Report from the Independent Working Group on Antisocial Behaviour

Antisocial Behaviour - Whose responsibility? Towards a more effective response to antisocial behaviour in Scotland

Scottish Government
Riaghaltas na h-Alba

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Foreword

This has been a real challenge! Antisocial behaviour is a concept recognised by most of us, experienced by too many and can be seen and felt across many of Scotland's communities.

Our starting point was to reduce the number of victims of antisocial behaviour and to reduce its impacts on those who are affected. That can only be done with understanding the reasons people behave the way they do and by using that understanding to prevent it.

As co-chairs, we have felt the heavy responsibility of listening to, and meeting, as many of you as we could and to hear the stories that you wanted to tell us. We have embarked on a learning journey that's taken us across Scotland and with access to lots of your stories of what is happening to you - either in your sectors or as individuals.

We have heard about the impact antisocial behaviour has on people, families, communities, towns, cities and in services.

Antisocial behaviour will not be reduced immediately. There is no single action we can take to stop people behaving in a way that is considered antisocial. Indeed, it has been difficult to pin down what we all mean by antisocial behaviour - it means so many different things to different people. What is clear however is that there are people living in our communities who are behaving in ways others find difficult, challenging, distressing, harmful and impactful. While many incidences of antisocial behaviour are attached to criminal behaviour - many are not. We have heard a significant amount of evidence about people involved in antisocial behaviour who are distressed, with mental health problems, addictions, living in hopeless situations and with little faith in, or recourse to, a safety net. Conversely, we have heard consistently about reduced tolerance of behaviours that may not have been considered antisocial pre covid. This has been a consistent theme as we emerge into our post covid world.

While not specifically in our scope, we have looked at and learned from experiences and policy frameworks in our near neighbours across the UK. We are certain that there is a Scotland specific approach to be developed.

It is about poverty, inequity, tolerance, lack of money, lack of resources, failure, demand and significant cuts to services that support our communities and young people. This needs to change. We need significant investment, but we cannot fix this unless there is investment by National and Local Government in upstream prevention. We must turn the tide on this and think about what behaviours we want to encourage and celebrate. We want to talk about prosocial behaviour and focus our attention on how we develop this.

This report provides a call to action and gives support to all of us who know things need to change. Upstream prevention across all our sectors is required and investment must come. Where there is money in the system, this needs to be reinvested in preventative activity. Scotland understands trauma, compassion, and the nature of a public health approach. We must use this in our efforts to reduce

antisocial behaviour. We must reinvigorate our communities and create a Safer Scotland.

This is the conclusion of our report but the start of the journey. Our recommendations are for longer term action, generational change. They will require significant resources and leadership. This will reap rewards and reinvestment into our communities as we change the environments that create antisocial behaviour.

Lastly on a personal note, the Independent Working Group on Antisocial Behaviour would like to acknowledge the expertise and commitment of Dr Ruby Whitelaw who co-authored the accompanying evidence paper ([A Review of Antisocial Behaviour in Scotland - Data Survey and Literature Review](#)) and sadly passed away in December 2024. The Group has dedicated its work in her fond memory.

Fiona Dyer and Lorraine Gillies

Co-chairs

Executive Summary

This report by the Independent Working Group on Antisocial Behaviour highlights key observations and recommendations to address antisocial behaviour (ASB) in Scotland through a fair and effective, whole-system response. Antisocial behaviour cannot be viewed in isolation; it stems from deeply rooted societal issues such as poverty, housing instability, food insecurity, and inadequate access to services like youth work, community learning and development and mental health resources. Reducing antisocial behaviour requires tackling these fundamental drivers while aligning measures with broader government objectives, such as eradicating child poverty and ensuring sustainable public services. However, a lack of accountability for achieving these interconnected goals hinders progress.

For the next stage of this work, the group recommends establishing an independent oversight board to lead a whole-system approach, driving strategic resource deployment, commissioning work, and scaling up successful practices. A review of current antisocial behaviour legislation is essential to clarify definitions, enhance effectiveness, and align with Scotland's human rights approach. Robust data collection, analysis, and information-sharing systems must be developed to address significant gaps and enable proactive, place-based interventions informed by evidence. Sufficient, ring-fenced funding is essential to address and prevent antisocial behaviour.

Prevention is critical but unevenly understood and implemented. The group proposes development of a national preventative framework that includes mapping existing services, scaling up evidence-based activities, and allowing time for long-term change. Additionally, situational responses must address immediate harms through improved partnerships, re-commissioned services, and updated local antisocial behaviour strategies.

The report highlights specific focus areas, including:

- Victims: A requirement for enhanced support and legislative tools to ensure victims are protected without being further disadvantaged.
- Protected Characteristics: Targeted responses to address hate crimes and discrimination against marginalised groups.
- Housing/Environment: Enhanced tools for housing providers, tailored support services, and investment in community spaces and diversionary projects.
- Transport: Improved data collection and collaboration to address antisocial behaviour on public transport, with any measures co-designed with stakeholder input.
- Retail: Promote preventative strategies, share best practices, and differentiate antisocial behaviour from criminal activities.
- Health: Investments in mental health and substance misuse services and public health approaches to prevention.
- Justice: Expand access to mediation and restorative justice services.
- Young People: Address stereotypes, provide safe spaces, and invest in reliable youth services and developmental interventions.

These interconnected recommendations aim to tackle the systemic drivers of antisocial behaviour while addressing its immediate impacts. Through a coordinated, funded, evidence-based approach, Scotland can foster a strong and collective response to antisocial behaviour.

Recommendations

In developing this report, the Independent Working Group identified several overarching observations and recommendations that provide a foundational perspective on the challenges and opportunities in relation to designing a fair and effective response to antisocial behaviour. These high-level insights are derived from the more thematic actions presented later in the report and reflect the key findings that emerged from our work as a group. By addressing these overarching considerations, we aim to establish an understanding that informs and enhances a collective response.

Recommendation 1

- **Scotland cannot look at antisocial behaviour in isolation -** antisocial behaviour is a result of deep-rooted societal issues - to be successful in reducing antisocial behaviour we must reduce poverty, increase housing stability, reduce food insecurity, and address gaps in services such as youth work and lack of mental health resources. These are the key drivers of antisocial behaviour. Measures addressing antisocial behaviour must align with broader government objectives, such as the climate just transition and child poverty eradication and sustainable public services but overarching responsibility for joining these up is lacking. In short, there is no point of accountability for ensuring the whole system societal change is happening that would reduce antisocial behaviour and its impact. Acknowledging that effective responses to antisocial behaviour cut across policy portfolios and ensuring that the right expertise is around the table is essential. There are examples of good practice that are scalable and can be used as tests of change within antisocial behaviour contexts, but these need oversight. **Our recommendation is that an oversight board, chaired independently, be formed to support a whole system approach to drive change; commissioning work/organisations to support change and meet identified actions (below); develop a framework for strategic deployment of resources; provide leadership to the sustainable delivery of upstream prevention and achieve effective partnership working.**

Recommendation 2

- **Legislation** - general consensus from those who provided evidence suggests that current legislation is not effective for the whole system. We have been told that although the legislation works for some in some settings, that implementation is patchy, some elements of the legislation are obsolete, and that the overarching ethos of the act (focused on enforcement) may not be appropriate as we continue to develop a human rights approach in Scotland. A review of the current antisocial behaviour definition and statutory framework could clarify the sometimes blurred lines between non-criminal and criminal forms of behaviour that are designated as antisocial behaviour and review the range of orders specified in the legislation, in the light of the

recommendations of this report. **Our recommendation is that the current legislation, definition and guidance is reviewed and revised. This review should consider what support and training will need to be provided and how any new legislation will be implemented.**

Recommendation 3

- **Data and information -** The Working Group found significant gaps in data and information - collection, collation, analysis and exchange. There are currently no integrated systems for ensuring the right data gets to the right place for the right outcomes. Relevant data needs to be shared proactively between all relevant partners at the earliest opportunity to prevent antisocial behaviour. This has hampered our quest to quantify the prevalence of ASB and will hinder our attempts to prevent it. There is a requirement for more systematic data collection around an agreed set of behaviours designated as ASB, including key demographics relating to those who cause antisocial behaviour and victims. With investment in quantitative research and predictive analytics we could better understand and address patterns of antisocial behaviour. Using data to inform place-based and proactive interventions that address emerging issues early can demonstrate the long-term societal and economic benefits of investing in youth services, reducing future costs in justice, welfare, and healthcare systems in Scotland. **The group recommends a systematic review of data and information gathering, analysis and exchange to enable more effective flow of data, better information gathering, new systems for reporting antisocial behaviour and a clearer understanding of what antisocial behaviour is and what should be reported and to where and to whom.**

Recommendation 4

- **Prevention** - there are many reasons that Scotland should be further ahead with its prevention journey. The group found real inconsistencies in what people understand about prevention. It is also very difficult to build the plane, while flying it. **The group therefore recommends the development of a preventive framework outlining the supports and resources within public services to achieve upstream prevention, encompassing tests of change and scaling up evidenced based, existing preventative activities to be rolled out across the country**. This framework should map existing prevention services across Scotland, including third sector, private companies as well as the statutory sector. Investing in enhanced prevention and support services. This work should be seen as longer-term action and allowed to develop over time. Oversight of this work could be by a prevention subgroup of the oversight board described in recommendation 1. These recommendations are complementary to each other and should not be seen in isolation.

Recommendation 5

- **Situational Action** - Responses to antisocial behaviour must include both prevention for sustainable change and policies to deal with situational factors to tackle immediate harms caused by antisocial behaviour. This will require more effective partnership working, co-commissioning organisations to work

together differently and the re-commissioning of sustainable services like community and youth work, including community learning and development, youth work and community resilience efforts. **Our recommendation is that all Local Authorities review and update their current Antisocial Behaviour Strategic arrangements and Strategies, to ensure a dedicated focus and spend on the prevention and addressing of antisocial behaviour. Local Authorities should publish a dedicated Antisocial Behaviour Strategy as required by the Antisocial Behaviour (etc) Scotland Act 2004, rather than include Antisocial Behaviour within wider strategies such as Community Safety.**

The Working Group engaged with a diverse range of stakeholders, drawing on insights from individuals, communities, and organisations representing a broad spectrum of experiences and perspectives. However, given the constraints of time and resources, this engagement was not exhaustive and reflects only a portion of the areas that could contribute to this complex issue. While the themes addressed later in this report are more specific, this insight has supported our thinking around broader, persistent and systematic issues that have emerged. Achieving our overarching recommendations - as outlined above - will therefore require the consideration of the targeted actions within the substantive focus areas explored by the Working Group:

Actions

Victims:

- Ring-fenced funding for long term, independent support for victims.
- Explore the learning and impact from community trigger and community protection notices in England and Wales to improve responses to persistent antisocial behaviour to ensure a consistent approach across Scotland.
- Examine current legislation and tools available to Housing Providers to explore where, in serious cases of antisocial behaviour, those causing antisocial behaviour could be temporarily moved until a judicial process is complete, to give victims reassurance without requiring them to move home.

Protected Characteristics:

- Ensure that demographic analysis, cultural context and intersectionality are included in approaches to antisocial behaviour strategies including carrying out Equality Impact Assessments.
- Recognise that antisocial behaviour often manifests differently across communities, particularly for those facing racial, religious, or other forms of discrimination. Strengthen responses to ensure they effectively address these specific impacts and develop targeted interventions to combat hate crime and the marginalisation of minority groups, ensuring that all communities feel supported and valued.

Transport:

- Invest in robust and consistent data collection across transport providers to inform proportionate decision making and evaluate antisocial behaviour trends pre- and post-implementation of transport initiatives, for example, the Under-22 Young Persons' Free Bus Travel Scheme.
- Encourage partnerships among Transport Scotland, bus operators, local authorities, and third-sector organisations to share best practices and align on strategies for preventing and addressing antisocial behaviour. Explore models like the deployment of Transport Safety Officers or bus wardens to deter antisocial behaviour, provide on-ground support, and enhance passenger reassurance. Evaluate successful trials in other UK regions (e.g. Stoke-on-Trent and West Midlands) for potential replication in Scotland.
- Align measures addressing antisocial behaviour with broader government objectives, such as the climate just transition and child poverty eradication, ensuring sustainable, safe and equitable transport access for all.
- Ensure that the development of any schemes such as passenger behaviour codes and escalation procedures (e.g. warnings, temporary suspensions) for repeat incidents of antisocial behaviour across all age groups by Transport Governing bodies are co-designed with a wide range of stakeholders - including passengers of all ages - to ensure that solutions are rights-based, fair, and uniformly applied, with clear criteria and oversight by centralised establishments.

Health:

- Consider alignment to public health approaches around upstream prevention including further investment in models such as Scottish Prevention Hub/Edinburgh Futures Institute regarding the use of shared data.
- Ensure health sector/practitioners are involved in local and national, multi-agency long term and situational approaches.
- Investment in accessible mental health and substance misuse services for children and adults which meet current and future demands.
- Explore whether there are other 'compulsory measures of care' approaches that can be adopted in relation to situational responses.

Housing and Environment:

- Review and enhance situational response tools available to local authority antisocial behaviour teams and social housing providers, recognising that robust incremental enforcement tools can stop escalation into more serious behaviours whilst initiating longer term supportive and preventative measures.
- Develop housing allocation policies that pre-emptively avoid potential conflicts by considering compatibility factors (e.g. known antisocial behaviour issues), ensuring that the needs of victims and affected communities are prioritised while remaining mindful of fairness and avoiding discrimination.
- Consider priority timescales within the current court backlog for criminal cases with linked Housing or Antisocial Behaviour team cases to be heard at court. Consider special sittings in civil courts for serious housing antisocial behaviour cases seeking legal actions to be progressed, with increased weight given to victim impact statements.

- Adopt a spend to save upstream prevention and investment approach for social housing providers to provide floor coverings of a quality standard which could alleviate further noise transmission complaints and offer savings in terms of negative follow up contacts.
- More systematic data collection around housing related antisocial behaviour, including key demographics relating to those causing antisocial behaviour and victims - expanding indicators already reported on to The Scottish Housing Regulator.
- Investment by social housing providers in preventative tenancy support programmes prior to new, first or 'failed' tenancy allocations to equip young tenants or tenants with a history of antisocial behaviour with life skills and resilience to sustain a tenancy without becoming entrenched in antisocial behaviour.

Retail:

- Advance a culture of continuous improvement and knowledge sharing in the retail sector by implementing tests of change, rigorously analysing data to understand impact, and sharing best practice models, such as the local community enterprise and McDonald's approaches noted later in this report, to promote preventative rather than reactive strategies.
- Leverage evidence to drive sector-wide improvements by sharing proven best practice and evidence of impactful approaches across the retail and other sectors to optimise resource allocation and maximise the effectiveness of budgets, with a focus on preventative efforts. Prioritise investment in prevention and youth engagement by redirecting resources toward preventative measures rather than reactionary in retail settings.
- Differentiate antisocial behaviour from criminal activity by developing clear frameworks to distinguish antisocial behaviour from more severe criminal activities, such as theft, organised crime, gang involvement, and child criminal exploitation, to ensure appropriate and effective interventions.

Justice:

- Investment is made in funding to ensure communities have access to specialist, free and independent Mediation and Restorative Justice Services locally.
- Take a contextual safeguarding approach to ensure safe spaces within city centres/areas of high crime.
- When behaviour escalates to criminal or violent behaviour, a proportionate and appropriate response is required.

Young people:

- Challenge persistent stereotypes that unfairly label young people as primary perpetrators of antisocial behaviour, acknowledging that individuals of all ages engage in antisocial behaviour. Focus on promoting prosocial behaviours, fostering empathy, resilience, and belonging as part of prevention strategies. Recognise antisocial actions as expressions of unmet needs and address these through supportive, developmental interventions.
- Align interventions with the United Nations Convention on the Rights of the Child (UNCRC) principles, prioritising education and support over punitive

measures and ensuring statutory obligations to support young people's development and dignity are upheld by government and local authorities.

- Prioritise development of a dedicated Youth Work Strategy for Scotland.
- Establish 'ring-fenced' funding for reliable, consistent, and well-resourced youth provision at a local and national level, preventing cuts that leave young people unsupported. Revive safe spaces and activities for young people to combat boredom, frustration, and isolation, which can contribute to antisocial behaviours.
- Learn from, and continue to invest in, the major success of recent policy related to youth crime (given the cross over between antisocial behaviour and other offending behaviours) - the whole system approach encompassing diversion and early and effective intervention.
- Explore local community/place-based decision making for allocation of Scottish Government Cashback For Communities funding as part of prevention of antisocial behaviour.
- Invest in providing tailored youth diversionary projects and the returning of safe spaces (as part of a contextual safeguarding approach), utilising the unique relationship and wider role housing providers have with communities to encourage multi-generational use of community spaces to increase community cohesion and mutual tolerances.

Introduction

The Independent Working Group on Antisocial Behaviour (see appendix 1 for membership), was established by the Minister for Victims and Community Safety to consider, and make recommendations on, Scotland's strategic approach to understanding and preventing antisocial behaviour.

The remit of the group was to:

"Consider the effectiveness of current approaches to understanding, preventing and tackling antisocial behaviour and if, and how, these could be improved to develop a holistic long term strategic approach which will help to improve the lives of communities across Scotland. This should include consideration of whether a preventative approach would be appropriate and how victims of antisocial behaviour are supported and whether this could be improved".

The Group has undertaken extensive engagement involving, among others, victims of antisocial behaviour, local government, the third sector, young people's representatives, equalities groups, sector representatives from housing, health, transport, retail and justice, plus Education Scotland and Police Scotland.

The views of over 250 stakeholder organisations have been gathered and research was commissioned to develop a better understanding of the scale and types of antisocial behaviour being experienced. At times the group did hear conflicting views from those who had experienced antisocial behaviour, and the views of stakeholders supporting those who may cause antisocial behaviour. This ultimately goes to the heart of the need to take both a preventative and situational response.

Overwhelmingly through all engagement sessions, what the group heard had a direct correlation to inequalities, poverty and continued disinvestment in communities and youth work.

Background

The Antisocial Behaviour etc. (Scotland) Act 2004 (2004 Act)[1] remains the main antisocial behaviour legislation in Scotland (Scottish Government, 2004). This Act created new powers including Antisocial Behaviour Orders (ASBOs) for children under 16 and dispersal orders for groups. This legislation took a punitive approach to ASB. The 2009 framework 'Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland'[2] marked a move away from "a narrow focus on enforcement action at all costs" towards one geared more towards "prevention and early and effective intervention" (Scottish Government, 2009:2). The 2011 'Commission on the Future Delivery of Public Services' ('Christie Commission'[3], see also Campbell, 2011) similarly highlighted the need to reprioritise 'prevention' in the delivery of public services, estimating "that as much as 40 per cent of all spending on public services is accounted for by interventions that could have been avoided by prioritising a preventative approach" (Christie et al, 2011: viii).

The Scottish Government, the Convention of Scottish Local Authorities (COSLA) and the Scottish Community Safety Network in 2018 produced 'Community Safety - The Emerging Landscape and Future Opportunities' encapsulating discussions with key partners and community safety representatives in local partnerships. From the discussions that took place, participants identified several key principles underpinning a 'national community safety narrative'. These were: person-centred; place-based; addressing the needs of communities holistically; prevention and early intervention; tackling inequalities; strong partnership working with governance and decision making that enables community participation, influence and ownership; and evidence-based action supported by evaluation and understanding 'what works'. This was followed in 2019 by the publication 'Developing a Community Safety Narrative for Scotland' (Spacey, 2019).[4]

Similarly, Scottish Government policy in relation to Justice and Youth Justice emphasises the need for prevention and early intervention, whilst working in a trauma-informed rights-upholding way. This is further reinforced through new legislation including the United Nations Convention on the Rights of the Child (UNCRC) (Incorporation) (Scotland) Act 2024 and the Children's Care and Justice (Scotland) Act 2024.

Following the conclusion of the Independent Care Review in 2020, which achieved cross party support, The Promise implementation body was set up to drive the changes outlined and mandated within the Independent Care Review's final report. With an expected lifespan of ten years, The Promise aims to support organisations across Scotland to promote practice, policy and culture, in order that Scotland's

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[1] Scottish Government (2004). Guide to the Antisocial Behaviour etc. (Scotland) Act 2004.
[2] Scottish Government and COSLA (2009). Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland.
[3] Christie et al (2011) Christie Commission on the future delivery of public services, Scottish Government.
[4] Developing a Community Safety Narrative Scottish Community Safety Network, COSLA, Scottish Government.

children and young people grow up in a country that is loving, safe and respectful, and which allows them to realise their full potential.

These changes in Scottish Government policy have come at a time when Scotland, like other areas of the UK have witnessed significant reductions in spending on preventative services and a loss of community resources. The former UK Government's policy of reducing expenditure has resulted in substantial cuts to public services impacting Scotland directly with local authority funding (Scottish Government allocations) falling from 30% of Holyrood spending in 2013/14 to 23% in 2022/23 (Audit Scotland, 2024)[5]. Perhaps the most significant event of the past decade has been the outbreak and spread of the Covid-19 virus, with the pandemic touching on every facet of life. Through the 'stay at home' guidance issued by the Scottish Government, most services closed, and many have not recovered or re-opened, further impacting on lack of resources, especially preventative resources in local areas.

In 2023, the Scottish Community Safety Network and Scottish Government (2023) published 'Scotland's Approach to Antisocial Behaviour'. Two clear recommendations arose from the work undertaken: firstly, that the approach to preventing and tackling antisocial behaviour needed to be 'long term', recognising societal change and able to evolve, and possessing coherence with other related national policies; secondly, the creation of an independently chaired group of experts tasked with producing a long-term framework for addressing antisocial behaviour.

Prior to this review starting in November 2023, the former UK Government announced in March 2023 its Antisocial Behaviour Action Plan which followed a Home Office review involving both the Home Secretary and Prime Minister, putting antisocial behaviour further up the agenda. The Plan was a mix of hard-hitting punitive enforcement measures, such as visible and rapid restorative justice (cleaning up graffiti etc.) alongside some preventative measures looking at support for mental health services. Pilots were proposed in various 'hot spot' places with considerable investment for local areas - primarily more visible neighbourhood police officers.

However, although we have had a change of government, the ethos has continued with antisocial behaviour in the new government's manifesto and a number of recent rolling announcements.

Respect Orders are being considered by the current UK Government to deal with adults who cause repeat and more serious scale of antisocial behaviour. There is ongoing political debate at national level on whether these orders are rebranding of previous measures implemented over different governance periods. In relation to Scotland, many of the features of Respect Orders are already in existence under the provisions of Antisocial Behaviour Orders.

In that regard, the group has considered the merits of Respect Orders but concluded that there would be no benefits in merely repeating and recommending the concept

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[5] Audit Scotland. (2024). Local government in Scotland: Financial bulletin 2022/23.

within this review, without careful consideration as to how such orders could be brought into alignment with the [Vision for Justice in Scotland](#).

The significance of prevention

Throughout this review we heard a consistent and relentless call for a more focused approach to prevention, with concerns being raised that Scotland has failed to meet the expectations outlined above. Prevention means many different things to many people but almost all those we consulted called for an 'upstream approach, one that lifts everyone above the water line.

> "You and a friend are having a picnic by the side of a river. Suddenly you hear a shout from the direction of the water - a child is drowning. Without thinking, you both dive in, grab the child, and swim to shore. Before you can recover, you hear another child cry for help. You and your friend jump back in the river to rescue her as well. Then another struggling child drifts into sight… and another… and another. The two of you can barely keep up. Suddenly, you see your friend wading out of the water, seeming to leave you alone. "Where are you going?" you demand. Your friend answers, "I'm going upstream to tackle the guy who's throwing all these kids in the water." - A public health parable (adapted from the original, which is commonly attributed to Irving Zola)"- Dan Heath[6]

That antisocial behaviour is preventable is the guiding principle of this review.

Consistently, however, we heard that prevention as an entity is under-resourced; despite well-meaning intentions, we have failed to move resources to prevent problems from arising and that our fiscal landscape is still reactive and focused on pulling people out of the water after they have fallen in.

Understanding why people behave in ways that others find unpalatable, difficult, unwanted, distressing, hurtful, destructive is key to determining the best preventative approaches; as is better understanding of the long-term support that those who are victims of antisocial behaviour require.

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[6] Heath, D (2020) [Upstream: The quest to solve problems before they happen](#).

Structure of the report

The report below begins with an outline of the methodology taken by the group, before examining the group's understanding of antisocial behaviour, and the legislation and definition currently in use in Scotland. The structure of the report is split into themed sections, giving an overview of what the group heard through our engagement sessions, highlighting examples of good practice, with clear recommendations for each area. The report then ends with a short conclusion.

Methodology

The Independent Working Group on Antisocial Behaviour's work builds on this initial engagement work. This report takes account of the views, opinions and experiences of many people that the Group engaged with.

The Group first met in November 2023 and met regularly during 2024. It invited many speakers to its meetings, to gain insight and expertise on different topics and areas. This included representatives from Education Scotland, Police Scotland, the Scottish Police Authority, the Children and Young People's Centre for Justice (CYCJ) and Planet Youth. Guests also provided information about the Cashback for Communities programme and contextual safeguarding.

Members of the Group also made visits to learn at firsthand what was happening on the ground. This included a "midnight" football scheme for young people to address antisocial behaviour; going on patrol with community police; in person visits to two local authority areas to meet antisocial behaviour teams working alongside a wide range of their partners, including Police Scotland; a virtual visit to hear from practitioners in island communities and a visit to a community enterprise that is supporting initiatives addressing antisocial behaviour with partners and young people themselves.

The Group also examined the results of various surveys including the national school survey 'Behaviour in Scottish schools' and CYCJ stakeholder survey (see appendix 2 for a full range of engagement over the past year and appendix 3 for further details on the methodology used). The intention was to review all 32 Local Authority Antisocial Behaviour and Community Safety Strategies however, only 23 appeared to be available online. This review was carried out, scoping all 32 Local Authority websites using the search terms "Antisocial Behaviour Strategy" and "Community Safety Strategy", and where no results were found, expanding to "Local Outcome Improvement Plans (LOIP)", "Community Planning" and "Community Justice" search terms.

The Working Group held a number of engagement sessions with representatives on different themes and from various sectors. These people came from many backgrounds, some shared their personal experiences, some spoke on behalf of others who had experienced antisocial behaviour, some were representatives of organisations and some were practitioners. This included representatives of those working with young people, social work and community justice, Victim Support Scotland (VSS) including a council mediation service, housing and health, transport, retail, equalities groups, and a fast-food provider that is supporting work with young

people. It also met with Public Health Scotland, a citywide pilot working with local police that is providing a compassionate distress response to young people in acute distress and Scottish Mediation and the Scottish Violence Reduction Unit to hear about a new pilot to prevent antisocial behaviour in Glasgow city's "4 corners area".

The Group met with elected representatives in a meeting with COSLA and also with political party spokespeople from the Scottish Parliament.

The Scottish Community Safety Network also held two community engagement sessions with community organisations in Glasgow and Dundee.

In addition, the Group considered further information it sought and received from experts in relevant areas such as Youth Link and the Scottish Violence Reduction Unit.

The Group also gathered experiences from individual victims who wanted to share their stories. People who wanted to take part made themselves known either through the Antisocial Behaviour Officers' Forum (ASBOF) or to Victim Support Scotland and interviews were undertaken with Victim Support Scotland's engagement officer. The interviews were transcribed and anonymised. A total of four people's stories were shared in this way. The full case studies are provided at appendix 4.

The Working Group also considered information on approaches to antisocial behaviour elsewhere and briefing documents.

The wider general public were not directly involved but their interests were shared in many meetings, be that through elected representatives, people working in communities or representatives in the themed meetings - 'lived' experience was therefore shared. For example, this review did not include targeted engagement with specific groups, such as young people, mental health and substance misuse.

The Group recognises that meaningful and informed engagement with specific groups requires time, specialised expertise, and sufficient resources to achieve effective and impactful outcomes. Due to the breadth of antisocial behaviour, and the limited timescales, the Group acknowledges that there will be some gaps and that it does not necessarily represent the diverse views of the wider population, all communities or all under-represented groups.

The current working definition of antisocial behaviour was questioned with many highlighting how broad it is and open to interpretation. Collecting data / data linkage was also identified as being an issue, with there being limited accurate data about antisocial behaviour, and just a perception of what the antisocial behaviour issues are in different areas. As a means of addressing existing data gaps relating to antisocial behaviour in Scotland (see below), a Qualtrics survey was commissioned in partnership between the Independent Working Group on Antisocial Behaviour and the CYCJ. This was designed to assist with producing an agreed definition of antisocial behaviour, and provide a clearer picture of its prevalence, nature, causes, and effects across the country. It included both closed and open questions, enabling the collection of both quantitative and qualitative data. The survey was distributed by the Scottish Government to key stakeholders, partners and sectors of commerce affected by antisocial behaviour in Scotland.

150 responses were received from across Scotland and a desk based literature review was undertaken (see [A Review of Antisocial Behaviour in Scotland - Data Survey and Literature Review](#)).

Together, all sessions and information has contributed to the evidence gathering of the Working Group.

Limitations

This report does not set out to be the definitive word on antisocial behaviour in Scotland. The Independent Working Group was limited in timescales - from January to December 2024 - and in our geographical coverage. The report includes information from a Scottish context and while we have made reference to what is happening in other parts of the UK, direct comparison and detailed descriptions were out of our scope. While we attempted to take evidence and include individuals and groups most affected by antisocial behaviour - we were unable to speak directly to young people and to people in communities most affected. This is a gap that we hope will be filled in the next round of work.

Due to the size and complexity of the issue, this report also does not specifically address the role of social media in antisocial behaviour. However, we recognise the significant role it now plays in shaping and amplifying antisocial behaviour, underscoring the need for further dedicated exploration of this critical area beyond the capacity of this report.

Another area outwith this report is education, which was not part of the remit of this Group, as this is being addressed by other working groups.

We have reported on what we heard and saw. Inevitably there will be issues not covered in this report but this reflects the information and evidence we were able to access.

Current understanding of Antisocial Behaviour from data and research evidence

Challenges in measuring prevalence of Antisocial Behaviour

There are major difficulties in measuring the prevalence of antisocial behaviour. The meaning of antisocial as defined in legislation is ambiguous (see also below). The statutory definition of 'behaviour that causes or is likely to cause alarm and distress' is open to wide interpretation and meaning will vary according to levels of tolerance, individual experience and the perceived vulnerability of those who are exposed to it. The definition can encompass low level forms of behaviour such as littering as well as activity which would be regarded as criminal such as vandalism, graffiti and more. This blurring of categories, including non-criminal and criminal behaviours, has implications for the rights of those accused of antisocial behaviour as well as victims, it also has implications for researching antisocial behaviour, given that it encompasses such a wide range of behaviours which may have many different causal pathways.

There are inconsistencies across data sources about how antisocial behaviour is measured - as for example between Police Recorded Crime (PRC) and the Scottish Crime and Justice Survey (SCJS). And ways of recording have varied over time in some data sources, making it difficult to measure trends. It should be noted that PRC can only include what is reported to the Police, and data from the SCJS show consistently high levels of under-reporting across a range of crime types. If trust and confidence in the Police is low this too can lead to under-reporting[7]. Importantly there is a dearth of data on civil actions related to antisocial behaviour, particularly at the national level. Given that antisocial behaviour is often concentrated in certain areas (most especially areas of multiple deprivation experiencing high levels of social stress), aggregate data at a national level is likely to underplay its local impact. Aggregate data also does not always capture the intensity of how antisocial behaviour is experienced, especially amongst those who are repeat victims.

The data reviewed below, therefore, require to be interpreted with caution.

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[7] The latest Scottish Crime and Justice Survey results show that just under half of respondents (46%) reported that they were very or fairly confident in the ability of the police in their local area to prevent crime (data going back to 2008 suggests that this is a fairly stable trend); with around three-fifths (59%) reporting that they were very or fairly confident in the ability of the police in their local area to respond quickly to incidents. The Survey highlights the under-reporting of all SCJS crime (property and violence) - with the most recent data showing a drop from 40% to 29% since 2019/20. In terms of specific incidences of victimisation, of those reporting being a victim of vandalism, only 32% of respondents said that they had reported the incident to the police. The main reasons for not reporting were given as too trivial, not worth reporting (39%), the police could have done nothing (32%), and the police would not have bothered/been interested (22%) (note that multiple responses were allowed). Only 2% said that they had not reported the matter for fear of reprisals/make matters worse, and only 1% because they feared or disliked the police.

What do we know about prevalence of reported antisocial behaviour from the available data?

The overall trends suggest that most forms of antisocial behaviour, that are reported, are at best falling or stable as measured variously by PRC data, SCJS and the [Scottish Household Survey](#) (SHS); and self-report studies (Growing Up in Scotland and the Edinburgh Study of Youth Transitions and Crime). The main exception is antisocial behaviour associated with drugs (misuse or selling) in the SHS[8]. This Survey also showed a slight uptick in all forms of antisocial behaviour recorded during the period of Covid-19.

PRC statistics now group four offences under the category of 'antisocial': threatening and abusive behaviour; drunkenness and other disorderly conduct; urinating etc; and racially aggravated conduct[9].These offences separately, and when taken together, exhibit a marked downward trajectory over time (there has been a 62% reduction since 2012/13 in total number of antisocial offences, with a 38% reduction in the most commonly recorded form - threatening and abusive behaviour - Figure 1).

The SCJS highlights a 22% decrease over the period 2012/13 in the number of those reporting that people behaving in an antisocial manner in public was common or very common; however victimisation from harassment and abuse (which corresponds to some interpretations of antisocial behaviour) rose over the start of this period and has been roughly stable since (Figure 2). The overwhelming majority of those reporting victimisation experienced verbal abuse (over four-fifths in every year). Threats of violence, and vandalism to property were much less commonly reported (Figure 3).

The SHS includes four types of antisocial behaviour: damage (vandalism, graffiti or damage to property); harassment (groups or individuals harassing others); drugs (misuse or dealing); and rowdy behaviour (drunkenness, hooliganism or loutish behaviour). The number of respondents reporting that these forms of behaviour are common or very common in their neighbourhood is relatively low (in the most recent survey only 15% of respondents reported that drugs was a common or very common problem, and this was the highest of all reported antisocial behaviours that year). Moreover, in keeping with the SCJS, the overall trends for damage, harassment and rowdy behaviour are down, albeit with an uptick over the Covid-19 lockdown period (see below). By contrast antisocial behaviour associated with drug misuse or selling exhibits a rising trend (25% rise over time since 2005) (Figure 4).

Self-report studies also show falling levels of offences associated with antisocial behaviour over time. The Growing Up in Scotland (GUS) study included nine questions on offending from the Edinburgh Study of Youth Transitions and Crime (ESYTC) enabling a comparison of self-reported offending for two cohorts born approximately twenty years apart. Comparing self-reported prevalence across the

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[8] Note that police recorded crime statistics show that trends in the crimes of supply and possession drugs are relatively stable over time, with slight falls in the most recently published data: [Recorded Crime in Scotland, 2022-23.](#)

[9] Police recorded crime statistics have measured antisocial behaviour in this way since 2021/22, with trend data going back to 2012/13 see: [Recorded Crime in Scotland, 2021-2022.](#)

nine offence types, Figure 5 shows that over 70% of the Edinburgh Study cohort[10] self-reported involvement in any offence at age 12 (ever) and 14 (in the last year) in contrast to around 30% of the GUS cohort at those ages. The same pattern is evident across all offence types, including graffiti/spray painting, being rowdy or rude in public, and vandalism and damage[11].
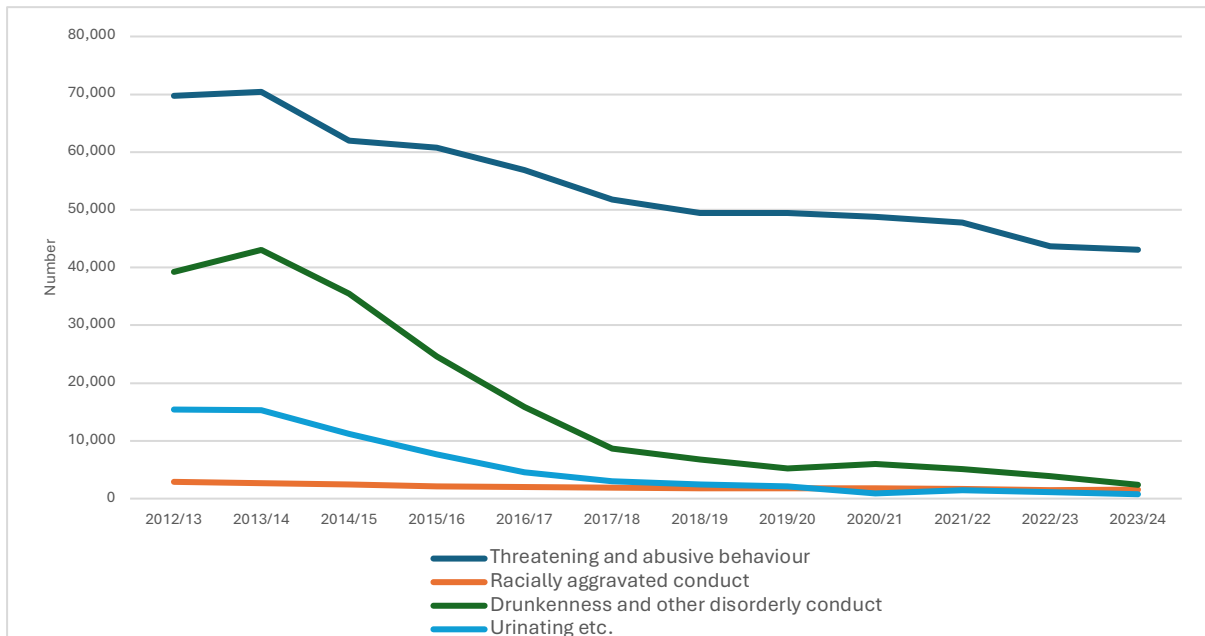

Figure 1: Police Recorded Antisocial Behaviour. Source data: Recorded crime in Scotland - gov.scot

Figure 2: Scottish Crime and Justice Survey. Source data: Scottish Crime and Justice Survey - gov.scot

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[10] McAra, L. and McVie, S. (2024), Briefing on Antisocial Behaviour in the Edinburgh Study Cohort. Available on request from edinstudy.law@ed.ac.uk.

[11] McAra, L. and McVie, S. (2025 in press), A quiet revolution: What worked to create a 'Whole System Approach' to juvenile justice in Scotland - University of Edinburgh Research Explorer, in C. M. Langton & J. R. Worling (Eds.), What Works with Adolescents Who Have Offended: Theory, Research, and Practice by Calvin M. Langton (9781119591047) | BooksDirect. Wiley Blackwell.
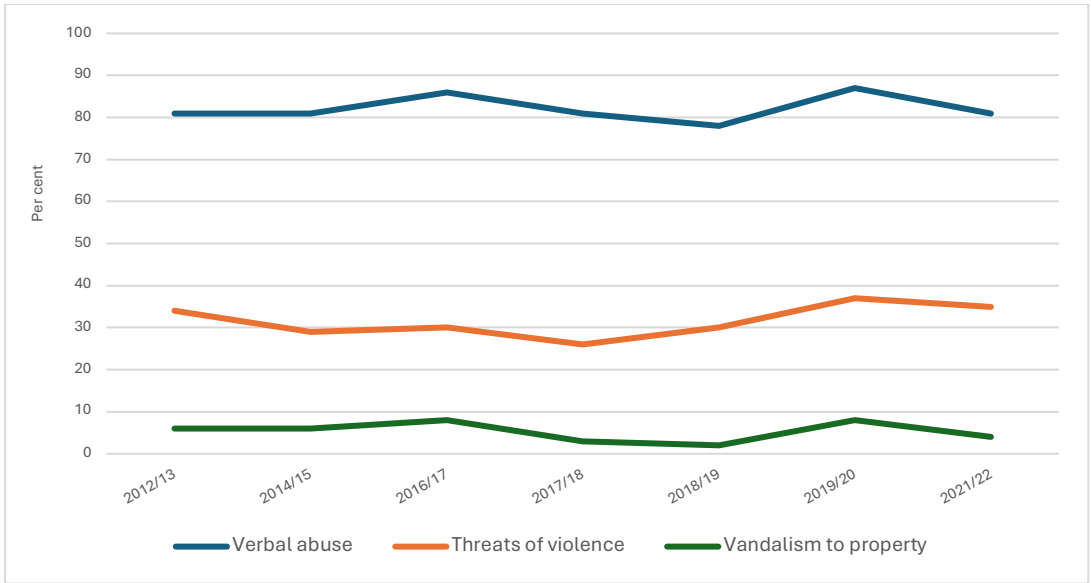
Figure 3: Scottish Crime and Justice Survey - Form that harassment took
Source data: Scottish Crime and Justice Survey - gov.scot
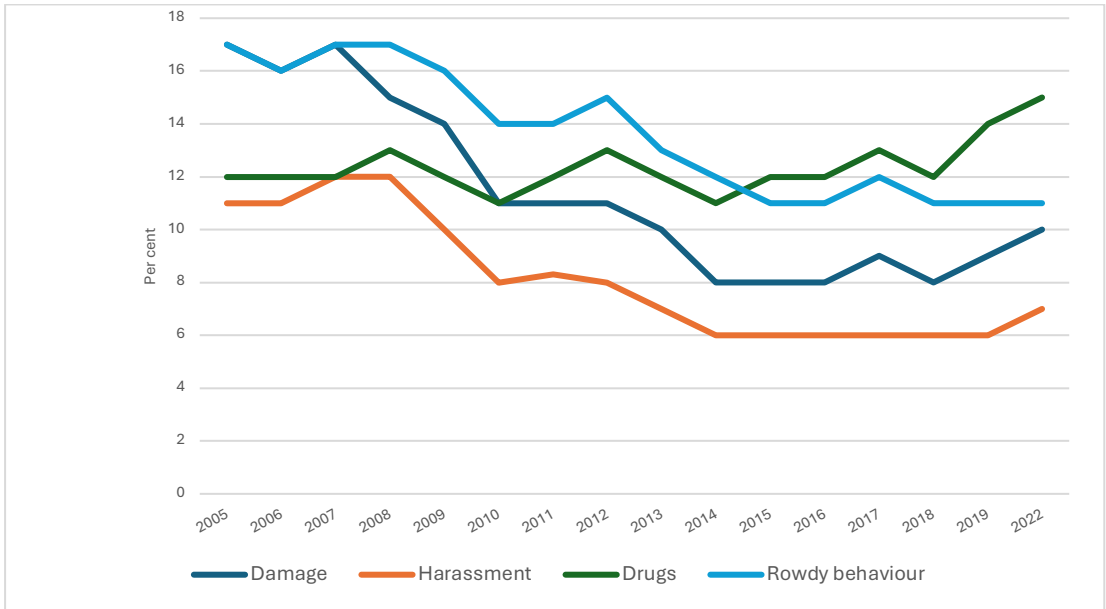
Figure 4: Scottish Household Survey. Problem common or very common in neighbourhood
Source data: Scottish Crime and Justice Survey - gov.scot

Figure 5: Comparing prevalence of self-reported offending amongst the Edinburgh Study cohort (born 1986/87) and Growing up in Scotland Study cohort (born 2004/05) at age 12 and 14.

Source: McAra, L. and McVie, S. (2025 in press), A quiet revolution: What worked to create a 'Whole System Approach' to juvenile justice in Scotland - University of Edinburgh Research Explorer, in C. M. Langton & J. R. Worling (Eds.), What Works with Adolescents Who Have Offended: Theory, Research, and Practice by Calvin M. Langton (9781119591047) | BooksDirect. Wiley Blackwell.
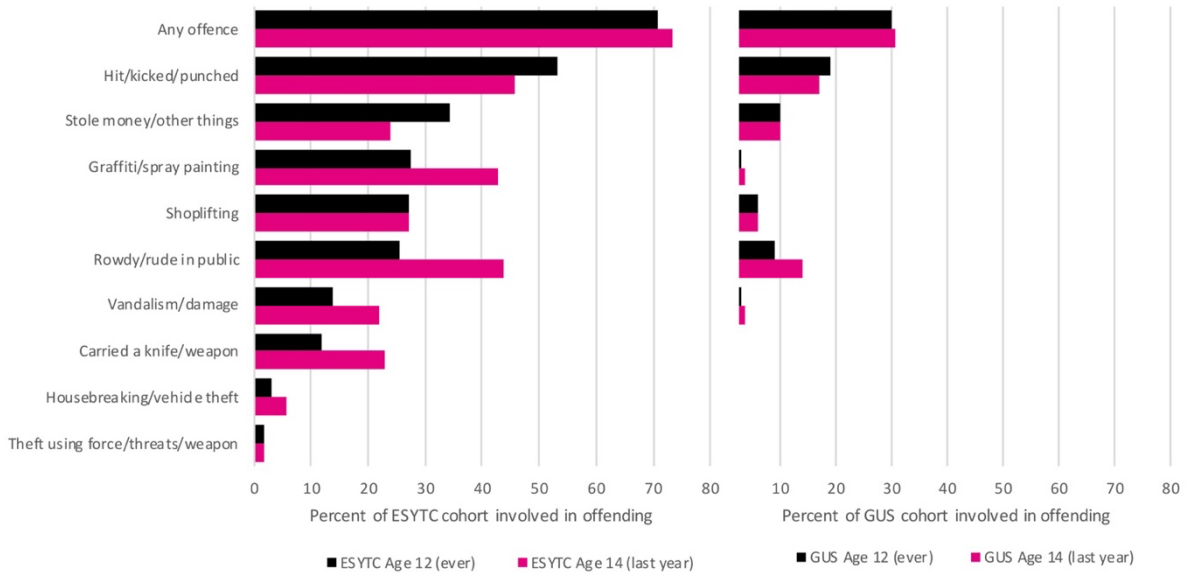
What are the most common disposals used for those committing antisocial behaviour?

As highlighted above, there is limited data on civil actions related to antisocial behaviour and so what is known about the use of disposals at a national level, stems mostly from criminal justice statistics. In keeping with the decline in police recorded antisocial behaviour there has been a corresponding decline in the number of antisocial behaviour fixed penalty notices (ASB FPNs) issued over time: a 90% reduction since 2012/13. However, ASB FPNs are not the only non-court disposals available. Indeed in 2021/22, they only made up 35% of such disposals. Police formal warnings for antisocial behaviour made up just under half of all non-court disposals, with just under a fifth (17%) involving a fiscal fine[12].

Convictions for designated antisocial behaviour offences (threatening and abusive behaviour; drunkenness and other disorderly conduct; urinating etc; and racially aggravated conduct) have also decreased over time - declining in total by 32% since 2012/13, albeit with an uptick in the last year for which published data is available (from 6,893 to 9,136). In 2021/22, the most common form of court disposal for ASB related offences was a fine (33% of all antisocial behaviour disposals), followed by a Community Payback Order (21%), with imprisonment (including Youth Offenders' Institutions) making up 12% of all disposals[13].

What do we know about the age of those involved in antisocial behaviour?

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[12] Source of data: Criminal Proceedings in Scotland, 2021-22 – Updated.
[13] Source of data: Criminal Proceedings in Scotland, 2021-22 – Updated.

There is little systematic data collected on the age profile of those committing antisocial behaviour. Whilst it is often assumed that antisocial behaviour is the province of young people, the available data tells a different story.

The most recently published Criminal Proceedings Statistics (2021/22)[14] show that two thirds of those convicted in the criminal courts for antisocial behaviour related offences were over age 30 (either in the 31-40 or over 40 age groups), with those under age 21 making up only 6% of convictions. The most common age for police formal warnings was over 40 and for ASB FPNs between the age of 21 and 30.
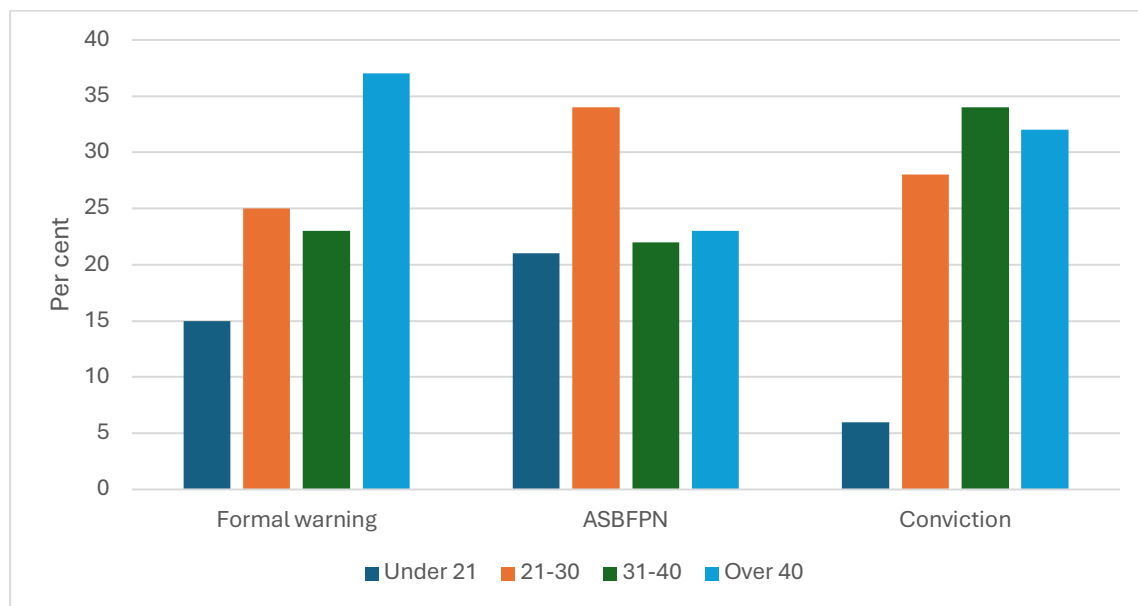

Figure 6: Age profile of ASB disposals
Source data: Criminal proceedings in Scotland statistics - gov.scot

What do we know from research about the causes and contexts of antisocial behaviour?

Given the wide variety of behaviours that the term antisocial behaviour has been applied to, it is unsurprising that there is not one simple causal pathway. Taken together the Scottish and international research demonstrates that such pathways are, rather, multi-level and complex, encompassing structural, situational and individual level factors. It should be noted that there is an overlap in terms of those involved in antisocial behaviour and other forms of offending, with similar proximal and distal causes in the early teenage years (with implications for policy, see below). As the definition of antisocial is linked to actual or likely alarm and distress in those experiencing or witnessing specific behaviours, understanding more about factors which cause people to fear certain situations or behaviours, and what drives levels of tolerance or intolerance would also benefit from investigation.

Edinburgh Study data shows that around a third of those in the cohort who were involved in antisocial behaviour as an adult (reporting being rowdy/rude in public; vandalism/damage or graffiti/spray painting) were also involved in more serious

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[14] Source of data: Criminal Proceedings in Scotland, 2021-22 – Updated.

forms of offending including violence[15]. And a high proportion (66%) of those reporting involvement in antisocial behaviour in adulthood had also been involved in antisocial behaviour as teenagers. Such behaviours in the teenage years were predicted by: early trauma and experience of victimisation; high levels of conflict with, and low levels of monitoring by, caregivers; truancy from school; and use of drugs and alcohol. These findings find support in the wider literature regarding substance misuse and school antisocial behaviour (from truancy and/or exclusion) (see A Review of Antisocial Behaviour in Scotland - Data Survey and Literature Review for further details).

The conspectus of research included in the report commissioned by the Independent Working Group (see A Review of Antisocial Behaviour in Scotland - Data Survey and Literature Review), highlights poverty as a critical backdrop to antisocial behaviour. This is backed up by victim surveys which have consistently shown that those reporting antisocial behaviour as common within their neighbourhood are disproportionately from areas of multiple deprivation[16]. Research has found that housing management policies are a contributing factor, with many of those clustered in social housing, being from the poorest sections of the community, with disproportionally high levels of family stress and mental health problems. Under such conditions, nuisance neighbours and neighbourhood disputes are more likely[17]. However, research also shows that residential turnover is linked to increased risk of offending, both antisocial behaviour and more serious forms of offending. And that areas with the greatest residential stability are more likely to be able to mobilise to tackle such offending[18].

Mental health problems are strongly associated with perpetration of many behaviours designated as 'antisocial' (for details and further references see our commissioned report): and there is some evidence that this may be a growing problem. Research on adolescent mental health during lockdown, commissioned by the Chief Scientist Office[19], found that around 13% of those surveyed were on or over the clinical threshold for depression and anxiety, rates which are significantly higher than the pre-pandemic national average (in Scotland) for this age group. Around one in three (29%) of the sample also met the clinical threshold for avoidance and intrusive thoughts - the measure here is a screening measure for post-traumatic stress disorder. Rates were found to be particularly high amongst those already vulnerable pre-pandemic, in terms of both mental health problems and family context. Edinburgh Study data also highlights the worsening of mental health conditions linked to pandemic lockdowns in the adult population - with just under half

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[15] Burman, M., McAra, L., McVie. S. and Piacentini, L. (2024), Criminal Justice in Crisis: What must be done now? What should be done in the medium term? What could be done over the long term?

[16] For example, the 2022 Scottish Household Survey shows that reports of neighbourhood incivilities (including littering, loutish behaviours, and drug misuse) are almost twice as high in the top 20% most deprived neighbourhoods as compared with the least deprived. Source: Scottish Household Survey.

[17] Burney, E. (2000), Ruling out trouble: Anti-social behaviour and housing management, The Journal of Forensic Psychiatry, 11 (2) pp 268-73.

[18] Ireland, O., Thornberry, T. and Loeber, R. (2006) Residential stability among adolescents in public housing: A risk factor for delinquent and violent behaviour? Sampson, R. and Raudenbush, S. (1999), Systematic Social Observation of Public Spaces: A New Look at Disorder in Urban Neighbourhoods, American Journal of Sociology, 105(3) pp 603-51.

[19] Stewart, T.M., Fry, D, McAra, L., Hamilton, S., King, A., Laurie, M & McCluskey, G. (2022) Rates, perceptions and predictors of depression, anxiety and Post Traumatic Stress Disorder (PTSD)-like symptoms about Covid-19 in adolescents, PLOS ONE 17(4).

of those who were on or over the clinical threshold for depression, and a third of those on or over the clinical threshold from anxiety, reporting that their condition had worsened[20].

What do we know from academic research about what works in tackling antisocial behaviour?

Developing a specific Antisocial Behaviour Strategy is challenging given the definitional issues outlined above and given the overlaps with other forms of offending behaviour. Research however does give some indicators about the characteristics of policy and programmes likely to be effective in reducing associated behaviours, including what doesn't work. As indicated in the research, successful policy would require both long term investment to tackle the underlying causes of behaviours designated as antisocial behaviour, through preventative work, as well as investment in 'situational' initiatives designed to tackle antisocial behaviour that is currently concentrated in specific neighbourhoods.

(i) What doesn't work

There is strong evidence from research that approaches which are purely punitive and deterrent in orientation (involving no support for those causing antisocial behaviour) are not effective in reducing antisocial behaviour, in the case of both young people as well as adults, and indeed may be counterproductive (increasing rather than reducing antisocial behaviour)[21]. With regard to young people, the 2004 antisocial behaviour legislation in Scotland was implemented during a particularly punitive phase of youth justice, in a context in which there were efforts to reduce persistent offending, through the use of fast-tracking children's hearings. Enforcement was a principal driver with the introduction of Antisocial Behaviour Orders (ASBOs) for 12 to 15 year olds, dispersal orders, and parenting orders. A failure of implementation meant that only around 15 ASBOs for younger children aged 12-15 years old were ever made (at the time of this report) and no parenting orders. The wider policy frame led to an increase, not a decrease in the number of persistent offenders (by 15%)[22], as well as increases in referrals to the Reporter, criminal convictions for 16 and 17 year olds and use of custody for older children[23].

(ii) What works

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[20] McAra, L. (2021), Justice for Children and Young Adults in a time of Pandemic: What might be learnt from the Scottish case. Conference Proceedings Association for Criminal Justice Research and Development.

[21] See McGuire, J., (2013), 'What works' to reduce re-offending: 18 years on, in Craig, L,, Dixon, L. and Gannon, T. (eds) What Works in Offender Rehabilitation | Wiley Online Books: Wiley; Walsh, C. (2019) Understanding and addressing antisocial behaviour: a rapid evidence review, Queen's University Belfast; McAra, L. and McVie, S. (2025 in press), A quiet revolution: What worked to create a 'Whole System Approach' to juvenile justice in Scotland, in C. M. Langton & J. R. Worling (Eds.), What Works with Adolescents Who Have offended: Theory, Research, and Practice. Wiley Blackwell.

[22] Audit Scotland. (2007). Dealing with offending by young people: performance update.

[23] McAra, L. and McVie, S. (2023) Raising the Minimum Age of Criminal Responsibility: Lessons from the Scottish Experience. Current Issues in Criminal Justice.

Early and effective intervention to support children and families: almost all the research literature, including large scale systematic reviews, highlights the critical importance of early intervention. Such approaches can be politically challenging to sustain given that success will only be measurable over the longer term and not across more short term electoral cycles. There is strong evidence from Scotland, that investment in early and effective intervention and in diversion - through the Whole System Approach - has resulted in major reductions in youth offending as measured by reductions in offence referrals to the Reporter (by 89% from their peak in 2005/06), major reductions in criminal convictions for older children (by 93% since their peak in 2006/07), and receptions to custody for 16 and 17 year olds (reducing by 98% over the same time frame, with youth imprisonment now abolished for this age group through the Care and Justice (Scotland) Act 2024))[24].

Situational intervention and outreach: research highlights the role of increasing opportunities and outreach programmes for children and young people living under stress, as efficacious in reducing antisocial behaviour[25]. The report commissioned by the Working Group sets out a range of such prevention initiatives (see A Review of Antisocial Behaviour in Scotland - Data Survey and Literature Review). These include projects aimed at increasing opportunities for young people both in terms of employability and access to leisure (such as sports facilities and swimming pools); developing safe spaces for young people to go; and education programmes on the impacts of behaviours. The projects are scattered across Scotland and the wider UK, and dependent on availability of resource - provided in some cases by the retail sector, charities, and local authorities. There is, however, a need for a more robust evidence-base about the outcomes of some of these types of programmes, particularly given that there is no overriding strategic thinking about services which have evolved in a particular locale, and, given the mix of funding streams, there is no guarantee that such services can be sustained over the medium to longer term.

Environmental intervention: in addition to activities and outreach, there is a long history of research on situational crime prevention, demonstrating that adjustments to the local environment can reduce the risks of antisocial behaviour and crime more generally and enhance feelings of safety for the community. Where there is a perception that a place is safe it can increase the number of law-abiding members of the community who use the space, increasing the capacity for 'capable guardianship', which in turn makes the space safer[26]. Urban design, good street lighting, removal of graffiti all can help. Contextual safeguarding is one specific variation of situational crime prevention which shows promise, setting environmental intervention within a child protection as well as a public health, trauma informed framework - important when also dealing with adults involved in antisocial behaviour (see our commissioned report for further details).

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[24] McAra, L. and McVie, S. (2023) Raising the Minimum Age of Criminal Responsibility: Lessons from the Scottish Experience. Current Issues in Criminal Justice.
[25] See for example, Arthurson, K. and Jacobs, K. Housing and antisocial behaviour in Australia,(2006) in Flint, J. (Ed.), Housing, Urban Governance and Anti-Social Behaviour: Perspectives, policy and practice, Cambridge University Press.
[26] See Hollis, M., Felson, M. and Welsh, B. (2013), The capable guardian in routine activities theory: A theoretical and conceptual reappraisal | Crime Prevention and Community Safety, 15: 65-79.

Housing management and mobilising the 'collective efficacy' of communities: as highlighted above, hotspots where antisocial behaviour is rife include some of the most disadvantaged neighbourhoods, with high population turnover, and low attachment to the neighbourhood. Collective efficacy occurs when there is community mobilisation to tackle disorganisation and neglect and to support community action aimed at inclusion[27]. Programmes which aim to build collective efficacy have been shown by research to reduce crime and antisocial behaviour in the locale and to increase feelings of safety[28].

What did we learn from the survey commissioned by the Working Group?

As highlighted above, a survey formed a key element of the report that was commissioned by the Independent Working Group. The aim of the Qualtrics survey was to explore current perceptions and experience of antisocial behaviour amongst a range of stakeholders. It should be noted that more responses to the survey were received from organisations that worked with people who were experiencing antisocial behaviour than those who were causing antisocial behaviour and the findings require to be interpreted in that light.

Three key areas of impact were noted:

- Impact on the Workforce: A high number of responses (including from the transport and retail sectors) highlighted the negative impacts of antisocial behaviour on staff including their experience of verbal abuse, threatening behaviour and physical assault, with concerns that this could create challenges for staff retention and recruitment.

- Impact on the Community: Community-based impacts were referenced across many responses - antisocial behaviour was reported as generating fear within communities, with terms such as being 'scared' and 'nervous' commonly used in answers to the open questions. Concerns were expressed about the potential impact on community cohesion and quality of life for residents; a particular concern was about the neighbourhood reputation and the ways in which negative perceptions could be perpetuated. The findings suggest that the impacts on community risk creating a self-fulfilling prophecy: in a context where young people do not feel safe, this may encourage them to take action to protect themselves, thus amplifying the potential for antisocial behaviour.

- Impact on Commerce: The negative impacts that antisocial behaviour possesses for 'commerce' was a further key theme identified - most

[27] Sampson, R. and Raudenbush, S. (1999), Systematic Social Observation of Public Spaces: A New Look at Disorder in Urban Neighbourhoods, American Journal of Sociology, 105(3) pp 603-51.
[28] Fagan, A., J Hawkins, J., Farrington, D., and Catalano, R. (2018) Communities that care: building community engagement and capacity to prevent youth behavior problems, Oxford University Press. For further research see: Fransham, M., Herbertson, M., Pop, M., Bandeira Morais, M., & Lee, N. (2023). Level best? The levelling up agenda and UK regional inequality, Regional Studies, 57(11), 2339-235 Brown, M, and Baker, S. (2006), The Punitive Turn in Public Services: Coercing Responsibility (Chapter Seven) - Responsible Citizens, in Arthurson, K. and Jacobs, K. Housing and antisocial behaviour in Australia, (2006) in Flint, J. (Ed.), Housing, Urban Governance and Anti-Social Behaviour, Cambridge University Press.

responses referenced how customers' or service users' experiences could be adversely affected by antisocial behaviour, causing them to feel 'unsafe', 'wary' and 'fearful', and ultimately, resulting in them avoiding retail destinations or refraining from using services like public transport.

Concerning approaches to preventing antisocial behaviour, most qualitative responses converged on the following key themes: the role of multi-agency and partnership working; the use of surveillance and monitoring; education inputs; and training.

A key theme concerned a lack of resources and the need for greater funding to prevent and tackle antisocial behaviour, with attention being given to 'budget and resource challenges', there being 'not enough staff in each relevant organisation', and a lack of investment in public services 'to address growing mental health concerns'.

Certain responses also highlighted that preventing and tackling antisocial behaviour would benefit from a more joined-up approach, including better communication and information sharing between agencies. Whilst other responses referenced the need to address poverty and deprivation as underlying or root factors leading to antisocial behaviour.

Importantly, the findings from the survey were largely confirmed by the stakeholder engagement undertaken by the Working Group and which are reported in more detail below.

Conclusions

The following conclusions flow from the review of data and research on the prevalence, causes and contexts of antisocial behaviour and what works in reducing it:

- There is a need for more systematic data collection around an agreed set of behaviours designated as antisocial behaviour, including key demographics relating to perpetrators and victims.
- Investment to facilitate data sharing between agencies would be of benefit, to enable tracking of cases through systems, and in support of better prevention models.
- Learning from, and continuing to invest in, the major success of recent policy related to youth crime (given the crossover between antisocial behaviour and other offending behaviours) would be important given that the whole system approach (encompassing diversion and early and effective intervention) has contributed to major reductions in offence, referrals to the reporter, criminal convictions in the courts for 16 and 17 year olds and the lowest rates of custody for 16 to 21 year olds in over half a century.
- It is critical to invest in availability of mental health and substance misuse services for children and adults which meet current and future demands.
- Research suggests the need for housing allocation policies that pre-emptively avoid potential conflicts by considering compatibility factors (e.g. known antisocial behaviour issues), ensuring that the needs of victims and affected

communities are prioritised while remaining mindful of fairness and avoiding discrimination.

- Consideration of the situational and environmental factors when developing policy responses is also critical: learning in particular from the literature on contextual safeguarding.
- There is a need to map existing prevention services across Scotland, review more strategically and assess sustainability in the context of the mix of funding streams - both third sector and from business as well as the statutory sector.

Legislation and Definition

Legislation

The Antisocial Behaviour etc. (Scotland) Act 2004 extended existing provisions under the Crime and Disorder Act 1998. This took into consideration the experience and learning in the intervening period, establishing strategies, powers and mechanisms to deal with antisocial behaviour, including behaviour involving children aged 12-15 years old.

Related Guidance requires each Local Authority and the Chief Constable to take a strategic approach when dealing with antisocial behaviour. These strategies should be based on the principle that prevention is better than cure and, where such behaviours occur then community-based interventions will deal effectively with causes and effects. Interventions including mediation, support services, voluntary agreements and diversion projects are explicitly encouraged.

As part of the research undertaken by the group, we attempted to review all 32 Local Authority area Antisocial Behaviour Strategies (as required by the 2004 Act), however only 23 appeared to be available online or were able to be found. These 23 strategies were reviewed. This exercise revealed a mixed picture across Scotland, with 15 Local Authorities having a standalone Antisocial Behaviour Strategy, 7 widening to Community Safety Strategies and including an Antisocial Behaviour Priority within, 1 Joint Community Safety and Antisocial Behaviour Strategy and 9 either not appearing to have any or easily found on their website, or contained within another policy document, or relying on their Local Outcomes Improvement Plan (LOIP) - a requirement of the Community Empowerment (Scotland) Act 2015 (replacing Single Outcome Agreements) to outline how community planning partners will work with communities to improve outcomes for individuals, families and communities; and some with no obvious strategy covering this area of work, relying on Antisocial Behaviour Policies or Action Plans, Community Planning and Community Justice documents. Of the 23 who appeared to have Antisocial Behaviour or Community Safety Strategies, 13 were within current date range with 10 being out of date; with date range examples from 2004, 2011/16 to 2019/23.

Of the strategies reviewed, those that identified solely as an Antisocial Behaviour Strategy were not surprisingly the most detailed in terms of a comprehensive strategic approach to tackling antisocial behaviour. Community Safety encapsulates such a wide range of issues that in some wider strategies, not surprisingly, the focus on antisocial behaviour has been diluted or lost with a focus being on other identified wider priorities like home safety, road safety or unintentional injuries.

The main aim of the majority of the dedicated antisocial behaviour strategies was a variance on "to proactively tackle antisocial behaviour to keep our communities safe and ensure the public feel safe and secure". Dedicated Antisocial Behaviour Strategies also illustrated clear links to local LOIPs, Community Planning and various internal and external partnership arrangements; but did not rely upon them instead having a dedicated and focussed Antisocial Behaviour Strategy.

On a positive note, the majority of these strategies reviewed prioritised "Prevention", "Early Intervention", "Engagement", "Collaboration/Partnership Working", "Rehabilitation", "Diversion", "Community Engagement", and "Communication" as their focus to effectively tackle antisocial behaviour. Of note, strategies reviewed post 2011 (Christie et al) give significantly more emphasis on Prevention, Intervention, Rehabilitation and Support. Also of note, two most recently reviewed strategies have reverted back from Community Safety Strategies to Antisocial Behaviour Strategies.

It should be recognised that prevention, rehabilitation and support particularly in cases with complex and multi-faceted presenting factors, are not short term "fixes" and recognition is given that within strategies, in order to keep communities safe and crucially feel safe; a shorter-term situational response will often be required. Antisocial Behaviour Strategies illustrate that authorities will take complaints made seriously and, where serious antisocial behaviour has occurred, "Enforcement Action" will be considered. It is important to note that enforcement does not have to happen in isolation, but may be required to alleviate trauma, fear or distress being experienced by others whilst in the background supports and interventions are ongoing in relation to those causing antisocial behaviour. Antisocial Behaviour Strategies across the country illustrate that the harm suffered and the feelings of safety and security of victims and others must be balanced with the rights and support needs of those involved in causing antisocial behaviour. Although strategies recognise the need to support victims of antisocial behaviour, they are not comprehensive on how they can effectively achieve this and considerably less narrative is given within strategies to this element of tackling antisocial behaviour.

Strategies are however clear that "Enforcement" should not be the first response to antisocial behaviour and for longer term sustainable solutions, a preventative approach tackling problems "upstream" is imperative. Strategies do however recognise that there will be occasions where an enforcement situational response would be the most appropriate and proportionate.

This would appear to align with feedback from the consultation groups undertaken during the review, where participants recognised the need for a longer term preventative approach; however, repeatedly and overwhelmingly outlined that for those who have experienced antisocial behaviour "harm is harm" no matter the reason behind it and often the negative effects of harm have serious detrimental (and sometimes long lasting) effects on the lives of those who suffer antisocial behaviour, whether that be in the community, at work, at home or in educational or transport settings.

Definitional Challenges

The legislation includes definition of what constitutes antisocial behaviour and is deliberately broad, recognising that what constitutes an antisocial act or behaviour will vary from incident to incident based on a range of factors, and will likely have a range of impacts on those affected, including on sense of safety and wellbeing.

At the core of discussion in relation to the definition of antisocial behaviour is whether the current definition is too broad and therefore open to - too wide an

interpretation. For some, the broad definition leads to difficulty in describing those acts and behaviours that would meet a defined threshold for criminal conduct. The contrary view however is that the broader definition allows for intervention tailored to the behaviours and the impact of these.

Providing a more detailed and specific definition may make recognising criminal acts and behaviour easier for all, arguably it would lead to many situations where opportunities for earlier, and less punitive, interventions delivered through local authority and diversionary activity were reduced or removed entirely. This could lead to a situation where wider public service is unable to provide the strategic collaborative approaches as intended through the 2004 Act. Notwithstanding this, it is important to recognise that inconsiderate, annoying behaviour may not be antisocial behaviour and will generate a different response.

More recent development in public policy has recognised the importance of advancing a rights-based approach to the provision of public services. This supports a continued broad definition of those acts and behaviours which may be considered antisocial, recognising that there is a broad spectrum from behaviours which could be considered inconsiderate or uncivilised to those where repetition and cumulative impact may deem these to be criminal.

Antisocial behaviour legislation does not supersede primary legislation that defines explicit criminal acts, such as those that constitute criminal damage, threatening or abusive behaviour intended to stir up hatred, supply and use of controlled drugs, etc. A pattern of these complaints or any one of these crimes may also constitute antisocial behaviour, in that the Court would or has concluded that a person acted in a manner that has caused or would likely to cause alarm and distress, thus satisfying the Court that an Antisocial Behaviour Order (ASBO) is necessary.

The risk in using such a broad definition, however, is that many acts and behaviours that could constitute antisocial behaviour are not reported or recorded as such, leading to under-recording of this social issue and therefore a lack of coordinated and collaborative action to address it.

The shortcoming in the current collation of related data is highlighted above. Although current recorded data demonstrates a stable or downward trend in reported antisocial behaviour in Scotland, through a range of engagements undertaken by partners and stakeholders, we know that anecdotally this is not the reality, with accounts of many individuals and communities not reporting antisocial behaviours they experience. This was reinforced through engagement undertaken by the Working Group with communities and individuals leading to a risk that a narrower definition of antisocial behaviour may further conceal that reality.

Although the Antisocial Behaviour etc (Scotland) Act 2004 is regarded as the primary legislation to tackle antisocial behaviour, due to antisocial acts encompassing such a range of issues such as noise, harassment, property damage, littering, fly-tipping or graffiti, this has been supplemented by various other legislation including (but not exhaustively) Housing (Scotland) Act 2001, Housing (Scotland) Act 2010; Housing (Scotland) Act 2014; giving Housing Providers additional tools to tackle antisocial behaviour. Additionally, the following Acts also give Local Authorities and partners powers to tackle antisocial behaviour outwith the 2004 Act - Misuse of Drugs Act

1971; Psychoactive Substances Act 2016; Civic Government (Scotland) Act 1982; Environmental Protection Act 1990, Regulation of Investigatory Powers (Scotland) Act 2000 and also reflect taking cognise of the Adult Support and Protection (Scotland) Act 2007; Children (Scotland) Act 1995 and Equality Act 2010 to ensure those with protected characteristics are not disadvantaged and given additional support and protections. The fact that this legislative framework crosses multiple policy areas and includes reserved matters (the Misuse of Drugs Act 1971), renders more complex and challenging the task of creating new and more effective policies for tackling antisocial behaviour.

Action:

- The current legislation, definition and guidance requires to be reviewed and revised. This review should consider what support, and training will need to be provided and how any new legislation will be implemented.

Themes

The Working Group engaged in an extensive exploration of a diverse range of themes related to antisocial behaviour as a core part of our work. These are outlined below.

Victims

The Working Group heard evidence from a range of sources throughout its engagement phase about the impact of antisocial behaviour on victims and the harm that it causes. Education Scotland reported the mental health impacts on young people subject to antisocial behaviour as well as missed educational opportunities through non-attendance at school. Local authority staff and police officers discussed the impact on victims as well as communities and engagement sessions with the retail sector and transport sector provided insight in relation to commerce, communities, businesses and employees as victims.

In order to gather additional insights into the experiences of victims of antisocial behaviour who are members of the public the Working Group held a specific engagement session related to victims, this included Victim Support Scotland staff, volunteers and a local authority mediator. The Working Group was also keen to hear directly from victims as well as the people that support them. The Local Authority Antisocial Behaviour Officers' Forum (ASBOF) and Victim Support Scotland identified victims who wanted to share their experiences with the Working Group in more detail and four victims consented to this. All four consented for their stories to be shared in the final report. These case studies were gathered by individual interviews with Victim Support Scotland's engagement officer. These interviews were transcribed and anonymised and are provided at appendix 4.

Victim Support Scotland is an independent charity, set up in 1985, that provides emotional and practical support to victims of 'any type of crime or similarly damaging behaviour'. Historically Victim Support Scotland has provided support to victims of antisocial behaviour for many years and was funded by several local authorities to provide specific support to victims of antisocial behaviour in their areas. However, in recent years this funding has declined significantly (seven local authorities provided specific funding in 2018/19) and currently only one local authority does this and this funding is also under threat.

Given Victim Support Scotland's long history of supporting victims of antisocial behaviour, this session was illuminating and highlighted the long-term impact that antisocial behaviour, particularly within people's home environments can cause.

Looking across the rich data gathered from and about victims of antisocial behaviour across the Group's engagement there are several themes that emerge:

Features of antisocial behaviour

The impact of antisocial behaviour varied between behaviour that occurred in public spaces and that which occurred in private contexts, e.g. within the home or immediate vicinity.

There is no single age grouping that carried out antisocial behaviour more than any other. This is particularly evident when including definitions within the home / 'private space' as opposed to antisocial behaviour that occurs in more public contexts. This is not simply a young person's issue.

"It affected me in every way, with this stamping and shouting, every second of my life. There wasn't a moment any day where I wasn't aware this might happen. It affected every waking hour and in what was supposed to be my sleeping hours. It happened not only to me, it happened to everyone who was living there in the flats." (victim of ASB)

"It has to happen time and time again before anything is done. During that time, that is your living experience. Time and time again, day and night." (victim of ASB)

A Victim Support Scotland volunteer sums up the distinction:

"I find it one of the most challenging crime types to support. It is so hard to see and to hear the impact of people's safe space being taken away from them."

Victim Support Scotland noted a high correlation between antisocial behaviour and other types of crime, for example hate crime. Disability hate crime was one of the most commonly seen linked crimes with people targeted because they had a disability or long term health condition.

"This perpetrator knew my partner was terminally ill and he seemed to get a kick out of this…He started banging on our doors and our windows and dropping heavy objects onto his floor. He sent children round to scream outside and let air out of our car tyres. He smashed glass over our path and spread excrement over our front door. He would sharpen homemade knives outside our window and box my car in - once for 10 days. He started following me to my workplace. Then he started a fire in the communal garden, using hazardous waste. The carers and I were worried that we wouldn't be able to get my partner out the house if there was another fire." (victim of ASB)

Moreover, escalations into violence, threatening and intimidating behaviour and other serious issues were reported as commonplace.

" It came to a head when the neighbour threatened my life. He told me not to contact police, though obviously I did. It was a very traumatic experience, having somebody less than an inch from my face. He was arrested after a few days but then again in another few days released to continue to do whatever he wanted. It was like the court did not take the threat to my life seriously." (victim of ASB)

Impact of antisocial behaviour

The harm caused by antisocial behaviour was, at times, very high and long-term. Victims reported significant impacts on their mental health, physical health, financial situation, ability to retain employment and relationships with others. Most of the victims who came forward to share their experiences had been enduring the behaviour for many years without adequate support.

Health (Victims)

Mental Health

Victim Support Scotland stated that it was reporting an average of 1.6 safeguarding concerns per week specifically in relation to antisocial behaviour across 2024. This means that almost two people a week were considered to be at high enough risk either from themselves or others, in relation to antisocial behaviour, that Victim Support Scotland was raising this with other agencies. To put this in context this is between a quarter and a third of all Victim Support Scotland safeguarding incidents across all crime types.

Victims described a wide range of impacts on mental health including fear, anxiety, stress, loss of confidence, isolation and in some cases victims described symptoms of trauma.

Physical health

Some victims reported lack of sleep, stress that affected their physical health and impacted on other aspects of their lives.

One victim described the stress he was under when the person who was carrying out antisocial behaviour was released from prison, he says "at that time where he was being released, I had a mild stroke. Many friends and family of mine believed that the stroke was caused by the stress of what was happening with the behaviour."

Some victims were targeted because of their own health conditions and for some who had carers visiting their home the behaviour impacted on their carers being able to carry out their role. "My partner was confused and frightened due to the late stages of dementia, but one of the few words my partner could say when the noise started above was 'help', which was soul destroying. My own health was starting to suffer too, I was physically drained due to the lack of sleep and collapsed a couple of times."

Financial

A variety of financial impacts were described, some victims had to pay for repairs to damage caused by those carrying out the antisocial behaviour, some had to resort to purchasing security equipment in an attempt to deter the behaviour, some had to move home to get away from the behaviour. One victim described losing her job due to the impact on her abilities to carry out her tasks because of lack of sleep over a prolonged period of time.

"It stopped happening because I moved away from the flat that I was living in. I shouldn't have to be the one to do that. It has affected me financially…and I am now having to pay rent. I was the one having to move because they weren't going to move him. But how come it now costs me monthly rent to pay for the place they moved me." (victim of ASB)

Social

Some victims reported a detrimental impact on their relationships with friends and family. Some did not want to share their experiences with loved ones as they did not want to burden them, others described the strain that was being put on their personal relationships due to the stress of experiencing antisocial behaviour.

"I was calling the police when anything happened, but I didn't want my family to feel concerned or think of me suffering there. I didn't want to upset them as well." (victim of ASB)

"I was fearful that if I went to sit outside I was getting abused on a daily basis. And I'm at home now. I'm very much a prisoner in my own home." (victim of ASB)

Response by agencies

Many victims felt the impacts on them, of antisocial behaviour, were underestimated or even trivialised by professionals and that responses were inadequate and ineffective as a result. Many victims received no help.

"It has been going on for over two years. Almost every day we've had to contact the Police/Council. We have received no help at all…Communication with the housing association has been an immense struggle. We have sent over 200 emails between ourselves in our flat and along with other neighbours in the stair… More than half remain unanswered." (victim of ASB)

"We have not been offered support from any support organisations. The support we got from the police was telling us to put earplugs in. As if that can do anything when everything is vibrating and there are almost earthquake levels of noise." (victim of ASB)

In addition this was an area where victim-blaming was felt to be commonplace. Victims felt that they were often viewed as not being tolerant enough of others and were themselves being unreasonable. Many victims felt by raising issues they were treated as 'serial complainers' by agencies and were not taken seriously and the harm caused was minimised.

"I just feel like they are coming along here saying 'Our hands our [are] tied'. I even went above them and contacted the Safer Communities team and had the manager out to my home and it's just been antisocial behaviourolutely [behaviourally] horrific. I've never known such a thing in my life. You know, I've been 28 years in my home and I've actually written a letter to somebody in the head of the council about getting moved, but I haven't heard a single solitary thing back from them." (victim of ASB)

Some victims have had to endure malicious counter-allegations accusing them of carrying out the behaviour they were experiencing from others and this exacerbated the harm caused by the antisocial behaviour. Effective approaches to tackling malicious counter-allegations was also something agencies discussed with the Working Group as this was something they felt needed improved guidance to assist them.

"I am frightened to report anything else to the police or to housing because they say it's my word against my neighbours and I have been told that if I do report their behaviour then my neighbour is likely to report me too. I feel alone." (victim of ASB)

Lack of long term, independent support for victims

There was a lack of long-term, holistic support and assistance for victims. Most victims said they had not been offered this. We heard many agencies describe their response which was often focussed on issue-resolution or complaint management rather than having a more holistic view of victims' needs. Some victims were experiencing antisocial behaviour whilst also having their own complex support needs, for example mental health issues or recovering from other types of crime e.g. domestic abuse which meant that a dedicated, person-centred approach would have been beneficial but was almost never offered.

"I do have some protection, I have a non-harassment order through the court. But in the same respect my life is just not the same. I don't leave home. Previous to that I went through an abusive relationship…. it's just not fair and it doesn't feel like my home any more.

I've not had a good life since coming out of my abusive relationship. I very much locked myself away from that, and then to encounter this, within my home boundaries, my street, my close. I was fearful that if I went to sit outside I was getting abused on a daily basis. And I'm at home now. I'm very much a prisoner in my own home." (victim of domestic abuse previously and subsequently ASB).

For victims who were offered dedicated support it was mostly after they had experienced antisocial behaviour for a long period of time. Most victims said they would benefit from independent support to listen to their experiences and help with their emotional wellbeing as well as advocacy support. For victims who had support of this type, for example from Victim Support Scotland, they described this as life changing and something that they thought every victim should benefit from.

However, the Working Group discovered that very few areas in Scotland had dedicated, independent services for providing long-term support to victims, in fact only one area described having this in place and also raised that funding was at risk of being cut completely. Some teams described having these services available in the past but recounted resourcing challenges and budget cuts as having had a detrimental impact.

Some solutions

Victims recognised that there were times when the antisocial behaviour was perhaps not intentional but felt that there had been missed opportunities to address issues earlier, for example better sound-proofed housing stock, retaining floor coverings to help dampen noise, swift resolution when problems first arose etc.

All victims, who took part in the interviews, felt that there was a complete lack of effective responses to persistent and serious antisocial behaviour in their local area. Many felt the only option presented to them was that they left their own

home. As well as feelings of unfairness of this for many victims, for example owner occupiers, this was not an option.

Many have called for the introduction of a 'community trigger' approach similar to what happens in England where a formal case review is called when someone causes antisocial behaviour up to three times in a six month period. Many victims felt this would be helpful. Some local areas described having their own version of this but this is not consistent across the country.

"I feel that there should be a 'flag up' trigger system for Police pertaining to antisocial behaviour. After the trigger has red flagged the system, through maybe a points system, then it should be reviewed by a duty Inspector."

Actions:

- Person-centred, needs-led, long-term support for victims of antisocial behaviour in every local authority.
- Ring-fenced funding for antisocial behaviour that covers 'situational responses' and dealing with antisocial behaviour that is happening as well as preventative approaches.
- Explore the learning and impact from community trigger and community protection notices in England and Wales to improve responses to persistent antisocial behaviour to ensure a consistent approach across Scotland.
- Improve standards for sound-proofing for all new build housing stock.
- Abolition of registered social landlord policy to remove floor coverings when a tenancy is ended.
- Improvement in understanding across all relevant authorities (especially police, local authorities and registered social landlords) of the harm caused by antisocial behaviour and the potential long-term impact on victims.
- Antisocial Behaviour Strategies for all relevant authorities with specified outcomes for victims - improvement in responses, reduction in incidence, investment in long term support for victims.

Protected Characteristics / Equality Diversity Inclusion

The Antisocial Behaviour etc. (Scotland) Act 2004 says that any person using any of the measures in the Act, should do so in a way that encourages equal opportunities and meets the equal opportunities requirements as defined in the Scotland Act 1998.

Equality means preventing, removing or regulating discrimination between people because of a person's sex, marital status, race, disability, age, sexuality, language, social origin, religious beliefs or political opinions.

In consulting community focused groups representing a broad range of these characteristics, it has been evident that while experience of antisocial behaviour may be different at times, all groups wish the same outcome from the provisions of the Act in promoting neighbourly relationships and community cohesion.

Antisocial behaviour affecting people with protected characteristics, as defined in the 2004 Act, is often experienced as being discriminatory and impacting on all aspects of daily life. While these behaviours are not always perceived as reaching the criminal threshold, there is common belief amongst the groups we consulted, that their experience of such behaviour is an escalating issue.

Cultural acceptance of a collective view versus individual behaviour is considered by some to be a community strength. But this also frequently results in a sense that it is not acceptable to speak out if the undesirable behaviour comes from outside your own household, believing to do so inevitably results in further marginalisation and threat of attack.

All groups consulted raised the effects of austerity; the loss of community resources and infrastructure including sport centres, swimming pools, youth services, etc., impacting negatively on community resilience. This, in their experience, is viewed as a strong cause of increasing antisocial behaviour. There is clear linkage across all communities that where community resilience is low the risks of antisocial behaviour increases.

In the consultation, the Gypsy Traveller community member described how this community tend to overlook hate crime as it is so normal for them to be exposed to it and do not believe anything will be done. As victims, they believe their situation is 'swept under the carpet'. This opinion of marginalisation in responses to antisocial behaviour is increasingly being replicated across all groups representing minority characteristics. All groups consulted agreed the experience of being a victim of antisocial behaviour is such that the official response lacks effectiveness.

Often, particularly in housing complaints, the response results in the complainer, who by the nature of the situation is frequently more compliant, being moved from their home while the perpetrator is left in situ. Many reported their regret at having reported the situation, believing it resulted in the complainer being further victimised by being moved from their home.

The fundamental expectation of antisocial behaviour legislation among minorities was the same as every community, the difference is in how such acts and

behaviours manifest and impact upon them. Frequently it includes discrimination with racial and religious aggravation, marginalisation for difference, including disability and sexuality, often involves hate crime, impacting disproportionately on their sense of community acceptance, safety and equality of opportunity.

There is a sense that the answer to this goes beyond effective intervention and use of the 2004 Act but lies deeper in the provision and support available to all communities, through community infrastructure that provides space for building community resilience.

Impactfully, one representative associated antisocial behaviour with unhappiness. Particularly when it comes to poverty, austerity and unmet need. People who are happy are unlikely to be engaged in antisocial behaviour. Truly an insightful, strategic aim for community cohesion.

Actions:

- Ensure that demographic analysis, cultural context and intersectionality is included in approaches to Antisocial Behaviour Strategies including carrying out Equality Impact Assessments.
- Recognise that antisocial behaviour often manifests differently across communities, particularly for those facing racial, religious, or other forms of discrimination. Strengthen responses to ensure they effectively address these specific impacts. Develop targeted interventions to combat hate crime and the marginalisation of minority groups, ensuring that all communities feel supported and valued.

Housing and Environment

As stated above, not all antisocial behaviour meets a criminal threshold and therefore will not be included in any Police or Justice System data. Outside Police Scotland, Local Authority Antisocial Behaviour Teams and Registered Social Landlords are often viewed as lead agencies in terms of antisocial behaviour reporting and expected response. It should be noted however that available data in this field is also not comprehensive or reliable to illustrate the complete picture of antisocial behaviour within communities.

The Housing Sector encompasses a broad range of tenures; from Social Housing, privately owned and rented properties as well as specialist providers for varying groups with particular needs. Housing, antisocial behaviour teams and landlords therefore already often have a unique close relationship with the communities in which they operate and are ideally placed to respond to community needs.

Housing professionals told the Working Group that pressures on other partners due to budget cuts and resourcing issues were having a direct impact on housing and antisocial behaviour teams, with the public contacting them instead of appropriate partners due to perceived lack of response from other agencies. This was resulting in a real shift in expectations alongside a public misunderstanding of the powers available to housing in comparison to Police Scotland, with an expectation that housing should lead on resolving criminal matters, without having the powers to do so. This in turn was impacting negatively on tenant and resident satisfaction.

Public perception of what is and what is not antisocial behaviour often differs from the practitioner approach, resulting in challenges in meeting expectations in response. It can be confusing for all to distinguish between criminality, antisocial behaviour and at the other end of the scale, inconsideration and intolerance. Continued dissatisfaction with outcomes and the perception that reporting is not worthwhile could lead to further declining confidence in all agencies and a feeling of being "passed from pillar to post". It is not helpful to those accessing services that there appears to be differences in interpretation of the definition, different criteria to assess and triage antisocial behaviour as well as inconsistency of response.

Outcomes of complaints made to housing and antisocial behaviour teams can vary greatly, from 100% formal action taken (Warnings Issued) - Orkney Islands Council to 99.55% Advice Only (Aberdeen City); with significant variations in between including verbal and written warnings, Behaviour Contracts, Antisocial Behaviour Orders, Notice Of Possession for Recovery and Evictions, highlighting inconsistency of response (Scotland's Housing Network, 2024). There is also a perception that small or individual landlords are not equipped at all to tackle antisocial behaviour from or affecting their tenants.

Throughout various engagement sessions, it was compelling listening to understand the impact of antisocial behaviour for victims, especially when the antisocial behaviour happens in or around the home - the supposed "safe space". Given the additional severe impacts this can have on victims, it is imperative that Housing and

Antisocial Behaviour Teams have effective situational tools and resources available to provide a robust response and support victims.

Within the sector, practitioners told the group that there can be opportunities for successful enforcement action within the incremental warning processes available, which in turn can also act as a preventative (and supportive) measure. Issuing verbal or written warnings can often be done in conjunction with initiating support and providing advice and assistance. Often this is enough and the majority of initial warnings served prove effective and do not require escalation to further more serious sanctions. Similarly, within noise complaints the issuing of verbal warnings is accompanied by advice and explaining consequences of further calls. This resolves the majority of cases without the requirement for escalated actions such as seizure of equipment or Fixed Penalty Notices. For many of those involved in antisocial behaviour, the realisation that their actions negatively impact those around them and the outlining of potential consequences has the desired effect of stopping the behaviour. Open discussion can then lead into any underlying difficulties that may require additional support to resolve and the support pathway can then be initiated.

As noise complaints seemed to be the most common in the sector, the group examined practices in place to prevent noise complaints, particularly in relation to domestic living noise and noise transference. Many social housing organisations already provide start up packs to new tenants, but this is much less common in the private rented sector. There are variances across the country in the levels of support provided, however housing providers do work with The Scottish Welfare Fund to provide basic items such as carpets, white goods and in some instances a sofa or a bed. Although well intentioned, often the carpets are of the most basic quality and with no other quality soft furnishings this can result in noise transference to neighbouring properties manifesting in antisocial behaviour noise complaints, when clearly other issues are the root cause. A similar picture of poor sound insulation was outlined, creating neighbour disputes over factors outwith residents' control.

Not all cases of reported antisocial behaviour will involve complex issues requiring medium to longer term support. Situational enforcement interventions are therefore essential and can be beneficial to keep those causing antisocial behaviour out of the justice system, as well as bringing peace to those affected by their behaviour and avoiding the creation of unnecessary victims dragged into the cycle of repeat antisocial behaviour.

Good practice (at varying levels) across the sector also outlines extensive joint working and partnerships to tackle all aspects of antisocial behaviour, with information sharing key particularly when underlying or complex issues are involved. Practitioners recognise that multi-agency responses in a whole systems approach is beneficial for identifying a multi-faceted solution to tackling all the presenting issues rather than agencies working in silo.

Where prevention, interventions and support are being considered there have however been significant barriers to effective data sharing between housing providers and other partners, with core partners particularly concerned at the lack of input from Health and Social Care in partnership working. Indications from Health and Social Care partners are that this is due to fears around relevant information sharing.

Practitioners evidenced good practice examples of extensive partnership working (Inverclyde example demonstrated via the Scottish Community Safety Network), particularly robust amongst core Community Safety Partners such as Local Authorities, Police Scotland and Scottish Fire and Rescue Services, but outlined the detrimental effects of service cuts to Police, Local Authorities and especially third sector cuts to youth and community groups as increasing barriers to effective partnership working.

Services have experienced a noticeable increase in complex cases where mental health, neurodivergence, protected characteristics, domestic abuse, substance and alcohol misuse are prevalent. There was recognition, as there has been amongst all consultation groups, that poverty, social exclusion, Covid, cost of living, addictions and physical and mental health deterioration are all factors that can manifest in perceived antisocial behaviour. As one participant told us quite simply "happy people don't commit antisocial behaviour". Cuts to budgets and services, limiting opportunities, facilities, support and services available to people have also added to the societal problems that housing and communities teams are currently witnessing.

Consultation participants emphasised as part of our engagement that most reports received in the sector do not concern young people. Instead, the majority of complaints pertain to domestic noise issues and behaviours associated with adult neighbours.

Those adversely affected by antisocial behaviour often turn to housing or antisocial behaviour teams to provide a speedy resolve. A major challenge to the sector in terms of prevention, intervention, rehabilitation and support is that complainers expect or require an instant situational enforcement response (usually the removal of the person they deem to be causing antisocial behaviour) and are not satisfied or willing to accept a longer-term prevention strategy, while they continue to suffer the ongoing effects of the behaviours.

The sector must work within the parameters of the Housing (Scotland) Acts - predominantly 2001, 2010 and 2014 in terms of antisocial behaviour and wider legislation outlined previously. This legislation is positive in that it affords additional tools which can enable an incremental staged civil formal action resolution without criminalising those involved and should be fully considered as part of a whole systems approach. Elements of this legislation (around Short Scottish Secure Tenancies based on previous antisocial behaviour and tenants being responsible for the behaviour of household members and visitors to their home) are subject to calls for further discussion by the Chartered Institute of Housing in terms of a Human Rights Based Approach, considering should Tenancy Agreements be used in relation to regulating moral behaviours? (Chartered Institute of Housing (Scotland), Walking the Talk, 2022). The human rights of victims are of equal importance, again illustrating the complexities involved in tackling antisocial behaviour.

It should be recognised that any incremental staged enforcement action can be taken in conjunction with a preventative and supportive approach, not instead of. This is imperative when a person decides not to (or is unable to) partake in any programme of preventative supporting action, with non-engagement sited as one of

the most challenging elements to overcome for practitioners, as well as the most challenging to understand for affected victims.

It has already been noted in the Equalities consultation that victims of Hate Crime feel that by moving the victim and not those causing antisocial behaviour, that there perhaps could be a culture in Housing of victim blaming and not protecting or supporting victims, especially those with protected characteristics.

There should be an awareness, that for Housing to move a perpetrator for any antisocial behaviour including Hate Crime, this requires a court order (due to the rights afforded by a Scottish Secure Tenancy). Any serious actions relying on court orders can take a considerable amount of time to obtain and for any victim of antisocial behaviour this can be frustrating and cause further fear, alarm and distress. Court delays also cause frustration to practitioners, however it should be noted that eviction numbers in Scotland for antisocial behaviour remain particularly low and would be seen as a last resort, only for the most serious of cases and only where all prevention, intervention and support has been unsuccessful in changing the behaviours.

Additional challenges within the Housing Sector relate to social housing shortages, poor quality, maintenance, overcrowding and homelessness. Scotland has declared a National Housing Emergency and additionally (at the time of writing) 12 Local Authority areas have declared a Local Housing Emergency. Recent further cuts to the affordable housing supply budget (now under review to be reinstated) will negatively impact on this unprecedented emergency situation, limit new affordable and suitable housing supply and exacerbate the worsening health and wellbeing of the population, increase stress and reduce tolerances which in turn can manifest in perceived antisocial behaviour along with the other recurring main drivers referred to throughout the report.

With almost 250,000 people in Scotland on social housing waiting lists, demand on all functions of the housing sector is rising sharply, for example, additional pressures on rent collection/income maximisation, allocations, homelessness, repairs and estate management functions meaning that antisocial behaviour is competing for priority while resources and budgets are cut and complexities in all casework are increasing. Housing Support is not a finite resource and is prioritised, which in the current climate understandably tends to be in homelessness and homeless prevention.

This means that meaningful and longer term support is often not available for those involved in antisocial behaviour, and where it is it will be general advice rather than specialised support or people will be signposted to other agencies. Third sector feedback is that they too are under-resourced, services no longer existing, funding cut and often they are also unable to allocate specialist support.

This position appears to be replicated for young people leaving care or vulnerable for other reasons, with practitioners feeling there is not enough intensive support available. It is also recognised that the support required should not be in isolation, relating solely to a housing situation but should be a trauma-informed, person-centred support plan encompassing all presenting issues, as stated in The Promise. Good practice already exists in terms of Rapid Re-Housing Transition

Programmes and Housing First with wrap-around support for Homeless applicants and could be explored to expand in relation to antisocial behaviour.

Housing providers deal with distressed and fearful residents on a daily basis. Often the impact can be lack of sleep, missing shifts at work, danger at work due to lack of sleep, children exposed to traumatic events, education affected by lack of sleep or disturbances, mental and physical health symptoms and the feeling of nobody looking out for their needs. They speak of not wanting support, that they would not need support if they weren't exposed to antisocial behaviour in the first place, particularly serious and repeated incidents and the solution that they seek is either to move or have the offending neighbour moved - all very difficult and unmanageable in the current housing emergency and within the legal powers available to the housing sector.

This illustrates the real need not only to examine the way the housing sector prevents and supports those causing antisocial behaviour, but in order to be fully trauma informed and ensure neighbours and the wider community are not engulfed in antisocial behaviour, real consideration needs to be given to those directly affected by antisocial behaviour and this may include situational enforcement solutions where appropriate. It is recognised that housing providers have a role to play in their duties to the wider community and this may conflict with obligations to individuals which means that any approach must take cognise of Prevention, Intervention, Education, Support but also have Enforcement options available to ensure the wider community feel safe.

Actions:

- Review and enhance situational response tools available to local authority antisocial behaviour teams and social housing providers, recognising that robust incremental enforcement tools can stop escalation into more serious behaviours whilst initiating longer term supportive and preventative measures.
- Develop housing allocation policies that pre-emptively avoid potential conflicts by considering compatibility factors (e.g. known antisocial behaviour issues), ensuring that the needs of victims and affected communities are prioritised while remaining mindful of fairness and avoiding discrimination.
- Consider priority timescales within the current court backlog for criminal cases with linked Housing or Antisocial Behaviour team cases to be heard at court. Consider special sittings in civil courts for serious housing antisocial behaviour cases seeking legal actions to be progressed, with increased weight given to victim impact statements.
- Adopt a spend to save upstream prevention and investment approach for social housing providers to provide floor coverings of a quality standard which could alleviate further noise transmission complaints and offer savings in terms of negative follow up contacts.
- More systematic data collection around housing related antisocial behaviour, including key demographics relating to those causing antisocial behaviour and victims - expanding indicators already reported on to The Scottish Housing Regulator.
- Investment by social housing providers in preventative tenancy support programmes prior to new, first or 'failed' tenancy allocations to equip young

tenants or tenants with a history of antisocial behaviour with life skills and resilience to sustain a tenancy without becoming entrenched in antisocial behaviour.

Mediation

One key tool available for early, effective intervention, prevention and support is mediation. Mediation works successfully where it is offered at the earliest opportunity, before any dispute potentially escalates into something more serious. Mediation is most appropriate where all parties have a genuine willingness in finding mutually agreeable solutions. Mediation is also best suited for low level complaints where tolerances may feature but also where there is no enforceable solution available through formal channels.

Mediation is effective in allowing both parties to outline any problematic issues from their perspective, but also to illustrate the effect these behaviours are having on them or their family. It is illustrating the effects that has the greatest impact, as often others are not aware.

The key ethos of mediation is that it builds resilience in communities, allows people to take control of their issues and crucially it allows people to have their voices fully heard. The caveat is that victims of antisocial behaviour should not be made to feel that they are doing anything wrong, coerced into mediation or persuaded into resolutions that do not meet their needs.

There is a delicate balance when considering mediation, as care must be taken not to expose any party in terms of highlighting any vulnerability; facilitating a platform for harassment or "setting up to fail" where either party does not have the ability to keep to any agreement made. The skills of specially trained mediators would be required to take all presenting factors into account before assessing if mediation was suitable. Crucially, mediators will always work to reach the best outcome for the parties involved and this requires mediators to be specialist and independent, however due to budget cuts in Local Authorities and the Third Sector, mediation is being added to the duties of other generic officers and the specialism and success achieved is being compromised as a result. Additionally access to Mediation Services and timescales for responses can be adversely impacted, losing the impact of early intervention.

Case study - Within South Lanarkshire Council, the Mediation Service has been extensively promoted and is now a core partner within the weekly Community Safety Partnership Hubs and Youth Hubs to deliver a whole systems and person-centred approach to those involved in or suffering from antisocial behaviour.

Cases are referred to Mediation at the very first report to allow early intervention and prevention. Case numbers have grown 201% in the last 4 years, rising from 143 in 2019/20 to 431 in 2023/24. Crucially mediators can now measure success, and in 2023/23 achieved 97.6% successful, sustainable solutions where those who engaged with mediation did not have to re-contact housing or any other service in relation to their presenting issues. Only 8 cases returned for further assistance. In 2024/25 year to date, the Mediation Service has a 98.8% success rate with only 3 cases returning for further assistance.

When resources within local authorities are dwindling, demand and complexity increasing, the promotion and successful outcomes reached by the Mediators has significantly alleviated pressures on other services within the authority as well as achieved positive outcomes for the vast majority of their cases. Testimony received includes "you are the first people to take the time to listen to me and understand where I'm coming from" and "I can't thank you enough, you've actually changed my life and I can enjoy my home again".

Such a successful sustainable outcome rate is instrumental in promoting the merits and achievements of mediation to other people experiencing inconsiderate or antisocial behaviour and illustrates success where upstreaming prevention is a first response rather than enforcement.

Transport

Antisocial behaviour on public transport impacts the safety, comfort and accessibility of transport for passengers and spans all age groups. Intoxicated misconduct and factors such as mental health and substance misuse were all identified as contributing factors to antisocial behaviour on public transport. In addition, low level incivility and social order since Covid-19 (for example, putting phone on loudspeaker) has a perceived increase, emphasising the need for a broader approach to managing and reducing antisocial incidents across age demographics and modes of transport.

Labels portraying young people as the main perpetrators of antisocial behaviour on public transport were consistently evident in our engagement around transport. In January 2022, the Scottish Government/Transport Scotland introduced the Under-22 Young Persons' Free Bus Travel Scheme in Scotland. A hugely impactful scheme for young people and their families/carers focused on eradicating child poverty and encouraging long-term and sustainable behaviour change in relation to public transport patronage. Since the launch of the scheme, over 197 million journeys have been taken to date (end January 2025), opening opportunities around recreation, education and employment for young people. The free transport element is part of a wider national entitlement card promoting access to services including, but not limited to, [free] school meals, legal proof of age, and discounts/entitlements.

While the vast majority of young people behave appropriately when travelling by bus, media and operators have reported a rise in incidents of antisocial behaviour on the bus network since the introduction of the scheme - although the Working Group was not presented with data to quantify this. Most bus services in Scotland are operated on a commercial basis by private bus companies meaning that currently there is a lack of comparable and robust data to allow a comparison of antisocial behaviour incidents on buses before and after the introduction of the Under 22 Free Bus Scheme. The [independent one-year evaluation of the scheme](#) also noted that due to the lack of robust data spanning pre- and post-scheme implementation, it is not possible to say whether instances of antisocial behaviour had truly increased, decreased, or remained static since the introduction of the Young Persons' Free Bus Travel Scheme.

Recent survey data provided the Working Group with insight into passenger safety views, with respondents as part of the one-year evaluation of the young person's scheme indicating that they felt safer on buses than any other mode of public transport during the day (76% felt safe on-board buses either always or often during the day). There had also been a slight increase in perceived safety using buses at night since the introduction of the scheme, as well as an 11 percentage point drop in the proportion who had experienced safety concerns at night, and a six percentage point drop in those who had experienced safety concerns when travelling alone. In addition, results from the first year of Transport Focus' Your Bus Journey Survey, which was undertaken throughout 2023 across all six mainland Regional Transport Partnership areas in Scotland (Shetland is the seventh) published on 6 August 2024 - 5% of passengers overall say they felt worried or uncomfortable about other passengers' behaviour on the bus, but this is higher, at eight percent, among younger passengers and amongst disabled people at 7%. 87% of people scored

their personal safety as good or very good when travelling by bus. Only 2% scored this as poor or very poor.

Notwithstanding, a recent [Unite survey](#) of bus drivers across the UK found that 84% of drivers felt that the number of instances of abuse at work increased in the last 12 months. Employee safety and support is fundamental, both for the current workforce and for future employment sustainability for the sector. The Working Group has the greatest sympathy for bus drivers that experience antisocial behaviour from a small minority of bus passengers as everyone has the right to attend work safely and free from harm. The vast majority of passengers travelling by bus behave appropriately, including people of all ages using their free bus entitlement to travel, and none of this would be possible without bus drivers keeping communities connected.

As a working group, we have not been provided with data regarding the number of incidents to quantify or establish a direct link between the introduction of free bus entitlements for citizens and a rise in antisocial behaviour. Without such information, it is not possible for the group to support the withdrawal or restriction of a travel entitlement. The Working Group supports exploration of proportionate approaches - as adopted in other situations whereby incremental measures are applied such as verbal/written warnings and other sanctions - rather than immediate escalation to direct punitive measures such as entitlement removal that may have wider unintended consequences and that also may exacerbate issues elsewhere in communities.

Highlighting the "vital support" free bus travel gives young people, helping them to access education, employment and leisure, Nicola Killean, the Children and Young People's Commissioner for Scotland told the [Guardian Newspaper](#), in November 2024, it was important that children "are not stereotyped based on the behaviour of a minority of individuals. When there is antisocial behaviour by adults, we don't hear calls for all adults to be banned from public transport".

The Working Group is also aware that bus operators can already restrict access to their services in line with their own conditions of carriage and that Transport Scotland is working with operators, unions and other stakeholders, to develop their own sanctions and preventative measures for people taking part in repeat antisocial behaviour using concessionary transport schemes. This includes the proposal for development of a new behaviour code for all passengers of all age groups, and a process for temporary suspension of concessionary travel products - again across all age groups - for those demonstrating repeat antisocial behaviour.

The Working Group raises significant concerns in relation to the execution of any scheme that results in the immediate suspension of the free bus entitlement. As a Scottish Government policy, and universal entitlement, focused on eradication of [child] poverty, climate just transition/behaviour change, and widening opportunities for citizens - especially in the current challenging fiscal environment - the enforcement of such an approach would have to be fair, appropriate and in line with other approaches where decisions are made in relation to, for example, a child/young person. This includes consideration of human rights and the UNCRC - a statutory obligation for public bodies and local authorities.

Consideration would also have to be taken into a person's life circumstances, and the opportunity cost of restriction of bus travel. It would have to be consistently applied across the whole Concessionary Transport scheme and managed centrally by an appropriate body such as Police Scotland/Transport Police in partnership with Transport Scotland with very clear criteria, guidelines and escalation/reporting procedures, with robust data infrastructure to support evaluation and impact of such an approach. Taking a rights-based approach would again be essential as it may be open to misinterpretation by individual operators resulting in inequitable application. Taking a co-design approach to any measures would also be appropriate, building in citizen engagement as part of development, application and evaluation.

There is a wider recognition that tackling antisocial behaviour on public transport requires a focus on the root causes to deliver a comprehensive approach which aims to prevent such behaviour and supports people to work in partnership in communities. Transport Scotland is exploring both preventative options for action as well as what further deterrents or sanctions may be possible and appropriate where cases of antisocial behaviour occurs, including through working with bus operators and other key stakeholders. We understand that this includes working with the Confederation of Passenger Transport (CPT) to support sharing best practice amongst operators and to ensure that the legal protections which allow bus drivers to refuse travel to passengers, who breach conditions of carriage setting out acceptable behaviour on the bus network, are well understood and communicated.

The Working Group is also aware of approaches across the UK that look to tackle antisocial behaviour on public transport and highlights that antisocial behaviour on public transport is also a persistent issue in areas that do not offer free concessionary transport. The UK Department for Transport is currently carrying out a trial involving the deployment of Transport Safety Officers in four local authorities supporting both preventative and situational response approaches in collaboration with bus operators. This will be monitored and evaluated. Data, if shared, may provide an insight into the effectiveness of additional on the ground support to tackle antisocial behaviour on buses and could be replicated in Scotland via a multi-agency approach - Transport Scotland, COSLA/Local Authorities and third sector - resource dependent.

Actions:

- To inform proportionate decision making, invest in robust and consistent data collection across Transport Providers to evaluate antisocial behaviour trends pre- and post-implementation of transport initiatives, for example, the Under-22 Young Persons' Free Bus Travel Scheme.
- Encourage partnerships among Transport Scotland, bus and train operators, local authorities, and third sector organisations to share best practices and align on strategies for preventing and addressing antisocial behaviour.
- Explore models like the deployment of Transport Safety Officers or bus wardens to deter antisocial behaviour, provide on-ground support, and enhance passenger reassurance. Evaluate successful trials in other UK regions (e.g. Stoke-on-Trent and West Midlands) for potential replication in Scotland.

- Align measures addressing antisocial behaviour with broader government objectives, such as the climate just transition and child poverty eradication, ensuring sustainable, safe and equitable transport access for all.
- Ensure that the development of any schemes such as passenger behaviour codes and escalation procedures (e.g. warnings, temporary suspensions) for repeat incidents of antisocial behaviour across all age groups by Transport Governing bodies are co-designed with a wide range of stakeholders - including passengers of all ages - to ensure that solutions are rights-based, fair, and uniformly applied, with clear criteria and oversight by centralised establishments.

Case study - In summer 2024, Stoke-on-Trent deployed six bus wardens/safety officers within their network to primarily deter and prevent antisocial behaviour on buses, as well as to provide reassurance to the travelling public. Officers work in two groups across different shift patterns to cover routes throughout the day and night, with the authority to issue fines for issues such as littering and vandalism. This scheme followed the success in the [Transport for West Midlands](#) area in 2023 where they deployed Transport Safety Officers (TSOs) who worked in co-ordination with local police forces and the British Transport Police to deal with low-level disorder. As well as tackling antisocial behaviour, the approach was part of wider measures to tackle gender based violence against women and girls, dedicated to tackling incidents involving women's safety, supporting women and girls to feel safer when travelling on public transport. Funding for these approaches have come from local Bus/Transport improvement plans.

In addition to addressing behavioural conduct on public transport, the issue of vandalism was also raised during our stakeholder consultation, including in relation to bus shelters and e-bikes. Tackling vandalism in e-bike schemes is crucial to ensure their sustainability and availability as a green transport option, supporting a just transition and behaviour change. Vandalism and theft driving up costs was cited as a contributing factor in the closure of Edinburgh's bike share scheme in 2021, and has also prompted some schemes to increase deposits, making them less accessible to people on low incomes. The Working Group is not aware of any systematic collation of theft and vandalism data from across bike share schemes, or of any quantitative or qualitative research that examines theft and vandalism factors specific to bike share schemes. Anecdotally, people under 16 being generally ineligible for hiring the bikes has also been cited as a possible factor, but this has not been rigorously examined. There is no concerted action on this issue at present, but individual operators continue to work with the relevant authorities to investigate theft and vandalism where it occurs locally.

Retail

Retailers can be at the social and economic heart of communities in villages, towns and city centres providing essential goods and services. Retail employment offers a range of opportunities from sales and marketing, logistics and distribution through to frontline roles - and valuable experience to young people, is open to people of all ages adopting a range of flexible working patterns to support work and life patterns.

The world of retail is constantly changing with independent shops, shopping centres, out-of-town retail centres and greater online presence. As well as opportunities, there are also challenges - even before the covid pandemic - town centres across the UK have been striving for regeneration and during the pandemic we saw retailers play an invaluable role but at the same time faced issues with some customers.

Scotland has its legislation aiming to protect retail workers from violence but the cost of living crisis swiftly followed the pandemic and the sector has highlighted concerns about verbal and physical abuse staff may face as well as property damage and theft issues.

Bigger retailers have capacity to invest in increased security for a safer environment, including body worn cameras, whilst smaller retailers - some single-person traders - who are often well known within their communities - are operating at finer margins and understandably may find this more challenging especially when organised crime is involved. This can also impact the mental health and wellbeing of staff.

Retail is also hugely diverse - we are all aware of these challenges faced by grocery and convenience stores, supermarkets, fast-food outlets and hospitality but there is less awareness of the extent of these challenges that other parts of the sector might face.

During our engagement, we have seen and heard some positive stories about retailers working with partners to support vulnerable local people gain opportunities such as in Stirling and by some national (fast-food) outlets, and retailers of varying sizes inviting young people into their stores to learn more about their people and gain a real insight of the sector. We are aware of strategic partnerships with the police to prevent and tackle acquisitive crime. Sharing best practice is an important part of this review.

Variations in the definitions and understanding of antisocial behaviour was a recurring theme throughout this review. Retailers described a range of behaviours throughout our dialogue with them ranging from criminal acts of violence and thefts to graffiti, threatening behaviour, harassment, intimidation and lower levels of shoplifting. Through our discussions it is clear that boredom, lack of facilities and poverty were key causal factors. The Working Group acknowledges, however, that many antisocial behaviour incidents in retail settings are in the context of serious and organised crime, acquisitive crime and exploitation. We heard from the retail sector of the impact on their businesses and that retailers are spending significant sums of money on body worn technology, CCTV, support for staff and are experiencing high turnover and heavy recruitment and agency costs. In tandem with losses made from damaged and stolen goods, there is a high fiscal and emotional consequence from these behaviours. Most of it is reactive.

We heard from discussion with other sectors, of the decreasing resources within communities - youth work, community learning and development, community resources, cafe and centres, at the same time that communities are experiencing higher costs of living, unemployment, lack of opportunity and hope.

It is clear that these are compelling factors for us to understand and prevent antisocial behaviour.

We must have effective enforcement for criminal behaviour - the Working Group is aware of organised crime being an issue in some of the bigger cities and ineffective responses including exclusion orders being used. We need the right tools and powers to deal with the social consequences.

Actions:

- Advance a culture of continuous improvement and knowledge sharing in the retail sector by continuing to implement tests of change, rigorously analysing data to understand impact, and sharing best practice models, such as the local community enterprise and McDonald's approaches noted later in this report, to promote preventative rather than reactive strategies.
- Leverage evidence to drive sector-wide improvements by sharing proven best practice and evidence of impactful approaches across the retail and other sectors to optimise resource allocation and maximise the effectiveness of budgets, with a focus on preventative efforts. Prioritise investment in prevention and youth engagement by redirecting resources toward preventative measures rather than reactionary in retail settings.
- Differentiate antisocial behaviour from criminal activity by developing clear frameworks to distinguish antisocial behaviour from more severe criminal activities, such as theft, organised crime, gang involvement, and child exploitation, to ensure appropriate and effective interventions.

Within the retail sector we heard of several approaches and projects - two of which are detailed in as case studies. These approaches are preventative, cost very little in comparison to the cost of reactive technology and support and could be scaled up.

Case study - Local Community Enterprise (LCE)

An older teenage youth, referred to LCE by a Community Police Officer. Although no criminal convictions, the young person (YP) has frequent contact with the police. The Community Police Officer felt that finding activities to divert the person's energy would be a positive step.

The person engaged regularly in one-to-one support from peer mentors for barrier removal and support and attended a weekly wood upcycling programme.

YP is a very personable and lively individual and is very open about their difficulties. YP gets on well with other members of the group and engages with more reticent participants. YP has shown great willingness and interest in the upcycling sessions and is currently engaged in a project to make a gift for a family member.

The YP has engaged fully and seems to enjoy not only the practical side but also the sociable element of the sessions. The YP has increased in confidence and sense of self and reduced involvement in antisocial behaviour. With increased confidence, the YP is now attending fitness classes at the local college campus and has applied to join the police. It is hoped that the relaxed, non-judgemental aim of the upcycling sessions will allow the YP a space to be creative and sociable and have a steadying influence.

The YP has recently completed a 12 week work experience placement with the local shopping centre where most of the previous antisocial behaviour took place. This restorative element had a powerful impact on the YP who continues to volunteer there.

Thanks to LCE for permission to use this case study.

Case study - McDonalds and BBC Children In Need

McDonalds and BBC Children In Need partnership delivers youth work activities in restaurants and connects with new young people. The fast food chain has made the commitment as one of the UK's largest employers of young people. It has partnered with the BBC Children In Need charity since 2021.

This partnership launched its Makin' It campaign to give young people greater access to youth services and to recognise the "unique ability of youth workers" in engaging with young people. As part of the campaign, BBC Children in Need and McDonald's UK have committed to the funding of 1,000 new youth work qualifications (in National Youth Work Week, November 2024, doubled from 500), in order to help unlock the potential of young people in every community. McDonald's will also be diverting an unspent part of its Apprenticeship Levy to support more youth workers to undertake their youth work apprenticeship in England. Makin' it has already made a meaningful impact to young people's lives, with an 18-month pilot phase opening doors for young people in restaurants in towns across UK & Ireland. More than 70 restaurants were paired with local youth projects and youth workers, giving young people in these communities a safe place to seek support. These restaurants are now facilitating regular drop-in sessions, workshops, training and informal meetings for youth workers and young people.

"The pivotal role that youth workers play in the lives of young people and the importance of meeting them where they are - both figuratively, and physically - cannot be understated," said BBC Children in Need chief executive Simon Antrobus.

Thanks to McDonalds and BBC Children In Need for permission to use this case study.

Health

The group heard from a range of health professionals, who identified antisocial behaviour in hospitals, hospital transport and experienced over the phone by call handlers. However, we focused, for the purposes of this work, on public health, mental health and substance abuse. Much of the behaviour that was described was criminal, where a police response was required. The medical professionals showed some sympathy to those causing antisocial behaviour, but felt on the whole that these people are generally in control of their actions. While mental health may be an issue on many occasions, there remain small areas in which capacity is clearly an issue.

The health professionals we spoke to believed that antisocial behaviour is a societal issue and that it needs to be considered as such. Causes were identified as being poverty, addictions, and mental health. What the group heard was that until these issues are tackled they won't go away. Service cuts were also identified as having an impact, as well as lack of policing or consequences for those who cause antisocial behaviour. The question was asked, if it is not the role of the police, whose responsibility is it?

Health professionals identified themselves as being key partners to preventing antisocial behaviour. Other professionals also identified health as being key partners, although stated that at times health is missing from discussions which may be caused by their concerns over data sharing agreements, their capacity to participate, or difficulty in identifying who from health should represent them.

Taking a public health approach

Given that the underlying causes of many of their call-outs stemmed from major inequalities and from poverty, one recommendation from the health professionals was the need for further investment in a 'prevention hub' - as currently modelled by the Scottish Prevention Hub (SPH) based at the Edinburgh Futures Institute, University of Edinburgh. SPH is a national partnership between Public Health Scotland, Police Scotland and the University. It aims to bring together data from a range of sources to build collaborative information systems to support the reduction of health and well-being inequalities. Stakeholders considered that this type of whole system approach, focused on primary prevention, could prove a game-changer.

The group also considered taking a public health approach to prevent antisocial behaviour, similar to the approach taken by the Scottish Violence Reduction Unit and Violence Prevention Framework. The group were particularly interested in the forthcoming Marmot areas and the outcomes of taking this approach.

Case study - Marmot Principles

Public Health Scotland advised of the [work](#) of Sir Michael Marmott and health inequalities, and eight principles that should be followed. These include:

1. Give every child the best start in life.
2. Enable all children, young people and adults to maximise their capabilities and have control over their lives.
3. Create fair employment and good work for all.
4. Ensure healthy standard of living for all.
5. Create and develop healthy and sustainable places and communities.
6. Strengthen the role and impact of ill-health prevention.
7. Tackle racism, discrimination and their outcomes.
8. Pursue environmental sustainability and health equality together.

Public Health Scotland have identified three Community Planning Partnerships that have agreed to take forward work adopting these principles in tackling health inequalities in a place based approach. Although evaluation results won't be known for several months/years, this is one example of upstream prevention in action.

Mental Health

A clear theme emergent throughout engagement was the impact of poor mental health and the lack of adequate support services, highlighting the need for both immediate situational response and long-term preventative approaches.

The Scottish Health Survey suggests that mental wellbeing in Scotland is at its lowest level on record, with the poorest mental health being reported from those in the most deprived 20% of Scotland (see also above re Covid-19 impacts on mental health).

The 2022 Scottish Census also showed a stark rise in those reporting having a mental health condition - almost doubling from 2011. [Director of Census Statistics, Jon Wroth-Smith, said:](#) "In 2022, 15.4% of people aged 16 to 24 reported having a mental health condition, up from 2.5% in 2011. Females in this age group were twice as likely to report having a mental health condition at 20.4% compared to males at 10.5%. There were also increases in older age groups but the biggest increases were seen in younger groups, and it is now more common for younger people to report a mental health condition. This is the reverse of what we saw in 2011."

Poor mental health significantly impacts how an individual perceives and interacts with their environment, peers and community and emotional dysregulation can lead to impulsivity and potentially destructive behaviours. Poor mental health can also lead to difficulties in understanding and responding to social cues. Unsupported poor mental health can create a cycle of actions for both the individual and communities - therefore comprehensive support systems are critical for supporting healthier outcomes and tackling antisocial behaviour in communities in the short and long-term.

Engagement with a wide range of stakeholders across a range of disciplines/sectors conveyed the scale of mental health challenges that are leading to behaviours perceived as antisocial, particularly when individuals are unable to access appropriate support or treatment. It is reported that every 3-4 minutes there is a mental health related call to police authorities during the day. Individuals in need of support are then labelled as perpetrators of antisocial behaviour when they require an appropriate mental health response.

The group heard of a lack of investment in mental health services but (in keeping with the research reported above) there was a greater need since the pandemic. Many individuals described as neurodivergent are being seen as being antisocial when what they need is an appropriate response. This is for young people as well as adults, and the services that are funded, like Child and Adolescent Mental Health Services (CAMHS), have large waiting lists of twelve months or more. These services have strict criteria, which many people with mental health issues struggle to meet, though, as noted above, many perceive this as a choice these individuals are making. This, we are told, can have a huge emotional impact on these individuals, which in turn perpetuates the cycle of antisocial behaviour.

Immediate responses, such as local crisis intervention teams and de-escalation techniques, are crucial for managing antisocial incidents in real time, potentially preventing harm and reducing conflict. However, our insight and engagement with stakeholders demonstrates that solely relying on reactive measures often falls short, as it fails to address the underlying root causes.

Investing in situational support and long-term preventative mental health and emotional wellbeing services is not merely a complementary approach to tackling antisocial behaviour - it is foundational. Whilst upfront investment in mental health services may be significant to tackle the scale of need identified in Scotland, it is far more cost-effective than addressing the consequences of, and not limited to, antisocial behaviour. The indirect costs of community trust and relationship damage is also to be considered in this picture.

Investment is also needed in compassionate, evidenced based community mental health services as a vital step in reducing antisocial behaviour. Such services can address underlying issues rather than just the symptoms to prevent further behaviour and are crucial to support victims with existing mental health conditions, or whose mental health has been impacted by antisocial behaviour.

Antisocial behaviour is often linked to socio-economic disadvantage, trauma and exclusion - all of which increase the risk of poor mental health outcomes. Investment in accessible, appropriate and responsive mental health services ensures that preventative support is given to build resilience and healthier coping mechanisms, reducing likelihood of antisocial behaviours emerging in the first place. By providing access to mental health support, communities can support and manage challenges which often contribute to disruptive, distressed or aggressive behaviour.

Furthermore, investment in mental health services can alleviate the strain on the Police, Local Authority/public services, creating a safer, more supportive environment for everyone.

Another option to tackle and prevent antisocial behaviour is the use of compulsion, similar to Respect Orders in England. These Orders have the ability to compel those causing antisocial behaviour to address the root cause of their behaviour e.g. through mandated alcohol or drugs treatment. Translated into a Scottish context, there is an opportunity to consider whether some form of compulsory 'measures of care' may be applicable in cases of non-engagement. If this was explored further, it may provide a real opportunity in Scotland to take a holistic approach - while overcoming the difficulties of non-engagement from those whose antisocial

behaviour is associated with mental health problems (but their behaviour falls short of being sectionable under mental health legislation) or from those who have full capacity to declare their issues are a lifestyle choice and have no desire to amend their associated behaviours.

This in turn would give the longer-term prevention, intervention, support and rehabilitation approaches time to be effective while providing a robust response for victims of antisocial behaviour and reducing the harm, fear and distress that they suffer both on an individual level, but also in the wider community overlapping into areas such as Retail, Transport and Communities.

Substance Misuse

During our engagement with stakeholders, alcohol and substance misuse were found to significantly contribute to antisocial behaviour in communities across Scotland, often exacerbating tensions and situations. Substance misuse/addiction was found to have a particularly high impact in communities including noise complaints, neighbour disputes, public intoxication and drug-related activities in communal spaces, etc.

Understanding the mechanisms through which alcohol and substance misuse influence antisocial behaviour is crucial for developing effective interventions. Addressing these challenges requires a comprehensive strategy and joined up/multi-agency approach that combines situational response along with education/information, treatment, interventions and community support from appropriate bodies.

Time and time again we heard about cuts in substance misuse services, long waiting times and set referral criteria, with a grave detrimental impact on individuals and communities. We heard very little in the way of education and preventative action around addiction and substance misuse, many responses being reactive/situational and punitive, which does not address the underlying issues and often moves the problem, creating more victims and detrimental impact on families and communities.

Again, we heard that taking a preventive, harm reduction, early intervention approach, has been shown to be more effective in addressing the underlying causes of substance misuse and addiction. Going forward, there is a need for open access to support and treatment, making routes to support, counselling, mediation and treatment more accessible, affordable and culturally sensitive.

There is a need for community intervention, linking harm reduction strategies, community planning partnerships and community policing initiatives. This would strengthen community infrastructure and support initiatives that improve community cohesion and investment in services. Any enforcement approach needs to prioritise de-escalation and support via strong community partnerships/multi-agency and restorative approaches where appropriate.

Actions:

- Align to public health approaches around upstream prevention including further investment in models such as Scottish Prevention Hub/Edinburgh Futures Institute regarding the use of shared data.
- Ensure health sector/practitioners involved in local and national, multi-agency long term and situational approaches.
- Critical to invest in availability of mental health and substance misuse services for children and adults which meet current and future demands.
- Explore whether there are other compulsory 'measures of care' approaches that can be adopted in relation to situational response

Case study: Compassionate Distress Response Service

The Compassionate Distress Response Service (CDRS) provides a listening service for individuals aged 16+ experiencing acute emotional distress.

The CDRS service has been commissioned by Glasgow City Health and Social Care Partnership (HSCP) and delivered by Glasgow Association for Mental Health (GAMH). The service supports Glasgow City residents to manage distress at their initial point of crisis. This is followed by short-term support, providing coping strategies and signposting where appropriate. The Out of Hours pathway is open 365 days a year 5pm to 2am. The majority of the support is provided via telephone with options for face to face if necessary.

Composite Case study X: Out of Hours Pathway

X was referred to CDRS by the Mental Health Assessment Unit (MHAU) having previously taken an impulsive overdose. There had previously been involvement with statutory services.

During the initial call with CDRS, X referenced their low mood, feelings of isolation, and suicidal thoughts. X could not commit to safety planning but was agreeable to the MHAU contacting them for another assessment. Following further assessment and safety planning, CDRS continued supporting X. Despite CDRS ongoing support, X's level of distress remained significant.

Summary of support provided to X:

- CDRS provided regular empathetic listening and was supported emotionally through period of distress - providing X time, space and compassion in their period of distress.
- CDRS provided X with a range of coping strategies/distraction techniques and alternatives to self-harm (e.g. breathing and grounding techniques, soothing box, journaling, positive affirmations, mindfulness) which X said they found helpful.
- CDRS also highlighted positive impact of improving social supports, daily routine, exercise regime, diet, and sleep hygiene.
- CDRS signposted X to a range of services that they might find helpful.

Outcome of short-term support provide by CDRS

CDRS remained in contact with X over a four-week period during their period of intense distress. An additional two weeks were provided after discussion with MHAU. This period was to provide X support while the Community Mental Health Team facilitated additional supports to be put in place (e.g. Crisis Team/Community Psychiatric Nurse/Psychiatrist) for longer term support.

Thanks to CDRS for permission to use this case study.

Justice

From our engagement session with all sectors, what we heard on many occasions was description of criminal acts being described as antisocial behaviour. At times there is a fine line, with antisocial behaviour becoming law-breaking, however some examples of behaviour were criminal. The group heard of behaviour escalating from antisocial into, at times, serious criminal behaviour which echoes findings from various research studies (see above for more details).

Through speaking to justice colleagues, the group heard that there is a lack of evidence about what works to address persistent and serious antisocial behaviour. What these professionals advised, from their experience, was that prevention, early and effective intervention and diversion was more effective in tackling the root causes of such behaviour. Antisocial behaviour is often caused by mental health, vulnerabilities, neurodiversity etc, and there is a need for these specialist services to be available consistently throughout Scotland.

As stated in other sections, there is a perception that young people cause the most antisocial behaviour when it comes to breaking the law, although the data that is available does not corroborate this. Some examples given to the group highlighted that some individuals, especially some young people or those who may be vulnerable were being criminally exploited. Examples given included stealing to order, and some online behaviour.

There was a clear view from engagement with victims and those who support victims that current approaches to dealing with persistent antisocial behaviour are ineffective in Scotland and that there would be merit in creating a consistent approach to persistent antisocial behaviour, for example, learning more about the impact of community trigger approaches employed in England, as well as community protection notices.

There was also a view from victim organisations that relevant authorities such as police and housing providers, do not understand the level of harm caused by persistent antisocial behaviour.

Restorative Justice

Within the justice session, Restorative Justice was identified as being effective in some situations to address antisocial behaviour. Restorative Justice allows the victims and those causing antisocial behaviour to meet and discuss the impact of their behaviour. This approach, which is more restorative and place-based, taking a conflict resolution approach, which is not criminal based, was discussed and given as a good example to address antisocial behaviour. The professionals we spoke to agreed that, where possible, you need to take antisocial behaviour out of the justice context response to help people effectively change.

The Scottish Government, in its 2019 Action Plan[29], committed to having Restorative Justice services 'widely available across Scotland by 2023'. Restorative Justice is defined by the Scottish Government (2019:5) as: "... a process of independent,

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[29] Scottish Government (2019 updated 2024). Restorative Justice: Action Plan.

facilitated contact, which supports constructive dialogue between a victim and a person who has harmed (whether this be an adult, a child, a young person or a representative of a corporate or other body) arising from an offence or alleged offence."

A recent review (Scottish Community Safety Network and Scottish Government, 2023:21) found that certain respondents advocated for the use of Restorative Justice (and mediation) in response to instances of antisocial behaviour. Where Restorative Justice is engaged in respect of antisocial behaviour, the Scottish Government has stated that it is vital that it is entirely voluntary for all parties participating and is overseen by appropriate specialists in line with guidance (see Scottish Government, 2017). Although there may be benefits attached to using Restorative Justice approaches - it is important that it is not employed for behaviour which could otherwise be dealt with outwith a Restorative Justice process (possibly leading to net-widening (drawing individuals into a process or system at a more intensive level than is proportionate to their actions) - see Vaswani & Brown, 2022).[30]

Safe Spaces

The group heard that a lot of antisocial behaviour causation is contextual. Our infrastructures are set up so that often this encourages (or requires) people with vulnerabilities to gather at designated hubs. For example, at the prominent Dundee city square, the main pharmacy dispenser is right beside the shopping centre - for people to get their medication - but causes an antisocial behaviour perception leading to fear and anxiety amongst the public.

We are creating that poor physical city/town centre design structure. There is a perception of antisocial behaviour when nothing is occurring with people who have vulnerabilities. This can result in direct interventions and possible police involvement. One solution offered was taking a contextual safeguarding 'safe space' approach (see below for more details).

Actions:

- Investment is made in funding to ensure communities have access to specialist, free and independent Mediation and Restorative Justice Services locally.
- Take a contextual safeguarding approach to ensure safe spaces in city centres and high crime areas.
- When behaviour escalates to criminal or violent behaviour, a proportionate and appropriate response is required.

Case study - John is the head porter at Durham Cathedral. He lives on site. One night in November 2013 he became aware of noise on the roof of the Chapter House. He went to investigate and saw that four people had climbed up some scaffolding and were putting themselves in much danger as the roof is very high and there is a steep drop into the river at one side.

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[30] Vaswani, N. & Brown, A. (2022). The Views of School Pupils on the use of Restorative Justice in Scotland, Children and Young People's Centre for Justice.

John climbed up to encourage them to get down and in the process slipped and hurt his back and arm. He'd already called 999, and by this time the fire brigade and a police helicopter had arrived. It turned out that the four people were students at the University who had climbed up as a drunken prank. They were eventually fined by the University and narrowly avoided being asked to terminate their studies. One of the students wrote John a letter to apologise and he eventually met all four of them in a Restorative Justice conference.

"They took every criticism on the chin. I think they'd learned a huge lesson. It was a case of stupidity mixed with alcohol. "The meeting diffused everything. They are more than sorry and a couple of them now go round to talk to sixth formers about excessive drinking. One also volunteers at the cathedral."

Without Restorative Justice, John says the matter would never have been resolved as effectively.

Thanks to Why me? (Victims for Restorative Justice) for permission to use this story.

Case study - Community Justice Health and Wellbeing Programme in Glasgow

This Community Justice Health and Wellbeing Programme in Glasgow is a partnership between health and justice services improving people's health and wellbeing and supporting people carrying out community sentences.

The programme outlines that improving people's health can be challenging and complex as is assessing and tracking the health of a particular group then devising and applying strategies to help people live healthier lives. That includes addressing the inequalities that impact people's health such as poverty and reduced educational opportunities - enabling and encouraging people to have more control over improving their own health.

People involved with the criminal justice system can experience multiple and complex health issues with lack of access to community health and social care services. Supporting people to improve their health and wellbeing can contribute to helping to reduce reoffending.

In September 2023 Community Justice Glasgow, Glasgow City Health and Social Care Partnership Justice Services, NHS Greater Glasgow and Clyde, and Neighbourhoods, Regeneration and Sustainability - the largest organisations providing unpaid work for people carrying out Community Payback Orders (CPOs) held a health and wellbeing event aimed at people serving CPOs. Working with statutory community justice partners and community services, sixteen organisations were involved aiming to support people to engage more fully with services and address potential health needs.

One person serving a CPO stated: "The engagement workshop was very beneficial to me. I feel like I walked away with good professional advice both to help me mentally and physically and general life lessons."

The event was evaluated to help define health and wellbeing priorities identified by people serving CPOs and compared to what people said was important to their health which resulted in the Glasgow City CPO Unpaid Work Health and Wellbeing Programme. Training was offered for unpaid work supervisors and social care staff to be able to support the health needs of individuals serving CPOs. For each priority identified, the programme offers training geared to directly address people's health needs. Supporting individuals with their health and complex life circumstances improves health, reduces inequalities, improves understanding of community services and helps reduce reoffending.

One example involved tackling alcohol use with Glasgow Council on Alcohol who developed and delivered a community justice specific alcohol awareness session, scheduled at regular intervals throughout the year. Alcohol Brief Intervention (ABI) training was offered to unpaid work staff.

To date (as at September 2024), 120 people carrying out CPOs have attended awareness sessions and 100% of unpaid work staff are on course to be ABI trained. A recording system has been developed measuring the impact of ABIs in community justice settings and system findings will be reported to the Scottish Government.

In year one, the NHS, Glasgow City Council, Glasgow City HSCP and third sector partners have worked to deliver a rolling programme of sessions on topics including alcohol, drug use, sexual health and blood borne viruses, mental health, suicide prevention awareness, women's health, financial health and physical health actions that have hopefully benefited beyond the reparative nature of unpaid work. And with all this collecting client and staff feedback using a 'Plan Do Study Act' approach testing how the Health and Wellbeing Programme works in practice in a busy unpaid work service that also deals with other duties.

A CPO with an unpaid work requirement ensures an individual gives back through work benefitting their local community. In some cases a proportion of the hours in the community sentence can involve carrying out other activities and the wellbeing sessions qualify for this.

This work has already helped to strengthen local partnerships and collaborative strategic planning across health and justice. Hopefully it also helps people serving CPOs to have better control over improving their health.

Thanks to Community Justice Partners involved for permission to use this case study. Details of this programme were included in the following blog: [A partnership between health and justice services in Glasgow is improving people's wellbeing - Community Justice Scotland](#).

Young People

Persistent stereotypical labels that identify young people as the primary perpetrators of antisocial behaviour were evident throughout all of our engagement across a wide range of sectors (noting that the Working Group was not presented with quantitative data to substantiate this, see section on trends above).This continued stereotype/narrative often overlooked the reality that individuals of all ages can engage in disruptive or harmful actions, perpetuating an unfair bias that singles out young people in Scotland.

This persistent view can divert attention from addressing the broader societal factors that contribute to antisocial behaviour across all age groups, such as poverty, inequity, lack of mental health resources, and inadequate community support.

By focusing solely on young people, we risk ignoring root causes and reinforcing harmful cycles of alienation and mistrust between generations and continuing unhelpful stereotypes of young people which impacts policy and decision making at a local and national level. It is essential that we work to reframe the narrative to ensure that we focus on interventions and investment that will support better outcomes for all citizens of Scotland.

Notwithstanding this, qualitative insight as part of consultation and engagement did highlight situational and place-based challenges encountered in relation to young people and antisocial behaviour.

It is important to set some context to the current external environment for children and young people. The Covid-19 pandemic and the subsequent cost of living crisis has had a continued and lasting impact on young people, disrupting significant life milestones and affecting both physical and social development.

Many young people experienced interruptions to education, missed key developmental stages, and lost opportunities for social interaction, affecting everything from academic progress to emotional resilience. With interrupted 'rites of passage', young people continue to face challenges, and this should not be underestimated when addressing antisocial behaviour.

Similarly, and perhaps more significantly, we found that deep rooted issues related to poverty significantly increase the risk of antisocial behaviour due to limited access to the resources, opportunities, and support systems/relationships that foster positive development. Financial hardship correlates directly with stress within families, housing instability, food insecurity and restricted access to quality education, opportunities, safe recreational spaces, and mental health services.

Young people in poverty often struggle with feelings of frustration, exclusion, and low self-worth, which can lead them to participate in antisocial activities. This is often "normalised" in communities/households, with a lack of adequate role models, perpetuating cycles of disadvantage and limiting future opportunities.

The UNCRC, recently enshrined in Scots Law, emphasises the right of all young people to grow up in an environment that supports their development, well-being, and dignity. When addressing antisocial behaviour, the UNCRC advocates for

approaches focused on rehabilitation, education, and support, rather than punitive measures. Articles in the UNCRC stress the importance of providing young people with guidance, opportunities, and protection from factors that may lead to antisocial actions, such as poverty, discrimination, and inadequate mental health resources.

By prioritising these rights, the UNCRC encourages societies to address the root causes of antisocial behaviour, fostering environments that promote positive development. It is crucial that we adopt a rights-based approach for young people in Scotland, recognising the statutory obligations of government, public bodies and Local Authorities in relation to UNCRC.

Continued disinvestment in youth services at a local and national level has significantly contributed to antisocial behaviour in Scotland by removing critical support systems and positive outlets for young people. Safe and welcoming spaces where young people can have fun, make connections, learn social skills, receive guidance, and engage in constructive activities have been deprioritised over several years from a funding/resource perspective at a local and national level.

As part of our engagement with youth sector practitioners, we heard repeatedly about boredom, lack of affordable/accessible things to do, frustration, and isolation felt by young people which can lead to engagement in antisocial actions. A recent report published by Institute of Fiscal Studies (IFS) noted that teenagers affected by austerity-induced youth club closures in London became 14% more likely to commit crimes within six years of the closure - with particularly large increases in acquisitive crimes (e.g. theft, robbery and shoplifting), drug offences and violent crimes. The result of this report clearly points to the important direct role of youth clubs in supporting young people outside of school hours and suggests that youth club closures create greater societal costs than the sums saved from public spending by their closure.

Sustainable, adequate and 'ring-fenced' funding for youth provision is therefore essential to tackling antisocial behaviour in Scotland - at a local and national level. Programmes such as Cashback for Communities are welcomed but cannot replace statutory funding. Ensuring that youth service/provision is reliable, constant, consistent, well-resourced, and shielded from budget cuts is essential to tackling antisocial behaviour. Without ring-fenced funding, these vital resources are often the first to face cuts, leaving gaps in support that can increase the risk of antisocial behaviour.

The development of the Youth Work Strategy for Scotland was paused in light of the Independent Review of Community Learning and Development (CLD) announced on 5th December 2023, which concluded in June 2024 and published on 17th July 2024 - Learning for All for Life. The review examined the extent to which CLD, including community based youth work, is delivering positive outcomes for some of our most vulnerable learners. The Scottish Government and COSLA have accepted the first recommendation of the report to establish a joint CLD Strategic Leadership Group (SLG). The SLG will play a central role in developing a detailed response to the other 19 recommendations, including on youth work. Scottish Government and COSLA are working on the membership and terms of reference for the first meeting of the SLG in early 2025. but, as it stands, Scotland does not have a revised national Youth Work Strategy that is being collectively actioned and evidenced.

Upstream preventative investment, based on the Marmot principles, as noted previously in this report, is especially relevant when addressing the root causes of antisocial behaviour for young people, reducing the need for costly interventions later. By investing in programmes and resources that support young people's development, such as accessible mental health services, recreational facilities, and safe and welcoming spaces in their local communities - we can work towards ensuring young people receive the support, guidance, and connection they need to thrive.

In addition, embedding a social return on investment (SROI) approach to upstream prevention highlights the broader benefits of designated and sustained funding, as investing in youth services not only reduces antisocial behaviour but also leads to long-term social and economic gains - reducing future costs in criminal justice, welfare, and healthcare systems.

As noted previously, the lack of quantitative data on youth antisocial behaviour was evident as part of this independent analysis, and therefore investment is also required in this area as it continues to perpetuate unhelpful narratives around young people and enables the continuation of resources, investment and attention being redirected away from tackling root causes or appropriate situational responses. The use of data and emerging tools has the potential to support a prevention model, utilising place-based predictive analytics to 'get ahead' of emergent issues.

Antisocial behaviour is essentially talked about in terms of a deficit model. There is an opportunity to address this with young people by talking about what constitutes prosocial behaviours and endeavour - through appropriate sustained investment, resources and infrastructure - to make this the cultural and social norm. Reframing antisocial behaviour as an opportunity to develop prosocial skills shifts the focus from punitive punishment approaches to be about prevention, growth and support.

By recognising antisocial actions as expressions of unmet need, we can support young people toward healthy forms of engagement, fostering empathy, resilience, and a sense of belonging that ultimately reduces challenging behaviour and actions.

Actions:

- Challenge persistent stereotypes that unfairly label young people as primary perpetrators of antisocial behaviour, acknowledging that individuals of all ages engage in antisocial behaviour. Focus on promoting prosocial behaviours, fostering empathy, resilience, and belonging as part of prevention strategies. Recognise antisocial actions as expressions of unmet needs and address these through supportive, developmental interventions.
- Align interventions with the UNCRC principles, prioritising education and support over punitive measures and ensuring statutory obligations to support young people's development and dignity are upheld by government and local authorities.
- Prioritise development of a dedicated Youth Work Strategy for Scotland.
- Establish 'ring-fenced' funding for reliable, consistent, and well-resourced youth provision at a local and national level, preventing cuts that leave young people unsupported. Revive safe spaces and activities for young people to

combat boredom, frustration, and isolation, which can contribute to antisocial behaviours.

- Learn from, and continue to invest in, the major success of recent policy related to youth crime (given the crossover between antisocial behaviour and other offending behaviours) - the whole system approach encompassing diversion and early and effective intervention.
- Explore local community/place-based decision making for allocation of Scottish Government Cashback For Communities funding as part of prevention of antisocial behaviour.
- Invest in providing tailored youth diversionary projects and the returning of safe spaces (as part of a contextual safeguarding approach), utilising the unique relationship and wider role housing providers have with communities to encourage multi-generational use of community spaces to increase community cohesion and mutual tolerances.

Case study - Scottish Violence Reduction Unit: Glasgow City Centre Youth Pilot

A new initiative is under development by the Scottish Violence Reduction Unit, with the potential to serve as a scalable model for other Scottish cities if proven successful. This project adopts a Public Health approach to reduce antisocial behaviour and violent crime among young people congregating in hotspot areas of Glasgow City Centre. It places a strong emphasis on the principles of the United Nations Convention on the Rights of the Child (UNCRC), with particular attention to Article 12 - ensuring young people are meaningfully engaged in shaping the initiative, voicing their perspectives, and driving change.

The programme will target young people from various Scottish localities who gather in Glasgow City Centre, aiming to address rising incidents of antisocial behaviour and violence through early intervention. With many young people in these areas vulnerable to Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE), the initiative includes a dedicated focus on preventing violence against women and girls.

A multidisciplinary team of trained volunteers from existing youth work and safeguarding organisations will be deployed every Friday and Saturday from late afternoon to early evening (2pm - 9pm). The team will provide visible safeguarding, proactive engagement and early intervention to defuse tensions, address vulnerabilities, and support positive outcomes for young people. Volunteers will adopt a supportive and non-judgmental approach in line with UNCRC principles, focusing on reducing blame and shame while signposting young people to relevant support services (e.g. mental health or addiction services).

Volunteers will wear identifiable vests featuring a unique emblem (design pending) to ensure they are easily recognised. The team will have access to the Glasgow City Centre Network Radio, allowing seamless communication with local law enforcement if required. A tailored social media strategy will leverage platforms such as TikTok and Snapchat to inform young people about the team's presence in real-time, promoting awareness and accessibility.

Staff from businesses in hotspot areas will be identified and trained in contextual safeguarding and de-escalation techniques. This will create an additional layer of preventative action by equipping business staff with the skills needed to build relationships with young people, diffuse potential conflicts, and contribute to safer community spaces.

By integrating a holistic, rights-based approach with practical, on-the-ground interventions, this initiative aspires to not only address immediate concerns but also lay the groundwork for long-term, systemic change that can be replicated in other Scottish cities.

Thanks to SVRU for permission to use this case study.

Case study - Planet Youth: Upstream Prevention in Practice

Planet Youth is an internationally recognised place-based improvement methodology that centres the voice of children and young people using data driven insight to create long term sustainable change. Focusing on improving young people's health, wellbeing, and relationships it is data driven, evidenced based and currently operating as a pilot in six areas across Scotland.

It is based on the Icelandic Prevention Model (IPM), a primary substance use prevention process tool where the key ingredient is data-driven collaboration via community engagement, family and school involvement and prosocial positive youth development. This includes schools, parents, carers, businesses, local government public services. The model has been developed by Planet Youth, a research consultancy in Iceland that is now supporting the implementation of its model in communities throughout the world.

Over 20 plus years later, Iceland is still seeing continuous and sustained improvement in risk taking behaviours in its young people. There is every reason to believe the same will happen in Scotland with further investment in the model. A truly upstream model, its theory of change evidenced changes in behaviours of young people over time which include reductions to antisocial behaviour, less offending behaviours and intake of harmful substances. It is about equipping young people to make better decisions and creating protective environments with the use of local coalitions and data.

In 2019 a small group of partnerships in five local authority areas joined together with Winning Scotland, to develop and undertake a proof of concept implementation of the approach in order to gauge its suitability in the Scottish context. In the wake of the first cycle of activity, Scottish Government funding of £1.5m was awarded to Winning Scotland to coordinate and facilitate a two-year pilot programme running to March 2025, to assess more robustly the potential of Planet Youth in Scotland to drive positive system change around upstream prevention and benefit, in time, all of Scotland's young people.

Six local coalitions are currently participating in the pilot, which will be subject to a robust evaluation. A small central team has been established within Winning Scotland to lead the [programme development and implementation work](#).

Thanks to Winning Scotland for permission to use this case study.

Case study - Contextual Safeguarding (Firmin, 2020a; see also HM Inspectorate of Probation, 2023)

Contextual Safeguarding is about responding to potential harm faced by young people beyond their front doors. It is an approach that looks at how we best understand risk, engaging young people to help them feel safe, working within contexts including peers, school and communities. It involves developing plans to address the context.

Contextual safeguarding highlights the traditional limits of child protection responses (e.g. involving parents/carers) and draws attention to extra-familial harm (occurring in settings like parks, shopping centres, restaurants, transport stations, online, etc) - which has often fallen outside safeguarding's remit.

This can take many forms such as: the creation of safe spaces in the community; safety planning; bystander intervention training; targeting the factors that are undermining the relationships between children and their parents or carers; addressing the dynamics of school or peer contexts associated with a particular child's behaviour; and shifting cultures or norms that contribute to harm. Interventions should complement and enhance any individual or family interventions that are required, not replace them.

In practice, this has meant that children experiencing extra-familial harm, who display offending behaviour, have often been responded to through criminal justice, rather than safeguarding processes. So far, the main testing ground for contextual safeguarding approaches has been in children's social care, however, as Firmin (2020b:10) has recognised: "Among areas testing Contextual Safeguarding approaches […] some have trialled bringing together Antisocial Behaviour (ASB) and Child Protection or child welfare meetings for individual children, and wider peer groups, who are harming others and being harmed themselves."

This approach was used in Edinburgh, and is being tested in North Lanarkshire. You can find the evaluation of the Edinburgh pilot project here > [Contextual Safeguarding Pilot](#).

An important overview of how the work is being implemented can be found at: Firmin, C., & Lloyd, J. (2022). [Green Lights and Red Flags: The (Im)Possibilities of Contextual Safeguarding Responses to Extra-Familial Harm in the UK.](#) Social Sciences, 11(7), Article 303.

Conclusion

This report has attempted to outline all the information that the Independent Working Group has collated over the last year. As we stated at the start of the report, this has not been an easy task. At times we have heard conflicting views, and, as antisocial behaviour can mean many different things to different people and the impact of such behaviour can have far reaching consequences for victims, different responses are required.

Underlying much of what we heard has wider policy implications and links to poverty, deprivation, a lack of investment and resources across Scotland. We also don't have accurate data to capture the true picture of antisocial behaviour in Scotland, so much of what we heard was based on presumption. We did hear about the impact of Covid-19 and people's tolerance levels changing, due to changes in working arrangements, and many resources not reopening after the pandemic, but again, much of this was based on hearsay.

The group heard that antisocial behaviour was linked to a lack of opportunities (both people and place based) - in terms of education and employment as well as boredom and lack of amenities and safe spaces. This viewpoint was made repeatedly through all consultations that were undertaken by the Working Group.

This was viewed especially important for young people as a diversionary or prosocial behaviour route, but budget pressures resulting in closures of community facilities also impacts on all generations within communities. It was felt however that investment in young people's facilities and activities was vital as these laid the foundations for being a valued citizen, and in years to come - valued tenants.

To offer some solutions, the Working Group feel strongly that two approaches are required - firstly, prevention, to stop future antisocial behaviour, and the second, situational, to address behaviour as it happens. We therefore have made several recommendations to address the issues identified and reduce antisocial behaviour and its impact in the future.

Appendix 1 - Group Membership

Professor Fiona Dyer, Co-Chair
Director of the Children and Young People's Centre for Justice

Lorraine Gillies, Co-Chair
Independent

Kate Wallace
Chief Executive Officer of Victim Support Scotland

Kirsten Urquhart
Chief Executive Officer of Young Scot

Professor Lesley McAra CBE FRSE
Chair of Penology at Edinburgh Law School, University of Edinburgh

Lorrainne Meek
Chair of Antisocial Behaviour Officers' Forum; and Antisocial Behaviour Manager, South Lanarkshire Council

Tom Halpin QPM
Independent

Appendix 2 - Engagement (list of participating stakeholders)

This is the list of stakeholder groups/organisations who gave their views and suggestions on approaches to antisocial behaviour mainly through input at engagement meetings/visits or on a one-to-one basis (most participated via Teams discussion else in person or writing). Some organisations attended more than one themed/sectoral meeting. In addition, this includes participation at discussion meetings held by the Scottish Community Safety Network on behalf of the Working Group.

Local Authority sector reps (officers, elected Members): Community Safety Partnership Leads, Convention of Scottish Local Authorities (COSLA) - senior councillors and officers from Community Wellbeing and Children and Young People Boards. Various officers and partners from City of Dundee, Fife and Shetland Councils.

Emergency Services: Police Scotland, Scottish Ambulance Service, Scottish Fire and Rescue Service.

Housing sector (social, private, voluntary):
private housing sector - Green and Burton (antisocial behaviour consultants), Property Mark, Scottish Landlords;
social/council housing - Association of Local Authority Chief Housing Officers, Cadder Housing, Chartered Institute of Housing, Osprey Housing, Scotland's Housing Network, Scottish Federation of Housing Associations, Wheatley Group.

Voluntary sector: Citizens' Advice Scotland.

Health sector: Compassionate Distress Response Service (part of Glasgow Association for Mental Health), Golden Jubilee University National Hospital, NHS Greater Glasgow and Clyde, Public Health Scotland, Scottish Ambulance Service, Scottish Government (NHS workforce policy).

Transport sector(bus and rail):
trade / passenger bodies - Association of Transport Co-ordinating Officers (councils, buses, rail and ferries), Confederation of Passenger Transport (bus and coach operators), Transport Focus (passenger watchdog for buses and rail);
bus operators - First Bus, McGills Buses, Lothian Buses, Stagecoach Group;
rail operators and partners - British Transport Police, Scotrail;
regional transport partnership body - Strathclyde Partnership Transport;
interest from England - Department for Transport (Bus Policy), Transport for West Midlands (Regional Transport Provider - Bus Policy);
Scottish Government -Transport Scotland - Bus, Rail and Roads Policy.

Retail sector:
ASDA, Dobbies Garden Centres, General Municipal and Boilermakers (GMB) Union, John Lewis Partnership (including Waitrose), Livingston Designer Outlet, McDonalds, National Federation of Independent Retailers, Retailers Against Crime, Scottish Grocers' Federation, Scottish Wholesale Association, Securigroup, St Enoch Centre, Scottish Government (Retail Policy and Police Division - Retail Crime).

Youth organisations / Education Services:
Aberlour, Action for Children, BBC Children in Need, Children and Young People's Commissioner, Children's Parliament, Clan Child Law, Education Scotland,

Includem, Intercultural Youth Scotland, Kibble, McDonalds, Scottish Children's Reporter Administration, Scottish Government (Children's Hearings), Social Work Scotland, Strathclyde University (Children and Young People's Centre for Justice), The Promise, Young Scot, Youthlink, Winning Scotland (Planet Youth);
various council service reps (children's, families, social and youth support services) - Argyll and Bute; Dumfries and Galloway; Dundee, East Ayrshire, East Lothian, East Renfrewshire, Edinburgh, Falkirk, Glasgow, Highland, Inverclyde, Midlothian, Moray, Perth and Kinross, Shetland, South Ayrshire, South Lanarkshire, Stirling, West Lothian.

Justice sector - some justice sector reps attended the youth organisations meeting which had some justice interest:
Care Inspectorate, Community Justice Scotland, Children's Hearings Scotland, Scottish Violence Reduction Unit, Scottish Children's Reporter Administration, Youthlink; young people's / community justice representatives from three councils - Angus, East Ayrshire, Glasgow.

Equality / Diversity groups:
MECOPP (Gypsy Travellers community), Black and Ethnic Minority Infrastructure in Scotland (BEMIS), Feniks (Central Eastern European Community support), Lesbian, Gay, Bisexual and Transgender (LGBT) Youth Scotland.

Victim support representatives: Victim Support Scotland including lived experience case studies; victim (from Fife) - lived experience feedback and views on approaches to antisocial behaviour; people who have committed antisocial behaviour - efforts were made to consult a person who had committed antisocial behaviour, recognised the impact and turned their life around but this wasn't possible to take place.

Community representatives: Third Sector Interfaces (TSIs) - the Scottish Community Safety Network approached TSIs to promote attendance at their community representatives' engagement sessions which were held in Glasgow and Dundee with a mix of attendees including community bodies, community councils, community policing and local authority representatives.

Other Voluntary sector groups: Scottish Mediation

Other: Durham University (contextual safeguarding)

Appendix 3 - Methodology Summary

This Working Group review engaged heavily seeking views and suggestions on antisocial approaches across a comprehensive range of themes and sectors (public, private and voluntary/community) as well as both urban and rural environments including remote areas such as the highlands and islands.

Careful consideration was given to mapping out the wide range of interests to ensure that views were sought from a solid representative cross-section to properly inform the review. These included practitioners - relevant local authority (council) staff, emergency services' staff, housing and transport bodies etc. Also wider public input - people with 'lived experience' from equality groups representing a wide range of people and interests as well as victim support bodies. In addition, elected members' (councillors) views were sought from Local Authorities' representative body - Convention of Scottish Local Authorities (COSLA).

The same discussion paper was broadly used for all engagement sessions across themes and sectors with core basic questions of interest. We also provided a template for people to prepare their thoughts and/or send written feedback.

Around 20 engagement sessions were held. In addition, some attendees also sent written feedback and a few organisations/groups sent written feedback only. Some sessions had a few attendees whilst some were large with multiple attendees including umbrella groups representing numerous members. So close to 250 people took part directly in the engagement sessions but far more were represented through the umbrella groups.

The scope of people, including senior representatives, as outlined above was widespread for a good representative cross-section of interests and views providing for quality engagement. The findings have helped inform this report and recommendations.

Appendix 4 - Victim Case Studies

Helena's* story (*name has been changed to protect identity)

When Helena's partner became disabled as a result of a severe stroke, they began to experience a series of hate crimes perpetrated against them by a neighbour.

Several years ago, my partner had a severe stroke, leaving him in a wheelchair, limiting his movement and speech, and leading to medical complexities, including developing dementia. My partner's expressed wish was to stay at home, so a care package was set up with me as his primary carer. We had a disabled access sign, wheelchair ramp and a painted line on the driveway for getting access to the disability car.

Any life changing illness that results in a disability is devasting and made even worse when afterwards being diagnosed with late stages of dementia due to Alzheimer's disease. To watch your beloved fade away, unable to feed or communicate, having no independence is heart-breaking.

This situation was made worse when our perpetrator attempted to deprive my partner of the much-needed care he needed through a vile campaign of pure hatred towards a vulnerable disabled person who was receiving end of life care support in his own home. This not only was cruel and heartless but beyond comprehension. He didn't like the fact that provisions had been put in place to make my partner's life more comfortable. Our perpetrator, an upstairs neighbour, started banging on our door claiming that he was being bothered by noise from the TV, but we showed him that my partner didn't have access to a TV.

We had a security camera inside our house and were mortified to see this neighbour entering uninvited. He filmed our carers and shouted at them. He would be waiting for them to arrive and when they put out washing, he cut down the line. I told him to stop harassing my carers and partner otherwise I would report him to the police. This resulted in him threatening and following both the carers and myself when we were leaving the house.

The perpetrator started banging on our doors and our windows and dropping heavy objects onto his floor. He sent children round to scream outside and let air out of our car tyres. He smashed glass over our path and spread excrement over our front door. He would sharpen homemade knives outside our window and box my car in – once for 10 days. He started following me to my workplace. Then he started a fire in the communal garden, using hazardous waste. The carers and I were worried that we wouldn't be able to get my partner out the house if there was another fire.

This perpetrator knew my partner was terminally ill and he seemed to get a kick out of this. My partner was confused and frightened due to the late stages of dementia, but one of the few words my partner could say when the noise started above was 'help', which was soul destroying. My own health was starting to suffer too, I was physically drained due to the lack of sleep and collapsed a couple of times.

Reporting it to the Police

I eventually plucked up the courage to report it to the Police it as a disability hate crime, especially when he ran over and damaged the wheelchair ramp, again boxing in the disability car.

The police who attended the initial report recorded it on the police care card as a 'neighbour dispute'. They advised that a package would be created, and they would take statements from witnesses and carers during that period. I waited seven months and heard nothing.

Months later, a sergeant called me and apologised and said the officers had go about this totally wrong. I explained about the continuous harassment, the damage, the threats and the diary and CCTV evidence we had which was witnessed by carers, family, friends and neighbours. I explained I was scared to report it as it was ongoing.

The sergeant was fantastic and assigned us a police officer. The officer spoke to witnesses, neighbours and carers who were also victims of threatening behaviour or damage to their property. The officer then said the guy is going to get evicted – but he wasn't. Months passed, and the harassment carried on.

Continued impact of hate crime

Just before Christmas, my partner had a medical emergency. The perpetrator was making extreme noise while this was happening. The wardrobes were vibrating with the impact of the banging. An ambulance was called and meanwhile the guy was hammering on the window, laughing, and jumping up and down. My partner – my soulmate – died later that day at the hospital.

I went to stay with family after my partner died but had to go back to house to collect things and organise the funeral. The perpetrator was still harassing me. I was receiving silent phone calls and had people coming to the door, asking about my house being up for let. On the day I needed to get out the house to go to the undertaker, my car was blocked in. I had to beg my family not to retaliate. It was similar on the day of my partner's funeral, where the perpetrator was jeering at our loss. I was unable to grieve.

A few months later the police officer phoned and asked if I was enjoying peace and quiet with the guy having been evicted, and I said that he's still there. The police officer said he would look into the eviction. Within that week the perpetrator upped his game. He was smashing up the place, swearing at me, threatening to kill me, and challenging other neighbours to fights. I ran to my neighbour's house and we had to call the police.

He left the house, but the police managed to track him down and charged him with various offences and gave bail conditions. Within days he was breaching his bail by driving up and down the street. He turned up at my work and started following me. One day he drove towards me in a car as I was leaving my work.

Referral to support services

Throughout the two years, no one asked if I wanted to be referred to victim support. However, after giving a breach of bail conditions statement, I was asked if I wanted to be referred to Victim Support Scotland. Victim Support Scotland phoned me soon after and I had my first support meeting. By the end of that hour I was basically whispering my voice had gone due to the stress. The volunteer explained the service was free, that they can provide emotional support and connect to counselling services. It was the first time I told my story in full. And I hadn't seen myself as a victim – partner was a victim, my neighbours were victims, my pets were victims.

On the day of the trial, I got a call to say that the accused had made a plea bargain – he had pled guilty to stalking and harassment and other charges, but not breach of bail. This had meant a Non-Harassment Order could be applied for. The Crown Office and Procurator Fiscal Service said it was a 'good deal', but at the time, I felt hard done by, it was more like a 'get out of jail' card."

Partnership between agencies

There needs to be a better understanding of disability hate crime, and hate crime in general, addressing the bigger picture, listening and a stronger partnership between the justice system and Victim Support Scotland, and knowledge about Victim Support Scotland by police probationers. This was not just a nightmare neighbour one-on-one. My partner was a vulnerable disabled person who didn't have a voice. If neighbours intervened or I asked them for help they became a victim too. Others have been affected by the same perpetrator but had also had no justice. The police shouldn't have recorded it as a neighbour dispute initially, as this was a hate crime.

I feel that there should be a 'flag-up trigger' system for antisocial behaviour. After the trigger has red flagged the system, maybe through a points system, then it should be reviewed by a duty inspector. Police and agencies should be asking the victim who else this is affecting – other neighbours, friends and families, carers, NHS workers, even the postman. I also believe that the recently implemented Hate Crime and Public Order (Scotland) Act will be helpful due to increased training and awareness among police officers about the characteristics of hate crime.

My journey has been a long one. My life has been destroyed, and I've been rebuilding it as part of the healing process. When something happens, I now feel I can tell somebody. I can't quite put it behind me because there's the likelihood that he will reoffend. The staff member at Victim Support Scotland has been my rock and my anchor during this difficult situation, giving me back my life. My Victim Support Scotland support volunteer has been a blessing and someone you can speak to without being judged. Hate crime has had a profound impact on many of us with traumatising effects and scars that will take years to heal. Through raising awareness of hate crime, hopefully we can put an end to these despicable and cowardly crimes.

Natalie* and Jason's* story (*names have been changed to protect confidentiality)

Natalie and Jason have experienced persistent noise disturbance and other behaviour including verbal and physical assault from a neighbour.

It has been going on for over two years. Almost every day we've had to contact the Police/Council. We have received no help at all. One of the issues with being in a city centre is that rarely do the police come out to us when we do call. This is especially on a weekend when there are other things going on in the city, but is also when lots of the extreme noise disturbance is taking place.

One of the main problems is that there is a different approach between different types of tenure when action is being taken. The communication with the housing association of the person causing the ASB has been an immense struggle. We have

sent over 200 emails between ourselves in our flat and along with other neighbours in the stair.

No matter how many complaints and begging we have done, it has not stopped. It feels like nothing makes a difference. There was a brief time he stopped for a while and then just restarted. Nothing he does seems to be enough for him not to live here any more. He should have been evicted years ago.

My partner's work is disrupted by lack of sleep caused by the behaviour. I myself lost a job because of it. I was running on so little sleep that I was unable to do things accurately at work, I was staring at the screen unable to function. So, I was fired from a job I really enjoyed. I want to return to do more education but it is a scary prospect that I might not be able to do so with the behaviour going on.

We have not been offered support from any support organisations. The support we got from the police was telling us to put earplugs in. As if that can do anything when everything is vibrating and there are almost earthquake levels of noise. The only emotional support the Police offered was 'don't think about it.'

The housing association have not been responding to more than half of the emails we have sent. We don't get any update from them, we get no concrete steps from them. The housing association should respond to their emails, and actually enforce consequences for antisocial behaviour. The police should actually enforce rules when people are being antisocial, instead of shifting responsibility onto the people who are social with their neighbours. Having consequences is fundamental. Making the individuals who are antisocial not be antisocial is key, instead of telling everyone around them to deal with it.

This was a perfect place to live, work and study before this one neighbour moved in. I have lost faith in teams and organisations when it comes to doing anything about behaviour like this. I want to recover my career prospects and my education prospects. It is extremely depressing with the time that everything has taken.

Peter's* story (*name has been changed for confidentiality)

So many things have happened it's difficult to know where to begin. There was a flat that was vacant above the flat in which I lived, and the council moved somebody into that flat. It wasn't until later when all the problems began to unfold that I learned from Police he had an ASBO [Antisocial Behaviour Order] in place. He was stamping on the floor above my head frequently, and yelling in a voice louder than I'd ever heard. This became a regular occurrence. It affected me in every way, with this stamping and shouting, every second of my life. There wasn't a moment any day where I wasn't aware this would happen. It affected every waking hour and in what was supposed to be my sleeping hours.

I can imagine that the council was rolling their eyes when I was saying it was affecting my cat too. My poor cat was more traumatised by this than I was. Every time it started he would hide. I took the cat on as a rescue cat, and had told him that nobody was going to hurt him again. This was hurting him almost as much as he'd

been hurt in other ways before I adopted him. This affected me deeply as well. In the same way as if you see anybody you love suffering. I had to get away to save not just myself but my cat, I took on him as my responsibility.

When other people saw me while this was going on, I wasn't telling them. It's something I felt I had to deal with myself. I wasn't telling my friends or family about this because I was failing at dealing with it. I was calling the police when anything happened, but I didn't want my family to feel concerned or think of me suffering there. I didn't want to upset them as well.

Experience with justice system and support organisations

It came to a head when the neighbour threatened my life. He told me not to contact police, though obviously I did. It was a very traumatic experience, having somebody less than an inch from my face. He was arrested after a few days but then again in another few days released to continue to do whatever he wanted. It was like the court did not take the threat to my life seriously. Later I contacted the council after he threatened my life and told them I wanted him moved due to the consequences of what might happen if I continued to live there, and they said under no circumstances would they move him. I found out that he had already been moved twice before.

It has to happen time and time again before anything is done. During that time, that is your living experience. Time and time again, day and night.

It was only a week after he was released that he started to play music very loudly. I called the police and then went out of the house because what can you do when that is happening. They came while I was out, and then arrested him for breaching his ASBO as one of the conditions was not playing music too loudly. He was then sentenced to two months in prison, but he'd already served a month on remand. It was strange that when he threatened my life he was released, but for noise he was given prison.

There was certainly no care for me. I am the one that was given victim support. I feel like I am the victim yes, but he has been given more consideration than I have.

I found it difficult to come up with answers as to what help I was given from Victim Support Scotland. The main answer is that the supporter got in touch with me and we spoke. Having a service like Victim Support Scotland is important, it helps because I hadn't wanted to put the burden on my family or friends. I'm trying to find the positives in this, and so much is negative. I am also fortunate that I had a local councillor in my local authority who had an understanding ear and listened to me.

The ongoing impact

It stopped happening because I moved away from the flat that I was living in. I shouldn't have to be the one to do that. It has affected me financially. I had bought my flat and I was mortgage free, and I am now having to pay rent. I was the one having to move because they weren't going to move him. But how come it now costs me monthly rent to pay for the place they moved me. It affects a large chunk of my income, money that I've worked all my life for. It's changed what I can do with my life. I'm now limited as to how much money I need to pay to the council. Any money

that I might have to enjoy life and retirement, for example holidays, is limited. But I am lucky to have a new quiet place to live.

At that time where he was being released, I had a mild stroke. Many friends and family of mine believed that the stroke was caused by the stress of what was happening with the behaviour.

There's only so much that can be done. Especially when there are so many victims. This man still lives there in the flat. If I go anywhere near that part of town, I can't help but relive the fear. There are times I have to go there such as to go to the dentist and my doctors, but that means I have to revisit that area.

I go to yoga and Tai Chi classes and find that a great help, not just for situations like this one but also for other situations. It helps me mentally and physically. It makes me wonder how people who don't have something like this, cope with it. I think about people who are trapped inside who cannot cope. Are people committing suicide because of situations that they can't get away from?

It's difficult to put across the depth of the trauma. In the past it never went away, I was always thinking about it. But we have to get on with life, at the other side of it. Now in many situations I can escape thinking about it, for example at the classes I go to. People around me say that they can see that I am moving on in many ways.

Ellen's* story (*name has been changed to protect confidentiality)

Ellen and their family members have experienced antisocial behaviour from a neighbour including verbal abuse, assault, and hate crime.

The impact of the behaviour

It's actually been really horrific, to the fact that there's still stuff ongoing. I don't feel that the council have dealt with the situation as they should have. It's really impacted me in that I've lived in my home for years.

The actual impact is that I'm sitting here today with a camera outside my door from Victim Support, not knowing if I'm going to have to leave my home of many years. I don't have the support of my family member any more who was moved away due to the behaviour. I just feel that the good people come last, the victims come last, and we protect the people we should be dealing with. So yeah, it's had a very big impact physically, mentally, you know, living this way.

I just feel if you're bad in the world, you know you get the best. I do have some protection, I have a non-harassment order through the court. But in the same respect my life is just not the same. I don't leave home. Previous to that I went through an abusive relationship…. it's just not fair and it doesn't feel like my home any more.

I've not had a good life since coming out of my abusive relationship. I very much locked myself away from that, and then to encounter this, within my home boundaries, my street, my close. I was fearful that if I went to sit outside I was

getting abused on a daily basis. And I'm at home now. I'm very much a prisoner in my own home.

I also have health issues and my health has just deteriorated dramatically through everything. It's our lives that have been turned upside down.

Response from housing and police services

The council has been very aware. There are times when I've had video footage of the behaviour, and the police report and things like that. I just feel like they are coming along here saying 'Our hands are tied'.

You know, I've been many years in my home, and I've actually written a letter to somebody in the head of the council about getting moved, but I haven't heard a single solitary thing back from them.

I've been a good tenant. I take good care of my property. I don't own it, but I've been brought up to respect and look after the things I have. And the council have done nothing, antisocial behaviourolutely [behaviourally] nothing. So it's not just in my street, this individual passes my door every day. So I don't want to go out, the dark nights are coming in. So yeah, I've been completely let down.

It's got to the stage where I don't want to see another police officer as long as I live. I know the police are there to help you, and I know services are stretched and I understand that. To an extent, I feel like I was let down by them also. When they come to your house, I explain to them, you're not living with this. I just don't even think they understood the severity of the matter. The police just said don't listen to him but, sorry, I was in an abusive relationship, and these words mean more to me than they would somebody who was just dealing with that.

I just feel that, I'm a Council tenant, and the council should have a better way of dealing with these people not to allow their behaviour. And I know they say 'we can't make somebody homeless'. I am not asking for anybody to be homeless, by any means. But if you set out rules, if you sign your tenancy, and you ask for somebody to adhere to that, and you've got somebody who is not adhering to that, I think there should be ways that they can deal with these people. You know, that they [the perpetrators of ASB] suffer for their actions and not the people that they are being abusive to.

Accessing victim support services

I just can't thank these people enough for the support they have given me. Because if I had not had that support, I don't know how I would have got through that. So it means a lot to have that on the other end of a phone, people who care. If I can speak up, it helps other people to speak up. I'm not just talking about ASB, I'm talking about every aspect of my life. I've taken every piece of help that people have offered to me. And I just feel, if we can be heard... Something has to change, going on to the future. Because if it doesn't, and these people think they can just get away with this behaviour, it's just going to be antisocial behaviourolutely [behaviourally] horrific isn't it? If they just think they can't be punished for their behaviour, they are

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going to carry on and more people are going to suffer, and there are going to be more poor victims.

Message to agencies who deal with antisocial behaviour

Being serious with these people [who engage in antisocial behaviour]. Just letting them know, yes, you will lose your home if you carry on. I'm not asking for anybody to lose their home. I just don't want to be abused when I walk out the front door. But then you've got the backlash see, with the police being up from family/friends of the perpetrators. The system just isn't right, they have to start dealing with people who are not adhering to the rules.

The local council said they were 'coming down on ASB and it wasn't going to be tolerated'. And that hasn't been the case. Words mean nothing, actions mean more.

Scottish Government
Riaghaltas na h-Alba

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