

## **GUIDE TO COMPLETING THE INCIDENT DIARY**

The vast majority of people are good neighbours. They are considerate towards their neighbours and ensure their actions have little impact on others. However, there are small numbers of people who seem to have little consideration for others. These few individuals often make the lives of those living around them a misery.

We are committed to do all we can to try to ensure that your neighbourhood is a pleasant place to live. However, we need your help to do this. You are able to give the best evidence about the nuisance because you are directly affected.

### **Why am I being asked to complete an Incident Diary?**

When you raise a concern regarding the behaviour of one of our tenants in your neighbourhood, we will provide you with a number of Incident Diary Sheets to complete. These are so that you can make a record of any bad behaviour which you experience from our Tenant. We may also ask other residents in the area to complete an Incident Diary.

On completion, please return them to the Office where we will look at any complaints recorded and then make a decision on whether there is sufficient evidence to take action against the offender.

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 the 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 or the offender might have. This is something which we will discuss with you at a later date.

### **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, i.e., neighbours who have to put up with the nuisance. In certain circumstances, the Police can make a statement on your behalf, if you are afraid to do so yourself. 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?**

You will notice that the blank Diary sheets are split into 7 columns:

#### **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 witnesses?**

If you have visitors who are with you when the incident occurs, you should note their name on the Incident Diary. If the incident which they witnessed is very serious, or if the incident is disputed, the witness may be asked to give evidence on the incident. If you are including information from a witness other than yourself then you should obtain their permission to include their details in the Incident Diary.

#### **6. Was it reported? And by whom?**

If the incident was serious, you may have called the Police. If so, please indicate this. If you were issued an incident log number from the Police, it is helpful if this can also be noted and details of the Police Officers attending should be recorded. If the nuisance complained of is noise, you may have contacted the District Council's Environmental Health Section.

**7. Any other comments**

This is your opportunity to add anything else which you feel may be relevant. For example, you may wish to describe the affect that the nuisance behaviour is having upon you and your family. (e.g. if you or your family have had difficulty in sleeping due to the nuisance or it has upset you and made you fearful.) If the nuisance tenant has blocked an entrance, explain how this has affected you e.g. unable to attend an important appointment, intimidates you etc.

You should bear in mind at all times that the Incident Diary may be shown to the Court. You should therefore avoid using excessive bad or derogatory language to express your feelings.

If you have any queries regarding the Incident Diary which has not been covered in this guide, you should contact your Neighbourhood Manager or Support Worker, if you have one.