



Anti- Social Behaviour

and PSHE Education

Professionals' Pack

2023

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INTRODUCTION

This pack aims to support education providers to deliver quality PSHE education around anti-social behaviour. This will be achieved through:

- Identifying the curriculum links within the PSHE Association's Spiral Curriculum and the Department for Education's statutory guidance
- Developing staff's confidence and competence on the subject matter to support them to facilitate PSHE education on this topic within their own setting.

The Department for Education's statutory guidance states that:

- Pupils can also put knowledge into practice as they develop the capacity to make sound decisions when facing risks, challenges and complex contexts.
- Schools should show flexibility to respond to local public health and community issues to meet the needs of pupils
- Should be addressed sensitively and clearly

Education providers can help raise awareness of anti-social behaviour, by increasing knowledge around various types, developing skills to resist peer influences to engage in anti-social behaviour and explore values towards the local community.



SAFE LEARNING ENVIRONMENT

A safe learning environment enables children and young people to feel comfortable to share their ideas without attracting negative feedback. It avoids possible distress and prevents disclosures in a public setting and enables professionals to manage conversations on sensitive issues confidently. We have created a guidance document to support professionals to create this safe in their own setting.



No. 01 — Ground Rules

Create in collaboration with the group . As the facilitator role model the agreed ground rules.



No. 02 — Collaborate with DSL

Check with your DSL whether any group members (including members of school as well as children and young people) have been affected by anti-social behaviour, as a witness or a victim (either themselves or someone close to them).



No. 03 — Staff Confidence

Check Staff confidence levels. If anyone is in panic zone it is not safe or appropriate for them or the participants to teach on the topic. This pack should help professionals to move from panic zone to learning or comfort zone.



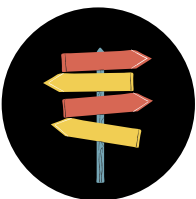
No. 04 — Learning Techniques

Use scenarios and stories to help participants engage with the topic. Refer to the third person rather than you e.g. what could this character do?, or people of about your age....



No. 05 — Difficult Questions

Questions are an important part of learning. Sometimes a child or young person will ask a difficult question. As with all questions the first thing is to value the question whilst either allowing time to consider an appropriate answer or to deflect an inappropriate question.



No. 06 — Signposting

It is absolutely essential, that included in the session, is information about different organisations and people that can provide support both within the organisation and outside of it.

A more detailed version of this page is available by emailing either Natalie or Ellie

Challenges, Attitudes and Values within Society

Where there is behaviour there are social norms. Social norms approach is an evidence based strategy to promoting positive behaviour change in young people that is based on challenging misperceptions individuals hold about their peers.

Although it is best known for successfully reducing drug use, it has much wider applicability in promoting positive behaviour change, including to reduce anti-social behaviour.

A norm is a social construct, it exists as a collectively shared believe about what is typical and what is appropriate.

Some children and young people may believe that all anti-social behaviour is displayed by peers.

Some people may believe that certain behaviours are not anti-social but what happens in a particular area.

To shift social norms, PSHE education must support to create new beliefs so that the new behaviours are allowed to emerge.

Within a PSHE session it is important to use positive messaging that does not cause shame or victim-blame. Those people facilitating PSHE sessions must ensure that their language or resources do not over-represent one group of people over another. Allow the group to discuss who they believe displays anti-social behaviours and explore where these beliefs come from. Are they accurate for the local area?

Children and young people should be empowered to display pro-social behaviours and be active bystanders confident to call out inappropriate behaviours, when it is safe to do so, or to tell a trusted adult.



Knowledge, Skills and Values

Topics explored in PSHE education, relate directly to a child's or young person's life, when they might find themselves in a tricky situation or "crunch" moment – and need to make a quick decision; for example, a child who is dared to run across the road by their friends, or a teenager who is being pressured to carry a knife. They will need to recall learning from PSHE education at that moment to help them make a decision.

They will, of course, require knowledge e.g., of the legality (or not) of their actions. However, in order to make a safe decision in the moment, they will also need skills to be able to use the road safety. We encourage practical experiences through either role play or in real life to enable children and young people to demonstrate greater road awareness.

Knowledge on its own won't necessarily stop someone from trying things. In many cases young people end up in situations where they know what they are doing is "wrong", but they do it anyway, as they lack the essential skills or attributes to help them effectively manage the situation.

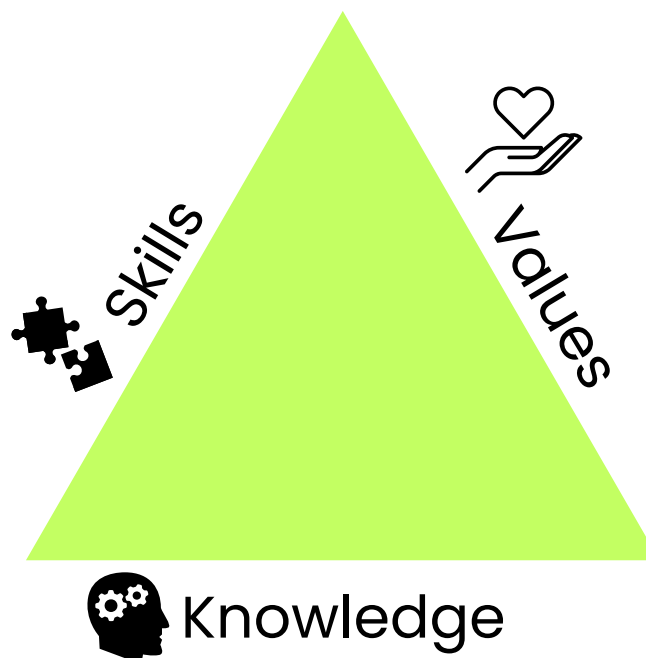
To ensure that sessions are balanced it is important to know the purpose of the activity and create a balanced session that increases or enables reflection on knowledge, skills and values.

The definition of each of these is:

Knowledge: gaining new information on a topic

Skills: gaining new skills on a topic

Values: reflecting on, and potentially altering, your own values in relation to a topic



Pro-social behaviour is

“VOLUNTARY ACTIONS THAT ARE INTENDED TO HELP OR BENEFIT ANOTHER INDIVIDUAL OR GROUP OF INDIVIDUALS”

Research shows that children and young people achieve positive school and life outcomes when they first have good cognitive, social and emotional skills (OECD, 2015). Having a balance of these skills results in less engagement with anti-social behaviour (Goodman, Joshi, Nasmin & Tyler, 2015).

Developing pro-social behaviour should go beyond classroom-based learning and should be embedded in a whole-school approach. In 1998, the World Health Organisation (WHO) recommended the whole-school approach when considering interventions, as more likely to have positive outcomes due to the multi-component focus.

For pro-social behaviour to be effective, children and young people need to develop skills of empathy (the driving force behind the behaviour). Those children and young people who are more attuned to the feelings of others are more likely to engage in helpful acts.

- Utilise stories to develop empathy skills.

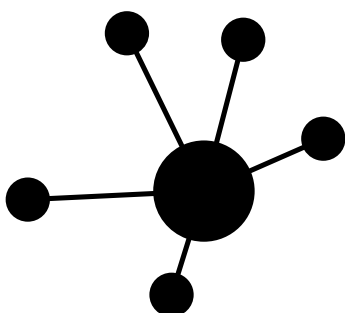
When reading a novel or biography, the story unfolds in a character's own words, putting the reader inside their mind and feelings.



- Create a climate for social interaction

Pro-social behaviour often results in people feeling connected to others.

Create opportunities to show how each person within the group is connected and how each individual has something to contribute. This can be through group tasks, house systems etc...



- Use positive reinforcements

Negative behaviours are much more likely to be called out. To develop a pro-social behaviour culture a conscious decision and effort should be made to celebrate acts of positive behaviours and acts. Celebrate with explicit praise that can be heard by others. "Today I saw George⁷ helping a classmate who had accidentally dropped their books.

Three cheers for George"

Class goals could be set with rewards when the group meets a certain number of acts of kindness.



- Establish a culture of kindness and gratitude

Normalise kindness in the organisation. Establish a culture where pro-social behaviours are expected. Staff should model kindness and gratitude by the way they treat other people in different situations. Including when someone is behaving in a way that is inappropriate.



- Build links with the wider community

Contextual safeguarding recognises the importance of understanding the issues and influences on children and young people. Strong communities improve the quality of community life. Working in partnerships with youth and community organisations schools can widen the opportunities and services available to their children, young people and families, including during the school holidays. It also enables professionals to better understand the issues facing the wider community including anti-social behaviour.

Share work that is happening in the local community to make it a better place – someone who volunteers, litter pickers, Street Pastors etc...



Tips for Communication

Communication difficulties

Special provision should be put in place to support conversations with children, young people or adult learners who:

- have communication difficulties
- are too young
- are unable to communicate
- cannot or will not explain

You should refer to the child, young person or adult learner's behaviour plan and the information available from any assessments. This may include visual cues to help facilitate discussion, such as picture exchange communication cards.

Mencap has published further information on [communicating with people with learning difficulties](#).

The National Autistic Society has also published [tips to communicate more effectively with an autistic person](#).



The table below shows the learning opportunities from the relevant PSHE Association core themes which can be linked to Anti-Social Behaviour.

Primary

PSHE Association:

Key Stage One

R19.	Basic techniques for resisting pressure to do something they don't want to do and which may make them unsafe
R21.	About what is kind and unkind behaviour, and how this can affect others
L1.	About what rules are, why they are needed, and why different rules are needed for different situations
L5.	About the different roles and responsibilities people have in their community

Key Stage Two

R15.	Strategies for recognising and managing peer influence and a desire for peer approval in friendships; to recognise the effect of online actions on others
R20.	Strategies to respond to hurtful behaviour experienced or witnessed, offline and online (including teasing, name-calling, bullying, trolling, harassment or the deliberate excluding of others); how to report concerns and get support
R28.	How to recognise pressure from others to do something unsafe or that makes them feel uncomfortable and strategies for managing this
R29.	Where to get advice and report concerns if worried about their own or someone else's personal safety (including online)
R30.	That personal behaviour can affect other people; to recognise and model respectful behaviour online

L1.	To recognise reasons for rules and laws; consequences of not adhering to rules and laws
L6.	About the different groups that make up their community; what living in a community means

SEND

PSHE Association:

WIL4 - Taking Care of the Environment

Enhancement	Explain what might happen if the wider environment is not taken care of (e.g. litter, graffiti, vandalism, pollution)
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DfE Statutory Guidance:

By the end of Primary pupils will know:

RR5.	That in school and in wider society they can expect to be treated with respect by others, and that in turn they should show due respect to others, including those in positions of authority
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PSHE Association:

Key Stage Three

H30.	How to identify risk and manage personal safety in increasingly independent situations, including online
H31.	Ways of assessing and reducing risk in relation to health, wellbeing and personal safety
R42.	To recognise peer influence and to develop strategies for managing it, including online
R43.	The role peers can play in supporting one another to resist pressure and influence, challenge harmful social norms and access appropriate support
R44.	That the need for peer approval can generate feelings of pressure and lead to increased risk-taking; strategies to manage this

Key Stage Four

H4.	Strategies to develop assertiveness and build resilience to peer and other influences that affect both how they think about themselves and their health and wellbeing
H22.	Ways to identify risk and manage personal safety in new social settings, workplaces, and environments, including online
H23.	Strategies for identifying risky and emergency situations, including online; ways to manage these and get appropriate help, including where there may be legal consequences (e.g. drugs and alcohol, violent crime and gangs)
R35.	To evaluate ways in which their behaviours may influence their peers, positively and negatively, including online, and in situations involving weapons or gangs

R37.	To recognise situations where they are being adversely influenced, or are at risk, due to being part of a particular group or gang; strategies to access appropriate help
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Key Stage Five

H14.	To assess and manage risk and personal safety in a wide range of contexts, including online; about support in place to safeguard them in these contexts and how to access it
R23.	Strategies to recognise, de-escalate and exit aggressive social situations

SEND

PSHE Association:

SA4 – Managing Pressure

Core	Recognise what is meant by peer pressure and peer influence
Development	Identify some of the ways in which pressure might be put on us by other people, including online.
Development	Describe ways we might challenge peer pressure.
Enrichment	Describe strategies that can be used if someone is using pressure to persuade us to do something, including online.
Enrichment	Recognise the responsibilities of bystanders to report bullying and hurtful behaviour.

Enhancement	Explain ways of safely responding if we experience or witness unacceptable behaviours.
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SSS3 – Accidents and Risk

Core	Explain what is meant by the terms risky (something that could go wrong/have harmful consequences) and dangerous (something that will always hurt us, e.g. fire).
Development	Identify trusted adults who can help us in risky situations and strategies we can use to help ourselves.

DfE Statutory Guidance:

By the end of Secondary pupils will know:

RR4.	That in school and in wider society they can expect to be treated with respect by others, and that in turn they should show due respect to others, including people in positions of authority and due tolerance of other people's beliefs.
16.	That there are a range of strategies for identifying and managing sexual pressure, including understanding peer pressure, resisting pressure and not pressurising others.

NYA Youth Work Curriculum:

HW2.	Helping young people make informed choices about how they live, approach risk and take responsibility for their own behaviour in relation to their lifestyle
ED1.	Enabling young people to consider their impact on the environment

USEFUL RESOURCES

Please check all resources are suitable for your settings and children.

Anti-Social Behaviour

Lesson Plans:

Safe4Me

Aimed at Key Stage 2 this toolkit provides resources to enable children to understand what Anti-Social Behaviour is and how it affects the community.

Oak National Academy

Suitable for virtual learning at Key Stage 4 that explores the impact of actions on mental health and the causes and consequences of involvement in Anti-Social Behaviour.

Pan-Staffordshire PSHE Education Service

Suitable for ages 9-11, the sixth comic book featuring Oatcake Primary schools characters that follows Zane as he experiences Anti-Social Behaviour in his local community.

Pan-Staffordshire PSHE Education Service

Suitable for ages 11-14 years, this resource utilises a film and accompanying activities to explore the impact of Anti-Social Behaviour and develop strategies to challenge where it is safe to do so.

For parents/carers & the wider community:

Safe4Me

Advice and support for parents and carers to enable them to have conversation with their child about behaviours and safety about Anti-Social Behaviours.

Cannock Chase Council

Leaflet (October 2016) for local residents to explain what Anti-Social Behaviour is and how to report locally.

Tamworth Borough Council

Information around ball games, and how they can be perceived to be anti-social, including advise for young people and parents/carers.

ASB Harmony and Mediation service

An agency offering support to victims of Anti-social Behaviour in Staffordshire and Stoke-on-Trent.

DEVELOPING SUBJECT KNOWLEDGE



ANTI-SOCIAL BEHAVIOUR

*with thanks to Staffordshire Police,
ASB Harmony and Mediation Service*

ANTI-SOCIAL BEHAVIOUR

Definition:

The government defines anti-social behaviour as:

- Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person;
- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or;
- Conduct capable of causing housing-related nuisance or annoyance to any person.

It is important to recognise that anti-social behaviours can be displayed and experienced by all-ages and types of people.

There are three main types of anti-social behaviours:

- Personal – incidents that deliberately target an individual or group of people.
- Nuisance – incidents that affect the community rather than individuals.
- Environment – incidents where individuals or groups impact their wider surroundings.

EXAMPLES



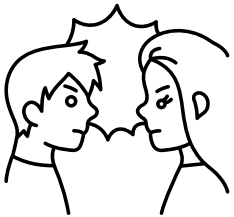
Crimestoppers gives a list of a range of behaviours that can cause nuisance and annoyance or harm and distress to a person. It is a wide range of unacceptable activity and including:



Noise - including loud music, banging DIY at unsocial hours, loud parties, frequent visitors at unsocial hours



Animal nuisance, including dog fouling, dogs barking



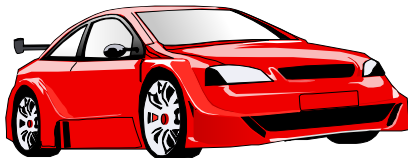
Shouting, swearing and fighting



Arson



Intimidation through threats or actual violence



Driving in an inconsiderate or careless way; for example, drivers congregating in an area for racing/car cruising



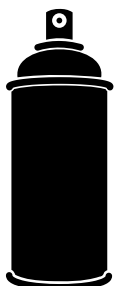
Verbal abuse



Dumping rubbish



Abusive behaviour aimed at causing distress or fear to certain people; for example, elderly or disabled people



Vandalism, property damage and graffiti



Anti-social drinking

EXAMPLES



The following behaviours are not officially classed as anti-social:



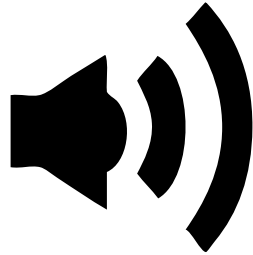
Parking (including badly parked vehicles)



Children playing



Neighbours doing DIY (at reasonable hours of the day)



Noise caused by everyday living and amplified noise e.g; loud music, televisions, gaming



Groups of people in the street or in parks, unless they are being rowdy, abusive, causing damage or committing other crimes



Religious or cultural practice



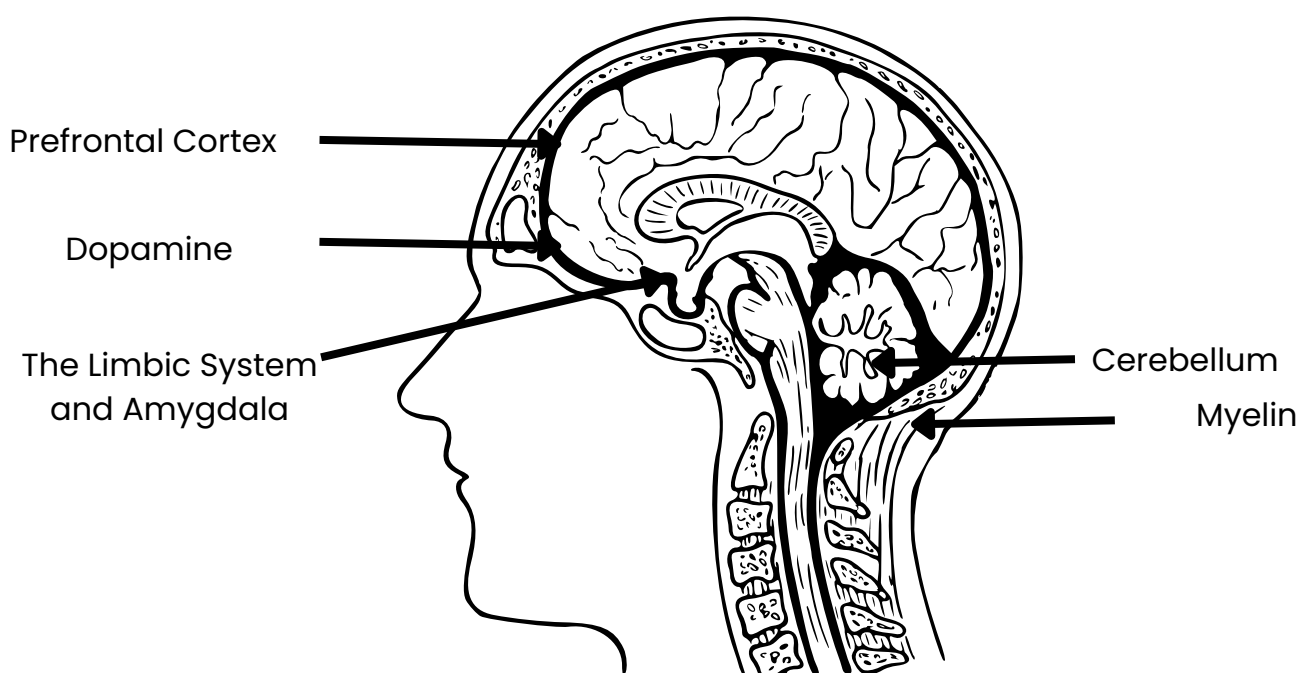
A one-off party

YOUNG PEOPLE AND ASB

It is a widely held premise that young people and anti-social behaviour (ASB) are synonymous. It is important that professionals do not make sweeping generalisations. It may be that reality is somewhat different to the perceived nature of the problem of ASB and those who commit it.

Understanding the teenage brain development can support professionals to better understand how young people are thinking and feeling in order to respond appropriately. It can also help to better appreciate why young people may be linked to anti-social behaviour more than adults.

This short [Ted Talk](#) explains the changes that take place within the brain during puberty and this [video](#) gives a powerful insight into the brain development of young people.



Prefrontal Cortex – the part of the brain that enables us to plan for the future, organise, understand (and calm) our emotions and problem solve.

Develops at a slower rate to other parts of the brain and catches up with the part of the brain that drives emotions around the age of 25.

Dopamine – A chemical that increases dramatically during adolescence. This chemical is found in the "rewards centre" of the brain and can partly explain why adolescents are attracted to new, exciting and sometimes risky experiences, it also helps with focus and paying attention. This enables young people to learn from their new experiences.

The Limbic System and Amygdala – The emotional centres of the brain that develop rapidly during adolescence. This leads to heightened emotions and the ability to connect with others, read people and the environment and react quickly.

Cerebellum – This part of the brain involves movement and coordination, as it undergoes rapid development and maturity during adolescence it can often makes adolescents appear clumsy and awkward.

Myelin – This is white matter than enables electrical signals to train through nerves quickly and efficiently During adolescence vital connections are being made that allows thoughts, feelings, senses and experiences to be integrated alongside supporting knowledge and wisdom. .

BRAIN CHANGES AND BEHAVIOUR

Puberty is incredible combining brain development with hormone production to equip young people for adulthood physically, emotionally and socially.

Due to all these changes it can sometimes lead to changes in behaviours including:

- **Taking risks** – Adolescents are wired to seek out new sensations and experiences due to the strongly wired reward centre in their brain. This means that young people are more likely to be exposed to risk, but they are also more likely to overestimate the risk and learn from the negative consequence. This is important for all professionals to remember who work with young people to reduce the stigma young people face within society and the media.
- **Seeking out new relationships** – Adolescence equips young people to become more independent and be ready for meaningful relationships. To form relationships takes risks, practice, failure and recovery.
- **Influencing peers** – During adolescence young people report that their biggest influence and source of information is their peers. This explains why risk taking and experimenting often occurs when young people are in groups.
- **Learning Quickly** – Their brains are wired to rapidly absorb experience, this enables their brain to be shaped by everything around them and is programmed to learn.
- **Reasoning Slowly** – It is important to remember that the final part of the adolescence brain development is the prefrontal cortex. This is the reasoning part of the brain and is developing and needs nurturing, young people may need support to make decisions and plan as this development occurs.

PERCEPTIONS OF YOUNG PEOPLE

Young people want to spend time with their peers, but may have limited options on where they can meet. Instead of youth clubs they meet up at parks.

Young people may feel safer in the evenings by being in groups. A recent consultation around Young People's perceptions of violence in Staffordshire and Stoke-on-Trent found that 88% of respondents felt safe in their home area during the day, but this dropped to 44% when darkness falls.

Some people may see groups of young people "hanging about" together as anti-social, especially if there is a certain level of noise

A group of adults with pushchairs blocking a pavement is less likely to be seen as anti-social behaviour than if a group of teenagers are blocking the same path. This is possibly caused by the media's portrayal of young people e.g. involved in criminal activity, carry weapons having an impact of local residents.

It is important that young people feel part of their local community and that when discussing anti-social behaviour they have the opportunity to consider who may display these behaviours and also how people may perceive their behaviour and how this can be appropriately challenged.

It is also essential that children and young people have the opportunity to develop strategies to say no to peer pressure. It is more likely that children and young people will engage in anti-social behaviour in groups than on an individual basis.

LEGAL POWERS

There are seven powers used to sanction anti-social behaviour.

- Civil Injunction
- Closure Power
- Community Protection Notice (CPN)
- Criminal Behaviour Order
- Dispersal Powers
- Public Space Protection Order (PSPO)
- Absolute Grounds for Possession



**ANTI-SOCIAL BEHAVIOUR ERODES LOCAL PRIDE,
BLIGHTS OUR HIGH STREETS AND PARKS AND IS A
STAIN ON TOO MANY COMMUNITIES ACROSS THE
COUNTRY.**

MICHAEL GOVE, MARCH 2023

CIVIL INJUNCTION

A Civil Injunction, under part one of the Anti-Social Behaviour, Crime and Policing Act 2014 is a power that can be applied to deal with anti-social individuals. The Injunction can be affective for victims and also sets a standard for behaviour, stopping the person displaying anti-social behaviours from escalating.

A Civil Injunction may be made for an indefinite period, except if a person is aged under 18 years, where it can be for no longer than 12 months.

Local Councils, Social Landlords, the Police, Transport for London, Environment Agency, Natural Resources Wales and NHS Protect can all apply for a Civil Injunction. There must be:

- Evidence that the behaviour is likely to cause harassment, alarm
- Distress or that the conduct is capable of causing nuisance or annoyance
- Prevents anti-social behaviour

The injunction will include positive requirements to address the cause of anti-social behaviour and will be issued by the County Court and High Court for over 18's and the Youth Court for under 18s.

Civil Injunction can stop someone from "hanging about" with a certain person(s), ban them from entering specific areas or from displaying particular behaviours and have a curfew so they are not allowed outside between certain times. .

Breach of the injunction is not a criminal offence, but the breach must be proved to the criminal standard.

For over 18's the penalty is civil contempt of court with unlimited fine or up to two years in prison. Appeals are made to the High Court.

For under 18's the penalty is a supervision order, or as a very last resort, a civil detention order up to three months for 14-17 years old. Appeals are made to the Crown Court.

CLOSURE POWER

Closure Power allows the police or council to quickly close premises which are being used or likely to commit nuisance or disorder.

A Closure Notice is firstly issued out of court, this notice can close a premises for up to 48 hours.

A Closure Order can close premises for up to six months and can restrict all access.

Both a Closure Notice and a Closure Order can cover any land, regardless of if it is enclosed or not.

A breach is a criminal offence. Breaching a Notice can result in up to three months in prison. Whilst breaching a Closure Order is up to six months in prison. For both there is up to an unlimited fine for residential and non-residential premises.

Closure Power is a fast, flexible power that can be used to protect victims and communities by quickly closing premises that are causing a nuisance or disorder in the community.



COMMUNITY PROTECTION NOTICES

Community Protection Notices (CPN) and Community Protection Warnings are designed to stop people aged 16 years and older, businesses or organisations committing anti-social behaviour that spoils the local community's way of life.

A CPN can be issued by council officers, police officers, police community support officers (PCSOs) or social landlords, if designated by the council.

A CPN can be issued where an individual, business or organisation behaviour is:

- having a detrimental effect on the quality of life of those in the locality
- unreasonable and
- of a persistent nature

Before a CPN can be issued, the person, business or organisation suspected of causing the problem must be given a written warning that a community protection notice will be issued unless their conduct changes and ceases to have a detrimental effect. The warning will also detail that a breach of a CPN is a criminal offence.

If the warning is not adhered to then the community protection notice can be issued, if there is substantial evidence. The notice will list the following requirements:

- to stop doing something specific and/or to do some specified action
- to take reasonable steps to achieve a specified result - either preventing the unacceptable behaviour from continuing or preventing the likelihood of it recurring.

Failure to comply with a CPN can lead to a court summons and, on conviction result in a fine of up to £2,500 for individuals, or £20,000 for businesses. On conviction, the magistrates' court would have the power to order forfeiture and destruction of any item used in the commission of the offence - for instance, noise equipment.

A fixed penalty notice may also be issued for this behaviour (maximum £100 fine).

An appeal against a CPN or its terms can be made to a magistrates' court within 21 days of issue. A CPN warning cannot be appealed.

CRIMINAL BEHAVIOUR ORDER

The Criminal Behaviour Order (CBO) is available on conviction for any criminal offence in any criminal court. It is aimed at tackling the most persistent anti-social individuals who are getting involved in criminal activity.

The Court will issue a CBO if it is satisfied that the individual has been involved in behaviour causing harassment, alarm or distress to any person and/or if the Court believe that making the order will prevent the individual becoming involved in criminal behaviour again. The anti-social behaviour does not have to be part of the offence for which the individual is appearing in court for.

If the individual is under 18 years-old the court needs to seek the view of, and work in consultation with the local Youth Offending Team.

When someone is given a CBO it can stop someone from seeing certain people or groups, banned from entering specific areas or from displaying particular behaviours and have a curfew so they are not allowed outside between certain times. A CBO can also have positive requirements, for example an order to engage with substance misuse interventions, this means an individual must engage in order to meet the conditions of their CBO. CBOs can be utilised to bring about lifestyle changes as well as prevent further ASB incidents.

Should the CBO be breached, the following consequences could apply:

- For over 18's on summary conviction - up to six months imprisonment or a fine or both
- For over 18's on conviction on indictment - up to five years imprisonment or a fine or both
- For under 18's - the sentencing powers in Youth Courts apply.



DISPERSAL POWER

The purpose of Dispersal Power is so that the police can use it in a range of ways to disperse individuals displaying or engaged in anti-social behaviours to provide immediate action. In locations that have a number of anti-social behaviour incidents then the police should work with the local council.

Anyone who is dispersed by uniformed Police Officers or Police Community Support Officers (PCSOs) using this power is required to leave an area for up to 48 hours.

The Police staff must specify the area in which the incident happened and also give a time for the individual or group to leave. They can confiscate any item that could be used to commit anti-social behaviour e.g alcohol.

The direction can be given to anyone over the age of 10 years, if the person is under 16, they can be taken home or to a place of safety.

Should the dispersal power be breached that is a criminal offence. The failure to hand over requested items is up to a level two fine (£500).

If a person feels they have been incorrectly dealt with they should speak with the duty inspector at the local police station. Details should be given to the person on the written order.



PUBLIC SPACES PROTECTION ORDERS

Public Spaces Protection Orders (PSPOs) are intended to deal with nuisance or problems in an area that cause harm to the quality of life of the local community.

The power to make a Public Spaces Protection Order was given to District Councils by the Anti-Social Behaviour, Crime and Policing Act 2014.

Before making an order, the council must consult with the local chief officer of police, and the local policing body; community representatives; and the owner or occupier of land within the restricted area. The Council must also notify the County Council and Parish (Town) Council of the proposed order.

What is a PSPO?

The Council can make a PSPO on any public space within the area if it is satisfied that the activities carried out, or likely to be carried out, in a public space:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality
- is, or is likely to be, persistent or continuing in nature
- is, or is likely to be, unreasonable
- justifies the restrictions imposed

The PSPO can prohibit people from doing certain things in an area, requires specified things to be done by persons carrying on specified activities in an area, or do both of those things. A PSPO can last for up to three years, but this time period can be extended if necessary.

A breach is a criminal offence and enforcement officers can issue a fixed penalty notice of up to £100 if appropriate. On prosecution a fine of up to level three can be issued.

ASB CASE REVIEW

The ASB Case Review (previously known as the Community Trigger) is part of the Anti-Social Behaviour Crime and Policing Act 2014.

It gives victims and communities the right to request a review of their anti-social behaviour complaints and brings agencies together to take a joined up, problem solving approach to find a solution. The meeting should be chaired by an independent person who has not been involved in the case. It is used when a person believes that no or insufficient action has been taken, or in a timely manner, and that the anti-social behaviour is ongoing.

To be able to request an ASB Case Review, the defined threshold needs to be met:

- Have reported three separate incidents to either the local authority, police or housing provider within the preceding six months and the ASB still persists
- Have reported the ASB within 30 days of it taking place.

To request a case review, Staffordshire Police are the single point of contact and applications can be made by calling 101 or completing an online [Case Review application form](#).

COMMUNITY REMEDY

The Community Remedy is designed to give people who experience low-level crime and anti-social behaviour a greater say in how people who display these behaviours should be dealt with out of court.

The victim should be able to see the offender putting right what they have done wrong, or being asked to participate in an activity that deters them from re-offending.

Police officers and PCSOs will apply Community Remedies on a case-by-case basis using their professional judgment and discretion within a framework. They will take into account:

- The type of offence / incident
- Any previous offences or convictions
- Circumstances of the offence
- Risk to the public

Community Remedies can only be applied if:

- It is clear that a crime or incident has occurred
- The offender accepts responsibility
- Every effort has been taken to consult with the victim

If there are multiple victims of the offence, the officer must make reasonable efforts to take the views of all the victims into account. If the victims have different views, then the officer should consider these but will make the final decision as to which action is appropriate for the offender to undertake.

Staffordshire Commissioner's Community Remedy Strategy can be found [here](#).

The table below shows the options of appropriate actions available to the police:

Age	Community Remedy Menu
<10 years	<ul style="list-style-type: none"> • Acceptable Behaviour Contracts/Agreements • Parenting Contracts
Under 18	<ul style="list-style-type: none"> • Community Resolutions, • Restorative Justice, • Apologies, • Reparation, • Consequence Work, • Diversionary Activities, • Acceptable Behaviour Contracts/ Agreements, Participation in structured activities that are educational or rehabilitative
Adults	<ul style="list-style-type: none"> • Conditional Caution, • Apologies, • Reparation, • Restorative Justice, • Community Protection Warning, • Community Protection Notice, • Mediation

Mediation is joint working with confidential, impartial mediation services between both (or multiple) parties, who may be neighbours, near neighbours or community members.

Anyone involved who is under 18 will be referred to and managed through the Local Authority Youth Offending Services procedures. Anyone under 18 or vulnerable will need a family member, carer or responsible adult to assist them in understanding the purpose of Community Resolutions

ABSOLUTE GROUNDS FOR POSSESSION

Prevention and early intervention should be at the heart of all landlords' approaches to dealing with anti-social behaviour. However, the mandatory ground for possession was introduced to speed up the possession process in cases where anti-social behaviour or criminality has been already been proven by another court. This strikes a better balance between the rights of victims and perpetrators and provides swifter relief for those victims.

Offence/breach needs 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 or their staff/contractors.

The tenant, a member of the tenant's household, or a person visiting the property has met one of the following conditions:

- Convicted of a serious offence (specified in Schedule 2A to the Housing Act 1985);
- Found by a court to have breached a civil injunction;
- Convicted for breaching a criminal behaviour order (CBO);
- Convicted for breaching a noise abatement notice; or
- The tenant's property has been closed for more than 48 hours under a closure order for anti-social behaviour.

If the above test is met, the court must grant a possession order (subject to any available human rights defence raised by the tenant, including proportionality), where the landlord is a social landlord) where the correct procedure has been followed.

Unlike the discretionary grounds for possession, the landlord is not required to prove to the court that it is reasonable to grant possession. This means the court is more likely to determine cases in a single, short hearing;

SUMMARY OF LEGAL POWERS

Power	Purpose	Details	Penalty on Breach
Civil Injunction	To stop or prevent individuals engaging in anti-social behaviour quickly, nipping problems in the bud before they escalate	<ul style="list-style-type: none"> Issued by the county court and High Court for over 18s and the youth court for under 18s (YOS must be consulted). Injunction will include prohibitions and can also include positive requirements to get the perpetrator to address the underlying causes of their anti-social behaviour. 	<ul style="list-style-type: none"> Breach of the injunction is not a criminal offence, but breach must be proved to the criminal standard, that is, beyond a reasonable doubt. Over 18s: civil contempt of court with unlimited fine or up to two years in prison. Under 18s: supervision order or, as a very last resort, a civil detention order of up to three months for 14-17 year olds.
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	<ul style="list-style-type: none"> Issued by any criminal court on conviction for any criminal offence. The anti-social behaviour does not need to be part of the criminal offence. Order will include prohibitions to stop the anti-social behaviour but can also include positive requirements to get the offender to address the underlying causes of their behaviour. Agencies must find out the view of the youth offending team for applications in respect of anybody under 18 	<ul style="list-style-type: none"> Breach of the order is a criminal offence and must be proved to a criminal standard of proof, that is, beyond reasonable doubt. For over 18s on summary conviction: up to six months imprisonment or a fine or both. For over 18s on conviction on indictment: up to five years imprisonment or a fine or both. For under 18s: the sentencing powers in the youth court apply.
Dispersal Powers	Requires a person committing or likely to commit anti-social behaviour, crime, or disorder to leave an area for up to 48 hours.	<ul style="list-style-type: none"> Must specify the area to which it relates and can determine the time and the route to leave by. Can confiscate any item that could be used to commit anti-social behaviour, crime, or disorder. Use in a specified locality must be authorised by a police inspector and can last for up to 48 hours. A direction can be given to anyone who is, or appears to be, over the age of 10. A person who is under 16 and given a direction can be taken home or to a place of safety. 	<ul style="list-style-type: none"> Breach is a criminal offence. Failure to comply with a direction to leave: up to a level 1 fine and/or up to three months in prison although under 18s cannot be imprisoned. Failure to hand over items: up to a level 2 fine.

Community Protection Notice	To stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life.	<ul style="list-style-type: none"> The Community Protection Notice (CPN) can deal with a range of behaviours; for instance, it can deal with noise nuisance and litter on private land. The CPN can include requirements to ensure that problems are rectified and that steps are taken to prevent the anti-social behaviour occurring again. A written warning must first be issued informing the perpetrator of problem behaviour, requesting them to stop, and the consequences of continuing. A CPN can then be issued including requirement to stop things, do things or take reasonable steps to avoid further anti-social behaviour. Can allow council to carry out works in default on behalf of a perpetrator. 	<ul style="list-style-type: none"> Breach is a criminal offence. A fixed penalty notice can be issued of up to £100 if appropriate. A fine of up to level 4 (for individuals), or a fine for businesses.
Public Spaces Protection Order	Designed to stop individuals or groups committing anti-social behaviour in a public space.	<ul style="list-style-type: none"> Restrictions and requirements set by the council. These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. Can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. Can be enforced by a police officer and council officers 	<ul style="list-style-type: none"> Breach is a criminal offence. Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate. A fine of up to level 3 on prosecution.
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.	<ul style="list-style-type: none"> A police officer or local authority can issue a Closure Notice. Flowing from this the Closure Order can be applied for no later than 48 hours after service through the courts. Notice: can close premises for up to 48 hours out of court but cannot stop owner or those who habitually live there accessing the premises. Order: can close premises for up to six months and can restrict all access. Both the Notice and the Order can cover any land or any other place, whether enclosed or not including residential, business, non-business and licensed premises 	<ul style="list-style-type: none"> Breach is a criminal offence. Notice: Up to three months in prison. Order: Up to 51 weeks in prison. Both: Up to an unlimited fine for residential and non-residential premises.
Absolute Grounds for	The absolute ('mandatory') ground expedites the eviction of landlords' most anti-social tenants to bring faster relief to	<ul style="list-style-type: none"> Offence/breach needs 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 or their staff/ 	<ul style="list-style-type: none"> N/A

Possession	victims.	<p>contractors;</p> <ul style="list-style-type: none"> Secure tenants of local housing authorities will have a statutory right to request a review of the landlord's decision to seek possession. Private registered providers of social housing in England, and Registered Social Landlords and stock holding local authorities in Wales are encouraged to adopt a similar practice. Private landlords subject to licensing regimes (such as selective licensing, or for a House in Multiple Occupation) must take reasonable steps to manage ASB and may be required to take steps to reduce any ASB. They may also have to follow a reasonable anti-social behaviour policy 	
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NATIONAL STATISTICS



The police recorded 1.3 million incidents of ASB in the year ending March 2022 – this was a 37% decrease compared to the previous year (this is due to people reporting breaches of COVID-19 regulations). The level in the year ending March 2022 was similar to pre-pandemic levels. ASB may not be reported to the police for a number of reasons including; fear of reprisal, lack of trust in the system, or due to reporting to another body i.e. their housing provider or council.



24% of adults personally witnessed or experienced anti-social behaviour in their area in the last 12 months, according to the Telephone-operated Crime Survey for England and Wales.

THE LOCAL PICTURE

Staffordshire and Stoke-on-Trent have been identified as a pilot area for the Government's Anti-Social Behaviour Action Plan. This means more funding has been provided to increase police presence alongside other uniformed authority figures, such as wardens, in problem areas for anti-social behaviour, including public transport, high streets or parks.



The summer Space programme, relaunched in 2015, to bring together public, voluntary and private sector organisations to provide activities for vulnerable young people to help increase their skills, improve their health and wellbeing and create opportunities, while also aiming to reduce levels of ASB. Since being relaunched, Space has seen a 75% reduction in youth ASB during the summer period.

The most commonly reported types of anti-social behaviour are:

- Rowdy and inconsiderate behaviour
- Environmental e.g. littering and graffiti
- Neighbour disputes

ASB RATES BETWEEN APRIL 2017 AND AUGUST 2021 WERE 42.5 PER 1,000 RESIDENTS PAN-STAFFORDSHIRE COMPARED TO 30.8 FOR THE WEST MIDLANDS REGION AND 34.2 FOR ENGLAND AND WALES

14

% of police demand was accounted to ASB

(ONS)

44

% of residents considers ASB a local issue.



Hotspot areas in the local area include:

Staffordshire:

Burton Urban
Newcastle Town
Stafford Town

Stoke on Trent:

Fenton West and Mount Pleasant
Hanley and Etruria

Hotspot Area	Total ASB incidents (April 2017- August 2021)	Comments
Etruria & Hanley	5,012	Is problematic in the town centre and retail parks and is often linked to substance misuse and mental ill-health.
Stafford Town	4,444	The night time economy, housing association accommodation and a mental health facility in the town centre account for a disproportionate level of ASB in the town centre. High levels of youth ASB are concentrated in the town centre, which is pedestrianised and accessible.
Burton Urban	4,047	It has exceptionally high levels of rowdy/inconsiderate behaviour and neighbour disputes.
Blurton & Longton West	3,758	It has exceptionally high levels of rowdy/inconsiderate behaviour and neighbour disputes. High levels of ASB are present near the high school in the area.
Newcastle Town	3,739	Rowdy/inconsiderate behaviour accounts for over 70% of ASB reports.

REPORTING

Anyone can report anti-social behaviour. It is important to keep a record of the incidents and behaviours, as this will help any investigations.

Local Authority:

Cannock Chase District Council

Online

East Staffordshire Borough Council

Telephone: 01283 508 000

Online

Lichfield District Council

Online

Newcastle under Lyme Borough Council

Telephone: 01782 717 717

Online

South Staffordshire District Council

Telephone: 01902 696 000

Online

Stafford Borough Council

Telephone: 01785 619 000

Online

Staffordshire Moorlands District Council

Online

Tamworth Borough Council

Telephone: 01827 709 709

Online

Stoke City Council

Online

Useful Contacts:



If you would like more information or support about Anti-Social Behaviour please contact:

HarmonyASB- Commissioned service for victims of anti-social behaviour across Stoke and Staffordshire, providing tailored support whether the ASB has been reported to the authorities or not.

Telephone: 0300 1757 258 (Monday - Friday 9am-5pm Closed Bank Holidays)

Out of Hours - 0808 1689 111

Email: harmony@victimsupport.org.uk

Uniting Staffordshire Against Hate - Commissioned service providing information and emotional and practical support to all victims of hate driven crime or incidents.

Telephone: 0330 0881 339

Chase Against Crimes of Hate (CACH) - Cannock Chase District Council work closely with the local hate crime partnership including working with schools and colleges in the area to promote tolerance.

Staffordshire Youth Offending Team (North)-
01782 297 615

Staffordshire Youth Offending Team (South)-
01543 510 103

Referral Form

Leaflets for Parents/Carers

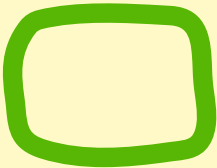
Stoke Youth Offending Team -
01782 235 858

Referral Form

Further Reading:



Anti-social behaviour powers and young adults



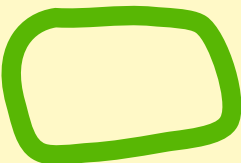
Young people and Anti-Social Behaviour



How age affects our views of anti-social behaviour



ASB Powers: Statutory Guidance for Frontline Professionals (March 2023)



Staffordshire Police: Anti-Social Behaviour



PSHE Education
STOKE-ON-TRENT & STAFFORDSHIRE

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STRONGER TOGETHER

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With thanks to our Partners



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STAFFORDSHIRE
POLICE

Harmony
ASB AND MEDIATION SERVICE
Commissioned by the Staffordshire PFCC