

Selby West Safer Neighbourhood Team

PC 5 Tony Morton
PC 1586 Ian Thompson
PCSO 3515 Laura Simpson
PCSO 3505 Annie Newbould

Antisocial behaviour in local communities

Some young people regularly engage in activities which are construed as antisocial by residents of local communities and do not appreciate that such activities are in fact breaking the law and causing concern to members of the public.

Police officers and Police Community Support Officers will usually give advice in the first instance when dealing with complaints, which it is hoped, will have the desired effect in terminating such behaviour and making follow up action unnecessary.

This information is intended to make young people and parents aware of their responsibilities by outlining the most common offences and others offences which may have serious consequences.

sntselby@northyorkshire.pnn.police.uk

Telephone - 0845 60 60 247

Causing a Nuisance or Disturbance on School premises

Any person who, without lawful authority is present on educational premises, who causes or permits nuisance or disturbance to the annoyance of persons who lawfully use those premises, commits an offence:

Contrary to section 547 of the Education Act 1996.

Q. If there is no one there who are we upsetting?

A. One of the conditions of this offence is that persons annoyed do not have to be present at the time, which caters for those times when school premises are closed.

Q. What if we just use the playing fields?

A. School premises include playgrounds, playing fields and other premises maintained by a local authority.

Q. What if we behave ourselves?

A. Unfortunately your mere presence may cause concern and, therefore, be annoying.

Pedal Cycles

Numerous offences can be committed in respect of pedal cycles, but the most common are riding on footpaths, having no lights during the hours of darkness, riding without due care and attention, and carrying more persons than the cycle is designed for. These laws are intended for your own safety as well as others. Full details can be found in the Highway Code.

Disorderly Behaviour

If any person uses threatening, abusive or insulting words or behaviour within the hearing or sight of another person likely to be caused harassment, alarm or distress, they commit an offence:

Contrary to section 5 (1) Public order Act 1986

This offence can be committed in either a public or private place and is aimed at minor acts of disorder.

Q. Sometimes we cannot help being noisy surely we cannot get into trouble for that?

A. Reasonable behaviour will be tolerated, but if a complaint is made to the police they are obliged to respond and take any necessary action.

Q. What behaviour will be tolerated?

A. Antisocial behaviour cannot be defined exactly, what may be acceptable to some people may be unacceptable to others. Most people know if their behaviour is excessive and should conduct themselves accordingly.

Antisocial Behaviour could include, noise, littering, being abusive, graffiti, damage, acts of intimidation, harassment, and many other things that people find distressing.

Section 50 of the Police Reform Act 2002

Empowers a PC or PCSO to request the name and address of a person acting in an anti-social manner. Where that person fails to give their name and address or the name and address is false or inaccurate, they commit an offence.

Alcohol and Young Persons

Contrary to Section 149 of the Licensing Act 2003

It is an offence for a child to buy or attempt to buy alcohol whether or not on licensed premises.

It also makes it an offence for a person to act as an agent for a child in purchasing or attempting to purchase alcohol, for example, if a child gives money to an adult to buy alcohol in an off-licence for consumption by the child.

There is a further offence for a person to buy or attempt to buy alcohol for consumption by a child on licensed premises, for example, where a father buys a drink for his son in a pub.

A PC or PCSO may require you to surrender anything in your possession which is, or which the PC or PCSO reasonably believes to be, alcohol or a container for alcohol, and to state your name and address.

Motorcycles, Mini-Mopeds, Electric Scooters

At sometime in their lives most young people have a yearning for motorcycles, usually starting by riding motorcycles designed for use off road, or old motorcycles which they adapt for use off road.

Any motorcycle, moped, electric scooter whether intended for use on a road or not, requires certain documents if used on a public highway, such as Driving licence, certificate of insurance, MOT and Tax Disc, irrespective of the age of the rider. A public highway is any road or footpath that is repairable at public expense.

Q. If we are pushing it on a road do we need documents?

A. Yes, documents are required if a vehicle is being used or kept on a road. The fact you are not riding it is not relevant, except you would not require a Driving Licence.

Q. What if we are using it on private property?

A. In that case documents are not required. However, you still need permission to ride a vehicle on land and it is an offence to do so without permission.

Q. What will happen if we are caught using it on a road?

A. Your vehicle could be seized and destroyed, you could be arrested or reported for summons.

Playing football in the Street

If a person plays football or any other game on a highway to the annoyance of a user of the highway he is guilty of an offence.

Contrary to section 161 of the Highway Act 1980.

Q. Where else can we play?

A. Most communal areas provide facilities, i.e. playing areas etc, where ball games can be played without upsetting other people.

Q. What problems are we causing?

A. As well as being a danger to other road users, damage can be caused to other peoples gardens, cars, houses etc.

Criminal Damage

Any person who, without lawful excuse destroys or damages any property or being reckless as to whether any such property would be destroyed or damaged commits an offence.

Contrary to section 1 (1) of the Criminal Damage Act 1971.

Q. What if damage is caused by accident?

A. Damaging property by mistake will not normally constitute an offence, but if any act was such that there was a risk of damage being caused then it would be considered reckless and the offence would be committed, i.e. standing on a public seat which breaks under the strain. In this case the seat is intended for sitting on, standing on it would be a reckless act constituting criminal damage, because the damage could have been prevented by foresight.

The offences referred to are those which are reported to the police most often. There are other offences which are not so common, but if you are engaged in any activity whereby you think you may be breaking the law then do not take unnecessary risks. Consult your local PC or PCSO and they will willingly give you advice.