

**Investigating the Community Trigger in action : a report for
Safer Bristol Community Safety Partnership**

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Don't suffer in silence

Investigating the Community Trigger in Action

A report for Safer Bristol Community Safety Partnership

RESEARCH FINDINGS

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Executive Summary

The Community Trigger was introduced in 2014 as a mechanism for victims of anti-social behaviour (ASB), to request a review of their case where no action had been taken. In order for a review to take place, the case must meet a locally determined threshold of complaints within a defined period of time. If the threshold is met, a multi-agency case review is held with recommendations and an action plan to reduce the ASB where necessary.

Safer Bristol Community Safety Partnership commissioned this study to investigate how victims of ASB have experienced the Community Trigger process in Bristol, in order to improve service provision for victims. From a population of 20 people that had activated or attempted to activate the Community Trigger, 9 participants undertook semi-structured telephone interviews with the aim of answering the following research questions: Has the Community Trigger been effective in stopping the long-term ASB being suffered by victims? How have victims experienced using the Community Trigger? Do victims feel satisfied by the way the council handled the Community Trigger process? Do victims feel empowered by the legislation and their ability to challenge local agencies?

Key Findings

- Activating or attempting to activate the Community Trigger was not effective at stopping the long-term ASB being experienced, and in some cases the ASB incidents became worse. In a few cases, participants were unsure if the Community Trigger had stopped the ASB or not because they were not informed what action had been taken.
- After finding it simple to activate the Community Trigger, participants' were critical of the case review process. This was due to a lack of feedback about the case's progress, whether a review was being held or what actions arose from the review. There were delays of months in some cases, with participants feeling like they had to chase the responsible authorities for information, which generated uncertainty about what was happening and why.
- Participants were generally dissatisfied with the Community Trigger process. Many thought they would be invited to the case review meeting and were not, and expressed a strong desire to attend. The Community Trigger did not meet their expectations as the ASB had not been stopped. Furthermore, participants felt they were not taken seriously, that they were let down, and that the process was a waste of time.
- The participants did not feel empowered by the legislation. Many were unhappy with the contact they had had with the relevant authorities (throughout their case), with suggestions of rudeness and not being listened to by officers, which led to a lack of trust.

Recommendations

1. All previous Community Trigger cases (activations and attempts) in Bristol should be reviewed.
2. Every effort should be made to ensure that the victim (or their representative) attends the Community Trigger case review meeting.
3. A communication strategy for the Community Trigger process should be developed, and shared with victims who are considering/have activated the Trigger.
4. A clear indication of what victims can expect from activating the Community Trigger should be published and made available to victims.
5. Relevant authorities should consider their current responses to ASB in order to prevent cases from reaching the Community Trigger activation threshold.

Background

Anti-social behaviour (ASB) has been a core component of criminal justice policy since 1998. In 2014, the Anti-Social Behaviour, Crime and Policing Act revised all existing ASB powers to create a new, streamlined toolkit for ASB practitioners. An important driver of the policy changes was to prioritise ASB victims and 'put them first'. One of the key ways to achieve this new victim's focus was the introduction of the Community Trigger, also known as the ASB Case Review. The Community Trigger (also referred to here as the Trigger), forces relevant bodies, such as the police or local authority, to review the response they have made to complaints of ASB. The caveat for a review of ASB complaints being granted is that the relevant bodies must agree whether a reporting threshold has been met, with such thresholds set to suit local circumstances. The Community Trigger first became available for victims of ASB to use in 2014. Only one small-scale study, conducted by the Home Office (2013), has been undertaken to assess how victims have used the powers in practice and this only involved areas trialling the Community Trigger before it was fully enacted. Subsequent research by ASB Help (2016) has highlighted that victims are confused about how to use the Community Trigger and limited publicity about the new power has resulted in many victims being unaware that they could activate it. This study has been commissioned by Safer Bristol Community Safety Partnership and aims to understand how the Community Trigger is working in practice in Bristol, by examining the experiences of victims who have activated, or unsuccessfully attempted to activate, the Trigger.

Context

In Bristol, the Community Trigger can be activated online via a form on the Avon and Somerset Police website (linked to the Bristol City Council website), by telephone and by post. The local threshold to activate the Community Trigger is set at:

- Three separate incidents related to the same problem in the past 6 months that have been reported to the Council, Police or landlord and have had an inadequate response
- At least five people have made reports about the same problem in the past 6 months

The relevant bodies in a local government area have a statutory duty to publish information about their use of the Community Trigger. This includes:

- the number of applications made
- the number of times the threshold for a review was not met
- the number of reviews that have taken place
- the number of reviews that have resulted in recommendations being made

Using the most up to date national figures, from October 2014 to March 2016 Bristol City Council received 34 applications to activate the Community Trigger. Within this figure, 9 did not meet the threshold, 26 case reviews were held, of which 19 contained recommendations (ASB Help, 2016). To put these figures into context, only four

local authority areas in England and Wales had more than 20 Community Trigger applications for the period they were reporting on (although the reporting periods vary slightly between areas). These were: Bristol (34), Northumberland (39), North Tyneside (26) and Nottingham (34). However, Bristol is the only area to have held more than 20 case reviews. In contrast, all 39 of Northumberland's Triggers did not meet the threshold; neither did 30/34 of Nottingham's, which does suggest inconsistencies in how the Trigger was communicated to victims in those areas (ASB Help, 2016). Only three other local authority areas had more than 10 case reviews in the period October 2014 to March 2016, namely North Tyneside (13), Sheffield (15) and London Borough of Barking and Dagenham (14), with many other densely populated local authority areas reporting very low figures such as 3 in Lambeth and 1 in Hull (ASB Help, 2016). As such, Bristol's results justify further investigation through this research project.

Methodology

Safer Bristol Community Safety Partnership commissioned this research to understand victims' experiences of the Community Trigger process and to improve service provision for victims. The following research questions were employed:

1. Has the Community Trigger been effective in stopping the long-term ASB being suffered by victims?
2. How have victims experienced using the Community Trigger?
3. Do victims feel satisfied by the way the council handled the Community Trigger process?
4. Do victims feel empowered by the legislation and their ability to challenge local agencies?

To answer the above questions, semi-structured telephone interviews were undertaken with participants that had either activated, or attempted to activate, the Community Trigger in Bristol. A list of the interview questions can be found in Appendix A. Potential participants were identified by Bristol City Council, who sought permission from everyone who had activated/attempted to activate the Trigger, in order to share their contact details with the research team. Twenty potential participants agreed to be contacted about the research, of which nine people agreed to be interviewed, giving a response rate of 45%. The perspectives held by the 11 victims who did not take part in this research *may* be very different to the views presented in this report. The interviews took place in October and November 2017, with each lasting between 30 and 90 minutes. The interviews explored victims' experiences of the Community Trigger process in-depth. The telephone interviews were audio recorded, transcribed and thematically analysed to identify recurring patterns and key topics. The research received ethical approval from the Sheffield Hallam University Research Ethics Committee (reference: AM/KW/D&S-364) and was conducted in accordance with the British Society of Criminology's Statement of Ethics (2015).

Findings

The findings from the research are reported below. First, we provide some context about the type and duration of ASB participants have experienced/are experiencing, before responding to each research question in turn.

Anonymised quotations from the participants will be used to prioritise victims' voices and evidence the report's findings. Some sections of the quotations have been redacted to maintain anonymity, such as dates, details about specific ASB incidents and any officers involved.

Context Setting

To set the scene, we asked the nine participants about the different types of ASB they were experiencing. All participants described severe ASB cases and the majority reported that their problems related to persistent neighbour issues and/or targeted harassment. Many of these participants also suggested that false counter allegations had been made against them by the perpetrator(s) and felt that their case had been treated as a neighbour dispute, rather than as targeted personal ASB. The remaining participants had activated/attempted to activate the Community Trigger as a result of ASB in public spaces that was affecting their quality of life where they lived. The length of time participants had been experiencing these behaviours ranged from between 1 and 12 years, with most suffering ASB for at least a few years. The impact this ASB was having on participants was stark, with many victims detailing physical and/or mental health problems that have been precipitated by the ASB, as well as damaging impacts on work and school life. Furthermore, a number of participants suggested they were currently trying or thinking about moving home as a result of the ASB they were experiencing.

Has the Community Trigger been effective in stopping the long-term ASB being suffered by victims?

The vast majority of research participants did not feel that the Community Trigger has been effective in stopping the long-term ASB. Participants were asked specifically about whether activating the Community Trigger had stopped the ASB they were suffering from. For all participants the ASB was ongoing, either because the reporting threshold had not been met and no further action had been taken, or because the outcome of the Trigger had made no difference. Many participants detailed their current situations. For example, Participant 7 said:

"I'm still experiencing it now. I've actually had the [X] come out and I've spoken to somebody and I've said, look, I want to move now, I literally can't live here anymore, this is just getting just too much." (Participant 7)

In some cases, participants reported that the Trigger had made their situation worse. Specifically talking about after activating the Trigger, Participants 1 and 2 said:

"I know it as soon as I reported about [X], I know that is going to backfire on me. That is why I cannot step out [X] because every single time I report ... they start on me." (Participant 2)

"And because they're getting away with it day after day after day they just take more and more away because they can do it." (Participant 1)

Others were unsure whether the Community Trigger had reduced the ASB or not, as Participant 4 indicated:

"To be honest, I don't know whether it's made a difference or not because there hasn't been any feedback on it. So I couldn't tell you whether things are quiet because that has done something about it, or whether it's just the time of year or because the police are going down when I'm calling them out, but I have no idea. I have not had any feedback from it to know what they've done about it." (Participant 4)

Overall, it appears that those who activated or attempted to activate the Community Trigger have not experienced a reduction in ASB, with many suggesting that the ASB has become worse.

How have victims experienced using the Community Trigger?

Participants were asked a variety of questions about the Community Trigger process, ranging from activation to satisfaction. Despite suggesting that they had not heard about the Community Trigger in advance, many participants commented that it was easy to activate by either using the online form, or telephoning the number advertised on the Bristol City Council website. Participants found out about the Community Trigger through interactions with Council Officers, Police Community Support Officers, their local MP, or by stumbling across the information online.

After activating the Trigger, participants' experience of the process was generally not very positive. In most cases, participants reported that it took a long time to hear anything back about their activation. For example, Participant 6 suggested they did not hear anything about it for 3-4 months after submitting the details. Another participant said they did not receive a letter for 7 months. Furthermore, in many cases, participants reported that they did not receive a single point of contact for their case and some said that they were not aware if the Trigger had been activated or not. All participants revealed that they had experienced a lack of communication from the relevant authorities about their case. For example, a common theme was participants having to chase the authorities for updates, as demonstrated by Participant 4:

"The fact is, I am the one that has raised the Community Trigger and it shouldn't be me ... that is chasing up on this, it should be them coming to me to say they've seen an improvement, you know, we have done this. So it shouldn't be me chasing them after raising one. That is not the way that I should imagine that these things should work." (Participant 4)

Participant 1 explained how a lack of communication made them feel:

"Nobody ever comes back and tells us anything. We have not had any dealings, either verbally, by phone, by email, with the person who was dealing with this whole case to date and I have been involved in it for a [X] month now. I've [INCIDENT], I have had [INCIDENT], I have had [INCIDENT], you know. No one has ever come back to me with what they've done. I've just been left hanging there." (Participant 1)

Communication still appeared to be an issue for some participants once recommendations had been made following the case review. For example, for Participant 7, the review meeting had put an intervention in place; however this was not communicated to a frontline officer who was dealing with the case and ongoing reports. Similarly, Participant 3 said they had waited 7.5 months for a particular action to take effect. When no action had been taken, participants were unclear why this was the case, as Participant 1 explains:

"But they just won't do anything and I don't know why." (Participant 1)

Generally, all participants were critical of their experience of the Community Trigger process with a lack of communication and action at the heart of the problems encountered.

Do victims feel satisfied by the way the council handled the Community Trigger process?

Overall, participants felt dissatisfied with the Community Trigger process as a whole. Their disappointment was based on a number of factors. Many participants were unhappy about not being invited to the case review meeting with the relevant authorities, as evidenced by Participants 1 and 7:

"I was so mortified that they'd gone ahead and done the Community Trigger without me and didn't tell me and I've had no information on it, I've had no response, no letters, no nothing." (Participant 7)

"I thought we could get together and discuss it because the council refused to do anything until the police have, and the police say it's nothing to do with them it's the council. So all you do is go around in a circle constantly." (Participant 1)

There was a strong desire from participants to be at the case review meetings, as Participant 7 put it:

"I mean when you read about it, it seems like a brilliant thing and you think finally I might actually get face-to-face with the police that are dealing with anti-social behaviour, with the council person that's dealing with anti-social behaviour and other parties that they have at these meetings, you'll actually get to voice your opinion. Because I find that relaying information to someone ... doesn't give a true feeling for exactly what's going on, whereas if you can actually be there and say I am the victim here and this is what's happening... You should be able to give your point and you should be there and you should be a part of what's going on because it's actually happening to you." (Participant 7)

This links to the overarching expectations participants had about what the Community Trigger was and what it could do. Some participants suggested that they had activated the Trigger out of total desperation and there was a profound hope from all participants that something would be done at the review meeting about the ASB they were experiencing. For example, Participant 3 explained how they saw potential in the Trigger for relieving their daily suffering:

"Well, we just live in hope to be honest. We were hoping something would have come out of it because that's all we do, we live in hope every day." (Participant 3)

When combining participants' high expectations with the lack of communication they received about the Trigger and the ongoing ASB, participants' feelings appeared to turn to frustration (e.g. Participant 5), anger and sadness (e.g. Participant 2). This resulted in participants revealing:

"I feel like I haven't been taken seriously whatsoever". (Participant 6)

"I expected some support and I expected an investigation into why nothing had actually been done because I just felt so let down and so upset that nothing was happening. No one was getting back to me, no one was looking into it, no one was supporting me. I felt really let down." (Participant 7)

"The Trigger is a total waste of time. It involves having people who are committed to solving the problem and none of them are." (Participant 1)

"It's just a load of waste of time, a load of rubbish." (Participant 8)

In terms of overall satisfaction, there was an overwhelming feeling of helplessness amongst the participants about the Community Trigger process.

Do victims feel empowered by the legislation and their ability to challenge local agencies?

As a result of the participants' adverse experiences of activating/attempting to activate the Community Trigger, it was evident that victims do not feel empowered by the legislation. In fact, some participants revealed how they perceived the structure of the case review to create a conflict of interests. They felt it was unfair that the process was managed by the relevant authorities. For example, Participant 1 said:

"We don't want it dealt with by the people we're complaining about.... it's just a bit cover-up, that is all it is." (Participant 1)

Aligned to this, many participants reported poor relationships with officers from the relevant authorities, which made them lack trust in the Community Trigger process and limited their ability to challenge local agencies. A large proportion of respondents were dissatisfied with many of the officers they had come into contact with throughout the duration of their cases, particularly when reporting incidents either before or after Trigger activation. This was especially true for housing officers and the police. Although there was also some praise for police responses, 101 operatives, and local councillors. For example:

"The police are pretty good around here." (Participant 4)

"I spoke to my local councillor and he advised me on I should do. And the PCSO as well was very good, they advised me what I should do and I carried it out." (Participant 5)

However, participants also reported officers from the relevant authorities being rude, sarcastic and arrogant, with requests for meetings refused. For example:

"Well, I think they could be more hands on if you know what I mean? They could come out. I mean the [X] lady that was on our case, she was so rude and abrupt and they wouldn't even come out to us in the end." (Participant 3)

"No, they don't listen to me. They look at me, 'Oh there she goes, there's a moany old whingey woman again' and that is my impression I get, that is the sort of vibe I get off of them". (Participant 2)

"The guy from the [X] ... tried talking to me like I was a school kid and he was a teacher... I wasn't swearing but I did get quite obviously hacked off. I said, 'don't talk to me like that, I've been doing the right thing and all that and then you're phoning up as if I am a nuisance'." (Participant 8)

"They made me feel like I was lying, ... I was over-exaggerating or I was just purely wasting their time and then when I was speaking to them, one in particular just said, 'Right, I've had enough of this, I've just had enough, I'm going to go up to [X] property tomorrow and I'm just going to see what I can do but I have had enough of you calling me now.' I was kind of like, well – I was kind of stunned because I didn't know even what to say back to them because I know that if I'm going to be very rude towards them on the phone they will hang up on me straightaway, but it was kind of like it was okay for them to talk to me in an unprofessional way but I had to just kind of take it."

(Participant 6)

This appeared to foster a lack of trust in the authorities, which was exacerbated by unfulfilled commitments, as Participants 1 and 6 explain:

"Then when I actually asked about it, I was told that I was given wrong information because that can't happen... I've been told misleading information so many times... I find it very hard to trust them." (Participant 6)

"They kept telling us they have had regular patrols just to keep a check on things. We haven't seen them." (Participant 1)

Participants explained how they also felt they were being 'bounced' between the police and council, and likened it to being on a 'merry-go-round'. This resulted in some participants admitting that they had stopped reporting the ASB they were experiencing because nothing was being done. Participant 2 said:

"I don't have any family out here, and for somebody like me that is going through this, yeah I do need your support, yeah I do need your help. I have been crying for so many years and screaming so many years, I have stopped doing it. I suffer in silence." (Participant 2)

Allied to issues of reporting, all participants continued to report the ASB *after* they had activated/attempted to activate the Community Trigger. They were unsure what happened to these reports and whether these new incidents were being fed into their Community Trigger case review.

Recommendations

The recommendations that follow are driven by the experiences of the victims of ASB that took part in this research. Since this research was undertaken, the Home Office published new statutory guidance for frontline professionals on anti-social behaviour powers in December 2017. Some of the recommendations reflect this new guidance, which should also be taken into account.

1. All previous Community Trigger cases (activations and attempts) in Bristol should be reviewed.

Given that all participants reported a lack of satisfaction with the Community Trigger, the ongoing and sometimes escalating ASB, as well as the serious impact the ASB is having on victims' quality of life; all cases should be re-examined in order to appropriately address the ASB taking place. It was clear that many victims were suffering serious harm and, above all else, wanted their case to be heard and appropriate action to be taken. The victims themselves should be at the heart of this process. If recommendations were made as a result of case reviews and action was taken, this must be communicated to the victims. Steps should be taken to confirm that the victims have received the information and had an opportunity to ask any questions about the process.

2. Every effort should be made to ensure that the victim (or their representative) attends the Community Trigger case review meeting.

There was a clear desire from the research participants to attend the case review meeting, something that the new Home Office guidance (2017) sees as good practice. Victims attendance is encouraged in order to "help all members of the panel understand the level of harm and impact" (Home Office, 2017: 9), which is something many participants stated that they wished to articulate.

3. A communication strategy for the Community Trigger process should be developed, and shared with victims who are considering/have activated the Trigger.

Given that no participants had heard of the Community Trigger before submitting their applications, a strategy should be developed to raise the profile of the Community Trigger at a local level. This could include a publicity campaign and training for all frontline ASB-related officers. Furthermore, as the new Home Office (2017: 11) guidance states: "People who make use of the ASB Case Review/Community Trigger procedure may well feel that they have been let down by agencies in the past so it is important that they receive timely and consistent communication regarding their case". For many participants involved in this research, a lack of communication at various stages of the Community Trigger process proved frustrating and upsetting. All victims should be assigned a named point of contact for their case at the earliest possible opportunity (statutory duty). Victims would also benefit from the creation of a basic flow chart that details the Community Trigger process, which includes suggested timescales specific to their case and milestone feedback points, such as:

- the acknowledgement of Trigger receipt
- whether the threshold had been met
- notification about the case review meeting
- outcome of the meeting
- recommendations made
- the action plan to tackle the ASB

4. A clear indication of what victims can expect from activating the Community Trigger should be published.

The research demonstrated that many victims were unclear about what the Community Trigger entails and how it could/should work. It would be useful for victims if a clearer description of the Community Trigger was provided on the Bristol City Council website, alongside the activation information. Examples of good practice currently exist, for example the London Borough of Waltham Forest (ASB Help, 2016).

5. Relevant authorities should consider their current responses to ASB in order to prevent cases from reaching the Community Trigger activation threshold.

Many participants' were critical about their experiences of reporting incidents of ASB to the police and council. Most described being passed between the two agencies, with some officers not taking their complaints seriously. Greater support and clearer communication would help victims at what is a very distressing time. Furthermore, many participants displayed an underlying vulnerability (e.g. health-related), which should be identified and supported appropriately.

About the Researchers

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Appendix A: Interview Schedule

Section 1 - Case

Tell me about the ASB you suffered which led to you activating the Community Trigger.

Type of ASB

Duration

Intensity

Reports made (to whom/when) [assess tenure status]

Actions taken/not taken

Communication from agencies?

Escalation to the point of Trigger activation

Vulnerable victim? [age, employment status, health]

Impact ASB has had on day to day life

Section 2 - Process

Where did you find out about the Community Trigger?

Seen any publicity?

What were your expectations of it?

When did you [try to] activate the Community Trigger?

Was there a single point of contact for you?

What did you have to do to activate the Trigger? Was it straightforward?

How well did your case meet the threshold?

[IF THRESHOLD NOT MET - GO TO SECTION 5]

Section 3 - Outcomes

Which agency(ies) responded and what action was taken?

Has the ASB stopped/reduced?

How quickly was the action taken?

What is the ASB like today?

Section 4 - Satisfaction

How do you feel about the Community Trigger process you've been through?

Did the Community Trigger achieve what you wanted it to?

At any point were you not satisfied with what was being done? What did you do about it?

Do you feel the authorities did all they could to help?

Did they listen?

Did you feel they were on your side?

Do you think they have the appropriate powers to help you?

Were the actions related to the Community Trigger communicated to you well enough?

Overall, are you pleased that you used the Community Trigger?

Could the Community Trigger be improved?

Section 5 - Those Unable to Use the Trigger

Were you aware that your case might not meet the threshold to activate the Community Trigger?

How did you feel about the Community Trigger not being activated?

What has happened to the ASB you were suffering?

Were you satisfied with the Trigger process/what happened?

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