resolution.*
  - *As noted earlier the crossover issues with community conferencing are very noticeable.*
  - *There are real concerns in anti-social behaviour work about vulnerable groups, such as the mentally ill or those with special needs.*
- The case involved a number of housing association tenants in a block of flats built around a courtyard area. The mediators did grouped meetings with all residents who were prepared to meet them. They met with the special needs residents together with their supported live in worker. Residents expressed most concern about drug dealing, which had gone on in one of the flats but it was believed had been stopped with the housing association evicting the tenants before mediation became involved. All were concerned about lack of security in the area – also there were fears about drug dealing in the general area, and there had been a recent stabbing nearby. The special needs people were the target of teasing by some of the children and one of the special needs tenants admitted to getting angry and chasing them sometimes. When the mediators spoke to families with children, parents admitted to fears about safety and security and allowing their children out at all, with one family practically placing their children under house arrest – apart from escorting them to and from school, they never went out. Another resident, a parent, expressed disapproval at what his son might have been engaged in but said that the open-plan layout meant that children from other areas often came in to play, and sometimes made trouble. All complained about the disrepair of some of the communal areas and abuse of the bin shed, which had been used by children as a place to smoke and light fires.
  - **Next steps and facilitated meeting.** Letters were then sent to all residents asking them if they would like to be involved in a meeting together with other residents, and representatives of the housing association, facilitated by the mediation service. Children were invited to this, but in the event only adults came to the meeting. This was poorly attended by residents, but those who did come were very positive and constructive and a useful dialogue was had. An agreement was drawn up and this set out some action points the housing association was willing to tackle, especially on security issues. A further follow up meeting was planned for later in the summer if this was deemed necessary. The mediation service typed up the agreement and this was circulated to everyone in the block, whether they had come to the meeting or not.
  - **Follow Up.** The mediators separately visited one or two families who had not attended, whose children it was felt had been involved in some incidents in the past. The parents did not feel unduly criticised, 'named or shamed' by the process, and so were willing to co-operate in meeting some of the other residents' concerns. The mediators did a round of check-in calls and had one further meeting from a resident with one further complaint about ball games, which he felt could be simply solved by the planting of a prickly hedge under his window. This request was passed on to the housing association. This meeting, and the check-in calls, revealed that although there were still minor problems with litter and a broken gate, all instances of anti-social behaviour had ceased, there were no reports of drug-dealing, and no complaints of

any further targeting of the special needs tenants. The housing association had done what it said it would do, and there was no need for any further meeting.

#### **e. Mediation Issues Arising from the Mending Fences Work**

The case examples give some positive examples about how community mediation can play a very effective part in responses to anti-social behaviour. This section outlines some of the opportunities for further development including the developmental issues which need to be addressed, the main barriers to progress, and some messages for both community mediation and other agencies.

##### **i. Problems of Money**

All the community mediation schemes in the project were financially fragile. In several cases schemes still had block grants from local authorities, but increasingly funding was made up of a number of Service Level Agreements, the largest number being with housing departments and RSLs. These required separate negotiation and servicing, and made considerable demands on scarce management time.

Within local authority funding of mediation, different departments, usually housing and environmental health, had separate budgets but there was seldom a co-ordinated approach to funding for anti-social behaviour work across the authority.

Crime and Disorder Partnerships (CDRPs) did not usually fund directly, though where anti-social behaviour panels existed there was sometimes funding for specific cases. Though all the Thames Valley Community Safety Partnerships continue to have anti-social behaviour as a priority, it is striking that money from the central community safety sources does not permeate through to mediation schemes, despite their relatively higher profile during the life of Mending Fences. To some extent this reflects the underdeveloped relationship which CDRPs have with the voluntary sector, but also the range of business and demands which small CDRP teams have to deal with.

Thames Valley Police in Milton Keynes pioneered funding for mediation in the area, and during the project the Buckinghamshire police areas also began direct funding. Elsewhere in the Thames Valley Police areas did not fund consistently. Work with Thames Valley Police to encourage a more consistent funding approach was sustained throughout the life of Mending Fences, but was complicated by major re-organisation into a service based on larger Command Units with overall responsibility for smaller police areas coterminous with CDRP areas. At this stage it seems clear that mediation will fit into new neighbourhood policing structures, and hopefully this will provide an opportunity to include mediation in the funding of the appropriate range of problem solving methods. Clearly the police though are entitled to expect that other partners will match police money in establishing an overall community safety response to mediation funding needs.

Pricing is a significant issue in the financing of mediation. Within the VCS sector mediation is notable for its relatively advanced approach to business planning and pricing. The examples given in the previous section all indicate successful resolution of intractable situations, costing at most a little over £1,000. Most cases referred to mediation have already involved public service costs, and effective intervention by mediation is estimated as occurring in 70% to 80% of cases, with commensurate savings on the time of other

agencies. The detailed survey on Reading Housing in a later chapter seems to point these cost benefit gains up clearly, and when intervention is unsuccessful the charge is limited to the preliminary work undertaken. Interestingly, despite the different structures and staffing arrangements in the different schemes pricing was reasonably similar across the Thames Valley.

While this suggests that mediation is quite good value relative to other interventions, especially if it prevents the need for more expensive enforceable options the message is still not heard by many agencies. We came across a number of resistances and problems, mainly based on limited awareness of potential; extremely tight budgets and a limited willingness to give work out to the VCS sector, and a scepticism in some quarters about the benefits. Community mediation does need to get much better at the following: -

- Having a higher local profile.
- Giving feedback to both referrers and funders, and finding ways of reconciling this with confidentiality concerns.
- Collectively promoting awareness of quality standards, and the Quality Mark - in many ways this is community mediation's unique selling point.
- Collaborating more effectively together within the developing Thames Valley Mediation Consortium to seek regional and national funding opportunities, develop bidding expertise, and a better understanding of pricing and best value issues.

There are some key messages though for statutory funders: -

- A joined up approach across departments within local authorities could produce real synergy and consistency, especially if the CDRP could become involved. A co-ordinating meeting of funders may make a real difference to planning and performance.
- Getting the best value for money is often to do with better referral and staff awareness. It is unfair to claw back money because of under-referral when the scheme will have had to maintain capacity in readiness.
- The Compact with VCS agencies really does matter. During the life of Mending Fences we came across some very shabby practice about payment; and in several instances, the ending of SLAs without review, notice or any sign of a tendering process. Full cost recovery should be a basic principle in funding.
- The main strength of mediation's ability to respond is its independence – it is important for local authority and RSL staff to take a mediative approach in dealing with conflicts but they need to know when independent intervention is necessary to take things forward.
- There is scope for much more imagination about use of mediation, especially around early referral. A good example is the recent work in Buckinghamshire initiated by police on early referral at source.
- In Oxfordshire and Buckinghamshire the District / County split is complex and difficult for VCS agencies. With the new funding for community safety coming through the counties, both of which are coterminous with Police BCUs there must be scope for a more consistent approach.

And finally some messages for regional and national agencies: -

- At South-East regional level we would argue that mediation should be an early target for Change Up funding to develop stronger infrastructure for mediation.
- Mediation UK has pursued over time the idea of some central government support funding for community mediation, not least to ensure viability and national availability. One of the problems has been the split of concern across different central government departments - ODPM for housing; DCA for community legal service issues, and Home Office for community integration; anti-social behaviour and criminal justice. Policy questions about community and individual resilience lie across all those concerns and a more joined up approach might enable agreement to be reached on core funding.

## ii. Referral Questions

Referral and capacity issues both have major implications for funding and sustainability. Although community mediation schemes were founded on the basis of public access, and some funding still exists for free public service, the reality is that mediation schemes are dependent on publicly funded referrals for most of their business, including the anti-social behaviour related work. Funding tends to be tied to referral levels, and low levels of referral often mean reduced funding the following year, or even non-renewal. Under referral can therefore be a real problem. Some of the key questions about this were as follows: -

- A fundamental way to achieve appropriate and well - targeted referrals is to write Mediation into key protocols about the management of anti-social behaviour. Good examples are provided by protocols relating to Oxford City, and the Buckinghamshire Anti-social Behaviour Protocol. (For more information see the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html)).
- A range of key frontline workers are likely to be involved in both persuading individuals to participate in mediation and then making the referral. Key groups are Housing Officers, Environmental Health Officers, Police Officers, Police Community Support Officers, and Street Wardens. The large number of referrers, the range of settings, and staff turnover can make this an extremely demanding task, which tends to be left primarily to the mediation managers, whose funding does not allow for it. More support for this work from the agencies themselves would ensure higher levels of staff awareness and better referral performance.
- Experience from Mending Fences suggests that a good briefing and referral system would have the following characteristics: -
  - Protocols and Procedures.
  - Realistic and robust selling of the idea to parties.
  - Overview of performance including regular reviews of numbers and performance.
  - Feedback by Mediation to referrers is crucial to the building of confidence, and Mediation schemes need to find ways of doing this consistently.
  - Information about Mediation for both referrers and participants needs to be of good quality. Referrers need regular briefings and updates to embed referral practice.

- Leadership from managers is crucial in getting Mediation used effectively, whether in target setting, supervision or in house procedures.
- Early referrals are more likely to be effective referrals, but this can be difficult. Police, Housing, and Environmental Health Officers often feel that their duty is to deal with the situation and not give responsibility to another agency. They need support, reassurance and encouragement if they are to 'go against the grain'.

### iii. Whose Responsibility?

Some recurring anxieties and misunderstandings around referral and use of mediation were evident in the work of Mending Fences. Some of them are deep seated and hard to address, as they go right back to basic issues about the role of public officials and what is reasonable to expect from citizens. They need to be confronted and dealt with, as they are central to the case for an approach to anti-social behaviour, which is based on use of conflict resolution and problem solving methods as the basis for action. The main three can be summed up in three questions: -

- Whose problem is it?
- Why do we need someone else when we have all these public officials?
- But does it work?

On the first question, the feeling among many citizens that they cannot deal with conflict themselves is a major problem. Its consequences are reduced confidence, lowered resilience and disproportionate fears about crime, disorder and the motives of others. Unrealistic expectation about what public officials can do is a symptom of this. The problem is accentuated by political preoccupation with enforcement. This encourages the view that the way to sustainable and safer communities is through a robust and enforcement approach to anti-social behaviour, enabling the way to be cleared for community development and engagement. Actually, of course, community development relies on people having the chance to resolve problems and live with each other effectively. As has often been observed if you take the ownership of conflict away from people you risk creating dependence without really resolving anything. This is also the case for restorative justice and for community conferencing, and as the next chapter suggests we need to aim for mutual reinforcement of the conflict resolution portfolio rather than the present competition for resources.

As to the second question it is often suggested that all we need to do is train officials up. The case for mediation and other conflict resolution being conducted by an acknowledged independent agency rather than a public authority does need to be made out clearly. Officials, whether police officers or RSL housing officers, and regardless of how good they are, cannot properly be mediators in terms of the mediation processes under discussion here. Any reading of cases quickly illustrates how easily officials become accused of taking sides, precisely because of the power they represent. Of course there are circumstances where a crisis or the seriousness of the behaviour dictate immediate action and the use of formal control, or that there are circumstances where behaviour is so serious that the terms perpetrator and victim have to be used. In many anti-social behaviour situations, though, that is not the case and a different approach is needed.

The third question relates to whether there is evidence for the efficacy of mediation in responding to anti-social behaviour. There is in fact a range of national and international

evidence about mediation and its impact, and a bibliography is provided at the end of this report. There is undoubtedly a need for more research and some of those areas will be clear from this chapter. There are dangers, though in too much of a 'wait for the research' approach, because the case for problem solving approaches will always depend on soft data - the experience being a more positive one for participants than alternative methods for example - and value judgements. Mediation is in exactly the double bind which affects newer initiatives and radical solutions. This can be summed up as 'show us the evidence and you get the money, but we won't give you the money to get the evidence'. The same path has been trodden for domestic violence, other forms of mediation, and indeed restorative justice, where the battle continues. It is hoped that Mending Fences has contributed some new evidence and ideas. In cost benefit terms our findings tend to echo earlier research. Properly provided mediation requires funding, but may produce cost benefits around more sustainable outcomes, and the saving of time for public officials. Its real strength lies in its providing a better experience for participants and a more effective way of doing business. What we now need to know more about is how best and with whom does it work. Our work to date suggests a far broader range than has been suggested so far, and that while confined to neighbour dispute mediation cannot show its full potential.

#### iv. Capacity

It is impossible to consider referral issues without considering capacity. The capacity of VCS organisations to contribute to public service, and how best they can become 'fit for purpose' is a central issue in the Change Up agenda. The main determinant of a community mediation scheme's capacity to deliver cases is the availability of mediators and the lead mediators to provide supervision and quality control. These standards are a real strength so far as quality are concerned, but have implications for capacity as the training and supervised early experience take time and scarce resources. This calls for sustained funding commitment from paying agencies, and a commitment to full cost recovery.

There is certainly much scope for the Thames Valley schemes to work together more closely on pooled and cost effective training strategies, and indeed a more shared approach to mediator staffing. Certainly if community mediation is to play a more central role in anti-social behaviour responses then it must be able to achieve and sustain mediator capacity and the management time necessary to manage higher numbers of referrals. A closely related issue, addressed in the next chapter is the cost benefit and economy of scale advantages to be gained from mediation being the lead agency for a range of interventions including community conferencing and some applications of restorative justice.

#### v. Organisations and Structures

Issues of management and organisational capacity were of major importance in all the Thames Valley schemes, and this is broadly reflective of the position nationally. There are some similar issues in several of the management committees, where achieving the right range of skills and commitment presents a significant challenge, as it does for many small charitable organisations. Against this, compared with many VCS organisations community mediation is making real progress on developing business planning and sector collaboration. One of the real dangers for anti-social behaviour work is that the structures

can be so complex and so dominated by statutory agencies that mediation is forced elsewhere for survival - business and commercial mediation are clearly options.

Some key ideas about improving this situation have emerged from the work of Mending Fences. Some are alternatives, and some are complementary, but the main elements are as follows: -

- Work in close collaboration within the Thames Valley Consortium

There is now considerable commitment to this overall idea, though the exact shape of work and the limits of collaboration will of course be determined by the organisations themselves. As strong grouping with its own staffing resource would enable many negotiations to develop at a Thames Valley or regional level, and there would be major economy of scale on training, communications, marketing and capacity development. It is certainly clear that many more interests than differences bind the organisations together.

- Consolidation of the number and size of schemes

This is a sensitive issue, but the fragility of community mediation generally means that it will need to be considered, accepting of course the reality that all the schemes have their own separate legal identity and arrangements for governance. There is also the benefit of local connections to be considered, not to say the need to maintain much better local visibility. However in the longer run some further consolidation to achieve capacity and attain critical mass may be inevitable.

- Development of alternative model to charity structure

Community mediation is unusual in the VCS world in that it has to compete with non-incorporated providers, private firms, and closely overlapping fields of activity, such as family mediation. At present there is limited collaboration between family and community mediation despite the establishment of a single national representative body within Mediation UK. One option would be for organisations to merge at a local level. A further option may be that mediation organisations explore the potential of public interest or social firm models.

- Consolidation of problem solving and conflict resolution provision within the community mediation framework

There are areas of the country where mediation organisations are bigger and more durable because they are the designated vehicle for linked provision from neighbour dispute through community conferencing to restorative justice. By contrast the situation is complex and balkanised in the Thames Valley. There is a great deal of statutory based provision in restorative justice and reparative work, which is located primarily in the police and YOTs. There is also a tendency to set up new and potentially equally vulnerable organisations to do closely related work - community and family conferencing initiatives fall into this a category. The result is the generally unhelpful problem solving market place described in the next chapter. There is a strong case for consolidation of tasks into larger fewer community- based organisations. At the very least, a much greater level of liaison and collaboration is needed.

## 5. The Role of Restorative Justice and Community Conferencing

### a. Overlapping Approaches and the Problem Solving Market Place

One of the central issues which has arisen from the work of Mending Fences is the extent to which there is an overlap of skills, approaches and contexts between community mediation, community conferencing and restorative justice approaches. All the approaches are ways of bringing people together in an attempt to find solutions to problems that are essentially integrative, rather than based on enforcement and separation. It is important to identify why this overlapping has arisen, and the following seem important factors, both within the Thames Valley and beyond.

- The pace and range of governmental initiatives in the last few years, and the speed with which new options can go from pilot to programme with little evaluation or coherent roll-out planning.
- The extent to which anti-social behaviour, as a recent social construct, began with sub-criminal activity, but now covers a wider range of legally identified problems, many of which attract criminal penalties.
- A lack of clarity arising from misunderstanding or lack of appreciation of other people's expertise in the different agencies.
- A variety of funding problems, which include; the classic short term funding problem, *"We would like to work in collaboration but they don't fund us to do that"*, funding silos, *"That's a problem for the housing budget, and we already have our own arrangements"*, and territorialism.
- A tendency to set up new initiatives and new groups to deliver them, when the degree of overlap means resulting unhelpful and unforeseen competition for referrals, money and skill.
- Genuine confusion among funders and statutory bodies about the conceptual relationship between these models, and in a practical way how they fit together.

Examples of all these issues occurred during the project's life. There are some very serious implications and risks arising from them. Not only are referrers, let alone the public confused, but practice development is impeded, and the voluntary and community sector agencies compete for referrals, resources and influence.

It should be noted that restorative justice has a very particular role within the Thames Valley, based on the Thames Valley Police scripted model.

The development of family group conferencing clearly has relevance to anti-social behaviour work and where the focus of problems is with a specific family situation this may well be the right option either on its own or in conjunction with other inputs. Again

there are similar skills involved and there is a need to be clear about both overlap and differentiation.

Many professional groups and agencies are engaged in this range of work now, with real risks of duplication and confusion - in YOTs, in schools, and in the police as well as the VCS sector. Clarity about the key concepts and differentiation between them is therefore now very important and overdue.

## **b. An Operational Model for Conferencing**

In this section the model provided by Anne Curran of Crime Concern has been used. (For more detailed information please refer to web site reference list). In this model community conferencing is a process whereby the interested parties in a community problem are brought together and helped through by a trained facilitator to address problems and identify outcomes and agreements, the implementation of which is then monitored and reviewed.

In this model a number of stages is involved, each of which is necessary and integral to the overall process. They are as follows: -

- **Stage 1- Referrals**

Police, local authority, wardens, tenants and residents' groups, elected members, schools, housing, youth service, victim support etc.

- **Stage 2- Planning Meeting**

Referring agents and facilitators scope potential for conference, identify appropriate agencies/participants, set targets and monitor systems.

- **Stage 3- Preparation of Parties**

Allocate facilitators and tasks, risk assessment, contact, visit and assess appropriate parties and agencies

- **Stage 4- Preparation for Conference**

Share information; allocate conference tasks, book venue and resources, brief referring agents.

- **Stage 5- Conference**

Problem solving dialogue, option appraisal, formulation of action plan and timescales.

- **Stage 6- Debrief Meeting**

Write up action plan and appraise all participants and referring agents.

- **Stage 7- Monitor and Review Outcomes**

Follow up contacts, satisfaction survey and final conference report, close case.

Our notion is that we do need clarity about the different concepts and the differentiation between methods but that delivery may be from a range of contributors. The important point is that they are working together and respecting each other's positions and expertise.

As was clear from the previous chapter a good deal of cases from community mediation involving groups rather than individual parties appear to go through very similar stages. It therefore becomes very important to identify what is distinctive about community conferencing. The main differences seem to be: -

- i. Scale

Usually, but not always, the number of interested parties involved is greater than in mediation settings, and conferencing may range in size from a handful of people to 50 or more.

- ii. Range of Referring Agencies

As this may include a whole range of statutory agencies, non-statutory bodies, community groups, schools, and elected members, or indeed a mix of these, then the range may well be broader than with mediation.

- iii. Crime and Disorder Focus

Again there is overlap, but the focus is more likely to involve crime, and this may have implications for the role of the trained facilitator, and the terminology of perpetrator and victim may be more appropriate than parties.

In practice, though, many of the tools and principles used are similar to those used in mediation, including the search for measurable outcome.

Pioneering colleagues from Thames Valley Police have delivered training on the training of facilitators and the establishment of conferencing. Both have also contributed to interdisciplinary dialogue within the Mending Fences project. Clearly, community conferencing has huge potential. The 2005 ODPM and Home Office document 'Citizen Engagement and Public Services: Why Neighbourhoods Matter'<sup>(1)</sup> makes a telling case as to why regeneration, engagement and community cohesion may be achieved more realistically at a neighbourhood level. If this is the case then neighbourhoods and the agencies serving them need resilience and the capacity to resolve problems effectively. Similarly the implementation of Neighbourhood Policing, which is consistent with that vision, depends on a problem solving approach and a more 'listening' approach in police practice. Conferencing is likely to be a key technique, and will need to be consistently available. Clearly among other benefits it has the potential to provide local people with training in the role of facilitator, thus building local resource and resilience.

There are some implementation issues and some attendant risks: -

- The process needs to feel fair and consistent. Much of the early emphasis on facilitator training has been with police staff. Use of other agencies is very important.
- As is mentioned elsewhere in this chapter there is a danger that mediation schemes can be marginalised by the implementation of community conferencing, whereas they should be seen as key implementation partners, with a solid base of highly applicable skills. They will need support and resource though to play this role.
- Proportionality is as important in this area of work as in all responses to anti-social behaviour. Wherever possible problems should be resolved at the lowest level available. Often the mediative approach of a housing officer, street warden or police community support officer is sufficient, and staff from all agencies need to have this approach. Where this does not work community mediation should be used. Conferencing is more appropriate to larger scale, more complex situations, especially those where there is a significant crime and disorder component.
- Though there is a significant skill and method overlap with mediation, as this and the previous chapter demonstrate, there are some key differences, and mediation, in order to fulfil its potential contribution, needs to accept that community conferencing will involve more sharing of information, more feedback and a significant reparative element in many cases.

### **c. Restorative Justice and Anti-social Behaviour – Some Key Issues**

Restorative justice approaches have a developing role in the range of responses, and a number of settings and contexts may be involved, of which two areas of focus are especially important: -

- Involvement of police restorative justice staff in police focused settings, and some good examples are given in 'Community Problem Solving and Neighbourhood Policing - Meeting the Challenge?'<sup>(2)</sup> by Andrea Hughes of Thames Valley Police, in her thorough review of activity in the force area (For more information see the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html)).
- The work by Youth Offending Teams, including Referral Orders and the range of reparative work carried out by YOTs. The later chapter on work with young people includes some examples.

Mending Fences has done some work in improving the dialogue between mediation and the range of restorative justice practitioners, especially between Police RJ Advisors and mediation managers. This dialogue again demonstrates how much skill overlap there is and the extent to which misinformation and confusion undermine the prospect of collaborative working, skill sharing, and a coherent local pattern of provision.

In a practical way the main working distinction between restorative justice and mediation approaches is around crime and whether a situation can be clearly said to have perpetrators and victims. In many cases good quality assessment is necessary to determine whether this is the case. It really is important that individual referrers and anti-

social behaviour panels ensure that such an assessment takes place. Clarity about the respective contributions of restorative justice, mediation and community conferencing is vital if problems are to be addressed in a prompt and fair way. This means clear procedures, appropriate training and an inter-agency approach between partners, which involves voluntary sector agencies, and which can be communicated clearly to the public.

It does seem likely that community conferencing and restorative justice approaches will be further extended with government support and the work being undertaken by Crime Concern will help determine how best this is done. The Mending Fences project does indicate clearly that there is great potential, but that clarity between different interventions and an acceptance of the need to integrate them all will be extremely important if resources are to be used effectively.

### References

- (1) 'Citizen Engagement and Public Services: Why Neighbourhoods Matter'. Office of the Deputy Prime Minister and Home Office (2005)
- (2) 'Community Problem Solving and Neighbourhood Policing: Meeting the challenge? Literature Review and Case Studies in Thames Valley Police'. Andrea Hughes, Thames Valley Police (2005)



## **6. 'Grounds to Agree'**

### **A case study on the costs and benefits of mediation use in housing**

#### **a. Introduction**

The Mending Fences project has involved work with housing agencies and staff in a number of ways. Not only was there a housing dimension in the original scoping and review work, but housing staff have regularly been involved in the seminars and conferences which took place throughout the life of the project. The present section concentrates on a central issue in respect of mediation and anti-social behaviour – “does it work and is it worth the cost?”

Equivalent work was undertaken in West Berkshire involving Resolve and Sovereign Housing. A report of this work and also comments from staff in Oxford Citizens Housing Association are available on the Mending Fences section of our website ([www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html)). As well as evaluative work with three housing agencies, Mending Fences facilitated an event for housing staff in Oxfordshire in May 2005 in collaboration with Oxford City Council's CANACT team and Oxford Citizens Housing Association. The conference enabled housing officers and other key staff to think through the whole range of anti-social behaviour methods and, as ever, it became clear that frontline housing staff are central figures in coping with anti-social behaviour.

One of the key messages of Mending Fences in fact, is that frontline housing staff are a key resource in any strategy for coping with anti-social behaviour because of their capacity for early intervention, the expectations laid upon them by tenants and the level of engagement they frequently have with neighbourhoods and communities. Crime and Disorder Partnerships and policy groups dealing with anti-social behaviour ignore this at their peril. One of the difficulties is frequently how best can a number of housing agencies be represented, but ways need to be found through this.

#### **b. Reasons for the Study**

The Nuffield Foundation funded project 'Mending Fences' has been examining how the use of preventive and problem solving solutions can be developed more fully as an approach to anti-social behaviour. The work over the last two years has included a range of activities, but a central strand has been to explore the role of community mediation as a key problem solving option.

Mediation nationally has grown steadily since the 1980s, and now operates in a very wide variety of settings, including family work and commercial disputes. The techniques used by mediation agencies are well tried and tested, and the national body; Mediation UK has also introduced the expectation that all services will work towards accreditation and the Community Legal Service Quality Mark. In the Housing management field the use of mediation has been recognised as an important area of good practice for some time, and many local authority departments and Registered Social Landlords have contracts with Mediation services to take referrals, usually in respect of neighbour dispute or allegations of anti-social behaviour.

Apart from the substantial study conducted by Sheffield University in 1982, however, there has been surprisingly little written about how this work is funded, whether outcomes justify the funding, and whether the interventions could be assessed as value for money. The present study is one of three being carried out as part of Mending Fences, and attempts to answer some of these questions. Resources did not permit a complete study of costs and benefits, given the range of unit costs and variables, which would have to be taken into account. Enough information was available, however, to draw some conclusions about the work, and the factors, which seem most relevant to good practice.

We are very grateful both to Reading Borough Housing staff and Thames Valley Community Mediation for their contributions to the study. We hope that the findings are useful to both agencies in further developing their partnership, and that the study will also be of interest to other housing and community safety agencies.

### **c. Description of the Study**

The study focuses on the mediation referrals made to Thames Valley Community Mediation by Reading Borough Housing Department in the financial year 1<sup>st</sup> April 2003 to 31<sup>st</sup> March 2004. We read the available case papers on each case, including the correspondence, case notes and invoices. In this way we were able to track the referral process, the case management and the outcomes in each case, together with the costs charged to Reading Borough Housing Department for each case, within the annual allocation for mediation referrals.

During the study we met with a number of housing staff as follows: -

- Collette Baker: Policy Officer, Tenant and Property Services.
- Sarah Tapliss: Principal Nuisance Officer.
- Jane Warren: Area Manager.
- David Brown: Senior Housing Officer.
- Richard Gundry: Housing Officer.

The Co-ordinators for Thames Valley Community Mediation, Margaret Keys and Brian Haines, who had also been directly involved in a number of the mediation cases, were interviewed. Anthony Brain, Community Safety Manager and Rebecca Horne Anti-Social Behaviour Co-ordinator, from the Reading Community Safety Department, were also interviewed.

We are grateful to all who participated for their time, commitment and patience.

### **d. The Local Context**

Reading is a large unitary authority with its own directly managed housing stock of about 6,000 units, making it the largest housing provider in the borough. Though an area of very high prosperity and very low unemployment Reading has significant areas of deprivation, including local authority estates, which suffer disproportionately from crime and anti-social behaviour. Reading has considerable ethnic and cultural diversity, with a significant BEM population and a good reputation for its community relations.

Thames Valley Community Mediation is a small independent community mediation scheme, affiliated to Mediation U.K, and a member of the Thames Valley Community Mediation Consortium, a grouping of local schemes. It operates in Reading and East Berkshire, and the contract with Reading Borough Housing is its largest Service Level Agreement. For the year in question the budget for expenditure through TVCM on mediation from housing was £20,000, which was fully spent. TVCM is the sole contractor for the housing department. The agreement had been introduced several years earlier, and an initial in-house assessment after the first year had recommended the continuation of the agreement.

#### e. Analysis from the Case Material

Overall in the year 1<sup>st</sup> April 2003 to 31<sup>st</sup> March 2004 Reading Housing had 263 complaints of nuisance or anti-social behaviour and 48 were sent to mediation- a proportion of 18.25% of cases. Whether this could have been higher was beyond both the scope of the survey and indeed the budget allocation, but it seems to indicate that mediation was a substantially used part of the anti-social behaviour 'toolbox'. Because of the focus of this study we read only those cases actually funded from the year in question, which were 39 in total.

##### i. Behaviour Leading to Referral

As the terms 'nuisance' and 'anti-social behaviour' remain difficult to define closely, it seemed important to attempt some typology of the behaviour which led to referral, and generally how serious it seemed to be. The most useful typology to have emerged so far is that given in the recent Home Office Development and Practice Report, 'Defining and Measuring anti-social behaviour', (Home Office 2004). In summary main categories of behaviour are given, which are then divided into four core areas, as follows: -

- **Misuse of Public Space**, eg substance misuse, sexual conduct, abandoned cars, and vehicle related nuisance.
- **Disregard for community or personal well being**, eg Noise, rowdy behaviour, nuisance behaviour, hoax calls or animal related problems.
- **Acts directed at people**, eg Intimidation or harassment, abuse, voyeurism or threats. These behaviours may be on the grounds of race, sexual orientation, gender, religion, disability or age.
- **Environmental damage**, eg criminal damage, graffiti, damage to buildings, litter, and rubbish or fly tipping.

In many cases, the initial complainant had cited more than one type of behaviour. In some cases raising the complaint with a neighbour had resulted in retaliatory behaviour; and of course in some cases there were allegations and counter-allegations. Making a preliminary assessment of such complexities usually falls to the Housing Officer, and assessment and timing are key issues in housing management.

In the present study a note was made of all the presenting factors, whether they were the initial problem, a reaction, or indeed a counter-reaction. This means that for the 39 cases there are appreciable more than 39 types of cited behaviour!

## ii. Misuse of Public Space

In this core area there were the following instances: -

- Alcohol use: four cases
- Drugs: one case
- Parking: one case
- Car repairs and DIY: two cases.

In only eight cases out of 39, therefore, or just under 23% was the behaviour occurring in public or communal space, reflecting the fact that these are exclusively housing referrals. If Mediation access were extended across the local authority there would certainly be much higher figures.

## iii. Disregard for Community or Personal Well-being

Noise was a problem in 25 of the cases or 64%, reflecting the importance of this issue, both in terms of environmental health and anti-social behaviour. In three cases it was the only obvious issue, but in many more it was the presenting symptom of a more complex set of problems between the parties referred. The noise sources were quite wide ranging. While loud music and barking dogs were mentioned on a number of occasions, it was often the context which made the problem more serious for the complainant - especially noise late at night. In two cases it was alleged that noise had been used itself as a retaliation for other behaviour. The picture at referral, though, seemed very often to be of noise followed by retaliation from others - often threats or verbal abuse. In several cases recording or logging had been used previously, but these mediation referrals show some of the complexity which underlies many noise problems, and perhaps the need for agreement and understanding more than emphasising issues of evidence and enforcement.

As far as other community and well being issues were concerned, pet problems were mentioned on three occasions and shared facilities twice. A football banging against a fence was mentioned in one case.

## iv. Action Against People

In this core area of the anti-social behaviour typology there were 25 mentions, ie abuse, threats, harassment or violence was a factor in 64% of the cases. The biggest category was verbal abuse (15 cases), followed by threats (10), Harassment (9) and actual violence (5). Bullying both in respect of children and between adults was an alleged focal point in several cases. Mediation intervention in housing cases is sometimes rather simplistically described as dealing with neighbour dispute or neighbour nuisance, but in reality very real fear of violence or actual violence may be a factor. It needs to be noted that in this sample seven cases had involved the police at some stage (18% of cases) and this was usually because of alleged threats or violence. Racism was alleged in two cases.

## v. Environmental Damage

As with misuse of public space this core area featured much less. However, damage to property, ranging from plants to buildings and fittings was mentioned in four cases and

abandonment of rubbish in one. Again this reflects the fact that these are all housing referrals, and at present Reading does not have an authority wide arrangement for mediation referral.

#### vi. Some Behaviour Related Issues

Overall a reading of the case material suggested that in the vast majority of cases the behaviour certainly could be classified as anti-social behaviour. One case primarily involved mediation of a dispute between the housing department and the tenant, though problematic behaviour was also involved. Several cases reflected strong feelings over apparently minor behaviour, but otherwise the behaviour concerned and the level of dispute were serious or worse. This seems on the face of it to reflect an appropriate use of referrals and resources, but this issue is discussed in more detail later.

While formally speaking a housing officer was the referrer in all cases, there was considerable variation so far as the stage at which referral was made. Overall referral was made quite early and this was often related to successful outcome, as is reported later, but in seven cases there had either been significant earlier interventions, such as diaries, police visits or the involvement of other agencies, including Social Services, Mental Health and Substance Misuse services. In one case an injunction was already in place and possession proceedings were being taken in another. While early intervention may be timely and enhance the prospects for success, use of mediation at a later stage can work if the reasons are clear.

#### vii. Neighbours, Groups or Communities?

Typically two parties were involved in these referrals. Sometimes the parties would be individuals but often families. In eight cases, however, (20%) three or more parties were involved, and several cases the problems involved a number of people in the vicinity - up to ten in one particular case. Mediation's ability to use its processes in relation to a number of parties in a single case is sometimes not well known, and a later example describes how this can be effective.

Vulnerability was sometimes evident from the case papers. This was normally related to the alleged perpetrators rather than the complainants, as in the four cases where children's problems ranging from ADHD through to alleged neglect were involved. In one case the child had learning difficulties. Amongst adults alcohol featured as an obvious problem in four of the cases and drugs in one case only. Inter-generational issues occurred in three cases, and in all cases the complainants were elderly.

The problem behaviour concerned involved children or young people in 17 of the cases (44%). This may seem a relatively low figure, given the preoccupation with young people's role in anti-social behaviour, so in some ways this is an interesting finding, particularly when it is born in mind that in several of the cases involved allegations between children. It is clearly very important that careful assessment is done in cases involving children, not least because of the dangers of judging what 'reasonable behaviour' really is.

### viii. Outcomes

It was clear from the records in each case whether an agreement had been reached between parties, and because of a routine follow up undertaken by the mediation scheme some weeks later, also reasonably clear whether any resolution of difficulties had lasted. The aim of the Mediation scheme in each case was to follow established procedures in seeking the co-operation of parties and then setting up a face to face meeting where the issues would be worked at and then an agreed written agreement come to. Where face-to-face contact could not be achieved a shuttle process was used. The aim with shuttle contacts was also to secure an agreement. Agreements were often quite detailed and referred to specific behaviours and what the parties undertook to do about them. In this assessment of overall outcomes results have been graded as follows:

- Cases which could not be mediated

There were seven of these, 18% of the total. This sometimes meant that one of the parties was not prepared to be involved, and sometimes that they did not respond to contact requests.

- Cases where there was some progress

This occurred in 11 of the cases, just over 28%. This covered a range of situations, including several cases where the outcome was that one of the parties moved away. In one case involving mental health issues there was certainly some recorded improvement, but other council action was being taken to reinforce this. In one of the cases, which had involved the Police, there had been limited agreement but reasonably effective truce was in place and holding - an agreement to differ in effect. In the remaining seven cases either agreement had been quite limited, or there were signs of some subsequent breakdown in it.

- Cases where there had been clear agreement and apparent resolution.

There were 20 of these cases, 51% of the total. Cases were only included in this category where it was clear that there had been an agreement, and that this seemed at follow up to be holding. Interestingly a comparison of these cases against others did not indicate that they were necessarily cases involving apparently 'less serious' behaviour. As is the case with much anti-social behaviour seriousness is often quite a subjective matter anyway. A number of other factors are at least as important in determining prospects for a successful outcome. These are listed at the end of this section.

In one case only was the problem apparently resolved prior to work commencing. If this case is taken out of the calculations there was progress in 31 out of 38 cases, or 81.6% of the cases, and a resolution in 20 out of 38, or 54%. This is reasonably in line with nationally cited estimates of mediation success rates, but constitutes an impressive level of performance in Reading, given the nature overall of the cases.

### ix. Factors Associated with Positive Outcome

- **Prompt referral.** Case where the Housing Officer had not delayed in referring the case.

- **Robust referral.** Cases where the Housing Officer was clear and firm with complainants that this was a worthwhile option, which they should engage with. To be able to do this you need of course a confident understanding of the process and mediation's capacity, as well as confidence in the local authority's procedures.
- **Prompt pick up and contact by the Mediation scheme.** The records indicated that the norm was an initial contact within a few days and the initial visits quite quickly after that. This is clearly an important performance standard, and seemed to be a significant confidence factor both for housing staff and service users. This is a key capacity management issue for mediation schemes.
- **Effective case management and accountability.** Most of the intake work for Thames Valley Community mediation is undertaken by one worker, who has a great deal of dialogue with Housing Department workers. There was much evidence of this contributing to the overall case management. If a participant needed further help, for example Floating Support, this was indicated and feedback tended to continue through the management of the case. If the mediation approach is to work with certain disadvantaged or handicapped groups, such as the mentally ill, or those with substance dependence then this kind of practical approach seems to work well, not only in enabling the process to continue, but also in bringing in help, which can support settlements. Within the mediation field there is considerable debate about confidentiality and its boundaries. While this is an important issue an overly rigid approach can be very limiting. Common sense is called for, and this was very much in evidence in the work in Reading.
- **Good targeting.** With only one or two exceptions the referrals had been appropriate - that is to say they were serious enough to merit outside independent involvement but not so serious as to merit immediate statutory enforcement. This seemed to relate both to a well-informed referral group of Housing Officers, and the effective 'screening/moderating' role of the Principal Nuisance Officer, whose contribution is described in more detail in a later section.

x. Some Summarised Examples

- Two neighbouring families where the problems were to do with allegations about noise, particularly from children. The situation became very tense and angry. The family being accused of making excessive noise had two children with ADHD. There had been some Housing Officer involvement prior to referral. Mediation met with the complainant ten days after the referral and with the other family on the same day, with a face-to-face joint meeting taking place three weeks later. A four-point agreement was negotiated and a month later this was holding successfully. The case was therefore closed one month after the agreement was signed and two months after initial referral.

Costs: £175 x 2 for two visits to the parties and £250 for the joint meeting. Overall charge therefore £600.

- Two families living near each other but not immediate neighbours. The complainant said that a woman's partner was harassing and intimidating the complainant's son. There were counter allegations of verbal abuse, and that the son had been bullying the other party's daughter at school. The situation had been difficult for some time. The Police and Housing Officer had both been involved. Initial meetings were held with the parties separately, and then second meetings with both parties separately, which

succeeded in achieving a face-to-face meeting some eight weeks after the referral date. The young people attended the face-to-face meeting with their families and a six-point agreement was signed, which was holding well at the follow up contact a month later.

Costs: £175 x 4 for meetings with parties and £250 for face-to-face meeting. Overall charge £950.

- Letter of complaint to the council from ten families in an estate close complaining about the use of intimidating and threatening behaviour, including foul and abusive language by one couple. The case involved some owner-occupiers. Initial work involved consulting with the complainants with one of them offering her house to do this, and also helping liaise with the others. Meetings were set up with a prior commitment with those who could not attend agreeing to be bound by any agreement reached. After the initial meetings separate face-to-face sessions were held with the male and female parties, and this yielded agreements. The initial round of meetings was held two weeks after referral, and the face-to-face meetings held a fortnight after that. The follow-up contact a month later indicated that agreements were holding well and that the situation had considerably improved.

Costs: £175 x 2 for initial meetings and £250 x 2 for separate face-to-face meetings with men and women. Total costs £850.

- Two neighbouring families where the complaint was about the drunken and abusive behaviour of a male partner. Police had been called, and there had been a harassment warning. Soon afterwards a baby buggy had been vandalised and this incident was logged by police as criminal damage. There were allegations and counter-allegations of fighting, noise, shouting and ongoing threats. There seemed evidence that both families were noisy and volatile. Initial meetings were held within a week of referral, and a face-to-face meeting took place a week after that. An agreement was reached and the follow-up indicated that this was holding. There had been no subsequent complaints.

Costs: £175 x 2 for initial meetings and £250 for face-to-face meeting. Total costs £600.

- An owner-occupier had his house burgled and accused a neighbour's son. Mutual accusations followed and the son was charged; though the case was subsequently dropped by the Police. There were further allegations of Criminal Damage. There were allegations and counter-allegations of egg throwing and threatening behaviour. Meetings with the parties were held within two weeks of referral, and a face-to-face meeting was held three weeks after that, leading to an agreement, which had held subsequently, and the case was closed

Costs: £175 x 2 for initial meetings and £250 for face-to-face meetings. Total costs £600.

- Four parties altogether, two of them elderly women complaining about the behaviour of an elderly man who had moved in. He was accused of making threats, causing damage, attacking a dog, and being noisy, part of this being to do with his undertaking

DIY in shared public space. There had been some police involvement. It was not possible in this case to get as far as a face-to-face contact, but shuttle mediation was used, and an agreement was reached in this way. The initial meetings took place two weeks after referral, and the shuttle negotiation took place a week after that. There was some progress and the situation did quieten down, but there remained some residual problems.

Costs: £175 x 2 for initial meetings and £250 for the shuttle negotiation. Total costs £600.

- Two neighbours, with one alleging harassment, threatening behaviour and noise, including threats to kill and cause damage. Alcohol was clearly a factor, and the problems included arguments about boundaries. Initial meetings were held a week after referral, and a face-to-face meeting was set up for ten days later, but this failed and had to be converted to a shuttle exercise. An agreement of sorts was reached, but the complainant became ill and had to go into hospital, very unhappy about the situation. While there was some progress there was not an overall resolution, and the problem centred on the perpetrator's limited co-operation and alcohol problems.

Costs: £175 x 2 for initial meetings and £250 for a shuttle negotiation. Total costs £600.

- Two near neighbours. Complaint was about an 11 year-old son allegedly running over on a bike the three year-old son of the complainant, injuring the child's legs. Threats and counter threats followed, including violence and the Housing Officer had met with both parties. An initial meeting was held with both parties, but the face-to-face meeting failed, as one party did not attend. The matter was not resolved, but the complainant seemed to derive some benefit from the contact, and matters were finally resolved when one party moved away.

Costs: £175 x 2 for initial meetings and £175 charge for the failed face-to-face meeting. Total costs £525.

- Two neighbours. Some mental health and drug issues on one side. Allegations of leaving rubbish, and making noise. The alleged perpetrator had a mental health worker. The Housing Officer became involved and initiated the use of diary sheets. The Housing Officer sent a letter to the perpetrator, and a councillor also became involved. It was agreed that noise-monitoring equipment would be used. On the mediation side the initial meetings were held a fortnight after referral and a face-to-face meeting was held three days after that. Follow up revealed some improvement, though the council also indicated that it was considering other action.

Costs: £175 x 2 for initial meetings and £250 for the face-to-face meeting. Total costs £600.

- Two neighbours. Allegations about loud late-night noise and subsequent threatening behaviour and verbal abuse. Matters had been reported to police twice before. One party was quite resistant to the mediation process and proved difficult to contact, with much avoidance. In due course a shuttle negotiation took place and there was an agreement. There was some progress and an uneasy truce appeared to be in place.

The initial meetings were held ten days after referral, an initial and one sided shuttle two weeks after that. A shuttle to both parties took place one week further on.

Costs: £175 x 2 for the initial meetings, £175 for the failed shuttle, and £250 for the shuttle. Total costs £775.

- Three near neighbours, where one party with four children, a single mother, was the object of complaints over the behaviour of the children, noise, abuse and threatening behaviour. This was a complex case in which as well as allegations of neglect the mother had been recently charged with an offence against a 14 year - old boy who visited the house. One of the main issues was of youths visiting the house in groups because of the alleged lack of control over the woman's 15 year - old daughter. Police had been actively involved and it was planned that the family Social Worker would support the woman through the mediation process. A number of management options were considered and a first round of meetings was undertaken, but at that stage it was agreed by all agencies that the case was not mediatable and the process went no further. Overall this was an ambitious referral, and the factors which seem to have rendered the case not mediatable both because of the adamant attitude of the complainants that only a move would satisfy them, and the fact that a court case was pending.

Costs: £175 x 3 for initial meetings. Total costs £525

#### **f. Some Considerations on Costs**

Not all mediation schemes charge the same, and of course Service Level Agreements with housing and other funders will include different requirements and expectations. In the case of Thames Valley Community Mediation, as indicated in the examples quoted, charges are standardised by the type of intervention and a straightforward case involving two parties and a face-to- face agreement seeking session will come out at £600. Cases may cost less or more depending on the willingness of the parties or the complexity of the case. There is no specific charge for the set-up of the case, not for the other overheads involved in case management and these are included in the overall costs.

It is hard to estimate what savings a successful mediation intervention might provide for the purchaser. Earlier studies have suggested that mediation can achieve some savings overall. Certainly the Housing staff interviewed for this study all felt that their time was saved, enabling them to undertake other duties, and they all stressed the time consuming nature of dispute work, where all parties tended to see them as a source of authority that should be able to resolve matter in their favour. As well as time saving, they felt that they were saved considerable stress. They felt that they could trust the mediation scheme on speed of involvement, and keeping them informed as necessary.

Clearly unresolved disputes and problematic behaviour do have a range of other costs, which satisfactory settlement can offset. These go beyond time savings for the housing officer referrer, and may be considerable, as follows: -

- Legal costs for case which are not settled and go on to enforcement action. This could include both notice, repossession, or indeed costs incurred in obtaining Anti-social Behaviour Orders, in extreme cases.

- Direct costs to other services. This would include both police time, and input of time and expertise from other council services - notably environmental health and social services.
- Indirect costs to other services. Work arising from unresolved dispute and anti-social behaviour is associated with a range of other calls on public service time and expertise. Examples would be higher health demand, and extra calls on social services.

In considering whether the present arrangement could be regarded as 'good value' for Reading a number of performance issues are relevant. If performance changed in these critical areas then this would reduce value. The two main factors seem to be as follows: -

- A very high rate of appropriate referrals. This is achieved by monitoring through the Principal Nuisance Officer, and by regular training and briefing contacts undertaken by Thames Valley Community Mediation. This is not charged for specifically, and is seen as being mutually advantageous in securing both quality and quantity of referral.
- High success rates. This is achieved by prompt pick up of cases, and by the high quality of work undertaken. Recruitment, training, supervision and support of skilled Mediators take time and skill. Such commitments are significant core costs to the provider.

There does seem to be evidence from this study that having access to appropriately used good quality mediation provides significant benefit to the Reading Housing Department, not only in time and energy, but in quality of service to tenants with problems.

The charges made by Thames Valley Community Mediation are broadly in line with charges by other schemes within the region. Mediation provision is sometimes purchased on a price basis alone. This is a difficult area, but important points for purchasers to bear in mind are the skill levels of the provider and their sustainability. Like other community mediation schemes in the Thames Valley, TVCM is a member of Mediation UK, and is signed up to a commitment to working towards the Community Legal Service quality mark. To aspire to this an organisation will need to comply with detailed requirements on process, management, supervision and audit. This does involve considerable management and core costs, which will have some impact on unit costs within Service Level Agreements. Best Value of course does not mean the cheapest, and this is as true of mediation as anything else.

It is curious that for some reason costs benefit questions have tended to be addressed to mediation provision rather more than to other approaches. Perhaps this is because public service is often reactive rather than preventive, and because costs are possibly concealed within an overall wider budget. Perhaps this is also because mediation is delivered from small independent agencies rather than being housed within statutory supervision. Overall, though, the case can be made that there is considerable cost benefit, if the conditions are right. The Reading approach which is to have a budget developed around likely numbers and average costing does seem more appropriate than the block grant arrangement which still exists in some areas. It takes good liaison between the purchaser and the provider to make this work efficiently and an important principle is for the purchaser to take responsibility for ensuring an adequate flow of referrals. There are elsewhere service level agreements where the mediation provider has had to gear up for the work and hold staffing resource ready, but then has no recompense because funding is actually paid on a case by case basis. The answer would appear to be a formal

agreement about retainer expenditure so that the provider is not subsidising low referral levels. Clearly it is important that the mediation provider prices work carefully and it may be that in the present figures there is an underestimate of administrative and management costs. Those figures and overall figures are likely to vary somewhat from area to area. Within the government's 'change up' framework a principle of full cost recovery does seem essential in developing a more coherent funding relationship between agencies dealing with anti-social behaviour and voluntary and VCS providers like community mediation.

On a wider basis there is a major issue about mediation schemes and core costs, which are proving increasingly difficult to sustain across the country. Certainly a bigger SLA across the whole local authority and CDRP in Reading would help, but there is also a case for core support funding from central government, an issue which Mediation UK has been raising for some time. Community mediation makes a relevant contribution to the agenda of at least four departments - the Home Office; ODPM; Department of Constitutional Affairs, and Health. The diversity of work may mean that responsibility falls between them all, but there is a case for joined up central support, not least because mediation might then be made available free to the public.

## **g. Housing Department Views and Policy Issues**

### **i. Housing Managers**

The housing managers who contributed in interview said that a major benefit of mediation was the avoidance of costly legal cases, and that quick speedy resolution was valuable for all concerned. It was recognised that housing officers needed to 'sell' the process and provide reassurance, and that for this reason they had included mediation in both the leaflet to tenants on nuisance, and a special leaflet about the mediation service. Managers showed much confidence in the professionalism of the scheme, and the individuals managing TVCM.

There was recognition of some of the boundaries, including severity of behaviour, violence and so on, but overall a perception that the scheme was able to deal well with a diversity of need and presenting problems. Mental health was seen as a difficult area, where careful initial assessment was needed, and similar considerations applied to substance misuse cases.

Nuisance and anti-social behaviour work was seen as taking up an increasing amount of Housing Officer time, and this seemed to relate to generally lower tolerance levels as much as a deterioration in overall behaviour. These issues took up at least 10% of a Housing Officer's time it was estimated.

### **ii. Housing Officers**

The housing officers who contributed were very positive about the scheme, and felt it was a considerable time-saver, though much depended on their initial 'sell' to complainants. It was felt that having the leaflet available was particularly helpful.

Training and updating on mediation was seen as helpful, and it was felt that this was not only important for all new staff, but as a regular refresher within the department.

Housing Officers worked closely with Area Beat Police Officers and this was a key connection for them. Area Beat Police Officers were also generally aware of the scheme, and positive about it, though they seldom had direct contact with it.

It was felt that mediation coped well with some forms of racial tension, and at the lower levels of race issues this was an appropriate option.

### iii. Principal Nuisance Officer.

This seems an important role both in the management of the contract and in helping to achieve the right level and type of referral. The point was made that the contract is with the housing department and that at present other departments did not have a provider, nor did the community safety department for anti-social behaviour purposes. It was felt that the work could usefully be broadened into these areas, and efforts were being made to secure funding. Mediation as part of a package involving housing support was also seen as potentially valuable.

A monthly meeting was held with TVCM, known as the mediation meeting. This allowed a review of cases and a check for possible referrals, and was seen as a very useful way of monitoring progress. The good level of trust and the good contact with the TVCM lead were seen as central to the effective functioning of the scheme.

## **h. Community Safety Perspective**

Both the Community Safety Manager, and Anti-Social Behaviour Co-ordinator also contributed helpfully to this review. Both echoed the views of housing staff on the importance of referrers 'selling' the idea to complainants and often to perpetrators as well. They felt that the Nuisance Officer did play an important gate-keeping role on referrals.

From the community safety perspective they did see mediation as an essential part of the toolkit of interventions, but pointed out the current pressure on resources and the difficulty in funding an extension of mediation cover across the local authority. Efforts were continuing, however, and a bid had been made to GOSE for some initial money to broaden access. While most RSLs had provision for housing work there was no funding for private tenancy or for owner-occupiers. Similar problems applied to cases involving public open space. Potentially the role of mediation could be much broader. Overall it was hoped that the Borough and its CDRP could approach mediation use on a more corporate basis.



## 7. Using Mediation in Cases of Racial Tension Two Pilot Projects

*"Mediation is a brilliant tool to resolve things – it helps change attitudes."* Police officer.

Thames Valley Partnership provided some project funding for the two mediation schemes in Oxfordshire and Milton Keynes to develop new approaches for anti-social behaviour cases where there is a racial element, and to develop the skills/expertise to provide a preventative service based on conflict resolution. The use of mediation in cases of racial tension was also discussed with the mediation schemes in West Berkshire and Luton, with referrers, funders and other key partners. The section starts by reviewing what these people said about racial tension and mediation.

Mediators and referring agencies in the Thames Valley reported a relatively low number of racial tension referrals. There were a number of reasons given for this: some practitioners were working in areas where there were low numbers of minority ethnic people and experienced few racial tension problems. However most found that the reasons for non-referral related to sensitivities around reporting racial tension, and the fear of recrimination. In a number of cases however, although racial tension was not the primary reason for referral, it was an underlying issue. When referrals were made it was often too late and the case had become too serious for mediation.

### **a. Patterns of Racial Tension Behaviour**

Some difficult issues are involved here. Policies and definitions concerning racial motivation and crime rightly make it clear that the perception of the victim and the impact of behaviour on the victim are central to determining whether the offence was racially motivated and how serious it was. Quite rightly, similar views are held about disorder, and housing providers have clear statutory responsibilities so far as the behaviour of tenants is concerned. During the period of Mending Fences concerns were expressed that the available powers were not always used in an appropriate or prompt way. Since there continue to be major concerns therefore about race, conflict and communities, it may not be surprising that some referrers are concerned in this context about 'getting it wrong' by referring to mediation rather than taking enforceable action.

Assessment is clearly crucial and it is all too easy to downplay racist attitudes and behaviour by suggesting that conflicts are only to do with cultural difference and poor communication. However, the experience of mediators does suggest that there is a range of behaviour around racial tension which can effectively be tackled by mediation in a prompt, business like and effective way which can work to the advantage of all concerned. The purpose of the pilots was to find ways of enhancing this contribution and improving referral rates.

Comments from mediators indicate some of the complexities: -

*"It's not just a case of black against white; incidents are just as likely between black and Asian people."*

*"You have to ask how it is being seen on both sides. "The perceptions will fuel the behaviour. Getting people to understand can dispel a lot of fear and anxiety."*

*"...There can be a lot of verbal – comments made over the fence - wanting to put people down. It's more that people aren't getting on."*

**Communication** problems are often the key issue – associated with language and cultural differences.

**Cultural differences are important** - Some minority ethnic people may face more harassment than others, it was felt Asian people experienced greater problems: -

*"...the African Caribbean community have been around for longer, and can be more approachable. People can relate to them more easily because they have positive things attributed to them eg music."* Racial Equality Council worker

It is often more to do attitude: -

*"It's all about people's perceptions – trying to change people."  
"When attitudes are too ingrained then it's difficult to mediate."*

Some contributors to these studies identified problems with professionals from statutory agencies who could be set in their ways, find change difficult to accept, or in some cases exhibit racist attitudes themselves.

**Racial tension may be an underlying issue** – Race may not be the primary problem. It is often not overtly mentioned, although mediators may pick it up as a problem.

Mediators felt it was important to be on the lookout for racial tension, and to enquire about it, if it was felt it could be relevant. Whilst using mediators from an ethnic minority background was seen as useful, experience as a mediator, and an understanding of cultural differences were seen as more important.

## **b. Do Problem Solving Approaches Relate to Race Issues - Does Mediation Help?**

*"It's useful where things have become entrenched."* Beat Officer  
*"Perceptions can be challenged – that's why mediation is helpful."* Mediator

Referrers, funders, and other partners believe mediation is a valuable intervention in relation to racial tension cases, and an independent service was highly valued. The majority of people questioned also saw mediation as offering value for money: -

*"It's worth doing from a cost effectiveness point of view – if things reach ASBO stage it's extremely expensive."* Community Safety Manager

The case examples quoted in the previous chapter indicate the range of contribution which mediation can make.

### c. Problems and Key Issues

Mediation staff and their partner agencies identified a number of key issues that impacted on service provision and development: -

#### i. Referrals

*“Early referral is key. Mediation should come in early – problems should be dealt with before they become an issue.”* Community Race Relations Officer

- Cases being referred too late was a common experience, and one that mediation staff experienced major problems and frustration with – many cases were left for far too long, and if cases were referred it was often felt it was too late and they had become too serious for mediation. This was supported by other agencies, eg a REC who experienced similar problems
- Referrals from the police, housing associations, and Racial Equality Councils were generally low despite these agencies being seen as key referrers. The reasons for this seem complex but include lack of awareness, a feeling that those concerned should be tackling the problem themselves without calling in outside help, and in the case of racial tension a mistaken view that this might be outside the normal scope of mediation work. *“...Are the police really considering mediation, are they considering it early enough and at the right time?”*

#### ii. Raising Awareness and Understanding

Mediation needs wider promotion and advertisement. Raising awareness and understanding with other agencies and the public is a continuous process. A particular problem for mediation schemes providing training to other agencies was staff turnover; no sooner had they conducted training with key agencies and individuals than these people moved on. Groups identified as needing greater understanding and awareness included the police, housing associations and schools.

#### iii. Training for Mediators

Training about the different cultures was an important area but the low number of referrals and the range of different cultures made this difficult to achieve within the setting of a single scheme. It was noted that interpreters also needed training about the process. Development of expertise among the mediator group was slowed down by the low number of referrals.

#### iv. Funding

*“One of the problems is that mediation has never got very high up the Government Agenda.”* Community Safety Manager

Within the pilot projects concern was expressed about difficulties over funding including short term project funding. These issues are raised elsewhere in this report but certainly have an impact on the capacity of mediation schemes to tackle racial issues.

#### **d. Good Practice**

A number of areas were identified as underpinning good practice: -

##### **i. Early Intervention**

Mediation should always be considered or used before applying an ABC

##### **ii. Increasing Understanding and Knowledge About Race Issues, Immigration and Asylum Seekers**

The pilot projects confirm that there is a major need for awareness raising with key agencies and the general public about the contribution being made to society and the economy by black and ethnic minority communities. Mediation schemes could contribute valuably to this.

*“Especially for young people about what race is, the positive skills immigrants have etc.”* Racial Equality Council worker

##### **iii. Strong Relationships and Partnerships**

- Good relationships are key – and should include the police, Victim Support, local reporting centres, REC, community organisations
- Need to approach people in different ways, leaflets and videos are valuable, but for some, phone calls or face-to-face contact is best
- Develop relationships with minority ethnic organisations within minority ethnic communities eg mosques, community centres, voluntary organisations – and encourage them to act as reporting centres
- Mediation schemes need to regularly attend relevant multi-agency meetings and have regular input into cases referred
- Some agencies shared buildings with key partners, and as a result had close working relationships, and more direct referral routes
- Have local people in local communities informing and raising awareness about how to deal with racial issues, and using mediation

##### **iv. Diversity**

*“To have credibility mediation schemes need to be reflective of the community they are working with.”* Mediator

- Having mediators from different ethnic backgrounds provides opportunities for mediators to learn from each other
- Having mediators from the same background/culture as those involved in the mediation process helps to develop trust

## **e. What Needs to Develop in the Future?**

The main priorities appear to be: -

- More reporting centres for racial harassment placed in local settings and more familiar faces for people to report incidents to. Information about mediation should be available in these settings.
- Clear protocols for use of mediation involving the Racial Equality Council and other services.
- Improved training on racial tension work for mediation, key agencies and interpreters.
- Specific resource devoted to use of conflict resolution in racial tension.

The rest of this chapter give an account of the two pilot projects funded by Mending Fences. At an early stage it became clear that while community mediation schemes, especially in areas of strong diversity, were dealing with cases which had an element of racial tension or racism there was no apparent expectation that any cases overtly reported as involving race should be referred. This is a difficult area as, rightly, racist behaviour in housing and other settings is seen as serious and potentially meriting enforcement action. In this context mediation with its emphasis on conflict resolution between parties could well be an inappropriate approach. In reality though, diverse communities have significant numbers of lower level interpersonal problems around racial tension which can effectively dealt with by mediation as illustrated in the previous chapter. Both pilots were set up to explore how a mediation response might be developed in two distinct settings – Milton Keynes and Rosehill, Oxford. The projects developed two very different approaches, but some common themes emerged.

## **Case Study 1: Building Capacity**

### **Milton Keynes Community Mediation Scheme**

The Milton Keynes Community Mediation scheme (MKCM) started in 1992 and over the last thirteen years has developed a positive reputation in the area. Good relationships have developed with key agencies, which value highly MKCM in terms of the service it provides in relation to anti-social behaviour work, and its cost effectiveness. But like many small mediation services MKCM struggles for funding, and for recognition.

The majority of their mediators are voluntary, and over the last four years MKCM have recruited and trained seventy. The team currently has four minority ethnic mediators. The scheme has a caseload of around three hundred cases a year.

#### **a. What Are the Needs?**

There are a growing number of minority ethnic people living in Milton Keynes. In some areas of the city in recent years, the figure has risen from 3% to 11%. Milton Keynes has several disadvantaged communities, such as the large Lakes Estate – one of the early estates, which took London overspill in the 1970s. The buildings, housing and general environment are poor. Agencies view racial tension on the estate as a substantial issue but reporting levels are low.

#### **b. Pilot Aims**

- To build capacity by training young mediators – mixed ages, genders and background
- To use mediation to tackle underlying racism
- Undertake more work in potential anti-social behaviour areas
- To raise awareness of how mediation can help in racial tension cases – and ensure the service is widely available to those who need it
- To develop useful skills for the community as well as for individuals

A key part of the plan was to develop peer mediation at Radcliffe School – a school on OFSTED special measures, which was set within a disadvantaged Milton Keynes community. Experience has taught MKCM that when young people are trained in mediation, it has knock on benefits; young people they have recruited have developed positively in many ways, gaining confidence, and social skills.

#### **c. Partnerships**

Key partners included: -

- Referrers – the police, housing services, Anti-racial Harassment Group, Community Safety Group, schools, Street Wardens, and community workers
- The community

#### d. What Was Already Happening?

A number of key structures and protocols were already well established, including: -

- **Anti-racial Harassment Group (ARHG)** – an established multi-agency group. All reported racial tension cases go to ARHG, who keep a record of all racial incidents, and determine what help is needed.
- **Reporting Centres** for bullying are located in schools and an anti-bullying officer works in three schools, including Radcliffe School.
- **Community Safety** – there is an active, and well established community safety group, and an Anti-social Behaviour Co-ordinator who has been in post for two years. Good systems are in place for anti-social behaviour and racial harassment.

All racial tension cases have to be referred to mediation first, before going to court.

- **Warden Scheme** – wardens are dealing with racial incidents as part of their work.
- **The Milton Keynes Council Quality of Life Strategy Group** - meets regularly to review anti-social behaviour; the MKCM manager attends and regularly reports to the group.
- **Raising awareness/training** - Community safety, the police and Milton Keynes Racial Equality Council (REC) have been jointly running training, as reporting centres for racist incidents. Mediation features in the training, but possibly not enough.

MKCM has well-established principles and protocols in place: -

- Mediators are chosen according to need in relation to each case
- A translation service is used when needed
- Monitoring – cases are followed up to assess progress
- Good multi-agency working/relationships
- Provide training on mediation and cultural diversity for their mediators and referring organisations.

#### e. How Did the Partnership Work Develop?

MKCM recognised the importance of multi-agency work, and the need to strengthen relationships between agencies and groups such as the ARHG, the REC and the police. It was acknowledged that some partnerships needed further development work, especially those where the attitudes of staff had been hard to change, and cases had been referred too late.

Throughout the year meetings were held and attended in order to build relations and identify issues and actions. Some training and awareness raising work was undertaken including an inter-agency event.

## **f. Peer Mediation at Radcliffe School**

In the autumn peer mediation training was set up at Radcliffe School, which had the highest ethnic minority community in Milton Keynes. An experienced mediator worked with children, teachers, parents and governors to provide training, co-ordination, and support mediations. Time was spent during the summer, negotiating with the school, and informing staff and students through special assemblies, posters and leaflets, and presentations to teachers. The process of introducing mediation to the school was made fun, and interesting.

Five young people were trained in peer mediation (three hours, one day a week). Adult supporters (support staff, teachers, parents and governors) received the full mediation training. Once the scheme was established: -

- Monthly meetings were held with the children and adult supporters to review and refine the scheme
- A daily rota was kept to alert the peer mediators to new cases and identify the individual who would mediate
- A letter was sent to all those referred to mediation, explaining what it was, and asking for the parent's signed agreement
- Peer mediation – two peer mediators present, and one adult supporter in a training/observation role

## **g. Outcomes**

### **i. Partnership**

- It was anticipated that four or five racial tension cases would be seen during 2004. In the event MKCM dealt with twelve cases that had a racial tension element. The majority of these were successfully mediated.
- Building relations and multi-agency work - stronger partnerships and greater understanding was developed with key groups including the REC, and ARHG.
- For MKCM the project created greater awareness around racial tension issues.
- MKCM held a Raising Awareness event in the autumn to which a range of agencies was invited. The event went well, but not many people attended who weren't already 'enlightened.'

### **ii. Peer Mediation**

After the first term, the young people and adult supporters were asked to evaluate the scheme. At this stage six peer mediations had been undertaken: -

- Young people and adult supporters at the school see peer mediation as a valuable development, and are keen to continue, and build on the scheme.
- The training was rated highly
- The monthly meetings were valuable – to review, reflect and agree action. The meeting the evaluator observed was open, and honest – young people and adult supporters met on an equal basis, and both contributed their views
- To make the scheme sustainable it will need senior management support, and more adult supporters and peer mediators need to be trained

- Practical arrangements are being reviewed to find the best way of embedding the scheme and ensure a close fit with the PHSE curriculum.

## **h. Key Issues**

### **i. Raising Awareness**

Getting people to understand and become involved in mediation work is seen as key, and more needs to be done. Some felt that both the ARHG and MKCM did not promote themselves enough, and felt there needed to be more marketing/publicity at the grassroots level. The importance of communicating to residents that mediation is a good idea, and that workers who pick up neighbourhood problems, need the confidence to sell the service was raised.

### **ii. Early Intervention**

The importance of early intervention was stressed many times by mediators, and other agencies.

*"It's easy for cases to get blown out of proportion."* Housing officer

### **iii. Referrals**

The low number of referrals from other agencies, and the frequency of them being referred too late, was a constant frustration for the MKCM manager. It seemed that agencies were reluctant to hand over referrals. Although both the police and ARHG were seen as key referrers, few were made during 2004.

A Milton Keynes Council Housing Officer felt housing workers could overlook mediation even though its use could make their lives a lot easier.

A problem affecting police referrals was attributed to the number of new recruits who had been taken on with little knowledge of mediation. It was also thought that the police could feel that they have got to 'sort things out', and that they often deal with major problems and: -

*"...find it difficult to deal with seemingly minor issues. The problem is due to a lack of understanding and knowledge."* Community Race Relations Officer.

### **iv. Multi-agency Work**

*"Mediation has never really been mainstreamed into ARHG."*  
Community Safety Manager

It was felt that mediation had an important role in disadvantaged communities, but should be part of a package of measures to address problems. Sharing information between agencies was seen as key, to identify needs, prevent duplication, and ensure a co-ordinated approach.

v. When and at What Point is Mediation Needed?

It was felt that mediation should always be considered/used before applying an ABC.

There is a clear need for early referral to mediation, but knowing when to refer presents problems. Community safety staff and the Community Race Relations Officer were asked about this, and whether the increasing development of Housing Associations dealing with tenants' problems in-house would reduce referrals to mediation. There was a strong belief in the need for independent mediation services:

*"When it's a very minor problem, then in-house does work, but if the police/other agencies have got involved it's very different. If it's in-house you will be in a position where you are open to bias - the independence of mediation is absolutely vital."* Community Race Relations Officer

*"We have an issue with youngsters playing football in the street in a neighbourhood of mixed housing. The elderly people got upset, and then the young people became more aggressive. Mediation was involved but at that stage the older people didn't want it, they wanted the behaviour stopped. It should have come in earlier."*

vi. Cases Involving Racial Tension

The presenting problem is often non-racial, but emerges as an underlying problem. It can therefore be difficult to quantify the extent to which racial tension is a key issue.

*"An African family were experiencing tensions with their neighbour. The neighbour's wife had died, and he blamed the African family for her death. He had been having problems with them about cutting branches from a tree. There were strong feelings about boundary/property issues, but also strong opinions about racism. Since we became involved he's stopped being abusive, but there is still a feeling that a lot of underlying feelings need to be addressed."* MKCM manager

vii. Attitudes

Changing people's attitudes is key in getting people to accept mediation. The attitudes of some professionals, and the public, can create serious barriers; problems include stereotyping and making incorrect assumptions. It was recognised that cultures can be entrenched, people can have strong cultural identities and don't want to mix, and there can be problems changing entrenched opinions ... especially with people who have very fundamentalist religious views. People find it hard to accept different lifestyles than their own.

### viii. Training

More training is needed for mediators, and referring agencies. Mediators need a good understanding of cultural differences – eg Asian women not having eye contact can appear as if they are disinterested, head wagging may look as if someone is uncertain or saying no.

A major problem is resourcing – training volunteers costs money.

### ix. Monitoring

One of the problems with monitoring racial tension cases is that they are difficult to isolate. Longer term monitoring is needed.

### **i. Future Plans**

Experience from the pilot project led MKCM to a number of priorities and proposals for future work: -

- Community safety could usefully set targets for dealing with racial tension
- People in disadvantaged communities need to be better informed about options – MKCM thought that a focus on Wolverton/Radcliffe over the next three years would be appropriate
- Closer working with REC and regular attendance at ARHG meetings
- MKCM will seek more mediators from minority ethnic backgrounds
- Training could be done on a joint basis, especially with ARHG
- Referral training for statutory agencies and frontline officers was very important
- Building the funding base to support extension of this work needed to be a priority

## Case Study 2: Working with Racial Tension in a Disadvantaged Community

### Mediation Oxfordshire

Mediation Oxfordshire was established in 1995 as an independent charity. The organisation employs twenty-one mediators (five paid and 16 volunteers), and the scheme works with approximately two hundred cases a year. 2% of all cases cite racial tension as the main issue and in quite a significant number of cases it appears as an underlying issue.

Mediation Oxfordshire (Medox) has had a difficult time over the last year due to a funding crisis. So the pilot came at a demanding time, and progress on it was often interrupted due to this pressing funding agenda. The lack of referrals in the early stages, led Medox to take a new approach, which turned out to be a valuable capacity building exercise, and strengthened the community development aspects of the pilot.

#### a. What are the Needs?

*“There is genuine concern that the community in Rose Hill find it difficult to find the right community links, as an estate it doesn’t engage.”* CANACT manager (Oxford City Crime and Nuisance Action Team)

Rose Hill is a disadvantaged community on the outskirts of Oxford City. It has a high proportion of social housing, a high turnover of residents, and a high black and ethnic minority population. Prior to the employment of Street Wardens, the City Council had held discussions in response to concerns that there were some deep-seated, traditional, and long-standing racism in Rose Hill, but that it was ‘hidden’. Gangs of vigilantes and youths had been reported on the estate, and although some individuals had been identified as the cause of anti-social behaviour, none were attached to an organisation that might positively intervene. There is also a sense of optimism that things can change in Rose Hill.

#### b. Pilot Aims

- To show that mediation can help in cases of racial tension
- Linking mediation and conflict resolution into the community development process
- To raise awareness of mediation – especially with other agencies
- To leave a structure in place to sustain the work

#### c. Partners

A wide range of statutory and voluntary organisations was identified who were working in or had an interest in the pilot area, including: -

- Sure Start
- Oxfordshire Racial Equality Council
- Oxford City Council - neighbourhood wardens, housing, CANACT and councillors
- Thames Valley Police – beat officers, community race and relations officers
- Rose Hill First School

- Community workers - youth service worker
- Housing associations
- Bangladeshi Association
- Rose Hill Residents Association

#### d. What was Already Happening?

It was felt that Rose Hill had a good infrastructure: -

- **Sure Start** was established in the area, was a reporting centre for racial incidents, and provided support to individuals through an Asian development worker.
- **Street Wardens** had started to work in the area.
- **Police** – the Community and Race Relations Officers (CARROs) were in the process of setting up a 'surgery' at Sure Start for parents to informally have a word about racial tension issues.
- **Agencies and Communities Tackling Racial Harassment (ACTRH)** – a multi-agency group looking at racial tension issues was in place.
- **Medox** had clear principles and protocols in place for working with clients: -
  - Mediation staff had cultural awareness built into their training
  - Protocols on referral
  - Monitoring and evaluation - there was an established system for recording, monitoring and evaluating cases.

#### e. How Did the Work Develop?

The Medox manager made contact with the key partners in Rose Hill, and beyond, to inform them about the pilot, and to seek referrals. Meetings were held with some of these individuals, and it was hoped that they would come back with some racial tension cases, but after several months none had been referred.

It was recognised that racial tension and conflict presented complex issues. It was anticipated that the majority of the cases Medox would see would involve issues about incorrect assumptions, insensitive language and conflicts rather than demonstrating overt and hostile racism. The Medox manager was clear that although seeking solutions between parties, the mediators would need to be quite clear that racist language and behaviour were unacceptable.

A mediator had been referred a case which had a racial tension element, but when this was explored both parties denied it. The white party were offended to have been called racist, stating that they had many 'coloured' friends and colleagues (a sentiment in common with other cases this mediator had experienced). The minority ethnic neighbour denied any racial element, stating that they saw the problem in terms of both their children's behaviour and associated parenting. Both parties felt they had used inappropriate terminology and language out of ignorance, frustration and anger, rather than any racist convictions.

It was agreed to develop some publicity materials for clients, and referring agencies.

The pressure on the manager's time in the early stages of the pilot meant that much of the groundwork became diluted. Although some individuals had been contacted, there had been little follow up, nor had there been any publicity materials sent out, which inevitably impacted on referrals. At the start there had been the suggestion to have a forum to look at the issues, and at this stage it was agreed that this should be the way forward. It was a wise move, it brought the community much more into the picture, and put a spotlight on the issues residents were experiencing.

There were some other important developments at this stage – the appointment of an administrator at Medox, thus freeing up some of the managers' time, and the recruitment of two new mediators with direct experience of racial tension work in Bradford, and in South Africa. Not long after two African Caribbean mediators were recruited. The manager also produced formal guidelines around referring cases involving racial tensions to mediation – including safeguards for victims.

A letter was sent to the key partners inviting them to a meeting; it explained that Medox had contacted agencies in the area, but the non-reporting of racial incidents, and a reluctance to pursue action had resulted in few mediation interventions. The letter invited people to come and discuss how to identify and support those being harmed, and move the culture towards greater understanding and tolerance.

In October the first of two well-attended meetings was held with the key partners.

#### **f. First Community Meeting - October 2004**

*"It's very difficult to get people to talk about this sort of thing."*  
Housing Manager

*"It's often more to do with cultural differences than racial issues."*

The meeting was held at Sure Start – a familiar setting, and was facilitated by the Medox mediator with extensive experience of working on racial tension in South Africa. The aim was to have a practical discussion on issues around racial tension in Rose Hill.

An interesting aspect of this meeting was the degree of difference about whether racial tension was an issue in Rose Hill. The police and the local councillors (one of whom was African Caribbean) were unaware of racial tension problems. The police schools liaison officer reported few racial tension incidents in the school setting, noting that pupils often chose to associate in cultural/racial groups, and that disputes between them if they did happen, were generally non-racial – it's just a case of young people not getting on.

However, the Sure Start development worker encountered racial tension problems daily: -

*"...it's often young people who are causing the problems – they target women and children when the husband has gone out to work."*

An Asian woman had been encouraged to attend by a Sure Start worker, and for the first time spoke of the problems her family had experienced. They had been terrorised by a

gang of young people, who had chased them, shouted or called them names, and spat at them. She was afraid to let her children play outside: -

*"...it happens all the time you can't ignore it, I don't know who to talk to about it."*

A range of racial tension issues was discussed at the meeting including the impact racial tension was having on the Rose Hill community, and how it might be resolved. It was agreed to hold a further meeting, convened by Medox, to take forward the ideas, and enable those who had sent apologies to have an opportunity to attend one of these meetings.

#### **g. January 2005 Meeting**

The purpose of this meeting was: -

- To build on the previous discussion
- Explore the process for reporting racial incidents
- Consider what can be done for the community to feel confident in reporting racial tension.

OREC provided an overview of the reporting process, and this provided a platform for exploring racial tension issues further.

#### **h. The Impact of Racial Tension in Rose Hill - What are the Problems?**

The main issues raised were as follows: -

- Mothers on the estate feel terrorised by children/gangs who chase and shout at them, and taunt them
- In some cases racial tension incidents had resulted in re-housing away from the area
- In some cases racial tension had a detrimental effect on people's mental health (isolation, fear, staying indoors, depression)
- Lack of confidence in the system: *"There's no point reporting it to the police as they don't take it seriously."* Resident
- People coming into the area such as taxi drivers have been subject to racial tension.
- There is a lack of capacity to tolerate difference and diversity
- The problem starts at home - young children come to school with attitudes that have already been formed
- It was felt that schools had a vital part to play in breaking down barriers, but people were unsure what schools or the local education authority were actually doing.

#### **i. Reporting Racist Incidents**

*"Getting people to report cases is a real problem. When people move to an area they need to know who to go to for information and help."* OREC

- The reporting process is not well understood by the public or agencies, the process is slow, and reporting forms aren't clear
- The Reporting Centres are not known to the public or agencies, and there need to be more

- The Agencies and Communities Tackling Racial Harassment (ACTRH) partners are not known to the public or agencies
- Difficulties with language and writing present barriers – eg filling in forms
- Most of the referrals to OREC come from the police. Why is there not more reporting from other agencies? The LEA collects information on racial tension but it is not shared with other agencies
- Lack of clarity around victim support - in some cases people have been reluctant to report incidents due to feeling unsupported (not sure who to turn to, unaware of street wardens) and fears of intimidation and repercussions
- Victim Support, OREC, police Community and Race Relations Officers (CARROs) and housing all provide support, but who does what, when, and how are they co-ordinated?

## **j. Action**

As a result of the conferences facilitated by Medox a whole range of proposed actions emerged and it is hoped they will be a strategy for the area on race relations and it is hoped that they will form part of the local strategy. The main areas and issues were as follows: -

### **i. Strategy**

- A top down inter-agency strategy is needed.

### **ii. Information Sharing and Raising Awareness**

- Share information through social/religious occasions
- Housing providers to proactively seek information about residents well-being rather than wait for them to report problems
- Housing providers to provide information to new tenants about the services they can turn to (police, wardens, housing, OREC, Asian Women's Help-line)

### **iii. Reporting**

- The community needs to be more aware of the reporting process, via leaflets, local newsletters and a poster campaign
- Streamline the process for reporting racial incidents – needs to be quicker, clearer, simpler, more flexible and less formal. Victims must be kept informed and supported
- A protocol on the process needs developing and sending to all agencies
- A list of reporting centres is needed, and of agencies who could become one eg GP surgeries, Street Wardens
- Efforts need to be made to develop the community's confidence in the referral process eg witness support must be clearly demonstrated
- Ask individuals to keep a diary of racial tension incidents – for those with literacy or language problems use a Dictaphone or ask the REC to write responses
- Surgeries run by councillors – encourage residents to attend to seek support and raise awareness of the problems.

iv. Multi-agency Work

- Encourage communication about racial tension between agencies in the area

v. Outreach

- More informal outreach eg a lunch club at Sure Start - CARROs and housing officers will attend regularly, to make themselves available to residents experiencing racial tension problems
- As part of the informal outreach to have speakers to talk about racial tension- eg police, OREC, housing.
- Support of victims needs to be by personal contact and rely less on letters. Use Victim Support more and aim to have more personal contact.
- Recruit more Black and Ethnic Minority Street Wardens

vi. Increasing Awareness, Understanding and Expertise

- More publicity – information, posters and activities. Use existing structures - resident association meetings, special occasions/fun days - encourage open discussion of the problems
- Housing authorities to educate residents on the broader issues that upset people
- Agencies need to be more aware of the OREC procedure through training
- Training on racial tension and diversity to develop tolerance and respect of different cultures
- Encourage local education authorities to educate young people on issues of respect, diversity, tolerance, and racism.

vii. Community Development and Involvement

- More involvement from resident and tenant associations, tenant participation officer
- Make an effort to get different communities to get to know one another better – using the community centre, or a local newsletter
- Events are needed to promote tolerance eg an annual multi-cultural party
- Build community confidence in the process, and demonstrate support for witnesses
- Involve families more – if racial tension issues come up in the school setting, arrange a meeting to discuss concerns
- Seek feedback from resident/tenant Association groups

viii. Mediation

- Use mediation to address low-level racist behaviour, and prevent non-racial disputes becoming entrenched on racial lines
- Use mediation to help people to talk to each other, and accept each others differences
- Use the City Councillor newsletter to highlight the mediation service
- Publicise the benefits of mediation in a range of languages.

## k. Key Lessons

The meetings proved to be a valuable way forward, both in identifying the issues, and in agreeing appropriate action. The key lessons from these meetings were: -

- **Informal outreach and communication within the community is a priority** - going to where people are, and creating opportunities through social/cultural events to find out people's needs and provide information on the support available
- **Victims of racial harassment need immediate personal support.** It is important that the victim is kept informed about the progress of their case
- **All agencies need to continue to strengthen the efficiency and effectiveness of the reporting process.** Strong leadership and co-ordination are essential.
- **Racial harassment is symptomatic of a wider lack of tolerance and respect.** Mediation has a valuable part to play in promoting greater understanding.

It was agreed to maintain the meetings. Medox and OREC would meet to discuss ways in which the ideas generated could be taken forward. Medox circulated the minutes, and participants were urged to follow-up the actions they agreed in the meeting. A template was also sent for agencies to update progress, which Medox agreed to co-ordinate and send out the collated information. At the same time, OREC provided information on the reporting process and ACTRH.

## l. Key Issues for the Medox Pilot

*"The project fell foul of many of the problems which hinder racial discrimination work – lack of reporting, lack of confidence in the system, lack of awareness of the problems, lack of joined-up working, which all added to a general lack of information and confidence in mediation."* Mediation manager

### i. Referrals

Low number of referrals, and cases referred too late: -

*"It soon became clear that the referring organisations were either not being made aware of or not picking up on racially based conflicts. The few that they did deal with were either of a serious nature or had escalated to such an extent that mediation was not viewed as an appropriate option at the time of our interaction."* Medox manager

### ii. Early Intervention

Mediation should always be considered before an ABC

### iii. Cases Involving Racial Tension

*"We're not hearing the voices of the people experiencing the issues – we're not getting the full picture."* Mediator

Hearing the issues from the community and individuals at first hand is key, in order to understand, and work out how best to respond.

*“There may be a difficulty of getting the perpetrator into mediation. You may need to bring it in under another issue.”* Mediator

iv. Raising Awareness, Training and Education

- Need to educate referrers – a dispute can quickly turn into a conflict
- There is a lack of accessible information on cultural differences

v. Multi-agency Work

Apart from the problems the manager experienced in having time to build relationships, there were also problems in working with some of the key agencies, and this impeded development.

*“Handing back to the active agencies in the community proved to be more difficult for the very reason that they also feel uninformed and are working in relative isolation.”* Medox manager

**m. Outcomes**

Though much of the pilot centred on inter-agency working and bringing those involved in the community together, there were a number of racial tension cases reported which were referred to mediation.

Over a nine-month period, eight cases had a racial component; two went to successful joint meetings, in three cases one party declined to meet the other, one was resolved independently, and one escalated to criminal proceedings.

A neighbour was racially abusing an African woman; there had been verbal and physical attacks. Mediation provided a chance for them to speak together. All the other agencies involved, were able to provide support and advice, but they couldn't bring people together in the way that mediation did.

The pilot also achieved other objectives, which were of value in the longer term:

- Raising Medox's profile with wide-ranging contacts
- Promoting valuable working relationships with new individuals/agencies
- Increasing Medox's credibility in dealing with racial issues
- Convening two constructive discussions with agencies working in the project area to look at problems, underlying difficulties, gaps in provision, partnership working, and explore solutions
- Demonstrating mediator's facilitation skills
- Progressing actions to address concerns around racial crime and reporting
- Promoting new working relationships and joint actions.

## **n. Future Plans**

Medox aims to continue its work in Rose Hill, recognising that there is a lot of ongoing work to progress issues raised in the meetings to increase communication, information and co-ordinated support.

### **i. Strategy**

- Further discussions with agencies on how to take the work forward, who will take the lead/co-ordinate – a review meeting is planned
- More discussion with residents in a safe setting eg Sure Start

### **ii. Relationships and Multi-agency Work**

- More dialogue with other agencies about referral and early intervention
- Encourage other agencies to raise awareness eg by advertising mediation

### **iii. Systems**

- Review systems to see if improvements can be made to monitoring racial tension cases

### **iv. Raising Awareness and Training**

- Medox will promote using mediation through community safety partnerships, joint working groups and referring agencies, and with greater confidence than before the project
- Awareness raising and training, for front-line staff
- Ongoing mediator training on mediation skills, cultural differences/sensitivity
- Develop peer mediation training in Rose Hill?
- More racially diverse mediators would spread the message more - a diverse team – reflective of the community they work in.

### **v. Funding**

- Medox will seek grant aid to develop work with refugee and minority ethnic groups

## **o. Lessons Learnt**

*“When mediation works it can be transforming.”* Medox manager

### **i. Working with Racial Tension**

- Mediation cannot change deep-seated racist views and attitudes. It can however promote understanding where views are based on ignorance – of cultures and individuals, and clarify situations based on wrong assumptions or miscommunications
- A racial mix of mediators is valuable, but of greater importance is having experienced skilled mediators, who when needed, can access interpreter services
- Ensuring support for individuals is ongoing with proper handovers and monitoring to avoid cracks and breakdowns in provision.



## ii. Understanding Cultural Differences

A number of key cultural differences and customs were identified: -

- Asian women avoiding eye contact with male mediators
- Asian men preferring to focus on male mediators, and excluding female mediators
- Removing shoes

## iii. Reporting

- The need for local, trusted reporting centres enabling individuals to access clear information, procedures and ongoing support

## iv. Raising Awareness and Training

- Effective sharing of information about what is available - individual support roles, partnership/joint agency working - how they all fit together and how agencies/individuals in the community can access them
- Widely publicising the need to use mediation as a tool early on before the parties become entrenched and while they still retain control over actions and decisions in relation to the dispute.

## v. Multi-agency Approach

*"Learnt a great deal through conversations with a wide range of people including residents and workers." Medox manager*

- Complexity - the number of services involved, schools, housing, youth/community workers etc
- The need for meetings with all the agencies involved

## p. **Good Practice**

- A community involvement and development approach
- A focus on an area with known problems
- Using skilled mediators to facilitate/develop the work.



## 8. An Overview of Positive Work with Young People in the Thames Valley

This section looks at the range of positive interventions being used in the Thames Valley with young people on, or at risk of acquiring an Acceptable Behaviour Contract.

Acceptable Behaviour Contracts (ABCs) were introduced at an early stage in the development of options to deal with anti-social behaviour. Their origin was in the pioneering work of police and other agencies in the London Borough of Islington. Their use spread widely across the country after early positive results. Subsequently their use has extended to deal with behaviour by adults and indeed owner-occupiers rather than tenants. With older people, there has been a tendency for ABCs to be seen as a necessary step on the way to the possible need for an ASBO and courts have usually expected an attempt to use ABCs before granting such orders. Within Mending Fences however, our interest was to assess work being done with young people and the potential of ABCs for creative work beyond the basic requirement of contracts about ceasing targeted behaviour. We certainly found among most areas and practitioners that there was a positive commitment to using ABCs constructively rather than simply as an enforcement or pre-enforcement option.

Anti-social behaviour managers and practitioners from a range of agencies across the Thames Valley were asked about their experience of positive interventions, what the problems were, and how they saw this work developing in the future. In addition, four pilot projects in Chiltern (Buckinghamshire), West Berkshire, Wokingham, and South Oxfordshire were given a small amount of funding by Thames Valley Partnership to develop new initiatives, and these were monitored during 2004, to find out what the issues were, what worked and why.

The picture that emerges is of a broad range of schemes, at different stages of development, and with varying levels of experience. In some areas only two or three ABCs have been applied, in another it was 100. There is no clear pattern in terms of what agency should take the lead - in some districts it has been the local authority, in others the police. The longest serving anti-social behaviour co-ordinator in the Thames Valley has only been in post for two years. What the schemes do share, is that what they are doing is new, still developing, and that there is a need for continued learning and sharing of good practice. This section aims to do that, giving a flavour of the range of schemes operating, and the strategic and operational considerations in developing responsive services for young people with anti-social behaviour.

This section has been organised so that managers and practitioners can use it as a checklist to review their own work. Four key questions are covered: -

- What are the issues?
- What is good practice?
- What lessons have been learnt so far?
- What needs to develop in the future?

Examples are used throughout to provide illustration and inspiration; key points appear in *Italics*, using the words of service providers.

## **a. What are the Issues?**

### i. Complexity

Responses to anti-social behaviour are part of a broad range of programmes and strategies at community, district, and county level, which include regeneration, health, education and training, employment and community development. This introduces a high level of complexity, which can result in fragmentation, duplication, and gaps in service provision. Familiarity with and links to these other plans and strategies is therefore essential, and time is needed for this to develop. The degree of complexity also calls for anti-social behaviour managers to have strong analytic and strategic planning skills in order to identify who to work with, how, what the priorities should be, and how to fund them.

### ii. Resources

*"The main problem is not having enough people to spread the word, and deliver."* Community Safety Officer

Resources for ABC work are spread unevenly. Areas with more limited resources feel disadvantaged/less advanced, they have fewer ABCs, and few which include positive activities. Information on funding sources is often lacking.

There are concerns about the short-term nature of some funding, and the lack of clarity about future resources. It was not unusual for staff providing positive activities to be on short-term contracts, and at the point when staff skills had developed they had been forced to move on.

The concern over resources is partly to do with funding itself and partly to do with the problem of obtaining 'buy in' from agencies whose staff have the necessary skills but are not freed up to deliver them in this context.

### iii. Capacity Building

Due to the problems highlighted above, managers consequently experienced problems in building capacity to develop and deliver a sustainable, high quality service.

### iv. Intra/inter-agency Problems

Whilst the importance of inter-agency working was recognised it was also seen as a difficult area; services were often felt fragmented, and there could be problems in working towards a common goal: -

- Rivalry and political wrangling can prevent people referring
- Sensitivities that work against straightforward referral routes
- People can be very set in their ways.

- Some housing associations may be resistant to the idea of issuing warning notices on tenancy conditions in connection with anti-social behaviour of tenant's children, in most cases, refusing to do joint visits or issue formal warnings
- Police networking with other agencies can be problematic in some areas though there are some excellent examples of proactive policing performance as well

#### v. Information Gathering and Monitoring

Lack of any central or unified/joined up systems for gathering information and monitoring work on ABCs. Information about ABCs, particularly when originating from housing associations may not be available as a single reference point and areas do need an overall picture of the number of contracts in place. There is a need for more standard recording procedures and enough capacity to monitor and analyse performance.

#### vi. Evaluation

Lack of monitoring and outcome measures in place to assess how the work has impacted, especially over the longer term.

#### vii. Facilities

Can be difficult to access – not local/close enough to where young people live. Young people may not be interested in using existing facilities. Experience from Mending Fences suggests that ABCs need frequently to be accompanied by targeted preventive or problem solving activities which support a change in behaviour. This not only implies a 'buy in' from local agencies but good connections with the community and its organisations. One of the key issues is that facilities may not be local enough to enable young people to be accessed to them through ABCs.

There is an area of resistance which has to be overcome about the use of positive interventions if they are seen as 'rewards' for young people with behaviour problems, especially if this is seen as making things more difficult for other young people to access. There are within this section and the description of our pilot schemes some examples of how this can be overcome.

### **b. What is Good Practice? - The Six Ps**

Anti-social behaviour staff in the Thames Valley who worked with young people on ABCs, often emphasised the same points about good practice. As one youth service manager said... *"It's not rocket science – it's all very simple."* However, getting it right in a complex, fast changing and developing world can be hard to achieve.

During discussions six main themes emerged; these are looked at in turn: -

- People
- Partnerships
- Principles
- Policies
- Procedures
- Practice

### c. People

It was clear that the contribution of individual staff including their capacity to link and network with others was crucial to successful performance with ABCs. Finding and retaining staff with the right experience, knowledge and skills is not easy in an area of new and developing work, yet this is a key aspect of building capacity and expertise. Anti-social behaviour staff come from a range of backgrounds, and an equally wide range of public and voluntary sector agencies will be recruiting staff to an equally wide-ranging number of posts, to manage and co-ordinate services, and engage young people with anti-social behaviour. The need for positive well-motivated workers and the ability to make bonds with young people was often expressed. The use of outreach workers from the youth and community service especially is key in ensuring the most excluded communities and individuals are reached and can access services. There is increasing recognition of the benefit of having local people providing services from a local patch – the recent reorganisation of police services builds on this principle and is welcomed.

For staff with key responsibilities for work with young people on ABCs and other preventive interventions the following skill areas are important: -

- Analytical skills – eg how to use partnerships and the skills/knowledge they hold to develop appropriate and responsive services
- Ability to communicate effectively with a broad range of people
- Counselling skills - useful
- Creativity/lateral thinking
- Entrepreneurial skills
- Flexibility
- Positive attitude
- Knowledge/experience of working with the range of agencies involved in community safety/anti-social behaviour
- Monitoring and evaluation skills
- Organisational skills
- Understanding of the policy side of the work

Given this range of requirements, access to training about anti-social behaviour and the range of agencies involved is crucial. Often in our scoping of practice, managers and practitioners described a steep learning curve when they first became involved. It seems that access to training varied widely with little overall co-ordination.

Key areas for learning and training practice development include: -

- Recruitment - identify with new staff what skills and knowledge are missing
- Induction – having a comprehensive introduction to anti-social behaviour work with young people.
- Preventative and diversionary work – learning what is available, how to use and access it
- Monitoring and evaluation – learning analytical skills
- Presentation and training skills

The use of written resources - through publications and Internet sites was seen as useful – although few mentioned anything more than Home Office guidance and the magazine

Young People Now. There is clearly great value in the sharing of good practice and lessons emerging locally, regionally and nationally.

#### **d. Partnerships**

Good partnerships are crucial to successful anti-social behaviour work with young people. Partnerships need to encompass the broad range of agencies involved in community development, and anti-social behaviour work, and operate at different strategic and operational levels. A multi-agency approach enables support to be offered as well as enforcement, making the best use of resources and encouraging lateral thinking. As a number of practitioners pointed out, it is very important not only to deal with the individuals concerned but to tackle the signs and symptoms of anti-social behaviour as well – removing graffiti from estates for example. The best co-ordinated action involves a package of measures in which all the components fit together.

Across the Thames Valley, partnerships varied, often depending on the level of local co-ordination, or who was taking the lead. In some areas for example, the police worked closely with the youth services to deliver positive interventions, whilst in others it was the YOT who were most involved.

Partnerships to deal with anti-social behaviour should include: -

- Community safety
- Police
- The youth service
- YOT
- Local authority housing
- Housing associations
- Crime and nuisance teams
- Regeneration and community development initiatives
- Education (including Sure Start and early years initiatives)
- Social services
- Health services
- Voluntary sector organisations

Whilst public sector organisations in the Thames Valley had or were developing relationships with each other in relation to young people and ABCs, relatively few had been formed with voluntary sector agencies. This was surprising given that it is often these schemes that work at the grassroots level, making them more accessible for young people, and often providing relevant and sometimes innovative activities in response to local needs.

Relationships and partnerships are also needed with: -

- Anti-social behaviour co-ordinators
- Area Beat Officers
- Street Wardens and PCOs
- Race and Community Liaison Officers
- Outreach workers eg youth, drug and alcohol
- Neighbourhood Watch

- Sport and leisure services
- Schools
- Churches
- Highways
- Environmental health
- Community centres
- Youth clubs
- Rotary clubs – valuable source of funding and support
- People running local events

Co-ordination is key in developing work where a number of agencies are involved. How should policy develop in relation to this? Anti-social behaviour co-ordinators are currently placed within local councils, housing associations, and the police. They have an important role in joining services together, signposting, and holding an overview. There is a plan to set up regular co-ordinator meetings in the Thames Valley, this would be a valuable way of sharing lessons learnt and standardising practice.

Cherwell District Council has an anti-social behaviour case worker who helps signpost young people to appropriate agencies, works with families, provide arms length support and keeps a watching brief over all the ABCs.

#### i. Community Involvement

Consulting and communicating with local communities and young people is no easy task, and there are a range of ways of doing it including consultation, meetings, street outreach, providing information and training. All are needed for good and effective practice. Spending time with communities is important, a Street Warden or youth outreach worker having an informal conversation on the street, or visiting the local shopkeeper can often be more effective than more formal processes.

Involving local people is increasingly acknowledged as the way forward in developing safe and supportive communities. Community involvement enables needs and priorities to be identified, solutions found, and supported. It can also engage people to become volunteers; gives people a greater sense of ownership, and belief that change is possible. Young people, parents, residents and community organisations should all be part of this process. Young people should be seen as full members of the community, and have a voice. It is extremely important that the local authority shows a lead in this.

Schools (primary and secondary) are increasingly becoming involved in anti-social behaviour work, through the police, community safety, YISPs, mediation service visits, talks and training, and through the PHSE syllabus.

Members of South Bucks Police use the Islington model of ABCs. They work closely with primary schools and parents; teaching children age eight years upwards. The children are taught about anti-social behaviour eg bullying, consequences of bad behaviour.

## **e. Principles**

Some important principles and values need to inform preventive and ABC work with young people involved in anti-social behaviour and the points raised in this section come from a number of principles identified by anti-social behaviour practitioners: -

- Early positive intervention was seen not only as likely to be more effective, but also fairer both to perpetrators and victims.
- All agencies and organisations in a community had a part to play potentially and the buy in of both organisations and the individuals working in them was important in achieving an overall response.
- Proportionality was an important principle. ABCs should not be used if other preventive early interventions were likely to be successful. Inconsistent use of ABCs could lead to unfairness. Monitoring for consistency was therefore a key activity.
- Good explanation of ABCs to both young people and their families was of major importance.
- Good assessment in framing an ABC needed to take into account the extra help and support which the young person might need – in this way a more effective package could be put together. Practitioners emphasised the importance of working first with parents and families to address issues whether through letters or visits to the family home.
- Communities needed to be aware of anti-social behaviour work and its constructive nature and crime and disorder partnerships should promote this through their communication strategies.

## **f. Policies**

Principles need embedding in policies and plans, and around ABC work these are still developing in the Thames Valley.

Good practice relies on clear written policies and systems that describe the approach and processes involved. Policies in relation to ABCs should offer clear guidance on who, when, how and what needs to happen, and plans should clearly state the priorities, and where resources should be targeted.

Managers and practitioners made several key points around policy development and the need for: -

- Clarity around decisions on ABCs – especially referral and exit
- Early intervention – clear guidance
- Appropriate use of a case conference with relevant people/agencies
- Appropriate interventions on a case by case basis
- Communication/information sharing strategies
- Staff training and development plans

**Buckinghamshire** have a resource pack 'Tackling anti-social Behaviour Across Bucks'. It emerged from the Anti-social Behaviour Strategy Group who decided how anti-social behaviour policy should be implemented across the county. A sub-group is now developing a training package – a directory of who is doing what and where. (For more information see the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html))

## g. Procedures

Policies need to describe the steps to be taken when low-level anti-social behaviour is encountered, how and when to use ABCs, and action in the event of a breach. Practitioners agree that the following steps should be taken: -

- Firstly, contact with the parents – a meeting or warning letter sent – a lot will respond to that and the anti-social behaviour ceases
- Joint visit to the parents from the police or relevant others to discuss the young persons behaviour – a lot of parents will respond to that and anti-social behaviour ceases
- ABC plus positive interventions for prolific offenders
- Regular monitoring - at this stage it is difficult to assess how useful interventions are without having tools to measure them.
- Action when a breach occurs

**South Bucks** established a partnership programme for ABCs and failing ABCs. It was agreed if there was a failing ABC then the police should contact the YOT who then check the appropriateness of the contract and change it if needed. This is achieved through a joint meeting between YOT, the young person, their family, and the Police. YOT then work with the young person.

**In Buckinghamshire** when a breach is encountered the policy is to flag the breach up to the youth offending service for further input.

## i. Educating, Informing and Raising Awareness

Anti-social behaviour practitioners saw raising awareness as a key task in preventative work but it was also seen as a particular challenge, when such a wide range of people (professionals, residents, young people, teachers etc) needed to be informed. Different groups need to be tackled in different ways, and with a range of people involved. Policies on how this should be achieved in each area, particularly at the strategic inter-agency level are needed.

**In Cherwell** the council's Nuisance Investigation Team carries out the administration of ABCs and the work to prepare young people and their families for an ABC. A dedicated member of staff liases with children and their families to ensure the ABC is fully explained. This ensures that parents aren't signing up to something they don't understand. It is hoped that this will help lead to fewer ABC breaches.

Increasingly, work is developing in schools, covering issues around and solutions to anti-social behaviour, eg bullying, racial harassment, and peer mediation. Some valuable initiatives have developed in the Thames Valley that are engaging young people well.

**In Slough**, at Britwell School, Police Language in Evidence is used. This is a computer programme about how to run a police station and is run by the police at the end of the school year. It involves a range of skills including, art, English, maths, technology. It has proved a good way of building relationships between the police and young people and in developing an understanding about anti-social behaviour.

**In Reading**, the Citizenship in Schools Team is developing a portfolio of relevant agencies so that when schools do PHSE work they will know whom to contact.

## **h. Practice**

A number of good practice issues emerged in our survey of work in the Thames Valley.

### **i. Capacity Building and Groundwork**

Getting the initial groundwork done takes time, but good quality planning is crucial to effective intervention. This does need to include some community involvement, especially in the initial stages in order to bring information and people together. Capacity building should focus on: -

- Mapping to identify needs and issues, any action already being taken and the agencies involved. The sources should include local authority reports, information from regeneration schemes, community development initiatives and input from the VCS sector.
- Building on existing activity and resources – finding out what they are, how they are delivered and so on.
- Good communication systems between partners and sufficient buy in at the right level to ensure a joined up approach. Regular monitoring and change as necessary.
- Robust evaluation systems. It seemed clear from the Thames Valley that at the moment evaluative work with ABCs was done on a case by case basis rather than anything more systematic.

### **ii. Early Intervention**

This is not only an issue of principle but also a key practice area. However early involvement depends on good information exchange and assessment.

### **iii. Structure and Proportionality**

In order to ensure that resources are used to best effect careful targeting is needed, and a family approach is critical. As one community safety worker commented, *“We don't see dishing out ABCs as the solution, we need to put things in place to tackle the root causes. The rule of thumb that is used is first make a visit to the parents to find out why there is a problem with the young person's behaviour and that intervention itself often nips things in the bud. Getting parents on board is half the battle.”*

#### iv. Restorative Justice

Restorative justice practice was frequently a key part of interventions within the Thames Valley and restorative justice practitioners were making a significant contribution in this area of work.

##### **i. Activities and Interventions Used With ABCs**

*"The quality of life is determined by its activities." Aristotle*

Constructive activities are a key factor when considering positive interventions with young people with anti-social behaviour – they address boredom and lack of direction, offer opportunities for the young person to express themselves in new ways, to view the future more positively and develop aspirations. Positive activities encourage young people to address and understand their behaviour, to learn to work with others and to learn new skills. A wide range of agencies are offering these activities.

Activities need to be thought about creatively - being imaginative about packages of support enables selection of the most appropriate activities and interventions. A good example of this is the following: -

*"A youth was putting graffiti all over Post Office vans causing £30k damage - the Beat Officer discussed the problem with them, and they offered the lad three garages he could graffiti on, and to come up with a design that could be used on all them. Since providing this opportunity the young person has not caused any further damage and has returned to school to study."*

Anti-social behaviour staff held differing views about the location of activities. Some practitioners believed they needed to be held on the young person's patch, mainly due to young people not wishing to move off their patch: -

*"...to have an impact, activities need to be very localised." ASB Co-ordinator*

Others, however believed there was some merit in taking young people away from their local community, to give them new experiences, and to get away from the real troublemakers who might disrupt the activity.

Practitioners also emphasised to not make assumptions, as this case illustrates: -

A district council installed a multi sports area in some fields located near the shops: -

*"At first we thought that not having this facility contributed to the amount of anti-social behaviour the area was experiencing, however since it has been installed many of the young people do not go there, preferring to remain hanging out in the street or by the shops."*

Young people's engagement in positive activities also gives reassurance to the community that 'something constructive is being done', and provides security in the knowledge that if young people are engaged in 'supervised' activity they are unlikely to be getting into trouble.

The use of and type of activity is largely determined by what is available at a local level. Some areas in the Thames Valley have well-developed opportunities for positive diversionary activities, others are less well served, or knowledge is thin about what there is. Rural communities in particular may have problems accessing services and in having facilities that young people can use – here an imaginative response will be needed.

Activities being used across the Thames Valley include: -

- Sport and fitness – football, climbing, kayaking, dance etc
- Creative activities - using an arts approach to problem solving eg
  - Music – eg Sound Studio in Aylesbury Vale
  - Video – films about a local community
- Trades – such as mechanics and engineering – building go-carts, bicycles and cars eg Pitstop in Slough, Trax in Oxford and cycle workshop in Wokingham, all of which have helped young people who are less academically able to learn a variety of trades.

The Children's Fund, YOS and YOT were often seen as key in providing preventative/early intervention services.

A number of initiatives showed that there is also scope for elements of reparative work in responding to anti-social behaviour within ABCs and in the next chapter on pilot schemes there is some information about how this can work.

## **j. What Works with ABCs and Preventive Initiatives?**

### **i. Strategy**

- Have a clear strategy about needs and responses for the area
- Prioritise the provision when/where it is most needed eg problem communities, school holidays, after-school
- Build capacity and get the basics right
- Targeting – as indicate earlier, ABCs should be used as a significant intervention and not necessarily as the first option.
- Effective work with younger children – ABCs can be particularly effective with young people aged 12–15, but children under 12 may be too young to understand the implications and alternative responses targeted at parents, including parental agreements, may be a better option
- Need to identify the ring leaders and real troublemakers
- Continuing staff development

### **ii. Interventions**

- Interventions need to be early, significant, and supportive
- A thorough assessment - you need to identify the problems the young person has and then refer them to appropriate agencies
- Support needs to be customised on a case-by-case basis, and avoid being prescriptive
- Informal, regular contact works well - mentors have time to build a relationship, and to help young people with aspects of their life such as getting a job
- Activities need to be pitched at the right age group
- Monitoring and follow-up is vital

- Evidence from around the Thames Valley suggests that ABCs done in isolation with no intervention follow up or monitoring may well be unsuccessful
- If breach occurs it needs to be immediately challenged as relapse into offending behaviour can follow very quickly

### iii. Good Communication, Relationships and Multi-agency Work

*"It's not just a police problem; it's a community problem. By engaging parents and others, the community gains."* Police Officer

- An inter-agency panel is an effective means of achieving both effective targeting and good quality monitoring of work
- Involve the community *"If everyone pulls together then you can find a solution"*
- Involve parents *"Parents are often the main problem; some are on parenting orders as well"*
- Involve schools
- Promotion *"You need to tell people what you can offer"*

### iv. Involving Young People

*"Don't impose things on young people, they need to be asked what they want – if they ask for a shelter and they get it, they have ownership of it."*  
Youth worker

Before selecting interventions it is important to find out what the young person is already doing, and if they aren't involved in anything constructive, to look with them at what they might do. Several practitioners emphasised the importance of offering information and opportunities which were engaging and stimulating: -

In **West Oxfordshire**, the community safety officer called a 'kids only' meeting when there were issues about the use of a playground – older children were causing problems for the younger ones. 18 young people attended and asked what they felt the issues were; through the discussion they found ways of resolving them. The initiative continues – the young people are now meeting to look at developing a shelter for young people in the village to meet.

A significant 'what works' issue about ABC practice is definitely the involvement of young people in the contract itself – one practitioner commented that they asked the young person to be involved in using their own words in the contract and this seemed a particularly innovative way of engaging young people, getting them to be both involved in the process and 'own' their behaviour.

### v. Difficulties in Engaging Some Young People

Two practitioners made clear an issue about the nature of activities themselves: -

*"We lost a few of the older participants early on, due to the football sessions being unstructured, and expecting a range of age groups to play together."*

*"We need to find better ways to target girls, and those not interested in sport."*

Understanding young people's needs and the reasons they choose not to engage in some activities are vital practitioner skills.

Several important issues were raised about girls' engagement with activities. The main ones being as follows: -

- Girls – can be embarrassed to do things in front of the boys, and can turn up to activities inappropriately dressed
- Cultural and religious differences – Asian women and girls may refuse to participate due to issues about changing into sports kit, or mixed gender activities

There are difficult issues around the notion of activity as a reward, and rewards therefore being given in response to bad behaviour. One of the main implications is that there should not be a feeling in disadvantaged communities that the residents who cause the problems are the ones who receive the attention. Nonetheless, there are real reasons for affirming improved behaviour, and we were aware of several examples where successful completion of a programme of work led to a trip or some special occasion sometimes accompanying the issue of a completion certificate. Use of these techniques is well established in work with young people and offenders more widely, but it does need to be understood as an affirmation for changed behaviour, rather than simply a reward.

#### **k. Overall Comments**

This section has examined some of the key issues around preventive interventions with young people and the use of ABCs. A number of overall points emerge: -

- There is a good deal of evidence that positive interventions are beginning to accompany use of ABCs but this needs further development, a sharing of learning so far, and more consistent application and targeting.
- The range of interventions is very wide and calls on many contributors. To make them sustainable each area needs a number of initiatives which have sufficient buy in from key contributors and relate to local need and circumstances.
- So far there has been a rather ad-hoc approach to work with limited evaluation so that the real impact, especially of ABCs, is difficult to assess.
- Proportionality is a key issue not only in terms of values and principles, but also proper targeting of resources. Appropriate structures at a local level such as a panel which brings together key agencies, seems an important part of coping effectively with this problem.
- Resources need to be available to monitor progress and intervene very promptly when things are going wrong. This seems a lesson from all the initiatives around the Thames Valley. The co-ordinator role, whether in a community safety team or located within the police, is crucial.
- Prompt interventions for failing ABCs can make good use of youth offending team input and youth offending team preventive work may well provide the best hub for the development of further ABC work.
- Involvement of the community is valuable but there needs to be good and careful communication about this.
- Family involvement is crucial in making ABCs work.
- New emerging strategies for children and young people including the Children's Trusts need to be aware of this area of work and connect to it.

- The issue of whether activity programmes and positive interventions may be seen as a reward for bad behaviour is a difficult one and needs careful handling. Experience suggests that affirmation of progress and giving young people a chance to take key steps and become 'included' is actually a really important contribution that ABCs can make.
- Finally, there is a great deal of evidence around the Thames Valley and nationally that ABCs when appropriately targeted and well run are helping tackle problems more quickly and avoid the need for unnecessary ASBOs.

## 9. Case Studies of Positive Interventions in the Thames Valley

This section provides examples of some of the positive interventions happening in the Thames Valley, including the four Thames Valley Partnership-funded pilots. The pilots were located in Chiltern, South Oxfordshire, West Berkshire and Wokingham Districts. In each of the four pilot schemes a small amount of money (£2,000) was made available to pump prime a creative initiative in prevention and ABC work with young people around anti-social behaviour so that we could: -

- Assess a small number of schemes in more details
- Promote creative thinking about this area of work
- Assess the impact of a small but specific amount of resource

### a. A Community Outreach Initiative - Pond Park, Chesham

Chiltern District has undertaken a number of initiatives in relation to ABCs and young people. The first described is the pilot funded by Thames Valley Partnership. It is followed by examples of other agencies' initiatives to tackle anti-social behaviour in the same disadvantaged community in Chesham. This project is a good example of using outreach work to access 'harder to reach' young people. By building on existing work and relationships, this pilot was able to maximise the effect of a relatively small amount of funding provided by Thames Valley Partnership through the Mending Fences project. Chesham is a small town within Chiltern District and although it has significant overall affluence there are areas of disadvantage including Pond Park. The area has a substantial Asian community.

#### i. What Were the Issues and Needs?

Pond Park has few community facilities, and has experienced persistent anti-social behaviour from groups of local youths. There is an active community forum, which was set-up two years ago by Thames Valley Partnership. The pilot focussed on working with the most deprived young people in the area, who were also involved in anti-social behaviour.

#### ii. Aims of the Pond Park Community Outreach Project

- To work with young people on ABCs or at risk of acquiring one
- To reduce criminal or anti-social behaviour activity by young people
- Raise awareness of anti-social behaviour as an issue for community action
- To provide diversionary activities for young people within the area

#### iii. Target Group

The target group included a group of six boys aged 11-15 all of whom were currently involved in anti-social behaviour. Three of the boys were already on ABCs and the others considered to be at significant risk of further anti-social behaviour. As a group they had been getting into regular trouble and were upsetting the community and local

shopkeepers. Several of the boys attended special schools, but were often home by lunchtime. Several were diagnosed as having ADHD. Most smoked cigarettes and cannabis.

#### iv. Lead Agencies

- The Bucks Youth and Community Service
- Local Education Authority
- Green Park Outdoor Education Centre

#### v. How?

The Youth Service employed an outreach youth worker to develop diversionary activities, by engaging young people on the street, and encouraging them to use existing provision. She began to build a relationship with the group of six boys from Pond Park in some local fields where they hang out. Much was learnt from this exercise, about how to engage young people in these settings, and this subsequently informed the pilot.

One of the aims identified for this group was the need to do something specific with them. The Youth and Community Service had an outdoor education specialist, who was also looking to develop some work in Pond Park. The outreach worker made contact and it was agreed to develop a sports project to run over a three-month period. Regular planning meetings between the youth worker and outdoor education specialist were held before and during the project to plan sessions, sort out finances, and review the group's progress. This relationship was key.

The Youth Worker also spoke to the parents of the boys to keep them informed, and in order to bring them into the process of evaluation.

The Thames Valley Partnership funding paid for the transport to Green Park (the only option open was by taxi) and for insurance for the group to use the facilities.

#### vi. Activities

In the event the project ran for six months (13 sessions). A range of 'taster' activities was used, including, kayaking, mountain biking, orienteering, and climbing, all with an emphasis on team work.

#### vii. Monitoring

The following was undertaken: -

- Attendance records
- Reviewing each session with the young people
- Completing an evaluation sheet after each session
- Contact with the police and local shopkeepers to check the boys had kept out of trouble
- Monitoring behaviour – a thumbnail sketch of each young person was written at the start of the project, and updated at the end to log any changes noted
- The young people were asked to evaluate the pilot at the end using a questionnaire

viii. What Worked and Why

- The youth worker had already established a good relationship with the group
- The boys were keen to take part and worked well together
- Moving the young people into a different setting to engage with them and providing new activities and opportunities to learn new skills
- Group work encouraged the young people to be more responsive
- Helping young people to talk about their anti-social behaviour, and how they might change their behaviour. The evaluation the young people did at the end asked what they had learnt from the project – responses included “...responsibility. How to behave in a group. Not to use inappropriate behaviour. Teamwork.”
- The partnership with outdoor education worked well, it opened up new referrals for the education authority, and it was valuable to work with one key contact there – it helped the young people to build a relationship and engage
- Getting the basics right – eg providing transport to get the young people to the activity made all the difference
- The group was given healthy food and drinks during the activity sessions – preventing them from “...going ‘hyper’ – it went down surprisingly well.”
- Having a ‘significant bit of money’ (£2,000) to work with a small group of six young people
- Staff and young person ratios – travel 1:6, activity sessions 2/3:6

ix. Did the Pilot Make a Difference? – Outcome

The young people: -

- There was 100% attendance throughout - on the final session there was full attendance despite there being an England World Cup match on!
- The attendance reflected a high level of commitment from the young people. They all talked about doing new activities and learning new skills.
- The six boys were invited to a presentation event. They all attended, and each received a certificate for completing the project.
- The three ABCs have now expired, and there have been no reports of further trouble.

Community benefits: -

- There was no anti-social behaviour when the boys were engaged in activities, and since the pilot ended there have been no further reports of trouble
- Positive feedback from the vicar – bunting put up around the church has stayed up for a week – an unusual occurrence.
- The boys’ parents were extremely pleased to hear that something was being done. Their involvement meant that they could become part of the final evaluation process. All the parents seemed pleased with the scheme.
- Pond Park Providers meeting spoke highly of the work – the project happened at a time when there were problems and something was needed, so it was appreciated.
- It was possible to reduce the level of police presence required at Pond Park.
- Partnership work – the pilot allowed a partnership with the Children’s Fund to develop which is supporting new project development and access to new funds – eg activity work in Pond Park during the summer holidays.
- The project will be an illustration of partnership work with the hard to reach.

#### x. What Has Happened Since?

The youth worker has maintained contact with the young people. Before the summer holidays began she held a session in Pond Park to look at what young people in the area could do during the summer holidays. Some of the boys are now involved in the Monday night Sports Zone (described later) project.

Of the original six: -

- One got a part-time job which has kept him out of some of the trouble he was getting into
- One has dropped out of contact – but is occasionally seen, and is involved with other agencies helping with addiction problems.
- One has maintained contact with activities and has acknowledged that he would rather do something constructive and stay out of trouble.
- One dropped out of activities but has since rejoined them, and is keen to have a fresh start and be accepted back onto the group.
- One has maintained interest in outdoor activities and has shown real talent, and has expressed an interest in teaching in the future.
- One has become involved in a football project, that led on from the Mending Fences pilot, which he would not have done before.

#### xi. Issues

- Some local Asian young people felt excluded. This was a serious issue and concerns were expressed that they had not been included in the same sort of activities the selected boys were involved in. There was a perception that this was unfair and racist. The youth worker intervened by discussing the issues with them and has since built up a good relationship with a view to including them in future activities.
- The youth worker was off sick for several weeks and there was no backup – so sessions had to be cancelled.
- Exit strategy – but difficult to know when to withdraw.
- Transport was costly.

#### xii. Lessons Learnt

Staff felt they had learnt a lot throughout the development of the pilot and that there have had been significant spin off advantages, including: -

- Having a strong focus on project work.
- That it's a slow, labour intensive process, "*...It's about taking small steps – looking for small behavioural changes, such as when a young person acknowledges there's been a behavioural problem, or puts rubbish in a bin.*"
- But having established a relationship with the young people first made all the difference, "*...it was what made it work - building on work that was already being done*".
- The inaccessibility of some young people – and value of working with young people on the street.
- Having an experienced key worker to work with the group.

- The need to work more strategically – it would have been worth looking at - running a parenting class in tandem, running two or three activities at the same time to ensure young people aren't excluded, having a member of staff with counselling skills.
- Things shouldn't happen in isolation – *"...it provided a hub for other partnership things to go on – it's also important to acknowledge that this was just one intervention, amongst a number of others"*.
- Being meticulous – with paperwork, insurance, and advance planning.
- In the future to have a staff member drive the mini-bus and additional staff to provide cover.
- The evaluation process brought a different dimension to it. *"The kudos of having work evaluated. Mending Fences funding added kudos to the work."*
- The funding provided leverage – *"...it builds publicity and good relations and then helps to attract more funding"*.

### xiii. Good Practice

- Community outreach work
- An effective relationship between youth outreach and outdoor education
- Entrepreneurship – as a result of this pilot other activities became possible
- Healthy food being part of the sessions

### **b. A Further Initiative by Thames Valley Police to Anti-social Behaviour Problems in Pond Park**

#### i. Problem and Needs

A large group of children (Asian and white) had spent the summer hanging around the shops in Pond Park. The group was causing criminal damage, intimidating staff and residents, and involved in arson, theft, drug taking, illegal use of motorised vehicles and attempts to run a protection racket. The situation got so bad that the residents who historically would not report problems to the police agreed to provide a statement, and attend court if necessary. Some of the most prolific offenders were given ABCs. This had some limited success, but action to support the ABCs was limited by police vacancies in the area. Accordingly the following action was taken: -

- A letter was sent to all the parents asking them to report incidents of anti-social behaviour.
- Families who had the most problems were asked to attend a meeting at the police station with the anti-social behaviour officer and area commander, to discuss the seriousness of the issues and possible ASBO proceeding.
- Letters were translated into Urdu.
- A representative from the Race Equality Council (REC) was asked to attend the meeting.

The contribution of the REC member was described as follows by one of the police officers involved in the project: -

*"The REC member was able to express her concerns, as she had received complaints from the Asian community. Coming from someone independent,*

*this had a profound effect on the father who would not have necessarily believed this if we had mentioned it."*

The project developed subsequently involved those who were on an ABC or who were being assessed for an ABC being engaged with a youth worker in sports activity on Monday evenings. The view of police and other agencies was that this had had considerable success in improving behaviour and engaging a hard to reach group from across the community in constructive activity.

As in other parts of the Thames Valley, police in Buckinghamshire envisaged that the four community support officers to be appointed to Chesham, once in post, would have a part to play in monitoring the behaviour of those on ABCs. Similarly, arrangements were in hand for those breaching ABCs to be referred to the youth offending service for more intense activity involving reparation when possible.

A key area of development, and this too applied across Buckinghamshire, was the development of Youth Inclusion and Support Panels for children aged 8-13 who were at risk of committing criminal acts and as the manager concerned commented: -

*"This is a more logical way of tackling anti-social behaviour as it not only looks at the individual but the whole family set up, and offers a more holistic approach in addressing the problem which often involves all members of the family."*

## **Sports Zone**

Chiltern District identified the need to provide diversionary activities to deal with anti-social behaviour. Young people were complaining of boredom and the lack of activities.

Solution - The Home Office funded an Anti-social Behaviour/Sports Development Officer for a year to set up and run Sports Zone. Sports Zone is a multi-agency project to engage young people in drama, dance, sports and art and craft activities

Funded by – Home Office, Awards for All, Community Chest, Children's Fund

A Partnership between Chiltern District Council, Youth and Community Service, Bucks Children's Fund, Chesham Town Council, and Sound Studio

Targets – Young people aged 6–18 years

Aims - To reduce anti-social behaviour and boredom, create a healthier lifestyle, and provide opportunities to learn new skills

### How?

- By offering a range of sports and fitness activities in a range of locations
- Using trained volunteer sports coaches
- By involving the whole community
- Partnerships with voluntary and community organisations, statutory organisations to deliver the project eg Chesham United provided opportunities for young people to join the club, and coaching opportunities for two young people
- The Anti-social Behaviour/Sports Development Officer built on work that the Youth Service outreach worker had started.
- Attends police meetings so aware of who the young people are, who are at risk
- Publicity – Website promoting the activities, leaflets, posters, word of mouth, mail outs. Launched a newsletter to inform people about what's on and information about drugs etc.
- Young people evaluate the activities using a brief questionnaire
- Involving Police and Fire Services – eg Police and Fire Service football match with young people to break down barriers
- By putting appropriate safety and training systems in place

### Outcomes

- A decrease in anti-social behaviour on the nights Sports Zone runs.
- 30-40 young people attended the Monday evening sessions and parental support
- 12 young people attended a Saturday morning football club
- Thames Valley Police identified several of the young people who were known to have ABCs, or on the verge of crime, and involved in anti-social behaviour
- Local residents say that when the sessions are running the community is more 'peaceful'.
- 50% of the so-called 'feral' young people now attend sessions at the local leisure centre (having previously been banned) and are behaving well.
- Using the project to rollout to other 'disadvantaged' areas
- Providing advice and support to other schemes setting up similar activities.

Overall Sports Zone seems to have done extremely well with demonstrable impacts on local behaviour and real progress from a range of individuals who had been involved in significant trouble.

### **c. A Project Concerning the Community and Individual Benefit - South Oxfordshire**

The South Oxfordshire pilot provides a good example of community and individual benefit developing through positive ABC interventions, including one which involved a trip abroad.

#### **i. Issues and Needs**

Berinsfield is a large village with a high proportion of social housing. There is a history of youth unrest, which over a number of years had increased and become more serious. Though the district of South Oxfordshire has low levels of crime and the area is one of high affluence, Berinsfield has had problems with low levels of community engagement and there is evidence of significant relative disadvantage. Links by transport away from the village are poor. The Abbey Sports Centre, the main local leisure resource, had been repeatedly targeted by local youths, who threw paint at the building, smashed windows, and verbally abused staff. The building was next to the youth club, and it was felt that the centre was seen more as a regional resource than a local facility, so there was a lack of community ownership.

#### **ii. Pilot Aims**

The project was aimed at channelling young people's energy into useful projects to: -

- Reduce anti-social behaviour
- Increase respect – for people, property
- Increase well-being
- For the community – less damage and harassment

#### **iii. Target Group**

Young people with anti-social behaviour who vandalise the Sports Centre

#### **iv. Partnerships**

The Community Safety Manager for South Oxfordshire, and anti-social behaviour caseworker initiated the pilot. There were already good relationships and well established, and strong community links. Strong multi-agency partnerships were already in place, and were working on economic and social priorities in the village. These included South Oxfordshire District Council, the police, and South Oxfordshire Housing Association (SOHA).

#### **v. Background**

A Berinsfield Community Safety Group (CSG) was set up in 2001, with a cross-section of the local community represented on it. At one meeting the group had received a letter from a local shopkeeper complaining he had been racially abused, and had encountered a number of problems from a group of youths.

The CSG had learnt about the Islington model of ABCs, and decided to use this model, working in partnership with SOHA. The CSG identified sixteen troublemakers, and seven were prioritised for immediate action. Five of these young people got ABCs. There were problems monitoring these ABCs, due to a lack of resources and staff changes.

It was anticipated there would be other young people (often younger brothers and sisters) who would adopt this behaviour of damaging the sports centre. It was this group the pilot would be aimed at.

#### vi. How Did the Pilot Develop?

It was agreed that those young people invited for an ABC interview, and who had damaged the sports centre, would be: -

- Invited to spend an hour a week for four-six weeks carrying out reparative duties at the sports centre eg painting over graffiti, picking litter
- This would be reviewed at three months - if they had met the conditions of the contract they would be given a month's free membership of the junior gym at the sports centre
- If the good behaviour continued for a further two months, the free membership would be extended
- Any breach, would result in any offer of facilities being withdrawn, and the usual procedures put in place.

In the event, and after several months, no young people came forward – there had been no further damage to the sports centre, or it's staff!

*"The trouble has reduced significantly, as a result of the ABC mentoring work, and the new fence which made it more secure. Berinsfield has got a lot better as a result of everyone pulling together."* Abbey Sports Centre Manager

#### vii. Did the Pilot Make a Difference? – Outcomes

*"The action taken at Berinsfield seems to have ended the problems of anti-social behaviour at the sports centre and demonstrates that issuing ABCs is an effective way of dealing with this type of behaviour."*

Deputy Leader, South Oxfordshire District Council

The work that had been developed with the first group was clearly successful; the majority now have jobs and girlfriends – *these things really help*. This provides a positive role model for their younger siblings.

#### viii. Lessons Learnt

- Anti-social behaviour often affects family groups – you need to work with all the siblings, especially the younger ones (12-13 years)
- Having an anti-social behaviour caseworker – using a multi-agency approach working with whoever is appropriate
- Monitors ABCs, follow up breaches

Although the ABC action taken had been very successful and the proposed initiative involving the Abbey Centre was not needed, there was a feeling that the planning had been useful and this could be initiated if there were further problems. However this did enable the Thames Valley Partnership funding to be directed to support another successful initiative – Operation Noah’s Ark – which is now described.

#### **d. The Africa Project - ‘Operation Noah’s Ark’**

*“Working on this was much better than hanging about.”* 15 year old participant

A local youth worker spoke to young people at the youth centre in Berinsfield about raising money for the Noah’s Ark day centre in Kenya, which supports children orphaned by HIV. The presentation was positively received. A number of the hard to reach young people used the youth centre, and five of the young people who subsequently got involved with the project had ABCs. Their engagement with the project was seen as part of work supporting their ABC.

##### i. Project Aims

- To provide an opportunity for young people in Berinsfield to make a difference to their own lives as well as the lives of others
- To provide day care for HIV orphans in Kenya

##### ii. Partners

- Oxfordshire County Council
- Youth service
- Community safety department
- Thames Valley Police
- South Oxfordshire Housing Association
- The Berinsfield community

##### iii. How Did the Project Develop?

The group of young people planned what needed to be done – with everyone contributing ideas. They then helped with the fund-raising and publicity. It was recognised early on that getting to Kenya would cost money, and that only an amazing effort would bring results. Parents also took part, helping with tasks such as fundraising.

An innovative idea was to seek support from local businesses, this included: -

- ‘Adoption’ of a youth centre member to underwrite the airfare - the ‘adopted’ person making a presentation to the company following their visit
- A donation of cash or air miles.
- To help train the young people in preparation for going to Kenya. Skills needed included bricklaying, plastering, carpentry, IT, child care, First Aid, presentation and team working skills
- To give them relevant work experience
- To offer the prospect of work, as they become more employable

Four 15 year olds went to Kenya (one girl and three boys) – all had problems with anti-social behaviour and had received 'warnings'. They undertook training in HIV and First Aid (provided by an HIV expert from a local hospital). The area beat officer, and the anti-social behaviour caseworker accompanied them.

#### iv. Outcomes

Staff felt the project had been highly successful; a debriefing with the young people after the trip showed they were very satisfied too. The project enabled a group of young people, through their own efforts, to travel to Kenya, and assist with the work of creating a new day centre. Whilst the project had been very hard work, the outcomes for the young people, and for the people of Berinsfield were significant.

Young people: -

- Mentoring skills – young people had learned to help each other
- Increased self-esteem
- Broadened horizons and captured their imagination. They talked to people they would not have communicated with before - the media, police, doctors. They also learned some Swahili!
- They learnt at first hand what it means to be hard up, putting their own lives in perspective
- Made them think differently, awareness they could do more than they thought
- Helping other people made them feel needed, and motivated to return – they are talking of going back, and getting jobs to raise the funds
- They had to initiate things – more than they would do so at school
- Learning/training – provided many opportunities such as Survival skills, understanding anti-social behaviour, the work of the police.
- Communication/relationships with the police have changed – *"...it's changed the young people's view of the police"*

Community benefit: -

*"In Berinsfield things are talked about, but don't always happen."*

The Africa project did happen, and as a result they are planning to go again next year. The project has added value for the Berinsfield community: -

- Reduction in anti-social behaviour
- Local employers seeking more employable young people
- Parental involvement - parents were positive and were also involved in the planning/fundraising

#### v. Future

In the longer-term the staff would like to see the wider Berinsfield community support the project. Staff felt strongly that this should not be a one-off initiative but a continual opportunity for Berinsfield youth.

## vi. Lessons Learnt

- Berinsfield used to be very inward looking – this project changed that
- Don't make assumptions, hardened kids can become quite emotional
- Although only four young people went - they were seen as 'ring-leaders' so influenced a lot of the others
- Communication with young people – need to break down barriers, keep them informed, use language they understand, be consistent, honest, treat as adults
- Few restrictions were put on the young people – and few problems were experienced
- Now that the four have returned to Berinsfield it will important to keep them involved and the early signs are that this is happening.
- The project indicates very well how with the right leadership an existing or planned project can incorporate some young people on ABCs. This avoids the 'rewards' problem, does a good deal to contribute to feelings of social inclusion and, in these cases, succeeded in some major attitude change.
- The issue of being taken seriously is a major one for young people who have been in trouble. To contribute to a major community initiative can give people a real sense of purpose and place in the community, and follow through on this for young people generally in such communities is vital.
- The development education field now has significant funding and activity attached to link projects with developing countries, notably in Africa. In Oxfordshire, there is a programme seeking school links for all Oxfordshire schools with African schools and there seems no reason why such work could go beyond a school setting as in the present case.

## vii. Good Practice

This project showed up a number of areas of good practice: -

- Good leadership and partnership with a local charity
- Effective communication at all levels, between agencies, with the young people and with the wider community
- Creative thinking about how to engage young people in the community
- A real determination on the part of the project leaders to see things through and the vision from the lead agencies to make time for this to happen
- Building self-esteem and confidence among disengaged young people is really a central issue.

## e. **Early Intervention for Young People 'At Risk' - West Berkshire**

This pilot shows how West Berkshire community safety department identified the need for early intervention, and worked in partnership with the youth service to develop positive activities for young people at risk of offending. For the youth service, the pilot represented a move into a new area of work; the underpinning work needed, problems encountered and how they are being addressed, are reviewed.

### i. Pilot Aims

The pilot was aimed at young people 'on the edge' of engaging in criminal activity. The aims were to: -

- Get involved at an earlier stage with young people who are causing problems - before they become known by agencies such as youth offending team
- Provide opportunities for young people to see what activities/projects are available
- Give accreditation for achievement
- Provide longer-term opportunities to stay engaged

At the time West Berkshire had 15 'live' ABCs, and there had been a number of breaches, some very early on. It was recognised that more understanding of why this was happening was needed, and to see whether much earlier intervention with young people at risk of offending, could make a difference. The youth service had also identified people at a younger age, who were saying they were bored, but were not engaging in youth service provision.

## ii. Target Group

The need to target the right young people was identified – young people who were considered at risk of acquiring an ABC, particularly those considered as ringleaders. The value of peer education was regarded as the key issue here, on the basis that if the main protagonist can be targeted and involved then they may contribute to turning around their peers in a more effective way than adults and agencies outside the immediate situation. Detached youth workers, and Connexions PAs were felt well placed to do this.

## iii. How Did the Pilot Develop?

The Community Safety Manager contacted the youth service to discuss whether they could pilot an early intervention model. The service was seen as the most expedient route to do this; they were already running PAYP, worked with other agencies, and could therefore access additional opportunities. The youth service were already looking at refocusing their services more towards excluded young people, and those not accessing existing youth service provision, so were keen to do the work. They had committed and motivated staff with a diverse range of skills.

Some principles about implementation were agreed: -

- It would be necessary to have a mechanism to access and assess these young people, and a programme to refer them to. It would mean finding a way of intervening more rapidly.
- The scheme would represent a new way of working, necessitating more of a caseworker approach.
- It would be important to achieve proper accreditation wherever possible.
- There would be a need for an exit strategy, and to think about how the activities could be sustained beyond the pilot.
- The young people would have an action plan, which would be reviewed after three months.
- That information on the pilot would be shared at appropriate forums/meetings, and shared as much as possible informally.
- The issue of self-referrals should be explored as a possibility.
- The need for young people to be involved, and have a say in what they do.

#### iv. Partnership Work

During the planning phase the Community Safety Manager met regularly with youth services staff (Youth Support Manager, Area Youth and Community Officer). One of the key tasks was to identify partners – both those who might refer, or who could provide activities for the targeted group of young people. Key partners included: -

- Connexions
- YOT
- Social services
- Youth service colleagues
- Police
- Anti-social behaviour panel

The Community Safety Manager developed the referral protocol and circulated information on the pilot to referrers; at the same time the Youth Support manager organised meetings with these organisations. The Area Youth and Community Officer also met with YOT to develop the referral paperwork.

The original plan was to start the young people off as one group, but this was not possible due to a lack of referrals. Instead, it was decided to build on some work that was already established with a small group of young people. The group was mainly young males, and included some asylum seekers. Some of the youths had been involved in criminal activity, and most had been involved in anti-social behaviour. New referrals were subsequently taken on as they came along.

#### v. Activities

*“If you are thinking about young people who are involved in anti-social behaviour - if you take something away that’s become a lifestyle, you need to replace it with something.”*

It was decided to use the Thames Valley Partnership funding for ‘Kickstart Projects’, and to offer a range of activities that young people could engage in: -

- PAYP – summer scheme using outdoor activities
- A DJ project – has also been taken out on the road for taster sessions
- Project clubs – specific activities eg repairing bikes, digital camera, video – an opportunity to learn a skill, be off the streets for 6-12 weeks
- A roving minibus that provides youth work in areas where its needed
- Motorwise project
- Residential weekends – team building activities etc

Some of the early activity sessions were poorly attended; at one DJ session no one turned up, so the staff member drove around the local community asking young people on the street if they would like to come and try a DJ session. An impressive number did (16 plus two parents), and expressed interest in future activities.

## vi. Monitoring

The youth service standard was used for monitoring purposes, as it was familiar and straightforward. It was also recognised that it would need amending to give more focus on why the person was doing the course, and what they were getting out of it. It was agreed to monitor: -

- Referrals
- Outcomes for young people - number attending, changes in behaviour, number continuing to engage with activities
- Monthly Youth Service progress reports to be provided to community safety

## vii. Issues

Partnership work: -

- Working in partnership was not always easy, for example, it was difficult to establish a relationship with Connexions, and with some of the local schools

Referrals: -

- Overall referral response was disappointing. No referrals came from Connexions or from the anti-social behaviour meeting of agencies, both of which had been seen as likely referral sources. It may be that implementation of new schemes always tests the capacity of agencies about referrals. With hindsight there was also recognition that there had been some confusion about referral letters. Learning from the project included the necessity for better thought out and more formal referral and assessment procedures rather than an ad-hoc response.

Short-term nature of schemes: -

*"When we ask young people what they need, time and again they talk about insecurity." Youth worker*

Sustainability is key - just as young people begin to get involved, the funding ends. A lot of young people need stability and consistency, someone they know and trust. It is therefore essential to provide consistent, well-trained staff who can support them.

Projecting the right image: -

- A service without stigma is vital for many young people. As a youth worker commented, *"We walk a knife-edge, we don't want to appear high profile/establishment, as young people then don't want to work with us. It needs people to profile the service, at appropriate forums, leaving youth workers to do the more discrete 'no, we are not establishment' bit."* The Youth Service has workers going into local schools and it is evident that young people treat them differently - young people will talk about things they wouldn't talk to a teacher about.

Monitoring and information sharing: -

- It was recognised that there were difficulties in monitoring this type of youth work, and there were problems around data protection and confidentiality.

viii. Outcomes

- As a result of the pilot the youth service felt better placed to take on referrals, having developed some of the systems and activities needed
- The pilot worked well with the youths who used it. The group of ten began to disperse and become involved in different groups and different activities. They had greater self-esteem, and had been given opportunities to experience different activities leading to a lessening of desire to be involved in anti-social behaviour
- The three young people who were considered at risk made good progress. One young man, excluded from school, struggled initially to make eye contact with staff, is now actively engaged in a conservation group and beginning a DofE award. The two others (also excluded from school) are now engaged in the DJ project, and have an opportunity to gain a relevant qualification.

ix. The Future

Staff were positive about West Berks working effectively as an authority to develop strategic anti-social behaviour plans, and although additional funding in the short-term was unlikely, there were a number of initiatives that would help to build and sustain the work developed in the pilot, these included: -

- A newly formed strategic anti-social behaviour group
- The new style of policing neighborhood areas
- The council will employ an ABC support worker (Family Referral Team) to; work with young people on ABCs who are not working with YOT, make links with appropriate agencies, ensure the person keeps to their ABC, and that agencies provide appropriate support

The following plans were agreed: -

- To develop more effective referral systems
- Develop partnership working - a co-ordinated 'team' to meet regularly
- The youth service has a bus that could go out with Connexions staff to rural areas, and run workshops with young people
- Regular meetings between the youth service and ABC support worker
- Greater emphasis on promoting the scheme – through meetings, and informal contact. The anti-social behaviour panel need to be more aware of the project.

x. Lessons Learnt

It was felt that a number of important lessons had been learnt from the pilot, and that these would be used to build on future work. These lessons were valuable reminders about the building blocks needed to develop good practice.

- Partnership Work
  - A lot of work with young people has been done in a disjointed way by the various services involved. An unco-ordinated approach impacts on referrals, and can result in duplication or service gaps. The anti-social behaviour pilot approach focused it more.
  - Breaking down barriers to create a solid foundation with partners. Young people need different things at different times; if you have different people with different skills then you can respond. You need to look at it more like a collective, all working to the same end.
  - The need for clarity – knowing what other services do, recognising their strengths and using them.
  - Information sharing is hugely important. Agencies need to use the powers they have and the relevant protocols to talk about names and individuals. Free exchange enables a much fuller picture to emerge and greatly enhances the changes of effective action.
  - Ask people on the ground what works, they often know – its important there is two-way communication
  - Referrals - more work is needed to develop procedures
  - The church was a valuable source of referrals
  
- Responding to Young People's Needs
  - No one size fits all - programmes need to be individual, flexible and focused
  - Providing food is a good way in
  - Doing outreach around 5pm deters alcoholic consumption
  
- Community Benefit
  - Paying attention to the small wins – people do notice improvements in local amenities like having a phone box which is not constantly damaged. This can be reinforced with a good communication strategy by the crime and disorder partnership and confidence can be improved as a result.

In conclusion, despite some referral difficulties the project showed very clearly the early intervention contribution which the youth service can make and the local impact which can be achieved.

#### **f. Adding Value to ABCs - Wokingham District Council**

This pilot is a good example of the groundwork needed to develop a successful scheme – the protocols and processes to develop work with young people on or at risk of ABC's. It provides a helpful overview of some of the hurdles encountered when anti-social behaviour staff are new in post, and ways of dealing with them.

The pilot was developed by Wokingham District Council's Community Safety Department, and led by a newly appointed Anti-social Behaviour Co-ordinator.

### i. Pilot Aims

The aim was to make ABCs more successful by 'adding value'. As an alternative to simply listing prohibitions in a contract, staff were keen to see the inclusion of useful, diversionary activities designed to give young people with ABCs a chance to participate in more socially acceptable activity. The pilot therefore aimed to: -

- Address anti-social behaviour and thereby relieve the community of the problems it creates
- Provide opportunities for young people to learn to interact with other members of the community while making a worthwhile contribution
- Encourage young people to understand the consequences of anti-social behaviour and help them realise the benefits of behaving more acceptably.

### ii. Getting the Groundwork Done

The anti-social behaviour co-ordinator was new when the pilot began, and so was very much starting from scratch. Her first action was to call a multi-agency meeting with other council departments, community wardens, and agencies, including YOT, the youth service, and Connexions, to explain the project and cultivate interest.

The meeting discussed ideas for developing a winning formula; 'adding value' to an ABC by making the contract a two-way deal. If the young person refrained from anti-social behaviour and offered something back to the community by way of a service, then in return a small 'reward' such as a voucher for a leisure activity would be offered. It's not so much about rewards; it's more about a package of opportunity.

Having the ABC, the community work, and reward all working alongside each other was stressed. It was agreed that the pilot would need to be realistic in its scope, and sustainable, and that it would be more efficient to buy into existing activities/schemes – options included: -

- Waste services department - litter picking, graffiti removal, rubbish collecting
- Leaflet dropping relating to crime prevention
- Environmental projects - including helping to plan projects involved with cleaning up specific areas
- Youth service schemes

It was agreed that ten to 12 ABCs should be the maximum number obtained over the next twelve months in order to monitor them effectively and implement supporting activity.

### iii. Next Steps

The anti-social behaviour co-ordinator met with those agencies that had expressed an interest in providing activities to discuss ideas, establish terms and costs. Youth and community workers were also a valuable source of information, and identified a number of activities young people could engage in.

Raising awareness and training was a key task in the early stages – the anti-social behaviour co-ordinator recognised the need to building relationships; providing training to

potential referrers and promoting the work to the wider community. A programme was devised that included: -

- A half-day training for ABOs
- Presentations to deputy heads, and head teachers
- Attending tenant forum meetings

Partnership working developed in a number of ways; liaising with activity partners (youth service), conducting ABC meetings with the police, establishing the background of perpetrators (education, social services), escorting perpetrators to diversionary activities (community wardens), monitoring ABCs (police), and liaising with YOT and others, including:

- Connexions
- Youth and community workers
- Young people, their parents or guardians
- The community
- Sports development officer
- Environmental department
- Housing associations

The anti-social behaviour co-ordinator worked closely with ABOs and the team of community wardens. Good relationships developed with the police, although some officers were slow to catch on and some were apathetic. It was agreed to provide training for them to remedy this. The Wardens work in communities with problems, and meet with young people whilst on patrol. They can gather information, and support individuals. They also give talks on anti-social behaviour in local primary schools and undertake project work with other agencies eg gardening project with YOT helping elderly people. The Warden's experience is that the fear of crime outweighs the actual crime, and that young people are often unaware that they are causing a problem.

#### iv. Procedures

A set of procedures was developed to ensure there were effective systems in place for dealing with ABCs. This included warning letters, anti-social behaviour reporting and referral forms, letters inviting parents to attend an ABC meeting and a follow-up letter if they did not. The co-ordinator also drew up a flow chart showing the action to be taken in the event of a young person being referred for an ABC:

- Identify individual – preliminary investigation/information exchange between partner agencies – discussed at monthly anti-social behaviour panel
- Warning letter sent to parents
- Parents and young person invited to a meeting ('informal' room, police station) with anti-social behaviour co-ordinator, area beat officer, and relevant others. Non-attenders are sent a further letter, and if they do not respond the anti-social behaviour panel will discuss and their unwillingness to co-operate goes on file. If the anti-social behaviour continues then an ASBO may be considered
- If an ABC is agreed the anti-social behaviour panel determine how it works and who is involved

- Once an ABC is in place, after two-three months the contract is reviewed with the young person

The meetings were positive. Parents attended them, and their involvement was a key factor as the professionals involved felt that parental support for the contracts was imperative. At the meeting the young person was encouraged to talk about their anti-social behaviour, and to consider the effect it has had on members of their family, and the community.

One aspect of good practice that developed had been to ask the young people to write in their own conditions of the agreement on the contract using their own words. This meant that they were more fully engaged and involved in taking responsibility for their behaviour and its consequences.

Monitoring systems were also put in place, which included: -

- Feedback on breaches from the police and community wardens (monthly reports), and reports from the community
- Feedback from agencies responsible for the activity or scheme
- Participants are encouraged to talk about their experience and what they have gained from involvement in the activities
- At six months if there is a breach the ABC will be reinstated
- On successful completion of an ABC each young person will be given a certificate

The period following the end of the ABC will be a clear indication as to whether the effect is long-term and will also need to be recorded.

#### v. Activities

The anti-social behaviour co-ordinator began developing a resource on the activities available and key contacts. It was recognised that the choice of activity would depend on an individual's age; an activity project for the younger individual, or a part-time job for a small reward for older people. The following options were identified: -

- Wokingham District Council – opportunities working alongside council employees
- Connexions - particularly helping individuals back into mainstream education
- YOT – were keen to be involved in the initial stage when a young person needs introduction to an activity, and the person supervising them
- Skidz project – building go-karts
- Bike workshop – a Youth Service workshop where young people can learn cycle repairing skills, and gain accreditation (DofE). It is run as a small business, so the young people are also involved in a range of commercial and retail tasks. It is set in a residential area, but has also gone out onto the streets to work with groups of vulnerable young people
- Residential weekends run by the youth service – fishing is particularly popular (an activity that has proven useful in other projects working with young people with anti-social behaviour). Time is also spent talking about anti-social behaviour
- A graffiti project
- Music service – music/video studio
- An allotment project

#### vi. Referrals

The first referrals came via the Area Beat Officers (ABOs), and some individuals were identified from complaints from the public and then identified with the help of the ABOs. Referrals from other sources were slow and YOT were the only other agency to refer in the first few months of the pilot.

#### vii. Issues

It was difficult getting the pilot started, as the anti-social behaviour co-ordinator was new, and had to build relationships in order to identify the young people to work with, the activities available, as well as develop the referral systems and ABC procedures.

One of the biggest hurdles was to identify at what level ABCs should be introduced, and what would work best, acknowledging that there was little point spending a lot of time with those families who were unlikely to support the introduction of an ABC.

#### viii. Referrals

Despite a considerable amount of groundwork, including building good relationships, referrals were slow, and some agencies showed some resistance. There were also some problems around information sharing and confidentiality. Most of the early referrals came from the area beat officers although it took some time for them to become fully involved. This was because a number were unaware of what an ABC was, and few had received training on them.

The anti-social behaviour co-ordinator experienced problems in encouraging individuals to sign up to the activities offered - either they were not interested in what was available or it was out of their age range. When asked for their ideas these were unrealistic.

Getting young people to move off their 'territory' was also seen as a problem – and the need for mobile services was identified.

Other problems included agreeing an affordable price to buy into activities/schemes, and problems to do with transporting young people to activities.

#### ix. Did the Pilot Make a Difference? – Outcomes

- The knowledge gained during the pilot resulted in a set of procedures, that start with referral and graduate through warning letters to ABC meetings, to the completion of an ABC
- The research on diversionary activities was seen as valuable and will inform future work
- In the first eight months there were four ABCs, and several others being considered. One young person got involved in a summer project building a go-kart, another attended a bike workshop (monitored by a community warden), the third was not interested in anything offered, and the fourth person got involved in an activity but decided not to continue after three visits.

#### x. The Future

The anti-social behaviour co-ordinator is now working on a larger scale, and is working with the police, youth and community service, and others, by targeting communities/estates where groups of young people are causing problems. A number of individuals who appear to be ringleaders have been identified to work with. The co-ordinator is also identifying funds to support activity work, and has worked on a joint funding bid with the sport development officer to develop a multi-sport coach post.

Other plans include: -

- Continue to raise awareness - develop leaflets, presentations in different community settings
- To look at longer term monitoring – possible follow-up after an ABC has expired, say at six months, using phone contact to see how things are working out – how successful interventions have been
- Developing a protocol to work with schools – including having a single point of contact within the school.

#### xi. Lessons Learnt

Those leading the scheme felt that it was too soon to know how successful it had been and that measuring success would take longer. There was a feeling that some solid groundwork had been put in place and that early outcomes were very positive: -

- The need to tackle anti-social behaviour early – get to the younger people who have less history of offending, to reduce the likelihood of behaviour becoming entrenched.
- The need for flexibility with diversionary activities.
- The time it took to for agencies to refer, owing to lack of knowledge of ABCs and understanding of the project. The co-ordinator had to educate them first.
- The evaluation process was useful to reflect on what had been achieved.
- The availability of clear procedures and good protocols is crucial.
- Building relations through raising awareness and training for all those involved is important.
- Involving young people can go as far as helping them be involved in writing their own contract.

#### xii. Good Practice

- Clear procedures/protocols
- Building relations through raising awareness, and training
- Involving young people in writing their own ABC contract.

## Some Overall Findings from the Four Pilots and Associated Projects

Both nationally and within the Thames Valley a range of creative work is going on in respect of positive interventions with young people involved in anti-social behaviour. A full range of initiatives is an indispensable part of any area's overall strategy for dealing with anti-social behaviour. The last two chapters have highlighted some issues about strategy development and the key practice points involved. Overall, there are promising developments but some key overall issues emerge as significant: -

- Funding for this work may be difficult. A central question is 'buy in' from the range of agencies including contribution of staff time.
- As with all aspects of community safety work partnership working is difficult, it takes time and requires secure foundations including the necessary links and protocols.
- Targeting and proportionality are quite crucial in achieving effective results. A positive impact in an area with quite a small number of young people may have a disproportionate effect on local behaviour and community moral.
- Communities do need to know both what is going on and about the effectiveness of initiatives. There should be scope in this work for direct community participation including engagement and reparative work.

The four pilots each demonstrate responsiveness to local need and a range of different priorities. Generally, the chance to undertake a piece of pilot work seems to have been valued and to have made a difference, though several of the projects experienced frustrations and false starts. Flexibility and creativity are clearly important in devising local initiatives.

It seems clear that the use of relatively small amounts of money (£2,000 for each of the pilots) makes a real difference in focusing attention, freeing up time and encouraging flexibility. In several cases, this 'seedcorn' money was the key to achieving buy in or other resources. One clear benefit of small pockets of money is that they can be more freely used, can apply to very local situations and allow people to fall back on their own resources and their own agencies' resources, rather than reliance on large grants or one-off payments.



## 10. Other Projects and Schemes Which Have Contributed to Mending Fences

As the work of Mending Fences developed and the scope and profile of anti-social behaviour increased it became clear that a number of other Thames Valley Partnership initiatives had significant implications for the development of a range of preventive and conflict resolving approaches to anti-social behaviour. Three guiding principles run as threads through Thames Valley Partnership programmes: -

- Community Engagement - inclusion and the active support of individuals and communities including young people, excluded groups and offenders.
- Conflict Resolution and Restorative Justice - bringing people together to seek solutions together both inside and outside the criminal justice system.
- Use of arts as a powerful way of motivating, building bridges and communicating ideas.

In this chapter all three of these strands are illustrated. The Hoax Impact project described by Patsy Townsend is an imaginative prevention initiative, working through the school curriculum to address an important manifestation of anti-social behaviour, which is recognised as a national problem.

The Gener8 arts project, described by Judy Munday illustrates a creative response to both inter-generational tension, and the way in which arts can stimulate communities in addressing problems of low confidence and involvement.

Becca Leathlean's section outlining the Reading Park project shows clearly that there is great potential for reparative approaches to anti-social behaviour, with considerable gains also in building community confidence, participation and ownership.

Finally John Hedge describes the main issues from a project to build better links between Crime and Disorder Partnerships and the Probation Service on sustained use of Community Punishment in responding to community safety and anti-social behaviour problems.

Links to other documents relating to these projects are given in the text

## **a. Hoax Impact**

### **A prevention project delivered through the school curriculum**

#### **a. The Project**

Hoax Impact is a project aimed at raising awareness of and educating young people in the dangers of hoax calls and deliberate fire setting. It is therefore addressing an area of anti-social behaviour that is costly to all the emergency services.

The initiative has addressed the issue of hoax fire calls by developing an A Level assignment-linked campaign to raise the imagery and the message of the effect of hoax calling on the emergency services. It has worked initially in three West Berkshire secondary schools – Park House, Theale Green and Mary Hare (school for the deaf). The culmination of the project will be a series of public exhibitions of the students' work in a variety of settings throughout West Berks but focussed in Newbury, and starting with an exhibition in the Vodafone Headquarters Pavilion in June 2005. The exhibitions will also serve as an opportunity for a public campaign on the issues of fire safety and hoax calls.

Year 12 and 13 students have developed the images and messages through research and photography and other media. In year 2 of the project the message will be cascaded down through the school to younger students who will in turn develop an information pack to be delivered to their feeder primary schools and the wider community. The Citizenship co-ordinators in each school are currently developing the methods of delivery of the cascade element of the project – including using Theatre-in Education, graphics, ICT – in other words cross-cutting several areas of the curriculum.

#### **b. The Nature of the Problem**

##### **i. In 2002-03**

- There were 1,414 hoax calls across the Thames Valley, costing over £700,000 in total
- Nationally the cost to the country of fires was estimated at £6.9 billion, with the cost of malicious fires estimated at £1.2 billion
- The estimated cost of arson in the Thames Valley was £41,884,700
- There were 6754 incidents of arson across the Thames Valley

#### **c. The Scale of the Problem in Berkshire in 2002-03**

- 690 incidents of hoax fire calls (372 incidents in quarters two and three of 2003)
- Cost of hoax calls £345,000
- 2,660 incidents of arson
- Cost of incidents of arson £18,596,000



#### d. The Partnership

The project has been steered by the West Berkshire Education Business Partnership in conjunction with the Berkshire Fire and Rescue Service, Vodafone UK Foundation, Thames Valley Partnership, West Berkshire Council and the three schools.

#### e. An Example: Park House Secondary School, Newbury, West Berkshire

28 students from Park House school took part in the project and completed a three-month piece of AS level coursework around the Hoax calls topic. Each student was given a briefing pack, a portfolio and a programme of visits – including a visit to the local fire and rescue service headquarters and call-centre, fire training sites and to the national fire service training college at Moreton-in-Marsh. In addition they had a session with a professional photographer.

The images they developed and put together on their display boards were striking and hard-hitting and the slogans they used powerful and accessible to young people. For example: -

*"It's your all! Hoax calls – dead cool – NOT!"*

*"We always trace hoax calls. Hoax calls cost lives".*

*"Hoax callers – we know who you are! - Not so funny now is it?"*

The cascade work is planned for year two of the project and will involve a group of year 9 students developing a piece of theatre-in-education around the topic and the images developed by the sixth form photography students, in conjunction with another group of art students producing an information leaflet using graphics and ICT. The theatre piece

will then be delivered to younger students within the school and to an invited audience of year 5/6 pupils from their feeder primary schools. Leaflets will be made available to take back into the primary schools to reinforce the message.

#### **f. The Benefits**

The project is currently work in progress but the anticipated benefits of the project are as follows: -

- Addressing issues of anti-social behaviour in West Berkshire
- Increasing awareness of fire risk and prevention and the effects of hoax calls – to the students undertaking the assignments, to students further down the school, to primary school pupils and to the wider public through exhibitions etc.
- Encouraging the students taking part to be involved in an active way with a real/live social issue thus developing their sense of responsibility, inspiring them to become active citizens and to lead safer lives
- Developing new skills in the students – research, team work, social awareness and thus building their confidence, self-esteem and potential
- Using the school curriculum as a vehicle for delivering a strong message on a real live social issue
- Meeting strategic aims and performance targets of partner organisations eg Berkshire Fire and Rescue Service's strategic aim to 'Deliver community safety education, tailored to user's needs, to reduce the number of fire calls and to minimise the consequences of fire'
- Addressing issues of abuse of mobile phones
- Delivering a strong fire safety message for the Fire and Rescue Service

The anticipated benefits to the Fire and Rescue Service and potentially the other emergency services: -

- Reducing demand on the Service thus freeing up resources for other safety and fire fighting activity
- Reducing risks to attending crews and other road users during emergency response
- Maintaining availability of appliances to respond to other emergencies
- Reducing impact on employers whose staff are part-time fire-fighters
- Raising awareness of fire safety issues
- Raising the profile of the Fire and Rescue Service
- Reducing intervention costs
- Reducing the impact on business and the community

#### **g. The Impact**

We expect this initiative to impact on the following: -

- The AS/A2 students undertaking the photographic/media studies assignment
- The year 8/9 enterprise team
- The primary school pupils
- The participating schools in terms of an enriched curriculum,
- Greater collaboration across the primary and secondary sectors and support for the citizenship agenda

- The wider public through exhibitions in several venues
- The Fire and Rescue Service in terms of reduced hoax calls,
- Reduced costs and improved safety

This initiative is quite unusual in using sixth form students to develop an assignment-linked campaign to address an aspect of anti-social behaviour - hoax calling, which causes concern to the emergency services and the wider community. It has also brought together a unique group of organisations working in partnership to develop and deliver the project.

Over a period of two years, the young people involved from sixth formers down to 10-11 year olds, will have raised awareness and developed a campaign amongst their peers and the wider public of the dangers and costs of hoax calling and reduced the incidence amongst young people of this aspect of anti-social behaviour.

## **b. Gener8**

### **Arts as a Way of Engaging and Inspiring Communities**

This was a valuable project which worked so well because of the commitment of the local groups and community and strong hands-on support from all partners.

#### **a. Background**

Gener8 was a community led arts project that worked across the generations and provided the platform for neighbourhood consultation in the Nightingales area of Greenham, Berkshire. This location was chosen for several reasons: -

- A history of young people using the area in front of the community centre as a base for drinking and hanging about, causing unease amongst residents
- Lack of suitable activities on the estate for young people
- A general level of unease and fear of crime in a mixed neighbourhood
- An estate in need of updating in the light of modern standards and ways of living
- The ability to link into the National Reassurance Policing Programme which looks for innovative projects to address anti social behaviour and fear of crime in local communities
- A central focal point of a hall in need of refurbishment
- The obvious link and support with nearby New Greenham Arts Centre
- The proximity of a primary school situated within a small neighbourhood
- Key players already in place (eg neighbourhood wardens) to ensure on the ground sustainability of links once the project has been completed
- The bonus of a residents sheltered housing unit being just next door to the community centre

#### **b. Project Aims**

- To use creative arts as an effective tool for 'bridging the gap' between the generations in the community
- To provide a platform for neighbourhood consultation

#### **c. Objectives**

- To work creatively across the generations by involving key groups in the immediate area
- To provide the springboard for long term and sustainable links between key groups
- To address issues of anti-social behaviour by making the local community more cohesive and therefore raise tolerance

#### **d. Project Structure**

The project consisted of two phases – Phase One involved key groups working with an artist to make ceramic tiles and masks for the soon to be refurbished community centre. Phase Two was an arts led neighbourhood consultation day.

i. Phase One

An artist was engaged to lead workshops in tile and mask making. The key groups involved in the tile making were Greenham Court Community Primary School, the youth clubs and residents from Springhurst, the local sheltered housing unit right next door to the community centre. Springhurst was for many years solely a small compact housing complex for the elderly, and as such had a good community spirit and a healthy mix of activities. It recently became mixed housing, with units being let to younger people, many of who worked and were not around during the day. The older residents became increasingly isolated, as they perceived their community becoming more fragmented, less cohesive and less part of the wider estate community. It was these older residents which were targeted for inclusion in the project.

The artist spent three days at the school and all children (except Year 5), from reception up to Year 6, made tiles. On one of the days four residents from Springhurst joined the children at the school to join in the work. They enjoyed visiting the school and chatting with the children and, despite initial reservations about the creative work, were soon absorbed and producing excellent work.

Year 5 spent a full day at New Greenham Arts Centre, where they had the chance to make masks instead of tiles. They also spent time looking round the centre and generally being exposed to a venue and arts environment most would not normally have the opportunity to experience. They were also joined by five residents of Springhurst who spent time with the artist before the children arrived and then had a chance to look at the facilities at the Arts Centre. The children and the residents made use of the free bus which runs regularly from the Nightingales area.

There was a good turn out of young people at the youth centre when the artist visited to make tiles with them, along with four residents of Springhurst. The young people chatted and made cups of tea for the residents, who were thrilled and talked about their work afterwards to other residents of Springhurst.

In all over 300 tiles were made and 16 masks. Four frames of tiles are now on the outside of the community centre, one frame is in the school and there are 10 masks suitable for mounting inside the centre once the refurbishment has taken place.

ii. Phase Two

Phase Two was the neighbourhood consultation day for the Nightingales Estate. Arts activities brought the community out so that Sovereign Housing could consult with residents on hopes and wishes for replanning around the estate. A model of the estate had been made by the pupils at Greenham School and local people had been trained as advisors. The artist responsible for the tile making did a demonstration, plus there were other arts activities - drumming workshops, balloon artists, music from a local keyboard player and dancers from the youth club.

The day was extremely successful. There was a high turnout of residents (Sovereign recorded 311 flags with comments on being placed on the model) and lots of people continuously around the model. Sovereign admitted that the response would not have been so good had there been no arts activities to draw them in. The Resident's

Association supported the event by providing free teas and coffees throughout. The Mayor paid a visit, as did the cultural services manager of West Berkshire Council. The atmosphere was very jolly and productive and people tended to stay around for quite some time – in particular groups of young people, highlighting the fact that there is little for them to do in the area. The police felt the whole day was very innovative and were very pleased with the positive use the Reassurance funding was being put to.

#### **e. Lessons Learnt**

- An open approach allows the project to fit well with other local activities and contribute to a wider process but risks losing focus
- The use of ceramic art allows participants to contribute very publicly to the regeneration of their environment and celebrate themselves in their community
- A large public event has a significant impact because it is different and memorable and can improve relationships
- Contributing to huge concepts such as regeneration and reassurance involves working with a wide range of partners. This is more easily delivered over a long term by locally based staff
- Finding ways of bringing older young people and younger old people together requires careful attention over a long time

#### **f. Ongoing Links**

- Links have been established between the school and the artist and it is hoped that an annual trip to the Arts Centre can be planned into the on going curriculum.
- The youth club anticipates working up activities to include residents from Springhurst, eg bingo, and start up a communication link between these two groups and lessen the feel of 'fear' and apprehension.
- West Berkshire arts officer and the youth services will be working on projects together, with one already in the pipeline (DJ).
- Sovereign Housing is keen to maintain links with the youth services to stay engaged with the local young people.
- Youth services, the school and Springhurst will be kept in touch with activities at New Greenham Arts via the mailing list and community manager.
- The school and Springhurst hope to establish regular visits between the pupils and the residents.

Funding was received from Thames Valley Police (National Reassurance Policing Programme), Sovereign Housing, Greenham Residents' Association, West Berkshire Council and Thames Valley Partnership (supported by Arts Council England, South East).

#### **g. Project Partners**

- Thames Valley Partnership - Arts and Community Safety Officer (co-ordinating role)
- West Berks Council - Arts Education Co-ordinator and Youth worker. Support from Community Safety Manager and Communications Officer
- Sovereign Housing - Regeneration Co-ordinator and Neighbourhood Wardens
- Greenham Court Community Primary School
- National Reassurance Policing programme, Thames Valley Police
- Greenham residents association

- Springhurst House
- New Greenham Arts

#### **h. Related and Future Projects**

Other work undertaken by Thames Valley Partnership linking arts with community concerns are relevant to the wider consideration of arts and anti-social behaviour. These include the APED project which involved young people referred by youth offending teams in making a video about alcohol use which was then incorporated into a teaching package for schools in Buckinghamshire. An evaluation of arts work, including material about the APED project, is available on the publications page of our website [www.thamesvalleypartnership.org.uk](http://www.thamesvalleypartnership.org.uk).

Gener8 has become the blueprint for future arts, intergenerational and community projects across the Thames Valley. Currently, two similar programmes are being worked on in partnership with local agencies - one in the Denham area of South Bucks and the other in Quarrendon in Aylesbury. Both of these will use the arts to bring different generations and diverse communities together to work towards a common goal.

### **c. Reparation in the Park**

#### **Findings from the Reading Restorative Park Project**

Restorative Parks began in the North East of England, and the Reading project was both the first of its kind in the region, and the first to involve offenders from prison, the probation services and the youth offending team. The advantages for community safety in general, and anti-social behaviour in particular, can be summed up as follows: -

*“One of the vital tasks of local authorities, as recognised by the Crime and Disorder Act 1998, is to ensure that their communities are safe and that people feel secure enough to live their lives. The Restorative Prison Project encourages the creation of local strategies that allow offenders to develop their potential as citizens in a way that benefits their communities. The involvement of prisons, prisoners and prison staff in local authority planning has the potential to improve the resettlement chances of released prisoners, reduce the fear of crime and remind local authorities that some of their citizens live and work in the difficult world of prisons. The developing relationships between people, parks and local authorities are mutually beneficial. The restoration of public parks and communities is a symbol of one possible future.”* Viv Francis, Project Officer, Restorative Prison Project, International Centre for Prison Studies (ICPS)

Parks projects play into several key government and community safety agendas, such as anti-social behaviour, active citizenship, regeneration, sustainable communities, corporate social responsibility, restorative justice, improved health (physical and mental) and prisoner resettlement. They can also provide a base for high profile, meaningful and effective community sentences.

Early experiences at the Thames Valley's first restorative parks project at Edenham Crescent in Reading (launched 19<sup>th</sup> January 2004) have shown improvements in community cohesion, community empowerment, health, and public attitudes to crime and justice. Furthermore, local residents say that it has resulted to a cut in anti-social behaviour. Equally important, the project has given offenders opportunities to make reparation to the community. It has also contributed to their rehabilitation. Part of the park was previously owned by Courage Brewery and, due to this and the fact the project 'took courage' to realise, the park is to be renamed, 'Courage Park' – a suggestion made by a local resident.

The restorative parks project was born under Thames Valley Partnership's Creating Confidence in Justice project (funded by the Esmée Fairbairn Foundation's Rethinking Crime and Punishment initiative). It unites Reading Borough Council (RBC), the Prison Service, National Probation Service Thames Valley, Inside Out Trust and others in the restoration of run-down open spaces for the council. The scheme is inspired by the Albert Park Project in Middlesborough, where prisoners in prison workshops and released on temporary licence (ROTL) donated £125,000-worth of labour to the restoration of a run-down Victorian 'people's park'. In Reading, Thames Valley Partnership's role was to act as a catalyst. We brought the idea to the council, and invited the main players to a series of meetings before handing the project over to the council. We continue to sit on the

steering group. Our role is now to ensure that the project remains truly restorative, and that the story is told.

In Reading, work in the park was preceded by a large meeting in the local community centre. Following a leaflet drop by local residents, an audience of some 50 people came to discuss issues with representatives from the council, prison and probation services. A community steering group was formed the same evening and continues to play a lead role in the project.

## **a. The View from Reading Borough Council**

### **i. Anti-social Behaviour**

The council decided to pilot the restorative park project in Courage Park, where anti-social behaviour was a problem. It was kick-started with GOSE funding – £20,000 for tackling anti-social behaviour. Reading Borough Council's parks department provided the management and supervision, as well as a base for the project to operate from. For six weeks, there were staff on site six days a week, with up to six offenders working with them. Now that the work teams are not on site all the time, a small amount of anti-social behaviour has returned. However, it is hoped that proactive partnership work with both the community and the police will nip this in the bud. Importantly, the way the park is used has changed with scores of children and families using it again. "We have broken the cycle of misuse and abuse," says Adrian Lawson, RBC Parks and Open Spaces Development Officer. "Where before the land was dominated by small groups of youths riding motorcycles and abusing solvents and drugs, it is now occupied by families, dog walkers and youths playing ball games. The change has been rather remarkable, and was noticeable even in February. The vast majority of messages have been positive. Even people who were sceptical at the outset have been impressed.

"The project has been amazingly cost effective, too. Once the equipment and materials had been paid for, we were able to carry out high quality detailed work – often in direct response to park users' requests. The progress was rapid, and the site was noticeably improved every day."

### **ii. Community Cohesion and Empowerment**

*Says Adrian Lawson: "We have made incredibly good contact with the local community and there has been a lot of community input. We have a 20-plus strong community steering group. The project has repaired the relationship between the council and the community – and the prison and probation teams have made a very good impression on the community. They have been able to act instantly. For example, we had a request to improve access for mothers with baby-buggies. The work teams installed a ramp the next day! Without this project, the council may have taken weeks to respond."*

There continue to be regular community steering group meetings in which residents put forward their ideas. The project has also brought the community closer together – people from council houses on one side of the park are now mixing and working happily with people from private homes on other side. The youth club now sends representatives, street wardens have joined, and existing members have persuaded other residents to

come to the meetings. The last meeting was held in the park on a lovely sunny May evening!

In Reading, as in diverse areas of all kinds, parks projects have a unique potential to bring many sorts of people together. There is also the opportunity to involve schools in park restoration projects, perhaps working on designs (artwork, sculptures etc) for young offenders to manufacture. Furthermore, there is scope for educational projects, both for offenders and for the wider community, based in parks – something now being explored in Reading.

### iii. Health Benefits

As well as bringing the community closer together, the improvements at Courage Park mean that people are now using it again – getting exercise and relaxation opportunities. There are improved sports opportunities with plans for a new multi-use sports pitch, a cricket pitch (or at least wickets) and environmental improvements, for example plantings of spring flowers, woodland flowers and wild flowers. In terms of mental health, less anti-social behaviour brings with it less fear of crime and a better quality of life.

### iv. Mainstreaming

Reading Borough Council is now looking to create a post – someone to manage the restorative park initiatives as they roll out across Reading. Adrian Lawson says that far from taking away work from existing staff or local contractors, this is work that the council could not afford/would not have the facilities to do without offenders. So, in fact, by virtue of the fact that it will need to employ staff to manage and run it, the restorative park project will be creating work.

The project manager will engage with local communities to see what they need, develop the projects and make sure the needs of all the partners are met (ensuring offenders get accredited skills as well as reparation opportunities, for example).

### v. Prizes

The parks project has become high profile at the council. The Parks Department is already being encouraged to enter for awards.

## **b. Rehabilitation, Training and Active Citizenship**

Training is key for the Prison Service. There are many training opportunities in parks – horticulture, construction, fencing, machinery-use, agriculture, estate management; learning about health and safety and First Aid. Reading Prison is working with Berkshire College of Agriculture (BCA) to set up a training plan, with work in parks preceded by basic level training within the prison garden. (BCA will be training Reading Borough Council staff as quality assessors). Furthermore, prisoners are diversifying, with benches and signs for Courage Park soon to be produced in prison workshops. The various activities appear to be having a good effect on prisoner morale, too – with a happier atmosphere reported in the jail.

The project is also forging some very positive links between the prison and the community. Seeing the success of the Courage Park project, other community-based organisations are expressing a desire to work with the prison on restorative projects. Says Andrew Mondaye, Scheme Manager for Thames Valley Probation Area's Enhanced Community Punishment (ECP) in the Berkshire area: *"I have been tremendously impressed with the cohesive integration that the Restorative Parks Project has made with the local community. As the probation service we have, of course, worked in the community undertaking valuable work for many years. However, an initiative such as the parks project has enabled us to forge more permanent and sustainable links with all concerned. To be able to meet with and discuss the needs of the local people before work actually began, has I believe, been highly constructive and vital in securing an outcome that has actually reduced crime and generated a safer environment for those who live in the area."*

For the Inside Out Trust, rehabilitation and restorative justice are key. The charity has developed, with the Open College Network (OCN), a seven-unit 'Evidence of Work-Based Skills' package, offering qualifications in seven 'generic' key skills such as team-working, problem solving and personal development. In the North East, this is being offered in conjunction with parks projects. The Inside Out Trust also offers an ASDAN certificate in Community Volunteering – this fits in with the government's active citizenship agenda and, again, gels with restorative parks projects.

### **c. Restorative Justice/Public Attitudes**

*"My home is the nearest to the work going on. I'm retired, so I'm there every day and I have seen these young people working day in and day out. I've been very impressed by them. They've been polite, friendly, hard-working, diligent – I could go on. That goes for the council, too! I've been impressed by the whole approach."* (Elderly Edenham Crescent resident)

Research by the Rethinking Crime and Punishment (RCP) initiative has found that the public are not as punitive as is often believed. In particular, the principles underlying sentences resonated strongly with interviewees who talked about the importance of making good the damage to victims and society, and of victims' need for closure. *"The term 'Restorative Justice' evoked an immediately positive response: 'justice' summarised notions of fairness and truth, while 'restore' was interpreted as putting things right, fixing the damage or righting a wrong. These were the very values respondents wanted their criminal justice system to address."* (Stead *et al*, University of Strathclyde, for RCP)<sup>(1)</sup>.

In Reading, after some initial scepticism from the community, local residents have taken the offender teams to their hearts – especially the prisoners who were on site six days a week. The boys worked in all weathers, and made a huge difference to what, for years, had been an ugly dumping ground frequented by drug-abusers. Residents say they removed some 100 tons of undergrowth, rubble and fly-tipped rubbish – in the words of one man, "The equivalent in volume to two-and-a-half sperm whales!" As the project got underway, there were reports of residents taking the work teams tea and biscuits, and letting their children out to play, happy that a 'responsible presence' (the prisoners) was there to keep an eye on them.

The project also gives offenders a chance to undertake active, meaningful work, and make direct amends to the community. Offenders have clearly valued this opportunity, and have

been moved to see how much it has meant to the residents. In the words of one offender: "You can feel good that you are doing something for the community, not just sitting back and doing your time. And it was nice to see that they had faith in us, that they believed we could be rehabilitated. In that sense, they were giving something back to us."

We have had much positive media coverage, with restorative justice given a high profile. For example, in a report announcing the start of the project, John Hartley, Reading Borough Council's lead member for cultural services was quoted as saying: "This is an exciting and innovative project to transform the Edenham Crescent area and it shows the real potential of restorative justice. I hope it will lead to a greater sense of community ownership and pride in this valuable green space." (Reading Evening Post, 20 January 2004)

#### **d. Respect Due...**

We are now arranging a celebration barbecue in the park, when the offenders will be awarded thank-you certificates in front of an invited audience including the community, their families, local businesses and media. A plaque commemorating the Courage Park project as the first in a series of restorative parks partnerships will be unveiled.

#### **e. The impact of National Offender Management Service (NOMS)**

Parks projects provide a good opportunity for the prison and probation services to work together, jointly steering parks projects to fulfil both resettlement and community punishment agendas. Parks projects have been recognised as a very valuable initiative, with both agencies eagerly anticipating further joint working under NOMS – across the Thames Valley and beyond. There may also be other ways in which the council can get involved with helping offenders/ex-offenders: in Middlesbrough, for example, the Albert Park project spun off into a scheme where the council helped people leaving prison to find housing.

#### **f. Corporate Social Responsibility (CSR)**

There is masses of scope for businesses to volunteer sponsorship and support as part of their CSR strategies – for example, building contractors could loan tools or help with digging ponds, laying sports tracks etc. We have had a meeting with the Morrison Utility Services, and hope something positive will come out of this. A member of the Reading Business Community Partnership has also been to some of our steering group meetings. However, more work needs to be done on linking up with business to make effective partnerships.

#### **g. Summary of Lessons Learnt**

The success of the Edenham Project had highlighted a number of important lessons, which need to be taken into account in trying to develop similar projects elsewhere.

- Good partnership planning took time but was essential from the initial planning stage.
- Careful selection of the location was important. At Edenham although the project was a big one, some early visible impact was possible for local residents.

- The level of problems being experienced by the community needed to be serious enough for local people to feel strongly that something had to be done- strongly enough that they were prepared to 'take the risk' with offenders doing the work in return for a prompt start and serious action.
- Community involvement had to be worked hard for, and might not be achievable in areas of multiple deprivation. At Edenham the agencies had had to contend with initial anger, but the energy involved enabled a work plan to be developed with local people's input. The level of involvement and participation had developed over time, until there was a high level of 'ownership' and direct participation. Feedback and response to concerns were of great importance.
- The community could sometimes want options, which were not advisable. An example at Edenham was the wish for restoration of a fence, whereas the Parks professionals felt that this would limit safety, and an open space was better. This had to be talked through patiently.
- Partnership working was difficult and time consuming. Co-ordination was vital. This needed to be recognised. The brokerage role in getting people to together and enabling them to keep with the task was important, and had been carried out in this project by Rebecca Leathlean of Thames Valley Partnership. Brokerage was needed at the 'front end' of the project especially, when time and commitment from the broker could help keep the pace up and momentum going.
- The Parks Department in Reading was engaged with communities, but this is not always the case, and management of public spaces is often quite traditional and functional, with limited links to Community Safety and Criminal Justice agencies. This needed to be recognised in setting up partnerships and dealing with concerns. Experience from successful projects needed to be shared and promoted.
- In order to sustain community involvement regular meetings with members of the community are necessary - this supports local ownership of the project and makes it possible for the public to become more directly involved. This is continuing in the Reading project.
- Celebratory events can be very helpful in binding people together and recognising achievement. The Face to Face theatre group and a community barbecue are examples of this from Edenham.
- Supervision of the work is crucial, with clear overall site leadership, and agreed levels of supervision where offenders from more than one agency are involved. Differences in the make up, turnover and motivation of groups was inevitable, and could only be managed if this was recognised.
- Successful media coverage was helpful for all concerned; giving recognition and affirmation, but this needed to be managed well.
- Access to relatively small amounts of money could really assist community choice and involvement- bulbs, plants etc. There was also potential for sponsorship by local firms.

- One of the key lessons learnt is that this approach, though hard work, and demanding of the partners can be very cost effective, making it extremely attractive to the local authority.
- Risk assessment of the offenders is easily handled by use of the existing procedures in prisons, probation and the YOT. These provisions would apply equally well in other parks settings.
- Good Health and Safety planning and practice were very important. This needed to be dealt with effectively both at the planning stage and in the working of the project, but expertise was available from the partner agencies.
- Problems had been experienced in delays over items manufactured in Prison Workshops. It was also not that easy to get things agreed because Prison Industries had contracts to meet. Similarly probation no longer ran a workshop for Community Punishment, because of the difficulty in meeting current legal requirements on Health and Safety. It was felt that a workshop, outside prison, but capable of taking both prisoners and offenders from the community would be very helpful in taking this model forward. It could be very relevant to NOMS implementation, and also the new proposed sentencing options. Development might best be done by an agency like the Inside Out Trust.
- There could be scope for using projects of this kind as a vehicle for increasing community involvement in Criminal Justice and problem solving solutions- it may be that some local residents would take their positive experience and become volunteers or mentors.
- This approach brought together a number of overlapping agendas which could be used to promote the development of collaborative work. These included environmental interests, civil renewal, community engagement and restorative justice.
- Edenham had dealt effectively with a range of public space anti-social behaviour problems, including discarded needles, irresponsible use of motor bikes, threatening behaviour and criminal damage. The project had achieved a massive reduction in anti-social behaviour. The use of offenders had also contributed to reducing local fear, and increasing community resilience. These were strong arguments for extension of the approach, given the current importance ascribed to anti-social behaviour, and the need to involve communities in responses.
- Having an agreed exit or maintenance strategy is important, and needs thinking about in advance.
- Good strategy emerges usually from the experience of good projects and not usually the other way round. It may be important to go ahead and do things without waiting until the overall macro level strategy is in place.

## References

- (1) 'What Do the Public Really Feel About Non-custodial Penalties?' Martine Stead, Lynn MacFadyen and Gerard Hastings', Centre for Social Marketing at the University of Strathclyde (2002)

## d. Community Punishment and its Reparative Potential in Responding to Anti-social Behaviour

The Reading Park project is one example of the potential for offenders to undertake work, which puts right the visible consequences of anti-social behaviour. Community Punishment, or unpaid work in the new sentencing vocabulary, has the potential however to deliver four other important community safety gains: -

- Higher visibility for a community penalty, hopefully underlining its credibility.
- Involvement in the criminal justice system by community organisations offering placements, and individuals providing supervision.
- A means of the local authority being able to contribute directly to resettlement and rehabilitation by providing work, learning opportunities and sometimes training.
- Offenders putting right local problems may have an impact on public confidence about crime and disorder- another dimension of the 'Together We Can' empowerment model for anti-social behaviour.

The potential for unpaid work by offenders in community safety was for many years unfulfilled, but a number of important policy drivers and initiatives have recently come into play, creating some key policy connections. These include: -

- The publication of the Coulsfield Inquiry <sup>(1)</sup> (part of Rethinking Crime and Punishment), which saw important possibilities in Community Punishment, including the need for communities to have some involvement in the type of work carried out.
- The development of a community involvement strategy for the national Offender Management Service.
- Developing local government interest in the role of local authorities in resettlement and criminal justice issues, as in the LGA Report, 'Going Straight'.
- The Home Office Public Service Agreement Targets 2005 to 2008. Which includes the requirement that partnerships should consider how best to address fear of crime and anti-social behaviour in their communities and set targets accordingly.

The hours worked year on year by offenders on Community Punishment add up to a major resource, and for some years Probation areas have sought to increase the proportion of work done, which can be regarded as relevant to community safety or crime prevention. This has certainly been the case within the Thames Valley. A simple typology of the main types of work is as follows: -

- **Community safety tasks.** Those which achieve a reduction in the risk of harm, whether by crime or accident

Good examples would be landscaping work, road safety related work, and projects which enhance public confidence- such as reclaiming a 'no go' area for public use.

- **Crime prevention tasks.** Those tasks which are specifically related to reducing the risk of crime.

Such tasks as lock fitting, car park painting, and anti- vandal work.

- **Reparative work.** Tasks intended to put right the effects of crime and anti-social behaviour.

This would include a wide range of jobs from initiatives like the Reading Park through to anti-graffiti work, and repairs to minor damage.

- **Community development.** Work which is undertaken in communities where there is acknowledged need or specific at risk groups. Such tasks will be likely to support community cohesion.

Probably the broadest category covering anything from doing up the community hall, to painting out the play group premises or providing a luncheon club for elderly people.

***Obviously there is overlap between the categories, and some settings will cover more than one category, but the typology may be useful in promoting thinking among Crime and Disorder Partnerships and other bodies about work which could be undertaken.***

One of the real problems arising from Community Service/Punishment having had a Cinderella status for so many years is that there has been little systematic analysis of content. A popular game among experienced staff has been to challenge colleagues to think of new work activities for offenders, and then respond to almost any suggestion offered by giving chapter and verse about where and when it has been done before. In an area like the Thames Valley where there has been a tradition, especially in Buckinghamshire and Oxfordshire of pioneering work with individual placements the range of jobs, and the agencies involved show a huge variety.

There is, therefore, a strong track record, high levels of experience, consistently positive reports from beneficiaries and proven policies on safety. Despite all this Community Service/Punishment has continued to have a low profile and limited understanding within the community safety field. There are areas of the country where functioning links have developed between schemes and local CDRPs, but this has been the exception rather than the norm.

Within the Mending Fences project we have attempted to do some work to support the development of functioning links between Probation and some CDRPs. The idea was to find sustainable methods for the CDRP to route priority community safety tasks to Probation, with the ultimate aim of having a rolling programme of work, which was identifiable, and therefore capable of being communicated to the public.

Meetings and negotiations were held with Community Safety Managers and key staff in the following areas: -

- Aylesbury Vale
- Cherwell
- Oxford City
- Reading
- West Oxfordshire
- Wycombe

Three Thames Valley Partnership events also included work on the anti-social behaviour and community safety potential of Community Service/Punishment. These were: -

- Probation and Community Safety Working Together - June 2004
- Restorative Parks - December 2004.
- Safe Returns - Bullingdon Prison - December 2004.

(Reports from these events are available on the publications page of our website [www.thamesvalleypartnership.org.uk](http://www.thamesvalleypartnership.org.uk)).

#### **a. Main Findings**

Though work and negotiations are still in progress there has been some progress in most places. Provisionally the main findings and learning points are as follows: -

- The base line level of knowledge among local authority and CDRP staff about Community Punishment is extremely limited. Briefing and illustration have to take this into account.
- Areas of particular anxiety are the assessment of offenders, implications for paid staff and insurance. All these are actually strength areas for Probation, but need explaining from the outset.
- CDRP staff may have limited time and capacity to actually provide the referral link for new work. They will though be able to provide key brokerage with partners. Police support seems to be particularly important in allaying concern.
- Probation generally needs a higher profile within the CDRP infrastructures. This is steadily improving and the POPO and resettlement agendas mean that there is now more obvious Probation related business than there used to be. This will assist in promoting Unpaid Work, but Probation representatives do need to know enough about CP and what is being done locally to keep the profile up.
- Front line management staff in Community Service/Punishment have limited knowledge about local authority structures and the community safety field. Again this is beginning to improve, but needs building on.
- Projects may come from a variety of sources other than community safety management but feedback to the CDRP, on a regular basis and detailing work achieved is of central importance.

- While the 'clean and green' agenda about public open spaces is quite rightly a high profile anti-social behaviour concern, and has special potential for work by offenders, there will be many other options. Probation already has a great deal of relevant experience - this can be in groups, but also with individual offenders. Examples include attachment to a Street Warden, work in clubs and work for schools.
- Nothing succeeds like success, but this will depend crucially on feedback, community awareness and publicity.

## **b. Looking Ahead**

The new sentencing framework is sure to increase the number of offenders sentenced to unpaid work as part of their Community Order. This is a substantial challenge, but also offers new opportunities for community involvement and new working relationships with CDRPs and local authorities. Probation will need to take these opportunities in the context of NOMS and the introduction of contestability. Its expertise and relationship with local agencies will need to be promoted, and relevance to popular anxiety about crime and anti-social behaviour will be especially important.

Government's commitment to the Causfield proposal has made it clear that they want local communities to have a say in the type of work being done on Community Punishment offers a really new dimension. Over the next three years, with funding from the Esmée Fairbairn Foundation, Thames Valley Partnership and the Thames Valley Probation Area will be piloting community engagement models for Community Punishment. The evaluation of those models will also include assessment of impact on the confidence and reassurance agenda, taking into account findings from the Police National Reassurance Project.

For further details of the proposed Thames Valley Partnership/Thames Valley Probation Area Esmée Fairbairn funded initiative Justice and Community visit the Mending Fences section on our website [www.thamesvalleypartnership.org.uk/fences.html](http://www.thamesvalleypartnership.org.uk/fences.html)

## References

- <sup>(1)</sup> Crime, Courts & Confidence. Report of an Independent Inquiry into Alternatives to Prison. Esmée Fairbairn Foundation (2004)

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