

GUIDE TO COMPLETING THE INCIDENT DIARY FORM

Why am I being asked to complete an incident diary?

Incident Diary forms are important pieces of evidence that enable us to take further action against those causing anti-social behaviour. It is used to justify that the action we intend to take against an offender is both reasonable and proportionate.

If there is enough evidence to take court action, we may ask you if you would be willing to provide a statement known as a "Witness Statement" explaining what has happened to you. It is likely that your Incident Diary will be attached to your statement.

At the end of the statement you will be asked to confirm that the contents of your Statement and the contents of your Incident Diary are true. This is important and you should be aware that if this Statement is used for the Court you will be in contempt of Court if the information which you have provided is untrue. You should therefore read the notes in this guide in detail and carefully consider all the information in the Witness Statement and Incident Diary and let us know if any changes are necessary.

If you are one of the people who is most affected by the offender's behaviour, or if you witnessed a major incident involving the nuisance tenant, we may ask you to attend the Court to tell the Court about the behaviour complained of or to answer any questions which the Court might have. This is something which we will discuss with you at a later date if necessary.

Will I have to put my name on the Incident Diary?

No. If you are frightened and fear that you maybe verbally or physically abused, you can complete an Incident Diary without naming yourself. However, the Court may take your evidence more seriously if you are willing to identify yourself.

We do understand that many people are worried about complaining about their neighbours. However, we would urge you to have the courage to complete an Incident Diary.

Although it is possible for our housing management staff, the Police and others to give evidence about bad behaviour of others, the best evidence usually comes from people such as you, and other neighbours who have to put up with the nuisance. If neighbours do not have the courage to come forward and raise complaints, the behaviour may continue.

Even if you decide that you are not willing to put your name on the Incident Diary, the offender may be able to identify you from the information which you are providing. Please do not hesitate to contact us if you have any concerns about this.

How should I complete the incident diary form?

There are 5 sections on the incident diary form:

1. Date and Time of Incident

You should ensure that you make a careful note of the date and time of any incidents. If you are disturbed by noise nuisance such as loud music, make a note of the time the music starts and stops. Please try to describe the number of length of incidents and if there is a continuous or irregular disturbance.

2. Where did the incident occur

In most cases you will be disturbed by the offender's behaviour when you are at home. However, it may be that the nuisance occurs whilst you are in a communal area. In some circumstances you may even record an incident which happens when you meet the offender in a supermarket, for example.

3. Brief details of what happened.

This is the most important part of the Incident Diary. You need to make a careful note of exactly what has happened. It is important that you are as precise as you can be.

For example, if the nuisance is the banging of a door, say whether it is an internal or external door, say how many times it is being banged and how frequently. If the complaint is about playing loud music, try to explain the type of music. Is it dance music with a heavy beat? Is it classical music? If there is singing, can the words be heard clearly? If it is shouting, how many people are involved? Can you hear what is being said?

If there is not enough space on the Incident Diary and you need to carry on to an additional piece of paper, please make sure that you head each additional sheet up with the date of the incident, so that they can be identified.

4. Who did it?

It may be the offender who is involved in an incident. However, it might be a frequent visitor who creates a nuisance. The nuisance might be frequent parties with visitors who create a nuisance in some form or another. It will help if you could indicate on the Incident Diary who you believe is creating the nuisance.

5. Any other comments.

This section is your opportunity to put across how these incidents make you feel, and the effects that it is causing to you and anyone else. It is important that we can evidence to a judge how the behaviour is actually affecting people.

Examples can be; this has left me frightened to go out, I am scared in my own home, my health is being affected etc.