

**Issued by the Court to deal with individuals**

		<b>The test</b>	<b>Details</b>	<b>Penalties on breach</b>	<b>Replaces</b>
<b>Part 1</b>	<b>Civil Injunction</b> Issued by the court to stop a person committing ASB	<ol style="list-style-type: none"> <li>Behaviour likely to cause <b>harassment, alarm or distress</b> (non-housing); or</li> <li>Conduct capable of causing <b>nuisance or annoyance</b> (housing); and</li> <li><b>Just and convenient</b> to grant the injunction to prevent ASB.</li> </ol>	<ul style="list-style-type: none"> <li>(1) Applied for by council, police and others but not social landlords</li> <li>(2) Applied for by the police, councils and social landlords</li> <li>Issued by the court</li> <li>Prohibitions and positive requirements</li> </ul>	<ul style="list-style-type: none"> <li><b>Breach is not a criminal offence</b></li> <li><b>Over 18s:</b> Unlimited fine or up to 2 years in prison</li> <li><b>Under 18s:</b> Supervision or activity requirement, detention, as a last resort, of up to 3 months for 14-17 year olds</li> </ul>	<ul style="list-style-type: none"> <li>Anti-Social Behaviour Order</li> <li>Anti- Social behaviour Injunction</li> <li>Individual Support Order</li> <li>Intervention Order</li> <li>Drink Banning Order</li> </ul>
<b>Part 2</b>	<b>Criminal Behaviour Order</b> Issued by a criminal court after a person is found guilty of an offence	<ol style="list-style-type: none"> <li>Causing <b>harassment, alarm or distress</b>; and</li> <li>Help in <b>preventing the offender</b> from engaging in such behaviour by addressing the underlying issues.</li> </ol>	<ul style="list-style-type: none"> <li>Applied for by the prosecution at the request of council or police</li> <li>Issued by the court</li> <li>Prohibitions and positive requirements</li> </ul>	<ul style="list-style-type: none"> <li><b>Breach is criminal offence</b></li> <li>Adults: Summary conviction - up to 6 months in prison and/or a fine. Conviction on indictment – up to 5 years in prison and/or a fine.</li> <li>Under-18s: 2-year Detention and Training Order.</li> </ul>	<ul style="list-style-type: none"> <li>Anti-Social Behaviour Order on Conviction</li> <li>Drink Banning Order on Conviction</li> </ul>

**Used by the police to move problem groups or individuals on**

		<b>The test</b>	<b>Details</b>	<b>Penalty on breach</b>	<b>Replaces</b>
<b>Part 3</b>	<b>Dispersal Power</b> Requires a person committing, or likely to commit ASB to leave an area for up to 48 hrs. ( <i>Immediate</i> )	<ol style="list-style-type: none"> <li>Causing those in the locality <b>harassment, alarm or distress</b> (or <b>crime and disorder</b>); and</li> <li>Direction necessary to <b>remove or reduce</b> the likelihood of the ASB.</li> </ol>	<ul style="list-style-type: none"> <li>Can determine the time, area and even the route to leave</li> <li>Can confiscate items used</li> <li>Requires sign off by Inspector</li> </ul>	<ul style="list-style-type: none"> <li><b>Breach is a criminal offence</b></li> <li>Failure to move on – up to £2,500 fine and/or up to 3 months in prison</li> <li>Failure to hand over items – up to £500 fine</li> </ul>	

**Issued by councils, the police and social landlords to deal with problem places**

		<b>The test</b>	<b>Details</b>	<b>Penalty on breach</b>	<b>Replaces</b>
<b>Part 4, Ch 1</b>	<b>Community Protection Notice</b> Stops a person, business or organisation committing ASB which spoils the community's quality of life ( <i>Immediate</i> )	<ol style="list-style-type: none"> <li>A <b>detrimental effect</b>, of a <b>persistent or continuing</b> nature, on the <b>quality of life of those in the locality</b>; and</li> <li>The conduct is <b>unreasonable</b>.</li> </ol>	<ul style="list-style-type: none"> <li>Written by council or police officer or landlord</li> <li>Requirement to stop things, do things or take reasonable steps</li> <li>Can include undertaking remedial action or seizing items</li> </ul>	<ul style="list-style-type: none"> <li><b>Breach is a criminal offence</b></li> <li>A fixed penalty notice of up to £100</li> <li>A fine of up to £2,500, or £20,000 for businesses.</li> </ul>	<ul style="list-style-type: none"> <li>Litter abatement notices</li> <li>Litter clearing notices</li> <li>Street litter control notices</li> <li>Defacement removal notices</li> </ul>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Part 4, Ch 2</p>	<p><b>Public Spaces Protection Order</b> Stops people committing ASB in a particular public place</p>	<ol style="list-style-type: none"> <li>1. A <b>detrimental effect on the quality of life of those in the locality</b>; and</li> <li>2. <b>Persistent or continuing nature, unreasonable.</b></li> </ol>	<ul style="list-style-type: none"> <li>• Restrictions set by the council</li> <li>• Consultation with those affected</li> <li>• Can be enforced by the police</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Breach is a criminal offence</b></li> <li>• A fixed penalty notice of up to £100</li> <li>• A maximum penalty of a £1,000 fine or a fixed penalty notice.</li> </ul>	<ul style="list-style-type: none"> <li>• Gating orders,</li> <li>• Dog control orders</li> <li>• Powers of local authority to designate public places for restrictions on alcohol consumption (Designated Public Place Order)</li> </ul> <p>Any such order made before commencement of the new Act will, however, remain in force for a period of up to 3 years.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Part 4, Ch 3</p>	<p><b>Closure Power</b> (Closure Notice &amp; Closure Order)  This would allow the police or local council to close premises where ASB was being committed, or was likely to be committed. <i>(Immediate)</i></p>	<ol style="list-style-type: none"> <li>1. <b>Nuisance</b> to the public; or</li> <li>2. <b>Disorder</b> near those premises; and</li> <li>3. Necessary to <b>prevent the nuisance or disorder</b> from continuing, recurring or occurring.</li> </ol>	<ul style="list-style-type: none"> <li>• Notice up to 48 hrs out of court – cannot stop owner accessing property</li> <li>• Order up to 6 months agreed by court – can restrict all access.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Breach is a criminal offence</b></li> <li>• Notice: Up to 3 months in prison</li> <li>• Order: Up to 6 months in prison</li> <li>• Both: Unlimited fine for residential and non-residential premises.</li> </ul>	<ul style="list-style-type: none"> <li>• Replaces closure notices/orders within the Anti-Social Behaviour Act 2003 and Licensing Act 2003</li> </ul> <p>Whenever a closure notice is issued an application must be made to a magistrates' court for a closure order (see below)</p>