
A CASE FOR PARTNERSHIP: THE LOCAL AUTHORITY LANDLORD AND THE LOCAL POLICE

by

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***Abstract:** The partnership approach to crime reduction and antisocial behavior is now well-established in the academic literature and the operational reality of many agencies. A more recent, and still developing aspect of such initiatives in the U.K., is the use of civil statutes alongside criminal law to tackle criminal and nuisance behavior. This paper features two case studies that describe the use of two civil instruments, injunctions and evictions, and the joint police-housing department operations that utilized them. The creation of a housing Tenancy Enforcement Team in Gateshead, Newcastle, represented an innovative approach to the enforcement of housing department tenancy agreements. An initiative by the local police and Hackney Housing department in London involved a criminal investigation and the test use of local council legal powers. The development, process and impact of both initiatives are discussed. The cases suggest that the partnership approach can strengthen both criminal and civil actions through the exchange of information and mutual enforcement support.*

This paper will discuss initiatives undertaken by what are known in the U.K. as local authority housing departments. Local authority is a term for the city or area council (e.g., Newcastle City Council), led by elected officials, that provides local (non-federal) governments with essential services such as education and housing. Such a body spends its budget and — as a legal entity — is able to instigate legal proceedings as its elected leaders and professional staff deem fit. Funding for such services, including the housing department that

builds and manages the housing stock, is provided by a local property tax. The housing officers discussed in the two case studies in this chapter are employees of the local authority and are therefore public sector workers, though not central government civil servants. Unlike cities such as New York, those in the U.K. do not have dedicated housing police. The police units discussed comprise locally based officers who belong to the police force that covers the local region, county or city (e.g. the Metropolitan Police in Hackney, London and the Northumbria Police in Gateshead, Newcastle).

INTRODUCTION

In recent years, local authority housing departments in the U.K. have stepped up their efforts at tackling nuisance and criminal behavior on the housing estates where they are the sole or major landlord (Department of the Environment, 1990). The departments are increasingly addressing the security and safety concerns of residents not only through design measures but by adopting a tough stance against antisocial behavior by tenants. This approach involves the use of civil instruments such as tenancy agreements and local authority powers, which may ultimately lead to an eviction and/or an injunction, the latter a court-issued restraining-type order. In addition to problem behavior of a civil nature, housing departments are increasingly initiating civil actions to tackle criminal behavior in instances where the police have been unable to effect a successful outcome. Though such civil proceedings can be run independent of any criminal action, this paper will seek to illustrate how such civil remedies may run parallel to, and be facilitated by, related police actions.

The civil interventions adopted by the two local authority housing departments discussed here draw upon national civil statute and local authority administrative regulations. The government has recently strengthened the use of civil statute in this area by simplifying the eviction process and attaching greater police powers of arrest to civil injunctions. Local authorities have strengthened their ability to pursue administrative remedies by re-drafting their tenancy agreements. Both these developments are indicative of the growing reliance upon such forms of intervention in the face of the inability of the police to tackle adequately many problems in local authority housing areas.

Civil Mechanisms and Sanctions

Traditionally, local authorities have relied upon general nuisance clauses of tenancy agreements to deal with antisocial or criminal tenants. The past ten years have seen the strengthening of such agreements by the inclusion of more detailed clauses in agreements to address harassment, nuisance and crime. An example would be the London Borough of Hammersmith and Fulham's tenancy agreement clause specifically relating to domestic violence or violence toward others. The clause states: "It shall be a breach of these tenancy obligations for the tenant, unlawfully to commit, cause or threaten any violence against a member of the household, or unlawfully to force another person to leave the dwelling because of violence or threatened violence." An unpublished survey by the Association of Metropolitan Authorities (1994) indicated that almost half of the respondent local authorities were revising tenancy contracts to include breaches concerning nuisance, harassment or crime. Another 79% reported that tenancy agreements were being reviewed to improve the success of enforcement.

Eviction has been viewed as a last resort by councils because it has been a slow and expensive procedure, requiring the obtaining of two separate court orders. As evidence of the government's support for the use of civil remedies by local authorities, the 1996 Housing Act shortened this procedure to a single court application. In addition to evictions that are considered a measure of final resort, authorities are increasingly exploring the use of injunctions. An injunction is a court order that, in the U.K., can be used to require an individual, group or organization to carry out or refrain from specified actions. Such actions may include damaging property, the forbidding of breaking specified tenancy clauses, or entering a stated property or defined locale (e.g., exclusion order). Rather than making a formal judgment, a judge often asks the parties to agree to an "undertaking" by the defendant to refrain from a specified action. As with evictions, the 1996 Housing Act has strengthened injunctions by allowing police powers of arrest to be used in their enforcement. Previously, such breaches were generally seen as being in contempt of court and required further court proceedings; as such they were non-arrestable offenses and could not be immediately enforced by the police. This bolstering of such measures is again, indicative of the government's support for their increased use.

The use of civil remedies such as evictions or injunctions may serve a number of means. First, they provide civil enforcement where the criminal process is not available. Much nuisance behavior may

only be resolved via the civil courts as no criminal law is being broken. Until a civil solution is achieved the police may be called to repeatedly attend incidents to which they can offer no viable solution, a concern echoed by Skogan (1988) in his examination of the role of community decline in the rise in crime and incivilities in residential areas. Second, such remedies may provide civil enforcement where the criminal process is not effective. Evidential requirements under the criminal process are such that the viability of prosecution may limit effective police and prosecution intervention. Such requirements may not inhibit a local authority from taking action however, as civil injunctions are not required to prove intent and require a significantly lower burden of proof "the balance of probability" rather than the criminal "beyond reasonable doubt." Also, where a criminal action has failed, a local authority may attempt civil proceedings utilizing, by prior agreement, the statements and information gathered previously by the police. Third, such measures represent a potentially powerful sanction. Partial exclusion from one's immediate social group, by an injunction barring entry to a residential area, may serve as a strong deterrent and penalty compared to a fine or suspended sentence in the criminal court. Finally, injunctions can help in countering witness intimidation. In the absence of the suspects being held on remand during a criminal case (or to prevent interference during a civil case), a civil injunction may be the only instrument available to deter intimidation. Such an injunction can forbid contact or proximity between the accused and the witness.

The civil tools in these case studies have targeted both offenders and non-offending parties who are deemed to bear a legal responsibility for the actions of others. The parent(s) of offenders are increasingly liable under the terms of their tenancy agreement for the behavior of persons residing in their home, e.g.. their dependents, adult or otherwise. The potential for parents or other guardian figures to influence the behavior of juvenile offenders is highlighted by Felson (1986, 1995). Felson (1995) argues that the parent, or any other person with proximity to and knowledge of a juvenile offender's behavior, can become an instrument of informal social control. Thus, the parent or another relative who is the contractual tenant of a local authority residence where the offender is living is in a position to act as a "handler" — capable of exercising a level of personal responsibility for the actions of their charge. Such control can be in the form of "discouragement," described as a reminder to cease any given behavior. If this level of informal social control fails, then coercion may be used by the handler to restrain inappropriate behavior. The

premise that underlies this perspective however, is that those with whom an offender resides, are in fact willing or capable of taking on the role of "personal handler." A local authority will not undertake the legal expense of a court action lightly, and such a move will only be initiated once numerous contacts with tenant parents — probably also involving the police — have failed. Thus, the enforced personal handler role, the result of a civil action, may represent a new category for Felson's (1995) model.

The Hackney Council Housing Department, the subject of the second case study, has taken this approach when dealing with juveniles (aged 17 or younger) that visit one of its residential housing estates and engage in criminal and antisocial behavior. The use of injunctions to exclude these individuals from the area has encountered resistance from the courts. As a court order is only as effective as its enforcement, the courts have been reluctant to issue an order against young offenders who, in the likelihood of breaching an injunction, are unable to pay a fine and are too young to receive a custodial sentence for contempt of court as a result of the non-payment. For such juveniles, the housing department feels that the only viable option is to request an injunction against their tenant-guardians, generally their parents, requiring that they restrain their children from the proscribed actions. Such legal actions are currently ongoing.

A Remedial Strategy

Any remedial approach should consider both multi-agency strategy and operational tactics. Figure 1 illustrates the scope of civil and criminal initiatives found in the two case studies discussed in this report. Preventive measures are found in the collaborative approach to risk management, expressed in these cases by the joint identification of problem areas and multi-agency working groups. This cooperation is also evidenced by a mutual support for the investigation and prosecution process, and, ultimately, support from the police in enforcing injunctions and their application. This proactive approach by civil housing departments raises a number of issues regarding the development of civil enforcement actions, and is discussed in the final section of the paper, following a consideration of the case studies themselves.

Figure 1: Multi-Agency Compliance and Enforcement Approaches

Point of Intervention	Police and Criminal Process Support
Risk Management	<ul style="list-style-type: none"> • Joint mapping of problem “hotspots” • Joint strategic working group
Investigation	<ul style="list-style-type: none"> • Intelligence sharing • Police criminal investigations
Prosecution	<ul style="list-style-type: none"> • Criminal charges • Provision of criminal evidence for civil process
Enforcement	<ul style="list-style-type: none"> • Policing of injunctions • Enforcing of evictions • Notification of police-related incidents

CIVIL AND CRIMINAL PARTNERSHIPS

Gateshead Metropolitan Borough Council Tenancy Enforcement Team and Northumbria Police

In early 1994, the Housing Committee of Gateshead Metropolitan Borough Council in Newcastle decided to establish a Tenancy Enforcement Team (TET) to tackle growing criminal and anti-social behavior on council housing estates. The authority's concern was that although eviction was possible under the nuisance clause of their residents' tenancy agreement, it was very time-consuming (albeit less so now). More importantly, very few actions had been able to proceed "because of the real fears of reprisal felt [by resident witnesses and victims] despite assistance and encouragement from [housing] officers" (Gateshead Metropolitan Borough Council, 1993). In addition to centralizing housing department actions regarding problem tenants, the provision of a dedicated team distanced enforcement actions from local housing staff (often located on the estate concerned), who were increasingly subject to threatening behavior while dealing with complaints.

The Tenancy Enforcement Team

The TET has a comprehensive remit to contact victims of criminal and/or antisocial behavior on council estates and liaise with the relevant agencies and council departments so as to develop swift and effective problem-resolving strategies. This frequently involves gathering suitable evidence, including witness statements, and assisting in the preparation of legal notices (where appropriate) and attending court hearings.

Such is the commitment to a vigorous civil remedy approach that the team has recently increased from three to five council housing officers and has increased its responsibility from a handful of estates to the whole borough, covering approximately 30,000 properties. In addition to other council departments, external agencies drawn upon include the Northumbria Police, the North East Mediation Service, the Department of Social Security fraud investigators and Victim Support. Specific assistance includes training for officers in mediation skills from the North East Mediation Service and in static surveillance techniques from the police.

The housing team originally targeted problem residents referred by local housing offices. It has now combined this follow-up procedure with a more aggressive "blitzing" of targeted council estates, sometimes accompanied by a "pulse" policing operation. Such operations rely upon the unexpected deployment of large numbers of council and police personnel and hope to make more of an impact on crime and incivilities than a less intense but more sustained initiative. In conducting interviews when investigating complaints, housing officers will meet individuals at any place and at any time and may attend people's homes disguised as workmen. Such an approach is essential to prevent and overcome the fear of intimidation felt by victims and witnesses. When gathering evidence of nuisance behavior housing officers may undertake covert observation of target individuals and residences using video time-lapse recording systems. An anonymous phonenumber for complaints and information regarding antisocial or criminal behavior by tenants is also maintained. The team maintain a central registry of all complaints, referrals and operations. This allows problem areas or tenants to be identified and monitored, supporting early intervention and later legal action. This registry is the source of much of the intelligence that the local authority housing department is able to provide to the police and other civic agencies, such as the Benefit Agency fraud investigators. The registry also holds intelligence received from other parties.

Police Cooperation

Day-to-day liaison with the police occurs via a liaison inspector or contact officer in the Intelligence Unit, although meetings may involve the superintendent divisional commander if required. Police assistance includes identifying problem residents, supplying information to support local authority civil actions and warning problem tenants of possible council action.

With the establishment of the enforcement team, the housing department and the local police commander together identified the ten most problematic families on the estate, so as to "concentrate on the most criminal and anti-social households rather than diffusing the effort" (Clarke, 1994:18-19). Having assisted in drawing a target list of ten families, the police then disclosed information that assisted council intervention, e.g., an injunction or eviction. Such information includes incident calls, arrests, charges, pending proceedings and convictions. This exchange of information has recently been enhanced by the flagging of problem residents or premises on the local police incident computer. As coverage of the team has increased, only individuals targeted during an estate-specific blitz are flagged. Any police incident that involves an individual or address on the problem resident list is automatically brought to the attention of the liaison inspector. A vetting process occurs at this stage, and information considered non-sensitive and relevant to the TET remit is passed on. Two of the housing team's officers are charged with liaising with the police and other agencies on a daily basis and collating information to build up the evidence needed to support civil actions.

The mutually supportive nature of this joint criminal and civil enforcement approach is illustrated in the protocol the housing department and the police have developed regarding the issuing of warnings to tenants following an incident requiring police attendance. The police may inform the TET of their attendance at an incident (subject to vetting), while also providing the tenant involved with written communication stating that the housing department has been informed of an incident and that he or she may be in breach of their tenancy agreement. The TET also informs the tenant that an incident has been brought to its attention and that the incident may be investigated. An aspect of such an intervention stressed by both parties is that action against problem behavior is swift. A tenant could receive two formal warning letters within a week of a criminal or antisocial incident. In practice however, a more informal approach has been adopted to date, with verbal warnings from officers.

Tenancy Enforcement Team Operations

Operational information relating to the team was provided by the housing department. Of the original ten target families or individuals, seven left the estate voluntarily, two ceased their antisocial behavior and one individual — a child dependent — was taken into care. In the first eight months of operation, the Gateshead team recorded 27 incidents of problem non-tenant residents leaving the estate following formal warnings from the housing department. The majority of these were adult dependents of estate tenants. The specific activity of the team and its use of the civil remedies of injunction and eviction is detailed in Table 1 below.

Since the team's inception, approximately 150 notices of seeking possession have been granted by the courts as of September 1996. However, as indicated, until February 1997 this was a drawn out two-stage process and only two possession orders had been granted by the court.

Table 1: Operational Activity of the Tenancy Enforcement Team

Cases Undertaken, July 1994-March 1996	No.
Enquiries re: the TET Registry	1807
Cases referred for TET action	498
Interviews and information received	1334
Formal cautions to tenants (verbal and written)	139
Results of Cases, April 1996-September 1996	
Notice of seeking possession served	43
Notice of seeking possession still active*	59
Injunctions granted	1
Possessions orders granted	2

* Court orders are valid for 12 months, and these are notices from the previous recording period that are still active.

Another example of the use of specialist housing officers to vigorously draw upon civil powers in tackling problem residents of high-crime housing areas is found in London, and is discussed below. The problems faced here were predominantly the crimes of robbery and

burglary, committed by a small number of the dependents of tenants. The following case again highlights the relation between the use of civil tools and the criminal powers of the police.

Hackney Housing Department, London and the Metropolitan Police

The Housing Department of the Hackney Borough Council in London experienced major problems with one of its housing estates, before initiating a number of civil measures. The Kingsmead Estate is a 17-acre estate of 1,084 dwellings in the Borough of Hackney, east London. The estate, built in 1936, is made up of 16 five-story walk-up buildings, the eight largest occupying the central part of the estate and the remaining smaller buildings arranged along the perimeter. In 1993 a high number of iron shutters and doors, a product of the high burglary and void (empty property) rates, visually blighted the area. Just under half of the approximate 3,000 residents are Afro-Caribbeans, Africans, Greeks, Turks, Asians and Vietnamese. Unemployment on the estate is one of the worst in London, with about 80% of residents receiving state benefits and a large number of unemployed 16 to 21 year olds.

The key criminal and disorder problems as reported to the police and council investigators were burglary, robbery and related witness intimidation. In 1992, according to local detectives and council housing officers, almost all of these problems stemmed from a hard core of approximately ten juveniles, three of whom were brothers. Such was the fear of reprisals that many victims and witnesses did not report offenses. The true level of offending on the estate was only uncovered by an initial audit of the estate by the housing department investigative team, whose figures revealed a dramatic escalation of crime in during 1992. As the confidence of the offenders increased, the crime situation spiralled and residents' confidence in the police and the local authority plummeted. The following excerpt from a collective statement by a group of residents, illustrates the extreme intimidation felt by victims and witnesses that hampered police intervention: "The Kingsmead Estate and Sherry's Wharf are suffering from a reign of terror by a youth gang who [sic] appear to be led by X and his brothers. There are numerous break-ins to property by the youth gang who appear to have little fear of arrest. Tenants are intimidated and harassed to such a degree that the gang members are rarely identified to the police following robberies" (Hackney Housing Department, 1993).

In December 1992, a joint "Think Tank Team," comprising senior housing and police officers, was established. An ensuing police investigation reviewed all burglaries and robberies committed on the estate over the previous six months, and undertook a surveillance operation (Operation Boston) against the family of key offenders. These individuals, the sons of the registered tenant, were later arrested and charged.

Running in parallel to the police operation, a special housing team (discussed below) was preparing a civil course of action. Following the criminal convictions, of three individuals convicted for robbery, burglary and drug offenses, police evidence was made available for the housing department eviction proceedings. Injunctions (in the form of exclusion orders) were served in May 1993 against five defendants, four of them from the problem family, on the grounds of abusing their tenancy agreement through criminal actions.

Hackney Housing Department Housing Inspectorate Team

The Housing Inspectorate Team (HIT), formerly known as the Tenancy Audit Team was established in the autumn of 1991. This team quickly became involved with the Kingsmead Estate project and was able to offer a detailed knowledge of the area's residents. During the investigations of the team, which ran parallel to the police operation, they were often able to obtain information not given to the detective team because of their non-police status and broader concerns regarding the estate and its residents. The team operates out of an anonymous council property, providing discretion important in overcoming the fear of intimidation, and encouraging individuals to attend meetings and give statements (to HIT and the police) if they do not wish to be visited at home on the estate. As stated by a victim to housing investigation officers in December 1992, "The general feeling on the estate is that the police are not discreet and people reporting crimes become known to the gang who retaliate later." Following the serving of the injunctions in May 1993, the housing team also monitored the estate for evidence of the orders being breached. As in the previous case study, these specialist housing officers undertook video surveillance and engaged in clandestine meetings with victims and witnesses.

The Hackney housing team has developed a computer system that is able to search through numerous local authority databases (council tenancies, council tax payees, housing benefit recipients). The system can identify individuals via personal information (vehicle in-

dex, date of birth, telephone number) provided on almost any council form. The use of basic crime pattern analysis techniques allows the identification of potential problem "hot spots" e.g., if 40% of a council residential block is void (empty) this may indicate (or give rise to) problems in the block. In addition, the system is used to detect benefit frauds by claimants and multiple accommodation applications or tenancies. Further, it provides a tracking ability and may be used by the housing investigation team in locating individuals, a facility sometimes extended to the police. Frequently tenants may reside at more than one address in the locale due to an extended family network, and the HIT officers can often provide an address for individuals sought by the police if they are in the borough. This cooperation helps the authorities deal with serious problems and criminal tenants, and engenders a positive relationship between the police and the local authority. Information on the location or actions of problem individuals is also received from other residents. Residents are invited to discuss problems, and over a number of meetings they establish relationships with the housing officer. If suitable, and with their permission, the officer may then introduce the resident to a local police detective who may develop an independent relationship with that individual.

Injunctions were sought to provide interim relief from antisocial and criminal behavior, and to try and counter witness and victim intimidation on the Kingsmead Estate. The injunctions were undertaken under Section 222 of the Local Government Act 1972, which provides local authorities with very broad powers to prosecute "...where a local authority consider(s) it expedient for the promotion or protection of the interests of the inhabitants of their area." Once served in May 1993, the injunctions specifically prohibited named individuals from entering designated properties on the estate and causing damage to council property, and from assaulting or threatening council employees or estate residents. Affidavits can be used in applying for injunctions, though if challenged (and here they were, funded by legal aid) witness cross-examination may be required. In an attempt to minimize potential intimidation, witnesses who had since moved off the estate were able, with the permission of the judge, to keep their addresses confidential. The importance of any measure that encourages residents to make statements by deterring intimidation could not be over-emphasized by the team.

Police Cooperation

The key police initiatives were the re-investigation of previous cases and Operation Boston. In conducting these and subsequent operations, a close relationship developed between the investigating housing department officers and the police. As indicated, the police passed to the housing team evidence and statements, following the criminal prosecution, so as to assist in obtaining injunctions and evictions. Once the injunctions were served, the local patrol officer played an important role in enforcing the injunction by reporting any breach of the order to the housing department, e.g., if an individual under notice was seen on the estate.

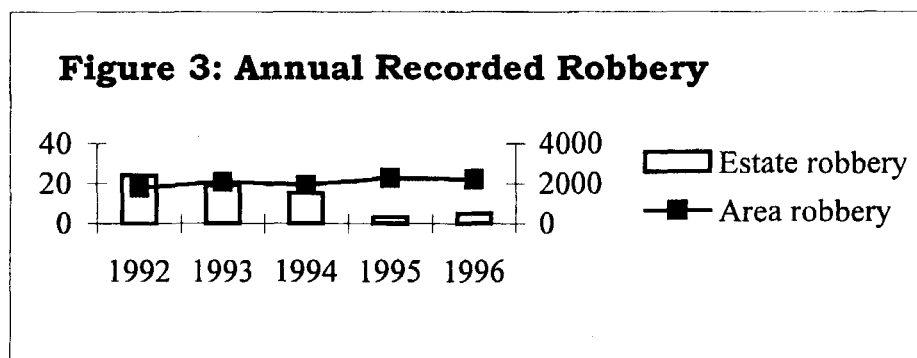
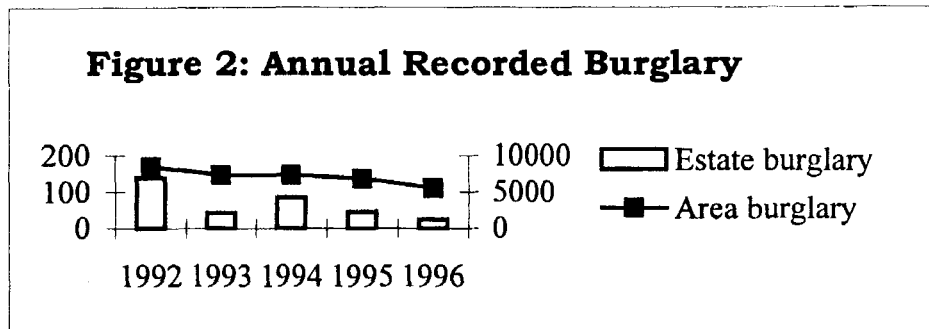
The cooperation between the local authority and the police following the operations on the Kingsmead Estate has been sustained by the creation of a joint Crime on Estates Working Group in January 1995. This forum seeks to identify problem areas throughout the borough and coordinate multiagency action. Issues discussed include pirate radio stations, prostitution and the mutual monitoring of crime and nuisance on the estates in the area. This collective approach to the controlling of problems on the estate was further enhanced in 1997 by the establishment of a shared computer data mapping format. This allows for enhanced crime pattern analysis and the identification of police and council hot spots, be they for recorded criminal or antisocial incidents. Such an exchange provides an operational platform for the support of civil remedies with police resources, and vice-versa.

Improvements on the Estate

The crime-recorded rate for the estate is illustrated by the bar chart in the figures below. The wider trend for the Hackney and Shoreditch police sectors, the East London area in which the Kingsmead Estate is found, is shown by the data line. Figure 2 below details the changes in burglary on the estate. Following the arrests in January 1993, domestic burglaries for the year fell 69% compared to 1992, five times the reduction experienced by the surrounding East London area (14%). Incidents rose in 1994, followed by a continued decline in burglary to 25 (from 139) incidents in 1996. This represents an 82% reduction over the 1992-96 period, compared to a 45% reduction for the local area.

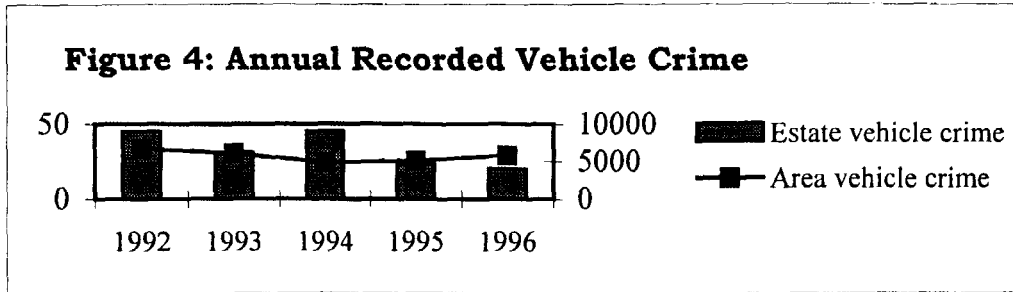
As depicted in Figure 3, robberies on the Kingsmead fell 21% in 1993, compared to a 16% rise locally. Robbery on the estate continued to fall to five incidents in 1996, a 79% decrease compared to

1992 levels, in marked contrast to an overall rise of 24% in the surrounding areas.



Vehicle crime (including theft of and from vehicles also fell dramatically, with a one year interruption, recording a reduction of 55% (from 45 to 20). This contrasts with an overall fall in the east London area of 13%, as shown in Figure 4.

A partial explanation put forward by local police and the HIT officers for the rise in burglaries and vehicle crime during 1994 was that another large criminal family living on the estate had become active in the area following the removal of the initial family of offenders. By this time also however, some of the original group of offenders had also been released from detention and were known to visit the estate.



Another indicator of turnaround for the estate was the level of empty (void) properties, a result of residents leaving the estate and the reluctance of new tenants to accept accommodation on the Kingsmead estate. Following the high-profile crime crackdown in February 1993, coupled with an intense estate management approach of services on the estate (such as maintenance), the number of void properties dropped significantly. Void levels fell from 262 in April 1993 to 56 in January 1997, a drop of 78%. The block where the key offenders lived, along with the block opposite where they frequently offended, had void levels of 45%. With the removal of the problem family (who occupied but one apartment), the void level in the two blocks dropped to 12% by May 1995. The execution of an injunction against another problem tenant who had driven out neighbors through abuse and intimidation led to a drop in void levels of more than 50% (from 12 to 5) by the following year. Although anecdotal, a final indicator of improvement on the estate regarding the fear of intimidation from offenders is the offering by residents of their homes as observation sites to the housing team; in 1992 residents were reluctant even to talk to the team.

CONCLUSIONS

The increasingly vigorous use of civil remedies to tackle problems of crime and anti-social behavior in both residential and non-residential settings has, as illustrated by the case studies, entailed a number of related developments. These include the growth in civil intelligence gathering to support the use of civil instruments, as well as the strengthening of the instruments themselves. A number of issues regarding the changing nature of compliance enforcement in central and local government have been identified by Sparrow (1994). A shift from an individual "incident" to a broader "risk" orientation by

civil enforcement departments is illustrated by the adoption of joint mapping of problem areas, targeting priority offenders with the police and the setting up of strategic fora such as the Hackney Crime on Estates Working Group. Risks may be identified in terms of offense category (e.g., robbery) or geographically (e.g., the Gateshead estate "blitzes"). The monitoring of related problems by different agency mechanisms — police-recorded crime and housing department resident complaints — may identify different offenders and problem areas. New information may be gleaned by both parties in drawing up a joint priority list. This proactive, intelligence-oriented approach, now common in the criminal law enforcement arena, serves to facilitate the 'strategic selection of enforcement targets' (Sparrow, 1994: xxvi).

Both the Gateshead Tenancy Enforcement Team and the Hackney Housing Inspectorate Team acknowledge that resource as well as strategic factors influence their points of intervention, i.e., who they investigate and for what they prosecute. "Enforcement agencies face up to the fact that there are not, and never will be, sufficient resources to support successful prosecution of all offenders. They also accept that prosecuting every offender...would be destructive of their relationship with the public" (Sparrow, 1994: xxv). The move to a broader, more preventive "unit of work" involves the judicious selection of targets and a need to assess risk and prioritize complaints. The police and housing departments in both studies deliberately adopted a pro-media policy in the hope that high profile prosecutions would serve to deter problem behavior by other tenants.

With the growth in civil enforcement by housing departments, there is a danger that officials may come to view estate residents as a population to be regulated — as part of the problem rather than the solution. Such a perspective would displace the "client" and "partner" ethos that has started taking hold in much local government provision, as tenants are increasingly being seen as active consumers rather than passive recipients of municipal services. In regard to tackling problems in Hackney, London, tenants' associations are involved in devising strategies to tackle crime and fear of crime on their estates by an involvement in multi-agency working groups. On a more operational level, as victims or witnesses, the cooperation of residents is needed to report incidents and give evidence, be it a police statement or a civil affidavit. Without this support from residents, no serious attempt can be made at tackling problems. Both housing department teams also receive information from residents in various forms, such as anonymous phone calls or letters. The cooperation of

tenants is especially needed for the provision of observation points during the surveillance of problem dwellings and residents.

In the U.K., the call from central government for local authorities to tackle problem tenants found the civil process of evictions and injunctions to be wanting. Hackney and Gateshead housing officials indicated that their enforcement activity would be facilitated by the recent simplification of the eviction procedure and the ability to enforce injunctions with police assistance. However, increased activity for such teams brings with it increased costs, despite the adoption of a priority approach. Housing departments may find it difficult to fund such enforcement when resources are already over-allocated for primary housing provision. Such problems echo the experiences of other civil enforcement activity, such as the Inland Revenue Service and Environmental Protection Agency in the U.S., where the adoption of a more vigorous compliance policy has revealed shortcomings in the enforcement capability of those charged with tackling newly prioritized problems (Sparrow, 1994).

An underlying theme of the enforcement initiatives undertaken by both local authorities discussed here is the relationship with other government agencies, primarily the police service. Although each case study has looked at differing mechanisms of cooperation, the outcome is that civil intervention can be reinforced by the criminal process and police resources at key stages. Although communications between local authorities and local police may generally exist at a senior level, actions by the two bodies are frequently uncoordinated. This is understandable given the distinct legal and administrative processes under which the two operate. As the use of civil mechanisms to tackle antisocial — and increasingly criminal, behavior — flourishes, inter-agency discussion forums will need to be supplemented by a partnership format that allows for the exchange of information according to daily operational requirements rather than timetabled monthly meetings. Such an approach will enable a corresponding and supportive police response to the development of municipal agency enforcement teams that increasingly utilize civil remedies, with an aggression previously found in the criminal process.



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