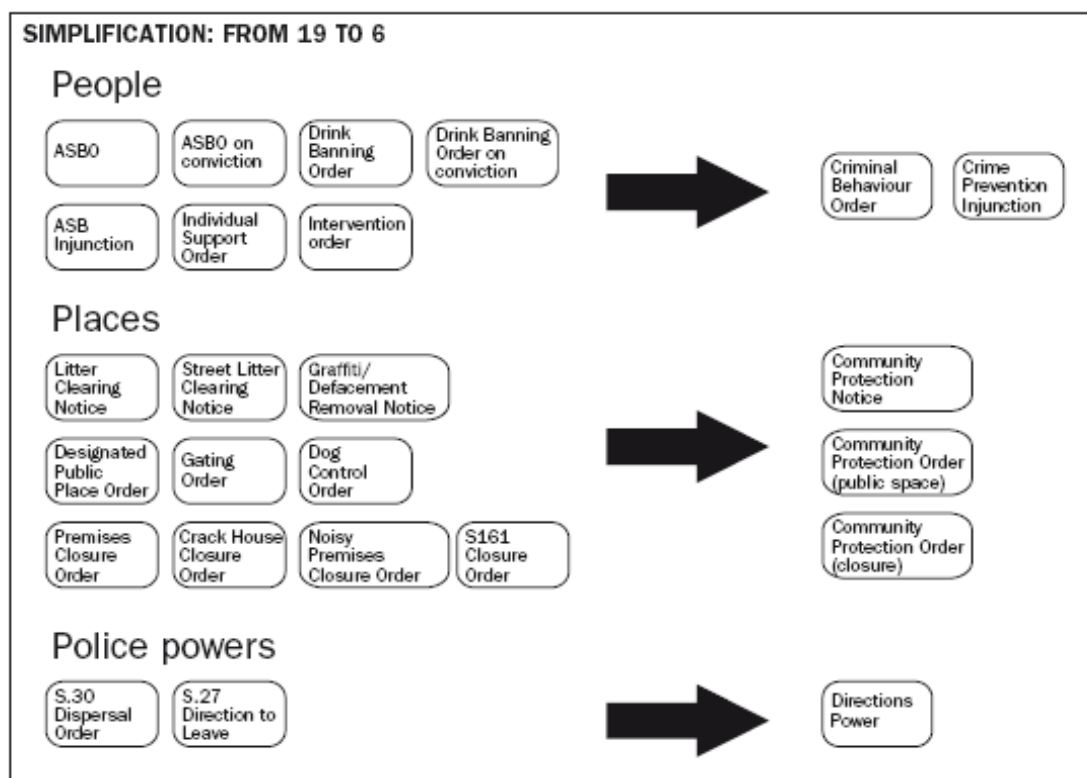


## Appendix B - ASB tools and powers



### The Anti-Social Behaviour, Crime and Policing Act 2014 sets out the following tools:-

**Criminal Behaviour Orders** — issued by the courts after conviction, the order will ban an individual from certain activities or places and require them to address their behaviour for example attending drug treatment programmes - a combination of prohibitions and positive activities, designed to be preventative and not punitive. A breach would see an individual face a maximum five year prison term.

**Civil injunctions** – a purely civil injunction available in the county court for adults and the youth court for 10 to 17 year olds. Designed to nip bad behaviour in the bud before it escalates. The injunction would carry a civil burden of proof, making it quicker and easier to obtain than previous tools. For adults, breach of the injunction could see you imprisoned or fined. For under-18's, a breach could be dealt with through curfews, supervision or detention. Delayed until March 2015.

**Community Protection Notices** – one order for local authorities to stop persistent environmental ASB like graffiti, neighbour noise or dog fouling; and for police, social landlords and local authorities to deal with more serious disorder and criminality in a specific place such as closing a property used for drug dealing (level 2). Designated powers will need to be given to police and social landlords to issue the notices.

**Police Dispersal Power** – a Police power to direct any individual causing or likely to cause ASB, crime and disorder away from a particular place and to confiscate related items. A person can be removed from an area for up to 48hrs, if authorized by a Police Inspector or above. PCSO's will be given designated power to use the directions power.

**Public spaces protection orders (PSPO's)** – intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can enjoy public spaces, safe from ASB. This will replace the DPPO, Gating Order and dog control orders. PCSO's will be able to confiscate and dispose of alcohol.

**Closure powers** – this power is a fast, flexible power that can be used to protect victims and communities by quickly closing premises that are causing nuisance or disorder. Both local authority and police can use this power to close residential or business premises. The notice is for a 48hr period, and the closure is for a period up to 6 months.

**Absolute grounds for possession** – to speed up the possession of secure and assured tenancies in cases where ASB or criminality has already been proven by another court. Local authorities, social and private landlords will no longer need to prove that it is reasonable to grant possession, the court will be more likely to determine cases in a single, short hearing. The new absolute ground is intended for the most serious cases of anti-social behaviour and landlords should ensure that the ground is used selectively. Delayed until Jan 2015.

**To enable local involvement and accountability, the Act also includes the following 2 measures:-**

**Community Remedies** – this tool gives victims a say in the out-of-court punishment of offenders for low level crime and ASB. The Act places a duty on the PCC to consult with members of the public and community representatives on what punitive, restorative or rehabilitative actions they would consider appropriate to be on the Community Remedy document.

**Community Trigger (response to complaints)** - To give victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem-solving approach to find a solution.