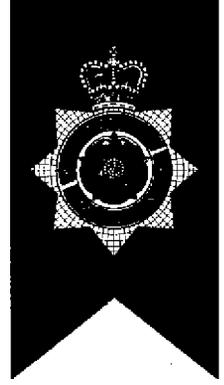


ANTI-SOCIAL BEHAVIOUR ORDER

Category: Crime and Disorder Reduction
Force: Lancashire Constabulary
Endorsing Officer: Deputy Chief Constable Paul Stephenson QPM
Contact Person: Acting Sergeant Stephen Little
Community Safety Department
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Lancashire Constabulary



ANTI-SOCIAL BEHAVIOUR ORDER

CLIFTON DERAVERIERE

CATEGORY - CRIME REDUCTION

FORCE - LANCASHIRE CONSTABULARY

ENDORISING OFFICER -

CONTACT PERSON - ACTING SGT STEPHEN LITTLE

COMMUNITY SAFETY DEPARTMENT

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SUMMARY

Clifton Alphonsus Deravariere is a career criminal who over recent years has taken to engaging in anti-social behaviour targeting members of the public, usually women, at random. He resides in Preston but is known to travel throughout the Northwest region using the railways for transport.

Evidence and information was, in the initial stages, in the form of police incident logs, intelligence reports, statements and reports from other agencies.

The type of behaviour engaged in by Deravariere presented several problems for police *officers* called to 'incidents in which he had been involved. Firstly his behaviour often fell short of criminality, e.g. persistently staring at a person who found themselves in a vulnerable location. Further, he invariably made counter allegations usually of a racist nature on police arrival. Many witnesses were so intimidated by his behaviour that very few would provide statements making the possibility of a criminal conviction even less likely. Finally, identification' was a further problem faced by the police in that Deravariere often left the scene of the incident prior to an *officer* arriving.

Despite these difficulties he had amassed a total of 88 convictions over a 29 year criminal career. These included offences of dishonesty, grievous bodily harm and assault on police.

A case conference was convened involving a total of 21 other agencies. As a result more evidence became available. Initial analysis revealed that several other agencies throughout the town had encountered Deravariere and resorted to the civil courts to exclude him from their premises. It became apparent that the man was so persistent and so prolific in his activity that the only way to minimise the risk to peoples well being was to pool resources and seek a 'joined up' solution, which would hopefully provide a substantial deterrent to him in continuing his behaviour.

An Anti-Social Behaviour Order was applied for and granted by Preston Magistrates Court in July 2000. Since that date he has been at liberty for a period of only 8 weeks due to him being remanded in custody for several alleged breaches of the order. An appeal against the order was dismissed by Manchester Crown Court in January 2001.

SCANNING

Clifton Deravariere has been known to Preston police since his first conviction in 1971. His previous convictions reveal very little of a disturbing trend over recent years towards anti social behaviour. The Lancashire Constabulary Force Intelligence Unit noted his activities in surrounding force areas and also other divisions within Lancashire. This was highlighted and brought to the attention of Preston police.

Other agencies were also aware of his activities, some having taken steps by means of legal action to exclude him from their premises. The Royal Preston Hospital had formulated an action plan specifically to monitor Deravariere's activity whilst on hospital premises.

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ANALYSIS

Examination of intelligence reports, statements, letters of complaint, police incident logs, incident reports from other agencies, and spent criminal files revealed that Deravariere was regularly intimidating and verbally abusing people in a wide range of locations. There was a consistent element to his behaviour in that in almost every case he referred to sex and/or religion as a means of making those within hearing distance feel ill at ease. On a number of occasions he also got physically close to his victim putting some in fear of violence. It was recognised early on during the analysis of the information, that the 'Mad or Bad' argument concerning Deravariere's mental state, could well prove to be a critical factor in the resolution of this problem. The following two incidents are examples of the behaviour described.-

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1) Linda is an employee of the University of Central Lancashire and one night worked over into the evening, in an office in one of the more remote parts of the university. As she finished work and left the office she noticed a man (Deravariere), whom she didn't know, using the public telephone in the corridor. She walked past him intending to take her usual route to her car on the University car park. After only a few paces she realised that the man had started to follow her. She suddenly became aware of how vulnerable she was and desperately tried to think of the best course of action to take. There were no other people in the building at that time. She estimated that Deravariere was about 5 metres behind her when he said " I CAN SMELL YOUR NICKERS FROM HERE". She tried to remain calm but felt very frightened. She realised that she had some considerable distance to walk to get to her car. She feared assault or rape. He repeated his words on 3 more occasions causing Linda's anxiety to increase. On the third occasion she was in such a state of panic that she has no recollection of how she got to her car or the journey home.

(Summary of statement)

Whilst a man was walking with his 8 year old daughter in a park he was approached by Deravariere who said to him, "I WANT TO F- - - YOUR DAUGHTER". A fight ensued between the man and Deravariere during which Deravariere sustained minor head injuries.

(Summary of Intelligence report

This type of behaviour had varying effects on the people who came into contact with him. Some have dealt with the experience with little or no after effect. However others have struggled to come to terms with what has happened to them. In a small number of cases this has resulted in a reluctance to enter certain areas of the town for fear of seeing him again. In incident No.1 above Linda underwent counselling over a 6 month period. Deravariere's behaviour clearly had a profound and lasting effect on some of his victims_

Given that Deravariere had several convictions for violence offences, it was difficult for those who were aware of his history to view his intimidatory behaviour as simply that. He was capable of carrying out threats and using violence against any person.

Analysis of information showed that the location of incidents could not be predicted. Deravariere had been convicted of offences in London, Cheshire, Greater Manchester as well as Lancashire. Intelligence reports originated in Blackburn, Leyland, Blackpool, Chorley and from the British Transport Police across a wide area. The British Transport Police were as familiar with him as Preston Police. He travelled widely by bus and train using the opportunity to continue intimidating people. One BTP intelligence report is summarised as follows:-

Whilst travelling on a sparsely occupied train between Ormskirk and Preston, Deravariere had sat directly opposite a young woman with her 4 year old child. She felt very uncomfortable when he tried to engage her in conversation. He then took hold of the child's doll and removed a scab from a wound on his own head. He has then smeared blood from the reopened wound onto the head of the doll and handed it back to the child. Both mother and child predictably became distraught. On arrival at Preston Station the woman refused to make a formal complaint to police officers through fear of coming into contact with Deravariere again.

This is a classic example of Deravariere taking full advantage of a captive audience who have no means of escape. He appears to revel in making his victims, usually women, shake with fear and cry. In all incidents there are 17 references to him using a piercing stare to make people feel intimidated.

All other sources of information located his activity in shops, pubs, dental surgeries, doctors surgeries, hospitals, libraries, museums, parks, probation offices, schools, university, and in the street I divided all the available information into themed headings based on location.

Although he preferred to target women, victim profile could not be predicted.

The prolific nature of his offending, and the increasingly worrying nature of it, sometimes targeting children, made tackling this man's behaviour a divisional priority. His behaviour had to be curtailed by either recourse to the criminal justice system, which had failed in the past, or by some other means.

– RESPONSE

A case conference, governed by a confidentiality clause, was convened and 22 other agencies were invited. Contained within the written invitation was a request that all information on Deravariere be brought to the table and shared: Draft prohibitions were also presented for consideration. The partner agencies provided a mass of further information. A document which proved particularly useful was a report produced by a consultant forensic psychiatrist, on behalf of the Mental Health Services. This was a four page report which clearly settled the ' Mad or Bad ' argument

Twenty one of the agencies supported the proposal that the police apply for an anti-social behaviour order. There was only one dissenting voice amongst the various representatives. This objection was based around concerns of how wide ranging the draft prohibitions were, and how they were likely to be refused at court when tested by the impending Human Rights legislation.

The draft prohibitions were as follows:-

- 1 Entering medical or dental practices unless for the purpose of receiving medical treatment by prior appointment or to remain there when requested to leave

- 2 Entering any local or county controlled public premises, or property without prior appointment or to remain there when requested to leave.

3 Entering any parks or public recreation areas.

4 Entering any educational premises or land attached including recreational facilities.

5 Entering any premises or land owned or controlled by the University of Central Lancashire.

6 Using any public transport or frequenting any public transport terminal

7 Entering the grounds or buildings of Preston Acute Hospital Trusts unless for the purpose of receiving medical treatment or authorised visit or to remain there when requested to leave.

As a means of prohibiting behaviour in all locations, a coverall prohibition was drafted -

8 Any behaviour which causes or is likely to cause harassment, alarm, distress or intimidation to any person at any time either by yourself, through a third person or by use of any instrument.

The supporting agencies were:-

Education Department, Lancashire County Council

Social Services, Lancashire County Council

Preston Bus Ltd.

Preston Borough Council

Probation Service

British Transport Police

Virgin Trains

Preston Acute Hospitals NHS Trust

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'Harris Museum/Library

'Ribble Valley Borough Council

'South Ribble Borough Council

!Blackburn with Darwen Borough Council

I
Chorley Borough Council

Fylde Borough Council

Wyre Borough Council

'Lancaster City Council

Blackpool Borough Council

I
Burnley Borough Council

I
Hyndburn Borough Council

I
Pendle Borough Council

I
Rossendale Borough Council

I
West Lancashire Borough Council

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Post conference it was recognised that we now had too much information and utilising it all would, in all probability, delay and complicate the forthcoming process even more. A process of selection was therefore carried out whilst still using 'location' as a means of classifying all the data.

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It was the intention of the Lancashire Constabulary to apply for the order to cover the whole of the County. It was feared that if Deravariere was restricted in the Preston Borough area only, he would simply travel to continue his behaviour in outlying areas. We also sought the order to run 'until further order', i.e. until he could justify to the court the discontinuance of it.

The summons was applied for and issued at Preston Magistrates Court on the 25th April 2000. It was served on Deravariere's solicitor three days later. It became apparent that his legal team had briefed counsel, therefore it was considered appropriate for the Constabulary to do the same.

The media were notified of the impending case, which ensured their attendance given that ASBO's were relatively new, and that this particular one was potentially far reaching.

The initial hearing was scheduled for three days starting on the 23rd May 2000. A hearsay notice was served on the respondents legal team naming a total of nineteen witnesses which the police intended not to call, but to read the statement of each. The first two days of the hearing were taken up with legal arguments concerning hearsay evidence, ECHR, burden of proof, limitation on proceedings, double jeopardy and identification. Clearly this left insufficient time to hear the evidence. The case was therefore adjourned until 17th July and scheduled for a five day hearing. The Stipendiary Magistrate also insisted on the attendance of all police witnesses whose evidence had been included in the file. This meant that a total of nine police *officers* were required to present evidence in court. Seven of the civilian witnesses were willing to give evidence and were warned for court.

Front page headlines, including photographs of Deravariere, in the local press, led to people ringing the police station to say that they had been victimised by him, sometimes as long ago as 5 months. An ongoing assessment process had to be used to decide whether or not the previously unreported incidents should be used at the forthcoming hearing.

Uespite Deravariere being aware of the nature of the application made by the police, he continued with his behaviour in the period between the May and July hearings_ Evidence of one further incident was so 'strong and compelling, that statements and CCTV footage was served on his legal team and the court, with a view to using it at the hearing in July. This involved witness Elaine Abbot who was in the waiting 'area of the Casualty Department at the Royal Preston Hospital with her 2 year old grandson who appeared to her to be very ill. Deravariere took a camera from his pocket and started to take 'photographs of Mrs. Abbot and the child. Despite repeated pleas not to, he continued to point the camera at her and others in the waiting area. When requested to leave by a police officer he made **I**reference to the front page photographs of himself in the local press and that he didn't see why he **I**couldn't take photographs of people against their will. In his view, this was retaliatory action against **I**society.

t Witness care was an important part of the management of the hearing. Evidence was heard from sixteen witnesses during the five day hearing in July 2000. Included amongst those witnesses were Elaine and Sharon Green , women who had encountered Deravariere in a town centre store in Preston in November 1999. Neither had been into the town centre since that day for fear of meeting him again. Both were extremely nervous, not about giving evidence, but about being in the same room as him. They gave their evidence from behind screens and were visibly trembling. At one point Sharon Green broke down.

I Ten witnesses refused to attend court point blank. The Stipendiary Magistrate requested that **I**questionnaires be completed by those witnesses, expressing reasons for their refusal. Police officers **I**visted them that evening and returned to court the following day with the completed questionnaires. The **I**barrister representing Deravariere asked that the text of the questionnaires be deemed inadmissable. The **t**reasons for that request were obvious when the content was examined. Extracts included,

I "I HAVE A PROBLEM WITH HEIGHTS, BUT I WOULD RATHER GO ON THE 'BIG ONE' AT **t**BLACKPOOL THAN GIVE EVIDENCE AGAINST THIS MAN".

t "THIS MAN IS A LOADED GUN WAITING TO GO OFF AND HE IS NOT GOING OFF IN MY **I**DIRECTION".

On Friday 21^s July 2000 the order was granted with all prohibitions except those covering 1)parks and recreational areas, and 2)trains and buses. The order applied to Preston and surrounding districts, namely, Fylde, Wyre, South Ribble and Ribble Valley. The prohibiton governing his behaviour was for 5 years, the remaining five prohibitions for two years.

ASSESSMENT

In the two month period between the date the order was granted and 22^od September 2000 he was arrested on four separate occasions and charged with breaching the order.

Clifton Deravariere appealed against the order. The case was heard over a further five days, at Manchester Crown Court in January 2001. All witnesses who gave evidence at the original hearing also gave evidence at. the appeal, apart from the Green sisters who felt they could not put themselves through a further ordeal. The order was again granted but did not include probation offices or schools, however an additional prohibition was granted covering trains and railway stations.

Since the original order was granted at Magistrates Court, Deravariere has only been out of custody for 8 weeks, having been remanded on several charges of breaching the order.

Estimated costs up to and including Magistrates hearing	£22,600
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Additional costs as a result of appeal	£4,800
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Legal precedents have been set in relation to burden of proof double jeopardy, hearsay evidence and ECHR.

Number of police intelligence reports naming Deravariere:-	8 months prior to order	-	19
	8 months since order	-	8

A considerable amount of positive publicity has been generated through newspapers and local radio, helping the people of Preston and surrounding districts feel safer, and putting Lancashire Constabulary in a good light Negative publicity has also been directed towards Preston Police for failing to achieve a conviction for breaching the order.

PARTNERS ASSESSMENT

Notes:-

Sergeant Aiden Pickering (British Transport Police)

"He has been a thorn in our side for so long, but we just don't see him any more. We're delighted"

Tom Rowlingson (Head of Royal Preston Hospital Physical Risk Management)

"The order has been 100% successful"

Margaret Sheard (Dental Practice)

"We are so much more relaxed knowing he isn't coming in to the surgery"

June Flanagan (Assistant Manager, Preston Bus Station)

"He was a very threatening man, the order as far as we are concerned has been very effective"

On 30th March 2001 Deravariere attended Preston Police Station and requested to speak to a police inspector. He declared to the officer that he had ended his 'campaign' and was now endeavouring to address his personal problems.

See attached bar chart for statistical assessment.

YOU ARE BANNED!



PRISON WARNING:
Clifton de Raveriere yesterday

ly **ERAN HOWLETT**

STON'S biggest nuisance has been banned from almost every public place in the centre for the next three years.

Clifton Aiphonsus de Raveriere, of Sedgwick Street, Preston, could also be five years behind bars if he causes any distress, intimidation or harassment to anyone - or at any time - over the next three years.

In a landmark ruling by Preston Magistrates' Court, the 42-year-old, who is unemployed, has also been banned from most public places, exit roads and train terminals and bus stops in the Ribble Valley, South

- UNDER** the terms of the anti-social behaviour order de Raveriere is prohibited, over the next two years, from:
- Entering any medical or dental practice unless for the purpose of receiving medical treatment by prior appointment, or to remain there when requested to leave.
 - Entering any museum, library or probation office without prior appointment.
 - Entering any educational premises or land attached, including recreational facilities.
 - Entering any premises or land owned or controlled by the University of Central Lancashire.
 - Entering the grounds or buildings of Preston Acute Hospitals NHS Trust unless for the purpose of receiving medical treatment or authorised visit.

Ribble, Fylde and Wyre during the prohibition period.

Lancashire police used new Government legislation to put a stop to de Raveriere's catalogue of "unacceptable but non-criminal" actions, which date back to the mid-1990s.

Superintendent Justin Felice, the operations manager for Central Division, said: "The reason we applied for this order was to use new powers to restrict Mr de Raveriere's movements and behaviour in an attempt

to prevent him from causing offence in the future."

During the hearing, Simon Vaughan, representing the police, said de Raveriere was a "walking time-bomb" who "boxes clever", adding: "He knows when he's gone too far and he moves on to a new arena."

Louise Waites, representing de Raveriere, said any banning order would, in effect, exclude him from any public area and would therefore be "setting him up to fall".

However, stipendiary magistrate Jonathan Finestein found that none of the allegations were "sufficiently clear and strong" against de Raveriere, who used an "intimidating preach" with his victims.

He said: "I have found his evidence to be evasive, manipulative and inherently untruthful. He is a man short of native cunning.

"He seems to take a perverse pleasure in the intimidation of individuals and frightening people, some more vulnerable, some less.

"I think he is a rather lonely man; and he may have been affected by time in prison. I don't think life for him is particularly easy - but his entitlement to some form of life.

"I have no doubt he has behaved in an anti-social manner. He has caused harassment and stress."

Speaking after the four-day hearing, officer in charge of the case I Steve Little said: "This is an excellent result not only for the people of Preston, but also surrounding districts

Another spell behind bars for 'seHal nuisance'

By Judith Dorman

A MAN branded a serial nuisance is again behind bars – after claims he menaced a university official and terrified three young female students.

Clifton Alphonsus de Ravariere, of Sedgewick Street, Preston, appeared before magistrates charged with two breaches of an anti-social behaviour order imposed on him in July this year.

de Ravariere, 42, who defended himself, allegedly approached university buildings manager Philip Matthews, recently a witness against him, on Friday morning – just hours after he had been released from custody over another alleged breach of the order.

Table

He stood inches from Mr Matthews and said: "Are yod scared now?" He added: "Well, don't make any more statements against me."

Later, he is alleged to have terrified three female first year students, all aged 18 and just arrived in Preston, outside the Ship Inn, on Fylde Road.

de Ravariere apparently sat uninvited at their table and acted bizarrely, asking if they were lesbians and if they liked him.

Sue McNamara, prosecuting, said: "The girls all said they were very scared."

Throughout yesterday's hearing de Ravariere repeatedly interrupted, saying: "This is lies."

Defending himself, he said the order could be quashed on appeal and would be outlawed after introduction of the Human Rights Act by Europe in October.

He asked magistrates not to jail



CLIFTON de RAVARIERE: 'I'm losing my liberty because of gossip'

him ON an order which may soon be overturned, pleading instead for "house arrest," with two hours a day to help his mother with her decorating.

He said: "I have had a variety of charges against me over the last few months. I have spent a lot of time in custody only for charges to be dropped.

"I'm not selling drugs, I'm not breaking into someone's house, I'm not abusing children, I've not raped

anybody. I'm being brought before the courts time and time again and I'm losing my liberty because of gossip."

He claimed a conspiracy by police and also the university against him and wanted his appeal heard elsewhere following adverse publicity.

Magistrates remanded him in custody until September 28 to await court transfer proceedings.

Preston's 'biggest pest' appeals against ban

'I just want



PM NOT STUPID: Alphonus Clifton de Ravariere

to be friends'

A HIGH Court judge was due to rule today on an appeal against a round-breaking order banning a Preston man from first public places in town.

Manchester Crown has heard an appeal by Alphonus Clifton de Ravariere, branded "Preston's biggest nuisance;" who believes Preston Magistrates Court wrong in imposing the order.

By Kieran Howlett

Unemployed de Ravariere, who is represented by Louise Waites, was found guilty by District Judge Jonathon Finestein of a string of "unacceptable but non-criminal actions" last year.

He was banned from almost every public place in Preston for two years – or face up to five years behind bars if found guilty of causing any intimidation, distress or harassment.

The 43-year-old, who lives alone in Sedgwick Street, Preston, took to the stand and throughout cross examination

he repeatedly said that he had "no recollection" of several serious events which date back to the mid-90s.

Simon Vaughan read to the court several witness statements, including an incident which left a Preston shop assistant in tears.

She claimed de Ravariere was looking at dresses before making provocative comments.

And Mr Vaughan alleged De Ravariere regularly used "lewd, sexual or religious" phrases to intimidate vulnerable women, saying: "Sex and religion are your two methods of intimidating people."

However, de Ravariere said he believed he was just "making friends" or it was "just another incident when I was being targeted".

He added: "I didn't at any time go out to intimidate or distress anyone. I'm not a pest. If I wanted to be a pest I would go about it differently than this. In other words I am not a stupid person and I would use a more sophisticated way than this."

Judge Harold Singer, who has presided over the complex five-day appeal hearing, has indicated that he wants to make a ruling today.

Proceeding