



**Written evidence submitted by Resolve ASB  
on the Crime and Policing Bill (CPB115)**

## **Executive Summary**

We are broadly supportive of the provisions included in the bill yet slightly reticent on certain aspects of practicality and technicality. Extending the exclusion period for dispersal directions and the timeframe for closure order applications from 48 to 72 hours is welcomed, as it allows agencies more time to act effectively. While there is understanding of the need to increase fixed penalty notices from £100 to £500 for breaches of PSPOs and CPNs, concerns are raised about their limited deterrent effect on perpetrators with limited money, as well as the administrative burden. Support was found for giving registered social housing providers the power to issue closure notices, though members raised concerns around potential loss of partnership working, limited resources, and inconsistent enforcement. Clear guidance and support from government are essential. We also reiterate calls for an equitable share of tools and powers to for-profit providers, specifically the new tools proposed in this Bill.

Expanding CSAS powers to issue fines are largely supported. The new duty for Police and Crime Commissioners to raise awareness of the ASB Case Review is welcomed, given ongoing public unawareness and inconsistent application of the Case Review despite its effectiveness and popularity. Another new duty mandating ASB data reporting to the Home Office is also supported, though there is a need for clarity on the specifics of the data to ensure effective extraction. Respect Orders are welcomed from Resolve, however members raised relevant concerns about dual court processes, delays in the criminal justice system, and potential parallels to ASBOs. The creation of a new criminal offence for cuckooing is supported, though clarity is needed on evidential requirements and application. Finally, all measures related to fly-tipping and nuisance vehicles were fully endorsed by members.

## **Introduction - Who are Resolve?**

Resolve are the UK's leading community safety experts. We have been working closely with HM Government and the Civil Service for over 27 years to develop best practice and national policy around anti-social behaviour (ASB) and other community safety issues, including drug dealing, knife crime, vandalism, intimidation, harassment, neighbour disputes and much more.

Harnessing our decades of experience and sector-leading expertise, we also provide unrivalled support, guidance and resources for Local Authorities, Housing Providers and Police Forces across the country, to help their officers and practitioners respond to ASB and Community Safety issues confidently, effectively, and in a way that ensures more positive outcomes for the communities they serve.

We envision a future where every community across the country is a place that empowers the people who live there to take pride in where they live; communities that are not only safe places but places that also enable and support all residents to flourish and thrive.

Any questions or enquiries in regard to this document, or any other policy related enquiries can be sent to:

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## **Foreword**

In preparation for this submission document, we fielded opinions, expertise and experience from our large membership body consisting of local authorities, RSLs (Registered Social Landlords), PCCs (Police and Crime Commissioners) and police forces. This document aims to represent the relative consensus of these views, while also firmly declaring Resolve's position and asks. Special thanks also goes to Weightmans solicitors for providing assistance in the formulation of this document.

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3. Extending the timeframe that relevant agencies can apply to a magistrates' court for a closure order from 48 hours after the service of a closure notice to 72 hours.
4. Extending the power to issue closure notices to registered social housing providers. Currently only local authorities and police can issue closure notices.
5. Extending the timeframe that relevant agencies can apply to a magistrates' court for a closure order from 48 hours after the service of a closure notice to 72 hours.
6. Extending the powers available under the Community Safety Accreditation Scheme (CSAS) to allow CSAS officers to issue fixed penalty notices for breach of CPNs and PSPOs.
7. A duty for Police and Crime Commissioners (PCCs) to promote awareness of the ASB Case Review in their police force area and provide a route for victims to query decisions via their offices.
8. Introduces new ASB data reporting requirements by creating a power for the Home Secretary making regulations requiring local bodies, such as councils and social housing providers, to report specified ASB data to the Home Office.
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***Extending the maximum exclusion period for dispersal directions from 48 to 72 hours, with a mandatory review at 48 hours.***

1. We are in support of this measure, hopeful that it would increase the time for action. This received substantial amounts of support from our membership. Questions were raised around the need for a mandatory review, it was mentioned that once a public safety issue has been identified and should remain live for its maximum duration for public reassurance and associated partner agencies. Again, are there concerns around adding more bureaucracy?

***Increasing upper limit for a fixed penalty notice for breaches of a Public Spaces Protection Order (PSPO) or a community protection Notice (CPN) from £100 to £500.***

2. While we understand the need for a greater deterrent, particularly in relation to preventing the worst of anti-social behaviour, we have heard from our members some concern over the increase from £100 to £500. This is largely due to the root causes of anti-social behaviour particularly in cases where a PSPO or a CPN would be used, as they are not largely repaid due to the offender's circumstances, as often homelessness is a key factor, and custodial time is often a greater deterrent. As a result, increasing fines would fall on two fronts, one, is that it would not deter offenders as the fine itself for those with little means of money, as this is largely immaterial. Second, it would incur an administrative burden that would far outweigh the potential benefits that this increase could bring. One member raised issues within the Bristol area, with police struggling to enforce FPNs and the lack of extension of powers to police for issuing PSPOs. It is therefore expedient to note that there should be more focus on interventions and support to tackle root causes, rather than a blunt instrument in the form of a subtle increase. Some recommended it to perhaps double the fine to £200.

***Extending the timeframe that relevant agencies can apply to a magistrates' court for a closure order from 48 hours after the service of a closure notice to 72 hours.***

3. We would welcome support in regard to the extension of the closure order. It was found by our members that an extended timeframe for closure order applications would be extremely tight, as the original 48 hours is often extremely tight. By extending this, we can allow for more give in the system, which can enable more effective applications of closure orders.

## ***Extending the power to issue closure notices to registered social housing providers***

4. We welcome the introduction of closure orders to registered social housing providers; however, this does not mean we are not cautious about the technicalities. There are some initial reservations about the application of the closure order to registered social housing landlords (RSL) while RSLs are often on the frontline of ASB and can therefore react swiftly and effectively to challenges, there are some concerns from across the sector around resources, information sharing and the loss of partnership working. Partnership working and collaboration will need to be stressed to ensure effective application, this could include regular meetings, shared databases, and clear communication channels. Some members expressed experiences where the use of closure orders had a varied approach, often depending on funding and resources, this was reiterated once more, with others raising potential issues with information sharing, as the power of closure orders for RSLs could prevent the effective partnership working currently experienced between agencies. Partnership working is extremely important to the sector, with effective partnership working often touted as textbook anti-social behaviour practice, there were some concerns about a potential burden placed on RSLs, and the fear of 'going alone.' The interplay between different agencies stresses any rebalance of the legal powers, there were concerns raised around ongoing consistency and police engagement, particularly in areas such as Bristol, where it was noted, police often refuse to issue closure orders.
  
5. It must also be noted that the sector as a whole is experiencing significant resource strain and financial pressures, from 'necessary expenditure on existing stock safety and quality' and from 'the increasing cost of capital as a result of higher interest rates, and from the need to build new homes for future tenants'.<sup>1</sup> It therefore must be stressed that any application of further powers will apply an administrative burden that could further strain resources. For a sector often enveloped in substantial amounts of priorities and legislation, it was raised that the need for clear guidance was also essential for effective application, and there were some warnings of the overuse of the closure order. On the other hand, there were also concerns raised around the increasing regulatory oversight, and therefore a reticence to apply the closure order in the scenario of applying it incorrectly. In this regard, it is recommended that clear guidance from the government follows the issuing of these powers to RSLs, it must also be clear in the criteria for notices and orders.
  
6. It should also be raised that for-profit members, while welcoming the expansion of the use of the closure notice is welcomed, it is still expressed that equal access to the respect orders and injunctions be granted to for-profit providers. A difference in financial structure should not affect anti-social behaviour provision. Largely however, we are supportive of extending the power to issue closure notices to RSLs, members also expressed a relative excitement for more powers, however we stress the need for a continuation of robust mechanisms, partnership working and effective guidance.

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<sup>1</sup> <https://www.gov.uk/government/publications/sector-risk-profile-2024>

7. Partnership working, and the stress of resources are inherent to the sector, it is therefore notable that members from policing stated that by empowering housing providers to take direct action, the amendment can reduce the burden on police resources, allowing the police to focus on more serious crimes and other priorities. Of course, any delegation of powers to new agencies, particularly social housing providers, means that collaboration will be needed to ensure efficacy of these new powers, particularly if there is resistance or non-compliance from the occupants. Training will be needed, not just on the side of social housing providers, but also the police, who will need to understand their new role in this landscape. It is stressed, that community cohesion, particularly in social cohesion, is fragile, and therefore community cohesion will need to be managed effectively, closure of premises can lead to tensions within the community.
  
8. In light of the increased risk of judicial reviews, it was motioned that registered providers need to have protection from legal liabilities, if of course, acting and proceeding in good faith. Support, and not just risk mitigation should also be kept firmly in mind, offering support for services for individuals facing closure orders, such as legal aid and social services, could attempt to address underlying behaviours that drive anti-social behaviour. Largely however, we are supportive of extending the power to issue closure notices to RSLs, members also expressed a relative excitement for more powers, however we stress the need for a continuation of robust mechanisms, partnership working and effective guidance.

***Extending the powers available under the Community Safety Accreditation Scheme (CSAS) to allow CSAS officers to issue fixed penalty notices for breach of CPNs and PSPOs***

9. Aiming to free police resources, it is welcome for the extension of these powers. It was raised around the levels of accreditation since the last act, and the administration of collection FPNs, and there were contributions from some policing members that previous attempts have proved to be too expensive to implement and administer, however we are largely in support of this.

***A duty for Police and Crime Commissioners (PCCs) to promote awareness of the ASB Case Review in their police force area and provide a route for victims to query decisions via their office.***

10. It is welcome that this new duty will be imposed on Police and Crime Commissioners to raise awareness of the ASB Case Review, we reiterate the importance of the ASB Case review, and the unfortunate lack of awareness the ASB Case Review still has despite its introduction in the Anti-social, Behaviour, Crime and Policing Act 2015. Previous research in conjunction with YouGov detailed that a striking 87.5% of people have still not heard of the ASB Case Review, with only 1% fully understanding what it is and how it works.<sup>2</sup> It was rightly raised that there is still a 'postcode lottery' of their use, with a lack of a consistent, formalised approach for victims. It was stressed that any review process would need clear timescales to be completed, as the purpose of a case review is to seek resolutions as any review process could potentially bring delays. It should also be noted that some members are already having PCC's oversee appeals for ASB Case Reviews and this seems to work well. Making the ASB case review more well known, particularly to victims, means that we have a more co-ordinated, common-sense approach to the anti-social behaviour experience.
  
11. It was found through members, that was a significant amount of ASB case reviews, that met the threshold, with one member declaring it to be 71% of total ASB Case Reviews. It was also noted that during the OPCC (Office for Police and Crime Commissioner) having direct contact with victims, victim participation was at 94% in panels. Notably, since the role was reduced that has since dropped to 58% of victim participation. PCCs noted a desire to change, and the role of the PCC as an elected representative, was found to be well place to influence and negotiate with community safety concerns. At Resolve, we strongly support any measures to end the postcode lottery effect of services, and this is, in particular, one instance, where this effect could be ceased. In Lancashire, for example, it was found that there is no consistent approach to ASB Case Reviews across the county, imposing a duty to promote the awareness of the ASB case review is therefore, a step in the right direction to promote the standards and threshold to ensure a more standardised process.

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<sup>2</sup> Making Communities Safer A closer look at the most recent data APPG on ASB. (n.d.). Available at: <https://www.resolveuk.org.uk/images/YouGov.pdf>.



***New ASB data reporting requirements by creating a power for the Home Secretary making regulations requiring local bodies, such as councils and social housing providers, to report specified ASB data to the Home Office.***

12. We would welcome support from the Home Secretary by imposing duties to report specified ASB data to the Home Office. While many anti-social behaviours practitioners report and use data to inform practice, it is not standard practice, and this is also not shared across agencies. There is of course, the phenomenon of underreporting of anti-social behaviour itself, largely due having no faith in institutions, not understanding anti-social behaviour, and fearing potential repercussions from offenders. Our own research in conjunction with the Local Government Association (LGA) highlighted that current poor and inconsistent information sharing arrangements, in particular from housing providers to Community Safety Partnerships (CSPS) can delay in addressing instances of ASB, the survey itself found that 80% of councils report that current information sharing agreements between agencies cause delays in investigation and tacking action.<sup>3</sup>
  
13. Our members were positive about the untapped potential for meaningful insights and co-ordination, however, as with other provisions, it was emphasised that there is a need for generating and using the data effectively, along with a clarification on the type of data needed, with sufficient detail, and technical requirements including co-ordinating data collection with the differing IT systems used across providers. It was recommended by members that in regard to specificity of data, they are happy to outline what would be useful in terms of data reporting, rather than government directly informing what data would be useful. Tenant Satisfaction Measure (TSM) data is already collected for the Social Housing Regulator, and therefore this could be a practical alternative to reservations around specifics of data.

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<sup>3</sup> <https://www.resolveuk.org.uk/about/latest-news/joint-research-with-the-lga-report-analysis>

## **Respect Orders**

14. One of the landmark orders of the Bill, it is welcomed that new powers are being introduced in order to tackle anti-social behaviour, following on from the powers introduced in the Anti-Social behaviour, Crime and Policing Act 2014. It is also welcomed that subsequent amendments made at committee, including lowering the age from 18 to 16, were not conducted, any legislation should avoid criminalising young people as much as possible. It is noted however, that the principal reason for the introduction of the Anti-Social Behaviour, Crime and Policing Act was to streamline the often-convoluted multitude of orders that existed before the act, it would need to be effective in a way that Civil Injunctions currently aren't in order to be effective. However, there were reservations from our membership body on the application, practicality, and use of respect orders, many of which are contingent upon the difficult environment many practitioners find themselves operating within. Firstly, the practicalities of having two courts involved in the enforcement of respect orders were questioned, along with potential issues with prosecution, legal partners, Weightmans raised this as a real difficulty in practice, having to co-ordinate both the crown and county courts. Of course, much surrounding press around Respect Orders raises similarities, and therefore, concerns, also, with their perceived likeness to ASBOS.
15. Indeed, Respect Orders will not be available for those under the age of 18, and will be criminal upon breach, however it is more that the ASBOs were often seen as a badge of honour, often not deterring but rather formalising anti-social behaviour. Compounding this, we are also made aware not only from members, but also other bodies such as the Victims' Commissioner, of the momentous delays in the criminal courts, with nearly half of victims having had their Crown Court trial dates rescheduled, with most facing repeated delays before their trial takes place.<sup>4</sup> Any potential delays in the criminal courts, exacerbated by the introduction of further legislation such as the Renters' Rights Bill, threatens to weaken good-meaning policy, and will thus sterilise its application. Priorities are key, particularly in a stressed institutional environment, new orders will inevitably focus on anti-social behaviour, which may divert attention from other serious crimes. Piloting is also a potential concern, and we hope that there is an adequate timeline issued for piloting respect orders, in order to ensure any concerns or reservation are eschewed.
16. As touched upon when discussing closure orders, it should also be noted that access to this new power should be equitable across financial governance structures; for-profit providers should have access to this power as much as other providers should. A unequal share of provision allocated to for-profit providers means a lower standard and service to tenants under this structure, as these providers are unable to reach

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<sup>4</sup> Victims Commissioner. (2025). *Justice delayed: Human toll of gruelling Crown Court delays on victims revealed in new Victims' Commissioner report - Victims Commissioner*. [online] Available at: <https://victimscommissioner.org.uk/news/justice-delayed-human-toll-of-gruelling-crown-court-delays-on-victims-revealed-in-new-victims-commissioner-report/>.

effective, swift resolutions to tackle ASB. One member has found that when dealing with ASB difficulties in-house form an external non-profit agent, that the process of resolution for victims is often elongated, resulting in the serving of more notices of possession, avoiding the real effect of anti-social behaviour on communities. However, we support the introduction of new powers to swiftly deal with anti-social behaviour, and hope the Respect Order is implemented with care, efficiency, and oversight in order to ensure the best possible application.

### ***New bespoke criminal offence of “cuckooing”***

17. It is welcome that cuckooing will get the recognition it deserves in the legal landscape and will now be a new bespoke criminal offence. Referring again to our previous research with YouGov, the two areas to see an increase according to the public in areas which are the biggest issues, are cuckooing and knife-related ASB.<sup>5</sup> Cuckooing not only deeply affects those directly involved, but it also fundamentally changes the atmosphere and landscape of an area, bringing crime, disruption, and fear to otherwise quiet and orderly areas. Much like other provisions included within the Bill, we do raise practical and more technical reservations. While it was made clear from members that it is important to have a criminal offense for cuckooing to support vulnerable individuals, and the need for clear guidance on its application. There were concerns raised in the proving of cuckooing cases to criminal standards and the number of prosecutions which would be made due to the overly complex nature of the offense. Again, we reiterate calls for further guidance not only for clarity for practitioners but also for ease of understanding government communications around such an order.

### ***Fly-tipping***

18. *All measures surrounding Fly-tipping were soundly supported by our membership body.*

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<sup>5</sup> Making Communities Safer A closer look at the most recent data APPG on ASB. (n.d.). Available at: <https://www.resolveuk.org.uk/images/YouGov.pdf>.

## ***Nuisance Vehicles***

*19. All measures surrounding Nuisance Vehicles were soundly supported by our membership body, strengthening of these enforcement powers are welcomed.*

## ***Next Steps***

20. We do hope that this submission helps supports the Committee in effectively scrutinising all of the policy provisions contained within the Bill, helping to ensure the swift and effective action against anti-social behaviour. We would, of course, be open to meet with any members of the Committee in order to discuss any concerns or points raised.

*May 2025*