

Overview of updates to the ASB Statutory Guidance

Rec no	Recommendation	Changes in the Statutory Guidance
1	To ensure victims of persistent anti-social behaviour receive the support to which they are entitled under the Victims Code (the Code), we recommend the Ministry of Justice consult on updating the Code to make it explicit that when behaviour amounts to a criminal offence, regardless of whether police decide to pursue criminal charges, the victim falls within the ambit of the Code and must be referred to local victim support services	Page 19
6	To improve the victim experience and streamline communication, we recommend the Home Office update the statutory guidance on anti-social behaviour powers to recommend that victims must have a single point of contact within the lead antisocial behaviour Case Review agency. This	See page 16 under purple text box called "a basic ASB Case Review procedure". There is an additional text box to review on page 17 under the purple text box called "putting victims first"

	<p>individual, vested with the necessary authority, would liaise with all relevant agencies, spearhead effective action, and keep victims informed throughout the process.</p>	
7	<p>To ensure victims of anti-social behaviour are aware of their rights and understand their options, the Home Office should update the statutory guidance on anti-social behaviour powers. This update should recommend that agencies clearly explain the anti-social behaviour Case Review process to victims who file a second complaint within a six-month period. The explanation should detail the victim's right to request a Case Review, appeal the decision on whether the case meets the criteria for Case Review (threshold decision), and challenge the Case Review decision itself.</p>	<p>See page 15</p>
8	<p>To strengthen victim confidence in the anti-social behaviour Case Review process, we recommend the Home Office consult on whether there is a need to legislate a requirement for independent chairs of anti-social behaviour case reviews. These chairs might be an elected representative of one of the agencies responsible for leading an anti-social behaviour Case Review, or an independent</p>	<p>See page 17.</p>

	<p>anti-social behaviour specialist. The relevant bodies must provide evidence of their satisfaction that the appointed chair has sufficient current and working knowledge of anti-social behaviour statutory provisions, practice and policy.</p>	
9	<p>To strengthen victim participation and ensure their voices are central to the process, we recommend the Home Office consult on the need to introduce legislation which guarantee victims the right to choose their level of participation in a way that best suits their needs. This might include attending the Case Review meeting in person, participating virtually, submitting a written impact statement detailing the anti-social behaviour's effects, or being represented at the Case Review by a chosen individual to ensure their perspective is effectively communicated.</p>	<p>See page 17 - under the purple text box called "putting victims first"</p>
10	<p>To ensure victims help shape anti-social behaviour Case Review outcomes, we recommend the Home Office consult on the need to legislate to guarantee victim consultation on an Action Plan before it is formalised. This would ensure victims understand proposed actions and can contribute their perspective on the plan's effectiveness in addressing their concerns.</p>	<p>See page 19</p>

11	<p>To ensure consistent access to anti-social behaviour Case Reviews, we recommend the Home Office consult on the need to legislate to standardise the threshold for antisocial behaviour Case Reviews by placing it in statute (as opposed to guidance). This would prevent local authorities unilaterally adding caveats which make it more difficult for the victim to make a successful application. This consultation should also look at mandating access to Case Review applications via a range of options, including but not limited to paper, online, and telephone applications.</p>	See pages 13 - 14
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