

**REPORT TO:** POLICY AND RESOURCES COMMITTEE - 8th May 2006  
**REPORT ON:** ANTISOCIAL BEHAVIOUR ORDERS (ASBOs) FOR 12-15YR OLDS  
**REPORT BY:** DEPUTE CHIEF EXECUTIVE (SUPPORT SERVICES)  
**REPORT NO:** 229-2006

## 1 PURPOSE OF THE REPORT

The report updates members on progress made within Dundee to implement new legislation allowing the imposition of Anti-Social Behaviour Orders (ASBOs) for children aged 12-15yrs old.

## 2 RECOMMENDATIONS

2.1 It is recommended that the Policy and Resources Committee:-

2.1.1 notes that an inter-agency protocol has been developed.

## 3 FINANCIAL IMPLICATIONS

3.1 The Scottish Executive has provided £80,000 in 2005/06, and £74,000 in 2006/07 and 2007/08 to Dundee City Council to support the introduction of this aspect of the legislation.

## 4 LOCAL AGENDA 21 IMPLICATIONS

4.1 The proposals in this report promote improved safety for local communities and the citizens of Dundee.

## 5 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 The proposed actions outlined in this report seek to promote equality of opportunity and social inclusion of children and young people who are involved in anti-social behaviour.

## 6 MAIN TEXT

6.1 Report 252-2005 outlined Dundee's strategy to reduce anti-social behaviour within Dundee, and the range of services that are provided that work towards that aim. One of the new powers referred to within Dundee's strategy is for the local authority to apply for an Anti-Social Behaviour Order (ASBO) in respect of children and young people aged 12-15yrs old who are involved in serious and persistent anti-social behaviour.

6.2 The Scottish Executive's Guidance indicates that ASBO's are intended to deal with a small number of persistently anti-social young people for whom alternative measures of intervention have been tried but have not been successful. The Guidance also recognises that there needs to be flexibility to use ASBO where the full range of interventions have not yet been applied, to protect the community. A multi-agency group will consider cases and recommend whether an ASBO should be sought.

6.3 This group (the Young Persons Anti-Social Behaviour (ASB) Liaison Group) will examine all efforts across agencies to reduce or stop the anti-social behaviour, including the use of "Acceptable Behaviour Agreements or Contracts (ABAs or ABCs)" as part of the effort to provide all relevant available resources on a voluntary basis. Such agreements are seen by the Guidance as a useful tool to engage with the young person and his/her family at the earliest possible stage to tackle the problematic behaviour.

- 6.4 Additionally, the group will consider the legal powers and duties that are available or are currently being used, or have been previously used through the Children's Hearings system. These will normally include community-based or residential supervision orders, foster/respite care, and other community-based services and resources.
- 6.5 Having considered these resources and powers, and in cases where the group then believes that an ASBO will bring additional controls and benefits, there must hereafter be formal consultation with the Chief Constable and the Principal Reporter. A Sheriff must refer an application for an ASBO to a Children's Hearing before making a final determination.
- 6.6 In cases where an ASBO has been sought and granted, or likely to be sought, close inter-agency working will be required to ensure that services are provided that meet the assessed needs of the young person and relevant parents/carers. The aim of these services is to maximise the likelihood of the ASBO being successful in changing the young person's behaviour. In cases where an ASBO has been actively considered but not actually applied for, services will be provided to address the young person's behaviour and thereby reduce the need for the ASBO. .
- 6.7 A number of young people have already been considered for suitability for an ASBO under the terms of this protocol. In one case, in January 2006 a successful application for an ASBO was made, in respect of a 14-year old boy due to ongoing anti-social behaviour. Supports continue to be provided to this boy and his family, and his behaviour is closely monitored by all relevant agencies.

## **7 CONSULTATION**

- 7.1 Consultation has been undertaken with the Depute Chief Executive (Finance), the Assistant Chief Executive (Community Planning), Directors of Housing, Social Work, Education, and Leisure and Communities, and all the agencies and organisations represented on the Youth Justice Strategy Group.

## **8 BACKGROUND PAPERS**

None.

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**28 April 2006**