



What interventions are still available to practitioners dealing with ASB during Covid-19?

ASB Help has put together a list of interventions we believe practitioners can use and, in some cases, adapt to ensure cases continue to be managed and victims protected. There are more than you may initially think so please read on.....

We recommend this document be used in conjunction with the Anti-Social Behaviour, Crime and Policing Act 2014 Statutory Guidance for Frontline Professionals August 2019.

INFORMAL INTERVENTIONS:

INTERVENTION	TIMESCALE	AUTHORITY
Written Warning: Inc. Tenancy Warning	Can be used immediately	All agencies can issue written warnings. Tenancy breach warnings must be issued by a Landlord. Warnings for anti-social behaviour can be issued by any authority.
Mediation	Dependant on local area: check to see if services are operating via video link or phone	All agencies; consider sharing costs.
Restorative Practice	Can be adapted by agencies and used as a swift resolution by phone or video link	Any agency can embed the principles of restorative practice into their work.
Verbal Warning	Can be issued immediately	All agencies. Verbal warnings should be documented.
Acceptable Behaviour Agreement/Acceptable Behaviour Contract	Can be issued quickly via email or the terms explained over the	All agencies but lead agency should ensure the contract is counter-signed or verbally approved by other agencies incl. Police.

	<p>phone. Ensure there is a record of the time and date the agreement was made/refused. Include a sentence to explain why the document isn't signed. Best practice is to meet and discuss an ABA/ABC and carefully explain the reasons for the terms and the ramifications if the agreement is breached. The alternative to this is to provide an accompanying letter/email giving clarity and potential consequences of a breach.</p>	
Parenting Contract	<p>Can be created, adapted and issued immediately. The terms can be explained over the phone or via email. Ensure there is a record of the date and time of the agreement.</p>	Any agency.
Support/Counselling	<p>Each local area has a list of agencies providing telephone support. Start by using the Let's Talk website.</p>	Any agency.

FORMAL LEGAL INTERVENTIONS:

Notice Seeking Possession/s.21 for	PLEASE NOTE THE	Landlord: social, LA or private.
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starter tenancy or s.128 Notice for introductory tenancy, and S.8 Notices	CORONAVIRUS ACT 2020 HAS EXTENDED THE NOTICE PERIOD TO 3 MONTHS AND THIS MAY BE EXTENDED AGAIN. THIS APPLIES FOR BOTH DISCRETIONARY AND MANDATORY GROUNDS AND DEMOTION NOTICES	This tool must only be used where there is a legitimate intention to take back possession of a property.
Starter/Introductory tenancy extension	These tenancies can still be extended	Landlord: social or LA
Absolute Grounds for Possession including ground 7a.	ONGOING PROCEEDINGS ARE NOW SUSPENDED FOR 90 DAYS (SEE BELOW)	Landlord: social, LA or private.
Demotion of Tenancy	AS ABOVE	Landlord: social or LA
Suspended Possession Order	AS ABOVE	Landlord: social or LA
Tenancy actions that have already been issued to Court, including: <ul style="list-style-type: none"> - s8 matters relating to discretionary and/or absolute grounds - action to end an assured short-hold tenancy (including starter) or introductory, - application for a demotion order or 	A STAY IS IN PLACE UNTIL 25 JUNE 2020 AND THIS MAY BE EXTENDED	Landlord: social LA or private

<p>action to end a demoted tenancy</p> <ul style="list-style-type: none"> - application for SPO or for warrant of possession from breach of SPO) <p>New cases can be issued to Court during this period but will still be subject to the stay and dealt with when this is lifted.</p>		
<p>Part 1 Civil Anti-Social Behaviour Injunction (housing related) Anti-Social Behaviour, Crime and Policing Act 2014</p>	<p>These can still be issued in the County Court (Youth Court if young person) but are likely to take longer than usual</p> <p>An application can be made for alternative service to avoid the need for personal service</p>	<p>Usually Landlord but can be any authority</p> <p>Bear in mind the 3rd limb: Where the anti-social behaviour can be linked to the person's occupation of a residential property which is tenure blind.</p>
<p>Part 1 Civil Anti-Social Behaviour Injunction (harassment, alarm and distress) Anti-Social Behaviour, Crime and Policing Act 2014</p>	<p>As Above</p> <p>An application can be made for alternative service to avoid the need for personal service</p>	<p>Any authority as identified in the legislation.</p> <p>Landlords will usually take action where the behaviour is 'housing related'</p> <p>Police and Councils can also use the injunction. The test will differ depending on whether the behaviour is occurring in a residential setting (conduct capable of causing a nuisance or annoyance) or a non-residential setting (behaviour that has caused or is likely to cause harassment, alarm or distress)</p>
<p>Committal (where an anti-social behaviour injunction has been breached)</p>	<p>These are still being heard</p>	<p>Responsibility lies with the agency who secured the injunction.</p>
<p>CONSIDER WITHOUT NOTICE CIVIL INJUNCTION</p>	<p>These are still available, even at short notice.</p>	<p>See above</p>

WHERE THERE IS A SIGNIFICANT RISK OF HARM BE IT PHYSICAL OR MENTAL	REMEMBER THESE CASES CAN BE USED TO MANAGE URGENT COVID-19 RELATED CASES AND FOR DOMESTIC ABUSE	
Environmental Protection Act 1990 powers including Abatement Notices	Can still be issued but ideally without contact with a resident.	LA.
Community Remedy	Can still be used	Police or authorised agency.
Community Resolution	Can still be used	Police.
Conditional Caution/Youth Conditional Caution (Except where DA/HATE is a factor)	Can still be used	Police.
Dispersal Power	Can still be used	Police.
Community Protection Notice	Community Protection Warnings can still be issued during these times and remain a legal requirement before service of a CPN	Police/LA. Social Landlords if designated by LA.
Public Spaces Protection Order	Can still be used	LA following consultation with agencies.
Closure/Partial Closure Notice/Order	Can still be applied for and could be helpful for COVID-19 related ASB	LA/Police.
Harassment Warning	Can still be issued	Police.

PLEASE BE AWARE THAT WE DO NOT PROVIDE LEGAL ADVICE. THE INFORMATION WE HAVE DRAWN TOGETHER IS WHAT WE UNDERSTAND, BASED ON THE INFORMATION AVAILABLE TO US, WILL ASSIST THOSE DEALING WITH CASES TO BE FAMILIAR WITH A SUITE OF OPTIONS. WE BELIEVE THIS INFORMATION TO BE CORRECT AS OF 8 APRIL 2020 AND CANNOT BE HELD LIAIBLE IF IT IS NOT.

