

# The Dundee **Antisocial** Behaviour Strategy



In consultation with Criminal Justice, Dundee City Council (Environmental Health & Trading Standards, Housing, Leisure & Communities, Social Work and Waste Management), Dundee Community Safety Partnership, Procurator Fiscal Service, Registered Social Landlords, Scottish Children's Reporter Administration, Tayside Fire & Rescue, Tayside Police, Victim Support and other Voluntary Agencies.



## Foreword

We commend this Strategy to the Scottish Executive on behalf of the Dundee Partnership. It represents our intention and joint commitment to reduce levels of antisocial behaviour within Dundee.

We are very aware of the effect of such behaviour on local communities and we endorse the right of all our citizens to be able to reside, work and enjoy their quality of life free from acts of antisocial behaviour from a minority.

We note the advances of the Partnership organisations both statutory and voluntary in reducing the effects of antisocial behaviour and we will use the full range of measures and tools available under the Antisocial Behaviour etc (Scotland) Act 2004 in a graded and focused approach which will enable us to achieve our strategic objectives.



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## 1.0 INTRODUCTION

Working together to maintain a first-class quality of life in a prosperous, vibrant and thriving city, Dundee City Council (DCC), Tayside Police and their Community Planning Partners - along with the communities they serve - are engaged in a long-term commitment to promote community safety, foster confidence and where incidents of antisocial behaviour occur, ensure they are tackled quickly and effectively.



With the passing of the Antisocial Behaviour Etc (Scotland) Act 2004, the Scottish Executive have reacted to the concerns of the public and enacted legislation designed to directly address these concerns of security and safety within our communities. While DCC and Tayside Police have already undertaken numerous initiatives and strategies for tackling ASB, the new legislation is designed to help co-ordinate the efforts of all the partners involved in order to maximise a cohesive response.

Prior to the Act, the problem of ASB had already been identified as important and measures taken to address it. Tayside Police had already formed a Community Intelligence Unit (CIU) working in conjunction with DCC (Housing Department) with a remit to deal with ASB. The development and recent expansion of the Community Safety Warden Scheme with DCC (Leisure and Communities Department) was also in place prior to the advent of the Act, demonstrating the level of commitment of the partners to tackle ASB.



As part of the requirements of the Act, the Chief Executive (Dundee City Council) and Chief Constable (Tayside Police) must jointly prepare a strategy outlining how they intend to address the problems experienced by communities and individuals in their area.

This strategy and its relevant local outcome agreements have been developed with the assistance of key statutory and voluntary organisations who have community safety as a key component of their work.

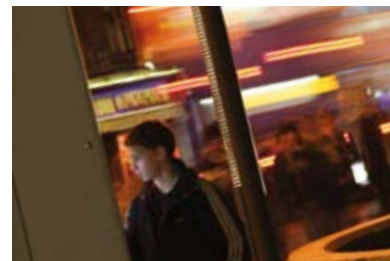
The strategy is fully integrated as a key component of the Dundee Community Safety Partnership's strategic priorities within the Dundee Partnership - Community Plan 2005-2010.

It contributes significantly to the Community Safety strategic objective "to create a city where crime is reducing and where people are safe and feel safe".

## 2.0 WHAT IS ANTISOCIAL BEHAVIOUR?

Antisocial behaviour is a wide ranging term that can cover a multiplicity of acts or courses of conduct. Under the ASB etc (Scotland) Act 2004, a person is deemed to be involved in ASB if they:

- act in a way that causes or is likely to cause alarm of distress to anyone; or
- behave in a way that causes or is likely to cause alarm and distress to at least one person not of the same household as them.



In practice antisocial behaviour can mean different things to different people. Antisocial behaviour covers a wide range of behaviours with different levels of intensity - from dropping litter to physical violence - and may include:

- Harassment and intimidating behaviour
- Behaviour that creates alarm or fear
- Noisy neighbours
- Drunken and abusive behaviour
- Vandalism, wilful fire raising, graffiti and other deliberate damage to property
- Nuisance from vehicles, including parking and abandonment
- Litter, fly tipping, poor presentation of domestic waste, dog fouling
- Drug and substance misuse
- Prostitution
- Theft by Housebreaking
- Certain aspects of retail crime ie shoplifting

As tolerance levels, expectations and opinions as regards standards of behaviour tend to be subjective, resources will have to be used most efficiently to tackle those issues that are of the most concern to the public. To this end, the CIU have built up a body of expertise, information protocols and local strategies to ensure that resources are most effectively focussed and the community receive the levels of response that are appropriate and proportionate to the presenting issue.



### 3.0 THE NEW LEGISLATION

The Antisocial Behaviour Act introduces a number of new measures that we will include in our overall strategy for tackling the problems affecting our communities.



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- Greater penalties for litter, fly-tipping and graffiti
- Powers for Councils to issue fixed penalty notices for litter
- Extra discretionary powers for Councils to tackle noise
- Increased powers to deal with private landlords who don't tackle antisocial behaviour by their tenants
- Powers for the Police to close premises where serious antisocial behaviour is taking place
- Powers for the Police to disperse groups where there is antisocial behaviour taking place.
- Banning the sale of spray paint to under 16s
- Powers for the Police to seize motor vehicles being used in an antisocial manner
- More options available to Children's Hearings when dealing with antisocial behaviour, including intensive support and monitoring services which provide for the electronic tagging of under 16 year olds
- Introducing Parenting Orders to deal with parents who fail to take reasonable steps to prevent their child from committing antisocial behaviour
- Extending Antisocial Behaviour Orders to 12-15 year olds



## 4.0 AIMS AND OBJECTIVES

The Antisocial Behaviour Strategy to be adopted in Dundee, and on which the approach is based, has six key aims.

### 4.1 **Support: Minimise the impact of ASB on victims and by empowering communities.**

It is recognised that those who have endured ASB may require help to regain their confidence. They may also benefit from advice and counselling, mediation assistance together with more defined targeted support.

### 4.2 **Communication: Ensure effective communication between agencies to promote reassurance and influence behaviour.**

As part of the strategy, it is recognised that raising awareness of the problems of ASB is vitally important. A number of core indicators are being considered which will measure various types of ASB and this information will be publicised annually to demonstrate whether the steps taken are adequate to tackle incidences of ASB. By increasing public awareness and offering information public confidence will be improved.

Confidentiality of personal data is paramount and there is a detailed information sharing protocol under development by the CIU and the Partnership.



### 4.3 **Prevention: Measures that will create an environment where ASB is less likely to arise.**

Prevention remains the primary aim of the Strategy which is delivered by a number of initiatives and services which seek to divert individuals from ASB behaviour patterns by the provision of information, practical services and activities.

### 4.4 **Intervention: Early identification of problems in relation to individuals or communities and ways to divert people from committing acts of ASB.**

The development of multi-agency Partnership approaches to allow co-ordination and action at an early stage for timely intervention is seen as an effective aim to focus resources.

### 4.5 **Enforcement: Effective and measured use of powers under the ASB etc (Scotland) Act 2004 and other legislation.**

For a minority of cases enforcement will be the tool which requires to be used where prevention and early intervention have failed to persuade offenders to change their behaviour. The Partnership will seek to use fully and appropriately the range of enforcement powers available.

**4.6 Rehabilitation: Putting in place measures to break the cycle of offending and minimise detrimental outcomes.**

A wide range of rehabilitative options are available and being developed to direct efforts towards promoting responsible behaviour through education, advice and support and change programmes.

Appendix 10.5.1, Service Provision List outlines the range of existing organisations and services offering practical assistance to meet the above aims and objectives related to children and young people



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## 5.0 THE STRATEGY

The development of the strategy, in line with the terms set out in the Act, is based on an inclusive consultation process with all stakeholders and other interested parties within the overall framework of the Dundee Community Safety Partnership and its supporting technical secretariat.

Appendix 10.5.2, Supplementary Procedural Document comprehensively details the respective roles and responsibilities that each stakeholder will undertake.

In formulating an agreed strategy, we considered the extent and range of ASB that affects Dundee and the provision that exists for consultation, the services available to tackle ASB and how Tayside Police and Dundee Community Safety Partnership members maintain an effective Partnership and efficient information exchange.



### 5.1 “An assessment of the types of antisocial behaviour in the authority’s area”

The types and extent of antisocial behaviour that are known to occur in Dundee are:

- Annoyance caused by: youths congregating; drinking in public places; road rage and vehicle related incidents and any other behaviour which may not amount to criminal conduct though is clearly likely to cause annoyance and be detrimental to the quality of community life.
- Disturbances including those in and near licensed premises, domestic disputes and street disorder.
- Crimes against the person including serious and minor assaults, robbery and threats.
- Racially motivated crimes and incidents.
- Vandalism, wilful fire raising, malicious mischief, abandoned vehicles etc.
- Contraventions of the Misuse of Drugs Act 1971, including premises used by those for the purposes of abusing drugs, drug dealing etc.
- Noise nuisance and other behaviour related to domestic premises which fall within the remit of the Housing Department and Registered Social Landlords.
- Certain classifications of retail crime ie shoplifting.



## 5.2 “An assessment of the extent of occurrences of antisocial behaviour in the authority’s area”

The recorded extent and nature of ASB specific to Dundee is co-ordinated from a number of sources eg the Community Impact Assessment Reports, the Chief Constable’s Annual Report and statistical databases maintained by Partnership members. These help to indicate where a particular focus would return the most beneficial results for the community.

Since the introduction of the ASB etc (Scotland) Act 2004, the Partnership have been identifying specific core indicators to provide a baseline of statistical information which will enable the Partnership to measure how effectively ASB is being tackled. This information will be collated as part of the Outcome Agreements and published annually.



As has been highlighted in the press, Dundee (along with Fife) has been one of the first Local Authorities to make use of the terms of the ASB Act to improve the quality of life of its communities.

## 5.3 “Arrangements for consulting community bodies and others, including young people, in areas where antisocial behaviour is a problem or becomes a problem about how it will be dealt with”

Provision has been made for consultation with community bodies, community groups, youth groups etc over ASB local issues. In preparing Dundee’s ASB Strategy, consultation was undertaken with a wide range of stakeholders to ensure the process was transparent, responsive, accessible to all and tailored for the specific needs of the communities it is intended to serve.

## 5.4 “The range and availability in the Authority’s area of services for people generally but also for people under 16, victims and witnesses of antisocial behaviour and people involved in neighbourhood disputes”

The services available to deal with ASB victims, witnesses and offenders, as well as those designed to deal with persons under 16 years, are provided by Partners. Full descriptions of the services offered by each is available in the Supplementary Procedural Document Appendix 10.5.2 and Appendix 10.5.1 Service Provision List.

**5.5 “How the Chief Executive and the Chief Constable will work jointly to deal with antisocial behaviour, how they will co-ordinate their functions and how they will exchange information relating to antisocial behaviour”**

The creation of the CIU is the principal operational means by which the Chief Constable and the Local Council work jointly to deal with ASB, co-ordinate their functions and exchange information. The composition and remit of the CIU is more fully described in the Supplementary Procedural Document Appendix 10.5.2. It is a dedicated unit developed to implement an agreed graded response in addressing the introduction to the ASB etc (Scotland) Act 2004.



In addition, a detailed information sharing protocol is being developed to allow for the exchange of information between partnership agencies dealing with ASB within our communities - See Section 6 and Appendix 10.5.3.



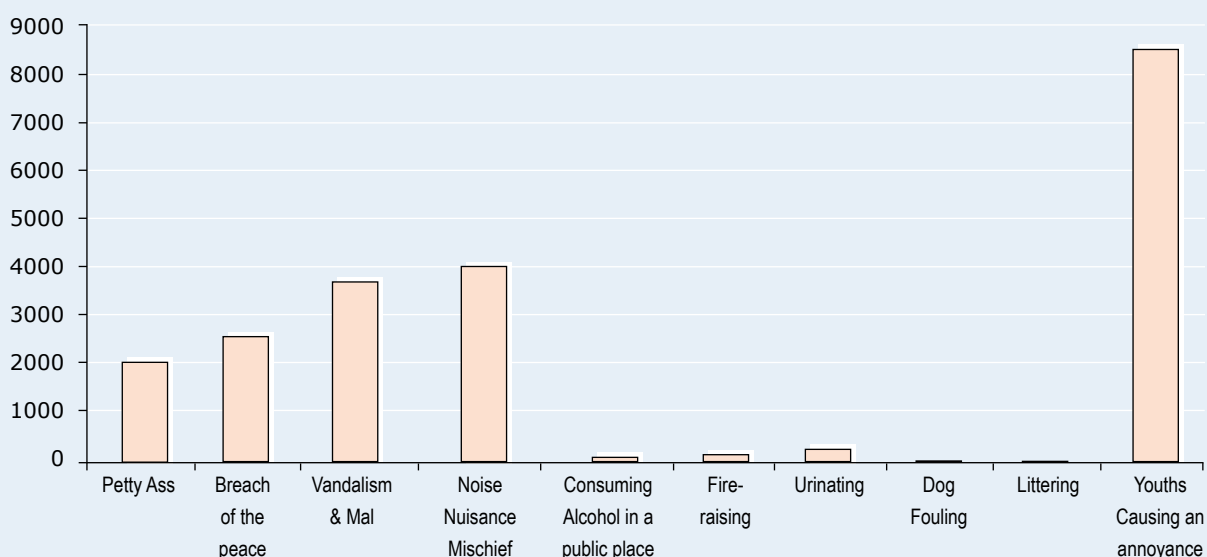
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**6.0 A statistical overview of the main indices of antisocial behaviour within Dundee during the period 1 April 2004 to 31 March 2005.**

Source	S.M.A.R.	S.M.A.R.	proMIS	CAPTOR	S.M.A.R.	proMIS	S.M.A.R.	CAPTOR	S.M.A.R.	proMIS
	Petty Ass	Breach of the peace	Vandalism & Mal	Noise Nuisance Mischief	Consuming Alcohol in a public place	Fire-raising	Urinating	Dog Fouling	Littering	Youths Causing an annoyance
<b>Central 2004/5</b>	1981	2564	3719	3980	111	173	427	4	35	8525
<b>City Centre</b>	722	-	529	692	41	14	-	0	-	689
<b>Lochee</b>	496	-	713	932	17	34	-	0	-	1825
<b>Downfield</b>	407	-	715	535	19	28	-	0	-	1988
<b>Maryfield</b>	428	-	795	1162	17	48	-	1	-	1351
<b>Longhaugh</b>	408	-	967	659	17	49	-	3	-	2672

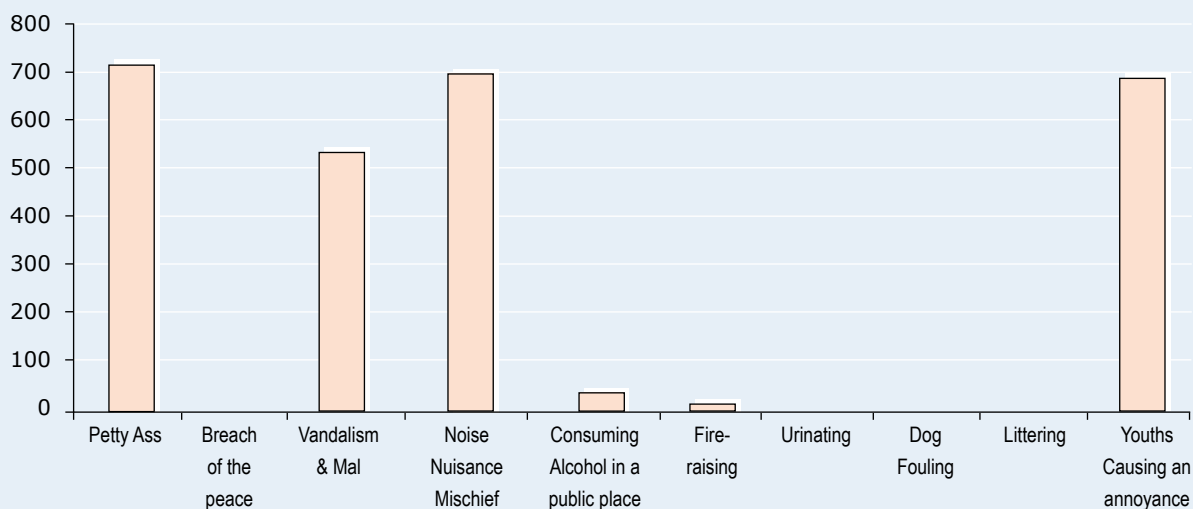
**Warning:** The statistics above, on which the graphs are based, have been gathered from various systems within Tayside Police (see column headings). The figures provided are not 'like for like' and should not be used for comparative purposes. All statistics from S.M.A.R.T are only those cases sent to the Procurator Fiscal. Figures from proMIS are, in the case of Vandalism and Fire-raising, Crimes Made Known and in the case of Youths causing an Annoyance are Incidents. The figures from CAPTOR are also Incidents. Noise Nuisance contains all incidents where complaints of Noise were received. The 3980 consists, predominantly, of complaints regarding Music. The grey areas indicate that sectional information is not available from the current systems.

**Central Division 2004 - 2005**



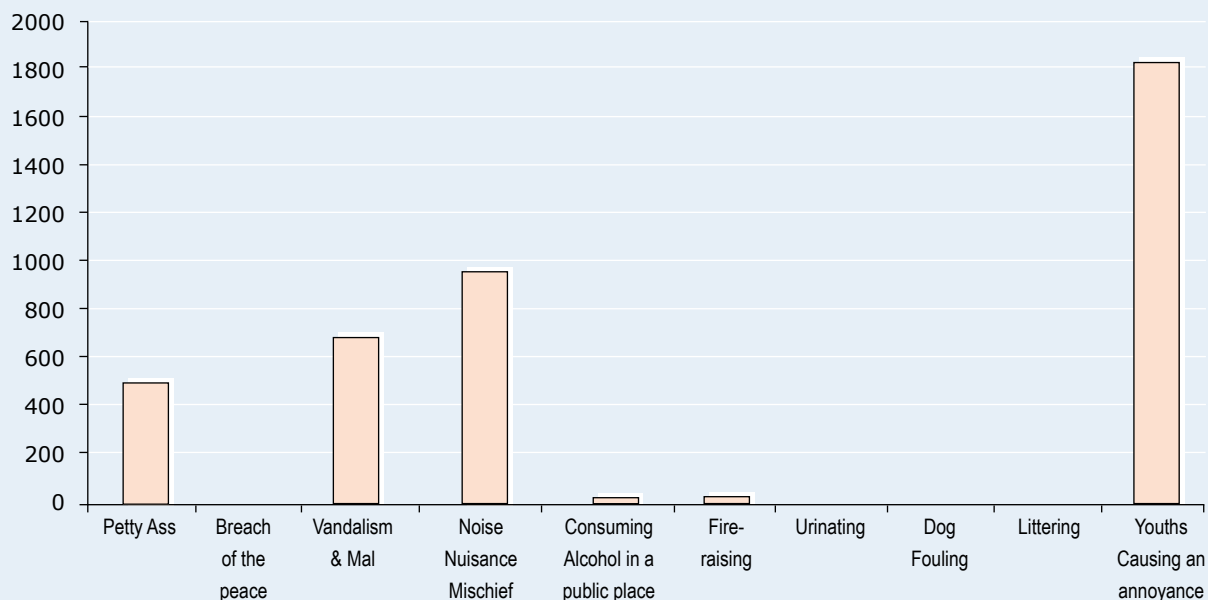
**Please Note:** Where no data is displayed on the graph this does not indicate that there were no incidents but that information is not available on a sectional level. Please see the table and central graph above.

### City Centre Section 2004 - 2005



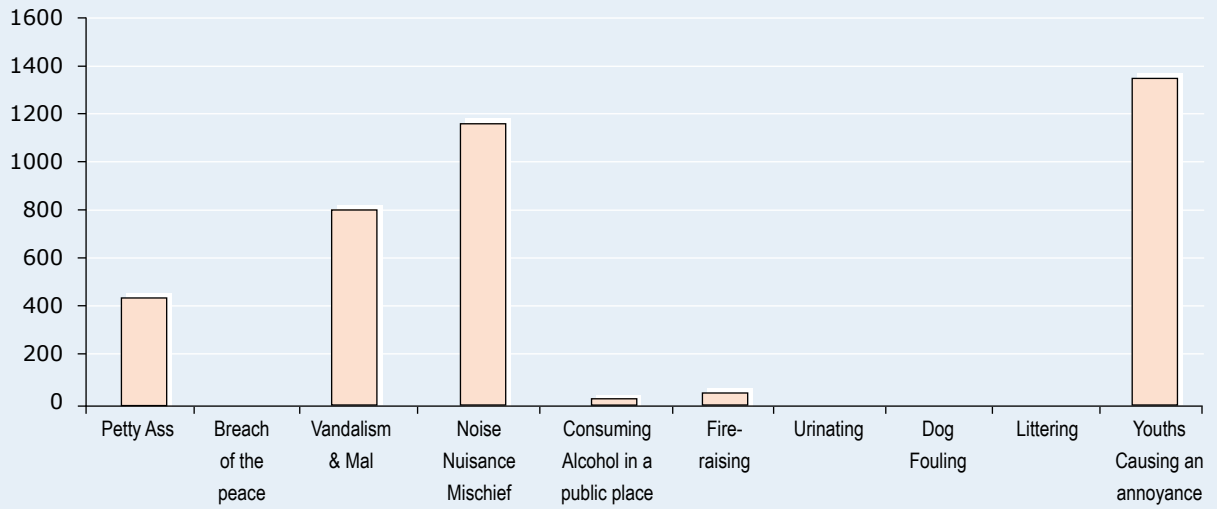
**Please Note:** Where no data is displayed on the graph this does not indicate that there were no incidents but that information is not available on a sectional level. Please see the table and central graph on page 12.

### Lochee Section 2004 - 2005



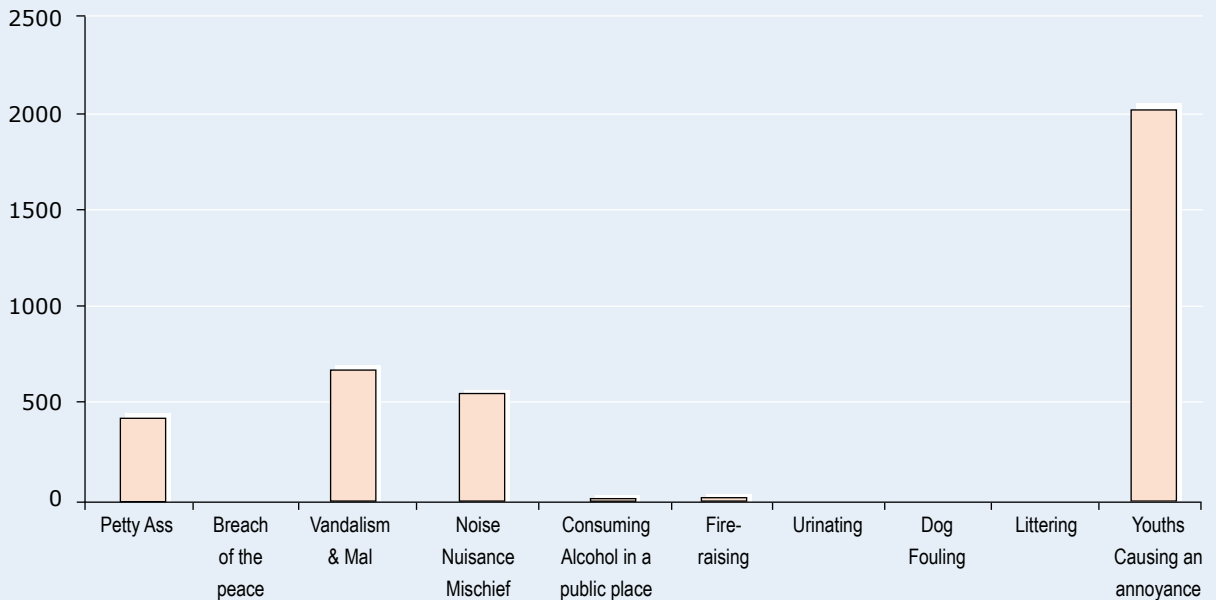
**Please Note:** Where no data is displayed on the graph this does not indicate that there were no incidents but that information is not available on a sectional level. Please see the table and central graph on page 12.

### Maryfield Section 2004 - 2005



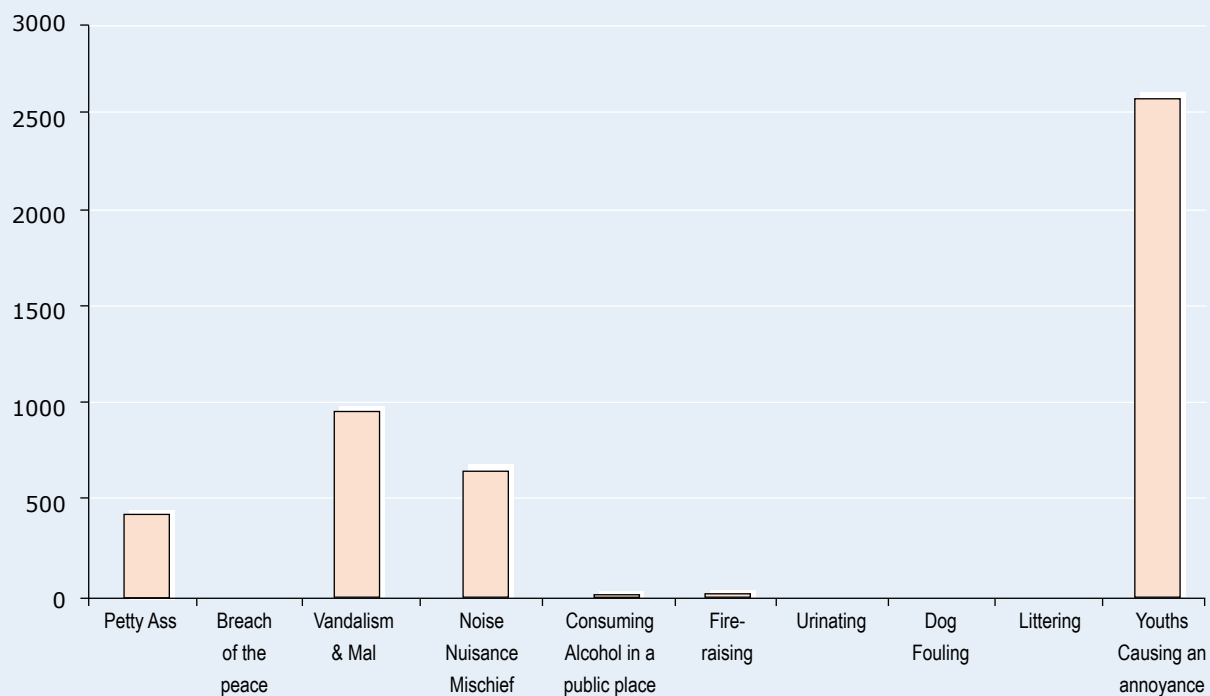
**Please Note:** Where no data is displayed on the graph this does not indicate that there were no incidents but that information is not available on a sectional level. Please see the table and central graph on page 12.

### Downfield Section 2004 - 2005



**Please Note:** Where no data is displayed on the graph this does not indicate that there were no incidents but that information is not available on a sectional level. Please see the table and central graph on page 12.

### Longhagh Section 2004 - 2005



**Please Note:** Where no data is displayed on the graph this does not indicate that there were no incidents but that information is not available on a sectional level. Please see the table and central graph on page 12.

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## 7.0 INFORMATION SHARING

The Partnership recognise that in the past information sharing has been difficult due to (a) the interpretation of legal constraints, (b) incompatible information technology systems, (c) inappropriate data or (d) organisations commitments to partnership working.

During the last 3 years great advances have been made in overcoming these difficulties and it is now accepted by Partners that joint action based on good intelligence is a prime requirement to jointly achieving progress on our strategic aims and priorities.

The Antisocial Behaviour etc (Scotland) Act 2004 makes specific provision for the disclosure and sharing of information to help facilitate exchange of information where this is necessary or expedient for the purposes of any provision of the Act or any other enactment relating to antisocial behaviour and its effects. The Act also provides legal protection where any information disclosed is necessary or expedient in terms of any provision of the Act.



Therefore, information will be shared, as appropriate, between all of the Partners involved in delivering Dundee's Antisocial Behaviour Strategy to ensure that those whose behaviour is antisocial are identified as early as possible and action taken, and that those who become victims are given the support and assistance that they need.

However, all of the Partners disclosing information in terms of Strategy will do so on the basis of agreed and published protocols. Partners relying on the protection of the Act will have to be satisfied that they are complying with the Data Protection Act 1998, Human Rights legislation and any other relevant rules of law.

Appendix 10.5.3 outlines the content of the draft protocol, the Sharing of Information to Tackle Antisocial Behaviour.





## 8.0 MONITORING & EVALUATION

An essential part of any successful strategy implementation is to set up a comprehensive and relevant system to monitor and evaluate results.

Local Outcome Agreements (see Appendix 10.5.4) are a key part of this process and have been developed to bring together stakeholders data for analysis to fine tune resource allocation and keep to targets.

*It is important, however, that data is:*

- meaningful
- set in context
- relevant
- robust
- can determine trends and direction

The Partnership is clear that statistical data must be contexted over a longer period of time than a single year and requires skilled analysis and interpretation to avoid duplication, displacement and inappropriate claims over cause and effect.

The Partnership expect to be active in this field of activity for the long haul and is very conscious of how easily statistics in the shorter term can mask or distort trends and successful local strategies.

The monitoring and evaluation framework will also work in close liaison with existing Balanced Scorecard methodology and the local Regeneration Outcome Agreements.



## 9.0 EQUALITIES & DIVERSITY

The Partnership is determined to recognise and put in place adequate steps to ensure they discharge within the strategy:

- equal opportunities
- community impact assessments on actions
- participation by minorities
- sensitivity to inclusion

## 10.0 MISCELLANEOUS

### 10.1 Abbreviations - The following abbreviations have been used throughout this document and appendices:

- Antisocial Behaviour - ASB
- Antisocial Behaviour Order - ASBO
- Dundee City Council - DCC
- Community Intelligence Unit - CIU
- Antisocial Behaviour Agreement - ASA
- Dundee Co-ordinated Anti-Crime Network - DUNCAN

## 10.2 ANTISOCIAL BEHAVIOUR WORKING PARTY TO AUGUST 2005 MEMBERSHIP

<b>Name</b>	<b>Organisation</b>
<i>D Aitken</i>	<i>Dundee City Council, Youth Justice Group</i>
<i>Chief Superintendent I Alexander</i>	<i>Tayside Police (Chairperson)</i>
<i>A Bovill</i>	<i>Dundee Community Safety Partnership</i>
<i>I Bowles</i>	<i>Dundee Safer City Centre Initiative</i>
<i>N Brown</i>	<i>District Court</i>
<i>R Burn</i>	<i>The Scottish Children's Reporter Administration &amp; Children's Reporters</i>
<i>I Coghill</i>	<i>Dundee City Council, Environmental Health &amp; Training Standards Department</i>
<i>C Fraser</i>	<i>Dundee Wider Access Alliance (Registered Social Landlords)</i>
<i>A Fullarton</i>	<i>Tayside Fire &amp; Rescue</i>
<i>S Galloway</i>	<i>Dundee City Council, Support Services</i>
<i>S Grelka</i>	<i>Dundee Community Safety Partnership</i>
<i>J Hann</i>	<i>Dundee City Council, Support Services (Legal)</i>
<i>L Kay</i>	<i>Dundee City Council, Leisure &amp; Communities Dept</i>
<i>J Laing</i>	<i>Dundee City Council, Waste Management Dept</i>
<i>K Lindsay</i>	<i>Dundee City Council, Leisure &amp; Communities Dept</i>
<i>C Lowden</i>	<i>Dundee Voluntary Action</i>
<i>G Mackenzie</i>	<i>Dundee City Council, Risk Management, Finance Dept</i>
<i>M McCall</i>	<i>Dundee City Council, Antisocial Behaviour Unit, Housing Dept (to 8 March 2005)</i>
<i>C McIntosh</i>	<i>Procurator Fiscal Service</i>
<i>D Simpson</i>	<i>Dundee City Council, Housing Dept</i>
<i>W Strathearn</i>	<i>Dundee Victim Support</i>
<i>G Wood</i>	<i>Dundee City Council, Criminal Justice, Social Work Dept</i>

*The above Group were facilitated and resourced by:*

<i>M Beattie</i>	<i>Dundee City Council, Support Services Administration</i>
<i>A D Boffey</i>	<i>Dundee City Council, Leisure &amp; Communities Dept/Dundee Community Safety Partnership</i>
<i>Inspector R Bowman</i>	<i>Tayside Police/Dundee Community Safety Partnership</i>
<i>B Finlay</i>	<i>Dundee City Council, Corporate Planning</i>
<i>S Forsyth</i>	<i>Sergeant, Tayside Police</i>
<i>PC G Grant</i>	<i>Tayside Police</i>
<i>R Petrie</i>	<i>Local Authority Police Liaison Officer</i>

### 10.3 ACKNOWLEDGEMENT

The Antisocial Behaviour Working Party is grateful to the wide number of partner organisations and members of the public who contributed to the compilation, consultations and photographs on the Strategy.

We also acknowledge the help of Fife Community Safety Partnership on content and guidance for some of the sections and the Scottish Executive for their commitment and funding support to the Partnership.

### 10.4 If you wish to access further information on the Antisocial Behaviour Strategy, the Local Outcome Agreements and relevant Technical Support Appendices please either visit the following internet sites:

[www.dundeepartnership.co.uk](http://www.dundeepartnership.co.uk) - Partnership Extranet - Theme Groups (Community Safety). The site also contains website data on the Dundee Community Safety Partnership and Dundee Community Safety Wardens Initiative

[www.taysidepolice.uk/publications\\_ar.php](http://www.taysidepolice.uk/publications_ar.php) - Tayside Police Link Annual Report

or contact:

*Mr A D Boffey, Head of Community Learning and Development, Leisure and Communities Department, Central Library, The Wellgate, Dundee DD1 1DB  
Tel 01382 307465 Fax 01382 307487 e-mail [tony.boffey@dundeecity.gov.uk](mailto:tony.boffey@dundeecity.gov.uk)*

or

*Inspector Rod Bowman, Community Safety, Tayside Police, West Bell Street, Dundee DD1 9JU  
Tel 01382 591512 Fax 01382 591529 e-mail [rod.bowman@tayside.pnn.police.uk](mailto:rod.bowman@tayside.pnn.police.uk)*

A user friendly question and answer executive summary of the key points within the Antisocial Behaviour Strategy is also available on the website and in local minority community languages.

We will also be pleased to facilitate access to the above in Braille or tape or by a signing disc.

## 11.0 THE KEY STAKEHOLDERS TO THE STRATEGY

- Tayside Police provides a wide variety of information, support and enforcement services across all neighbourhoods and communities.

In particular, they assist this strategy with local neighbourhood policing, crime prevention/detection and community liaison, specialist care and protection for young people's safety, retail and home security, community intelligence and broader aspects of public protection.

- Tayside Fire & Rescue provides a preventative fire safety service as well as dealing with incidents of fire and safeguarding the environment. They are proactively involved with local community in safe disposal of rubbish and fire safety in the home.



- Dundee City Council, via its key service Departments, delivers waste disposal, housing, social work, education, lighting, road safety education, leisure and community services which support the strategy in many ways.
- Dundee Voluntary Organisations Community Safety Network (serviced by Dundee Voluntary Action) helps promote the involvement and co-ordination of voluntary organisations and local community safety groups in the Dundee Community Safety Partnership.
- Scottish Children's Panel Reporter Administration & the Children's Reporters provide services and advice in relation to children and young people who are referred because they may be in need of compulsory measures of supervision.
- Procurator Fiscal Service provides legal enforcement services within the Criminal Justice System
- Specialist Voluntary Organisations deliver in partnership or are commissioned in part or whole to deliver a range of key services eg Victim Support, Dundee Mediation Service, Women's Rape & Sexual Abuse Centre.



Many of these organisations are also involved in specialist fora eg Dundee Domestic Abuse Forum, Racist Incident Multi Agency Panel.

- Youth Justice Group involves several agencies/organisations in the promotion of youth diversion options are represented on the above group who develop and oversee the range of options open to the Reporter and other key stakeholder organisations.
- Dundee Community Safety Partnership provides a key focus to the widest range of stakeholder organisations promoting community safety activities and works closely via a technical secretariat with the Dundee Drugs & Alcohol Team and the Dundee Young Person & Children's Protection Group.
- Dundee Wider Access Alliance provides a network opportunity for the major registered social landlords to co-ordinate policy practice and views related to their service provision.
- The Dundee Public remain the biggest significant stakeholder within this strategy. Their assistance is of primary importance to the Partnership's efforts.



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