Since January 2020 Elsevier has created a COVID-19 resource centre with free information in English and Mandarin on the novel coronavirus COVID-19. The COVID-19 resource centre is hosted on Elsevier Connect, the company's public news and information website.

Elsevier hereby grants permission to make all its COVID-19-related research that is available on the COVID-19 resource centre - including this research content - immediately available in PubMed Central and other publicly funded repositories, such as the WHO COVID database with rights for unrestricted research re-use and analyses in any form or by any means with acknowledgement of the original source. These permissions are granted for free by Elsevier for as long as the COVID-19 resource centre remains active.
Ruling out trouble: Unacceptable behaviour and its control in Hong Kong’s public housing

Yung Yau*

Department of Public and Social Administration, City University of Hong Kong, 83 Tat Chee Avenue, Kowloon, Hong Kong SAR, People’s Republic of China

Keywords:
Neighbourhood problems
Anti-social behaviour
Housing management
Social controls
Nuisances

Abstract

Resident satisfaction is contingent not only on housing design and construction, but also on neighbourhood quality. However, many neighbourhoods around the world are distressed by neighbourhood nuisances or unacceptable behaviour of the residents. While interventionist approaches and incentives have been adopted in many countries to curb these problems, a punitive measure is used in Hong Kong instead. The Housing Department launched the Marking Scheme for Tenancy Enforcement in Public Housing Estates immediately after the SARS epidemic. The scheme operates as a penalty-point system where sitting tenants will be expelled from public housing if they receive sixteen points for the misdeeds they have committed. Yet, the marking scheme itself was put onto the stage without any prior public consultation. Besides, it has been criticised for its unfair and tenure-biased enforcement. Also, whether the scheme is widely accepted is highly doubtful. Against this background, this study aims to explore the tenants’ views regarding residents’ unacceptable behaviour and the marking scheme in Hong Kong’s public housing. The findings of this research offer valuable insights into the perceived extent and causes of the neighbourhood problems. Moreover, this research lets the public administrators know the acceptability of the marking scheme among public housing tenants.

Introduction

The enjoyment of a quality living environment is the desire of all residents. Yet, it is not guaranteed even if housing is flawlessly designed and constructed because the quality of living environment. In fact, apart from housing design and construction, residents’ well-being is contingent also on housing management (Yau, 2010). While non-participation or inactivity of residents has been regarded as one of the major causes of poorly-managed housing, the impacts of neighbourhood nuisances or residents’ unacceptable behaviour started gaining growing attention from policy makers, housing authorities, residents and academics in the western countries in recent years (e.g. Adderley, 2008; Burney, 2005). Frequently reported nuisances or unacceptable behaviour include deliberate littering in communal areas, using dwellings for illegal dealings, creating disturbing noise, spraying graffiti and other vandalistic acts. The seriousness of these problems has been vividly demonstrated by the increasing number of complaints and residents’ dissatisfaction with their neighbourhoods (e.g. Criminal Justice Inspection Northern Ireland, 2008; Scottish Government Social Research, 2007). These nuisances do not only lower the level of housing satisfaction (Pacione, 1982), but also adversely affect the health and well-being of the residents (Agyemang et al., 2007; Curtis, Dooley, & Phipps, 2004; Jacobson, Millie, & Hough, 2008). The neighbourhood nuisances aforementioned are, in general, socially unacceptable behaviour for their adverse impacts on other residents and the stability of society. The problems should thus be addressed.

In Hong Kong, neighbourhood problems did not attract much social concern before 2003, and they were dealt with in a rather fragmented manner. For example, noise nuisances were regulated by the Noise Control Ordinance whereas deliberate littering and spitting were controlled by the Fixed Penalty (Public Cleanliness Offences) Ordinance. An integrated policy to crack these problems was absent. Nonetheless, a structured control was institutionalised in 2003. As the aftermath of the outbreak of the Severe Acute Respiratory Syndrome (SARS) in early 2003, the Government of the Hong Kong Special Administrative Region (Hong Kong Government) implemented the Marking Scheme for Tenancy Enforcement in Public Housing Estates in August 2003, with a stated aim to improve the hygienic and living conditions in public housing estates in the territory (Team Clean, 2003). The scheme operated as a penalty-point system where sitting tenants would receive penalty points for committing the prescribed misdeeds, and would be expelled from their public housing units if their penalty points
accumulated up to a certain level. Yet, the marking scheme was put onto the stage without any prior comprehensive public consultation so its legitimacy has been subject to challenges. To justify the institutionalisation of the scheme, it is necessary to understand the public housing residents’ experience of neighbourhood problems, and evaluate their levels of acceptance to the scheme. Against this background, this study attempts to find out the extent and causes of neighbourhood problems in public housing perceived by the residents, who are intolerant of these problems and who support the implementation of the marking scheme in their estates through a structured questionnaire survey.

This paper is organised as follows. The problem of unacceptable behaviour in housing around the world is first overviewed. It is then followed by a brief introduction of the marking scheme in Hong Kong. Afterwards, the design of the tenant survey is detailed. What comes next is the presentation of the survey findings and analysis results. The implications of the results will be also discussed before the empirical study is concluded.

Unacceptable behaviour in housing: extent, causes and control

In spite of its significant impacts on residents’ well-being, neighbourhood problem or unacceptable behaviour in housing has not received a universal definition. It still remains a loosely defined concept, and is described in other terms such as ‘quality of life issues’, ‘minor disorders’, ‘incivilities’ and ‘anti-social behaviour’ (ASB). In particular, ASB is the terminology most commonly used by policy makers and academicians. The Chartered Institute of Housing (1995) defined ASB as wrong-doings conducted in opposition to the society’s norms and accepted standards of behaviour. ASB was defined by the Local Government Information Unit (1997) as

“behaviour that causes harassment to a community; amounts to anti-social criminal conduct, or is otherwise anti-social; disrupts the peaceful and quiet enjoyment of a neighbourhood by others; intimidates a community or section of it” (p. 5).

Alternatively, Millie, Jacobson, McDonald, and Hough (2005) defined ASB as behaviour that

“causes harassment, alarm or distress to individuals not of the same household as the perpetrator, such that it requires interventions from the relevant authorities; but criminal prosecution and punishment may be inappropriate because individual components of the behaviour are not prohibited by the criminal law or in isolation constitute relatively minor offences” (p. 3).

In the Residential Tenancies Act 2004 in Ireland, ASB was broadly defined as the behaviour

“that constitutes the commission of an offence, being an offence the commission of which is reasonably likely to affect directly the well-being or welfare of others … that causes or could cause fear, danger, injury, damage or loss to any person living, working or otherwise lawfully in the dwelling concerned or its vicinity and, without prejudice to the generality of the foregoing, includes violence, intimidation, coercion, harassment or obstruction of, or threats to, any such person … persistently … prevents or interferes with the peaceful occupation by any other person residing in the dwelling concerned, of that dwelling; by any person residing in any other dwelling contained in the property containing the dwelling concerned, of that other dwelling; or by any person residing in a dwelling in the vicinity of the dwelling or the property containing the dwelling concerned, of that neighbourhood dwelling” (Candy Murphy and Associates, 2007, p. 6).

From above, it is clear that definitions of ASB vary across jurisdictions. Besides, the definition of ASB can be rather elastic and there has been a blurring boundary between criminal and non-criminal in delineating the scope of ASB (Brown, 2004). Although ASB can take place everywhere, its bidirectional relationship between housing and ASB attracts wide academic attention. On one hand, ASB can pose adverse impacts on the quality of the living environment. On the other hand, housing plays a significant role in the governance of ASB (Flint, 2002, 2006). As a matter of fact, ASB or neighbourhood problems in housing have been a hot issue all over the world.

Serious neighbourhood problems were perceived by the Australian community. Around 25% and 10% of the households there complained against vandalism (including graffiti and damage to property) and illegal drugs, respectively, in their neighbourhoods (Australian Bureau of Statistics, 2006). According to the findings from the American Housing Survey in 2009, around 25.4 million and 9.8 million occupied housing units suffered from the characteristic neighbourhood problems of noise and litter, respectively (United States Census Bureau, 2010). In England and Wales, one of the major statutory weapons against neighbourhood nuisances is the Anti-social Behaviour Order (ASBO) issued by the court. This measure was introduced under the Crime and Disorder Act 1998 which defines ASB as “acting in a manner that caused or was likely to cause harassment, alarm or distress to one or no more persons not of the same household as the defendant” (Berman, 2009, p. 3). As reported by Berman (2009), the total number of ASBOs issued by courts at all levels increased from 104 in 1999 to 2299 in 2007. Over the period between 1 April 1999 and 31 December 2007, 14,972 ASBOs have been served. A similar situation has happened in Scotland where the number of applications for the issuance of ASBO increased by over 900%, from 26 in 1999/2000 to 283 in 2005/2006 (Scottish Government Social Research, 2007). In Northern Ireland in 2006/2007, there were 101,561 reported incidents of ASB (Criminal Justice Inspection Northern Ireland, 2008). All these figures show that the issued ASBOs grew in number very rapidly in recent years in the United Kingdom, signifying the aggravation of the situation.

In addition to littering, throwing of objects from height (TOH) is one of the commonly seen neighbourhood problems in housing in Hong Kong. 1410 and 1422 cases were reported in the 1996–1998 and 1998–2000 periods, respectively (The Hong Kong Special Administrative Region Government, 1999, 2001). 62 TOH cases happened in public housing estates in the period between 1996 and 1998, with another 45 cases between 1998 and 2000. This problem was then growing serious. During the period between 2007 and 2009, the Hong Kong Government received 335 reports of objects being dropped from height in public housing estates (The Hong Kong Special Administrative Region Government, 2009). The ASB or neighbourhood problems in Hong Kong seem to proliferate quickly, which arouses concern among public administrators and the community.

The causes of neighbourhood problems have many sides. From the agency perspective, the problems can be perceived as the results of family problems, poor educational attainment, unemployment, and alcohol abuse and drug misuse (Home Office, 2003). Founded on Eysenck’s (1996) personality theory of crime, Cale (2006) put forward the significant role played by personality in the ASB of an individual. On the other hand, limited opportunities available for young people and poor parenting have been considered as main structural drivers for the proliferation of ASB in contemporary society (Ipsos MORI, 2006; Jacobs & Arthurson, 2003). In Millie’s (2009) opinion, social forces like the decline in moral standards and family values bring about the predicament. Other than the agency and structural factors just discussed, poor
design of housing has been conceived a key contributor to the neighbourhood problems in Australia (Jacobs & Arthurson, 2003). Measures to deal with neighbourhood problems or residents’ unacceptable behaviour vary across jurisdictions. Perhaps, the first principle to contain the problems is to make the residents to be self-motivated to act in a conforming manner by means of internal social controls. In most situations, however, internal social controls do not work, and various formal and informal social sanctions (i.e., external social controls) are thus necessary for ensuring behavioural conformance by the residents. In general, these external controls can be classified into three main heads, namely contractual, legal and social approaches. Examples of contractual approaches include the uses of introductory tenancies and acceptable behaviour contracts (Crawford, 2003). In the former method, for instance, the concept of probationary period in employment contract is applied. Instead of a secure or permanent tenancy, what local housing authorities offer to the new tenants is an introductory tenancy with a term of nine or twelve months in the first place. If a tenant behaves properly in the introductory or probationary period, a secure tenancy will be offered. Otherwise, the tenant will not be offered any secure tenancy or the introductory tenancy will be terminated by the social landlord before the end of the term. The application of introductory tenancies has its merits because it allows social landlords to evict ‘trouble tenants’ without the need for obtaining statutory possession orders from the courts. Nonetheless, there is no guarantee that the tenants will keep on behaving properly after the probationary period. On the other hand, legal approaches rely on punitive legislation, and involve the issuances of statutory parenting, injunction and ASB orders by courts at different levels (Flint & Nixon, 2006; Millie, 2009).

Unlike the contractual and legal approaches, resorts are made to early interventions or incentives for social controls. In the United Kingdom, for instance, neighbourhood wardens were appointed to deal with neighbour disputes and handle residents’ complaints at the neighbourhood level (Jacobson & Saville, 1999). Other interventionist means adopted in the United Kingdom include the Family Intervention Projects (FIPs) which aim to stop the ASB of families and restore safety to their homes and to the wider community. Upon referrals by statutory agencies, housing associations or voluntary sector organisations or even self-referrals, families with ASB problems have to live in FIP core accommodations and fulfil a set or rules set by the local authorities (Respect Task Force, 2006). The rules include visitors by permission only, restricted access in and out of the FIP building, and mandatory presence of the children and adults in the accommodation at a set time in the evening. The families will be sanctioned if the rules are broken. Apart from the restrictive measures, motivating approach has been adopted in Australia where tenants who meet the conditions of their tenancy agreements can enjoy rent concessions and accelerated home repairs under the Tenant Incentive Schemes (Jacobs, 2008).

Marking scheme as a means of control in Hong Kong

In Hong Kong, a penalty-point system has been used to tackle the unacceptable behaviour of public housing tenants. This control mechanism was first incepted as an aftermath of the SARS outbreak in early 2003. In that dreadful epidemic, 299 lives were claimed and more than 1700 people were infected in Hong Kong (SARS Expert Committee, 2003). This painful lesson made the Hong Kong’s community more aware of the importance of a quality living environment. In this regard, the Hong Kong Government set up the Team Clean which was an inter-departmental taskforce in May 2003. The taskforce was chaired by the Chief Secretary for Administration, and key departments involved included the Buildings Department, Food and Environmental Hygiene Department, Home Affairs Department, and Housing Department (HD).

Following one of the recommendations made by the Team Clean (2003), the HD implemented the Marking Scheme for Tenancy Enforcement in Public Housing Estates on 1 August 2003, with an aim to improve the environmental hygiene in public housing estates. The rationale behind the scheme was that the unacceptable behaviour, or misdeeds as coined by the Hong Kong Housing Authority (HKHA), of the residents played a large part in the poor or unhygienic living environment in public housing. In this light, apart from promoting personal and environmental hygiene in public housing estates and building up a sustained healthy living environment, the marking scheme also aims to ‘assist tenants in rectifying bad habits that jeopardise personal and public hygiene’ (Audit Commission, 2005, p. 13). The marking scheme was, by its nature, the first structured control to tackle the neighbourhood or ASB problems in Hong Kong’s public housing estates (Yau, 2008). To signify the wider use of the scheme for more effective management of public housing estates, the HD renamed it as the Marking Scheme for Estate Management Enforcement in Public Housing Estates on 18 October 2006 (Hong Kong Housing Authority, 2010).

Operations of the marking scheme

The marking scheme was a punitive measure that public housing tenants would be evicted from their public housing units if they failed to fulfil the obligations under the scheme. It operates as a penalty-point system. A household will receive penalty points if any of its members commit misdeeds prescribed under the marking scheme. In the very original version of the marking scheme dated May 2003, there were 19 prescribed misdeeds. Upon the subsequent additions to and reviews of the marking scheme, 28 misdeeds were prescribed as at the end of 2009, and they are divided into four categories, as shown in Table 1. Category A includes some minor misdeeds which carry three points. Misdeeds in Category B and C, being more serious in nature, carry five and seven points, respectively. The most serious misdeed will carry fifteen points and is grouped under Category D.

From the list of misdeeds shown in Table 1, one can notice that the marking scheme not only penalises those households committing neighbourhood nuisances in public housing estates (e.g. littering and spitting in communal areas, and noise nuisances), but also restricts the misuse of the public housing resources (e.g. using the housing units as food factories or stores) and illegal activities (e.g. illegal gambling). For twelve prescribed misdeeds, prior warnings are given before point allotment with the purpose of encouraging timely rectification by perpetrators. For the other 16 misdeeds, points are allotted immediately without prior warnings because these wrong-doings affect the hygienic conditions and public safety in the housing estates in a more severe and acute manner (Hong Kong Housing Authority, 2010).

The points allotted to each household will be valid for two years starting from the day that the misdeed concerned is committed (Hong Kong Housing Authority, 2010). In the terminologies used by Hoffman, Mackie, and Pritchard (2010), the marking scheme imposes both temporary ‘tenure conditionality’ and ‘access conditionality’ on public housing tenants. As far as tenure conditionality is concerned, once sixteen points have been allotted to a household within a two-year period, a Notice-to-Quit (NTQ) will be served to terminate the tenancy of that household pursuant to section

1 The HKHA is a statutory body which plans, builds and manages different types of public housing to achieve the Hong Kong Government’s policy objective of meeting the housing needs of people. The HD is an executive arm of the HKHA.
The marking scheme in figures

Table 1 summarises the numbers of warning and point allotment cases from 1 August 2003 to 30 November 2009. In that period, 11,204 households received penalty points and there were 12,003 point-allotted cases in total. At the period’s end, around 4700 households still remained in the penalty-point system. Over the years, 550 households have accrued ten or more points. Of the 24 households receiving sixteen points or more, two have moved out of their premises voluntarily. For the other 22 cases, the HD issued a total of 19 NTQs (Transport and Housing Bureau, 2009). As indicated by Table 3, littering has been the most frequently committed misdeed. Second to this is ‘smoking or carrying a lighted cigarette in estate common area’. On the other hand, while over 1000 warning letters were issued for ‘utilising laundry pole-holders for drying floor mop’ and ‘obstructing corridors or stairs with sundry items rendering cleansing difficult’, point allotments for these cases were unlikely.

Tenant survey in Hong Kong’s public housing

The Public Housing Recurrent Surveys regularly conducted by the HD revealed that the proportion of public housing tenants satisfying the estates’ environmental cleanliness increased from 52.1% in 2003 to 70.1% in 2008 (Transport and Housing Bureau, 2009). Although the HKHA ascribed pushily the improvement to the operation of the marking scheme, the scheme itself is not free from censure. Yau (2008) condemned the scheme for its tenure-biased selective control as it regulates only public housing tenants, and not residents in other tenure modes, in Hong Kong.

Table 2 Number of households with points allotted (as at 30 November 2009).

| Points allotted | Point validity | No. of households |
|-----------------|----------------|-------------------|
| 3–9             | Cumulative     | 10,654            |
| 10–15           | Cumulative     | 523               |
| ≥16             | Cumulative     | 225               |
| Total           | Cumulative     | 11,204            |

Source: Subsidised Housing Committee (2009).
More importantly, the marking scheme was put onto the stage without inclusive public consultation. As postulated by Yau (2011), the real intention of the marking scheme is not to curb the unacceptable behaviour of public housing tenants. Instead, the scheme is likely to be a tool for strengthening the HKHA’s sovereignty over public housing resources in Hong Kong. In this regard, it is worthwhile to study how the residents perceive the neighbourhood problems in public housing. Also, it is interesting to know what the causes of these problems are, who cannot tolerate the problems and who support the implementation of the marking scheme in their housing estates. These findings can help the community to justify whether the marking scheme should be institutionalised or not.

Design of the survey

Opinions from public housing tenants were collated through a self-administered face-to-face structured questionnaire survey conducted between November 2009 and January 2010. This approach was used with an eye to gaining the highest possible number of participants in the survey. A questionnaire was devised to collect the information necessary for the empirical study. Before the survey, the preset questionnaire had been pretested and amended according to the testers’ feedbacks. Interviews were discontinued if the respondents had not heard of the marking scheme before. A total of 339 tenants living in two public rental housing (PRH) estates and two Tenants Purchase Scheme (TPS) estates were interviewed eventually. The selected four estates located in Tai Po and Shatin districts, and the distribution of respondents and characteristics of the four estates are summarised in Table 4.

Table 3
Summary of point allotment (as at 30 November 2009).

| Misdeeds Category | Warning | Points-allotted cases |
|-------------------|---------|-----------------------|
|                   | Cumulative | Valid | Cumulative | Valid |
| A1 | Drying clothes in public areas (except in areas designated by the HD) | 594 | 112 | 4 | 4 |
| A2 | Utilizing laundry pole-holders for drying floor mop | 1740 | 13 | 1 | 1 |
| A3 | Putting dripping flower pots or dripping laundry at balconies | 468 | 67 | 8 | 6 |
| A4 | Dripping oil from exhaust fan | 23 | 1 | 0 | 0 |
| B1 | Littering | – | – | 5002 | 620 |
| B2 | Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover | – | – | 13 | 10 |
| B3 | Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord | – | – | 1145 | 863 |
| B4 | Allowing animal and livestock under charge to foul public places with faeces | – | – | 1 | 1 |
| B7 | Obstructing corridors or stairways with sundry items rendering cleansing difficult | 1808 | 41 | 6 | 1 |
| B8 | Boiling wax in public areas | – | – | 0 | 0 |
| B9 | Causing mosquito breeding by accumulating stagnant water | 1 | 1 | 1 | 0 |
| B10 | Smoking or carrying a lighted cigarette in estate common area | – | – | 3502 | 2400 |
| B11 | Causing noise nuisance | 73 | 73 | 36 | 29 |
| B12 | Illegal gambling in public places | 517 | 517 |
| B13 | Water Dripping from Air-conditioner | 95 | 95 | 13 | 13 |
| C1 | Throwing objects from height that jeopardise environmental hygiene | – | – | 275 | 122 |
| C2 | Spitting in public areas | – | – | 1244 | 162 |
| C3 | Urinating and defecating in public places | – | – | 9 | 3 |
| C4 | Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas | – | – | 1 | 0 |
| C5 | Denying the HD staff or staff representing the HD entry for repairs responsible by the HD | 41 | 22 | 16 | 9 |
| C6 | Refusing repair of leaking pipes or sanitary fittings responsible by the tenant | 18 | 6 | 0 | 0 |
| C7 | Damaging down/sewage pipes causing leakage to the floor below | 7 | 3 | 0 | 0 |
| C8 | Using leased premises as food factory or storage | – | – | 4 | 1 |
| C9 | Illegal hawking of cooked food | – | – | 37 | 5 |
| C10 | Damaging or stealing Housing Authority’s property | – | – | 15 | 10 |
| C11 | Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance | 175 | 99 | 110 | 49 |
| C12 | Using leased premises for illegal purpose | – | – | 22 | 20 |
| D1 | Throwing objects from height that may cause danger or personal injury | – | – | 21 | 9 |
| Total | 5043 | 533 | 12,033 | 4943 |

Source: Subsidised Housing Committee (2009).

Tenants of these two types of public housing were chosen for investigation because they are subject to the marking scheme in a very different manner. The TPS was announced by the Hong Kong Government in December 1997. Under the scheme, sitting tenants of selected PRH estates were allowed to purchase their own flats at a discount from estimated market price. The scheme was implemented in phases, starting in 1998, and suspended in 2002. 39 public housing estates have so far been covered by the TPS. In these estates, the residents can be public housing tenants, owner-occupiers or private tenants. Since written consents from the owner’s corporations of the TPS estates are required for the implementation of the marking scheme, the scheme is not put in force in all the TPS estates. As at the end of 2010, the marking scheme was applicable to 15 TPS estates only. Furthermore, the number of enforceable prescribed misdeeds in TPS estates is 15 only, as indicated in Table 2. Misdeeds occurring in the estates’ communal areas such as smoking, littering and spitting are not sanctioned in the TPS estates. What the marking scheme caters in TPS estates are ‘in-flat’ misdeeds. With these enforcement differences, residents in Table 4
Characteristics of the four housing estates investigated.

| Characteristic                  | Estate A | Estate B | Estate C | Estate D |
|--------------------------------|----------|----------|----------|----------|
| District                       | Tai Po   | Tai Po   | Shatin   | Shatin   |
| Type                           | PRH      | TPS      | PRH      | TPS      |
| Completion year                | 1985     | 1983     | 1987     | 1984     |
| Number of blocks               | 6        | 8        | 7        | 4        |
| Number of flats (approximate)  | 2700     | 1600     | 1200     | 2100     |
| Number of residents (approximate) | 6000    | 19,600   | 3600     | 5900     |
| Number of respondents          | 87       | 93       | 73       | 86       |
these two types of housing estates may hold different opinions to the marking scheme.

Profile of the respondents

Table 5 presents the socio-demographic profile of the respondents. On average, the respondents had been living in public housing for 20.0 years, as at the time of interview. Since public housing tenants are means-tested, most respondents belonged to the low-income class. Not less than 57% of the respondents had monthly household income less than HK$17,250, the median monthly domestic household income of the whole population in Hong Kong in 2006 (Census and Statistics Department, 2007). Over 60% of the respondents were below 45 years old. Those with tertiary education attainment (including diploma and higher certificate) or above accounted for less than one-third of the sample only. The sample was dominated by households with three to four members (67.8%). 20 respondents (5.9%) were either non-Chinese or new immigrants from mainland China.

Survey findings, analyses and discussion

Neighbourhood problems before the implementation of the marking scheme

In the face-to-face interview, the respondents were asked whether they agreed that a specific neighbourhood problem or unacceptable behaviour was serious in their public housing estates before the implementation of the marking scheme on a five-point Likert scale (with 5 = strongly agree and 1 = strongly disagree). As shown in Table 6, over 60% of the respondents opined that ‘litter and rubbish’ was serious problem in their estates. The seriousness of ‘illegal gambling in public spaces’ and ‘objects thrown from height’ was also affirmed by about half of the respondents. Among the twelve problems under research, only the mean scores of ‘dripping water’, ‘burglary’ and ‘illegal hawking’ are not significantly different from three, at least at the 10% level. Illegal hawking is the only problem with a mean score lower than three although the difference is not statistically significant. The respondents did not regard illegal hawking as a serious neighbourhood problem in their estates perhaps because of the stepped-up enforcement against illegal hawkers by the HD in the 1990s. The HD’s Mobile Operation Units were given the statutory powers to arrest illegal hawkers and seize their goods in public housing estates.

Table 6

| Problem                           | Frequency | Mean | σ    |
|-----------------------------------|-----------|------|------|
|                                  | (5) Strongly agree | (4) Agree | (3) Neutral | (2) Disagree | (1) Strongly disagree |
| Litter or rubbish                | 48        | 156  | 96   | 35  | 4   | 3.62  | 0.89 |
| Waste accumulation               | 39        | 90   | 120  | 73  | 17  | 3.18  | 1.05 |
| Dripping water                   | 13        | 96   | 124  | 90  | 16  | 3.00  | 0.95 |
| Vandalism or graffiti            | 26        | 90   | 149  | 61  | 13  | 3.16  | 0.94 |
| Noisy neighbours                 | 57        | 108  | 117  | 49  | 8   | 3.46  | 1.01 |
| Objects thrown from height       | 28        | 140  | 115  | 54  | 2   | 3.41  | 0.87 |
| Burglary                         | 12        | 102  | 130  | 82  | 13  | 3.05  | 0.92 |
| Gangster                         | 30        | 84   | 135  | 70  | 20  | 3.10  | 1.02 |
| Illegal hawking                  | 20        | 82   | 128  | 80  | 29  | 2.95  | 1.03 |
| Illegal gambling in public spaces| 44        | 128  | 123  | 83  | 8   | 3.48  | 0.93 |
| Passive smoking                  | 31        | 118  | 127  | 52  | 11  | 3.31  | 0.95 |
| Uncontrolled dogs                | 51        | 89   | 154  | 34  | 11  | 3.40  | 0.97 |
Causes of neighbourhood problems in public housing estates

Moreover, the respondents were asked about their perceived causes of the neighbourhood problems in their housing estates. Again, the answer was measured on a five-point Likert scale (with 5 = strongly agree and 1 = strongly disagree), and Table 7 summarises the findings. In the opinion of 68.4% of the respondents, ‘poor parenting’ was considered as the main cause of the problems in their estates. The mean score returned for that cause was 3.85 which was the highest among the others. Second and third to ‘poor parenting’ were ‘poor discipline at school’ (65.8%; mean = 3.83) and ‘ineffective policing’ (57.8%; mean = 3.76), respectively. On the other hand, only 12.7% of the respondents thought that ‘alcohol or drugs’ conduced to the neighbourhood problems in their estates.

From above, it is clear that poor parenting was conceived as the main cause of neighbourhood problems in public housing in Hong Kong. This finding echoes with those by Millie et al. (2005) and Ipsos MORI (2006) in which poor parenting was also found to be the most imperative cause of ASB in the United Kingdom. As for poor discipline at school, the perceived relevance with Hong Kong’s public housing seems being higher than the cases in the United Kingdom. These findings may be a reflection that parents from the low-income families need to work long hours so they do not have time and resources to take care of their children. Besides, the schools may not have equipped the students with good discipline. In light of these findings, the Hong Kong Government should offer more community services to support the working parents in child custody and youth development. Besides, not only should the schools discipline the students strictly, but also should the schools promote a sense of civic awareness among students.

Moreover, the respondents were asked whether a specific party should be responsible for the problems. 28.9%, 41.9% and 49.9% of the respondents opined that residents, HKHA and property management companies, respectively, should take a responsibility in the issue. These findings reverberate with those regarding the causes of neighbourhood problems discussed above. Failure in effectively policing against residents’ unacceptable behaviour was perceived as a main cause by the third most respondents. Therefore, the respondents believed that the proliferation of neighbourhood problems in public housing was the fault of the HKHA and property management companies. Furthermore, some prescribed misdeeds such as ‘obstructing corridors or stairs with sundry items rendering cleansing difficult’ and ‘drying clothes in public areas’ can be stamped out through better housing design or better spatial use of communal areas by the HKHA (Yau, 2011). To facilitate clothes drying of the households, for example, building-integrated drying facilities (e.g. balconies or utility platforms) can be provided and spacious communal areas on the roof or podium level of the housing blocks can be designated. In light of the inadequate provision, the HKHA was considered liable for the neighbourhood problems in public housing.

Determinants of the levels of intolerance towards neighbourhood problems and support for the marking scheme

To reiterate, one of the aims of this study is to figure out who are intolerant of neighbourhood problems in public housing and who support the marking scheme. To this end, multivariate analyses are performed. In the structured questionnaire survey, each respondent was asked whether he or she agreed that the neighbourhood problems in his or her housing estate were very serious and intolerable. The respondent had to express his or her answer with a five-point Likert scale (with 5 = strongly agree and 1 = strongly disagree). A higher score indicates a higher level of intolerance of the respondent to the neighbourhood problems or unacceptable behaviour in his place of living. The level of support of the respondent (SUP) for the marking scheme is measured using a five-point scale (with 5 = strongly support and 1 = strongly oppose). Among the 339 respondents, 87 (25.7%) opined that the neighbourhood problems in their estates were intolerable while 101 (29.8%) thought in the reverse manner. On the other hand, only 63 respondents (18.6%) supported or strongly supported the operation of the marking scheme in their estates. Oppositions were returned from 163 (48.1%) respondents.

It is hypothesised that the levels of intolerance (INT) and support (SUP) of a respondent are functions of a number of socio-demographic factors of the respondent such as gender (SEX), age (AGE), education level (EDU), household income (INC) and ethnicity (LOC), and housing experience and characteristics such as length of residence in public housing (LOR), number of cohabiting family members (FAM), satisfaction with estate quality (SAT) and type of public housing he or she is living in (TPS). Mathematically,  

\[
INT = \alpha_1 SEX + \alpha_2 AGE + \alpha_3 EDU + \alpha_4 INC + \alpha_5 LOR + \alpha_6 LOC + \alpha_7 FAM + \alpha_8 SAT + \alpha_9 TPS + \varepsilon
\]

(1)
\[ SUP = \beta_1 \text{SEX} + \beta_2 \text{AGE} + \beta_3 \text{EDU} + \beta_4 \text{INC} + \beta_5 \text{LOR} + \beta_6 \text{LOC} + \beta_7 \text{FAM} + \beta_8 \text{SAT} + \beta_9 \text{TPS} + \gamma \]

where \( a_i \) (for \( i = 1, 2, \ldots, 9 \)) and \( \beta_j \) (for \( j = 1, 2, \ldots, 9 \)) are coefficients to be estimated, and \( \epsilon \) and \( \gamma \) are the stochastic terms. \( \text{LOR} \) stands for the respondent's length of residence, measured in years, in public housing. \( \text{SAT} \) denotes the respondent's satisfaction with the overall quality of his or her housing estate, and is measured on a five-point scale (with 5 = very satisfied and 1 = very dissatisfied). \( \text{TPS} \) is a dummy variable which equals one if the respondent was living in a TPS estate, and zero if otherwise. For other dummy variables, their meanings and measurements were detailed in Table 5. Table 8 summarises the mean values of all variables in models (1) and (2). Since both dependent variables are ordinal in nature, ordered probit technique can return more robust model estimation compared with the conventional ordinary least squares technique. After truncation of the missing data, 319 observations were included in the analyses. The estimation results for models (1) and (2) are presented in Tables 9 and 10 respectively.

For model (1), the estimated coefficients of the variables \( \text{AGE} \) and \( \text{SAT} \) are statistically significant at the 1% level. Coefficients that are significant at the 5% level are returned for the variables \( \text{SEX}, \text{EDU} \) and \( \text{LOC} \). The coefficient of the variable \( \text{FAM} \) is marginally significant at the 10% level. On the other hand, household income (\( \text{INC} \)), length of residence (\( \text{LOR} \)) and type of public housing (\( \text{TPS} \)) do not show any significant impact on the level of intolerance, even at the 10% level. For model (2), the variables \( \text{AGE}, \text{EDU} \) and \( \text{LOC} \) have estimated coefficients significant at the 1% level. Number of cohabiting family members (\( \text{FAM} \)) and type of public housing (\( \text{TPS} \)) are also found to be marginally significant determinants of the level of support for the marking scheme (at the 10% level). Meanwhile, \( \text{SEX}, \text{INC}, \text{LOR} \) and \( \text{SAT} \) are found to be insignificant variables.

Keeping other things constant, younger and better-educated respondents were less tolerant of the prevailing neighbourhood problems in their estates. At the same time, the chance for these groups of respondents to support the marking scheme was higher. Male was more able to endure the problems but gender, in general, did not affect one’s level of support for the marking scheme. Household income and length of residence in public housing did not exert any significant impacts on the levels of intolerance and support. The negative correlation between the levels of intolerance to the neighbourhood problems and satisfaction with the overall quality of the estate is self-explanatory. It is unlikely that those satisfied with the estate quality found the neighbourhood problems in their estates intolerable.

As suggested by the positive sign for the coefficient of the variable \( \text{LOC} \) in both models, respondents who were Chinese born or growing up locally were more likely to think that the neighbourhood problems in their estates were intolerable, and also more likely to support the marking scheme. Put it another way, new immigrants from mainland China and respondents from other ethnic groups did not support the marking scheme. It is possibly because these groups of people are marginal residents in the local public housing sector. In the absence of any explicit policy or regulation governing ethnic integration in neighbourhoods, these people are not well-received by the local community. Given the predominance of locally born and trained Chinese in public housing, these marginal residents can be picked on by their neighbours and edged out from their public housing units easily under the marking scheme. That explains why these minority groups feel vulnerable to tenancy termination, and are thus in opposition to the marking scheme.

The analysis results also show that respondents with more cohabiting family members tended to be against the marking scheme. The household-based enforcement of the scheme can offer a good explanation for this finding. Under the scheme, household is taken as the counting unit. The whole household has to receive the sanction even if only one of its members has committed a prescribed misdeed. It is reasonable for one to predict, if other things are constant, the chance for being sanctioned will be higher for households with more members due to the larger number of potential perpetrators. Therefore, subject to a higher chance of tenancy termination, respondents with more cohabiting family members tended were not in favour of the marking scheme. In point of fact, this kind of household-based enforcement is essentially punishment by association, or collateral punishment. It induces no-fault eviction of innocent tenants simply because of the misconducts of their household members. In addition, this penalty system can doubly victimise the innocent household members. Supposedly, the punishment by association attempts to mobilise the household members’ efforts to help the perpetrators to prevent the latter’s misbehaviour, and to rectify the latter’s bad habits. Nonetheless, it also creates injustice to the innocent parties. Even worse, family harmony can be blemished by the marking scheme. As far as the type of public housing is concerned, although it did not have significant relationship with the level of intolerance, respondents living in TPS estates were more likely to be supporters of the marking scheme. Since the marking scheme is not enforceable in the communal areas of the TPS estates, public housing tenants in these estates are subject to fewer controls under the scheme than those in PRH estates. Following the logic above, PRH tenants are more likely to be sanctioned, ceteris paribus, due to their wider exposure to the marking scheme. As a result, PRH tenants tend to resist the marking scheme more, compared with those living in TPS.

### Table 9

| Variable | Coefficient | Standard error | z-statistic | p-value |
|----------|-------------|----------------|-------------|---------|
| \text{SEX} | -0.3019 | 0.1184 | -2.5506 | 0.0108 |
| \text{AGE} | -0.1676 | 0.0610 | -2.7455 | 0.0060 |
| \text{EDU} | 0.1129 | 0.0472 | 2.3895 | 0.0169 |
| \text{INC} | -0.0282 | 0.0340 | -0.8305 | 0.4063 |
| \text{LOR} | -0.0178 | 0.0170 | -1.0470 | 0.2951 |
| \text{LOC} | 0.1776 | 0.2869 | 2.5012 | 0.0124 |
| \text{FAM} | -0.1115 | 0.0656 | -1.6998 | 0.0982 |
| \text{SAT} | -0.3202 | 0.0680 | -4.7110 | 0.0000 |
| \text{TPS} | 0.1847 | 0.1203 | 1.5357 | 0.1246 |

### Table 10

| Variable | Coefficient | Standard error | z-statistic | p-value |
|----------|-------------|----------------|-------------|---------|
| \text{SEX} | -0.1302 | 0.1195 | -1.0892 | 0.2761 |
| \text{AGE} | -0.2061 | 0.0653 | -3.1544 | 0.0016 |
| \text{EDU} | 0.1991 | 0.0486 | 4.0983 | 0.0000 |
| \text{INC} | 0.0398 | 0.0347 | 1.1450 | 0.2522 |
| \text{LOR} | -0.0123 | 0.0148 | -0.8289 | 0.4071 |
| \text{LOC} | 0.8695 | 0.2652 | 3.2790 | 0.0010 |
| \text{FAM} | -0.1187 | 0.0691 | -1.7183 | 0.0857 |
| \text{SAT} | 0.0744 | 0.0681 | 1.0931 | 0.2744 |
| \text{TPS} | 0.2020 | 0.1226 | 1.6474 | 0.0995 |

### Dependent variable: \text{SUP} | Number of observations: 319

| Pseudo R-squared: 0.0720 | Schwarz criterion: 3.0783 |
| Akaike info criterion: 2.9249 | Hannan–Quinn criterion: 2.9862 |
| LR statistic: 70.3793 | p(LR statistic): 0.0000 |
Concluding remarks

Neighbourhood nuisances and ASB problems in housing have long been creating many troubles to local residents and governments globally. In western countries, foci are put on social or public housing when these problems are addressed. The rationale behind is rather straightforward: public housing is generally regarded as the marginalised housing sector because of the prevalence of the residual welfare model (Forrest & Murie, 1988; Malpass, 1990). Therefore, people living in public housing are regarded less competent in taking care of themselves, and thus more problematic. While public renting in Hong Kong is still not a heavily residualized sector, formal control against residents’ unacceptable behaviour started in this sector. Since 2003, the HD implemented the marking scheme in all PRH estates and some TPS estates with a stated aim to improve the environmental hygiene in public housing. However, whether the institutionalisation of the marking scheme is justified by the seriousness of the neighbourhood problems and residents’ acceptability has remain unanswered. This article contributes to the body of knowledge by exploring the views of 335 control subjects (i.e., public housing tenants) in Hong Kong towards the neighbourhood problems in their estates and the marking scheme. As indicated by the survey findings of this study, the marking scheme does not receive wide support from the public housing tenants. More importantly, it has been conceived unfair and abusive by certain groups of residents. In this regard, the HKHA may need to conduct a comprehensive review of the marking scheme, in which public housing tenants should be involved.

Acknowledgements

The work described in this paper was fully supported by a grant from City University of Hong Kong (Project No. 9610143). The author would also like to express gratitude to the student helpers in City University of Hong Kong for assistance offered in the data collection process.

References

Adderley, C. R. (2008). Neighbourhood nuisances in the Bahamas: the case of New Providence. The College of the Bahamas Research Journal, 14, 4–12.
Agymang, C., van Hoofdonk, C., Wendel-Vos, W., Lindeman, E., Stronsk, K., & Droomers, M. (2007). The association of neighbourhood psychosocial stressors and self-rated health in Amsterdam, the Netherlands. Journal of Epidemiology & Community Health, 61, 1042–1049.
Audit Commission. (2005). The government’s efforts in developing sustainable systems to keep Hong Kong clean. Hong Kong: Audit Commission.
Australian Bureau of Statistics. (2006). Crime and safety, Australia (April 2005).
Berman, G. (2009). Anti-social behaviour order statistics. http://www.parliament.uk/commons/lib/research/briefings/snsg-03112.pdf Accessed 10.03.10.
Brown, A. (2004). Anti-social behaviour, crime control and social control. The Howard Journal of Criminal Justice, 43, 203–211.
Burney, E. (2005). Making people behave: Anti-social behaviour, politics and policy. Cullompton: Willan Publishing.
Cale, E. M. (2006). A quantitative review of the relations between the ‘Big 3’ higher order personality dimensions and antisocial behaviour. Journal of Research in Personality, 40, 250–284.
Candy Murphy and Associates. (2007). Third party complaints of anti-social behaviour in the private residential tenancy sector. Dublin: Private Residential Tenancies Board.
Crawford, A. (2001). ‘Contractual governance’ of deviant behaviour. Journal of Law and Society, 30, 497–505.
Census and Statistics Department. (2007). 2006 population by-census – Thematic report: Household income distribution in Hong Kong. Hong Kong: Census and Statistics Department.
Criminal Justice Inspection Northern Ireland. (2008). Anti-Social behaviour orders – an inspection of the operation and effectiveness of ASBOs. http://www.cjini.org/ CJN/files/90/9084a0a5-4404-4bd8-be20-fe9d021a1f1a.pdf Accessed 10.03.10.
Curtis, L. J., Dooley, M. D., & Phipps, S. A. (2004). Child well-being and neighbour-hood quality: evidence from the Canadian national longitudinal survey of children and youth. Social Science and Medicine, 58, 1917–1927.
Eysenck, H. J. (1996). Personality and crime: where do we stand. Psychology, Crime and Law, 2, 143–152.
Flint, J. (2002). Social housing agencies and the governance of anti-social behaviour. Housing Studies, 17, 619–637.
Flint, J. (2006). Housing and the new governance of conduct. In J. Flint (Ed.), Housing, urban governance and anti-social behaviour: Perspectives, policy and practice (pp. 19–36). Bristol: The Policy Press.
Flint, J., & Nixon, J. (2006). Census, neighbourhood and anti-social behaviour orders and new forms of regulating conduct in the UK. Urban Studies, 43, 939–955.
Forrest, R., & Murie, A. (1988). Selling the welfare state: The privatisation of public housing. London: Routledge.
Hoffman, S., Mackie, P. K., & Pritchard, J. (2010). Anti-social behaviour law and policy in the United Kingdom: assessing the impact of enforcement action in the management of social housing. International Journal of Law in the Built Environ-ment, 2, 26–44.
Home Office. (2003). Respect and responsibility: Taking a stand against anti-social behaviour. London: Home Office.
Hong Kong Housing Authority. (2010). Marking scheme for estate management enforcement in public housing estates. http://www.housingauthority.gov.hk/en/residential/prh/tenancymatters/markingscheme/ Accessed 03.01.11.
Ipsos MORI. (2006). Public attitudes to parenting. http://www.ipsos-mori.com/researchpublications/researcharchive/poll.aspx?oItemId=374 Accessed 23.01.10.
Jacobs, K. (2008). Contractual welfare ideology and housing management practice: the deployment of ‘Grant Incentive Schemes’ in Australia. Urban Policy and Research, 26, 467–479.
Jacobs, K., & Arthurson, K. (2003). Development effective housing management poli-cies to address problems of anti-social behaviour. Melbourne: Australian Housing and Urban Research Institute.
Jacobson, J., Millie, A., & Hough, M. (2008). Why tackle anti-social behaviour. In P. Squares (Ed.), ASBO Nation: The criminalisation of nuisance (pp. 37–55). Bristol: The Policy Press.
Jacobson, J., & Saville, E. (1999). Neighbourhood warden schemes: An overview. London: Home Office.
Local Government Information Unit. (1997). Community safety: Consultation in advance of the crime and disorder bill. London: Home Office.
Malpass, P. (1990). Selling the welfare state: The privatisation of public housing. London: Routledge.
Millie, A. (2009). Anti-social behaviour. Berkshire: Open University Press.
Millie, A., Jacobson, J., McDonald, E., & Hough, M. (2005). Anti-social behaviour strategies: Finding a balance. York: Joseph Rowntree Foundation.
Pacione, M. (1982). Evaluating the quality of the residential environment in a deprived council estate. Geoforum, 13, 45–55.
Respect Task Force, Respect Action Plan. (2006). London: Home Office.
SARS Expert Committee. (2003). SARS in Hong Kong: From experience to action. Hong Kong: SARS Expert Committee.
Scottish Government Social Research. (2007). Use of anti-social behaviour orders in Scotland. http://www.scotland.gov.uk/Resource/Doc/198276/0053019.pdf Accessed 15.03.10.
Subsidised Housing Committee. (2009). Review of marking scheme for estate management enforcement in public housing estates, memorandum for the sub-sidised housing committee of the Hong Kong Housing Authority. Paper No. SHC 70/ 2009. Hong Kong: Hong Kong Housing Authority.
Team Clean. (2003). Report on measures to improve environmental hygiene in Hong Kong. Hong Kong: Team Clean.
The Chartered Institute of Housing. (1995). Neighbour nuisance: Ending the night-mare. Coventry: The Chartered Institute of Housing.
The Hong Kong Special Administrative Region Government. (1999). LCQ13: objects dropped from a height. http://www.info.gov.hk/gia/general/19991103/1103190.htm Accessed 24.03.10.
The Hong Kong Special Administrative Region Government. (2001). LCQ18: falling object monitoring systems in public rental housing estates. http://www.info.gov.hk/gia/general/200103/14/0314248.htm Accessed 24.03.10.
The Hong Kong Special Administrative Region Government. (2009). LCQ18: figures on objects being thrown from a height. http://www.info.gov.hk/gia/general/ 20091125/P2009111250130.htm Accessed 24.03.10.
Transport and Housing Bureau. (2009). Marking scheme for estate management enforcement in public housing estates. Legislative Council paper no. C(R)(1) 796/ 09-10(06). Hong Kong: Legislative Council.
United States Census Bureau. (2010). American housing survey for the United States: 2009 – Current Housing Report. Washington DC: United States Department of Housing and Urban Development and United States Census Bureau.
Yau, Y. (2008). A marking scheme as a means to control anti-social behaviour: a Hong Kong case study. Surveying and Built Environment, 19, 9–25.
Yau, Y. (2010). Engaging homeowners in building care in Hong Kong: drivers and barriers. Journal of Building Appraisal, 6, 35–48.
Yau, Y. (2011). On the anti-social behaviour control in Hong Kong’s public housing. Housing Studies, 26, 701–722.