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Police Division 1:3  
Area 1WR  
St Andrew's House  
Scottish Executive  
Edinburgh  
EH1 3DG

16 September 2004

Dear Sir or Madam

**Antisocial Behaviour etc. (Scotland) Act 2004: Consultation on Draft Guidance on Dispersal of Groups**

YouthLink Scotland is the national youth work organisation for Scotland. We support the development of accessible, high quality youth work services which promote the well-being and development of young people. We are a national voluntary organisation working with both statutory and voluntary bodies. Our strategic aims are attached at Annex A. YouthLink Scotland welcomes the opportunity to respond to the Scottish Executive's Consultation on the draft Guidance on the dispersal of groups ("the Guidance"). YouthLink Scotland's consultation response focuses on certain issues around the powers relating to the dispersal of groups. For ease of reference we have used the same themed headings as the Guidance.

**In summary, YouthLink Scotland's main points are:**

- **YouthLink Scotland welcomes the statement that care should be taken to avoid stigmatising young people, and to avoid using the dispersal provisions to unfairly target young people**
- **We also welcome the statement that these provisions will not be used against groups of people gathered peacefully in the streets of their communities who are simply enjoying each other's company**
- **Young people's access to cheap leisure facilities, and to related transport services, must be improved**
- **Community wardens and the police should receive training on how to work with young people**

**Context and background**

YouthLink Scotland welcomes the statement at Paragraph 2.10 of the Guidance that the dispersal powers should not be used unfairly to target young people gathered peacefully in the streets of their communities to enjoy each other's company. We strongly believe that young people should have the freedom to meet socially within their local communities, including open spaces. The results of the *Being Young In Scotland* Survey commissioned by YouthLink Scotland and undertaken by MORI Scotland, highlighted that over half of 11-16 year olds like to spend time 'hanging about on the streets'. Our research findings underline that this activity is simply part of youth culture, and should be accepted as being something that most young people like to do. The young people we consulted also emphasised that adults need to be more understanding, and to be less judgmental about them.

They also suggested that the Scottish Executive should give further thought to addressing the reasons why some young people 'hang around' the streets. The young people said that they socialised in public spaces because of factors such as conflict at home, unsafe home environments, the lack of leisure facilities and other safe places to socialise, the expensiveness of many leisure activities and poor transport services making it difficult to access these facilities.

One of the key messages from young people who attended the event on 11 September 2004 on the new legislation, organised by YouthLink Scotland on behalf of the Scottish Executive, was the importance of providing cheap, accessible and safe leisure facilities. The Kemnay Youth Café was one example of a positive place for young people to socialise cited by the young people who attended this event. Against this background, YouthLink Scotland recommends that each local antisocial behaviour strategy should outline the type of leisure facilities being provided within the local authority area, as well as the transport arrangements which have been put in place to enable young people to access these facilities.

#### **What constitutes significant, persistent and serious antisocial behaviour**

We note that Paragraph 2.9 refers to the need for incident recording procedures to be clearly written down and followed. YouthLink Scotland considers that these procedures should highlight what is being done within the local authority area to encourage more young people to report incidents of antisocial behaviour, given that they are more often the victims than the perpetrators of crime and antisocial behaviour.

#### **The procedure preceding the making of an authorisation**

YouthLink Scotland welcomes the statements in Paragraphs 3.4 and 3.9 of the Guidance that when, considering whether to authorise the designation of an area, the police will have first held discussions with elected representatives, community groups and local youth groups etc. We believe that seeking dialogue with young people, and with the youth work sector, will emphasise that young people are also victims of crime and antisocial behaviour. This, in turn, can help to ensure that young people are not stigmatised by unfair usage of the new dispersal powers in their local area.

#### **Exercising the powers**

YouthLink Scotland notes that Paragraphs 8.1 and 8.2 refer to the exercise of dispersal powers by police officers after an area has been made a designated area. To minimise the risks of conflict within communities, YouthLink Scotland strongly believes that the training for police officers on these powers should include training on how to work with young people.

As part of this process, further thought should also be given to ensure that the role of community wardens is fully understood within local communities. Anecdotal evidence from the young people who attended the event on 11 September 2004 suggests that community wardens have, in some areas, inadvertently fuelled offending and antisocial behaviour through a lack of training and awareness on how to work with young people.

YouthLink Scotland strongly recommends that community wardens should receive training in youth work approaches, and on how to work with young people. This training should be accredited, and linked to progressing within the SCQF Framework. Significantly, we made a similar recommendation in our response to the Scottish Executive consultation document, *Building Strong, Safe and Attractive Communities: Consultation on Warden Schemes and Other Community Based Initiatives to Tackle Anti-Social Behaviour*. We believe that the need for such training remains has been

further underlined by the input of young people at the event on 11 September 2004. This focused on the confrontational approaches being adopted by community wardens in some local authority area, which has aggravated rather than defused antisocial behaviour in these areas. Against this background, YouthLink Scotland recommends that the type of training being provided for wardens should be outlined in the antisocial behaviour strategies for each local authority area.

Please do not hesitate to contact me if you require more information, or would like to discuss this matter further.

Yours sincerely

Maureen Mallon  
Head of Development

## ANNEX A

### YouthLink Scotland's Strategic Objectives

Strategically, we will support the youth work sector to provide effective services to young people

We will do this by:

- being the **voice of the youth work sector** in Scotland, achieving recognition at national and international levels
- influencing policy** which affects the youth work sector and the lives of young people
- enabling the sector to make **best use of resources**
- being a source of **expert advice and information** for youth work practitioners and policy makers
- facilitating innovative youth work through **research and development**
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