



# Myth Busting

## Understanding how we can deal with Anti-Social Behaviour (ASB) together

No one should have to suffer anti-social behaviour in silence. We want to work with you and support you to deal with it. To help with this, we want to deal with some common misunderstandings. Use the links to discover the reality.....

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## Reporting anti-social behaviour

**Myth: Anything can be anti-social behaviour.**

**Reality:** The law defines anti-social behaviour (ASB) as behaviour that 'causes, or is likely to cause, harassment, alarm or distress to any person'.

We have to take into consideration:-

- how often the behaviour is happening
- how serious, or targeted, it is
- how it affects people living in the community.

Some things are not necessarily ASB, such as:-

- The sound of everyday living noises, such as toilet flushing, closing doors, vacuuming, children playing or a baby crying.
- Minor personal disputes and differences.
- Young people gathering in the street, or park, to socialise, unless they are being intimidating.
- Someone's car parked outside of your home, where there are no lawful restrictions in place.
- A one-off party.
- DIY and car repairs, unless they are taking place at unsocial hours.
- Civil disputes between neighbours (e.g. shared driveways).

As communities we need to respect others and tolerate normal behaviour that may be slightly different to the way we choose to live. However, if ASB is affecting your quality of life, or making you fear for your safety, or the safety of others, then please [report it](#).

**Myth: Dealing with anti-social behaviour is the responsibility of the police.**

**Reality:** Different types of ASB should be reported to different organisations – some to the council, some to the housing provider/landlord and some to the police. By reporting it to the right agency first time, you can get the support you need quickly. For help on how to report ASB, go to the [Safer Derbyshire website](#).

ASB investigations often involve different organisations, such as the police, local council or housing provider/landlord. We will share information and work together to try to resolve it. Some types of enforcement can only be taken by one of the organisations, so they will take the lead, but the other partners will provide additional evidence or deal with other aspects, such as supporting victims or working with the people involved in ASB to help them understand why their behaviour is not acceptable and change it in the future.

**Myth: Anti-social behaviour is not serious enough to bother reporting it.**

**Reality:** ASB is not 'low-level' - it can devastate the lives of victims and communities and can, in some cases, lead to more serious crime. If you are suffering, you have the right to receive help to deal with it and expect organisations to take it seriously. Please [report it](#) so that the right people are aware and can help resolve the problem.

**Myth: There's lots of litter, fly tipping and graffiti in my neighbourhood, so there's no point reporting it.**

**Reality:** These are examples of environmental ASB and they are the responsibility of your local council to clean it up and, where possible, take enforcement action. Please [report it](#) so that they are aware and can deal with it.

**Myth: Noise nuisance is allowed until 11pm.**

**Reality:** Noise nuisance is any loud or persistent noise that causes you ongoing concern, or affects your quality of life, regardless of the time of day.

Often people don't realise their actions are causing a problem for others, so if your neighbour hasn't displayed aggressive or threatening behaviour, then you could consider approaching them. However, you should do everything you can to avoid confrontation – it's best to avoid visiting late night parties or approaching large groups of people, particularly if drugs and alcohol are involved. Pick a suitable moment later in the week and use a calm and friendly tone.

This isn't usually a matter for the police, so your [local council](#) should be your first contact for reporting noise nuisance but, if you live in rented accommodation or social housing, you should report it to your landlord or housing provider. It is helpful if you keep a [record of incidents](#) so that they can see that it is a continuing problem.

**Myth: If I report anti-social behaviour, then they'll know I've reported it.**

**Reality:** There are different options to if you want to report ASB without providing your details:-

[Crimestoppers](#) – to give information to the police anonymously

[Fearless](#) – a way for young people to report information about a crime anonymously

[Street Safe](#) - to anonymously tell us about public places where you have felt, or feel, unsafe

In some cases, it will be more obvious who has reported the ASB but the action that can be taken may be limited, without a formal report of the ASB. We want to ensure you are aware of the support available to you and, when investigating the ASB, we will discuss your wishes about approaching the person committing the ASB and explain what we can/cannot do in your case.

## Young People

**Myth: Most anti-social behaviour is committed by young people.**

**Reality:** Whilst some young people do engage in anti-social behaviour, we need to recognise they are *not* the main perpetrators of anti-social behaviour - adults are. The majority of young people are well-behaved and responsible and are often victims of ASB themselves.

**Myth: Young people can gather in groups of a specific number.**

**Reality:** Groups of young people hanging out in public spaces are often perceived to be 'causing trouble' or ASB but, we need to ask ourselves 'What harm is actually being done (if any)?' and 'Why are young people hanging out here in large groups?' - could it be that they don't know where else to go or that being in a larger group helps them to feel safe?

In Derbyshire, we use the powers available to us to manage groups of adults, and young people, who are behaving anti-socially. For example, some areas are subject to a Public Spaces Protection Order (PSPO), where specific behaviours are not allowed (e.g. drinking in a public place).

The police also have additional 'Dispersal Powers', which can be used to require adults, or young people, committing, or likely to commit, ASB to leave a specific area for up to 48 hours.

## Action to resolve anti-social behaviour

**Myth: There's no point reporting anti-social behaviour because nothing will be done.**

**Reality:** If ASB isn't reported, the different organisations won't necessarily know about it and so cannot take action to resolve, or reduce, it. If we don't know about the ASB, we cannot provide you with the information and support you are entitled to, in order to cope with the situation.

**Myth: If we had more CCTV, it would resolve the problem.**

**Reality:** In some cases CCTV can help provide additional evidence, but it is limited in its capabilities and, CCTV on its own, won't stop the ASB. For example, CCTV cannot cover every area of Derbyshire, some CCTV doesn't provide good quality images (particularly when it's dark).

**Myth: If I report anti-social behaviour, the housing department will have to move me or my neighbour.**

**Reality:** Unless the situation is extremely serious, housing providers will always try to resolve the problem, so that you can stay in your home. In most cases, eviction, or a house move, is the last resort if other courses of action have been unsuccessful. The housing provider cannot evict someone where it is disproportionate, or unjustified, to do so.

**Myth: There's more help for people who commit anti-social behaviour than those who are victims.**

**Reality:** [Derbyshire Victim Services](#) provide a free and confidential service to victims of ASB, which is tailored to their needs. It is important to offer support to people who commit ASB to help them understand the impact of their behaviour and what the consequences are, if they continue behaving in that way. It is another opportunity for us to stop the ASB and reduce the impact on individual victims and the wider community.

**Myth: I'll have to go to Court to give evidence to stop the anti-social behaviour.**

**Reality:** Research shows that, in the majority of cases, the informal action that we take is successful in reducing ASB. This means there are very few cases which have to go to Court.

For persistent ASB cases, we may only be able to take Court action if victims and witnesses agree to give evidence. If this is the situation in your case, you will receive support to do that, but, often, you still wouldn't need to go to Court as we may be able to use other types of evidence.

**Myth: There's no point talking to my neighbour about the problem – they won't listen.**

**Reality:** Often, once people are made aware that their behaviour is affecting other people, they will stop or change what they do, because they simply didn't realise the impact of what they were doing on other people's quality of life. It's important, however, to approach this calmly and reasonably to avoid a confrontation and, if there is a history of aggressive behaviour, you should simply [report it](#).

If both parties agree, we may suggest mediation, or restorative justice, which helps people understand the impact of their behaviour and gives both parties the opportunity to discuss how that harm can be rectified.

**Myth: I've reported the ASB, it's still happening, there's nothing else I can do.**

**Reality:** If the ASB continues, it is important to continue [reporting it](#) to the right organisation and keep a log of the ASB, as it will help provide evidence of the problem.

You are entitled to support from [Derbyshire Victim Services](#), who will help you deal with the impact of living with the ASB, whilst the other organisations take action to resolve the ASB.

If you have reported three or more related incidents of ASB, within the last six months, and your concerns have not been dealt with, or acted upon, and organisations have been unable to resolve the serious persistent, or targeted, ASB successfully, you can request that we undertake a formal [Anti-Social Behaviour Case Review](#) to see whether anything else can be done and possibly find solutions that may not have been considered before.