

There are occasions when it is discovered that the perpetrator may have mental health difficulties, or learning disabilities which may be a cause of, or contributing factor to, their behaviour.

If this happens, our officers will make a referral to Dumfries and Galloway Council's Social Services department to carry out an assessment and to see if they can assist. Our ASB officers will, however, continue to support you, and keep you informed, throughout this process.

WARNINGS

Generally, the team will issue the perpetrator with a verbal and written warning in the first instance so that they are clear about what it is they have done wrong and what they must do to mend their behaviour.

If the ASB is mild in nature, a perpetrator may receive two written warnings before any further action is taken.

The law requires us to issue the warning and allow a period of time to monitor whether or not the behaviour improves, before taking more serious action.

ACCEPTABLE BEHAVIOUR CONTRACT (ABC)

If it becomes apparent that the written

warnings are not working, the team will consider using an Acceptable Behaviour Contract (ABC) to address the perpetrator's behaviour. This is a voluntary document, signed by the perpetrator, Police Scotland, DGHP and if applicable, Dumfries and Galloway Council.

There is no criminal penalty imposed if they breach the contract but it provides evidence in a legal action that they were not able to moderate their behaviour by voluntary means.

ABCs contain both prohibitions - such as not causing noise nuisance - as well as positive obligations such as agreeing to only allow one person in to the property at any one time. Experience has shown that ABCs can prove very useful tools, not least by the perpetrators themselves who use them as a reason to prevent visitors from entering their property.

We will keep you informed if an ABC is being used.

If after all this, ASB is still taking place, the team will progress to a court action and you will find out more in the leaflet called Antisocial Behaviour - What happens if your case reaches court.

FREEPHONE 0800 011 3447

LO-CALL 0845 606 3447

ALTERNATIVE FORMATS

This publication is also available on tape, in Braille, large print and community languages.

For information contact DGHP's Customer Service Centre on:

NETWORK RATE 0845 606 3447

FREEPHONE 0800 011 3447

EMAIL customerservice@dghp.org.uk

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এই প্রকাশনা টেপ আকারে, ব্রেইলে, বড় প্রিন্ট আকারে এবং কমিউনিটি ভাষায়ও পাওয়া যায়। তথ্যের জন্য DGHP's এর কাস্টমার সার্ভিস সেন্টারের সাথে 0800 011 3447 (ফ্রি-ফোন) নম্বরে অথবা 0845 606 3447 (লো-কল) নম্বরে অথবা customerservice@dghp.org.uk ই-মেইলে যোগাযোগ করুন।

هذه النشرة متوفرة أيضا على شريط سمعي، وبحروف بريت وبحروف كبيرة وبلغات المجتمع للمزيد من المعلومات يرجى الاتصال بمركز خدمة الزبائن لـ DGHP على رقم الهاتف المجاني 0800 011 3447 أو على رقم 0845 606 3447 (محلي) أو الكتابة للبريد الإلكتروني customerservice@dghp.org.uk

Niniejsza publikacja jest dostępna w formie nagrania na taśmie, w języku Braille'a, dużą czcionką oraz w językach członków UE. Więcej informacji na ten temat można uzyskać w centrum obsługi klienta DGHP pod numerem telefonu 0800 011 3447 (połączenie bezpłatne) lub 0845 606 3447 (Lo-Call) lub pisząc na adres: customerservice@dghp.org.uk

یہ بیلکیشن ٹیپ پر، بڑے حروف کی چھاپی اور کمیونٹی زبانوں میں بھی دستیاب ہے۔ معلومات کثرت DGHP کے کسٹمر سروس سینٹر سے 0800 011 3447 (فری فون) یا 0845 606 3447 (Lo-Call) مقامی کال کے خرچ پر رابطہ کریں یا customerservice@dghp.org.uk پر ای میل کریں۔



FOR FURTHER INFORMATION, PLEASE CONTACT:

DGHP Customer Service Centre
0800 011 3447 (freephone)
0845 606 3447 (charged at network rate)
email us: customerservice@dghp.org.uk
or visit our website: www.dghp.org.uk

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WHAT HAPPENS WHEN I REPORT ANTISOCIAL BEHAVIOUR?

DOMESTIC LIVING NOISE SUCH AS VACUUM CLEANERS, WASHING MACHINES AND NORMAL LEVELS OF DOG BARKING ARE NOT ANTISOCIAL BEHAVIOUR



WHAT HAPPENS WHEN I REPORT ANTISOCIAL BEHAVIOUR?

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This leaflet will guide you through the process that DGHP will undertake to investigate and resolve your complaint regarding antisocial behaviour (ASB). If, after the initial stages, the antisocial behaviour still persists DGHP will take legal action against the defender. This is set out in a second leaflet (also included within your ASB pack).

DGHP treats ASB very seriously and will do everything possible to tackle the problem quickly.

THE BASICS

Included in this pack is a letter from our ASB team – this will identify your allocated ASB officer – and their contact details. They will keep you updated on the progress of your case and will let you know when we are taking action against the perpetrator.

WHAT IS ANTISOCIAL BEHAVIOUR?

Antisocial behaviour can be a number of things, but the law defines it as -

- When someone acts in a way that causes, or is likely to cause, alarm or distress
- If someone follows a path of behaviour that causes, or is likely to cause, alarm or distress to at least one other person who is not in the same household

The most common examples of antisocial behaviour include -

- Someone having a party with loud music
- People shouting, screaming or fighting within communal entry ways - or if it is so loud that it can be heard outwith the property
- Someone having a large number of people within their property, which in turn causes an unreasonable level of noise, which can be heard outside the property

WHAT IS NOT ANTISOCIAL BEHAVIOUR?

Some examples of issues which are not classed as antisocial behaviour include -

- Normal domestic living noise such as people opening and closing internal doors or kitchen cupboards
- Running the washing machine or vacuum cleaner
- Normal levels of dog barking
- People parking in the wrong place
- Someone leaving their wheelie bins out in the street
- Children playing
- Any personal comments made on social media sites, such as Facebook, Twitter etc

It is very important that people who live in flats or semi-detached houses are aware of their neighbours and remember that noise can travel through walls and floors. Please be courteous towards your neighbours in order to prevent disputes from arising.

THE INVESTIGATION STAGE

It is very important for the ASB team to thoroughly investigate your complaint. If we have to resort to legal measures the law requires that we prove that ASB did occur. The easiest way to do this is to interview neighbours and other surrounding properties to see if anyone else is also suffering. If you know of anyone who may have witnessed the incident you have reported, it is very important that you tell us so we can contact

them to take a statement from them.

Sometimes people in other streets can also be affected by the same person - particularly if two gardens back onto each other. Our officers will carry out a thorough investigation to ensure that all potential witnesses are spoken with.

We are aware that there are times when people who are suffering from ASB don't want to come forward, for fear of reprisals. Our officers, when investigating, can identify these people and take anonymous information from them to help support your case.

GIVING INFORMATION ANONYMOUSLY

There are times when a person may be too frightened to make a complaint to the police regarding their neighbour. In these circumstances, complaints can be given anonymously, however, there must be a genuine reason for the fear.

Ultimately, if someone is willing to speak to us about a complaint, it provides a much stronger form of evidence rather than an anonymous referral which cannot be investigated or challenged.

DGHP will take all necessary legal action against a perpetrator to ensure they can't take retribution against anyone for reporting a complaint. All DGHP tenants should feel able to report a complaint without fear of reprisal.

GIVING A STATEMENT

If you provide us with any information relating to alleged antisocial behaviour, and want us to act on it, we need a written statement from you in case the matter goes to court.

As part of the investigation, the ASB team will come and take a statement from you. This is to show the impact the alleged behaviour is having on you, and your life. Once we have taken this, we will send it out to you to check it for accuracy and ask you to sign it.

KEEPING AN ASB INCIDENT DIARY

In order to gather evidence to support reports of antisocial behaviour, we need a detailed account of every event. It is important to explain as clearly as possible what is, or what has been, happening and who is, or has been, involved.

We have enclosed an ASB diary with your pack and this should help you keep an accurate record of any incidents.

You will need to sign and return this to us. Should your case reach the court stage, the perpetrator will be able to see your statement.

When completing your diary: Do

- Make detailed notes in your own handwriting
- Note unacceptable behaviour as soon as it happens

- Remember that this diary can help you give evidence in court, but only if you make the notes straight away
- State how the behaviour affects you
- Note things only if you see or hear them yourself
- Note who caused the incident. A visitor, a tenant? Include names and addresses if you know them
- If the police were called, then record either their names or badge numbers
- Note when the nuisance occurred

Don't

- Delay – it is important to note the incident in this diary straight away
- Write what other people have told you in this diary, use it just for the things you have seen or heard yourself
- Ask anyone else to write in the diary for you, always write it yourself

INTERVIEWING THE PERPETRATOR

When the investigation is concluded our ASB officers will meet with the perpetrator to discuss the incident. During this interview the perpetrator can give their side of events and the ASB officer can find out more about their circumstances.

When the interview is complete, the team will decide what sort of action they should take. The law requires that people must be given a chance to mend their ways before legal sanctions such as ASBO's or evictions are imposed.

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