

A guide to how partners tackle Student ASB in Newcastle

The Student ASB Early Intervention System is a guide only and is not intended to be a prescriptive protocol. Each case is assessed on its own merits.

The warning process is not set in stone and does not have to be followed precisely in every single case, it is meant to be relative to the particular behaviour of the individual(s) concerned. Officers will assess each case on its own merits and exercise discretion as to the most appropriate course of action to address the behaviour so as to ensure it does not continue. For example, where an individual engages in serious Anti-social Behaviour or behaviour that has caused unreasonable harassment, alarm or distress to the victim, and it is the first time this individual has come to the attention of the agencies, then it is expected that the officer will escalate this case to reflect the seriousness of the incident. In some cases, this will involve skipping step 1 and step 2 and going straight to step 3 which is an Acceptable Behaviour Agreement (ABA) or an Abatement Notice or Community Protection Notice (CPN).

The general process will be as follows:

- 1st Warning
- 2nd Warning
- ABA
- Section 80 or Community Protection Notice (CPN)
- Seizure (if noise nuisance)
- Simple Caution or Prosecution

1st witnessed incident = 1st Warning

- Warning letters to tenants/persons responsible and Landlord informed. The relevant university will also be informed.

2nd Witnessed incident = 2nd Warning

- Warning letters to tenants/persons responsible and Landlord informed. The relevant university will also be informed.

3rd Witnessed Incident – Acceptable Behaviour Agreement (ABA)

- Tenants/persons responsible are invited to an appointment at the Police Station via a letter from the Council. In attendance will be Newcastle City Council, Northumbria Police's Student Liaison Co-ordinator, and potentially a representative from the relevant university
- An Acceptable Behaviour Agreement is a written informal intervention between the occupants, Newcastle City Council and Northumbria Police designed to engage the individual in recognising their behaviour and its negative effects on others, in order to stop such behaviour. They also offer the Police and Local Authority an opportunity to discuss the circumstances surrounding the case with the individuals concerned. ABAs are voluntary and are not legally binding, but can be cited in court as evidence in any future court proceedings for noise and Anti-social Behaviour.

- The university will be advised of the upcoming appointment and whether or not the appointment has been attended, if a University representative is unable to attend. The agreement stays in place for 12 months from the date of signature whilst the individuals are in Newcastle Upon Tyne.
- Remember that some cases/incidents can be taken straight to this action if it is deemed appropriate by the officers concerned.

Abatement Notice - Section 80 (The Environmental Protection Act 1990)

- This is served by Newcastle City Council's Public Safety and Regulation either in person or via post. All partners, such as police, universities and landlords are advised of the details and why the Section 80 has been served. (Remember that some cases/incidents can be taken straight to this action if it is deemed appropriate by the officers concerned).

Community Protection Notice – (Anti-social Behaviour, Crime and Policing Act 2014)

- A Community Protection Notice Warning Letter is issued as a first action. This will have conditions that must be adhered to and if appropriate will contain a time frame for compliance. Where the warning letter is not complied with/adhered to then a Community Protection Notice may be issued.
- These are served by Newcastle City Council's Public Safety and Regulation either in person or via post. All partners, such as police, universities and landlords are advised of the details and why the action has been taken (Remember that some cases/incidents can be taken straight to this action if it is deemed appropriate by the officers concerned).

Seizure of noise making equipment

- This is carried out by Newcastle City Council's Public Safety and Regulation when an Abatement Notice or Community Protection Notice has not been complied with.
- If prosecution proceedings are also brought then a Forfeiture order may be applied for from the Magistrates meaning that the equipment would not be returned.

Simple Caution or Prosecution

- This is carried out by Newcastle City Council's Public Safety and Regulation when an Abatement Notice or Community Protection Notice has not been complied with.