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Audrey Nicoll MSP  
Convener  
Criminal Justice Committee  
Scottish Parliament  
Edinburgh  
EH99 1SP

16 December 2025

Dear Convener,

## **ANTISOCIAL BEHAVIOUR INDEPENDENT WORKING GROUP RESPONSE**

I am writing to the Committee to provide a copy of the Scottish Government's response to the report prepared by the Independent Working Group on Antisocial Behaviour.

Developed in close collaboration with COSLA and Police Scotland, the Scottish Government's response sets out practical measures aimed at improving outcomes for individuals and communities. It reinforces the importance of a victim-centred, preventative, and whole-system approach, underlining that addressing antisocial behaviour is a matter of social justice.

The report made five major recommendations, and I am pleased to confirm that we are taking forward positive action in respect of each. Many of the wider recommendations also cover a broad range of activity that already align well with existing government policy and ongoing work. There are a small number of areas where we may not be able to accept the recommendations in full, but the reasoning for this is set out clearly and reflects practical considerations rather than any difference in ambition. Overall, the report provides a strong platform for continued joint action on antisocial behaviour (ASB) and its underlying causes:

- **Ministers will directly engage meeting regularly with COSLA and Police Scotland with a focus on ASB.** This strengthens accountability at Ministerial level and ensures that I receive timely advice from those with operational responsibility, helping us integrate this directly into policy.
- **A comprehensive review of ASB legislation and guidance is underway**, building on existing work – such as consideration of enforcement powers to tackle ASB on the railway - and is expected to provide advice to Ministers early in the next Parliamentary session.

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- **We will strengthen the ASB evidence base**, beginning with amendments to the authoritative Scottish Crime and Justice Survey.
- **We will support the development of local ASB strategies**, including by providing grant funding, subject to appropriate due-diligence. We recognise the importance of these strategies, in line with the Working Group's comments on this.
- **We are investing in prevention**, such as the £26 million CashBack for Communities announcement and more recent youth work funding announcements. National preventative funding builds on a very wide range of existing work that is developed and funded at the local level.

I hope this is of use to the Committee.

Yours sincerely,



**SIOBHIAN BROWN**

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**Independent Working Group on Antisocial Behaviour  
Final Response**

**Part I: Statement of policy**

Most people in Scotland take their personal, social, and civic responsibilities seriously, contributing positively to the wellbeing of their communities. These everyday individual acts of respect and responsibility form the backbone of community life, and they deserve to be protected. Antisocial behaviour undermines this: it ranges from low-level but persistent nuisance to acts which are deeply harmful. This harm is not felt equally. Too often, it is those already facing disadvantage who experience the greatest impact.

Tackling antisocial behaviour is a matter of social justice. It is about recognising that people can live their lives in diverse ways, while firmly upholding everyone's right to feel safe in their own home and community. Getting responses to antisocial behaviour right not only improves lives, it also strengthens communities and upholds our shared commitment to a fairer and safer Scotland. By addressing the root causes of antisocial behaviour and supporting early intervention, outcomes for individuals and communities can be improved and better use can be made of limited resources.

In practice this involves:

- **Victim focus:** Victims want the authorities to take the problems raised seriously, to understand the impact on their lives and to protect them from further harm. They want the antisocial behaviour dealt with swiftly and they want it to stop happening. Therefore, people affected by antisocial behaviour should feel confident in reporting it and supported when they do. Timely, effective resolution of antisocial behaviour is in everyone's interests. Priorities must reflect the real-world impact of antisocial behaviour on individuals and communities, particularly those most affected by harm.
- **Focus on prevention:** Intervening with those who have already committed antisocial behaviour to ensure it stops, including through the criminal and civil justice systems or through a welfare-based approach such as the children's hearings system, if appropriate, has a preventative role in itself. However, prevention also requires addressing the underlying causes and reducing opportunities for antisocial behaviour. It means taking a broader view that recognises how life experiences shape people's actions, supporting individuals to move away from harmful behaviour in the long-term and supporting resilient, strong communities. The public health model already embedded in Scotland's violence prevention work offers a powerful framework for understanding and addressing antisocial behaviour. It focuses on:
  - **Primary prevention:** tackling root causes before harm occurs, including through early intervention and support with those at risk of being drawn into antisocial behaviour and their families.

- **Population-level interventions:** improving environments and systems, not just individuals, for example, through safer housing design, inclusive school cultures, and accessible community services.
- **Evidence-based policy:** using data, research, and lived experience to guide action and ensure that interventions are proportionate, targeted, and effective.

Prevention is not a single intervention but a mindset. It requires agencies to understand and address the root causes of harm, design out opportunities for antisocial behaviour, and support individuals to make positive choices. This includes embedding trauma-informed practice, supporting resilience, and creating safe, inclusive environments.

- **Whole system working, continuous improvement and public trust:** A whole-system approach must be dynamic and adaptive. Agencies should routinely evaluate what works, share learning across organisational boundaries, and be open to innovation. This includes using data to identify emerging trends, testing new approaches, and scaling up effective practice. Public confidence depends on people seeing that their concerns are taken seriously and that agencies are working together to resolve them. This requires robust local and national oversight arrangements, including independent scrutiny, peer review, and regular public reporting on outcomes.

Section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004 sets out the definition of antisocial behaviour. It says that a person is involved in antisocial behaviour if they act in a manner that causes or is likely to cause alarm or distress; or pursues a course of conduct that causes or is likely to cause alarm or distress. In this definition 'conduct' would include speech, and a course of conduct must involve conduct on at least two occasions. The expression 'likely to cause' means that someone other than a victim of the antisocial behaviour can give evidence about whether behaviour is antisocial or not. It is the effect or likely effect of the behaviour on other people that determines whether the behaviour is antisocial.

No legislation has attempted to break down a broad definition of antisocial behaviour. However exhaustive lists of behaviour considered antisocial by central government would be unworkable and anomalous. Antisocial behaviour is inherently a local problem that looks and feels different in every area and to every victim. It is a strength of the current statutory definitions that they are flexible enough to accommodate this.

This flexibility rightly places key responsibilities for action at local level, to professionals who, with the community, are best placed to understand and respond to the realities of antisocial behaviour. Parliament sanctioned this approach - a partnership of local agencies working together to tackle antisocial behaviour - in a number of ways:

- Under the Antisocial Behaviour etc. (Scotland) Act 2004, each local authority and the Chief Constable of Police Scotland share a statutory duty to jointly develop and review antisocial behaviour strategies for each local authority area. National guidance says these strategies should outline the antisocial

behaviour issues in the area, the current and required services to address them and how the local authority and Police Scotland will coordinate and share information. These plans are not subject to Ministerial approval, reflecting a system built on local accountability and the best value duties already imposed on both local authorities and Police Scotland to deliver continuous improvement in delivery of their functions.

- Under the Police and Fire Reform (Scotland) Act 2012, the Chief Constable of Police Scotland is under a duty to ensure that there are adequate arrangements in place for policing within each local authority area and is required to submit a local police plan to the local authority for its approval. The plan must set out the main priorities and objectives for policing the local authority area, based on intelligence and aligned with national Police Scotland strategic objectives.
- Many other organisations working at local level also have vital roles. Community planning, as set out in the Community Empowerment (Scotland) Act 2015 provides a key mechanism for aligning the efforts of these organisations. This mechanism should be effectively enabling partners to identify and act on shared local priorities including antisocial behaviour. Section 6(1) of the 2015 Act requires each Community Planning Partnership to produce and publish a Local Outcomes Improvement Plan and develop local Locality Plans, which cover smaller areas within the CPP area, usually focusing on areas where people experience poorer outcomes.
- Since the recognition in law of antisocial behaviour as a distinct concept in 1998, legislation has focused on empowering local agencies to intervene earlier and more effectively, giving them tools and powers they need to act. This includes a range of specific measures such as antisocial behaviour orders and closure orders that allow decisive action without immediately pushing people into the criminal justice system. Importantly, these powers have been conferred on operationally independent bodies - principally Police Scotland and local authorities - who do not require recourse to Ministers to use these powers. These bodies and others with responsibility for tackling antisocial behaviour at local level are responsible for ensuring their staff are properly trained, supported, and managed to carry out their duties effectively.

Many professionals across Scotland are working tirelessly to address antisocial behaviour and its underlying causes. This includes professionals in policing, local government, and the third sector, many of whom are achieving meaningful results in their communities. Much of this work takes place in areas not always immediately recognised as part of the ASB response. For example, in a local authority, areas such as adult social care, children's services, culture and leisure, environmental services, housing, economic development, and planning would be involved. These services play a vital role in creating communities that are not only safe, but where people feel safe. Their dedication, often in challenging circumstances, deserves recognition and thanks. Their work is why the latest Scottish Crime and Justice Survey shows that in the latest year, around a third (34%) of adults thought that

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people behaving in an anti-social manner in public was common in their area, down from 46% in 2008-09.

Parliament has established a multi-tiered system of oversight, combining national scrutiny bodies – such as HM Inspectorate of Constabulary and the Accounts Commission, which operate independently of Ministers – with local scrutiny by elected councillors. Individuals who feel a service has failed them can escalate complaints to an ombudsman, ensuring access to redress that is free from government or provider influence. When functioning effectively, these mechanisms build trust, drive improvement, and uphold public confidence. Scrutiny bodies are responsible for being transparent about how they monitor antisocial behaviour and how they ensure standards are maintained. In that context we are pleased to note that HM Inspectorate of Constabulary in Scotland will be inspecting community policing which will include an element on antisocial behaviour, working with partners and how prevention is at the heart of the work done to improve the wellbeing of communities.

Ministers are ultimately accountable to Parliament for safeguarding the public. Parliament has given Ministers limited statutory powers in respect of antisocial behaviour and these are mostly designed to assist, rather than direct, local action. Scottish Government policy and funding serve as non-legislative tools to strengthen, not replace, local leadership.

Trends indicate a welcome reduction in antisocial behaviour, reflecting the impact of effective interventions and community effort. This progress is encouraging and demonstrates that positive change is possible when individuals, communities, and public services work together. However, it is important to recognise that such improvements must be sustained; there can be no room for complacency. We must continue to learn from the initiatives that are proving successful, strengthen our collective response, and ensure that every community benefits from safer and more respectful environments

### **Part II: Response to main recommendations of Independent Working Group**

In the context discussed above the Independent Working Group's report is a very important contribution to our thinking. That said, the report itself acknowledges important methodological limits: for instance, limited comparison across the wider UK and no engagement with young people or with some of the communities most affected. The Group did not examine in detail the influence of social media platforms and the role of education. Both topics are currently being considered in parallel work. For example, on 8 May 2025, the Cabinet Secretary for Education and Skills delivered a detailed statement to Parliament outlining progress on the national action plan on relationships and behaviour in schools. These actions reflect a whole-system approach to improving school environments and align closely with wider efforts to prevent antisocial behaviour and support young people at risk.

While the Independent Working Group's report therefore provides valuable insights, especially in its evidence of poor victim experiences that must never be overlooked, we recognise that it does not constitute a comprehensive or final evidence base. We also do not underestimate the complexity of the social factors and changes that

underpin antisocial behaviour ranging from post-pandemic shifts in behaviour to evidence of some weakening of societal bonds such as a fall in formal volunteering and a fall in overall social capital since 2013. These dynamics interact in ways that demand a redoubling of effort to deliver the kind of holistic, preventative, and partnership-based approach described above.

We will continue working to build on progress. We will continue to work closely with COSLA, Police Scotland, and other partners to deliver on the report's recommendations. We recognise the efforts already being made locally, despite competing pressures, and welcome the good practice highlighted in the report. We are confident that further progress can be achieved and communicated. We expect this work to continue, with a clear focus on demonstrating continuous improvement.

In this context, we respond to the recommendations of the report as follows.

**An oversight board, chaired independently, be formed to support a whole system approach to drive change; commissioning work from organisations to support change and meet identified actions; develop a framework for strategic deployment of resources; provide leadership to the sustainable delivery of upstream prevention and achieve effective partnership working.**

As noted above, public authorities are already under statutory duties to engage in community planning and deliver best value. These existing frameworks require effective partnership working and continuous improvement in the strategic use of resources. These local mechanisms can work best to respond to the highly localised nature of antisocial behaviour. They are supported by groups including the Scottish Community Planning Managers Network and the Community Planning Improvement Board.

It is also important to recognise that an Antisocial Behaviour Strategic Board has been in place in England and Wales for some time, yet available evidence suggests it has not resulted in a significant shift in public perceptions of antisocial behaviour. According to the Crime Survey for England and Wales, perceptions have remained broadly stable over the last decade.

It is therefore our view that any new national structure must clearly demonstrate added value, avoid duplication, and – crucially – must not dilute the accountability of officeholders who are ultimately responsible for local outcomes and public confidence. We therefore believe it is more constructive at this stage to focus on supporting accountability within existing arrangements. As part of this, Ministers will continue to take direct action on specific forms of antisocial behaviour that have generated significant public concern, in coordination with partners. One such example is the misuse of off-road vehicles, including e-bikes and e-scooters. Following a Ministerial roundtable in February 2025, the Scottish Government has coordinated cross-sectoral work. Key developments include:

- Understanding there has been a sharp increase in Police Scotland's enforcement activity, with seizures of illegally modified vehicles rising significantly.

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- Communications activity and ongoing work to explore legislative and operational options around seizure, storage, and disposal powers.

These actions reflect a clear Ministerial commitment to improving safety in affected communities and to working collaboratively across sectors to address emerging forms of antisocial behaviour.

**Our recommendation is that the current legislation, definition and guidance is reviewed and revised. This review should consider what support and training will need to be provided and how any new legislation will be implemented.**

We accept the recommendation to undertake a review that can embrace both primary and secondary legislation. More detail on the methodology for this review will be set out in due course. While the Independent Working Group did not make specific proposals for legislative change, and there have been no recent formal calls to Government for major revisions of the legislative framework, we remain open to legislative reform where a clear and evidence-based case can be made. This includes the opportunity to reflect openly, notwithstanding our current position as set out above, on whether the definition of antisocial behaviour remains fit for purpose.

It is worth noting that Scotland's legislative approach in this area has benefited from a period of relative stability, in contrast to more frequent amendments seen in other parts of the UK. That said, the framework has not remained static. For example, the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 adds important provision relevant to any work involving children and young people.

Existing legislative powers for public authorities are already wide-ranging. Their effective use, however, depends on the culture, leadership, and resources of those applying them. Ensuring practitioners are confident and equipped to act now is as crucial as any future legal changes. As noted, these matters are already subject to independent scrutiny, and the responsible bodies must be accountable for their actions on antisocial behaviour.

In accepting this recommendation, we are mindful of recent experience in Northern Ireland, where proposals to amend antisocial behaviour legislation, particularly around antisocial behaviour orders, have proven finely balanced and at times contentious. This highlights the need for careful consultation; at all events any legislative changes will be subject to full impact assessment, including financial costs, equalities and rural considerations, in line with standard practice.

**The group recommends a systematic review of data and information gathering, analysis and exchange to enable more effective flow of data, better information gathering, new systems for reporting antisocial behaviour and a clearer understanding of what antisocial behaviour is and what should be reported and to where and to whom.**

We agree that gaining clearer insight into what people perceive antisocial behaviour to be, whether they have experienced it, and the impact it has on their lives is a valuable and important goal. Indeed, local analysis and provision for information



sharing is a statutory requirement of an antisocial behaviour strategy under section 1(3) of the Antisocial Behaviour etc. (Scotland) Act 2004.

Police Scotland, local authorities, Registered Social Landlords, and the Scottish Fire and Rescue Service already collect valuable data through incident logs, complaints, and other intelligence. Strong local multi-agency working can lead to integration of data and information to provide a comprehensive and timely understanding of antisocial behaviour in communities.

At a national level, we are committed to supporting better information gathering where it can add value. To this end, we will review the approach taken by the Scottish Crime and Justice Survey (SCJS) on antisocial behaviour. The SCJS is Scotland's flagship crime survey. It is a large-scale, nationally representative survey that captures people's experiences of, and attitudes toward, a range of issues related to crime, policing, and the justice system, including unreported crime.

We will explore how the SCJS can be updated to expand its remit in this area, with the aim of producing a nationally representative and quantifiable set of new analyses. This will help build the evidence base on perceptions and experiences of antisocial behaviour and allow progress to be tracked over time.

**The group therefore recommends the development of a preventive framework outlining the supports and resources within public services to achieve upstream prevention, encompassing tests of change and scaling up evidence-based, existing preventative activities to be rolled out across the country.**

We strongly agree that well-coordinated, evidence-informed prevention is essential. Since the report's publication, we have already begun translating this into concrete action through the levers that lie directly in Ministers' hands.

For example, the First Minister has confirmed that a further phase of CashBack for Communities – a distinctive funding stream falling to Government to allocate because it is derived from recovered proceeds of crime – will run from 2026 to 2029 with a record budget. Cashback for Communities supports young people most at risk of being involved in antisocial behaviour, offending or reoffending. The programme will continue to invest in projects which promote safe spaces, trusted adults and a range of positive diversionary and support activity for young people, aged 10 to 25, to help tackle some underlying causes of antisocial behaviour and criminal activity. This is a significant, tangible expression of the Government responding to the report's call for bold, upstream prevention.

This work will continue on an ongoing basis. At the same time, we recognise that there is no appetite to introduce any level of ringfencing for the police or local government funding specifically for antisocial behaviour. For example, any attempt to introduce greater national direction or control over local funding decisions would not be in the spirit of the Verity House Agreement, which reinforces the importance of empowering local government and fostering a collaborative and flexible approach to public service delivery.

Many of the aims described in this recommendation are already established within statutory guidance on community planning. That guidance sets clear expectations that community planning partners plan and resource preventative action at the scale needed to secure long-term improvements in local outcomes. This includes a shared focus on early intervention with at-risk groups, reducing future demand on crisis services, and applying local knowledge and co-production to direct resources where they will have the greatest preventative impact.

Public authorities subject to these duties should be able to actively demonstrate compliance, and as previously noted, it is for independent scrutiny bodies to oversee and assess performance against these obligations. Given the highly localised nature of antisocial behaviour, it is critical that any national prevention framework is carefully designed to reinforce, not duplicate or displace, existing statutory duties and governance structures.

A strong example of this kind of system-wide, evidence-informed improvement is the Local Policing Service Delivery Review, led by Police Scotland in partnership with the Scottish Police Authority. This programme has taken a service design-led approach to rethinking how local policing is delivered, with a clear focus on prevention, community wellbeing, and operational effectiveness. Following extensive engagement and analysis, the LPSDR has now evolved into the Policing Our Communities Programme, which brings together six workstreams into three core projects: the Communities First Project, the Local Crime and Public Protection Project, and the Local Policing Enabling Services and Support Project.

This structure reflects a clear commitment to aligning policing with community priorities, improving outcomes, and reducing harm. It also demonstrates how Police Scotland is proactively responding to the changing nature of demand including the rise in complex vulnerability and digital crime while embedding a culture of continuous improvement and local accountability. This work directly addresses many of the themes raised by the Independent Working Group and provides a model of the kind of strategic, preventative, and partnership-based approach that is essential to tackling antisocial behaviour effectively.

**Our recommendation is that all local authorities review and update their current Antisocial Behaviour strategic arrangements and strategies, to ensure a dedicated focus and spend on the prevention and addressing of antisocial behaviour. Local Authorities should publish a dedicated Antisocial Behaviour Strategy as required by the Antisocial Behaviour etc (Scotland) Act 2004, rather than include antisocial behaviour within wider strategies such as community safety.**

Each local authority, together with the Chief Constable, is already legally required to prepare, publish, and keep under review a strategy for dealing with antisocial behaviour in their area and develop a local policing plan. These strategies and plans must set out the extent and nature of the problem locally, the services and resources available to address it, and the arrangements for joint working with other agencies.

We agree with the importance of maintaining a clear and dedicated focus on tackling antisocial behaviour. Preparing, publishing, and keeping under review a strategy is a

key opportunity to build public confidence, particularly given it is critical for elected councillors to be actively engaged throughout the process. It is important that a high-quality, structured approach to developing and reviewing the strategy is maintained with the methodology clearly explained within the strategy document itself. For example, good practice would suggest that problems are best addressed in the following way. This should be clearly demonstrated in any strategy:

- Recognition of the problems and definition of the causal factors;
- Effective data collection, analysis and multi-agency sharing, drawing on a range of evidence and learning from other areas;
- Effective cross-organisation tasking and problem ownership with a focus on long-term preventive action that tackles the root causes; and
- Review of outcomes, evaluation and re-prioritisation at multi agency meetings to ensure that problems are controlled and effectively tackled.

As noted above Police Scotland and local authorities hold the legal responsibility for designing and delivering local antisocial behaviour strategies and local policing plans and as previously noted it is for independent scrutiny bodies to oversee and assess performance against these duties and expectations. Alongside this, mechanisms like peer review should be embraced to help to test local approaches, challenge assumptions, and drive continuous improvement.

We agree that it can be unhelpful if antisocial behaviour is treated only as a subset of wider community safety issues. That may result in diluted attention or unclear accountability. Antisocial behaviour remains a key issue for many communities across Scotland and merits a clear and visible response in its own right. At the same time, we recognise the importance of integration and coordination within a coherent and joined-up local policy framework to deliver the most effective results for communities. Clear links could be made, for example, with violence prevention work. Aligning in this way can enhance impact without diminishing focus. We recognise that some forms of antisocial behaviour can escalate into violence, and addressing these early can contribute to a reduction in violence across Scotland. Clear links could therefore be made between antisocial behaviour interventions and wider violence prevention work where appropriate.

### **Part III: Response to other recommendations**

#### **Ring-fenced funding for long term, independent support for victims.**

Victim support services are already a key funding priority for the Government. Organisations currently receive direct support through our Victim Centred Approach Fund (VCAF) which has awarded £48 million for the period 2022–2025.

From 1 April 2025, the VCAF forms part of a fairer funding pilot, which aims to deliver greater financial stability and continuity for funded organisations. Under this pilot, we intend that recipients will continue to receive funding at a level no less than the current year's award for the following two financial years. Subject to Parliamentary approval for 2026-27, this model offers longer-term assurance while avoiding the structural inflexibility that full ring-fencing can impose on wider budgetary decision-making.

In addition, the Victim Surcharge Fund, established in 2019, has awarded £2.4 million to victim support organisations to provide practical, targeted assistance to victims of crime.

Beyond this, while we recognise the desire for dedicated, ring-fenced budgets to support victims of antisocial behaviour, the Scottish Government has signed the Verity House Agreement with COSLA, which sets out that there will be no ring-fencing or direction of funding, unless there is a clear joint understanding for a rationale for such arrangements. In practice, this enables community-based organisations and local statutory bodies to collaborate through effective mechanisms such as community planning, as discussed above, to address local needs.

We are aware of some good practice, such as dedicated ASB victim support provision made by a local authority for victims in their area. The report does not appear to present any fundamental barriers to adapting or extending existing good practice where appropriate. We believe there is scope to build on what is already working well, while recognising that local contexts will shape exactly how best to do so.

**Explore the learning and impact from community trigger and community protection notices in England and Wales to improve responses to persistent antisocial behaviour to ensure a consistent approach across Scotland.**

Our review of legislation can encapsulate study of these tools currently used in England and Wales such as the community trigger which was designed to give a new tool to people experiencing ASB to complain where they feel services have failed. In this context while we note the potential for introducing measures of the kind used in England and Wales, we also note some academic evidence suggesting that the community trigger can have unintended consequences.

More broadly, Ministers remain committed to the collaborative, locally-led model of tackling antisocial behaviour discussed at the start of this response – one that empowers professionals working with communities to act decisively and responsively in line with local needs. However, this approach relies on clear evidence that the system is working as intended. As noted above, independent scrutiny is vital in providing objective assurance to Ministers, Parliament and the public that existing duties are being met, performance is improving, and communities are being effectively protected.

Additionally, we observe that Community Protection Notices serve functions that can largely be replicated through Antisocial Behaviour Orders (ASBOs). Therefore, the review could also explore the incorporation of positive obligations within the ASBO framework.

**Examine current legislation and tools available to Housing Providers to explore where in serious cases of antisocial behaviour, those causing antisocial behaviour could be temporarily moved until a judicial process is complete, to give victims reassurance without requiring them to move home.**

While we fully support the aim of providing greater reassurance and protection to victims of serious antisocial behaviour, it is important to note that removing an individual's housing without judicial oversight would be an unusual and significant step. In Scotland, safeguards around housing rights are a fundamental part of our legal framework, and any departure from this would require careful consideration. The report's recommendation does not fully explore how such a mechanism might operate in practice, or how it would interact with existing closure order powers.

As part of our forthcoming review of antisocial behaviour legislation, we intend to take a journey-mapping approach to better understand the lived experiences of both victims and perpetrators as they interact with housing and justice systems. This will help us identify where current tools are effective, and where there may be gaps or inconsistencies. Through this lens, we will consider whether further legislative or procedural change is needed to enhance protection for victims while maintaining established legal principles and ensuring a proportionate, consistent response across all housing tenures.

**Ensure that demographic analysis, cultural context and intersectionality are included in approaches to ASB strategies including carrying out Equality Impact Assessments.**

We agree that ensuring that antisocial behaviour strategies are informed by demographic analysis, cultural context, and intersectionality is essential to developing fair and effective responses. Public bodies in Scotland are already legally required to undertake Equality Impact Assessments under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. These duties require listed authorities to assess the impact of proposed policies and practices on people with protected characteristics.

**Recognise that antisocial behaviour often manifests differently across communities, particularly for those facing racial, religious, or other forms of discrimination.**

We agree, and this point is eloquently made in the report.

**Strengthen responses to ensure they effectively address these specific impacts and develop targeted interventions to combat hate crime and the marginalisation of minority groups, ensuring that all communities feel supported and valued.**

We accept this point. We are committed to tackling all forms of hate crime through delivery of our Hate Crime Strategy, working in partnership with a range of organisations, including Police Scotland and COSLA representing local government.

As highlighted in the report, antisocial behaviour can manifest very differently across communities. The report rightly draws attention to the disproportionate impact it can have on individuals experiencing racial, religious, or other forms of discrimination. These differing experiences underline the need for a sensitive, inclusive approach that recognises and responds to the specific needs of local populations.

Strengthening responses can be taken forward, for example, as part of the ongoing revision of local antisocial behaviour strategies. The report's recommendation reinforces the importance of ensuring that such responses are shaped through existing mechanisms such as Equality Impact Assessments, which are designed to identify where additional attention or tailored approaches are required. It also points to the value of maintaining local flexibility, so that services and practitioners can adapt their responses in ways that are appropriate and proportionate to the communities they serve.

**Invest in robust and consistent data collection across transport providers to inform proportionate decision making and evaluate ASB trends pre- and post-implementation of transport initiatives, for example, the Under-22 Young Persons' Free Bus Travel Scheme.**

We agree with the principle expressed here. Our record demonstrates that we are committed to evaluation of transport interventions: that is why Transport Scotland undertook a multi-faceted evaluation of the first year of the Young Persons Scheme, and we are currently underway with an evaluation of the Older and Disabled Persons Scheme. Transport Scotland also continues to monitor perceptions of safety and security on public transport through mechanisms such as the Scottish Household Survey Travel Diary, and through the findings of the Your Bus Journey survey by Transport Focus.

Transport Scotland continues to engage with key partners, including bus operators, to explore how data collection on antisocial behaviour can be enhanced in a way that is proportionate and practical – recognising that there are over 200 bus operators in Scotland and no legislative requirement for operators to collect this data. This work aims to strike a balance to avoid undue data collection burdens and recognise the important role that lived experience and personal accounts play in shaping a full understanding of the issue.

**Encourage partnerships among Transport Scotland, bus operators, local authorities, and third-sector organisations to share best practices and align on strategies for preventing and addressing antisocial behaviour. Explore models like the deployment of Transport Safety Officers or bus wardens to deter antisocial behaviour, provide on-ground support, and enhance passenger reassurance. Evaluate successful trials in other UK regions (e.g. Stoke-on-Trent and West Midlands) for potential replication in Scotland.**

We strongly agree on the value of partnership, recognising that different organisations have a key role to play in both proactive and reactive measures to address antisocial behaviour. At national level, our policy approach is being developed in collaboration with a wide range of stakeholders including, but not limited to, Local Authorities, Police Scotland, transport operators, unions, Young Scot and Third Sector.

As part of this we are seeking to understand the potential role of Travel Safe Officers to provide a targeted measure to support reduced antisocial behaviour on the bus network and to support with education and guidance, building on the success of similar initiatives on ScotRail which employ Travel Safe Teams consisting of Travel

Safe Officers, Supervisors and a Safeguarding Manager who work closely with British Transport Police (BTP) to support customers and colleagues in promoting a safe railway environment both on trains and within stations, focusing on identified hotspots and engaging with individuals and groups to educate them on the impact of unsafe behaviours and antisocial behaviour. We are also considering work in England and Wales. Transport Scotland officials have met with the UK Department for Transport and stakeholders earlier this year to exchange learning.

This exploration is taking place in the context of wider investment in public safety. For example, there is record investment of £1.64 billion in policing this year. This contributes to a policing footprint of around 30 full-time equivalent officers per 10,000 population - significantly higher than the approximately 24 officers per 10,000 in England and Wales.

We recognise that the Strategic Safer Transport Group is led by the British Transport Police (BTP) at both strategic and tactical level. Police Scotland are a key stakeholder within these groups and work alongside colleagues in the BTP and many transport providers to support initiatives, dedicate resources to address crime and ASB on public transport as well as transport hubs.

**Align measures addressing antisocial behaviour with broader government objectives, such as the climate just transition and child poverty eradication, ensuring sustainable, safe and equitable transport access for all.**

We agree. This is always a balance, with other outcomes not listed in the recommendation such as perceptions of community safety and public confidence also requiring to be taken into account.

For example, improving public confidence in buses and the perception of bus safety will help to make people feel more confident and therefore increase the likelihood of choosing to travel by bus contributing to a just transition.

Any changes to the National Concessionary Travel Schemes will include the necessary completion of impact assessments - such as the Child Rights and Wellbeing Impact Assessment and the Fairer Scotland Duty assessment. These will necessarily consider this balance, helping us ensure that any measures introduced are proportionate.

**Ensure that the development of any schemes such as passenger behaviour codes and escalation procedures (e.g. warnings, temporary suspensions) for repeat incidents of antisocial behaviour across all age groups by Transport governing bodies are co-designed with a wide range of stakeholders including passengers of all ages to ensure that solutions are rights-based, fair, and uniformly applied, with clear criteria and oversight by centralised establishments.**

We agree. This has been reflected in early policy development on this issue – for example, Transport Scotland is already engaged with a range of stakeholders, including bus operators, Police Scotland, unions, Local Authorities, Public Health Scotland, Young Scot, Scottish Youth Parliament and the Children and Young

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People's Centre for Justice, with further and wider engagement planned to take place as the policy develops.

Ministers are committed to understand the range of views on this issue to ensure the final policy provides is effective, robust, fair and proportionate.

We wish to design a rights-based and uniformly applied intervention, with clear criteria, proportionate sanctions and oversight mechanisms. We also note that similar schemes are already in place in other transport contexts - for example, London's Zipcard suspension process for concessionary travel eligibility - and these provide a useful precedent for what a fair and operationally feasible model can look like.

**Consider alignment to public health approaches around upstream prevention including further investment in models such as Scottish Prevention Hub and Edinburgh Futures Institute regarding the use of shared data.**

We agree that to prevent people from coming into contact with justice services, we must tackle long-standing societal issues such as poverty, inequality, school disengagement, and substance use. This is why we are promoting a Whole Family Support approach and continue to apply a public health approach to justice.

Our approach is also informed by the ecological framework, which recognises that no single factor explains why some individuals or communities are more at risk of harm. Instead, it considers the interaction of risk factors across four levels:

1. **Individual** – personal history, trauma, substance use, or mental health issues.
2. **Relationship** – family dynamics, peer influence, or domestic abuse.
3. **Community** – neighbourhood conditions, local services, or social cohesion.
4. **Societal** – structural inequalities, cultural norms, or economic policy.

This framework helps us identify where interventions can be most effective and our approach is already making a difference. For example, child poverty rates in Scotland are now significantly lower than the UK average. Households with children in the poorest 10% are estimated to be £2,600 better off in 2025–26, rising to £3,700 by 2029–30. This demonstrates that we understand that upstream, preventative investment when targeted and evidence-based can deliver real improvements in people's lives.

We therefore support initiatives like the Scottish Prevention Hub, a collaborative effort between Public Health Scotland, Police Scotland, and the Edinburgh Futures Institute. Additionally, the Edinburgh Futures Institute has received significant investment, including from the Scottish Government, to support its role.

COSLA and Scottish Government recently published a Population Health Framework that sets out preventative action over the next 10-years to create the conditions to enable everyone to live healthy, fulfilling lives and reduce inequalities. This approach is focused on primary prevention – tackling the root causes to prevent issues before they arise – through whole-system action on the wider determinants of health,



(including early years, housing and drugs and alcohol) which have strong links to justice outcomes.

**Ensure health sector/practitioners are involved in local and national, multi-agency long term and situational approaches.**

We fully recognise the critical role that the NHS plays in multi-agency approaches to addressing antisocial behaviour and related challenges. At the national level, organisations such as Public Health Scotland are actively engaged through their Health and Justice Programme, contributing valuable public health expertise to inform policy and strategic planning. Given this national engagement, such involvement should be equally robust at the local level. Community Planning Partnerships provide an important framework for this local collaboration, bringing together health services, local authorities, police, and other partners to coordinate efforts around community safety and wellbeing. These Partnerships provide a suitable avenue to resolve any issues with health involvement that may arise.

**Investment in accessible mental health and substance misuse services for children and adults which meet current and future demands**

We are pleased that policy already supports this recommendation. Both mental health and substance use problems are complex health and social issues affecting individuals and families which all require support.

For example, our Mental Health and Wellbeing Strategy, developed jointly with COSLA, places prevention and early intervention at its core. Through the Delivery Plan and Workforce Action Plan, we are working to ensure that services are responsive to both current and future needs.

In parallel, our national response to the public health emergency of substance use includes a £250 million investment over five years to reduce drug deaths and improve outcomes for individuals and families. In addition we are working across government to improve care for people with co-occurring mental health and substance use conditions by ensuring people have access to person-centred care that reflects their needs and in 2024 published a National Mental Health and Substance Use Protocol which sets out the standard of joint working between mental health and substance use services for co-occurring mental health and substance use conditions.

**Explore whether there are other 'compulsory measures of care' approaches that can be adopted in relation to situational response**

The interest in exploring alternative approaches to compulsory measures of care in response to antisocial behaviour is appreciated. We remain open to situational, rights-based responses that are legally sound, ethically robust, and tailored to individual and community needs. This will be explored in our review of legislation.

It is important to note that the Mental Health (Care and Treatment) (Scotland) Act 2003 does not allow antisocial behaviour alone to be used as grounds for

compulsory treatment. This reflects the principle that mental health law should not be used to manage behaviour.

However, where someone has committed an offence, Scotland's justice system already allows for compulsory engagement with support. For example, for adults, prosecution and diversion from prosecution can result in measures involving community-based supervision requiring the person to address the issues underlying their anti-social behaviour.

Diversion from prosecution offers a chance for early intervention, but if the person does not engage, prosecution can follow. The recent joint review of diversion from prosecution highlighted both the strengths and areas for improvement in how this mechanism is used. In light of this, follow-up work is now underway to strengthen and expand the use of diversion, ensuring it is applied consistently and effectively across Scotland.

In respect of children and young people, in Scotland we promote a preventative whole system approach to youth justice. Wherever possible and appropriate, children should be diverted away from formal measures to alternative interventions/services, such as the use of early and effective intervention. Where a child is referred to the children's hearing system, the hearing, an independent tribunal, may take the decision to put in place a Compulsory Supervision Order. There is a balance between supporting children who offend to change, in an age and stage-appropriate way, while ensuring that communities and victims feel supported.

It is therefore important for local agencies to work together and make full use of the options already available through the justice or children's hearings system. This might include preparing a report to the Procurator Fiscal, which is the first step in enabling prosecution or diversion from prosecution. These joined-up responses should be clearly reflected in local antisocial behaviour strategies, which should be kept under review to identify any emerging issues.

### **Review and enhance situational response tools available to local authority antisocial behaviour teams and social housing providers**

This can be taken forward as part of our review of legislation. We will engage with key stakeholders to explore how this work can be taken forward in a coordinated and practical manner. As we consider how best to strengthen situational responses, it will be important to ensure that local authorities are supported to make full and appropriate use of existing guidance and funding frameworks.

The Independent Working Group highlighted the close operational link between local authority antisocial behaviour teams and housing services. This connection is, for example, reflected in existing Housing Revenue Account (HRA) guidance, which acknowledges that some services – such as local antisocial behaviour teams – may benefit both tenants and the wider community and can therefore be paid from HRA funding.

### **Develop housing allocation policies that pre-emptively avoid potential conflicts by considering compatibility factors**

We consider the existing regulatory regime can achieve this. For example, outcome 6 of the Scottish Social Housing Charter sets out that social landlords, working with other agencies, should help ensure tenants live in safe, well-maintained neighbourhoods. The Scottish Housing Regulator is tasked with monitoring performance against this outcome, providing a clear regulatory basis for action on antisocial behaviour and housing allocations.

We support the principle of proactive housing allocation to reduce the risk of conflict and antisocial behaviour. We recognise that some housing providers already consider compatibility factors. We encourage local authorities and registered social landlords to continue prioritising the needs of victims and affected communities when making allocation decisions, while ensuring fairness and non-discrimination remain central to policy and practice. The Social Housing Allocations in Scotland: Practice Guide encourages social landlords to be sensitive to each applicants circumstances, including those of victims, to help sustain tenancies. We also note the value of partnership models, such as the Community Improvement Partnership with Wheatley Housing, which may offer replicable examples of good practice.

**Consider priority timescales within the current court backlog for criminal cases with linked Housing or ASB team cases**

The Working Group's concerns about delays in progressing antisocial behaviour-related legal actions through the courts are acknowledged. While it is essential to respect the independence of the judiciary and the statutory framework that governs court scheduling, there is scope for local partners to engage with courts at a local level to explore any issues and consider potential changes to ways of working.

Notably, Part 4 of the Antisocial Behaviour etc. (Scotland) Act 2004 already sets specific timescales for closure orders, providing a precedent for time-bound legal processes. This will be considered as part of our review of the legislation.

**Adopt a spend-to-save upstream prevention and investment approach for social housing providers to provide floor coverings**

We recognise that noise complaints are a common source of antisocial behaviour and that addressing them proactively can reduce the need for enforcement and improve tenant wellbeing. Across Scotland, different landlords and local areas have developed their own approaches to prevention, reflecting the diverse needs of their communities.

It is for individual landlords to decide how best to use their resources. Measures such as providing floor coverings may be one effective option within a broader strategy for tenancy sustainment and community cohesion. This flexibility is supported by the Scottish Social Housing Charter, which sets out clear expectations around neighbourhood management and tenant wellbeing. The Scottish Housing Regulator monitors performance against these outcomes, providing a framework for accountability while allowing space for innovation and local leadership.

**More systematic data collection around housing-related antisocial behaviour**

We agree that improved data collection is essential to understanding and addressing housing-related antisocial behaviour. The Scottish Government will explore how existing indicators can be expanded. This will support more targeted interventions, better resource allocation, and a clearer understanding of the impact of ASB on different communities. We will also consider how to align this work with broader efforts to improve data sharing and integration across public services.

**Investment by social housing providers in preventative tenancy support programmes**

We recognise that early intervention and life skills training can significantly improve tenancy outcomes and reduce the risk of antisocial behaviour. In line with the recommendation, we encourage social housing providers to embed these programmes into their allocation and support processes, and to work collaboratively with third sector partners and local services. While we acknowledge concerns about cost, we believe that the long-term benefits in terms of reduced enforcement, improved community relations, and sustained tenancies justify the investment.

**Advance a culture of continuous improvement and knowledge sharing in the retail sector**

We welcome the recommendation to promote continuous improvement and knowledge sharing in the retail sector. We recognise the ongoing efforts of organisations such as the Scottish Grocers' Federation, British Retail Consortium, and Scottish Retail Consortium, who regularly gather and analyse sector-specific data, share best practice, and issue guidance to their members.

The Government will continue to work with partners to support data-driven approaches, share best practice, and implement preventative strategies that reduce the incidence and impact of antisocial behaviour in retail settings.

We also recognise the value of existing networks and campaigns, such as the Scottish Grocers' Federation's *Don't Put Up With It* and *It'll Cost You* campaigns, which raises awareness and promotes staff safety and youth engagement. These initiatives reflect a sector-wide commitment to continuous improvement and knowledge sharing.

Aligned to this, an additional £3 million has been made available in 2025-26 for Police Scotland to help tackle retail crime, which costs businesses and contributes to rising consumer prices. Police Scotland has established a dedicated Retail Crime Taskforce comprising 14 uniformed officers and detectives, supported by four civilian staff including specialist analysts and an Architectural Liaison Officer.

This Taskforce is using analytical data and intelligence to proactively target repeat offenders and engage with retail premises to enhance security and crime prevention measures. In Fife Division, several retailers are trialling a process of direct reporting of offences on their premises so police can investigate with more ease and speed, which can present a model for future improvements.

**Leverage evidence to drive sector-wide improvements and prioritise investment in prevention and youth engagement in retail settings**

We recognise that many retailers are already working with local partners to implement effective interventions, and we are committed to supporting these efforts through our investment in Police Scotland and our broader violence prevention agenda. We therefore support the development of local partnerships that bring together retailers, police, youth services, and community organisations to co-design and deliver impactful solutions.

Retailers, supported by organisations like the BRC and SRC, already use crime statistics and membership data to identify trends, develop guidance, and implement targeted interventions. This evidence-based approach informs the work of national groups such as the National Retail Crime Steering Group, which develops best practice frameworks, victim support tools, and employer guidance.

We warmly endorse the dissemination of proven models such as the Stirling and McDonald's approaches. These models clearly demonstrate how strong local partnerships and evidence-based interventions can drive effective, preventative strategies and reduce reliance on reactive responses.

Given the flexibility and local accountability embedded in Scotland's antisocial behaviour framework, there is no reason of policy why this way of working cannot be replicated and scaled through local action across the country as appropriate. This provides a strong foundation for locally led, evidence-informed initiatives in retail and wider community settings.

**Differentiate antisocial behaviour from criminal activity by developing clear frameworks to distinguish antisocial behaviour from more severe criminal activities, such as theft, organised crime, gang involvement, and child criminal exploitation, to ensure appropriate and effective interventions.**

We understand the thinking behind the recommendation and agree that interventions must be proportionate and reflect the level of harm caused. However, as noted above we are cautious about entering into a process to redefine antisocial behaviour. The strength of the current approach lies in its flexibility. Antisocial behaviour powers can be used to address serious and persistent harm, where they can be effective when used strategically. We therefore want to ensure that antisocial behaviour powers remain as a key part of a flexible and effective toolkit. These principles will shape our ongoing review of legislation and guidance.

We recognise there are many examples of effective prevention and partnerships across the country at both a local and national level. Local policing divisions work closely within Community Planning partners and form tactical operational responses that include information sharing, joint working and focus on complex cases often involving several layers of vulnerability. Police Scotland apply threat, risk and harm assessment to distinguish between nuisance and serious criminality.

Police Scotland recognise that antisocial behaviour may overlap with serious crime and vulnerability and use a mix of powers and multi-agency tasking and coordination

to address it. For example, Multi-agency Tasking and Coordination is a structured partnership used by police and partner agencies to identify, assess and manage repeat perpetrators of high-harm behaviours. By sharing intelligence, agreeing joint actions and balancing enforcement with support to reduce risk and protect victims, it promotes and builds trust through multiagency partnerships and safeguarding.

**Investment in funding to ensure communities have access to specialist, free and independent Mediation and Restorative Justice Services locally**

We fully recognise mediation and restorative justice can be tools to tackle antisocial behaviour. When used early and appropriately they can prevent issues from escalating and help strengthen community relationships. We are committed to having Restorative Justice services available across Scotland that are available at a time that is appropriate to the people and case involved; consistent; evidence-led, trauma-informed and of a high standard. We are working in partnership with Community Justice Scotland and the Children and Young People's Centre for Justice (CYCJ) on delivering this commitment. We are also engaging with other stakeholders and partners on this – including COSLA – through the Restorative Justice Stakeholder Group.

Local authorities and their partners are best placed to determine how to prioritise and deliver services like mediation and restorative justice, based on local needs and circumstances. This local responsibility is reinforced by section 1(3)(e)(iii) of the Antisocial Behaviour etc. (Scotland) Act 2004, which requires antisocial behaviour strategies to include provision for mediation in disputes arising from antisocial behaviour. Local scrutiny arrangements and Community Planning Partnerships can help ensure decisions about mediation and restorative justice provision reflect local priorities and deliver the best outcomes for communities. As noted above, core funding provided for tackling antisocial behaviour remains non-ringfenced. This gives flexibility to local agencies to decide how best to use their resources.

**Take a contextual safeguarding approach to ensure safe spaces within city centres/areas of high crime**

Contextual safeguarding in Scotland is a practice that focuses on identifying and responding to harm and abuse that young people experience outside their homes from adults or other young people. It emphasises understanding the complex interplay between a young person, their peers, school, neighbourhood and online environment to assess risks and develop protective plans. We recognise contextual safeguarding is only one of several approaches that can support local efforts to prevent harm and promote safety. Police Scotland and local authorities already implement a range of city centre policing plans and community safety initiatives that reflect these principles. We encourage continued collaboration to design and manage spaces that deter antisocial behaviour and support community wellbeing.

An example within Glasgow of contextual safeguarding in practice is the work of the Scottish Violence Reduction Unit who are working alongside Police Scotland Colleagues. Street Guardians is a contextual safeguarding pilot supported by a mix of youth work and street pastors to support vulnerable young people in the 4 Corners area of Glasgow on a Friday and Saturday evening. In partnership with the Common

Ground project (Barnardo's, Action for Children, Right There and Aberlour) the programme provides a highly visible presence in the city supporting and engaging with young people. The programme has been running for 12 weeks and has positively engaged with over 800 young people from across Scotland with varying degrees of need. We see this as a good example of the responsible bodies working well together.

**When behaviour escalates to criminal or violent behaviour, a proportionate and appropriate response is required**

When antisocial behaviour escalates into criminal or violent conduct, a proportionate and appropriate response is essential to protect victims, uphold the rule of law, and maintain public confidence. Different types of harm demand different responses. We recognise that distinct problems require distinct solutions, and we are committed to developing tailored approaches that reflect the nature and impact of the issue at hand.

For example, while antisocial behaviour and violence can overlap, they are not the same. The Violence Prevention Framework for Scotland sets out a clear, strategic approach to preventing violence in Scotland - one that is rooted in a public health model, focuses on early intervention, and promotes a whole-system, partnership-led response. This framework is distinct from how we address antisocial behaviour, but there is helpful read-across in the shared emphasis on prevention, collaboration, and reducing harm.

Retail crime provides another clear example. Though it may include elements of antisocial behaviour, it is a broader and more complex issue affecting businesses, workers, and communities. Recognising this, the Scottish Government supported the launch of a dedicated Retail Crime Taskforce by Police Scotland in March 2025, as discussed elsewhere in this response. This initiative reflects our commitment to developing targeted, proportionate responses that address specific challenges and support those most affected.

There are many excellent examples of policing practice delivering a proportionate and appropriate response. For example, Operation DYNOS relates to a well-established and organised crime syndicate that are utilising the rail network to travel far and wide across Scotland, and now the North of England, to facilitate committing a plethora of offences. The main purpose of this group appears to be the theft of alcohol to order for resale to members of the public and various businesses including local convenience stores and restaurants across the West. Unfortunately, as the instances of theft have increased so too has their tendency to engage in violent disorder which ranges from carriage of weapons to serious assaults and breach of the peace type incidents. Operation DYNOS continues to investigate young people involved in criminal activities across Glasgow and Lanarkshire. These activities are often linked to criminal networks across multiple divisions. The officers' primary responsibility is to prevent these young people from becoming further entrenched in criminality, disrupt any exploitation networks, and provide safeguards for those at risk.

In short, we do not take a one-size-fits-all approach. Efforts should be focused on delivering the right response for the right issue, reducing harm, supporting victims, and maintaining public confidence.

**Challenge persistent stereotypes that unfairly label young people as primary perpetrators of antisocial behaviour**

We agree. We recognise that individuals of all ages can engage in antisocial behaviour. As the evidence paper commissioned by the Working Group rightly pointed out, children and young people themselves fear and experience antisocial behaviour in their communities and at times from other children and young people.

**Align interventions with the UN Convention on the Rights of the Child (UNCRC)**

The recommendation is already existing policy. In particular, under the UNCRC (Incorporation) (Scotland) Act 2024, public authorities are already legally required to ensure that all policies and practices affecting children are compatible with the rights set out in the UNCRC. Section 6 of the Act places a duty on public authorities not to act incompatibly with the UNCRC requirements while section 13 empowers courts to provide remedies where breaches occur.

**Prioritise development of a dedicated Youth Work Strategy for Scotland**

Community Learning and Development (CLD) is an integral part of Scotland's education system, bringing together youth work, adult learning, family learning, and community empowerment under a single, holistic approach.

We welcome this recommendation in a context where we are currently considering the recommendations of the recent review of CLD, which includes proposals for strengthening youth policy and leadership. The CLD Strategic Leadership Group, co-chaired by Scottish Ministers and COSLA, is actively progressing this work.

We will ensure that any future youth work strategy aligns with the broader aims of community safety and the promotion of positive outcomes for young people. Parliament will be kept updated of progress with this work.

**Establish 'ring-fenced' funding for reliable, consistent, and well-resourced youth provision**

While the intention to establish 'ring-fenced' funding for youth provision reflects an understandable desire for consistency and sustainability, this approach risks undermining the principles of the Verity House Agreement, which promotes greater local autonomy, flexibility, and trust in communities and local government to determine priorities. The Agreement encourages a shift away from top-down, prescriptive funding models toward more collaborative, place-based approaches that empower local authorities and their partners to respond to the unique needs of their communities. CLD is a statutory responsibility of local authorities under the Requirements for Community Learning and Development (Scotland) Regulations 2013 which require them to plan and deliver this in partnership with communities.



While the Scottish Government's CashBack for Communities programme is not a national delivery mechanism for youth work, it complements local CLD provision by investing in targeted, diversionary activities for young people most at risk of antisocial behaviour. The next phase of CashBack will deliver record funding to support safe spaces, trusted adults, and positive opportunities – reinforcing, rather than replacing, the essential role of locally led, statutory youth services.

**Learn from and continue to invest in the Whole System Approach to youth offending**

We agree with this recommendation as the Whole System Approach to preventing offending by children is a multi-agency approach focused on early intervention and diversion. It has been a cornerstone of our youth justice policy. The approach has demonstrated significant success in reducing youth offending through early and effective intervention, diversion, and multi-agency collaboration since its inception in 2011.

The Youth Justice Vision, published in 2021 and revised in 2024, promotes the continuation of the partnership approach to preventing offending, focussed on prevention and early intervention while keeping children out of the criminal justice system as far as possible.

**Explore local community/place-based decision making for Cashback for Communities funding**

We agree with this recommendation and it forms part of our design of the next phase of CashBack for Communities.

We recognise that communities are best placed to identify local priorities and design interventions that reflect their unique needs and assets. In this funding phase, CashBack for Communities will follow a public health approach to justice and invest in projects that prioritise early and effective preventative interventions with young people aged 10-25.

**Invest in tailored youth diversionary projects and safe spaces through housing providers**

We agree that housing providers can be uniquely placed to support this agenda due to their close relationships with tenants and their role in shaping the physical and social fabric of communities. There is nothing in current legislation or policy that prevents housing providers from playing a proactive role in this space. In fact, existing standards and frameworks already support such activity. As noted above Community Planning Partnerships and local antisocial behaviour strategies provide a clear structure for local coordination and delivery.

We encourage housing providers to work collaboratively with youth services, local authorities, and community organisations to deliver place-based projects that promote pro-social behaviours, build resilience, and reduce the risk of antisocial behaviour. This includes reviving and maintaining safe spaces for young people, which can serve as hubs for engagement, learning, and recreation.

### **Investment to facilitate data sharing between agencies**

We agree that good data sharing is essential and the legislative framework already provides for this. Section 1(3)(f) of the Antisocial Behaviour etc. (Scotland) Act 2004 requires local authorities and the Chief Constable to make provision in their ASB strategies for:

- (i) how they will coordinate the discharge of their functions in relation to ASB;
- (ii) the exchange of information between them;
- (iii) the sharing of relevant information with other interested parties; and
- (iv) the exchange of information among those other parties.

This means that local partners already have both the authority and the responsibility to invest in and improve data sharing arrangements.

The Independent Working Group noted that while there are examples of good practice there is a need for more systematic and consistent approaches across Scotland. We will therefore explore how to build on these models and ensure that local arrangements are appropriately supported by national coordination. Data sharing will form one part of the review of legislation given that it is one mechanism that can be used in this context, but we do not exclude the possibility of other interventions.

This work will be aligned with existing initiatives such as the Scottish Prevention Hub which promote multi-agency collaboration and upstream prevention. We also recognise the need to improve the victim journey by ensuring clear, consistent contact arrangements and better integration of services.

Through the Victims Taskforce, work is underway to explore the development of a Victims' Hub. This will ensure victims in the criminal justice system can access information and support at a time, and by means, suitable to them. Part of this work includes the development of a digital front door for justice (national victim and witness gateway), which has secured Public Service Reform funding for the first year.

### **Critical to invest in availability of mental health and substance use services**

We agree with the principle of this recommendation and the importance of this is reflected in existing policy.

We have already committed over £250 million in additional funding to reduce drug deaths and improve support for people affected by substance use, including £2 million provided to Healthcare Improvement Scotland to ensure joint working protocols between mental health and substance use services are in place. This supports the implementation of Medication Assisted Treatment (MAT) Standard 9 that all people with co-occurring drug use and mental health difficulties can receive mental health care at the point of MAT delivery.

### **Consider situational and environmental factors when developing policy responses**

We fully support the recommendation to incorporate situational and environmental factors into policy development. The design of public spaces, housing, and transport infrastructure can significantly influence behaviour and perceptions of safety.

The Scottish Government promotes design-led and place-based approaches that reduce opportunities for antisocial behaviour and support inclusive, resilient communities. This is strongly reflected in, for example, National Planning Framework 4, which sets out a long-term spatial strategy for Scotland. We will continue to work with local authorities, housing providers, and community planning partnerships to embed these principles into local and national strategies.

### **Map existing prevention services and assess sustainability**

We support the recommendation to map existing prevention services and assess their sustainability as part of a strategic approach to tackling antisocial behaviour. This aligns with the existing duty set out in section 1(3)(d) of the Antisocial Behaviour etc. (Scotland) Act 2004, which requires local authorities and relevant partners to assess the extent and effectiveness of services designed to prevent antisocial behaviour. This type of mapping is therefore already undertaken at the local level. It helps identify service coverage, gaps, and opportunities for improvement.

In parallel, prevention work is ongoing across the Scottish Government, embedded in a range of policy areas such as Whole Family Support, youth justice, substance use, education, and community safety. These efforts often include service mapping and evaluation tailored to specific needs and populations. For example, the Whole System Approach to youth justice incorporate preventative frameworks that are regularly reviewed and assessed.

We recognise the value in building on existing work to develop a more coherent and strategic picture of ASB-related prevention services and alignment with reducing social and economic inequalities. As part of our ongoing legislative review, we will be undertaking journey mapping and service design work to better understand how individuals interact with the current system and where improvements can be made. This process will naturally involve identifying any gaps or inconsistencies in the availability, accessibility, or effectiveness of prevention services. Insights from this work will help inform future national policy. We will take this forward in collaboration with local partners and through existing government structures.

### **Person-centred, needs-led, long-term support for victims of antisocial behaviour**

The Scottish Government is committed to ensuring that victims of antisocial behaviour receive consistent, person-centred, and trauma-informed support. We recognise that ASB can have a profound and lasting impact on individuals and communities, and that effective support must be accessible, coordinated, and responsive to individual needs.

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Through the Victim Centred Approach Fund and other initiatives being delivered through the Victims' Taskforce and our Person-Centred, Trauma-Informed Justice, we are working to improve referral pathways, embed trauma-informed practice, and enhance access to local services. These efforts are designed to ensure that victims are not passed between agencies or left without clear routes to support.

The Independent Working Group on ASB emphasised the importance of a single point of contact and multi-agency coordination to improve the victim experience and reduce the burden on individuals navigating complex systems. These principles are already supported by existing statutory frameworks, including Section 1 of the Antisocial Behaviour etc. (Scotland) Act 2004, which requires local authorities and Police Scotland to develop joint ASB strategies. These strategies can and should include provisions for victim support, including long-term, needs-led services.

Importantly, there is nothing preventing local authorities and their partners from embedding these approaches now. We welcome the development of Police Scotland's proposed non-crime antisocial behaviour referral process, which builds on a 2022 pilot in the Lothians and Borders. This initiative represents a strong example of the kind of iterative, evidence-led improvement that we expect to continue under Police Scotland's three-year plan and statutory responsibilities to prevent crime and promote community wellbeing. This reflects a broader shift towards a more preventative, trauma-informed model of policing that recognises the impact of harm—whether criminal or not—and the duty to respond appropriately. Work is now underway to scope the technical and operational changes needed for a potential national roll-out.

### **Ring-fenced funding for ASB that covers situational response and prevention**

While ring-fencing at the national level is not currently supported under the Verity House Agreement, we acknowledge the importance of ensuring that sufficient and sustained resources are available to address both the immediate and long-term dimensions of antisocial behaviour.

Local authorities and Community Planning Partnerships already have the flexibility to prioritise ASB within their existing budgets and strategies. If desired, ring-fencing can be implemented locally, and such decisions can be subject to local scrutiny and accountability mechanisms. This allows for a tailored approach that reflects local needs, priorities, and evidence.

As highlighted by the Independent Working Group, aligning funding with reducing social and economic inequalities, prevention and early intervention—particularly through housing, youth services, and mental health support—can reduce the long-term costs and harms associated with ASB.

### **Improve standards for sound-proofing in new build housing**

While current building standards in Scotland are already higher than in other parts of the UK, we are open to reviewing building standards in light of emerging evidence on noise-related antisocial behaviour. It is important to note that the Scottish building standards system applies only to new buildings and new building works. Standards

are not applied retrospectively to existing buildings and only take effect where relevant new works are being undertaken. Standard 5.1 of the Building (Scotland) Regulations 2004, supported by the Domestic Technical Handbook, sets out the intent and performance criteria for sound insulation to limit both impact and airborne sound transmission from normal domestic activities.

While hard surface flooring such as wood or laminates can affect noise transmission, these are considered ‘laid loose’ coverings and fall outside the scope of building regulations. As such, they do not require building warrant approval and are not part of the regulated separating floor construction. Recognising this limitation, the Scottish Government has published guidance which offers practical advice on mitigating noise in existing properties.

Any changes to building standards would require a thorough consultation and evidence-gathering process, typically taking around two years. We will engage with Building Standards colleagues to consider this further, including during any future periodic review of the standards.

**Abolition of Registered Social Landlords’ policy to remove floor coverings when a tenancy is ended**

We understand that this practice can contribute to noise-related complaints and may exacerbate tensions between neighbours, particularly in flatted properties. While we recognise that RSLs must balance safety considerations with cost and operational efficiency, we encourage the sector to explore more flexible and tenant-centred approaches. This could include retaining serviceable floor coverings where appropriate or offering support for new tenants to install suitable materials.

**Improvement in understanding across all relevant authorities of the harm caused by antisocial behaviour and the potential long-term impact on victims**

We recognise that ASB can have a profound and lasting impact on victims, affecting their mental health, sense of safety, and quality of life. We are committed to ensuring that all agencies adopt a trauma-informed, victim-centred approach in their responses.

CPPs are key to providing and supporting partners in contributing to delivering on local outcomes and improvements. We will continue to engage with the Improvement Service in their role to promote improvement, data collection and collaboration. We will continue to support training, awareness-raising, and multi-agency collaboration to ensure that frontline staff are equipped to recognise and respond to the full spectrum of harm caused by antisocial behaviour. We also support efforts to benchmark and share best practice across Scotland.

**ASB strategies for all relevant authorities with specified outcomes for victims**

We note that this recommendation aligns closely with earlier ones to review and update local ASB strategies and refer to our earlier response.