

Home Office
Anti-Social Behaviour Unit
4th Floor Fry Buildings
2 Marsham Street
London
SW1P 4DF

**And by email to:
ASB-consultation@homeoffice.gsi.gov.uk**

17 May 2011

DRAFT

Dear Sir/Madam

***Re: 'More Effective Responses to Anti-Social Behaviour' – a Consultation Paper
Response from the Social Housing Law Association ('SHLA')***

I write further to the above and enclose SHLA's response to the proposed reforms to the tools available to social landlords, the police and other partners to tackle anti-social behaviour ("ASB").

The Social Housing Law Association is a membership based organisation of social housing professionals and its lawyers. Its members regularly deal with proceedings relating to anti-social behaviour, including possession claims, ASBIs, ASBOs, closure orders, demotion orders and other ASB related orders, as well as advising social housing landlords on options for dealing with ASB short of Court proceedings, including Acceptable Behaviour Contracts (ABCs) and mediation.

Although an organisation of social housing professionals and their lawyers, SHLA does not see itself as a partisan landlord's organisation. SHLA believes that social landlords and tenants of social housing share similar objectives, however SHLA is concerned that in recent years there has been a tendency in proceedings involving ASB for courts to elevate the interests of a particular tenant defendant above the wider interests of all tenants and their landlords. We are therefore concerned as an organisation that any reforms to deal with ASB properly reflect the balance to be struck between the rights of the individual accused of ASB and the rights of the victims of ASB and those social landlords who have to deal with and resolve ASB problems.

We hope that our responses provide an insight into our members' experience of dealing with ASB cases and highlight some of the issues our members foresee with the proposed reforms.

In particular, SHLA opposes the removal and replacement of Anti-Social Behaviour Injunctions which generally have proved to be an effective tool for Registered Providers in dealing with ASB, particularly where it is connected with applications for possession in the County Court.

If the Government is adamant that the ASBI should be replaced, then SHLA opposes the proposal that Crime Prevention Injunctions should be dealt with by the Magistrates Court rather than the County Court for the reasons set out in more detail in the attached responses.

SHLA also continues to be concerned at the lack of a single Departmental approach to ASB and our members are worried about the lack of attention given to ASB as it exists in the social housing context in the Consultation Document. The fact that this issue may be the remit of another Government Department (CLG) does not assist or give confidence to social

landlords generally that a properly focused approach to ASB is being developed by Government.

Should you have any queries regarding SHLAs' responses please do not hesitate to contact me.

Yours faithfully

Nick Billingham

On behalf of the Social Housing Law Association

Direct Dial: 020 7880 4272
Direct Fax: 020 7880 4265
E-mail: nick.billingham@devonshires.co.uk

Encl