



Anti-social Behaviour

The prosecution team recognises that all people and communities have a right to live their lives free from intimidation, harassment and other disorder that can damage their quality of life.

One of the core purposes of policing is to keep people safe and this includes dealing effectively with anti-social behaviour, but providing effective responses to incidents of anti-social behaviour is not simply a matter for the police alone and there is a clear need for a partnership approach. The police service and its partners have long recognised this fact and across the country police staff are engaged in first class work, preventing and intervening in issues, and making a difference to people's lives. This is an excellent foundation on which to build.

One important aspect of dealing with anti-social behaviour is ensuring that breaches of anti-social behaviour orders are dealt with effectively. This includes ensuring that information about why an order was imposed is put before the court to inform the sentence.

In order to ensure this happens, the CPS will issue the following standing instructions to prosecutors in breach of ASBO cases.

- The prosecutor should request a copy of the order in every breach of ASBO case (this should set out the anti-social behaviour found to be proven by the court at the time the ASBO was imposed).
- If a copy of the order is not available, or it does not contain information about why the order was imposed, the prosecutor should ask the police whether there is further information available about why the order was imposed, for example an agreed summary of the application case.
- The prosecutor should ensure that Victim Personal Statements, Community Impact Statements and other contextual information are on the file where relevant.
- Where information about why an order was imposed, or victim personal or community impact statements are on the file, the prosecutor should

bring this to the attention of the court at the point of sentence, along with any other information relating to sentence.

- In cases where an order is not supplied, or the order does not set out reasons for the imposition of the order, the prosecutor should inform the Group ASB lead who will regularly review such cases and take any necessary remedial steps.

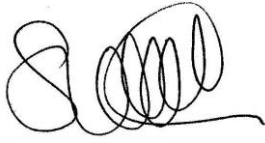
In addition, the CPS will:

- Revise and re-circulate to all prosecution staff the breach of ASBO section of the CPS ASBO guidance. The guidance will reiterate the Sentencing Guidelines Council definitive guidance on breach of ASBO which states that information about why an order was imposed is relevant to the assessment of seriousness.
- Ensure that there are ASB leads in each CPS Group and Area, and encourage close liaison with force ASB leads, particularly where arrests are planned, or early advice is required.
- Ensure that copies of MG3s on all pre-charge advice files where CPS declines to charge a breach of ASBO case are forwarded to the relevant Group lead for review.
- Ensure that unsuccessful cases are regularly reviewed and that feedback is provided and action is taken to improve practices where necessary.
- Review existing protocols to ensure that they reflect the above commitments.
- Update the CPS ASBO training package to reflect the above commitments.
- Encourage Group and Area ASB leads to meet regularly with the police and other relevant agencies to discuss enforcement of local ASBOs, including any issues related to the prosecution of breaches of orders.


In order to assist with the delivery of these standing instructions, the police will ensure that the breach file contains a copy of the ASBO and check that the order sets out the reasons why it was imposed. Local procedures should be put in place to ensure that information about why an order was imposed, as well as other relevant contextual information is provided to the CPS where necessary.

The prosecution team is committed to robustly dealing with breach of ASBOs to ensure that individuals and communities receive the respite from anti-social behaviour that anti-social behaviour orders are designed to provide. We are

committed to working together to deliver the commitments set out in this letter to achieve this objective.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by several loops and a horizontal line at the end.

Simon Edens
ACPO Lead for Anti-Social Behaviour

A handwritten signature in black ink, written in a cursive style that reads 'Nazir Afzal'.

Nazir Afzal
Community Liaison Director
Crown Prosecution Service