

## TOOLS AND POWERS TO TACKLE ANTI-SOCIAL BEHAVIOUR

### Informal Interventions

*Verbal or Written Warning:* Police, Council or Housing officer should be satisfied there is evidence of ASB. The warning should be specific to the behaviour in question, why it is not acceptable and the impact it is having on the victim or community plus the consequences of non-compliance.

*Community Resolution:* Means of resolving less serious offences through informal agreement between the parties concerned as opposed to progress through the criminal justice system.

*Mediation:* In appropriate circumstances, an effective way of resolving an issue by bringing all parties together to agree a solution to the issue.

*Acceptable Behaviour Contracts:* A written agreement between a perpetrator of ASB and the agency or agencies acting locally to prevent that behaviour. They provide an opportunity to include positive requirements as well as prohibitions to help support the perpetrator in tackling underlying issues that may be driving their behaviour.

*Parenting Contracts:* Where information interventions are used with a young person aged under 18, his or her parents should be contacted. Parenting contracts are like an acceptable behaviour contracts but are signed by the parents of the perpetrator.

### Formal Interventions

*Civil Injunction:* To stop or prevent individuals engaging in anti-social behaviour quickly, nipping problems in the bud before they escalate. Applied for by Local Authority, Police or Social Landlord. Issued by the County court and High Court for over 18s and Youth Court for under 18s.

*Criminal Behaviour Order:* Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity. Issued by any criminal court on conviction for any criminal offence. The order will include prohibitions to stop the ASB but can also include positive requirements for the offender to address the underlying causes of their behaviour.

*Dispersal Power:* Requires a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48hrs. authorised by a police inspector and used by Police Officers in Uniform. The power must specify the area to which it relates. Officers can confiscate any item that could be used to commit ASB eg alcohol. A direction can be given to anyone who is or appears to be over the age of 10. A person under 16 can be taken home or to a place of safety.

*Community Protection Notice:* To stop a person aged 16 or over, business or organisation committing antisocial behaviour which spoils the community's quality of life. Can be issued by Council Officers, Police Officers (not used by North Yorkshire Police) or social landlords. The CPN can deal with a range of behaviours. It includes requirements to ensure that problems are rectified and that steps are taken to prevent the behaviour reoccurring. A written warning must be issued first informing the perpetrator of the problem behaviour, requesting them to stop and outlining the consequences of continuing. A CPN can then be used including a requirement to stop things, do things or take reasonable steps to avoid further ASB. A fixed penalty can be issued of up to £100 if appropriate.

*Public Spaces Protection Order:* Designed to stop individuals or groups committing antisocial behaviour in a public space. Councils issue a PSPO after consultation with the police, Police and Crime Commissioner, the owner or occupier of land in the restricted area and other community representatives as they see fit. Restrictions and requirements are set by the council. They can be blanket restrictions or targeted against certain behaviour. They can restrict access to public spaces where that route is used to commit ASB. Can be enforced by police or council officers.

*Closure Power:* To allow the police or council to close premises quickly which are being used, or likely to be used, to commit nuisance or disorder. Applied for by the police or the council. A police officer or local authority can issue a closure notice. Flowing from this the closure order can be applied for no later than 48hrs after service through the courts. A notice can close premises for up to 48hrs out of court but cannot stop the owner or those who habitually live there from accessing the premises. An order can close the premises for up to 6 months and can restrict all access.

*Absolute ground for possession:* The 2014 Act introduced a new mandatory ground for possession of secure and assured tenancies where ASB or criminality has already been proven by another court. Applied for by social landlords or private rented sector landlords. Offences and/or

breaches need to have occurred in the locality of the property or affected a person with a right to live in the locality or affected the landlord, their staff or contractors.

(Further information can be found in the Home Office guidance document: Anti-social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers. Statutory guidance for frontline professionals, January 2021)