

General enforcement powers for anti-social behaviour (ASB)

Information and resources on the policing powers appropriate for addressing various types of anti-social behaviour.

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This page lists general legislation and policing powers. This includes:

- issuing or applying for an enforcement power
 - grounds for issuing an enforcement power
 - typical uses
 - relevant case law
 - any useful links
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- [See other resources for tackling ASB in our ASB toolkit](#)
 - [See enforcement powers for specific ASB types](#)

Civil injunctions

A civil injunction is a civil power to stop a person's ASB escalating and set a clear standard of behaviour. This power is for perpetrators aged 10 or over and can include prohibitions and positive requirements.

Who can issue or apply for a civil injunction?

A civil injunction can be issued or applied for by:

- local councils
- social landlords
- police (including British Transport Police)
- Transport for London, West Midlands Combined Authority or Transport for Greater Manchester
- Environment Agency and Natural Resources Wales

- NHS Counter Fraud Authority

Grounds for issuing

A civil injunction is issued on the balance of probabilities. It must be just and convenient to grant the injunction to prevent anti-social behaviour, and the respondent must have engaged in or threatened to engage in either:

- conduct that has or is likely to cause harassment, alarm, or distress (non-housing related anti-social behaviour); or
- conduct capable of causing nuisance or annoyance (housing-related anti-social behaviour)

Typical uses

A civil injunction is typically issued for:

- drug/alcohol-related ASB
- harassment
- noise (tenure-neutral)
- vandalism
- aggressive begging

Relevant case law

- *Wookey v Wookey* [1991] Fam 121
- [R \(Cooke\) v DPP \(2008\) EWHC 2703 \(Admin\)](#)
- [Jones v Birmingham City Council and another \(2018\) EWCA Civ 1189](#)
- [Rosebery Housing Association Ltd v Williams \[2021\] 12 WLUK 464](#)
- [Bedfordshire Police v Golding and another \[2015\] EWHC 1875 \(QB\)](#)

Useful links

- [ASB injunctions: a how to guide for practitioners](#)

Criminal behaviour order

A criminal behaviour order is a court order that tackles ASB. It is applied for following a conviction for any criminal offence and can include prohibitions and positive requirements.

Who can issue or apply for a criminal behaviour order?

A criminal behaviour order can be issued or applied for by the prosecution. In most cases this is the Crown Prosecution Service, either at its own initiative, or following a request from the police or council.

Grounds for issuing

A criminal behaviour order is issued when the court is satisfied beyond reasonable doubt that the offender has engaged in behaviour that has caused or is likely to cause harassment, alarm or distress to any person; and the court considers that making the order will help prevent the offender from engaging in such behaviour.

Typical uses

To prevent anti-social behaviour including:

- intimidation
- hate related issues
- retail crime
- drunk and rowdy behaviour
- begging

It can include exclusion zones, non-associations, curfews, positive requirements (drug/alcohol support).

Relevant case law

- [R \(on the application of Stanley\) v Metropolitan Police Commissioner \[2004\] EWHC 2229 \(Admin\)](#)
- [Magistrates' Courts Act 1980, Section 142](#)

Useful links

- [Criminal Behaviour Orders \(NBCC\)](#)

- [Criminal Behaviour Orders | The Crown Prosecution Service](#)

Dispersal powers

A dispersal power is the power to direct a person to leave a specific location for up to 48 hours if authorised by a police inspector or above. A direction can be given to anyone who is, or appears to be, over the age of 10.

Who can issue or apply for dispersal powers?

Dispersal powers can be issued or applied for by police, including police community support officers (PCSOs) in some forces.

Grounds for issuing

The officer must have reasonable grounds to suspect that the behaviour of the person has contributed or is likely to contribute to members of the public in the locality being harassed, alarmed or distressed (or the occurrence of crime and disorder); and the direction is necessary to remove or reduce the likelihood of the anti-social behaviour, crime, or disorder.

Typical uses

Dispersal powers are typically used for:

- alcohol/drug-related ASB
- lighting fires
- illegal raves
- football matches
- vehicle nuisance

Relevant case law

- R (W) v Commissioner of Police for the Metropolis [2006] EWCA Civ 458

Community protection notices

A community protection notice stops a person aged 16 or over, business, or organisation committing anti-social behaviour which spoils the community's quality of life.

The notice can include requirements to stop, or to do things, or to take steps to avoid further ASB. A written warning must be issued first, informing the perpetrator of the problem behaviour, requesting them to stop, and the consequences of continuing.

Who can issue or apply for a community protection notice?

A community protection notice can be issued or applied for by:

- council officers
- police officers
- social landlords (if designated by the council)

Grounds for issuing

Community protection notices can be issued by one of the bodies mentioned above if they are satisfied, on reasonable grounds, that the conduct of an individual, business or organisation is:

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

Typical uses

Community protection notices can be used for:

- graffiti
- dog fouling
- persistent begging
- noise disturbance
- alcohol/drug related nuisance
- exclusions
- non-associations

Relevant case law

- [Stannard v Crown Prosecution Service \[2019\] EWHC 84 \(Admin\)](#)
- [Staffordshire Moorlands DC v Sanderson \[2020\] EWHC 962 \(Admin\)](#)

Useful links

- [Community resolutions and education about dogs](#)

Public spaces protection order (PSPO)

A PSPO is designed to protect public spaces from persistently anti-social individuals or groups. It can include reasonable restrictions and requirements.

Who can issue or apply for a PSPO?

A PSPO can be issued or applied for by the council (in consultation with relevant parties).

Grounds for issuing

A PSPO can be made by the council if they are satisfied, on reasonable grounds, that the activity or behaviour concerned, carried out, or likely to be carried out, in a public space:

- has had, or is 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

It must also justify the restrictions imposed.

Typical uses

Typical uses for a public spaces protection order include:

- dog fouling
- responsible dog ownership
- vehicle nuisance
- anti-social driving
- violence against women and girls (VAWG) related issues
- begging

- alcohol/drug related ASB

Relevant case law

- [Summers v Richmond upon Thames London Borough Council \[2018\] EWHC 782 \(Admin\)](#)
- [London Borough of Hackney v Persons Unknown \[2020\] EWHC 1900 \(QB\)](#)
- [Birmingham City Council v Sharif \[2019\] EWHC 1268 \(QB\)](#)

Useful Links

- [Public spaces protection orders: guidance for councils](#)

Closure powers

Closure powers are the powers to close premises for up to 48 hours out of court (closure notice) or up to 6 months via the court (closure order).

Who can issue or apply for closure powers?

Closure powers can be issued or applied for by the:

- police
- council

Grounds for issuing

Closure notice

A closure notice can be issued for 24 hours if the council or police officer (of at least the rank of inspector) is satisfied on reasonable grounds:

- that the use of particular premises has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public
- that there has been, or (if the notice is not issued) is likely soon to be, disorder near those premises associated with the use of those premises, and that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring

The closure notice can be issued in the first instance for 48 hours or extended from 24 hours up to a maximum of 48 hours by the council's chief executive officer or designate thereof, or by a police superintendent.

Closure order

A closure order can subsequently be issued if the court is satisfied that:

- a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises
- the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public
- there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises, and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring

Typical uses

Closure powers can be used for:

- cuckooing
- safeguarding the vulnerable (partial closure)
- premises used for drugs cultivation/distribution
- premises where criminal offences occur-sale of counterfeit goods
- premises where disorder is occurring (gang-related issues)

Relevant case law

- [Leeds City Council v Persons Unknown \[2023\] EWHC 1504 \(Admin\)](#)
- [R. \(on the application of Qin\) v Commissioner of Police of the Metropolis \[2017\] EWHC 2750 \(Admin\)](#)
- Bradford Metropolitan District Council v Booth [2000] EWHC 444 (Admin) and [R \(Perinpanathan\) v City of Westminster \[2010\] EWCA Civ 40](#)
- [Turner v Highbury Magistrates' Court \[2005\] EWHC 2568 \(Admin\)](#)
- [Commissioner of Police of the Metropolis v Hooper \[2005\] EWHC 340 \(Admin\)](#)
- [Crocker v Devon and Cornwall Police \[2020\] EWHC 2838 \(Admin\)](#)

Community remedy

Community remedy gives victims a say in the out-of-court punishment of perpetrators of anti-social behaviour when the most appropriate response chosen is:

- community resolution
- conditional caution
- youth conditional caution

Who can issue or apply a community remedy?

Community remedy can be issued or applied for by:

- a police officer
- an investigating officer (which can include police community support officers (PCSOs) for certain offences, if designated the power by their chief constable)
- a person authorised by a relevant prosecutor for conditional cautions or youth conditional cautions

Grounds for issuing

For community remedy to be issued:

- the officer must have evidence that the person has engaged in anti-social behaviour or committed an offence
- the person must admit to the behaviour or the offence (and agree to participate)
- the officer must think that the evidence is enough for court proceedings including for a civil injunction, or impose a caution, but considers that a community resolution would be more appropriate

Typical uses

Community remedy is typically used for:

- mediation (for example, to resolve a neighbour dispute)
- cleaning graffiti or other damage (either their own or others)
- a written or verbal apology
- the perpetrator signing an acceptable behaviour contract

It could also be used for the perpetrator to take part in a restorative justice activity such as:

- paying an appropriate amount for damage to be repaired or stolen property to be replaced
- participation in structured activities that are either educational or rehabilitative, funded by the Police and Crime Commissioner

Absolute ground for possession (not applicable in Wales)

Absolute ground for possession is a power which offers protection and faster relief to victims by quickly evicting the most anti-social tenants.

Who can issue or apply absolute ground for possession?

Absolute ground for possession can be issued or applied for by:

- social landlords (councils/housing associations)
- private landlords

Grounds for issuing

Absolute ground for possession can be issued when the tenant, a member of the tenant's household, or a person visiting the property has met one of the following conditions:

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

Typical uses

Absolute ground for possession can be used where the tenant, a household member, or a person visiting has been convicted for a serious offence or has breached certain ASB interventions.

Useful links

- [Understanding the possession action process: A guide for social rented tenants in England - GOV.UK](#)

Anti-social behaviour (ASB) case review

An ASB case review gives victims and communities the right to request a review of their case where a local threshold is met. It also brings agencies together to take a joined up, problem-solving approach to find a solution for the victim.

Who can apply for an ASB case review?

An ASB case review can be applied for by:

- a victim of anti-social behaviour or another person acting on behalf of the victim with their consent, such as a carer or family member
- MP, local councillor or other professional

The victim may be an individual, a business or a community group.

Threshold

This is to be defined by the local agencies, but there must not be more than three complaints in the previous six-month period. The following can also be taken into account:

- the persistence of the anti-social behaviour
- the harm or potential harm caused by the anti-social behaviour
- the adequacy of the response to the anti-social behaviour

Relevant bodies in an ASB case review

- councils
- police
- integrated care boards in England and local health boards in Wales
- registered providers of social housing who are co-opted into this group

What should you know about your local ASB case review process?

It is useful to know:

- who manages the policy and who the lead agency in your area is
- what is your local threshold is
- how a victim or someone acting on behalf of the victim apply
- how a victim or someone acting on behalf of the victim appeal

What should you do if an ASB case review is raised in your local area?

If an ASB case review is raised in your local area you can:

- positively engage in the process – the case review should not be viewed as a complaints process
- information share with the relevant bodies
- apply a problem-solving approach
- risk assess those involved, and manage risk and safeguarding appropriately
- embrace learning opportunities
- manage expectations of victims and partners where necessary
- signpost all involved for support – this may include the perpetrator in addition to the victim
- complete the necessary actions allocated to you
- understand the appeal process

Useful Links

- [Anti-social behaviour case review - GOV.UK](#)
- [The ASB Pledge - ASB help](#)
- [ASB Case Review Report Jan 20-24 - ASB help](#)
- [ASB help](#)
- [Anti-social behaviour victims' experiences of activating the community trigger case review](#)
(you will need to login to the National Police Library)

Practice bank example

- [Community trigger coordinator for anti-social behaviour case review](#)

Tags

Crime reduction