Final Report

Developing effective housing management policies to address problems of anti-social behaviour

authored by

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ACKNOWLEDGEMENTS

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EXECUTIVE SUMMARY

This report presents research undertaken by the AHURI Southern Research Centre to develop effective housing management policies to address problems of anti-social behaviour (ASB). In recent years, public housing has increasingly become the tenure for individuals with limited incomes and a high level of social need. Furthermore, deinstitutionalisation policies in mental health provision have meant that individuals who in the past would have been provided with institutional care are now often residing in public housing. The intensive needs of many tenants result in a new set of challenges for housing managers in terms of supporting sustainable tenancies.

The term anti-social behaviour is used to denote a range of activities from the very minor (such as the dropping of litter) to more extreme forms of criminal behaviour (such as burglary and harassment). Though residents who engage in ASB may be few in number, their activities have a significant negative impact on the quality of life for their neighbours. There is a wide-ranging debate about the causal factors associated with ASB. The dominant view within the Australian housing profession and academia is that ASB is a symptom of wider structural factors such as unemployment and poverty. Therefore, the most desirable policies are those that are community focused and seek to address the causal factors associated with ASB. However, there is a strand of literature based on the 'underclass' theory that draws upon the work of Charles Murray (1994) claiming that individual fecklessness is the root causal factor for ASB. Such underclass theories have been especially influential in informing the contemporary practices undertaken by housing authorities in the USA and, to a lesser extent, the UK.

In Australia, State Housing Authorities deploy a range of strategies to address incidences of ASB. These include provisions within Residential Tenancy Acts to enforce conditions of tenancy, 'good neighbour policies', tenant complaint procedures, court orders, referrals to independent mediation services and, in extreme cases, eviction. However, while official policy frameworks for addressing ASB are in the public realm, very little is known about the extent of ASB, the ways in which housing managers actually respond to incidents and how tenants view the problem. In order to address these gaps in knowledge two case study investigations were undertaken in Bridgewater, Hobart and Christie Downs, Adelaide.

The findings from the case study investigations confirm that ASB is a serious concern to tenants and housing managers and that considerable time and resources are taken up in responding to ASB. On average, it was estimated that front-line housing managers spend at least an hour a day on ASB issues. This figure can be even higher for senior managers when complex ASB cases are referred to them. Area offices very often deal with at least 10 incidents a week. However, the real extent of ASB is probably far greater than this with tenants noting that many incidents are not reported because of concerns about retribution. Young people under the age 16 are often cited as the most frequent perpetrators of ASB, although some incidents are viewed by staff as a direct consequence of the deinsitutionalisation policies in health care that have meant more individuals with mental health problems are residing in public housing.

Housing managers perform an important role in preventing incidents of ASB and in responding to complaints from tenants. Evidence from the case study investigations show that staff adopt a range of proactive measures to reduce the risk of incidents taking place. The most effective interventions involve:

- Housing staff working directly with tenants on an informal basis and utilising their knowledge of the area to inform their decision-making and harness a sense of communal well-being.

- Flexible allocation policies

- Communication and publicity strategies, especially when these are undertaken with the local community.

- The establishment of neighbourhood renewal initiatives (i.e. Bridgewater Urban Renewal Project), which can play a vital part in tackling social stigma and restoring civic pride, both of which, in turn, can result in reduced incidents of ASB activities such as vandalism and damage to communal areas.

Housing managers, when the need arises, utilise other measures to deal with ASB, for example, probationary tenancies, which can be effective in making sure tenants are aware of their responsibilities and transfers for exceptional cases (although it was acknowledged that this might result in simply moving the problem on). The establishment of good working relationships with the police and other professionals (such as educational and welfare professionals) were viewed as being very valuable. The best modes of collaboration were judged to be informal arrangements at the local level alongside innovative practices such as 'officer next door programmes' whereby special arrangements were made for police to reside in public housing to increase their presence on an estate. Mediation services were also valued for resolving disputes, but only when both parties were willing to participate.

Finally, there was a view that policies need to be in place to deal with persistent ASB offenders who do not respond appropriately to complaints about their behaviour. In theory, eviction was deemed to be undesirable because the problem was not resolved but merely moved on to another locality or housing tenure. However, in certain circumstances housing managers and tenants felt that legal procedures and the threat of eviction could be useful as a deterrent.

The report concludes that a mix of preventive and responsive strategies is required to tackle ASB and that the institutional barriers that can undermine implementation need to be addressed. For example, issues relating to confidentiality were seen as an impediment to information exchange with the police and staff working in community corrections. Holistic policies informed by social justice perspectives are generally seen as the best forms of intervention in preference to the imposition of stricter sanctions and punitive measures such as those adopted in the USA and to a lesser extent in UK policy settings. However, the active engagement by housing managers in holistic approaches to ASB requires considerable time and expertise. It is therefore important that the necessary training and resources are made available if such policies are to succeed.

1 INTRODUCTION

This report constitutes the final output of research undertaken by the Southern Research Centre to develop effective housing management policies to combat problems of anti-social behaviour (ASB). Previous outputs from the research include: a Positioning Paper - that provided a review of relevant literature and a summary of existing policies used by State Housing Authorities in Australia; and a Work in Progress Report - that outlined details of preliminary research findings.

The Final Report builds on the earlier outputs of the research by presenting the findings from the two case study investigations undertaken in Christie Downs in South Australia and Bridgewater in Tasmania. The report begins with a discussion of the policy context and reiteration of the aims and methods of the research. Chapter Two summarises relevant literature on the theme of anti-social behaviour and discusses the trends and emerging policy themes in this area. Chapter Three explains the data collection strategy that has been devised to answer the research questions for the project. Chapters Four through Seven present the findings of the project and are organised along thematic lines to show how each of the research questions have been answered. The concluding chapter summarises the overall findings and sets out the key policy issues arising from the project.

1.1 Policy context

Anti-social behaviour is increasingly understood as a term that covers a range of behaviour from dropping litter, dumping cars, vandalism and noise nuisance to serious forms of criminal activity, such as harassment and burglary. Table 1 provides a typology denoting the type of activity that is commonly associated with ASB.

Table 1: Typology of anti-social behaviour[1]

EXAMPLES OF ANTI-SOCIAL BEHAVIOUR	
Excessive noise	Using and selling drugs
Unkempt gardens (those which attract the dumping of goods, creating eyesores)	Harassment (including racist and homophobic incidents)
Verbal abuse	Alcohol and solvent abuse
Uncontrolled pets	Intimidation
Vandalism	Dropping litter and dumping rubbish in public areas
Nuisance from vehicles (e.g. abandonment)	Intimidating gatherings of young people in public places

In recent years, evidence from within Australia (Judd et al 2002; Shield 2002) suggests that ASB is significant concern of residents living in public housing and that there is an expectation that housing agencies will address these concerns. These responses can take a number of forms, for example:

- Probationary tenancies;
- Evictions;

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1 Adapted from the UK Home Office (2003) website

http://www.crimereduction.gov.uk/toolkits/as020101.htm.

- Mediation in neighbour disputes;

- Policies to address a community's reputation;

- Strategies to enhance social cohesion and community status.

Though the numbers of residents engaging in ASB may not be large, their activities can have a disproportionate effect on the quality of other residents' lives. However, the consequences of ASB are not just a concern for the victims. Housing authorities are expected to respond and resolve issues and considerable time can be taken up in dealing with complaints. Often the inability of housing managers to prevent incidences adds to the disillusionment and sense of despair for residents. For the housing profession, the problem is significant because it effectively means that their role is increasingly one of social control, in addition to the costs of repairs and maintenance associated with vandalism and litter. ASB also has a long-term impact by undermining policies aimed at securing social cohesion and community empowerment. Incidences of ASB can also accentuate negative perceptions of social housing amongst the wider public (Flint 2002).

Although ASB is seen as a source of concern and a major impediment to successful housing environments, how ASB is best addressed remains controversial and there is considerable debate about how to proceed. For many welfare professionals, since the problems associated with ASB are viewed as a consequence of poverty, they are best addressed by increasing resources and material benefits. Until recently, this view was prevalent within the context of Australian housing, primarily because an overt focus on 'problem' tenants might not only be discriminatory but also accentuate stigmatisation. However, ASB issues have increasingly gained greater prominence in Australia, primarily because many tenants now expect action from State Housing Authorities (see Darcy, Randolph and Stringfellow 2002 and Peel 2003). Issues surrounding ASB have also been given prominence in both the UK and USA and a general consensus in both countries is that the problems caused by ASB cannot be resolved simply at the level of structure through broad level government policy and an individual response may be appropriate, even if this entails targeting individual households. The majority of UK and USA perspectives argue that the increasing residualisation of social housing and the impact of deinstitutionalisation in mental health provision is accentuating the problems of ASB for housing staff, since social housing is increasingly accommodating individuals with higher levels of need and more challenging behaviours than before.

While there has been considerable research on issues relating to ASB and social housing *per se* in Britain and the USA, there has been a paucity of research in the Australian context. It can be discerned from the available literature that there are several explanations for this gap:

- First, issues relating to ASB have been subsumed within the wider context of crime related concerns (see Judd et al 2002).

- Second, the term 'anti-social behaviour' is viewed suspiciously by many who fear that identifying ASB as an issue legitimises those perspectives that have sought to apportion responsibility on individuals without recourse to the social and political context.

- Third, it also possible that there is a reluctance to raise some of the issues associated with ASB because the experience of the UK and USA suggests that everyday perceptions are commonly intertwined within the rubric of racial stereotypes and social class. In the Australian context there is a concern on the part of some that publicity in respect of ASB might reinforce negative perceptions towards specific groups such as young people or Indigenous peoples.

However, there are indications that ASB is beginning to feature more prominently in Australian housing discourse. For example Martin, Mott and Landles (2002) and Westacott (2002) have highlighted the pressures that are accentuated by residualisation processes including ASB and crime. It is now recognised even by those who might feel uncomfortable with the term ASB that tenant behaviours can generate conflict and create additional demands and costs for housing agencies. Though no attempt has been made to measure the costs of ASB in Australia, evidence from the UK in particular suggests that a failure to tackle ASB can result in enduring and difficult legacies (Social Exclusion Unit, 1998).

In Australia, discussion of housing and ASB has featured in some of the evaluative studies that have sought to review policies to reduce crime on social housing estates. For example, Randolph and Judd (2000) and Stubbs and Hardy (2000) reported that practices that deploy sensitised allocation priorities and encourage tenant participation could have a positive impact on reducing the incidence of crime. However, there has not been any study that specifically looks at the role of housing managers in tackling ASB in the Australian context or any audit of existing policies that have been established by State and Territory housing authorities.

1.2 Aims and Methods

This research project sought to address these gaps in knowledge by exploring some of the issues surrounding ASB in the context of housing management practices. Specifically, the project has:

- Concentrated on the interface between housing management and tenant behaviour;

- Sought to examine the causes and effects of ASB in the Australian context; and

- Highlighted some of the effective policies housing managers can utilise to address problems of ASB.

The aims of the project were therefore both theoretical and practical. Theoretical in that the project sought to comprehend the extent of the problem and practical in that it sought to identify the different strategies used by housing managers to tackle ASB. It was deemed necessary to devise research methods that ensured the gaps in knowledge could be addressed. Three distinct techniques were deployed:

- A literature review that explored the concept of ASB and the significance of its usage in policy discourses and a review of existing housing management practices.

- An audit of existing practices across Australia.

- Two case study investigations to look more closely at specific initiatives and gauge the views of housing, law enforcement, education and welfare professionals and tenants themselves. A bottom up approach was adopted for the case studies by collating data from agencies and individuals who have been engaged in practices to address ASB.

A discussion of the methods and techniques are set out more fully in Chapter Three.

2 DISCOURSES OF ANTI-SOCIAL BEHAVIOUR AND HOUSING MANAGEMENT PRACTICES

2.1 Introduction

This chapter considers the influences that shape housing management practices and the emerging discourses surrounding ASB. It begins with a discussion on the literature that has sought to explain the emergence of anti-social behaviour discourse within housing management practice before moving on to discuss contemporary policies in Australia. The final section of the chapter considers the relevance of these issues for the current research project.

While housing management can be viewed as having a landlord function in maintaining housing stock and providing a service to tenants, it is useful for analytical purposes to provide a more contextual understanding of housing management practices. For example, it has been argued that the discourses that surround housing management reflect wider debates about the appropriate models of welfare provision. Haworth and Manzi (1999) and Flint (2002) suggest that two competing ideological perspectives inform housing management. On the one hand, there are those practices that are informed by notions of social control and regulation and on the other hand, practices that emphasise tenant empowerment. This tension between regulation and empowerment are evident in the range of practices that state housing authorities are expected to perform (i.e. rent collection and tenancy management, *contra* tenant participation, community renewal). Goodchild and Cole (2001) argue that contemporary housing management practices reflect the influence of more interventionist and managerial models that culminate in a series of policies aimed at addressing individual forms of behaviour.

2.2 The emergence of anti-social behaviour discourses in housing

Interest in how policy discourses inform the practices of housing management has been a recent feature of academic studies of housing (see Scott and Parkey 1998; Haworth and Manzi 1999; Goodchild and Cole 2001; Flint 2002; Jacobs, Kemeny and Manzi 2003). These studies have sought to show how housing management practices reflect and inform wider ideological debates about the nature of the welfare state. Haworth and Manzi (1999), for example, argue that housing management practices have been influenced by ideologies that emphasise social control and enforcement and that policies to address ASB are predicated on the assumption that tenants living in social housing require strict rules and sanctions for any transgression of tenancy rules. At the same time, Goodchild and Cole (2001) argue that housing management policies which address ASB are symptomatic of wider developments in social policy that foreground individual responsibility. These perspectives draw upon the 'governmentality' theories developed by the work of Rose (1996) and Dean (1999) that portend that welfare policies are increasingly used to impose sanctions on those who transgress rules and norms of behaviour.

While these studies are useful in explaining the emergence of ASB within housing management practices, there are other factors that have also been influential. In particular, the residualisation[2] of social housing alongside the deinstitutionalisation of mental health care practices has meant that individuals once provided with institutional care are now often accommodated in social housing. The assessment criteria for accessing social housing has been tightened in recent years so the proportion of

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2 The term residualisation is used to denote that social housing has, in recent years, become the tenure of the least well off.

tenants with acute needs has increased significantly (see Martin, Mot and Landles 2002). Further, the increasing residualisation of social housing has meant that poorest sections of the community are concentrated into smaller geographical localities. Burney (2000) argues that contemporary social housing estates accommodate disproportionately large numbers of households suffering from mental illness and exhibiting characteristics associated with poverty and stress. Social housing in Australia, like elsewhere, is now the home for those individuals who have little opportunity to exercise choice.

Although these explanations are generally accepted within academic contexts, there are other viewpoints that have been influential, especially in the realm of policy making. In particular, those theories that have sought to emphasise individual pathology as a cause of ASB. For example, Murray (1994) has argued that anti-social behaviours are a feature of a cultural underclass, who require appropriate sanctions and regulation if their behaviour is be modified. For Murray, the term 'underclass' denotes individuals and families with poor educational and vocational skills who choose not to seek employment and eschew training opportunities. In the Australian context, Murray's 'underclass' theories have been developed by writers, such as Sullivan (2000) and Saunders and Tsumori (2002) who have sought to influence policy debate by maintaining that the most effective responses are those aimed at the level of the individual. These writers cast aspersion on attempts to devise modes of intervention that are focused at the level of structure. They maintain that the imposition of rules is the most appropriate response.

A distinction can therefore be drawn between two competing perspectives to explain the emergence of ASB policies in the context of housing management. First, academic perspectives by-and-large adopt a social justice perspective that seeks to explain the incidences of ASB as a consequence of neo-liberal economic policies and the residualisation of the social housing stock. Those who adopt this perspective tend to emphasise the need for more resources for social housing and the need for community-based initiatives that seek to empower residents. Housing management strategies based on this perspective tend to adopt more holistic approaches, emphasising community renewal strategies and partnership arrangements, for example, tenant participation practices and neighbourhood forums that encourage tenants to collaborate with housing providers. Second, alternative explanations that focus on the *symptoms* of ASB highlight issues of individual responsibility as the primary cause of ASB. Those who adopt this perspective often call for policies that impose control and regulation. Notions of an underclass have been particularly influential in the promotion of housing management practices that seek to impose regulations and containment; for example, probationary tenancies, anti-social behavioural orders and eviction policies.

The evidence from international practice in the USA and UK illustrate how housing management policies reflect competing ideological perspectives. For example in the USA, the focus of many housing management policies is on individual responsibility. There is a propensity to engage in law enforcement and surveillance activities as a way of combating ASB. Research undertaken by Feins and Epstein (1997) and Grogan and Proscio (2001) provide examples of these types of policies involving warden schemes and additional police monitoring activities. There is also an emphasis on social control and legal sanctions are evoked to target perpetrators of ASB.

In contrast, the focus of much of the housing management policies within the UK involves social interventions. These policies seek to address the underlying source of ASB and can include the organization of social activities, self esteem projects and specialist service provision to address issues such as family violence and drug abuse (Armitage, 2002). The philosophy behind these forms of intervention is that dialogue and understanding can ameliorate some of the problems surrounding ASB. Two useful

examples of this approach are identified by Coles, Rugg and England (1998) in their study of housing practices that engage with young people:

- First, an oral history project that sought to break down barriers between youth and aged residents; and

- Second, provision of a space for young people on the estate, which can be used without any threat that law enforcement agencies will attempt to disperse the youth.

Whilst social intervention models predominate in the UK, there is evidence that the practice has been heading increasingly towards the deployment of more punitive measures. In part, the move towards sanctions and social control reflects a wider anxiety that the underlying causes of ASB cannot be addressed sufficiently and therefore more immediate actions are required. The UK government introduced new legislation within the '1996 Housing Act' and '1998 Crime and Disorder Act' to enable law enforcement and housing agencies to rapidly address ASB. Some of the practices put in place as a result of these changes in legislation include probationary tenancies, anti-social behaviour orders and fast track eviction procedures (see Flint 2002; Home Office 2002). The UK government's claim is that legal measures are required to address the most serious cases of ASB and that these policies are the most effective for persistent offenders (Cowan, Pantazis and Rose 2001).

2.3 Current practices in Australia

Data collected for the Positioning Paper showed that each State and Territory Housing Authority (SHA) in Australia has a set of policies in place to address ASB. In broad terms, these include a legislative framework, tenant complaint procedures, mediation practices and eviction policies. Public housing residents in each jurisdiction are subject to the conditions of tenancy as specified in their lease agreement. Each SHA's Residential Tenancy Act contains provisions specifying the requirement of tenants to respect the rights of their neighbours. On the whole, SHAs are reluctant to enforce eviction strategies unless all other options to resolve disputes have been explored. SHAs are also proactive in taking measures to address the causes of ASB. For example, in the ACT, The Housing Multi Unit Property Plan (ACT 2000) provides a framework of housing managers to address ASB practices including:

- Engaging in partnerships with the police;

- An early response to vandalism; and

- Actively seeking to develop formal discussions with tenant representatives to develop appropriate solutions.

In Tasmania, an incremental or tiered response is adopted and housing managers use their discretion in deciding the most appropriate forms of intervention. In some instances community mediation services are deployed and interagency policies are also used to tackle more acute problems associated with ASB. In New South Wales, the State Housing Authority:

- Operates a good neighbour policy.

- Will refer disputes where appropriate to independent community justice centres.

- Has set up proactive measures to prevent incidences of ASB, for example, 'the joint guarantee of service' with mental health agencies and the memorandum of understanding with the police.

- Provides outreach services for new tenants with prior experiences of homelessness at the start of a tenancy.

In the Northern Territory, the Residential Tenancy Act is the means by which housing managers address ASB. A series of incremental steps are taken to address the problem but eviction can be used as the ultimate sanction. In Queensland, housing staff adopt practices specified within the housing policy and procedure manual, though the term ASB is not specified, housing managers are encouraged to use their own judgement and discretion as to the most appropriate response. In South Australia, the Housing Trust has recently completed a review of 'difficult and disruptive tenants' (SAHT 2002). Housing managers are encouraged to take early action and tenants are encouraged to play an active role in seeking resolutions of disputes. In Victoria, housing managers follow guidelines established by the 'Dispute and Resolution Policy and Procedures' document alongside a 'good neighbours policy' to encourage tenants to resolve problems at their source. In extreme circumstances, when other attempts at resolution have failed, eviction policies are used. Finally, the Western Australia housing authority 'Homeswest' follows usual procedures but also deploys an allocation policy that vets tenants with a poor tenancy history. Those tenants with substantiated breaches of tenancy are referred to the regional managers for appropriate action. A matrix table showing the procedures of each SHA is set out below.

Table 2: Overview of State and Territory housing authority procedures to address problems of anti social behaviour.

	ACT	TAS	NSW	NT	QLD	SA	VIC	WA
Relevant Legislation	√	√	√	√	√	√	√	√
Working Definition of ASB	√				√3	√		√
Good Neighbours Policy		√	√				√	
Tenant Complaint Procedures	√	√	√	√	√	√	√	√
Mediation Practices	√	√	√	√	√	√	√	√
Court Orders	√	√	√	√	√	√	√	√
Eviction Policies	√	√	√	√	√	√	√	√

This brief summary of SHA policies shows that interventions to address ASB are generally conceptualised in terms of breaches of tenancy and neighbour disputes. The reluctance of some jurisdictions to define ASB or develop Good Neighbourhood Policies can be attributed to the difficulty of providing a clear working definition of ASB as well delineating housing and police authority areas of responsibility. Though the protocols provided by each State and Territory provide information about how ASB is addressed, it is difficult to discern how ASB problems are viewed by tenants and housing managers, the extent to which proactive and innovative practices are deployed, the role of law enforcement agencies, or the scope for effective partnerships with housing agencies.

2.4 Trends and emerging themes

The research undertaken as part of this project found that a new consensus is emerging in which housing agencies recognise the importance of adopting a range of measures that seek to address both symptoms and causes of ASB. In particular there is a realistic understanding that some interventions are unlikely to have a long-term impact. For example surveillance practices such as wardens and mobile foot patrols very often lead to displacement to other localities without any reduction in the overall level of ASB activity (see Hunter, Mullen and Scott, 1998).

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3 Queensland's Department of Housing use the term 'general behavioural complaints'.

The literature indicates that the most effective approaches are those that seek to prevent incidences of ASB through the deployment of partnership across agencies (Local Government Association, 2002). The evidence suggests that successful schemes usually entail a set of integrated practices such as social intervention measures, design modifications[4] and effective mediation. For persistent offenders however, more legalistic measures are sometimes seen by housing authorities in the UK as necessary. The procedures adopted include evictions and ASB behavioural orders. Although again the literature indicates that these measures may not necessarily ensure that underlying problems are addressed.

2.5 Conclusion

This chapter considered the ways in which discourses surrounding ASB have permeated contemporary social policy and housing management. In spite of reservations concerning stigmatisation, ASB issues are now recognised as a serious problem for housing agencies that, if not addressed, can accentuate the negative images associated with public housing in Australia.

The most effective SHAs policies recognise the seriousness of concerns raised by tenants and the potential of ASB to undermine community well-being. It is also recognised that while the causes of ASB are complex, the prevalent view within the housing profession is that incidences of ASB can be partly explained by structural factors (for example, residualisation processes and deinsitutionalisation policies). There is, however, an expectation that individual tenants who perpetrate acts of ASB should be held accountable for their actions and that housing agencies should be able to encourage tenants to recognise their responsibilities by promoting good neighbour polices and enforcing regulations within residential tenancy acts. This emphasis on tenants' responsibilities mirrors UK policy development that has sought to address ASB in an integrated framework.

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4 Issues relating to design modification to address crime on social housing estates are reported in the AHURI report authored by Judd and Samuels and O'Brien (2002).

3 METHODOLOGY

3.1 Introduction

This chapter outlines the methodology deployed to investigate the research questions for the project. The principal method entailed two case study investigations to explore current housing management practices, tenant concerns about ASB and the scope for inter-agency partnerships with agencies, such as the police and social services. The primary techniques included:

- A literature review of innovative housing management practice in the UK and USA. The information collected in this strand of the research is described within the Positioning Paper and provides useful data to develop models of good practice for housing managers in Australia.

- An audit of existing practices across Australia. Documentation was collated from all SHAs. The data maps the different responses each State has adopted in addressing ASB. Details were set out in the Positioning Paper and summarised in the preceding chapter.

- Case study investigations were conducted in two localities to explore in more detail the extent of the problem and measures that are in place to address these and other related concerns. The two localities were Bridgewater in Hobart, Tasmania and Christie Downs in Adelaide, South Australia. These locations were selected because they contain examples of innovative but distinct housing management practices. In each of the case study investigations, the following tasks were completed:

- Individual interviews with housing staff - six interviews per case study. Issues for discussion included the nature of their work, current practices in addressing ASB and problems and factors affecting resolution.

- Meetings with other relevant staff (law enforcement, social services, community workers) - 4 interviews per case study. The purpose of these meetings was to explore the scope for inter-agency working practices and partnerships.

- Tenant focus groups – 1 focus group per case study. The purpose of the focus groups was to gauge how tenants perceive current housing management practices and their expectations and views about how ASB should be addressed.

3.2 Research Questions

The data collection techniques as set out above were specifically designed to explore the following issues and questions:

- Identify, the emergence of new discourses relating to ASB and their impact on housing management practices.

- Ascertain the extent and impact of ASB within social housing.

- What are the most effective practices housing managers can utilise to address problems of ASB?

- What are the most appropriate forms of collaboration between housing managers and law enforcement agencies?

- What role can mediation and interventionist models have in resolving disputes between neighbours?

- To what extent can multi-agency approaches be used to address ASB? For example, cooperation with law enforcement agencies, welfare services and schools.

- What is the scope of innovative practices that housing managers can engage residents in to tackle ASB? For example, community forums, neighbourhood watch schemes.

- What policy options are appropriate for tenants who are found to be persistently responsible for ASB?

- What are the appropriate forms of legal redress agencies can utilise?

3.3 Case Study Localities

The Bridgewater area just outside the city of Hobart is an area of high social need. However, in recent years it has been the location for a community renewal program known as BURP (Bridgewater Urban Renewal Program). A feature of the renewal program is that local tenants and community groups orchestrate the management of services. It therefore provides a valuable example of tenant centred policies and a proactive approach to ASB concerns at the neighbourhood level. The population of the area at the time of the last census was 3,867, the median age 29 years and the unemployment rate 23.6%; the median weekly household income was between $400 and $499. There were a total of 1,438 dwellings in the locality of which over 45% were rented from the state housing authority at a median rent of $50-$99 per week. (ABS 2001a)

The second case study investigation focused on the Christie Downs area in the Marion/Noarlunga region of Adelaide. Like Bridgewater, Christie Downs is characterised by a high concentration of public housing. At the last census, there were a total of 2091 dwellings of which 28% were rented from the state housing authority. There are large numbers of elderly residents and a significant proportion of the population have special needs associated with housing stress including victims of domestic violence, mental health issues and ex-offenders (ABS, 2001b). In 2001, the total population was 4,934 and the unemployment rate was 17.3%. The median weekly household income was the same as Bridgewater, between $400-$500 per week. The median weekly rent was $50-99 per week (ABS 2001b). Table 3, Table 4, Table 5 and Table 6 below provide comparative ABS (2001a &b) data on the two areas.

Table 3: Employment (persons aged 15 years and over)

EMPLOYMENT STATUS	BRIDGEWATER	CHRISTIE DOWNS
Total employed	982	1,590
Total unemployed	304	333
Total in labour force	1,286	1,923
Unemployment rate	23.6%	17.3%
Total not in labour force	1,383	1,918
Total persons	2,669	3,841

Table 4: Family Types

FAMILY TYPE	BRIDGEWATER	CHRISTIE DOWNS
Couple family with children	415	1,874
Couple family without children	256	961
One-parent family	374	867
Other family	13	34
Total families	1,058	3,736

Table 5: Number of Persons and Dwellings

	BRIDGEWATER		CHRISTIE DOWNS	
Dwelling structure	Dwellings	Persons	Dwellings	Persons
Separate house	1,301	3,675	1,547	3,891
Flat, unit or apartment	108	135	423	752
Other	0	0	103	139
Not stated	3	7	0	0
Unoccupied private dwellings	83	n.a.	13	24
Total	1,520	3,855	2,180	4,806

Table 6: Housing Tenure

TENURE TYPE	BRIDGEWATER	CHRISTIE DOWNS
Fully owned	18.5%	27%
Being purchased	21 %	26%
Being purchased under a rent/buy scheme	2.6%	1%
Rented from state housing authority	46%	28%
Rented from other	8%	11%
Rented, not stated	0.3%	1%
Other tenure type	1%	1%
Not stated	2.6%	5%
Total	1,438	2,091

3.3.1 Current Housing Management Practices in Bridgewater and Christie Downs

Housing Tasmania staff5 work in accordance with the department's leasing policy (Housing Tasmania 2000). This sets out the terms and responsibilities of the lease and the consequences of any breach by tenants. Also important is the capacity building strategy which seeks ways to develop conflict resolution models within a community setting. Evictions are sought only as a measure of last resort when all other options have been explored.

Housing managers working for the South Australian Housing Trust operate according to the framework set out in the 'Difficult and Disruptive Policy and Procedures' (South Australia Housing Trust, 2000) and the Conditions of Tenancy that tenants are expected to abide by. Housing managers seek to take preventive measures in respect to ASB. The measures include providing tenancy support, customer incentives to reward tenants who make positive contributions to the community, community mediation services and general advice and support.

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5 In Tasmania, housing managers have been designated the job title 'customer services officer' but in this report they are referred to as 'housing mangers' for the reasons stated below in footnote 5.

Housing managers6 in both localities follow very similar protocols for dealing with ASB and are the first point of contact for tenants who choose to complain. Usually housing managers try to deal with the problem themselves, though if the incident is judged to be very complex or serious the problem is referred to Service Centre Managers. In practice, housing managers use their discretion as to how best to intervene but generally they work in accordance to their respective state housing authority procedures, which include:

- Informal and formal warnings with telephone calls, letters, field visits,

- Providing advice; and

- Using the threat of sanctions when necessary.

Complaints relating to ASB are usually, in the first instance, made to a tenancy officer and the complainant will be asked to put it into writing. The next step usually involves collecting supporting evidence about the incident. This may include contacting the police to see if they have had any involvement in the incident and/or whether anyone has been charged. It also necessitates talking to the complainant and the person being complained about. Once the different perspectives are gathered it may result in either an informal warning or official warning letters. Housing managers will usually contact support agencies, for example, in the case where a tenant suffers from mental health problems ASB is often an indicator that the person is unwell or that their support programmes have ceased.

3.4 Data Analysis

Each interview and focus group was recorded and transcribed, with the exception of several individuals who requested that their interviews were not taped. The transcripts provide a rich source of empirical data, containing details of housing management practices and tenant understandings of ASB and the role of housing managers in addressing ASB. Although the focus groups were small, participants were carefully selected to encompass a broadly representative sample to ensure that the information provided was pertinent to the aims of the research. A small remuneration fee was provided to participants in recognition of the time expended in attending the focus group.

The transcripts from both studies were collated by drawing together thematic issues in order to identify patterns, similarities and differences (Rice and Ezzy 1999). Table 8 below details the thematic areas used to analyse the data. A distinction was made between theoretical issues relating to the way ASB is understood and interpreted and the more practical issues relating to the strategies and procedures adopted to deal with ASB. Key quotations were selected in accordance to the overall aims of the research project. While the data is not sufficient in size to constitute either a representative sample or to make statistically reliable inferences, it nonetheless captures up-to-date and relevant perceptions of professionals and tenants in respect to ASB in the two case study localities. The data analysis was also informed by secondary research on ASB undertaken in the UK and the USA (discussed in detail in the Positioning Paper) that sought to identify practical measures to address the problem of ASB. In short, the data collected included a combination of secondary data sources, interviews and focus groups that together offer a foundation for investigating housing management practices to address ASB.

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6 'Housing manger' is used throughout this report as a generic term to cover the two jurisdictions and protect the anonymity of interviewees.

Table 7: Thematic areas

Theoretical
• Definitions of ASB: how was ASB understood and conceptualised
• Causes of ASB, different explanations that sought to explain ASB
• Changes over time: How ASB has changed over time and explanations for this
• Tenant responses to ASB: how ASB is interpreted and acted upon by residents
Practical
• Strategies in place and basic procedures
• Collaboration and tenant partnerships
• Legal issues, allocations, mediation
• Other agency involvement
• Persistent ASB offenders

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4 THE EXTENT AND IMPACT OF ANTI-SOCIAL BEHAVIOUR

4.1 Introduction

Chapters four through seven set out the findings of the research project and answer the practical research questions as outlined in the preceding chapter. Each research question is addressed in turn and draws upon the data collected from the two case study investigations and the secondary literature presented in the Positioning Paper. This chapter begins with a discussion of the discourses relating to ASB and how these impact on housing management practices. This is followed by an assessment of the extent and impact of ASB and how housing managers and tenants perceive issues relating to ASB.

4.2 Perceptions of ASB and emergence of new discourses

The interviews with stakeholders and focus groups discussions were used as an opportunity to probe how ASB is perceived and what effect it has within the neighbourhood. The data revealed that tenants, housing staff and other agencies perceive ASB as a term that covers a range of different behaviours. The spectrum of behaviours included: noise from parties and visitors coming and going, burnouts with cars and dogs barking. At the more extreme end ASB activity cited by professionals and tenants included harassment of, and disputes between neighbours (overhearing domestic violence incidents, people leaving rubbish, verbal abuse, trashing of lawns and backyard, graffiti, throwing rocks on the roof and throwing things at cars or over backyard fences). While ASB was generally articulated in these terms, there was also recognition that subjectivity is an important factor in determining whether or not ASB is perceived to be a problem. For instance it was recognised that what one person might find acceptable another might find insufferable. As one housing manager explained:

> It's anything that a tenant or neighbour finds upsets them, that isn't the norm. Music, wheelies on the road, or people coming and going at one or two o'clock in the morning. Some people can tolerate that, others can't. So if it upsets them and affects their right to quiet peace then its anti-social behaviour (housing manager: BW7).

However, at the more extreme end of the spectrum, ASB is often construed in more definitive terms:

> We have kids who are harassing neighbours, throwing rocks on their roof, smashing their letterboxes. There is general harassment where if someone is standing out the front they will say 'what the hell are you looking at' and may make threats. A lot of time the attacks don't actually take place but they do threaten (housing manager: CD).

Interestingly, in response to questions relating to the causal factors that might explain ASB, interviewees quite often framed their understanding of ASB within a context of interpersonal dynamics as not just interactions between individuals, but within a framework of family or group interactions:

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7 BW and CW are used as abbreviations for Bridgwater and Christie Downs respectively.

> Disputes between people, neighbour disputes, domestic violence, spreading out and involving other people in the community. Often a lot of the ASB is between families and between families or groups of relatives and the whole family is on this side or that side (school professional8: BW).

From the evidence gathered it is apparent that ASB is viewed as a generic term to accommodate a range of behaviours that impact negatively on individuals and the wider community.

4.3 The extent and impact of ASB within social housing

Evidence from the UK suggests that ASB is a serious concern to both tenants and housing agencies. For example, Nixon *et al* (1999) reported survey findings to show that 75% of UK social landlords considered ASB to be a problem, that 20% of housing managers' time is spent on dealing with nuisance behaviour and that between 2% and 10% of tenants on any given estate have been the subject of complaints. There seems no reason to doubt that an Australian survey would report similar findings. Although no survey was undertaken for this project, interviewees and focus group participants were asked about the extent and impact of ASB in the two case study localities and these findings are discussed first. The transcripts from the interviews and focus groups also provided some useful qualitative data about how ASB is viewed by tenants, housing managers and welfare professionals and in particular about who is responsible for ASB and its causes. These findings are discussed in the latter part of this section.

For obvious reasons, data on ASB is likely to underestimate the extent of the problem, as victims are often unwilling to report incidences either through fear of retribution or from a perception that reporting the problem will make little difference. Housing Tasmania data shows that ASB issues featured in 10.2% of all calls made to Housing Tasmania's Customer Services Hotline in the period June 2002-2003 (70 calls out of a total of 683). Bridgewater Service Centre received as many as 10 calls a week relating to ASB. Figures for the Noarlunga region show that 68 cases of ASB were reported in the month of July 2003 of which 31 were classified as minor, 31 moderate and 6 major. While these figures indicate that the problem is extensive, discussions with housing managers provide further insight. For example, a service centre manager working in the Christie Downs area highlighted the realities for housing staff.

> While it is up to a housing manager to prioritise their daily duties, responding to ASB can result in other duties being pushed to one side. This is more so when other agencies are involved and immediate responses are required.

Managers interviewed in both localities suggested that on average as much as an hour a day can be spent on ASB issues although in some cases the time is considerably more. For senior managers ASB can be more time consuming, as it is practice for housing managers to refer the most serious problems to their supervisors. The evidence collected provides a clear indication that ASB issues constitute a significant part of housing managers' workloads.

Interestingly, the extent of ASB was perceived differently in the two localities. Tenants and staff in the Bridgewater locality viewed ASB to be in decline, because of progress made in addressing the stigma of the estate. However housing managers thought that the reporting of incidences of ASB by tenants had increased in the broader Noarlunga Region, where Christie Downs is located. This was thought to be due to:

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8 The term 'school professional' has been used to maintain anonymity.

> Recent publicity about the Inquiry into the Trust's management on anti-social behaviour[9]. And I think that's made people aware and I think also people turn to the Trust to solve problems where they are arguing over issues. I think there is also intolerance. Big issues yes we deal with; but the small petty issues that the community expects the Trust to manage are over the top! (housing: manager: CD).

Another housing manager thought the problems were due to the type of people now residing in social housing. This manager said that problems of ASB

> Have got worse because of the clientele we are actually housing (housing manager: CD).

As already noted, reactions to ASB are affected by subjective values and perceptions. However, it is also evident that the impact of ASB on tenants varies from case to case, depending on the severity of the behaviour and whether or not the behaviour is habitual. It was especially significant that in the focus group discussions tenants pointed out that a secondary impact of ASB was the sense of induced powerlessness felt by the victim. Specifically, tenants considered reporting ASB a dilemma. If they did not report it or take action then the problem would probably continue. Yet, reporting the problem could result in retributive acts of ASB. Fear of retaliation appears to be a factor that deters people from making any complaint.

> If you do become involved by reporting them to the police or the housing department you become a bigger target because you've had the guts to stand up for yourself. We've got an old lady in our street whose too terrified to say anything because she's frightened of the reprisals that will happen (tenant: CD).

> We had 28 girls on our lawn baying for blood because one of their boyfriends had been arrested and they blamed us for it. One of them threatened to burn our house down and screamed at me through the window, I hope your children squeal when they burn. The police stood there and did nothing, I reported it to housing and housing did nothing (tenant: BW).

This problem of fear of retaliation was confirmed in comments made by a housing manager.

> Putting things in writing can actually aggravate the situation because, ''that person dobbed me in''…Then there'd be retaliation against that person by slashing their tyres, targeting their cars. Then we'd have to transfer them put because it was a dangerous situation (housing manager: BW).

4.3.1 Who is doing it?

There is no data available from the housing authorities about the ages of ASB perpetrators. However, in both Bridgewater and Christie Downs the perception from all of those interviewed was that ASB was undertaken mainly by young people, especially 13 to 16 year old males, 'visitors' and a small number of problem families. The following quotation was one of many that attributed ASB to these groups of people.

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9 The South Australian Parliament have recently completed an investigation into ASB but the findings have not yet been published.

> Youngsters and visitors cause most problems. There is a woman with three children who stays with tenants she knows and creates havoc in the process. We've got one very small group at the moment and they are very aggressive. There is a large family who require lots of social support and have a range of problems. They are currently engaged in an argument with another family and have a history of inappropriate behaviour (housing manager: BW).

The other group of people often labelled as perpetrators are visitors or 'outsiders'.

> It's not necessarily the tenants but their visitors. They think they don't have to come under the same laws as everyone else because they're just visiting (tenant: CD).

> It was their friends that were coming there that created the problems. But they didn't realize they were responsible for their actions (housing manager: BW).

4.3.2 What are the causes of ASB?

While young people were consistently seen as culpable, a range of views was deployed to explain the causal factors behind incidents of ASB. In the focus group discussions, tenants put forward different explanations. For example, some tenants attributed lack of parenting skills as a factor; a view that is similar to some of the underclass explanations of ASB referred to in Chapter Two.

> The parents have been brought up like it and they don't know so the children grow up like that. They're out on the street and their mother doesn't know where they are (tenant: BW).

Other views focussed on the physical environment itself; in particular, a tenant at Bridgewater cited environmental design factors

> You walk out of our front door and you're looking at their back door. It's the way the houses are built and positioned on the blocks. There's no screening, no protection for you. It's a matter of better insulation or different structure (tenant: BW).

A school professional highlighted the difficulty young people face in learning to develop conflict resolution skills. In her view this might explain why young people often perpetuate ASB.

> They tend to believe that slugging it out is the way that all problems are solved. There is a 'if he starts it' type of syndrome. It might be by fighting or saying something or doing something like looking at their girlfriend the wrong way (school professional: BW).

By far, he most common perception was that the ASB was a consequence of the limited opportunities available for young people.

> I think a lot of the issues we have around Christie Downs and other suburbs are due to the impact of deinstitutionalisation and high concentration of young people. Currently, thirty per cent of young people between 15 and 19 in this region are unemployed. Young people who don't go to school are often considered to be intimidating as they don't have anything to do but just hang around (housing manager: CD).

The range of explanations proffered by interviewees and focus group discussants include both pathological and structural explanations. The pathological interpretations emphasise the difficulties faced by many individuals under stress and with only limited resources to develop effective strategies. The structuralist interpretations emphasise contextual factors such as poverty, poor housing and unemployment as important causal factors. The divergence of viewpoints partly reflects the contested nature of ASB and the influence of competing ideological perspectives to explain ASB.

4.4 How tenants address ASB

The difficulties of addressing ASB are highlighted by accounts from tenants describing the reaction of perpetrators when approached. Not surprisingly, contacts that were courteous and addressed the problem at its source were more likely to be successful modes of intervention, as the following quotation makes clear.

> Going over there and banging on the door and saying *please* can you turn that music down. 'Sure love, no problem'. But if they'd have said go get stuffed I certainly wouldn't have called the police because they would've known (tenant: BW).

However, this type of approach was not always successful in resolving inappropriate behaviour. In another instance a tenant describes

> Two of my ex-friends tried talking to him and they ended up in a brawl. One knocked on the door and he came out and head butted him (tenant: CD).

One of the major difficulties for tenants is judging the most effective form of intervention. For instance, the issue of how far tenants should rely on authority to assist them was an issue that came up in both focus group discussions.

> There's only so much housing can do and all it does is cause trouble for you. We've either got to sort it out ourselves or move away and let somebody else have the problem (tenant: BW).

Nonetheless, tenants often held expectations that SHA staff could instantly solve problems. There had been times when, as one housing manager said:

> We've even had some neighbours so up in arms about certain families that they've had meetings saying they want these people out, but it's not as simple as that (housing manager: BW).

> People on the estate saw it as a huge problem and it prompted a public meeting with our Director and Minister requesting help for something to be done for the community. It was very serious (housing manager: BW).

Tenants described a range of responses from the SHA and considered that these varied depending on whom you actually got at the other end of the telephone. Their comments reflect the fact that there is no clear ostensive definition of what ASB entails:

> My complaints have been like Chinese water torture. Eventually I wear the housing department down and they'll do something (tenant: BW).

> I've always found housing to be responsive whenever we've called (tenant: CD).

> I think it depends who you get when you ring. I think sometimes housing gets asked to do something which is actually the police. The police are happy to say that's not our problem, you're a tenant, ring housing' (tenant: BW).

Given the difficulties of dealing with ASB some tenants may decide to take it into their own hands:

> If people feel that they are not getting the responses that they need from housing or the police for someone who's misbehaving they will take it into their own hands. A lot of people take pride in the fact that they will look after their own. Call that ASB and if the few are not dealt with and its not resolved satisfactorily for the broader community there will soon be more generalised ASB (tenant: BW).

For their part, housing staff emphasised that in some instances informal approaches can often be more effective than bureaucratic responses:

> We will go out and have a talk. I'm a firm believer in getting both sides because there are always two sides to a story. They will give them a bit of an off the record warning – 'if we hear any more we'll take further action'. Or we'll send them an official warning letter. Sometimes it works and sometimes it doesn't (housing manager: BW).

> Depending on the severity of the problem we will contact the neighbours, those we haven't heard from and ask if they've got a problem with that person. If it comes out that its widespread and there is a lot of concern then we bring them in and ask the manager to speak to them with us there to say this is not acceptable and if it continues to happen here are the steps we will take, we will have you evicted from the premises. We rely on the manager when it gets to that point where we need more oomph behind us (housing manager: BW).

4.5 Conclusion and Summary

The evidence collected in focus groups and interviews illustrates how tenants and welfare professionals understand ASB discourses. These vary between pathological and contextual interpretations of ASB. The seriousness of the problem is recognised by both tenants and housing staff and considerable time is committed in addressing the issue. There was a general consensus from housing staff that informal approaches are often the most effective in addressing ASB incidents. Tenants tended to adopt different strategies depending on the context and the predicament. Some tenants would chart their own course of action to address the problem either in the form of retribution or encouraging neighbours to take a stand as well. There was a general expectation that the housing managers had an important role in combating ASB. In the next chapter, the scope for effective housing management intervention is discussed.

5 EFFECTIVE HOUSING INTERVENTION STRATEGIES

5.1 Introduction

This chapter focuses on housing staff interventions to address ASB within the two case study localities. The key research questions are:

- What are the most appropriate forms of collaboration between housing managers and law enforcement agencies? And

- What role can mediation play in resolving disputes?

The data collected in both localities provide valuable information on what staff consider the most effective strategies as well as practical examples of innovative practices. The findings suggest that the most effective policies are those that address the causes of ASB as well as the symptoms and that solutions sensitive to these two factors usually produced the most favourable outcomes. There was a general consensus that the most effective forms of intervention were practices sensitised to the needs of the local community, that prevented problems taking place or managed problems to ensure that the effects were contained at the source.

Examples of effective intervention cited by staff and tenants include:

- allocation policies,

- probationary tenancies,

- transfers and communication strategies,

- working directly with tenants, collaboration with law enforcement agencies; and

- mediation services.

These interventions are each discussed in turn.

5.2 Allocations policies

Housing managers suggested that flexible allocation policies are very important in preventing ASB. For example, the introduction of a more flexible allocation policy in the Bridgewater locality, although originally intended to reduce the number of empty properties, had a positive impact by conveying to the residents that there was a demand for properties in the locality. A housing manager explained how reducing empty properties was a paramount priority even if this meant adapting the needs based allocation assessment criteria:

> The first step was to get properties occupied in order to remove the temptation of burning and vandalising them. This involved adapting the allocation processes and procedures in order to ensure that properties were occupied – for example putting a single person into a three-bed property. A very strong community development programme to tackle the stigma that was associated with the area accompanied this (housing manager: BW).

Flexible allocations policies can be very effective in preventing ASB from taking place, although such flexibility may not be possible in areas of high demand. In both case study localities staff pointed out that a sensitive allocations policy makes it possible to prevent potential problems:

> Sometimes the anti-social thing is happening because of where we place them. You mustn't set them up to fail. You just need a bit more information. We find single people need one bedroom. If we put them in two bedroom properties they've got all the hangers on and the parties, which go with that. Unfortunately, we don't own one-bed properties, only for elderly people and it doesn't work putting them all together. But if you had a very young mum you wouldn't put them in a street with seven others where we know there are issues (housing manager: BW).

While problems can to some extent be avoided by a careful allocation policy this is not always possible when the overriding policy objective is to address housing need. As stated in Bridgewater, the scope for innovation was possible because of the previous low occupancy in the area that allowed flexibility in allocating properties and matching neighbours. As demand in the area has increased and the availability of properties has declined there is less scope for this sort of intervention. This is also an issue at Christie Downs and particularly in relation to the recent change in allocation policies that involve tighter targeting and taking on more Category 1 (higher need) clients. One housing manager, in reflecting on these changes, posed the issue in the following way:

> There's more complex people now days. This is it. Where do you put them? It is extremely difficult (housing manager: CD).

While utilising sensitive allocation policies was viewed as an effective means to address ASB issues, in some circumstances this strategy will have only a limited impact, as one housing manager makes clear in the comments below:

> Christie Downs has the only walk-up flats in the region, ongoing issues related to drugs, criminal activities. Originally the flats worked quite well and there are still some long-term 86 year-old female residents. Over the years problems have got worse with various allocation strategies adopted. All youth didn't work, more mature people, but the more mature people wanting that type of housing turned out to be middle-aged separated men with drug and alcohol problems. Then you had a high density group of that…Now we conduct quite in-depth interviews on the suitability, for them as well, in what is involved in living in flat (housing manager: CD).

In summary, allocation policies are an important way to help minimise the potential for neighbourhood disputes and conflict. The scope for effective allocations polices are enhanced in areas of low demand but in areas of high demand other priorities tend to prevail (i.e. housing category 1 applicants). The increased demand for social housing and tighter targeting effectively limits the possibility of using allocations policy as an effective policy instrument.

5.3 Probationary tenancies

Another important innovation seen as very useful is probationary tenancies. South Australia operates a probationary tenancy scheme and, in Tasmania, probationary tenancies10 are a state-wide policy and hence not a specific initiative associated with Bridgewater. New tenants, previously unknown to the SHA are placed in conditional six-month tenancies. If these are successfully completed, they are given ongoing tenure. The housing managers described these conditional tenancies as positive in developing relationships between tenants and housing staff as:

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10 In Tasmania probationary tenancies are usually referred to as either 'fixed-term' or 'conditional' tenancies.

> They provide a structure so that if you have somebody on a conditional tenancy it means we can focus on them and the relationship you have as tenancy manager with the tenant is established at the front end of the process. People accept it and it helps lay the ground rules, what the expectations are and the ramifications if the expectations aren't met (housing manager: BW).

However, some tenants viewed probationary tenancies as less effective. For example, one questioned the efficacy of probationary tenancies as an instrument to tackle ASB in the long term:

> Lots of people can be good for three months and then its hell for leather and they show their true colours. In the first three months you're just getting to know your neighbours and the lay of the land. Once they've signed up for twelve months that's when it starts (tenant: BW).

5.4 Transfers

Neighbourhood problems involving ASB are not grounds for tenant transfer unless it is possible to prove that the behaviours are having a severe impact on the health and well-being of others. This situation is rare and other measures are usually put in place first, such as mediation. However, housing managers felt that in some circumstances, transferring a tenant was the only realistic solution. In both Tasmania and South Australia, in some cases, depending on the background to longstanding disputes, transfers are a justified course of action. As one housing manager working on Christie Downs pointed out:

> It is necessary to move one of the neighbours if the issue is clearly irresolvable. The moved tenant is placed on a probationary tenancy (housing manager: CD).

Tenant transfers can therefore be effective, particularly where disputes are not easily resolved. Nonetheless, transfers do not address the source of the problem and are unlikely to be an effective policy for more than a handful of cases.

5.5 Effective communication strategies

Housing staff felt that management of ASB could be enhanced by a communications strategy that publicises good news stories about the locality. While this can be done by the SHA, it seems that the most effective approach is for community-based agencies to undertake this task. In the Bridgewater area, the Bridgewater Urban Renewal Project (BURP) was instrumental in the promotion of positive stories about the locality in an attempt to address stigma. While the connection between communication strategies and ASB might not be immediately obvious, staff and tenants viewed effective communication as instrumental in facilitating an enhanced sense of community well-being. A tenant actively involved in BURP highlighted the importance of publicising success:

> We got some positive news stories out so that the general population got the view that something was happening in Bridgewater that was good. We orchestrated that and we had more people that were prepared to come and live in the area (tenant: BW).

In general terms, a key theme emerging from the data was that the best way for a communication strategy to succeed is through publicity generated by tenants themselves. An area's reputation, however poor, can be enhanced through a series of positive initiatives. For example, publicising 'good news' stories through local newsletters consciously promotes a more positive image and challenges stereotypical and negative images. This said, it is important to state that such communication

strategies are not in themselves a sufficient condition for effecting change and they require considerable resources and commitment from staff and tenants.

5.6 Working directly with tenants

All of the housing staff involved in the study emphasised that an individual, more personal approach between tenants and housing staff worked best. This meant working with those engaged in ASB, assessing the nature of the problem, referring on to appropriate agencies and generally taking an interest in what was happening in the community.

> You need to let them know that we will help them because a lot of the time the frustration and anti-social behaviour is due to other problems and sometimes you can get to the bottom of it and sometimes you can't. We 're not social workers and we haven't got a lot of time to deal with them but it does take up a lot of our time. Because we deal with it in the best way in the long run it's less work and more effective. And not only the perpetrators but the victims too. We keep in touch to make sure everything is okay or give them a ring to see what's been happening. You just let them know you're there as a neutral person and not there to take sides (housing manager: BW)

Hence, often the most effective forms of intervention are in circumstances where managers have detailed knowledge of a neighbourhood and have successfully built up relationships with tenants.

5.7 Collaboration between housing and law enforcement agencies

Housing managers and the police emphasised the importance of collaboration. In Bridgewater, the best example of collaboration is the 'Officer Next-Door' program, which was established in 1998 with the aim of providing a visible police presence on the estate. Police officers and their families are offered a house to rent for $5 per week in return for a six monthly report. Housing staff that have worked in the area for some time described the relationship with police as 'fantastic' but acknowledged that like any relationship work has to be undertaken by both parties for ongoing success.

> 'They'd help us out and vice versa without going too far. In order to make something work you need to know more and they've got the knowledge about how many times the police went out to that address, who was involved. It was really wonderful to have that. But because of a change over at the police station they are not so involved as they were 12 months ago (housing manager: BW).

However, working with the police was still described as an invaluable relationship and housing staff were able to circumvent the confidentiality issues that afflicted other relationships with agencies while at the same time respect the client's rights:

> Working with someone from the police whose willing to take that bit of extra time to sit down and talk to them rather than say 'get into my car you little so and so'. So we communicate with each other about individuals. It is only with the police where we can sit down and talk about what to do, how about I talk to his mother, that sort of thing. The other organizations we don't, as there's so much confidentiality. But when we're talking to the police we don't break anything and they don't either, we're just working towards the welfare of the person and the best way to go. And by working with them you can actually see the end result, whether he is being charged or going to court (housing manager: BW).

> We would talk to people or involve the police and the police in conjunction with us to get people to understand the nature of their behaviour and how it was affecting others (housing manager: CD)

5.7.1 Police community liaison group

Although informal contact with the police was described as very valuable there have also been more formal structures in place in Bridgewater. The Police Community Liaison Group met on a monthly basis and was open for the community to attend and to express any concerns. This was a police initiative in which the SHA, council representatives and tenants were strongly involved.

5.7.2 Community Corrections: Youth Police Diversionary Programme.

Housing staff suggested that much could be gained from further contact with community correction workers with knowledge of Bridgewater. One of the initiatives that is in place is a youth police diversionary programme. This aims to divert young people from the court system by working with them to resolve their difficulties and to provide retribution for their crimes. Community corrections staff also run the 'Offending is not the only Choice' programme which is a cognitive skills program encouraging pro-social attitudes and behaviour. It is a three- month group programme running twice a week with 8-12 adult participants. There is no formal involvement from housing staff on this specific programme.

While there is some collaboration between housing and community corrections there is more scope for working partnerships. A community corrections officer pointed out that an obstacle to working jointly with housing was the issue of 'confidentiality':

> I've never worked with housing to maintain a client in their residence or sort those issues out. Confidentiality clauses seem to come in all the time so we can't share information or anything; we just bear it in mind. So if I've got a client who might be in the frame for burning houses down, I can't go anywhere with it. The implication is that when there is serious crime in this neighbourhood its possible that those offenders are on our books. But we only find out down the track. If there were a threat of eviction we would only know if our clients told us. So if someone were having difficulties with neighbours or with their house we wouldn't know even though it is relevant to the work we do with clients (Community Corrections: BW).

The above comments highlight the capacity for community correction staff to take a more active role in the management of ASB. Their knowledge of the personalities and issues would also benefit housing managers. However, what are perceived as confidentiality issues can act as a barrier to effective collaboration, to the detriment of all parties. This issue is returned to in the final chapter of the report.

5.8 Mediation services

If tenants were amenable, housing managers quite often deployed mediation services to resolve disputes. For example in Hobart, a mediation agency 'positive solutions' receives approximately 30 referrals per year from Housing Tasmania staff. Housing Tasmania will pay for two pre-mediation sessions and one-to-two follow up mediation sessions. If both sides in the dispute are happy to meet they will be invited to attend a mediation session with one or two mediators. Participants are offered separate waiting areas if necessary and a choice of male or female mediators.

Usually an initial meeting would take two hours. At this meeting, courtesy rules are laid down, and if necessary private sessions offered with the mediator The mediator hears from both sides in turn and an agreement is reached on what the issues are and people's needs and concerns around each of these issues. In the final stage of the process agreement is reached between the two parties on a goal to resolve the dispute.

Housing staff in Bridgewater felt that mediation with an outside facilitator was a useful way of resolving certain disputes:

> We find it to be very successful and hopefully when an issue comes up you can get people to see that this is an option for them. There was a tendency to think that people in Bridgewater wouldn't access that sort of service but they certainly did and it was very useful and is still being used (housing: BW).

When tenants are willing to work with outside facilitators the chances of success are good. As explained by a mediator:

> Across the board in our services we get an 80% success rate in mediation. In neighbourhood work it might be 70% at a guess depending on how you measure success. We haven't done any research about how long the agreements hold in this area (independent mediator: BW)

However, one of the concerns was that in some instances it is difficult to discern how successful the intervention has been. As one housing manager commented:

> You don't really get any feedback from mediation. So beyond saying they are now our clients you don't see an end result. Occasionally the tenant involved will bring a copy of the terms and agreements that have been set up but a lot of times you don't see an end result (housing: BW).

In spite of this concern, tenants who attended the focus group considered that mediation was an effective approach:

> We had a problem with young boys in our street and they were targeting the school a lot. The father was brought in for mediation. He really saw there were a lot of neighbours that didn't like what they were doing and it worked. I haven't heard from them, they've been very quiet and the school hasn't been targeted as much (tenant: BW).

Housing staff at Christie Downs utilise mediation through the local 'Southern Community Justice Centre'. Mediation was considered successful for resolving some neighbourhood disputes:

> We had a huge dispute about where letterboxes were located and who used them and where they drove their cars in a court. Australia Post wanted to have all the letterboxes located there. And the person who lived there hated the way they stopped and banged their car doors and it was a major neighbourhood issue. It had escalated to the point where people were very unreasonable about it. We actually called everyone into the office and they agreed, had a choice about being part of it. We had done absolutely everything to resolve it. The mediator spent the entire day here. We weren't a party to any of those discussions and they made written agreements and worked it out from there (housing manager: CD).

In overall terms, mediation was seen as effective only in certain situations and there were obvious limitations, especially as:

> The dilemma is that people often put up with quite a lot of difficulty. When they can't stand the behaviour anymore they contact us and often that's past the point where mediation is useful (housing manager: CD).

> We have people with fewer skills able to handle mediation. Literacy is a major issue and often when people have mental health issues getting by on a day-to-day level is often as much as they can manage. These types of forums tend to imply a level of social skill people who are paranoid can't manage (housing manager: CD).

> Some tenants just don't want to go down that path. Fear of recrimination, sometimes the issue is just too far out of hand and in that case it's life threatening (housing manager: CD)

The mediation agencies also pointed out that in relation to public housing tenants:

> Not a lot of mediation happens…I don't know why that is. I think a particular problem with mediation is that the people in the community have a misunderstanding of what mediation is or the different ways of doing it. People think mediation means you have to confront your neighbours. There's things like shuttle mediation where you have just one party talking to the mediator or the other parties. There are different ways of dealing with it (independent mediator: CD).

> The people that we are seeing have so much else going on in their lives, so many other issues they're trying to deal with at the time. I think it all sort of gets blurred into one (independent mediator: CD).

The evidence collected suggest therefore that mediation can be effective but only in particular circumstances and when both parties are willing to accept responsibility for their actions. For particularly vulnerable people with a high degree of special needs, mediation is likely to prove less effective.

5.9 Conclusion

This chapter has explored specific housing management practices to address problems of ASB. While housing managers have the capacity to make useful interventions, the evidence suggests that no single policy is likely to prove sufficient and that in most instances multi-pronged initiatives are the most effective strategies. The most encouraging information relates to housing managers working directly with tenants and clearly there is considerable capacity for housing staff to reap the benefits of their long-standing knowledge of a locality and familiarity with tenants. However, the capacity for such work can often be offset by the time involved in completing other duties expected from housing managers such as rent arrears and the reporting of repairs.

6 THE SCOPE FOR MULTI-AGENCY APPROACHES AND INNOVATION

6.1 Introduction

While the previous chapter concentrated on specific housing management strategies that staff could undertake to address ASB, this chapter explores the scope for multi-agency work and innovation. It reports on some of the innovations currently operating in both localities to illustrate what can be achieved when agencies work together. While there is definite scope for a range of multi-agency approaches and innovation, considerable resources need to be set aside for these approaches to be effective. In both localities there was evidence to show that multi-agency approaches were successful, so long as they were sufficiently prioritised and properly funded.

6.2 Bridgwater Urban Renewal Programme

It has already been stated that a feature of Bridgewater is the extensive network of agencies working in the locality to improve conditions for residents. At the epicentre of the network is the Bridgewater Urban Renewal Programme (BURP). BURP was established in 1996 to facilitate improvements in the quality of lives for residents and address the negative image associated with the locality.

In the context of developing effective strategies, the Bridgewater Urban Renewal Project has played an important role in progressing partnership arrangements between tenants and government agencies including housing, education, law enforcement and social services. Both tenants and staff highlighted the role of BURP in ameliorating the conditions and stigma associated with Bridgewater. Tenants and housing professionals viewed the partnership as a catalyst for successful innovation. As the following comment makes clear, Bridgewater as a neighbourhood has been widely associated with social deprivation in the past

> Historically Bridgewater was one of the areas that problem families were sent to and the solution was to move problem families out to other areas. People coming into Bridgewater had an understanding that this was one of the worst places that you could live and were fearful. There were huge numbers of vacant properties and a variety of community development activities had been pushed into the area for a long time with little effect. Then the community itself began to recognise that something had to be done and that residents really wanted change and BURP was established (housing manager: BW).

BURP brings together key professionals working in the locality, including professionals from Bridgewater High, other schools and the police. In respect to ASB, the role of BURP has been invaluable, as it has provided an information exchange and a forum for developing partnerships. For example BURP enabled closer links to be forged between the school and the SHA and the school was able to provide background information on young people's concerns and what was happening in the area including disputes. As one housing manager said:

> If there was a particular issue that was becoming apparent everyone would put their mind to it and finally come up with a solution that might assist. By getting that sort of information and understanding via the school we were able to address the circumstances of the families from a residential point of view and link them into mediation. So by having the links operating we could respond in a way that we would otherwise not be able to do and more quickly perhaps than otherwise (housing manager: BW).

BURP has been widely credited with helping reverse the negative stigma associated with ASB. The following comment from a housing manager based on the Bridgwater estate typifies this view:

> It's not as constant any more or the viciousness and aggressiveness that it was going back 6 or 7 years. Crime and vandalism have gone down and this is in part reflected in Bridgewater now being more popular. Previously it was possible to get re-housed here even if you were category 7 applicants, now only category 1 tenants are eligible due to increased demand.' (housing manager: BW)

The success of initiatives such as BURP is that Bridgewater is now one of the preferred places to live for social housing occupants and there is currently a 98% occupancy rate. A representative of the school said violent incidents have decreased and there has been a shift from having behaviour problems to experiencing behaviour incidents. Tenants also reported a much better living environment and stronger community, as the following quotes make clear:

> There were lots and lots of things we had that were wrong and professionals were constantly telling us that we were wrong. Everything we did was wrong. We raised our kids wrong, talked to our husbands wrong, cooked wrong, the food we bought was wrong. We were forever being told we were naughty here, low income, unemployed, highest level of low literacy skills, naughty kids, and all our kids had bad teeth. What we did was gather people on board and we have people who will get involved and since then it's been win after win. We won seven awards for excellence in Tidy Town. We did it as people. It's no magic happens here, it was simply that all of us really do love living here. Now we don't really have to do anything because it just kind of happens for itself (tenant: BW).

6.3 Support partnerships

While Christie Downs does not have a partnership equivalent to BURP, there are some smaller initiatives underway that are worthy of mention. In particular the Southern Junction Youth Tenancy Program, which is an example of a custom designed service for young people with drug and mental health issues. Referrals are made by SA Housing Trust (SAHT) staff to provide assistance for tenants experiencing difficulty with their tenancies.

Although housing managers might refer individual tenants to social services for support, there has been little contact between housing staff and social services and linking between agencies has depended on individual relationships rather than formal mechanisms. However, there was a feeling that more cooperative partnerships were beginning to develop. Some housing managers felt that the relationship with mental health services in particular could improve:

> Some of our people that have mental health problems and they are sick and through no fault of their own can cause a lot of bother. I don't believe we have a good relationship with mental health. While they are applicants you will find the support worker offering support but once they are housed, they're just forgotten about. They don't seem to follow through and if you ring for assistance you don't get it even if you can get through to talk to the person (housing manager: CD).

> Lots of people who were in mental health institutions are now in public housing…. often the supports for that are spasmodic, infrequent and difficult to arrange and sustain (housing manager: CD).

However, one innovative project where the SAHT, mental health and other services are working together successfully is the Noarlunga Supported Accommodation Project. It entails a pilot project (two years) between the SAHT, Mental Health Services, Metro Community Access and Port Adelaide Central Mission. The project commenced in November 2002. It provides support to individuals who are exiting mental health institutions. Crisis plans are developed, whereby each agency has to state responsibility for the actions they will take in order to support the person to maintain a sustainable tenancy in the community. Most of the referrals are through Mental Health Services. The client can access mental health workers on a daily basis if needed. The housing managers consider that the project has assisted tenants who were previously in danger of being evicted to maintain their tenancies.

6.4 Working with schools and community groups

6.4.1 Educational initiatives in Bridgewater

The education department in Bridgewater is undertaking considerable work to tackle the root causes of ASB. Interventions involve short term and goal-orientated programmes, which attempt to engage parents. The programmes include:

- A boys' gardening group;

- Participation in the annual 'Rock Eisteddfod';

- A school farm for alternative teaching provision;

- An umbrella support service of social workers; and

- Guidance officers and support teachers who manage high level risk behaviour.

The largest secondary school in the Bridgewater area also works closely with pupils to address problems of ASB:

> Our basic premise about addressing student behaviour is you always have choices. We focus on putting responsibility for what they've done back at them so instead of being able to say it was his fault, he started it, he made me do it, I didn't have a choice. We emphasise you always have a choice. Staff know the kids really well and where they're coming from. They know about their lives. They are not just standing back and judging, they become aware of the difficulties they're having and they've got someone to talk to and touch base with. If they feel you're a non-caring punisher they accept it less than if you say I'm doing this because of your behaviour not because of the person you are. This is a very important distinction (school: BW).

6.4.2 Bridgewater Garden Club

In Bridgewater a Gardening Club currently runs two work for the dole projects with 40 participants and is just about to start a third project. The Club operates a free gardening service for the elderly and disabled and maintains approximately 160 lawns. The aim of the Club is to provide people with horticultural experience and build up their morale. People can undertake a work for the dole project every six months and the club has had some participants who have done up to 4 projects with the Club. Many of these participants are school truants who would like to stay with the club permanently as they prefer doing something practical to sitting in a classroom. At the end of each project participants are presented with a certificate of completion. The Club is currently developing this process into a recognised training facility for horticulture. Attendance is monitored and unexplained absences result in a loss of training credits. Altogether the scheme has had 76 participants and only about half a dozen who have not complied with the requirements. As the Club manager said:

A lot when they come here are disheartened and they've got a bad attitude and by the time they leave it changes totally, 360 degrees, right round. When they see the sort of people that they're doing the lawns for, they're happy. They start off as arrogant and by the time they leave they are mature and can understand the problems that they've seen. We're proud of them. No one would give them a go because they're from Bridgewater or Gagebrook. There's this stigma that degrades them and their esteem is so far down that if someone gives them a bit of trust they'll shine through. Ninety nine percent will prove everybody wrong. A lot of the time they need to be given responsibility and a bit of trust and somebody that takes an interest in them (garden club manager: BW).

6.4.3 The Christie Downs Community House

The Christie Downs Community House is a not for profit organisation that runs programs for residents of the local community. Activities include Breakfast Clubs (for kids) and recreational/educational programs, including a Computer Club and Tai Chi. Gold coin dinners are held, where for the cost of $2 participants can enjoy a three-course meal. There are also monthly lunches for $2.50. Housing staff were enthusiastic about the benefits of the programs run by the Community House:

I feel the reason I don't have a lot of disruptive tenancy issues is because when I go out and home visit I talk about the community house. I talk about what they've got. I leave information about what programs. I talk about their $2 three-course meals…. .If people wake up in the morning and think what am I doing today they don't ring me. They don't think what the neighbour is doing, they're busy, they're involved in something (housing manager: CD).

6.5 Conclusion

This chapter has provided examples of current innovative practices in the two localities and has shown what can be achieved when resources are established for specific projects. Without exception, stakeholders saw definite advantages in fostering a multi-agency approach in dealing with ASB. However, it is difficult to ascribe success and a reduction in crime to any one factor. It is likely, however, that the success of Bridgewater which personifies the multi agency approach is largely due to cooperation between agencies such as police, housing and community leaders and the adoption of joint approaches towards resolving particular issues. In this vein, it has been important that housing staff have been prepared to see their work in the broader context of the community. The most effective partnerships are those that actively seek to engage tenants and the wider community. It is also crucial that the SHAs are prepared to provide support for on-the-ground community work and for the efforts of their housing staff. This approach also enables early intervention, rather than relying on legal intervention at later stages of particular problems. Finally, it is important to state again that there are clear resource implications in establishing partnerships. Since the demands made upon housing management staff are already considerable, maintaining an array of partnerships can prove difficult without additional support.

7 POLICIES FOR PERSISTENT PERPETRATORS OF ASB

7.1 Introduction

Although innovative housing management practices and multi-agency working are invaluable as policy instruments for dealing with ASB, there is considerable evidence that a different range of policies are required for addressing more intractable problems in particular persistent offenders. This chapter focuses on specific policies that are used as a last resort when other forms of intervention have proved ineffective.

7.2 Dealing with persistent ASB offenders

Persistent offenders over the age of 16 years can be arrested by the police, dealt with through the courts and, depending on the crime, be removed from the locality. Housing managers reported that often persistent offenders are served with warning letters and notices but this process was frequently an insufficient deterrent, especially in serious cases of ASB. One of the housing staff suggested that:

> We should pursue the Leeds model (UK) where warning letters to disruptive models are sent out under the joint police and housing authority logos. This makes sure that the tenant realises that the agencies mean business (Housing: CD).

However, it was recognised that it is more difficult to deal with young persistent offenders (minors) for whom there are no criminal sanctions. For housing staff it means intensifying the involvement they already have in working with these minors:

> We do as much as we possibly can by working with them and calling in other assistance where possible. When we see broken windows in houses we always say it only takes one child with rocks rather than 15 and I think that is correct (housing manager: CD).

Some of the possibilities suggested by housing managers for dealing with minors included imposing supervision orders and sanctions on parents if their children were out of control.

7.3 Legal procedures and eviction notices

The problem of serial offenders who do not respond to strategies to change their behaviour leads directly to a discussion of eviction, which is the principal legal procedure that can be deployed when other policies are ineffectual. Housing staff involved in the study stipulated that eviction is enacted as a last resort.

However, in certain circumstances, some housing managers felt that evictions had to be carried out to serve as a deterrent and to indicate to tenants that the SHA was serious in its intent to address the problems of ASB when other measures had failed:

> In the past if there had been clear involvement in three anti-social behaviour incidents then in Tasmania the tenant was automatically evicted. Housing staff saw both the usefulness and difficulties with this. On the one hand it meant that eviction was a real threat…It helped us immensely. The police could say you've had two warnings, this is your third, I'll be letting the housing department know tomorrow and we would act on that (BW: Housing).

Many tenants interviewed for the project expressed similar points of view and supported pursuing eviction policies, in the belief that these policies would act as a deterrent for ASB once people realised that the SHA was serious in its intent to evict.

> I think with some families tough is the only thing they understand. They don't understand the softly softly approach. But then you end up at a point where kids don't know any different. They've said there's a tougher penalty and the behaviour is still continuing (tenant: BW).

In practice however, most respondents in Tasmania could not remember the last time there was an eviction for ASB. There is a notice of intention to vacate if the conditions of the lease are broken, but this is rarely issued.

In South Australia, eviction is pursued but it was reiterated by housing staff that it is used only as a last resort. Housing managers are committed to working with persistent offenders but sometimes circumstances make eviction inevitable:

> We work really hard to keep people in housing. It's not our job to evict and we try very hard. But when you have got a violent person next to an aged person that's eviction and it should be immediate, not mucking about (housing manager: CD).

However at both Christie Downs and Bridgewater it was recognised by housing managers that this is not a satisfactory long-term solution. Some interviewees considered that it would only result in moving the perpetrator elsewhere:

> We recently had an instance where a woman was on television and we had evicted her. Then a couple of months later the very same television program was contacting us saying 'she's homeless now what are you going to do' … it's [the SAHT] between a rock and a hard place at times (housing manager: CD).

> I don't like to evict anyone because I've done the job of trying to get people housed and they come back into the system and in five or six months time they're an applicant in another office and you've got to deal with it all over again. (housing manager: BW)

> Where do they go? That [eviction] just perpetuates the cycle (housing manager: CD).

Certainly, this viewpoint that eviction is not is a long-term solution is supported in the literature. While eviction sorts out problems locally it does not deal with the underlying causes. It is not uncommon for evicted tenants to end up in the same community, but in private tenure (Local Government Association 2002).

There are also practical obstacles to eviction and other legal procedures, as they require significant amounts of support documentation and a demonstration that every other avenue available for addressing problems of ASB and persistent offenders has been tried. Other problems were raised about the implementation process for eviction, in that the Residential Tenancies Tribunal requires witnesses and many tenants are too intimidated to become involved. Housing managers described situations whereby:

> A lot of tenants are frightened. Their attitude is you do your job. They've complained but they won't put it in writing. If they won't we can't take it further (housing manager: CD).

> You're reliant on taking witnesses in these particular cases. That can be difficult, because sometimes you have to speak to tenants and say, first of all if we get involved in disruptive issues the person knows where the complaints going to come from. So that can be the issue (housing manager: CD).

A related issue was that many tenants had expectations that the housing staff could easily and rapidly evict tenants, instantly solving the problems of ASB within particular communities. In turn, housing staff pointed out that the situations are often complex and housing staff have set processes to follow:

> They seem to think we have control to evict people at short notice. We can't evict people with very short notice. That's really difficult. (housing manager: CD).

7.4 Conclusion

The evidence gathered from the interviews and focus group discussions in both Bridgewater and Christie Downs indicate that evictions and legal procedures are a vexed issue. While some of the individuals involved in the study wanted tougher sanctions, the difficulty of actually enforcing evictions meant that this policy was rarely pursued. Tenants in both areas appear to understand that threats of eviction are rarely carried out. It was also acknowledged that evictions generally just move the problem to another area or housing tenure. In short, eviction policies as they are currently constituted seem largely ineffective.

8 CONCLUSION AND KEY POLICY ISSUES

This final report has used the qualitative data collected from the two case study investigations of Bridgewater and Christie Downs to examine the capacity of housing managers to tackle problems of ASB. It has sought answers to a range of questions that relate to; the extent and impact of ASB, innovative housing management practices and multi agency working and appropriate responses for persistent perpetrators. This concluding chapter summarises the findings and identifies some of the policy implications that ensue from the research.

8.1 Overview of research findings

The research findings indicate that housing agencies in Australia currently operate a range of different strategies to address ASB. In general terms, the evidence from both case study investigations and the audit of SHA policies suggest that housing managers play an important role in both preventing incidents of ASB from escalating and in responding to complaints from tenants. Furthermore, the evidence shows that housing managers are actively engaged in multi-agency partnerships and in utilising the expertise of other professionals such as mediation experts and law enforcement agencies, when necessary. While SHA protocols and the residential tenancy act provide a framework for housing managers, the most effective forms of intervention are often through informal contact with tenants themselves. For this reason, housing managers who have long standing knowledge of the locality and its residents are often the most skilled at diffusing minor ASB issues and instigating dialogue between irate tenants.

8.1.1 The emergence of new discourses relating to ASB and their impact on housing management practices.

The term ASB is best understood as a generic term that covers a range of behaviours that infringe on the right of tenants to enjoy their own home. There are a number of factors and processes that can explain the emergence of ASB in housing policy discourses, including the considerable debate over the best way to respond to problems of ASB.

- First and foremost, managers of social housing are often requested by tenants to respond to incidents of ASB and take action against offenders. In this respect, the discourse surrounding ASB stems from the demand of tenants for effective action.

- Second, neo-liberal perspectives within social policy have sought to foreground individual responsibility as a causal factor for poverty and crime. Furthermore, writers such as Murray (1994) have claimed that incidents of ASB and lawlessness are symptomatic of the failure of governments to establish enforceable rules and effective sanctions. Evidence from the USA and, to a lesser extent, the UK, has drawn upon this perspective to justify more punitive sanctions and rules in the management of social housing.

- Third, the arguments of Murray and others have been challenged by academics advancing a social justice perspective who maintain that a more effective response to incidents of ASB is to focus on the causes and, where possible, draw upon sensitised community based initiatives and holistic policies to address the problem.

In the Australian context, state housing authorities have sought to adopt a community-based response to ASB, although there is pressure from some tenants to adopt a more punitive response, particularly when the more serious incidents of ASB occur.

8.1.2 The extent and impact of ASB within social housing

ASB was a serious concern of tenants in both case study areas. Housing managers and other professionals interviewed explained that a considerable amount of their time and resources were taken up in responding to ASB. While it is difficult to provide a precise figure, housing managers estimated that at least one hour of their day, on average, was spent addressing ASB related issues. Furthermore, more complex cases are usually referred to senior staff so that in organisational terms there are repercussions elsewhere in the department. In the Bridgewater area it was estimated that housing officers deal with at least 10 incidents of ASB each week.

Both tenants and housing staff reported that many cases of ASB were perpetrated by young people, in particular, males under the age of 16. It was also suggested that some incidents stem directly from the state government level deinstitutionalisation policies that have meant more people with mental health needs are accommodated in social housing. Tenants recounted their difficulties in responding to ASB, in particular, some feared that reporting an incident increased the chances of retribution while others pointed out how reporting the problem would not necessarily result in effective action. Housing officers and tenants both endorsed forms of intervention that addressed the root causes of ASB, particularly community initiatives. However, some tenants wanted more rigorous enforcement of rules in cases where ASB is especially serious or a repeat occurrence.

8.1.3 Effective housing management practices

There is extensive evidence to show that SHAs deploy a range of management practices to address ASB. Many of the most successful are those that seek to prevent incidents occurring. For example, a locally based flexible allocation policy in the Bridgewater area was widely perceived to have prevented occurrences of ASB from taking place. Flexible allocations policies that can override more stringent needs based policies can help reduce the number of empty properties and hence reduce the risk of arson or vandalism. Furthermore it can ensure a better match of neighbour, for example separating elderly and young residents to minimise conflict over noise nuisance. However, in areas of high demand it was deemed difficult to operate a flexible allocations policy primarily because of the obligations to house category 1 waiting list applicants.

Other successful practices include probationary tenancies and transfers. Probationary tenancies were judged to be effective in establishing standards of behaviour for tenants who are new to the estate. However some tenants questioned the efficacy of probationary tenants pointing out that SHAs rarely terminated a probationary tenancy even if breaches of tenancy were known to have occurred. Transfers were seen as a useful policy response when other interventions to resolve ASB have proved ineffective. In particular, transfer could be used to diffuse the situation in neighbourhood disputes. However, there was acknowledgement that in most cases transfers resulted in moving the problem to another locality rather than resolving it.

The most successful housing management practices were widely reported to be those where housing staff worked directly and informally with tenants and used their knowledge of a locality and individual tenants to inform their decision-making. The benefit of having long term staff, so that relationships based on trust can be established, was seen as pivotal. Also apparent from the two case study investigations was the importance of having in place effective communication and publicity strategies. The establishment of the Bridgewater Urban Renewal Project by the housing authority in Tasmania was perceived as being instrumental in combating social stigma in the locality. The evidence from the case studies suggest that the efforts to publicise success and good news stories within the locality had a direct bearing on the way tenants perceived their social environment. For example, housing officers and tenants in the Bridgewater area suggested that one of BURP's most impressive achievements

has been its championing of participation practices to harness community well- being. The perceived decline in incidents of ASB in the locality was attributed to the success of BURP's role in the wider community.

8.1.4 The scope for collaboration with law enforcement agencies and the role of mediation

Good relationships with the police were seen as a vital component of an ASB strategy. Staff reported that information sharing and regular contact is especially important. However, effective collaboration does entail considerable time and energy and can impact on other service requirements. For this reason, informal contact is seen as both valuable and effective. Evidence from the case studies revealed that innovations between the police and SHA, such as the 'officer next door' programme, whereby the police presence can be enhanced by offering police discounted rents to live in social housing properties, have been effective. Such a scheme not only increases the capacity for informal contact to develop but also reassures tenants who are anxious about escalating crime and ASB. As well as the police, there is also scope for more contact between community corrections and housing staff, although here too informal arrangements are judged to be the most appropriate way to proceed. However, a particular barrier that needs to be addressed is the issue of 'confidentiality', which is deemed by interviewees as a significant barrier that undermines effective information exchange.

There is evidence to show that in certain circumstances when all parties are willing, the deployment of an independent mediator can help resolve long-standing neighbour disputes. However, mediation is unlikely to be an appropriate policy option for other kinds of ASB, in particular, those incidents that involve persons with a high degree of special needs (i.e. mental health problems).

8.1.5 Persistent offenders of ASB and the appropriate forms of legal redress that can be utilised.

There was a general consensus that eviction was ineffective as a way of responding to ASB because this action does not address the underlying causes of the problem. Furthermore, evicted households are likely to engage in ASB elsewhere once they move on. There are also practical problems in that evictions are time consuming and there is no certainty that the courts will uphold an eviction. In particular, housing managers reported that tenants were sometimes reluctant to provide evidence for the residential tenancy tribunals. However, tenants and some staff argued that eviction policy, in spite of the practical difficulties, was an important deterrent and might actually prevent incidences of ASB if tenants believed that the SHA was serious in its intent.

Evictions for ASB were not used as a policy instrument in Tasmania and only on rare occasions in Christie Downs. Other forms of legal redress, for example, enforcement measures such as the demoting of tenants to non-secure tenancies, were also available to housing managers but rarely used. In both case studies the options for legal redress were limited.

The views of housing managers and tenants highlight the quandary for SHAs in using legal redress for ASB. On the one hand, it was generally acknowledged that eviction is undesirable in that it results in the problem being moved on, but on the other hand it was considered a potentially useful deterrent that could prove effective if tenants really felt that their ASB activities might lead to eviction.

8.2 Policy issues

The research has identified the practices that are undertaken by housing managers to address problems of ASB and reported the views of tenants, housing staff and other welfare professionals dealing with ASB. The findings show that housing managers put considerable effort into responding to tenants' concerns relating to ASB and that the quality of life for many tenants would be seriously undermined without their intervention. It is also clear that the most successful polices entail a mix of preventive and enforcement strategies, while the most efficient means to implement these policies are informal partnership arrangements with other agencies. It is also evident that housing managers are most effective when they have the scope to exercise discretion and utilise their knowledge of the locality and their tenants.

Holistic approaches and inter-agency partnerships were viewed as most effective and these arrangements were seen as a means to generate mutual respect and understanding across professional boundaries. However, a careful balance is required to ensure that inter-agency arrangements are not too formalised and bureaucratic. A particular barrier to effective inter-agency working was the apprehension that information sharing can breach established confidentiality policies.

In the UK and the USA polices to address ASB have recently been buttressed by new legislation that enables housing departments to utilise fast track legal measures to evict tenants and impose sanctions on tenants who engage in ASB. In Australia, housing managers and other professionals in general terms eschewed more stringent sanctions or legally based polices in favour of more community-focused interventions. This research project provides evidence that important and valuable work is being undertaken by housing staff, the police, community correction agencies and schools to address ASB.

However, adopting a more holistic approach to ASB requires a range of skills and expertise (mediation skills, community participation and welfare support). It is important therefore, that housing staff who are currently being asked to perform this role are supported with specialist training and the necessary resources. This is paramount, as increasingly the tenants who are now housed by state housing authorities have needs that require a high level of intensive support. Finally, the problem of ASB in the Australian housing context is under-researched. In order to gain a more detailed understanding of the problems it is especially important that all social housing agencies develop a clear working definition of ASB as well as deploy data collection strategies and evaluation procedures to guide best practice.

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