

Witness & victim support

Information for witnesses and victims affected by anti-social behaviour and harassment

The council is keen to tackle anti-social behaviour (ASB) in the city and will take action to protect and support our tenants and leaseholders.

Where possible, we will work with the person causing the problem to change their behaviour and stop it at an early stage. This often works well but, in a small number of cases, we will take legal action against people whose behaviour won't change.

Being a victim of antisocial behaviour or harassment is distressing and the thought of being a witness in court can be daunting. We will ensure that victims are fully supported if we do take cases to court.

Recording incidents of ASB

We ask you to keep detailed diary sheets of incidents of ASB. These are important records for evidence and we use them as the basis for your witness statement. It strengthens our case if other witnesses can back up the evidence in your statement.

Detailed evidence is important when going to court. We need details of dates, times, and as much information about the incident as possible, including who said and did what, how it started and how it ended.

How you can help

We encourage and rely on all victims and residents in the community to give evidence in ASB, nuisance and harassment court cases.

While some witnesses will have more evidence to give to the court, we encourage all residents affected to come forward. Even if you have only witnessed a few incidents, your statement will support the main evidence.

If you do not want to give evidence in court for fear of reprisal, you can make a 'hearsay' witness statement, meaning that you do not reveal your name or address and do not have to appear in court. This evidence doesn't have as much weight in court but will be considered. We cannot guarantee anonymity but we will do the best that we can.

You should inform us of any further nuisance or antisocial behaviour as soon as possible.

Contact Sussex Police on 999 in an emergency and report any criminal incidents on 101. You should ask for a serial number and include it in your diary.

How we will help you

- we will explain all the actions we are taking and ensure that you understand the steps
- we will explain what legal proceedings we're considering and the likely outcomes
- we will explain how we take the witness statement and how to give evidence in court
- we will give you the option of taking your statement in a housing office or in your home
- we will keep you updated as is practical

How we will support you

We will work closely with your neighbourhood police and put you in contact with your local Police Community Support Officer.

Our community warden will keep in regular contact with you and can collect your diary sheets.

We will offer you support from any appropriate agency and will quickly remove any offensive graffiti from your home

Taking action

We may apply for Anti-Social Behaviour Injunctions to protect witnesses and victims suffering from racial harassment, hate crime, direct abuse or intimidation. Injunctions are heard in court quickly as they are seen as necessary to protect victims. The actual time will depend on the court.

We will take tenancy action in the court against tenants who cause serious nuisance and annoyance to neighbours and refuse to change their behaviour. This option takes longer to get to court and we need to be realistic about the time it takes.

Court hearings

We will support you throughout the court process.

- we can take you to visit the court in advance to give you an idea of what it will be like at the hearing
- we will try to cater for any special medical or physical needs
- we will inform you of the date and time and place of the court hearing
- we will tell your neighbourhood police about the court proceedings and outcomes
- we will provide you with a taxi to and from the court – we suggest you go with other witnesses to support each other
- we will meet you at the court entrance and escort you to a waiting room away from the perpetrator
- we will introduce you to our solicitor who will explain what will happen
- you can take a friend or relative with you while you wait and we suggest taking something to read as there is often a wait before the hearing starts
- we will give you a copy of your statement to read
- we will support you in court and explain the judgement and what it means to you
- we will write to you with details of the outcome of the court hearing and any further action that will be taken if necessary

At the hearing, an usher will show you to the witness box where you will be asked to take the oath or 'affirm' if you are not religious.

You will have a copy of your statement in the witness box and the defence and prosecution lawyers will ask you questions that you should answer as fully as possible.

When you have finished giving your evidence, the judge will give you permission to leave the witness box. You can stay for the rest of the hearing or leave the courtroom.

Security

We will offer to check the security of your home and can:

- offer you improved security to your external doors, eg by fitting a mortise lock or a chain or bolts
- offer you a personal alarm

If the police advise us that it is not safe for you to stay in your home, we can offer you temporary accommodation.

Witness intimidation

Under the Criminal Justice and Police Act 2001, Section 39, 'it is an offence for a person to intimidate another person (the victim) where he knows or believes that the victim is, or may be a witness in any relevant proceedings with the intention of perverting, obstructing or interfering with the course of justice. An offence is committed only where an act of intimidation occurs after proceedings are commenced. The offence carries a maximum penalty of five years' imprisonment, or an unlimited fine or both.'

Tenant and resident associations

Housing customer services can tell you if there is a tenant or resident association in your area. You can contact your association if you are suffering ASB and we will keep them informed about any action we are taking.

Useful contacts

Housing Customer Services	01273 293030
Sussex Police	Emergencies 999. Non-emergencies call 101 and ask for a serial number to put on your diary sheet
Crimestoppers	0800 555 111 or www.crimestoppers-uk.org to report criminal activity anonymously
Racial or homophobic	Contact housing customer services or the Community Safety Team 01273 292735
Domestic violence	Rise 01273 622822
Noise nuisance	01273 292929. Weekend patrol 01273 293541
Brighton & Hove Mediation Service	01273 700812