

Anti-Social Behaviour Training - Role of Government

- Governments legislate powers for dealing with ASB and increasingly includes taking action on ASB within key party manifestos;
 - Respect Agenda (2005) – The Labour Government set-up a cross party ‘Respect Task Force’ with the aim of “putting the law abiding majority back in charge of communities”
 - Aim of Respect Agenda was to focus on early intervention on the causes of ASB
 - Resulted in legislation for current methods
 - Task Force disbanded in 2007 (change of party direction)
 - Government review of ASB announced in 2009, with the intention of “tackling not tolerating ASB”, first recognition that Respect Agenda was not working; resulting in a National ASB Action Plan designed to improve consistency and intelligence sharing
 - In May 2011 Coalition Government announces consultation on ASB entitled “More Effective Response to Anti-Social Behaviour”, setting out plans to overhaul ASB tools and policy, to rationalise powers available and enable authorities to move faster and have more flexibility
 - Likely outcome from the consultation include:
 - repealing the ASBO and other court orders and replacing them with two new tools that bring together restrictions on future behaviour and support to address underlying problems
 - ensuring there are powerful incentives on perpetrators to stop behaving antisocially
 - bringing together many of the existing tools for dealing with place-specific antisocial behaviour
 - bringing together existing police dispersal powers for antisocial behaviour into a single police power
 - making the informal and out-of-court tools for dealing with antisocial behaviour more rehabilitative and restorative
 - introducing a Community Trigger that gives victims and communities the right to require agencies to deal with persistent antisocial behaviour.

- Role of Landlord

- To have a published policy relating to ASB and to respond accordingly
- To work as part of a partnership when tackling ASB, including sharing intelligence (likely to become a legislative requirement under new regime)
- To support victims and communities affected (whilst managing expectations)
- To treat perpetrators fairly and offer support where necessary
- To instigate legal actions and use tools available

Case studies:

Extract from November Board Report

- 3.2 *The reason for raising the ASB topic to the Board is that a particularly severe case of ASB has now reached the stage where English Rural is seeking possession of a property at Barnfields, Fingringhoe, Essex after persistent ASB and nuisance has been ongoing for almost two years, causing discomfort and frustration to the local community and particularly affecting immediate neighbours who are English Rural's tenants. The ASB primarily relates to allegations of drug misuse and noise. A series of intervention mechanisms have been used culminating in an Anti-Social Behaviour Injunction, which has been continually breached. Both the Chairman and Lead Board Member for Housing Management have been made aware and kept informed of this case given the severity.*
- 3.3 *Possession proceedings will take the form of a trial which is likely to take place in January 2012 and will involve local residents and the staff from English Rural. Devonshires have been assisting with preparing for the trial and also with progressing the case through the courts to date. Some budgetary provision had been allowed to assist with this work and some costs fell within the previous financial year, but costs will exceed budget provision for the current period. To date costs incurred have totalled £5,000 and the support with the trial is likely to cost a further £7,000.*
- 3.4 *There are three possible outcomes from the trial; firstly that the possession will be rejected and English Rural potentially liable for the costs of the defence; secondly that a suspended possession order is granted on terms; and thirdly that an outright possession order is granted enabling an eviction. Having assessed the evidence and case, Devonshires have advised that they would anticipate either the second or third outcome, depending on the Judge and the behaviour of the defendant at the trial.*