

## **Anti-social behaviour victims' experiences of activating the 'Community Trigger' case review**

HEAP, Vicky <<http://orcid.org/0000-0003-4311-1758>>

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## **Research article**

# **Anti-social behaviour victims' experiences of activating the 'Community Trigger' case review**

**Vicky Heap\***

Sheffield Hallam University

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## **Abstract**

This article reports the first in-depth account of anti-social behaviour (ASB) victims' perspectives of using the Community Trigger case review in England. Semi-structured interviews explored whether victims perceived the Community Trigger to stop the persistent, long-term ASB they were experiencing and how they navigated the activation process. Attention was paid to whether the victims were satisfied with the response they received from the authorities and if they felt empowered by the legislation. The research provides detailed descriptions of victims' experiences of this policy and discusses the implications for policy reform. The results suggest that repeat secondary victimisation is a risk for victims of ASB that activate the Community Trigger. Resultantly, a range of empirically-driven policy recommendations are provided to improve frontline practice relating to case review procedures and communicating with victims, in order to protect victims of ASB from additional harm.

**Keywords:** anti-social behaviour, politicisation, responsabilisation, repeat secondary victimisation.

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## **Introduction**

This paper reports the first, and so far only, research into anti-social behaviour (ASB) victims' experiences of utilising the Community Trigger case review. The study offers a qualitative understanding of what it means to be a victim of ASB having gone through the Community Trigger process, utilising critical victimology as a theoretical lens. The data presented in this article originate from interviews with ten victims of long-term ASB who activated the Community Trigger in one locality in England. The purpose of this study was to assess whether the implementation of this new policy has had a positive impact from a victim's perspective and whether it fulfils the political rhetoric of 'putting victims first'.

The legal definition of ASB in England and Wales is 'conduct that has caused, or is likely to cause, harassment, alarm or distress to any person' (Anti-Social Behaviour, Crime and Policing Act 2014, Section 2 (1a)).<sup>1</sup>

This flexible definition encompasses a wide variety of criminal and sub-criminal behaviours perceived by the victim to cause a problem, such as noisy neighbours. ASB remains a substantial concern; latest figures from the Crime Survey for England and Wales show that 39.6 per cent of people experienced/witnessed ASB where they live, a record high, and 1.5 million incidents of ASB were recorded by the police (Office for National Statistics, 2020; 2019). We know from British Crime Survey data that the personal characteristics associated with individuals most likely to perceive high levels of ASB are: living in the 10 per cent most deprived areas, being unemployed, are social renters and are victims of crime (Flatley et al., 2008).

Punitive mechanisms to govern nuisance behaviour, particularly in a social housing context, grew throughout the 20<sup>th</sup> century (Card, 2006). However, contemporary ASB policy embedded within the criminal justice system was first introduced through the Crime and Disorder Act (1998) by the New Labour government. The focus of this legislation was the re-moralisation of socially and economically marginalised communities and the regulation of nuisance behaviour (Garrett, 2007), which saw the creation of a vast array of tools and powers to tackle behaviours ranging from verbal abuse to fly-tipping. New Labour continued to focus on ASB governance throughout their time in office with revisions and additions to the original measures through the Police Reform Act (2002) and Anti-Social Behaviour Act (2003), which produced a legislative Behemoth. When the Conservative-Liberal Democrat Coalition government came to power in 2010, existing ASB legislation was modified and streamlined through the Anti-Social Behaviour, Crime and Policing Act (2014), which is still in force under the Conservative government of today. The reforms came with a greater emphasis on victims of ASB with the commitment to 'put victims first' (Home Office, 2012). This approach was chiefly in response to numerous high-profile tragedies involving vulnerable and repeat victims,<sup>2</sup> and was a departure from the perpetrator-centric policies of the past such as Anti-Social Behaviour Orders (Heap, 2016).

The 'Community Trigger' was introduced as the flagship victim-focused policy in 2014. It acts as a mechanism for victims to request a case review if they believe they have not received a satisfactory response to their complaints. To prompt this, the case must meet a locally determined reporting threshold within a defined timespan. Home Office Guidance (2019a) suggests this should be no higher than three complaints in a six-month period, with each ASB incident having been reported within one month of it occurring. If the threshold is met, a formal multi-agency case review meeting is held which elicits the production of recommendations and an action plan to tackle the ASB in question. The relevant authorities involved in the meeting, which must make provisions for this process are: the district/unitary or London borough council, the police, the relevant clinical commissioning group, and co-opted social housing providers (Home Office, 2019a).

The Home Office (2013) reported on the Community Trigger trials, examining four areas in England. Telephone interviews were conducted with ten participants across the sites that had tested the Community Trigger. The findings suggested that the Community Trigger had been successful at stopping ASB in difficult cases; victims were impressed with how quickly action was taken and felt empowered by the chance to challenge the previous lack of response. However ASB Help, the national charity that supports victims of ASB, has uncovered a contradictory picture by gathering data from all local councils and common themes from their casework. The work suggests that: poor publicity has resulted in many eligible victims being unaware of the policy, there is widespread confusion about how to activate it, and statutory guidance to make the process accessible to victims has been ignored (ASB Help, 2016). A detailed critical appraisal of the Community Trigger is provided by Heap (2016), which highlights issues with the construction and communication of the local reporting threshold, the

preoccupation with satisfaction, and how it fails to coalesce with perpetrator-focused ASB policies.

## **Victims' Experiences of Anti-Social Behaviour Policy**

Critical victimology focuses on the multifarious interrelationships between the law, state and social actors to better understand the process of being a victim (Mawby and Walklate, 1994). It highlights the subjective and variable acknowledgment of victimhood and contends that cultural, ideological and socio-economic factors are central to the understanding of victimisation (McGarry and Walklate, 2015). This provides an appropriate analytical framework through which to examine victims' experiences of the Community Trigger, in relation to politicisation, victim responsabilisation, community empowerment, and funding.

The idea that criminal victimisation could be politicised was first discussed by Miers (1978), who noted how politicians prioritised victims' services as a tactic to secure popular favour, especially during election campaigns. Victim-related criminal justice policy has developed with increased momentum over the past four decades (Davies et al., 2017); however, many policies have been considered symbolic (Weed, 1995), leading scholars to question the sincerity of such initiatives (Williams, 1999). Duggan and Heap's (2014) work suggests the relationship between the state and social actors has changed because of the way the politicised victim agenda was accentuated in the UK after the Conservative-Liberal Democrat Coalition government came to power in 2010. This shift embraced victim-centred policies and served to responsabilise victims, emphasising the necessity for victim investment in order to achieve justice. According to Garland (2001), responsabilisation strategies have been employed in a crime control context since the 1980s. Essentially, this approach 'promotes a new kind of indirect action, in which state agencies activate action by non-state organizations and actors' (Garland, 2001: 124). This diffuses criminal justice responsibilities onto a wide range of actors, with the intention of persuading them to fulfil a specific role. Responsibilisation is evident in the Community Trigger, as victims are required to apply for a case review to be undertaken, rather than the authorities commencing proceedings themselves or resolving the issue satisfactorily following an initial public report.

Duggan and Heap (2014) propose that navigating an increasingly bureaucratic criminal justice system, especially when a victim is responsabilised for taking action, has the potential to create additional emotional distress. This is known as secondary victimisation, which occurs as a result of negative experiences when engaging with the criminal justice system (Walklate, 2007). Most research into secondary victimisation has focused upon violent crime, but the concept can be applied to an ASB context. Secondary victimisation is strongly predicted by outcome satisfaction (Orth, 2002), which is pertinent to the creation of the Community Trigger as a mechanism to secure victim satisfaction. Existing research into ASB victimisation suggests that victims have not enjoyed straightforward nor satisfactory experiences when engaging with the authorities, thus demonstrating secondary victimisation. Research by Millie et al. (2005) shows that victims found reporting ASB incidents to the authorities was a 'pointless exercise' because they did not care and/or did not have the resources to tackle the problem. This made victims feel powerless and lacking control. Similarly work by Heap (2010) also found: barriers to reporting, mistrust in the authorities, and dissatisfaction with the results of reporting ASB incidents. Victims' lack of confidence in the authorities was also highlighted by Casey and Flint's (2007) research. They found the agencies were dismissive of victims' reports, which resulted in subsequent non-

reporting. Secondary victimisation and dissatisfaction towards the state's responses to victims have also been uncovered when the experiences of criminal victimisation have been studied (see Shapland, 2018). Together, these bodies of work evidence how the state's criminal justice policies have struggled to sufficiently meet victims' needs when responding to both criminal and sub-criminal behaviour.

The policy rhetoric associated with the Community Trigger asserts that it was devised to empower communities to demand the authorities to take action, with the control of public services devolved to a local level (Home Office, 2012). However, the social actors and laws involved in administering justice for victims of ASB is now more complex than ever. The Police Reform and Social Responsibility Act (2011) introduced politically-affiliated, elected Police and Crime Commissioners (PCCs) to devise local policing plans, set local budgets and hold chief constables to account on performance. This development added another partisan player into the ASB management context and brought added concerns about the extent they would reflect local interests (Mawby and Smith, 2013). PCCs play a key role in allocating funding, with the obligation to commission local victims' services delegated under their control. However, the financial resources allocated to provide these services do not extend to victims of ASB (Ministry of Justice, 2013). ASB Help (2019) exposed the contradictions of this funding model by highlighting how 37 per cent of PCCs state that victims of ASB are a priority in their local Police and Crime Plans because it is often a significant local concern, despite receiving no specific funding to operationalise this pledge. Subsequently, the lack of funding allocated by the Ministry of Justice to PCCs to assist ASB victims reflects the reality of their comparatively low political status, which contrasts the policy rhetoric that espouses prioritisation.

Pursuing a community-led approach through the Community Trigger also fails to acknowledge the diverse nature and needs of communities. It assumes that all communities have a positive relationship with the authorities, whereas evidence suggests some communities at risk of ASB have lost confidence in statutory crime control agencies (Casey and Flint, 2007). Consequently, the Community Trigger may disproportionately benefit stable, middle-class communities which are more likely to act (Hancock, 2006). This notion is paradoxical because we know that the greatest amount of ASB victimisation takes places in the most socio-economically disadvantaged communities (Flatley et al., 2008), hence the construction of the policy itself may not be an appropriate solution for the victims that need it most.

This study provides an original insight into how victims of ASB have experienced using the Community Trigger as a means to address their victimisation. The research examines the Community Trigger process from a policy perspective; assessing how the design of the policy shapes victims' interactions with the state in order to understand how the state-victim relationship affects their experiences of victimisation.

## Methodology

Qualitative research was undertaken to elicit detailed information about victims' experiences of activating the Community Trigger. The study was conducted in one local authority area in South West England, where the Community Safety Partnership commissioned and funded the project. The area combines urban and rural locales, with some ward areas facing high levels of deprivation and inequality (Ministry of Housing, Communities and Local Government, 2019). The Community Trigger threshold for activation in this locality was three incidents in the last six months, and if more than five people had made reports about the same incident in the past six months.

Data were collected through semi-structured telephone interviews involving ten participants that lasted between 25 and 90 minutes, with the average being 45 minutes. The sample was drawn from victims that had activated the Community Trigger in the Community Safety Partnership area. However, recruitment was extremely challenging. First, due to data protection regulations, the local council had to obtain permission from individuals that had activated the Community Trigger to pass their contact details to the research team. The involvement of the local council at this stage may have discouraged participation, especially if the Community Trigger was activated due to dissatisfaction with the local council's responses to ASB. Second, when contact details were received several individuals were too afraid to take part due to the fear of being identified by their ASB perpetrator(s), despite assurances of confidentiality and anonymity. The victims of ASB in this sample can be considered a hard to reach group, therefore participants were self-selecting and not necessarily representative of the population. Assembling a larger sample would have been beneficial, however there was evidence of conceptual density across the themes generated (Nelson, 2016) as well as congruence to existing work by ASB Help (2016). All victims' narratives are important given the 'individual, idiosyncratic experience' of victimisation (Green and Pemberton, 2018: 77) and this work provides significant initial insight into the Community Trigger process from victims' perspectives. However, the small sample size in combination with it being derived from one location means the implications of these findings are not transferable to all victims' experiences of using the Community Trigger, according to Lincoln and Guba's (1985) evaluative criteria for assessing qualitative research. Nevertheless, the conceptual density highlights common experiences that require further investigation on a larger scale.

The sample reflected a range of socio-demographics and comprised different genders (seven females and three males); a mixture of social housing tenants, private tenants and owner occupiers; and some vulnerable individuals due to ongoing physical and/or mental health problems. All participants described severe cases of ASB; multiple incidents, increasing in severity and frequency, and over a long period of time. Most ASB incidents were neighbour-related or linked to targeted and sustained harassment, including a combination of threats, bullying, and criminal damage. The remaining participants experienced ASB that occurred in public spaces, such as drinking/drug dealing and noise issues. Participants' cases ranged from between one and 12 years, with the majority having suffered for around four-five years. In all instances, the behaviour had a *substantial* impact on victims' lives; regularly affecting daily routines and participants' physical and/or mental health (see Heap, 2020).

Every participant reported their victimisation numerous times to a range of authorities including: the police via 999 and the non-emergency number, the local council (including housing, noise pollution and councillors), social housing providers and the RSPCA. All made multiple reports by telephone, as well as online forms and email. Commonly *no action was taken*, regardless of the agency reported to. This lack of response manifested in a variety of ways including: call handlers hanging-up, no response to messages/emails, and multiple requests for assistance being declined or ignored. Participants spoke about being 'bounced' between the authorities with the police advising individuals to call the local council and vice versa, which resulted in the ASB remaining unchallenged and ongoing. There were accounts of poor relationships with frontline personnel, especially police and housing officers. This included suggestions of rudeness, sarcasm and arrogance, with requests for meetings regularly refused. Participants felt they were not listened to and were made to feel that they were moaning about their situation. Consequently, all participants demonstrated secondary victimisation through the reporting process and their contact with the authorities before activating the Community Trigger. Ultimately, the sample contained

the type of ASB victims the Home Office say the Community Trigger was designed to protect.

The interviews were audio recorded, transcribed and thematically analysed to identify recurring patterns and key topics. Congruence of the experiences between participants produced 'thick data', which provides an in-depth understanding of their experiences of the Community Trigger policy. Ethical approval was granted by the author's institution, with the names presented in this paper representing pseudonyms.

## **Victims' Experiences of Activating the Community Trigger**

### ***Activation and Expectation***

Prior to activating the Community Trigger, none of the participants were aware of the policy and the opportunity it affords for a case review. This is unsurprising given a YouGov poll commissioned by ASB Help found that just three per cent of people had heard of the Community Trigger, with the information posted on only 16 per cent of Police and Crime Commissioner websites (ASB Help, 2016). Four participants stumbled across the information themselves online, whereas the remainder were informed by officers from a range of authorities (an MP, local councillor, housing and police). The actual process of activating the Community Trigger was praised as being straightforward, through an accessible online form or by telephoning the number on the website. However, all the participants agreed that once they had read about the Community Trigger, their expectation of a solution was raised considerably. Claire said:

*"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."*

For participants, the Community Trigger appeared to provide an opportunity to have their voice heard. Seven participants believed the Community Trigger would: immediately escalate the case to senior officers, that they would be invited to and involved in the multi-agency case review meeting, any action would be taken quickly, that further evidence would be gathered about the case from neighbours, and that an investigation would take place to determine why nothing had been done about the ASB in the first place. For those seven participants, whose lives were being significantly disrupted by the ASB they were experiencing, the Community Trigger offered hope, which is arguably what the case review was designed to do. Participants' high expectations of the Community Trigger reinforce the salience of the policy rhetoric that claims it will act as a 'safety net' and 'put victims first' (Home Office, 2012; 2019a).

### ***Communication***

The communication process throughout the duration of the Community Trigger was highlighted as a significant concern in participants' accounts. Poor communication between the state and victims has been a longstanding concern for victimologists that have examined criminal victimisation (Shapland et al., 1985; Tapley et al., 2014). This research highlights how this problem persists and extends to the Community Trigger policy. For example, Laura stated that she did not hear anything after activation for three to four months and Rachel waited seven months. Even when cases did not meet the threshold, Melanie still waited eight weeks to find out. In five cases, participants stated that they did not receive a single point of contact for their case and two

disclosed that they were still not aware if the Community Trigger had been successfully activated or not. A common occurrence was that participants had to chase the authorities for updates about their case, similar to findings from Tapley et al. (2014). This highlights the extent of responsibility placed upon victims to pursue justice themselves and suggests that their contribution to the process entails more than simply 'activating' the Community Trigger. To illustrate, participants stated:

*"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." (Laura)*

*"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 [X] months now. I've [INCIDENT], I have had [INCIDENT], I have had [INCIDENT], you know. No one has ever come back to be with what they've done. I've just been left hanging there." (Rachel)*

The two quotations characterise different approaches that victims took towards the Community Trigger process. For example, Laura constantly chased different officers, emailed for answers on the days they were told they would receive an update, and were repeatedly searching for a response. In contrast, Rachel articulated how they had 'done their bit' by reporting and believed it was the responsibility of the authorities to fulfil their role. Neither approach influenced the overall experience or action taken, as both strategies left participants frustrated with the continued inaction. These experiences reflect Duggan and Heap's (2014) suggestion that victims have to 'navigate' their way through a range of processes in order to achieve justice.

Communication between actors also appeared problematic following the multi-agency meeting. Claire explained how an intervention had been put in place, but this had not been communicated to a frontline officer who was managing the case. Lyn waited seven months for her meeting and when no further action was taken she did not receive an explanation about why the decision had been made, when Home Office guidance (2019a) states the victims must be informed about the outcome of a review. Further communication breakdown was evidenced through the handling of ongoing reports. Eight participants continued to experience ASB once the Community Trigger had been activated, which they kept reporting during the period of time between activation and being notified about the multi-agency meeting. No one was sure if the new incidents were being fed into their case review and how the reporting system(s) coalesced with the multi-agency meeting. Generally, all participants were very critical of the communications they had received about their case, demonstrating that even at the case review stage victims' needs were not being addressed. For victims of crime, receiving little information about the progress of a case has been widely documented (see Tapley et al., 2014). The Victims' Code (2015), produced by the Ministry of Justice, attempted to address this by setting a baseline of 'key entitlements' for victims, such as being kept informed about developments with their case. However, the Code focuses solely on victims' interactions with the traditional criminal justice institutions, such as the police and courts, which does not reflect the wide range of actors involved in tackling ASB such as local councils and social housing providers. Consequently, victims of ASB are largely ignored by the Victims Code (2015). Where advances in communicating to victims have been made, such as the automated case tracking systems used by some police forces described by Wedlock and Tapley (2016), victims of ASB will only benefit if they reported the incident to the police, which means they miss out on this opportunity if they reported elsewhere. This research has shed further light on the inadequate reporting and recording structures of the agencies dealing with ASB post-Community Trigger activation. This adds an additional layer of complexity for



all involved and from the testimony of victims, heightens their suffering and frustration. This warrants comparisons to Walklate's (2017) reminder about the tensions between the use of the term 'victim' and 'complainant'. It appears the participants in this study were made to feel like a complainant, rather than their victim status being taken seriously and responded to accordingly.

Poor communication from the authorities was also experienced by the participants when they reported the ASB for the first time, which is comparable to victims of crime (Shapland et al., 1985; Tapley et al., 2014). As a result, the participants in this research appeared to have suffered from three distinct phases of victimisation: the primary victimisation from the ASB itself, secondary victimisation through their initial unsatisfactory communication with the authorities, and finally *repeat secondary victimisation* through their experience of activating the Community Trigger and not achieving a resolution. This situation is particularly ironic given that the Community Trigger was purposely designed to help victims of ASB who were not being listened to and their ASB addressed in the first place.

### **Satisfaction**

The primary purpose of the Community Trigger is to stop ASB that has previously been inadequately tackled. Participants were asked whether the policy had achieved its aim in their case, with the overwhelming majority suggesting it had not. Eight participants explained how their victimisation remained ongoing and had become worse. Where participants reported an improvement, this was often for a short period of time before the behaviour resumed. Issues with understanding the outcome of the Community Trigger appear inherently linked to the communication issues reported above, as well as outcome satisfaction. For example, one victim explained they received an outcome letter that said the authorities should have dealt with the issues more robustly. However, there was still no enforcement action taken and the ASB in question escalated. Generally, participants felt very dissatisfied with the whole Community Trigger process. Their disappointment was based on several factors, predicated by their heightened expectations after being told what the Community Trigger could do. First, participants were extremely unhappy about not being invited to the multi-agency case review meeting. Claire said:

*"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 part of what's going on because it's actually happening to you."*

Second, all ten participants expressed a sense of frustration and disappointment with the process. Their feelings were epitomised by statements such as: 'I feel like I haven't been taken seriously whatsoever' and 'it's like fighting a losing battle'. Overall, there was consensus that the process was a 'waste of time'. Third, the absence of a resolution also fostered a lack of trust in the authorities. This was exacerbated by the poor communication outlined above, as well as unanswered calls for help, unfulfilled commitments such as promised patrols not materialising, and being told incorrect information about their case. In contrast to Casey and Flint's (2007) and Heap's (2010) research, the participants in this study generally kept reporting incidents despite their lack of faith in the authorities. The participants had a noticeable appetite for enforcement action, which they said was due to the severity of the ASB they were experiencing. There was the sentiment from participants that they were 'playing by the rules' by reporting the ASB and trying to 'do the right thing', but they felt let down because no action was taken. Many believed this made them the target for further ASB

and that instead of helping them, activating the Community Trigger actually made them more vulnerable, which further eroded their trust in the authorities.

Aligned to satisfaction is the issue of empowerment. As a consequence of their adverse experiences, it was clear that victims did not feel empowered by the Community Trigger. In all cases, participants said neither they (nor a representative) were given the opportunity to attend the multi-agency meeting. This contradicts Home Office Guidance (2019a) and made victims feel like they did not have a chance to articulate their side of the story. In addition, participants revealed their anger towards the Community Trigger and how they perceived the structure of the policy to create a conflict of interests. They felt it was unfair that the process was managed by the authorities themselves, essentially the people who the victims were dissatisfied with. Rachel said, 'we don't want it dealt with by the people we're complaining about [...] it's just a bit of a cover up, that is all it is'. Participants disliked having their complaint heard by the people they were complaining about because they believed they would not be treated fairly, which further compounded their lack of trust in the authorities. The ability for the authorities to effectively police themselves in the multi-agency meeting reflects how the Community Trigger policy was poorly conceived. A neutral party chairing proceedings would ameliorate these issues and provide a visible symbol of fairness, thus embodying the commitment to 'put victims first'.

There also appears to be a lack of central oversight to hold the authorities to account, by means of a complaints procedure should the outcome of the Community Trigger not be satisfactory. One dissatisfied participant had contacted Her Majesty's Inspectorate of Constabulary (now Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services), the Chief Constable, and the Independent Police Complaints Commission (now the Independent Office of Police Conduct) who all referred the case back to the local authorities. This exacerbated participants' feelings of it being an unfair process. Home Office commitment to monitoring the Community Trigger also appears lax, which is evidenced through research by ASB Help (2019) that demonstrates local authorities are not completing their annual statutory reporting duty about the number of Community Triggers undertaken. The structure and oversight of the Community Trigger and the impact this has upon victims, which has been highlighted through this research, underlines that the policy fundamentally responsibilises victims to pursue justice (Duggan and Heap, 2014), with little support available from any quarters.

## Discussion and conclusion

As critical victimology suggests, and this research affirms, the relationships between the law, state and social actors are central to understanding victimisation experiences (McGarry and Walklate, 2015). The political decision to prioritise ASB victims' needs through the Community Trigger has highlighted a range of state-created processes that intersect to undermine the purpose of the policy. The wide range of actors involved in responding to ASB victimisation and implementing the Community Trigger shapes and complicates victims' experiences. Even the introduction of Police and Crime Commissioners to hold police forces to account appears to have had little positive impact upon the experiences of ASB victims.

This research demonstrates how victims suffer when the case review process is neither communicated nor executed effectively. The outcome of this poor practice is that victims experience additional distress and harm, which can be conceptualised as *repeat secondary victimisation*. This is because the case review process is the second time support and enforcement action has been pursued, and the second time they

have been let down by the state. What appears to make the situation worse for victims is that they perceive the Community Trigger will provide a solution because of the articulation of the policy rhetoric that action will be taken. Consequently, when the Community Trigger does not meet expectations, victims experience further upset and disillusionment with 'the system'. The concept of repeat secondary victimisation is important and unique in relation to the Community Trigger because it reflects the contradictory nature of a review process designed to improve peoples' lives, which made matters worse for those participating in this study. With the Community Trigger being relatively new, it appears effective procedures and practices are yet to be determined. These findings are significant because they contribute to a growing body of evidence that suggests politically-motivated victim policies are failing to deliver outcomes for victims (Tapley, 2005).

There are additional socio-economic concerns that limit the potential of the Community Trigger. It is clear that ASB as a policy domain has reduced in priority since the mid-2000s, evidenced by the lack of funding provided to Police and Crime Commissioners to procure services for ASB victims (Ministry of Justice, 2013). This added layer of politicised bureaucracy has merely served to increase competition between different types of victims (Simmonds, 2016), rather than improving levels of service for all. Localised competitive funding practices related to PCCs contrast other areas of criminal justice that have seen significant centralised investment, such as child sexual exploitation (Home Office, 2018) and knife crime (Home Office, 2019b). Further, the UK government's decision to pursue austerity politics from 2010 onwards has resulted in the reduction of frontline police officers and staff in England and Wales by 18 per cent in 2018, equivalent to 200,000 personnel (Allen and Zayed, 2018). A one per cent rent reduction in social housing has also affected frontline ASB provision (Inside Housing, 2016). Plus, in the past decade local councils have lost 60p from every £1 received from the government to spend on services (Local Government Association, 2019). Substantial funding cuts across the main partner agencies responsible for tackling ASB are likely to contribute towards the poor initial responses to ASB reports and subsequent Community Trigger activations outlined by participants. When Her Majesty's Inspectorate of Constabulary conducted their first ASB inspection in 2010 they warned that it would be a mistake for chief constables and police authorities (the pre-cursor to Police and Crime Commissioners) to reduce the amount of work undertaken to tackle ASB (HMIC, 2010); a cautionary tale not heeded.

A reduction in financial resources is not unique to ASB, but the consequent impact upon ASB victims' ability to obtain justice is likely to be significant, as this research has highlighted. Together, the lack of local infrastructure and the stymied spending power of the authorities demonstrate an abdication of responsibility for victims of ASB by the state. Through the construction of the Community Trigger policy, communities and victims have been responsibilised into seeking justice, but the government has not provided the resources for this to be realised. Ultimately, this leaves ASB victims in a vulnerable position without any means of redress and demonstrates that communities have not been empowered as promised by the legislation. This is particularly problematic when evidence suggests the most socio-economically deprived communities experience the greatest volume of ASB (Flatley, et al., 2008). The uneven distribution of ASB victimisation coupled with the notion that 'socio-economic status and class are related to cultural and educational differences, which affect people's ability to negotiate with those perceived to be in authority' (Croall, 2017: 195) conspire to render vulnerable victims voiceless. Ultimately, the Community Trigger demonstrates how politically-driven decisions shape victims' opportunities to achieve justice.

The implications for policy reform from this research are numerous. First and foremost, from the evidence provided here, the authorities should respond sufficiently

to initial reports of ASB victimisation to prevent the need for the Community Trigger. Moving forward, local councils should adopt an approach to the Community Trigger that focuses on high quality fair processes to facilitate outcomes that are satisfactory to all parties. This could be achieved by better managing victims' expectations of the Community Trigger, with a clear indication provided to victims about what they can expect from activation. This transparency should form part of a communication strategy which includes: publicising the existence of the Community Trigger and being explicit about the processes involved, including suggested timescales and milestone feedback points, such as: the acknowledgement of activation, whether the review threshold has been met, notification of and invitation to the case review meeting, the outcome of the case review meeting, the recommendations, and the ASB action plan. To allow victims' voices to be heard, every effort should be made to ensure that the victim (or their representative) attends the case review meeting, which reflects Home Office Guidance (2019a). Finally, there should be a mechanism in place so that victims who are dissatisfied with the Community Trigger can seek further help and support. This is congruent with recent calls from ASB Help (2019) for there to be a designated Home Office position that provides strategic oversight and holds local officials to account.

This research appears to show that activating the Community Trigger can inflict additional harm upon victims of ASB, which can be understood as a process of *repeat secondary victimisation*. Whilst the policy rhetoric pertains to prioritise victims' needs, in practice, the diffusion of responsibility from the state onto victims illustrates how victims are obliged to carry the burden of achieving redress through a system that is under-resourced and not operating effectively. Given that the Community Trigger was created following a number of high-profile fatal cases, the victims' experiences uncovered by this research are concerning and highlight that such tragedies could be repeated because the promised changes have not materialised.

The findings provide the first in-depth understanding of victims' experiences of the Community Trigger, starting an evidence base. Further qualitative research into the lived experiences of ASB victimisation is required to ensure a richer understanding of the issues being faced, especially where there have been positive experiences of using the Community Trigger. More needs to be understood about the identities of ASB victims and how personal characteristics can shape victimisation experiences and the activation of the Community Trigger. This will enable the production of more nuanced, evidence-based criminal justice policies to better respond to victims' diverse needs. This is important because based on the current research evidence, there is still some way to go before the Community Trigger policy really does 'put victims first'.

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## Notes

<sup>1</sup> The definition of ASB is elaborated in 1b and 1c as it states: '(b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of

residential premises, or (c) conduct capable of causing housing-related nuisance or annoyance to any person.'

<sup>2</sup> The high-profile fatalities associated with ASB cases involving criminal behaviour include: Fiona Pilkington who took her own life and that of her disabled daughter Francecca Hardwick in 2007 following persistent bullying and harassment (Independent Police Complaints Commission, 2011a). Suzanne Dow also committed suicide, in 2011, following harassment and abuse from her neighbours who were dealing drugs in the house next door (Telegraph, 2013). Finally, David Askew died of a heart attack in 2010 after being bullied and harassed by young people for more than ten years (Independent Police Complaints Commission, 2011b). See Heap (2020) for more details about the effects of ASB victimisation.

\* Correspondence address: Dr Vicky Heap, Department of Law and Criminology, Sheffield Hallam University, Collegiate Campus, Collegiate Crescent, Sheffield, S10 2BQ. Email: [V.Heap@shu.ac.uk](mailto:V.Heap@shu.ac.uk)

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