



## Reform of anti-social behaviour powers Groups 'hanging around'

### What is the issue?

Local residents often report that groups 'hanging around' in their area are a key anti-social behaviour concern. However, there can be a number of reasons why people and particularly young people, hang around in groups and the behaviour in itself is not necessarily anti-social. That is why we have removed that indicator from the Crime Survey for England and Wales. It can be difficult for local agencies to establish where behaviour is anti-social and where it is perfectly reasonable.

When a member of the public complains about people 'hanging around', the agency concerned should consider:

- Is the victim vulnerable?
- What impact is the behaviour having on the victim?
- Is the behaviour anti-social?

Some people may be distressed by very low-level behaviour which would not normally be considered anti-social. These concerns should be taken seriously by the agency it is reported to and a risk assessment should be done to ascertain whether the victim is vulnerable and requires some form of support, even if nothing needs to be done about the behaviour itself.

### When is hanging around anti-social?

In many areas there can be an intolerance of young people hanging around. This can often be caused by people feeling intimidated, whether or not anti-social behaviour is actually taking place. Young people themselves may have a very different view of their behaviour, in many cases young people gather in public places to socialise and do not intend to intimidate or harass others. Gathering in groups can also make young people feel safer, particularly in public areas that are well-lit and busy.

Any agency response must consider the behaviour and the affect on other people; are they genuinely being anti-social? Recording the views and experiences of those living or working in the area to ascertain how the issue affects a number of people can help agencies in making a decision. Where behaviour *is* anti-social, informal approaches can be considered to bring residents and young people together, to share their views and find an acceptable solution.

Groups of any age hanging around may be associated with the following anti-social behaviour:

- Damaging property, vandalism and graffiti;
- Excessive noise;
- Threatening or aggressive behaviour;
- Littering; and
- Consuming alcohol and drunken behaviour in public places.

Each of these types of anti-social behaviour can be dealt with using informal interventions (e.g. warnings), or the tools and powers described in this draft guidance.

**Diversionary activities for young people:** Solutions which merely move young people on to another location are unlikely to solve the problem. A preventative approach is likely to be more successful, such as providing alternative venues and activities for young people. Involving the young people themselves in finding solutions is one way to address the reasons for the behaviour and find a sustainable solution.

**Businesses:** According to the 2012 Commercial Victimization Survey, an estimated 12% of business premises (across the four sectors covered by the survey) had experienced at least one incident of anti-social behaviour, affecting around one-third of such premises. Of the 12% of business premises that reported being affected, drink-related behaviour and groups hanging around on the street were the most frequently experienced types of anti-social behaviour, affecting around one-third of such premises.

## How the new powers can be used

**Dispersal power:** The dispersal power can be used to disperse people from an area where their behaviour is likely to cause harassment, alarm or distress, or is likely to contribute to the occurrence of crime or disorder in the area. However, the dispersal power cannot be used merely because people are present in an area; the individual's behaviour must be likely to cause harassment, alarm or distress to a member of the public.

For example, the dispersal power could be used where there is a problem with people congregating in a local shopping centre during the weekend, causing distress by being rowdy and offensive to members of the public. Police officers and police community support officers can use the power to require individuals to leave the area and not return for up to 48 hours.

**Public spaces protection order (PSPO):** Where a problem is persistent, for instance, where a particular alleyway becomes a magnet for people to hang around drinking in the evenings, a PSPO can be used to deal with the issue. This could put a blanket restriction on the alleyway preventing drinking, or could, if necessary, allow for the alleyway to be closed at certain times.