

Balance Matters: Practitioners' experiences of courtroom processes in anti-social behaviour cases



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ASB Help in partnership with Sheffield Hallam University.

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ASB Help is the national charity dedicated to supporting victims of anti-social behaviour (ASB). ASB Help provides free, independent advice to individuals experiencing ASB, helping them understand their rights and the options available to them.

Alongside their support service, ASB Help works with practitioners and organisations across England and Wales to improve responses to ASB and ensure that victims' voices are heard. ASB Help's aim is to empower individuals and create safer, more supportive communities.



Sheffield Hallam University is one of the UK's largest and most diverse universities. Our mission is simple: we transform lives. We provide people from all backgrounds with the opportunity to acquire the skills, knowledge and experience to succeed at whatever they choose to do. As one of the UK's largest and most progressive universities, our teaching, research and partnerships are characterised by a focus on real world impact - addressing the health, economic and social challenges facing society today. We are ambitious for our university, our students, our colleagues, our partners, our city and our region. Our vision is to be the world's leading applied university; showing what a university genuinely focused on transforming lives can achieve.

Executive Summary

Anti-social behaviour (ASB) persists as a criminal justice concern in England and Wales, with police continuing to record around 1 million incidents per year (ONS, 2026). As the national charity for victims of ASB we see firsthand the devastation ASB can have on people’s lives, and we are committed to changing that. One way we do this is through our work to support practitioners in their efforts to advocate for victims throughout the criminal justice process.

It was brought to our attention that ASB practitioners were facing barriers to supporting victims in court, resulting in victims facing ongoing harm. This report details the findings from an online survey conducted in partnership with Sheffield Hallam University that examines ASB practitioners’ experiences of court proceedings. It explores practitioners’ perceptions about various aspects of the court process including: the victim’s voice in court, court process and the balance of consideration, the impact on victims, practitioner experiences, practice and improvement, and case reflections.

Main findings

- 1. Perpetrator needs are prioritised over victim needs in ASB court proceedings
- 2. Victims are experiencing ongoing and/or escalating harm due to court delays and adjournments

Respondents reported that lengthy delays between reporting the incident(s), case preparation and the hearing date negatively impacted victims. This was

often compounded by case adjournments requested by the prosecution, which left victims exposed to continuing ASB.

- 3. Court proceedings do not adequately consider the cumulative effect of ASB victimisation

Our findings suggest that the courts show limited awareness of ASB victims’ experiences, such as the cumulative impact of ASB. As a result, victims lose faith in the criminal justice system and disengage from the case.

Recommendations

Our research has generated six evidence-based recommendations for policy and practice, providing a clear pathway for change. More details about the recommendations can be found on page 19.

- 1: Dedicated ASB court lists should be introduced at major court centres
- 2: Establish compulsory training for the judiciary and court staff on the persistent nature and cumulative impact of ASB victimisation
- 3: Introduce a new equality and proportionality assessment for all ASB cases, supported by training to better understand the complex personal circumstances often associated with ASB.
- 4: Create a mandatory requirement for a case update to be provided to the court when ASB cases are heard
- 5: Create a mandatory requirement for victim statements to be read in court
- 6: Part 65 of the Civil Procedure Rules (proceedings relating to anti-social behaviour and harassment) should be amended to expedite ASB cases and mitigate ongoing harms

50.9%

of respondents said that perpetrator needs are most often prioritised in ASB court proceedings.

54.4%

of respondents said that court delays result in a victim's prolonged exposure to harmful behaviour while awaiting a hearing.

47%

of respondents said the courts showed no/limited awareness of a victim's experience, such as the cumulative impact of ASB.

84.2%

of respondents said changes are needed to improve how victim experiences are considered during ASB court proceedings.

Foreword

"Anti-social behaviour (ASB) is one of the most persistent and damaging issues facing communities across England and Wales. At ASB Help, we hear daily from victims whose lives have been significantly affected by persistent ASB - many enduring it for months or years before feeling able to report and/or pursue a case through the courts. Their experiences drive our mission: to ensure that every victim is heard, supported, and protected throughout the criminal justice process.



Practitioners play a vital role in this mission to fight for the victims' voice to be heard throughout the criminal justice process. Yet too often, their ability to do so is constrained by systematic barriers, with these barriers leaving victims exposed to ongoing harm, undermining their confidence in the very institutions designed to protect them.

This report provides new evidence of these barriers. It offers a detailed picture of practitioner experiences within court proceedings and highlights the consequences for victims when the system falls short. Moreover, this report reveals the structural issues that should be taken seriously by policy makers and court services alike. It also reinforces what we have heard from victims for years - that they feel the current approach to ASB in court is not working for them, but against them.

We are grateful to the practitioners who shared their experiences, and to Sheffield Hallam University for their partnership in this important work. Our hope is that this report will support reform and contribute to a criminal justice system that better understands ASB and places victims at its heart."

Harvinder Saimbhi, CEO at ASB Help

A handwritten signature in dark ink, appearing to read 'Harvinder Saimbhi'.

Foreword

The Victims' Commissioner for England and Wales, Claire Waxman OBE said:

“Anti-social behaviour blights lives and communities. Victims can endure months or even years of persistent behaviour that takes a devastating toll on their wellbeing, safety and quality of life. This report raises important concerns about what happens when those victims turn to the courts for resolution.



The findings echo what victims across the justice system have been telling us for years: long waits for justice can erode confidence, undermine feelings of safety and leave victims feeling forgotten. Where victims remain exposed to ongoing or escalating harm while they wait for their case to progress, delays are not simply a matter of process. They can prolong the harm and leave victims feeling trapped, unsafe and without resolution.

The report also highlights concerns that some victims leave the court process feeling that greater consideration has been given to the perpetrator's circumstances than their own. Victims need to know that their experiences are understood, their voices are heard, and the impact on their lives is recognised.

As Victims' Commissioner, I know that much more work is needed to ensure victims feel seen, heard and protected by our justice system. I am grateful to ASB Help for this report, which makes an important contribution to our understanding of the challenges faced by victims of anti-social behaviour and how we can better respond to them.”



Introduction

Context

A core component of the government’s flagship ‘Safer Streets Mission’ is to ‘crackdown on anti-social behaviour’ (GOV.UK, 2025). However, less is clear about how ASB victims’ needs will be met through this renewed emphasis on enforcement. We already know victims face barriers to support and case resolution due to a lack of understanding and effective action from frontline agencies (Office of the Victims’ Commissioner, 2024). As ASB victimisation does not comprise one discreet event, victims continue to endure incidents that often escalate in severity and frequency over time (Heap, 2021). Consequently, victims hold high expectations that their day in court will finally stop the ASB they are experiencing.

As the national charity for victims of ASB, we interact with victims and practitioners on a daily basis and pride ourselves on identifying emerging issues in the sector. We

began to hear from practitioners about a deeply concerning trend where perpetrator needs were being prioritised above those of the victim during court proceedings. This was impacting practitioners’ efforts to secure protection and support for victims and left victims facing continued victimisation and ongoing harm.

To find out more about what was happening we conducted a small pilot survey and the results confirmed there was an issue. To examine the situation in more detail we partnered with our Trustee Dr Vicky Heap from Sheffield Hallam University to conduct more in-depth research into the prioritisation of perpetrators from the perspective of practitioners.

The research

The aim of the research was to assess practitioners’ experiences of court proceedings in ASB cases. A quantitative online survey comprising 24 closed and 4 open questions was used to explore various aspects of the court process including: the victim’s voice in court, court process and the balance of consideration, the impact on victims, practitioner experiences, practice and improvement, and case reflections.

The study was approved by the Sheffield Hallam University Research Ethics Committee with reference number ER93928166, and prior to the survey starting, details about the study were provided alongside a full information sheet and informed consent question. Respondents could skip questions they did not feel comfortable answering, resulting in variations in the number of responses to each question. The survey was administered using the

Qualtrics online platform and released in May 2026 for a period of 3.5 weeks. The target population was all ASB practitioners that take cases to court. The survey was publicised by ASB Help through their newsletter and via social media. Numerical data were analysed using SPSS, with basic thematic analysis utilised to analyse the open questions.

In total there were 204 respondents, but once the data was cleaned this resulted in 125 valid responses. Of the valid submissions, 37.6% were specialist ASB officers, 18.4% police officers, 15.2% community safety officers, and 16.8% in other ASB-aligned roles. Most respondents, 64.8%, had more than ten years’ experience in the sector with the majority, 36.6%, having taken more than fifty cases to court. The type of court attended was evenly split, with 49.6% mainly attending the magistrates’ court and 48.8% the county court.

Finding 1: Perpetrator needs are prioritised over victim needs in ASB court proceedings

“Victims want to be treated fairly and equitably with the perpetrator and doing so helps victims to feel that justice has been done.”
(Office of the Victims’ Commissioner, 2019: 18)

In her first report in 2019 Baroness Newlove, the then Victims’ Commissioner, highlighted the importance of treating victims fairly, particularly in relation to the treatment of the perpetrator. Seven years later, our research has found that victims and perpetrators are not being treated equitably in court, to the detriment of victims.

Our survey shows that based on their professional experience, 50.9% of respondents said that perpetrator needs are most often prioritised in ASB court proceedings. Only 6.6% of respondents reported that victims’ needs are prioritised, whilst just 9.4% said the courts balance perpetrator and victim needs. This mirrors the findings from our preliminary survey and the direct

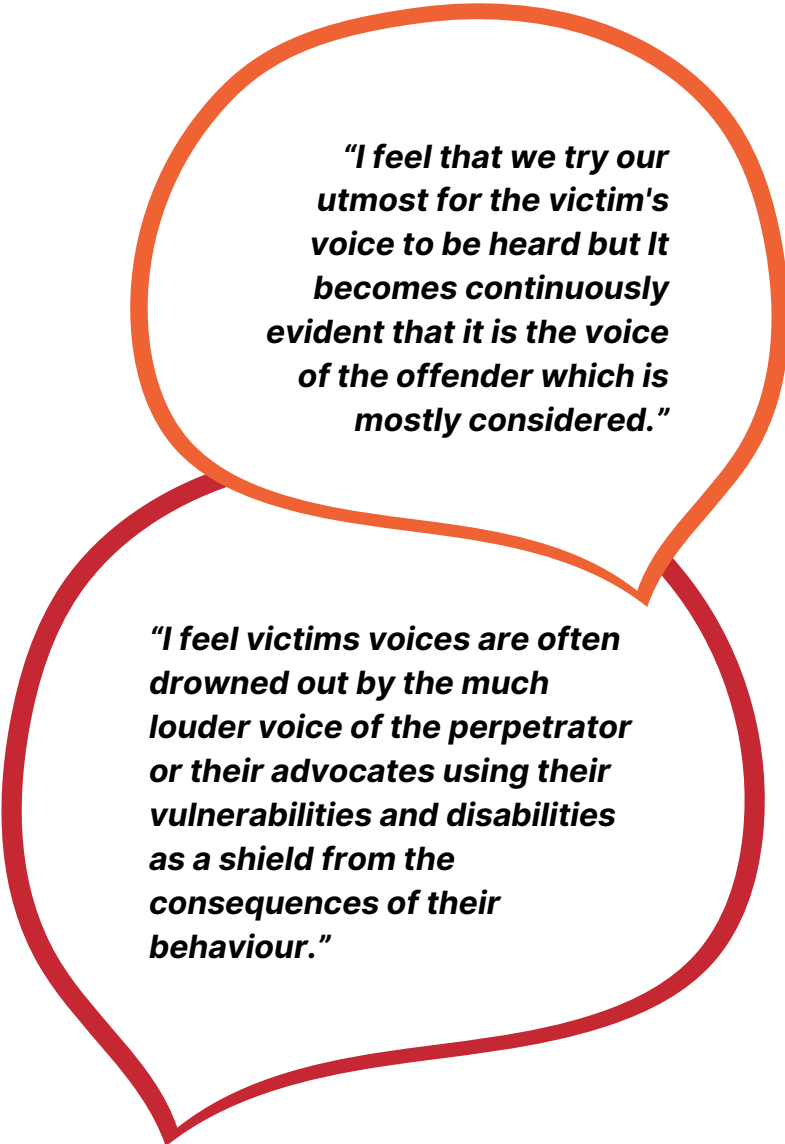
testimonies we hear from practitioners.

The survey statistics are supported by qualitative data related to the factors that influence how the victim’s voice is received in court proceedings. The ‘perpetrator’ was identified as a key theme, with respondents explaining how the courts placed too greater focus on the perpetrator in several ways, including the prioritisation of perpetrator rights, vulnerabilities, disability, capacity, and personal circumstances. In some cases, these factors were considered above the victim’s needs, even when support was in place to mitigate their effects. One respondent said, *“I feel victims voices are often drowned out by the much louder voice of the perpetrator*

or their advocates using their vulnerabilities and disabilities as a shield from the consequences of their behaviour”, which exemplifies how respondents felt perpetrator circumstances were being manipulated within the courtroom setting. There was also the suggestion that some perpetrators manipulate court processes to appear as the victim, we know there is an overlap between these two groups (Heap, 2016), thus the potential for complex perpetrator circumstances to be presented as victimisation by the defence.

It is well-established that vulnerabilities are common in both victims and perpetrators of ASB (Heap, 2021; Cameron, 2024). However, our respondents described a courts system where the scales currently tip in favour of perpetrator needs. The imbalance between the treatment of victims and perpetrators was the factor our respondents most commonly observed as having a negative impact on victims by (29.1%). This treatment creates a secondary layer of victimisation, where the lack of consideration of victim’s needs translates into prolonged exposure

to trauma and ongoing mental/physical health struggles, something highlighted by several reports from the Office of the Victims’ Commissioner (2019; 2024; 2025) It is important to note that whilst it is right that a perpetrator’s vulnerabilities, such as mental ill health, are taken into consideration, this should not hold more weight than the rights and possible vulnerabilities of the victim.



Finding 2: Victims are experiencing ongoing and/or escalating harm due to court delays and adjournments

A key tenet of our research was to assess how practitioners perceive court proceedings to impact victims of ASB. Their experiences of supporting victims at this stage of the criminal justice process provides vital insights into a currently under-researched area.

It is widely accepted that experiencing ASB can cause harm to victims' physical and mental health (Heap, 2021; Home Office, 2023). Our findings detail how victim harm is exacerbated through court delays and adjournments.

Respondents were asked about the aspect of court proceedings they most commonly observed having a negative impact on victims; 46.6% said that it was the lengthy delay between reporting, case preparation and the hearing date. Furthermore, and related to our other findings about the prioritisation of perpetrator needs, the second most popular response was the victim feeling that the perpetrator's circumstances were given more consideration than their own (29.1%).

Justice for victims was also delayed

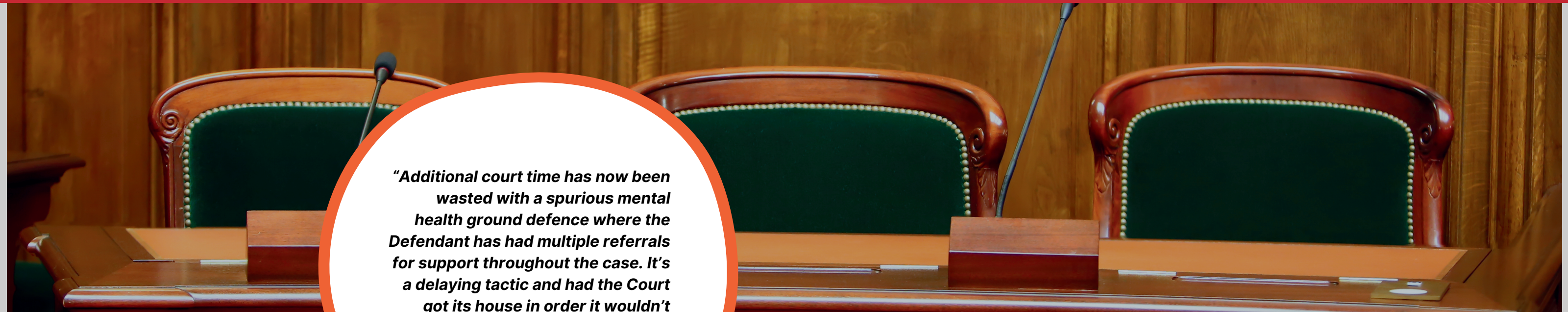
by court adjournments, another factor driven by the perpetrator's circumstances. For example, the most common reason respondents cited for adjournments was requests from the defence (25.7%), followed by the need for further defence assessments (e.g. risk, vulnerability, medical). This contrasts to just 2.9% of respondents who reported the cause of the adjournment was for further victim assessment.

These insights are compounded by the finding that 61.3% of respondents said the potential impact on victims as a result of an adjournment is rarely/not acknowledged by the court. One respondent said, *"Judges are becoming more and more 'perpetrator friendly' and don't seem to want to make the actual decision for possession. Judges seem a lot more focussing on the perpetrator rather than the prolonged impact on the victim and the victims are almost*

never referred to when judges adjourn". This is problematic for victims of ASB, with 54.4% of respondents also stating that court delays result in a victim's prolonged exposure to harmful behaviour while awaiting a hearing. This occurs because victims of ASB suffer sustained and often escalating victimisation in their own homes that will not cease until a court order has been secured. We also know that where delays or adjournments occur, limited/no harm mitigation measures are put in place to protect victims during the interim, which fails to address victims' needs.

Our findings mirror the experiences of victims across the criminal justice system, as the previous Victims' Commissioner Baroness Newlove found, victims' faith and trust in the criminal justice system is damaged by delays and adjournments (Office of the Victims' Commissioner, 2025).





"Additional court time has now been wasted with a spurious mental health ground defence where the Defendant has had multiple referrals for support throughout the case. It's a delaying tactic and had the Court got its house in order it wouldn't have needed a further 2 hearings to resolve the case."

"The defence teams seem to use the equality act as a means of dragging out the process, requesting endless capacity assessments then asking for more as suits their need, this delays the whole process... The whole time the victims were at their wits end with the process that was solely focused on the perpetrator rather than them."

"Judges are becoming more and more 'perpetrator friendly' and don't seem to want to make the actual decision for possession. Judges seem a lot more focussing on the perpetrator rather than the prolonged impact on the victim and the victims are almost never referred to when judges adjourn."

Case study 1

"A closure order that was initially heard within 48 hrs of the closure notice but adjourned for 2 weeks as it was contested. Two weeks was the earliest time it could be heard and the latest time the notice could be extended until. The perp did not turn up for this hearing as the courts sent out a letter to them with the incorrect date on for the hearing - despite court volunteers and staff telling him the correct date. It was then adjourned til the next day, the closure could not be extended offering no protection for the victim neighbour. Next day the closure order was granted despite the perp not showing up and then rescinded an hour later as the courts failed to acknowledge his legal advisor was in the building. It was adjourned for another whole week and for the whole time the property had no protection from a closure notice as it could not be extended further leaving the victim at risk. Despite prosecutors pleas to rectify this for the sake of the victim, no action was taken to remedy the situation, leaving the young family at risk for another week."

Finding 3: Court proceedings do not adequately consider the cumulative impact of ASB victimisation

In 2024, the Office of the Victims' Commissioner reported that frontline agencies demonstrated a lack of knowledge and understanding about the impact ASB has on victims. Our new research highlights how this lack of understanding extends to court proceedings too. Concerningly, 47% of our respondents said the courts showed no/limited awareness of a victim's experience, such as the cumulative impact of ASB. We know from our frontline work with victims that ASB can have a devastating impact on mental and physical health and well-being. This is reflected in other research which shows that 93% of ASB victims/witnesses experienced an emotional impact because of their victimisation (Home Office, 2023).

According to 66.3% of our respondents, the lack of

consideration at court has resulted in victims commonly or very commonly expressing a loss of confidence in the system at the conclusion of their case. A further negative consequence is that 55.9% of respondents reported victim disengagement following court proceedings. This is problematic because continued victim engagement is necessary to report further incidents and breaches of any orders imposed.

Consequently, 84.2% of practitioners said changes are needed to improve how victim experiences are considered during ASB court proceedings. When asked about what would most improve how victim experiences are considered during ASB court proceedings, 29.4% of respondents stated faster court processes to reduce the time victims

are exposed to ongoing harm, and 27.1% said specialist ASB court lists or trained magistrates with specific ASB expertise. Furthermore, 56.4% agreed that additional training or guidance for court staff would improve the balance of consideration for perpetrator and victim needs in court proceedings.

We must listen to practitioners. One respondent said, *"The court need to*

be able to truly understand impact and what it is like to be the victim. Without this, the court can and does too easily dismiss this absolutely vital piece of the evidential and gravity chain". Building a greater understanding of ASB victimisation and the cumulative impact it has is needed to re-balance how court staff consider perpetrator and victim needs in court.

"The court need to be able to truly understand impact and what it is like to be the victim. Without this, the court can and does too easily dismiss this absolutely vital piece of the evidential and gravity chain."

"Courts are largely inexperienced in civil applications, and have little understanding of ASB or the tools and statutory guidance. There needs to be greater understanding that ASB can range from minor to exceptional serious such as exploitation."

Recommendations

ASB victims often view their day in court as light at the end of the tunnel. However, our research shows that when they finally reach the courtroom, victims find themselves faced with a system that places greater emphasis on perpetrator needs, demonstrates a lack of awareness of the impact of ASB and offers little/no interim protection against ongoing harm as a result of delays; it is understandable why victims express a loss of confidence in the justice system. This imbalance ultimately forces the victim to watch as the process, which is set up to protect their needs and safety, protects the rights and accommodations of the person who has caused them harm instead.

This situation is not acceptable, nor inevitable.

We argue that action must be taken now to rebalance ASB victims' and perpetrators' needs in court, and solutions must be created to address court delays in ASB cases. We provide six evidence-based recommendations to change frontline practice to benefit victims of ASB:

Recommendation 1: Dedicated ASB court lists should be introduced at major court centres

As a minimum, each major court centre should have a dedicated ASB list on a regular, preferably weekly basis. This would prioritise ASB cases and could also accommodate first and non-trial hearings for ASB possession proceedings brought by local authorities and registered social housing providers. In weeks where no ASB cases are listed, allocated judicial time could be redistributed to other court business, ensuring no resource is wasted. Where possible, ASB cases should be heard by judges with expertise in ASB. This approach would reduce the delays and adjournments our research has found cause serious and lasting harm to victims. This

suggestion follows a similar theme as those raised by multiple organisations in relation to introducing Specialist Housing Courts.

Recommendation 2: Establish compulsory training for the judiciary and court staff on the persistent nature and cumulative impact of ASB victimisation

Specialist training for the judiciary is required, which provides a trauma-informed understanding of how ASB causes cumulative harm to victims and outlines the persistent nature of ASB. Increased understanding of ASB will enable a shift towards a more balanced consideration of perpetrator and victim needs. This will ensure victim safety is treated as the primary consideration in legal decision-making. As a priority, the Judicial College should implement this training for judges, that includes an additional element of social context training related to ASB. Training should also be provided to court staff such as Court Managers to ensure ASB court cases are treated with a higher sense of urgency in court listings, to protect victims from lengthy waits and therefore ongoing harm.

Recommendation 3: Introduce a new equality and proportionality assessment for all ASB cases, supported by training to better understand the complex personal circumstances often associated with ASB

To better account for the needs of both victims and perpetrators, a new standardised equality and proportionality assessment should be created and implemented by the court in all ASB cases. This will provide a neutral, single point of information to ensure the circumstances of both parties are adequately and accurately recorded. This should be supplemented by training for court staff on vulnerabilities and mental health to better understand the complexities often associated with ASB cases.

Recommendations cont.

Recommendation 4: Create a mandatory requirement for a case update to be provided to the court when ASB cases are heard

To enable the persistent nature of ASB to be captured in court, a case update must be provided. This will enable the ongoing risk to victims to be considered and acted upon through the court process.

Recommendation 5: Create a mandatory requirement for victim statements to be read in court

Victims must feel that their voice has been heard; therefore, it should be a mandatory requirement for victim statements to be read in court, including hearsay statements. Implementing this change will support victim engagement in cases and facilitate future engagement, for example, continuing to report incidents.

Recommendation 6: Part 65 of the Civil Procedure Rules (proceedings relating to anti-social behaviour and harassment) should be amended to expedite ASB cases and mitigate ongoing harms

We call on the Civil Procedure Rules Committee to urgently consider amending part 65 of the Civil Procedure Rules to better support victims of ASB. To prevent delays and limit ongoing harm during ASB court cases, Part 65 of the Civil Procedure Rule should be amended to expedite cases in the

following three ways:

- Introduce a maximum time for first hearings (on a dedicated ASB list) within 5 days of the date of issue.
- Introduce an overall timescale for cases to be heard at a maximum of 8 weeks from first to final hearing; this will give victims and witnesses a better indication of when a trial will be listed.
- Provide that in ASB cases, parties must comply with directions by way of a standard 'unless' order, so that if no defence or witness statements are filed, then permission will be required to file out of time. This approach would keep cases on track.

We recognise that genuinely complex cases may require additional time and recommend that provision be made for judicial discretion to extend the timescale in exceptional circumstances, with any extension requiring clear, recorded reasoning.



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