

Introduction

CIH welcomes the government's focus on anti-social behaviour, given how much it can impact on the lives of individuals and the quality of neighbourhoods. So, it is appropriate that there is a focus from both the Home Office and the Department of Levelling Up, Housing and Communities on this issue.

CIH is an active member of DLUHC's ASB panel, through our member Chris Grose, and our response to this consultation has been informed by the discussions with CIH members leading on ASB at our recent round table focused on the government's ASB action plan. We are also supporting the APPG on ASB.

General comments

CIH is the professional body for people who work in housing; our members include housing professionals at all levels within social housing providers (local authority, ALMO and housing associations). Anti-social behaviour (ASB), and how landlords address it, is always a high priority with landlords, and their tenants and residents. Most social landlords aim to work with communities and households as early as possible to prevent the escalation of ASB; however, having effective powers and tools where it does escalate is necessary. The powers and tools delivered by the Anti-social behaviour, Crime and Policing Act 2014 are valuable and effective, particularly where all the partners within the Community Safety Partnership understand the role of each partner agency, and how they can operate together to address ASB. It is most effectively tackled when agencies operate together rather than alone, to make neighbourhoods and communities safe.

This response will not answer all the individual questions in the consultation but will address the broad issues raised, with more detail on the proposals to extend some of the powers and tools as these apply to social landlords in particular.

Accountability of CSPs and coordination with PCCs

CIH welcomes the inclusion of ASB in the priorities of the PCCs. There should be increased engagement between CSP and PCCs to ensure that there is coordinated and effective action to tackle ASB, access to support measures to address it, and also to identify and stop any criminal activity connected with it..

Sharing of information, including strategic assessments, will enable CSPs and PCCs to work to identify shared priorities around ASB, and how these will be tackled and resourced. Publication of the strategic assessments and Police and Crime Plans should enable local communities to understand how these bodies and partner agencies are taking action to tackle ASB, including measures to prevent its escalation.

ASB powers

We agree that the tools and powers provided in the Anti-social behaviour, Crime and Policing Act 2014 are the right ones, when used effectively through a strong partnership approach, and that the focus should be upon adequately resourcing and training staff within the CSP agencies about what each is able to do at what point, and how a coordinated approach can work. CSPs should be incentivised to improve coordinated and partnership action for better outcomes, rather than expanding powers across the agencies to take up the slack where other partners fail to act. This applies both to the proposed extension of dispersal powers to local authorities, and public space protection orders to police; although in both cases the extension of timescales is useful.

Where the partnership works in a coordinated way, with each partner utilising their own powers appropriately, the proposed extension of existing powers should not be needed.

This includes the proposal for closure powers to be extended to social landlords. Whilst appreciating the value of increased flexibility for landlords to act, this was acknowledged as being needed in large measure due to problems and shortfalls amongst partners exercising their powers in a coordinated and timely way. The powers should be (as currently) with local authorities and police, particularly as many closure orders involve some criminal activity.

More should be done to challenge/ support and resource council and police partners where they do not act in a timely way and in partnership with housing providers, rather than shifting the burden of action to housing. Many housing providers will still need/ rely on police evidence to demonstrate proportionality, so potentially this will not provide a quicker solution than taking a partnership approach.

On the proposal for all breaches of civil injunctions to have a power of arrest attached (rather than where there is the threat of violence or harm), the police lack capacity and resources that would enable this; without that it would not be useful to extend powers that could not effectively be enforced, and which would raise expectations amongst communities that could not be delivered. Focusing on breaches that risk harm is appropriate.

Final comments on the ASB action plan and the role of CSPs

CIH welcomes the focus on the CSP and effective use of tools and powers to tackle ASB, within the overall renewed attention on ASB from government, as set out in its action plan. We believe that resourcing to support effective partnership working in localities is required to tackle ASB effectively.

We do however have some concerns about some elements of the action plan, and the broader application of powers, that potentially contradict the aim of landlords which is to prevent the escalation of ASB, ensure appropriate and timely support, and prevent eviction and the risk of homelessness.

Whilst action to address ASB more quickly is appropriate, there must be services available to support people to address their anti-social behaviour, with quick and effective referral routes from all of the agencies involved in community safety, including housing providers. This is particularly important where increased sanctions and quicker evictions are to be considered. That support must be tailored and enable people who are homeless and rough sleeping to engage with it.

There must also be clear training for all local partners, and routes to identify and support households where perceived ASB masks serious safeguarding issues and domestic abuse, so that people are given appropriate help and support, and are not put at increased risk of sanction or eviction for ASB.

In addition, whilst we welcome the intention to crack down on criminal gangs who exploit people to beg, we do have significant concerns around people forced to sleep rough being labelled a 'nuisance'. This risks further criminalisation of vulnerable people, undoing the positive commitment to repealing the Vagrancy Act. Measures proposed in relation to enforcement, including the risk of removal of belongings, could create distrust rather than offering much needed support.

About CIH

The Chartered Institute of Housing (CIH) is the independent voice for housing and the home of professional standards. Our goal is simple - to provide housing professionals and their organisations with the advice, support, and knowledge they need. CIH is a registered charity and not-for-profit organisation. This means that the money we make is put back into the organisation and funds the activities we carry out to support the housing sector. We have a diverse membership of people who work in both the public and private sectors, in twenty countries on five continents across the world.

Further information is available at: www.cih.org

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