

APPENDIX 1

Home Office Consultation Paper

More Effective Responses to Anti-Social Behaviour

Executive Summary

'Anti-social behaviour' describes a range of everyday nuisance, disorder and crime, from graffiti and noisy neighbours to harassment and street drug dealing. It is sometimes dismissed as trivial, but anti-social behaviour has a huge impact on victims' quality of life, and it is the public's number one concern when it comes to local crime issues.

Over 3.5 million incidents were reported to police forces in England and Wales last year, and we know that many more were reported to other local agencies such as councils and housing associations, or not reported at all.

Reducing anti-social behaviour is a government priority, and we expect it to be a priority for the police and other agencies as well, particularly where it is criminal or targeted at vulnerable victims. Unchecked, anti-social behaviour can be linked to increased disorder, low-level crime and fear of crime in a neighbourhood – the so-called 'broken windows' effect.

The police and their local partners, such as local councils, need a range of tools to deal with anti-social behaviour. Where the behaviour is criminal, it should be dealt with as such. But informal measures can nip problems in the bud before they get that far. And preventative civil orders can stop long-running campaigns of intimidation or harassment that are causing real harm to victims, where prosecution of a single offence could not.

The toolkit practitioners currently use is extensive, and runs from warning letters all the way up to court orders like the Anti-social Behaviour Order (ASBO).

Our review has found that:

- there are simply too many tools – with practitioners tending to stick to the ones they are most familiar with
- some of the formal tools (particularly the ASBO) are bureaucratic, slow and expensive, which puts people off using them
- the growing number of people who breach their ASBO suggests the potential consequences are not deterring a persistent minority from continuing their anti-social or criminal behaviour
- the tools that were designed to help perpetrators deal with underlying causes of their anti-social behaviour are rarely used.

As a result, we are proposing a radical streamlining of the toolkit. We want to move away from having a tool for every different problem to ensuring that the police and partners have faster, more flexible tools. These, plus more effective sanctions, will help professionals and, where necessary, the courts stop anti-social behaviour earlier, and better protect victims and communities.

Specifically, we are proposing to:

- repeal the ASBO and other court orders for anti-social individuals, and replace them with two new tools that bring together restrictions on future behaviour and support to address underlying problems – a **Criminal Behaviour Order** that can be attached to a criminal conviction, and a **Crime Prevention Injunction** that can quickly stop anti-social behaviour before it escalates
- ensure there are powerful incentives on perpetrators to stop behaving anti-socially – for example, by making breach of the new orders grounds for eviction from social housing
- bring together many of the existing tools for dealing with place-specific anti-social behaviour, from persistent litter or noisy neighbours, to street drinking and crack houses, into a **Community Protection Order**
- bring together existing police dispersal powers into a single police power to **direct people away** from an area for anti-social behaviour
- make the **informal** and **out-of-court** tools for dealing with anti-social behaviour more rehabilitative and restorative
- introduce a **Community Trigger** that gives victims and communities the right to require agencies to deal with persistent anti-social behaviour

We have spoken to a number of practitioners in developing these proposals, but recognise that there is a huge amount of expertise at the local level, and many good ideas on how the tools and powers could be made to work better. We are keen to use this consultation to draw on that expertise, so we can ensure these changes make it easier for the police and others to protect victims and communities.

Simplifying and improving the toolkit is important, but it's only part of the picture. Our proposals are part of a wider package of reforms that includes: making police forces more accountable to local people through the introduction of Police and Crime Commissioners and street-level crime information; identifying and spreading good ideas, as with the trials of a new approach to handling reports of anti-social behaviour that were announced earlier in January; improving the recording of hate crime offences; and empowering people to get more involved in community safety issues.