

The New Powers

Anti-Social Behaviour, Crime and Policing Act 2014

Power/Duty	Summary	Exercised by Whom	Issues to consider
<p>Community Trigger</p>	<p>Gives victims and communities the right to request a formal review of their problem, where they believe it has not been addressed</p> <p>The threshold is three reports made to any agency within a 6 month period which, in the view of the victim, have not been addressed</p>	<p>Local authority, Police and registered housing providers</p> <p>Police & Crime Commissioner in relation to audit of power</p>	<p>Local authority agreement about common procedures being in place</p> <p>Role of community safety partnership – to be the point at which a review is requested, to take ownership of a review where one is conducted and ensure it is completed</p> <p>Need to share information between agencies and to keep records of activity on each case</p> <p>Need to engage with RSL's</p> <p>Duty to publish information on use of trigger and outcomes from reviews</p>

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Community Remedy	Gives victims a say in out of court punishments for low level crime and anti-social behaviour (ASB)	Courts on application by police Police & Crime Commissioner to consult on the range of remedies available for the victims to choose from	Agencies – Probation, Youth Justice & Early Intervention, EVOLVE may be involved as a provider of the remedy
Civil Injunction	To stop or prevent ASB – behaviour likely to cause harassment, alarm or distress. Breach not a criminal offence but must be proved to criminal standard Replaces ASBO's but tests lower and available to a wider range of agencies	Local authority, RSL's, Police, Natural Resources Wales Youth Justice & Early Intervention Service and EVOLVE must be consulted if under 18's	Established process but to county court not magistrates and others will need to be aware that different evidence tests apply Legal costs – higher than for an ASBO
Criminal Behaviour Order	Issued by a criminal court against person convicted of an offence to tackle that person's ASB activities	Crown Prosecution Service	None
Dispersal Power	Requires a person over age of 10 committing or likely to commit ASB crime or disorder to leave an area for up to 48 hours Does not need to be designated as a dispersal area in advance	Police Officers Police may consult local authority beforehand	None directly

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<p>Community Protection Notice</p>	<p>To stop anyone over 16, a business or organisation committing persistent ASB which affects the community's quality of life</p> <p>It appears to be directed at those committing noise, rubbish and graffiti type problems</p> <p>Involves issuing warnings and serving notices with a sanction of a fixed penalty notice (FPN) and up to level 4 fine (up to £2,500)</p>	<p>Local authority, Police and RSL's if designated by the local authority</p>	<p>Need to establish formal process and joint approach between Police and local authority and others</p> <p>Designation of local authority staff members to apply powers</p> <p>Links to existing noise nuisance and clean neighbourhood powers/statutory nuisance</p>

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<p>Public Spaces Protection Order</p>	<p>Stops individuals or groups committing ASB in a public space.</p> <p>Can involve restrictions on access</p> <p>Breach is a criminal offence and FPNs can be issued for breach</p>	<p>Enforced by local authority or Police</p> <p>Local authority after consultation with Police, Police & Crime Commissioner and other relevant bodies</p>	<p>Existing Designated Public Places Orders and Dog Control Orders lapsed on 20th October 2017 and therefore interim PSPO has replaced them</p> <p>Any new order from now on to control these aspects or an amendment to an existing order will be a PSPO</p> <p>Orders will need approval by designated officers and need to identify and train enforcing staff. FPN booklets need to be designed to include the relevant offence codes</p>
<p>Closure Powers</p>	<p>Allows closure of premises that are being used or likely to be used to commit nuisance and disorder. Can be used for up to 24 or 48 hours out of court; then recourse to court for up to 3 months</p>	<p>Local authority and Police who must consult beforehand with relevant bodies or individuals</p>	<p>Delegated powers to designated officers</p> <p>Issue of getting a court to hear the case in time</p>

	Court must hear case within 48 hours of notice being served		
Power/Duty	Summary	Exercised by Whom	Issues to consider
New Absolute ground for possession	New power re possession of secure and assured tenancies where ASB or criminality has been proven by a court	Landlords – social and private	None directly