



Home Office



Ministry
of Justice

Policy paper

Crime and Policing Act 2026: anti-social behaviour (ASB) factsheet

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What are we going to do?

We are making our streets and neighbourhoods safer by enhancing and strengthening the powers available to the police, local authorities and other partners to tackle anti-social behaviour. This will include the new Respect Order, which fills a significant gap in the existing ASB powers and will give local agencies stronger enforcement capability to tackle the most relentless adult ASB offenders.

We are requiring local agencies to share ASB data with the Government, enabling a better picture of ASB and interventions used to tackle it, across England and Wales. We are making the powers to seize vehicles under section 59 of the Police Reform Act 2002 easier to use, allowing the police to react robustly and immediately to the anti-social use of motor vehicles.

To support local authorities to consistently and appropriately exercise their fly-tipping enforcement powers, which include issuing fixed penalty notices, seizing vehicles and bringing about prosecutions against offenders, we will enable the Secretary of State to issue statutory enforcement guidance to English councils which they must have regard to.

We are ensuring the repeal of the Vagrancy Act 1824 does not create unwanted gaps in the powers available to the police by retaining two key offences, currently provided for under the 1824 Act. These are: an offence of facilitating or arranging begging for gain and an offence of trespassing with intent to commit a criminal offence.

How are we going to do it?

Anti-social behaviour

The Act enhances the powers available to the police and other local agencies under the Anti-social Behaviour, Crime and Policing Act 2014 (the 2014 Act) to tackle ASB. This includes:

(a). Introducing the Respect Order, a new civil behavioural order to enable courts to ban adult offenders from engaging in specified activities relating to their ASB. Breach of a Respect Order will be a criminal offence, meaning the police can enforce suspected breaches via arrest, enabling rapid action to prevent the ASB and provide relief to affected communities and victims. The Respect Order can also contain positive requirements, which can

compel perpetrators to take action to address the root cause of their behaviour.

(b). Extending the maximum exclusion period for dispersal directions from 48 hours to 72 hours, with a mandatory review at 48 hours. This extension will allow dispersal directions to apply over longer periods such as weekends and bank holidays, providing crucial respite to those affected by ASB.

(c). Increasing the upper limit for a fixed penalty notice (FPN) for breaches of a Public Spaces Protection Order (PSPO) or a Community Protection Notice (CPN) from £100 to £500. This change will provide a tougher potential consequence for breach of PSPOs and CPNs. It will act as a stronger deterrent and, as a result, is expected to reduce the incidents of ASB.

(d). Extending the timeframe that relevant agencies can apply to a magistrates' court for a closure order from 48 hours after service of a closure notice to 72 hours. This will give agencies more time to progress an application for a closure order, protecting the victim and community in the interim while a closure order is sought.

(e). Extending the power to issue closure notices to registered social housing providers. Currently only local authorities and police can issue closure notices. This is despite registered social housing providers often being the first agency to be aware of the ASB in question. Extending this power to social housing providers helps ensure that the right agencies have the right tools to tackle ASB quickly and effectively, saving police and local authorities time as housing providers will be able to make applications directly.

(f). 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. This measure will boost ASB enforcement capability and broaden the range of partners that can take action to tackle ASB, freeing up police resources.

(g). Creating 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. Enhancing the PCCs' role in the ASB Case Review will aid consistency and accountability in Case Review implementation across all force areas, so victims can benefit from a more consistent service.

(h). Creating a duty for the Home Secretary to issue guidance, within six months, to address the proportionate use of FPNs in response to low level incidents and make clear that where external contractors are used, private firms should not be able to receive greater revenue or profits just from increasing the volume of penalties.

(i). Creating a regulation making power for the Home Secretary to extend the maximum duration of a closure order, the maximum period for which a closure order may be extended and the maximum cumulative duration of an order. Such regulations may make different provision for different purposes, for example, different maximum periods may be specified for residential and commercial premises. A consultation will be carried out before new regulations are introduced. Such a power is expected to help Local Authorities and the police in tackling growing concerns about the scale of illegality on the high street with longer closure orders enabling greater disruption as opposed to mere suspension or temporary displacement of criminal activity.

Introducing new ASB data reporting requirements by creating a power for the Home Secretary to make regulations requiring local bodies, such as local authorities, to report specified ASB data to the Home Office. This will improve the picture across England and Wales of how powers are being used and why, allow better monitoring of targeted ASB interventions, and help to inform future government work to tackle ASB.

Removing the requirement for a police officer to issue a warning before seizing a motor-vehicle being used to cause ASB. This measure will make the police powers to tackle the nuisance caused by any vehicle being used anti-socially more effective.

Introducing new criminal offences of facilitating begging for gain, an exploitative tactic often used by criminal gangs to obtain cash for illicit activity, and trespassing with intent to commit a criminal offence. This is to ensure that when the Vagrancy Act 1824 is repealed, the police still have the powers they need to protect people and property; repeal of the 1824 Act will take place after commencement of these provisions.

Fly-Tipping

Local authorities will need to have regard to the guidance when taking enforcement action against fly-tipping and breaches of the household waste duty of care (e.g. where a householder gives their waste to a fly-tipper). This includes the power to search and seize vehicles linked to fly-tipping offences, the power to issue fixed penalty notices of up to £1,000 for fly-tipping and £600 for breaches of the household waste duty of care, associated powers of investigation and bringing about prosecutions. By requiring local authorities to have regard to the guidance, they will retain flexibility to respond to fly-tipping according to local circumstances. They would however need to have clear reasons for deviating from the guidance if challenged.

Background

Anti-social behaviour

Tackling ASB is a priority for this Government, as well as being an integral part of this Government's Safer Streets Mission. It is a matter of pressing concern for the public, with Crime Survey for England and Wales (CSEW) data for year ending December 25 suggesting 39% of respondents personally witnessed or experienced ASB in their local area.

The 2014 Act contains a number of powers for police, local authorities, and other agencies to use to tackle ASB. The powers in the 2014 Act are deliberately broad in nature to enable flexibility and local discretion in their use. They include:

- (a). The dispersal power, which enables police officers to direct a person who has committed, or is likely to commit, anti-social behaviour to leave a specified area and not return for a specified period of up to 48 hours.
- (b). The Community Protection Notice, which are used for lower level environmental ASB. They are intended to stop persons aged 16 or over, businesses or organisations committing anti-social behaviour which has a detrimental impact on the community's quality of life.
- (c). The Public Space Protection Order (PSPO), which is designed to stop individuals or groups committing anti-social behaviour in a public space. They prohibit specific forms of environmental ASB such as public drinking or dog fouling. Councils issue a PSPO after consultation with the police, Police and Crime Commissioner, the owner or occupier of land in the restricted area and other community representatives they see fit.
- (d). The closure power, the purpose of which is to protect victims and communities by quickly closing premises that are causing, or being used to cause, nuisance or disorder. A police officer or local authority can issue a Closure Notice. Following this the Closure Order can be applied for at a magistrates' court, no later than 48 hours after service of the Closure Notice. The Closure Order can also be used to tackle criminal behaviour.
- (e). The Criminal Behaviour Order (CBO), which is a behavioural order which can be issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity.

(f). The Civil Injunction (sometimes known as the Anti-Social Behaviour Injunction or 'ASBI'), which are civil behavioural orders, issued by the civil court. They are intended to stop or prevent individuals engaging in anti-social behaviour by nipping problems in the bud before they escalate. Civil Injunctions are to be partially replaced by the new Respect Order.

(g). The Community Safety Accreditation Scheme (CSAS) is a voluntary scheme under which chief constables can accredit employed people already working in roles that contribute to maintaining and improving community safety with limited but targeted powers.

(h). The ASB Case Review (formerly known as the Community Trigger), the purpose of which is to give victims and communities the right to request a review of their case where a local threshold is met, and to bring agencies together to take a joined up, problem-solving approach to find a solution for the victim.

The current powers in the 2014 Act do not always go far enough which is why this Government committed in its manifesto to introducing the Respect Order, which will partially replace the existing civil injunction. Breach of a Respect Order will be a criminal offence, which will enable the police immediately to arrest offenders suspected of breach and allow the courts to issue a broader range of sentencing options, including community sentences, fines and in the most serious cases, prison sentences. This is expected to provide a more effective enforcement and deterrent effect than the existing civil injunction, providing relevant agencies with a powerful tool in tackling persistent and highly problematic ASB.

While the police, local authorities and other agencies have a range of powers to tackle ASB, the 2014 Act is now 10 years old and consultation with stakeholders has identified several changes to the powers that could improve their application and effectiveness.

Currently there is a gap in data on ASB and the use of ASB powers across England and Wales. Despite non-police agencies playing a crucial role in the response to ASB, there is currently no national data on volumes of ASB reports made to non-police agencies (e.g. local authorities and social housing providers), how these agencies use the ASB powers in the 2014 Act, or how many ASB Case Reviews local agencies conduct. Collecting this data will enable better monitoring of targeted ASB interventions and help to inform future activity to tackle ASB.

ASB involving vehicles is wide ranging and encompasses: (i) off-road bike misuse; (ii) illegal motorbike and car racing; (iii) noisy and dangerous motorbike use; and (iv) aggressive or inconsiderate driving. It is a concern which communities frequently raise with MPs and PCCs. This behaviour takes place in both rural and urban areas, both on roads and off roads.

The police have the power under section 59 of the Police Reform Act 2002 to seize vehicles, including off-road bikes, being driven illegally, or used in an anti-social manner. The seizure power does not depend on prosecution for, or proof of, this behaviour, only on reasonable belief by a constable as to it occurring. The power is designed to enable the police to put a stop to this dangerous and anti-social behaviour.

Currently, before effecting a seizure, a constable must give a warning (under section 59(4) of the 2002 Act) to the individual that the vehicle will be seized unless the behaviour stops. The only exceptions are where a warning is impractical, or has already been given on that occasion, or where the constable has reasonable grounds for believing that a warning has already been given to that person, or has been given to the same person within the previous 12 months. The warning may have been given by the same constable, or another constable on a different occasion.

By amending the law, the police will be able to immediately seize vehicles being used in an anti-social manner, without the requirement to first issue a warning to the person that their vehicle will be seized if they continue to use it in an anti-social manner.

Fly-Tipping

Local authorities reported 1.26 million fly-tipping incidents in 2024/25. They have a range of enforcement powers to help them tackle fly-tipping, but use of these powers varies significantly across the country with some taking little or no enforcement action at all. The Department for the Environment, Food and Rural Affairs (Defra) also regularly receives reports of local authorities exercising their enforcement powers inappropriately, for example against householders who leave a small amount of additional household waste by their bins on collection day.

Furthermore, Defra commissioned research on effective enforcement, carried out by Resource Futures, found that inconsistent approaches to the distinction between litter and fly-tipping by local authorities negatively affects fly-tipping enforcement^[footnote 1]. Separate research Defra commissioned on fly-tipping drivers, deterrents and impacts found that local authorities would welcome better guidance^[footnote 2].

New offences of arranging or facilitating begging, for gain and trespassing with intent to commit a criminal offence

Nobody should be criminalised for simply having nowhere to live. That is why this government is committed to commence the repeal of the outdated Vagrancy Act 1824 which makes begging and some forms of rough sleeping a criminal offence. The Anti-Social Behaviour, Crime and Policing Act 2014 provides the police, local authorities and other local agencies with a range of tools and powers to respond to ASB, including ASB that occurs in the context of begging and rough sleeping.

However, police forces and local agencies have asked for explicit powers to respond to instances of organised begging and trespassing with criminal intent. The new provision to tackle organised begging is intended to disrupt the activity of those who make a financial gain by managing the begging activity of others. Such arrangements are often exploitative, with individuals dropping off and collecting associates from 'lucrative' begging pitches.

A new provision to tackle instances of trespassing with intent to commit a criminal offence is intended to cover situations outside of theft, Grievous Bodily Harm (GBH) or damage as set out in Section 2 of the Theft Act 1968. The provision re-enacts the offence in the to be repealed Vagrancy Act 1824 of being on enclosed premises for an unlawful purpose. This will make it an offence for a person to trespass on any premises, which covers any building, part of a building or enclosed area with the intention to commit an offence. This may cover any type of crime. Upon repeal of the 1824 Act, police would lose the power to tackle these offences. We know the police find this a useful tool to use when someone is found on a premises where they should not be, and there are reasonable grounds to suspect they are there to commit a crime, such as to cause harassment (which is an offence under the Public Order Act).

Key statistics

Anti-social behaviour

Year ending December 2025 Crime Survey for England and Wales (CSEW) Anti-Social Behaviour (ASB) Data:

- 39% of respondents personally witnessed or experienced anti-social behaviour in their local area, a 4 percentage point increase on the previous year. Vehicle related behaviour, groups hanging around on the streets and people using or dealing drugs were the most common types of anti-social behaviour reported.
- Of all respondents, 8% perceived there to be a high level of anti-social behaviour, no change on the previous year. Rubbish or litter lying around

and people using or dealing drugs were the biggest problems perceived in their area.

Police-Recorded ASB Incidents data:

- Time series data for police recorded incidents show around a 50% fall in ASB since 2013/2014, from around 2.1m to 1.0m incidents (year ending December 2025). Police recorded incidents of ASB in the year ending December 2025 had no change when compared with the previous year (1.0m). Since the year ending March 2014, trends in ASB incidents recorded by the police (see Table 2) have, in general, showed the same downward trend seen in the CSEW. In the year ending December 2025, levels of ASB have fallen by around 51% compared with those for year ending March 2014 (from 2.1 million to 1.0 million). There was an apparent increase in the year ending March 2021 but this is thought to reflect recording issues, with some public order offences having been recorded as ASB during the Covid-19 pandemic.

Frequently asked questions

Anti-social behaviour

How are Respect Orders different to ASBOs?

There are key differences between Respect Orders and the previous ASBO. Unlike ASBOs, the Respect Order will apply to adult ASB offenders only, it will be issued by the civil courts and will include the option to attach rehabilitative positive requirements (that is, requiring the individual to undertake activity to address the underlying causes of their behaviour) as well as prohibitions.

What is the difference between Respect Orders and the existing ASB powers?

The original 'ASBO' was replaced in 2014 by the civil injunction and the Criminal Behaviour Order (CBO). CBOs are ancillary orders, meaning they can only be made when the offender has been convicted of a criminal offence. Civil injunctions are civil court orders which cover ASB that does not meet the criminal threshold, however breaching them is not a criminal offence and they do not usually have the power of arrest. This means that ASB that does not necessarily meet the criminal threshold for a CBO, and is subject to a civil injunction, cannot be easily enforced by arrest under the current legislation.

The Respect Order will change this by making breach a criminal offence, and therefore arrestable. It will also retain the ability to attach positive requirements to the Order (which the ASBO did not have). The Respect Order combines the flexibility of the civil injunction with the 'teeth' of the CBO to give local agencies a powerful new tool for tackling persistent ASB.

How will the Respect Order make a difference?

The Respect Order carries crucial enforcement teeth to disrupt and deter persistent ASB offenders. The power of arrest will enable the police immediately to arrest those who are flouting their Respect Order and protect communities from further harm. Those who breach the Respect Order will be committing a criminal offence. They could be arrested and face a wide range of penalties at court, including community sentences and potentially prison time if they ignore the law.

When will Respect Orders start to be used?

We will seek to implement the Crime and Policing Act measures, including Respect Orders, as soon as practicable. Further information will be shared in due course.

Why are you making changes to the existing powers in the Anti-Social Behaviour, Crime and Policing Act 2014?

These changes to the powers in the 2014 Act are designed to enable more effective application. It is vital that the relevant agencies have everything they need at their disposal to ensure that the ASB does not escalate.

It is for local agencies to decide how best to deploy these powers depending on the specific circumstances. They are best placed to understand what is driving the behaviour in question, the impact that it is having and to determine the most appropriate response. These changes strengthen the powers available to the relevant agencies to achieve more effective and consistent use.

What kinds of behaviour are defined as 'anti-social' for the purposes of legislation?

'Anti-social behaviour' is a broad term which includes behaviour which has caused or is likely to cause harassment, alarm or distress to a member or members of the public. Issues such as littering, vandalism, public drunkenness, aggressive dogs or noise nuisance may also be considered as anti-social behaviour.

What is the Government doing to tackle the use of e-bikes and other vehicles in ASB and other crime?

The use of vehicles such as e-scooters and off-road bikes can cause havoc in local communities. The Act strengthens the law so that these vehicles can be seized by police when they are used to commit anti-social behaviour, without having to issue a warning, which would otherwise delay enforcement action.

What difference will the change to section 59 of the Police Reform Act 2002 make?

Removing this requirement to give a warning will make the section 59 powers easier to use, allowing police to put an immediate stop to offending and seize vehicles which are used anti-socially.

How can people reclaim seized vehicles from the police?

The police will send a seizure notice to the owner of a seized vehicle to explain how it can be reclaimed. This will include details of any statutory fees for which the owner may be liable, and the required documents such as proof of identity.

Will offenders be able to reclaim vehicles and reoffend?

Before reclaiming a vehicle, the individual will have to prove that they are the legal owner of the vehicle and that they have valid insurance and a driving licence. Going forward, we will be consulting on proposals to allow the police to dispose of seized vehicles more quickly.

What happens if my motorbike was stolen and driven anti-socially? Do I still have to pay to reclaim it?

The police are empowered to charge the owner the recovery costs. Whether to waive the fee is an operational matter for the police, taking into account the cost implications and any special circumstances.

What is the Government doing about illegality on the high street?

The Home Office has established a cross-departmental High Streets Illegality Taskforce which is working to develop a strategic long-term policy response to money laundering and associated illegality on UK high streets, including other forms of economic crime, tax evasion, and illegal working, tackling the systemic vulnerabilities that criminals exploit

Fly-Tipping

When will you publish the statutory fly-tipping enforcement guidance?

Defra intends to consult with relevant stakeholders including local authorities on the statutory guidance. Once the consultation has concluded and responses considered, we will look to publish the guidance as soon as practical.

Why do local authorities only need to “have regard to” the enforcement guidance? Won’t you set targets on enforcement?

Tackling fly-tipping requires a local approach, tailored to the characteristics of the area and the community in which the problems occur. Government expects local authorities to tackle fly-tipping in their area. Requiring local authorities to have regard to guidance ensures they retain the flexibility to operate in the way that best suits local circumstances.

What have ministers done to ensure local authorities will find the guidance helpful?

Defra commissioned research has highlighted that local authorities would find further guidance on enforcement helpful. The powers in the Act also require the Secretary of State to consult before issuing statutory enforcement guidance. We will seek the views of local authorities as part of that process.

New offences of arranging or facilitating begging, for gain and trespassing with intent to commit a criminal offence

Why are you repealing the Vagrancy Act?

The Government has been clear that no-one should be criminalised simply for having nowhere to live. That is why we are repealing the antiquated 1824 Act. We will not be introducing measures that re-criminalise begging and rough sleeping. However, we are legislating to introduce targeted replacement measures for certain elements of the 1824 Act, to ensure the police have the powers they need to keep our communities safe.

What are the replacement measures and what do they actually do?

We are introducing a criminal offence of facilitating begging for gain, and an offence of trespassing with the intent of committing a crime. Organised begging is often exploitative and facilitated by criminal gangs to obtain cash for illicit activity. The new criminal offence of facilitating begging for gain makes it unlawful, for example, for persons to operate organised begging gangs or to drive individuals to places for them to beg. The offence will retain existing police powers and will help to disrupt this harmful and exploitative activity.

The new criminal offence of trespassing with intent to commit a criminal offence recreates an offence as set out in the Vagrancy Act 1824. It will be an offence for a person to be a trespasser on any premises (meaning any building, part of a building or enclosed area) with the intention to commit an offence. The existing offence of trespassing in the Theft Act 1968 relates specifically to burglary. It requires the offender to enter a building as a trespasser with the intent to commit one of three offences: theft, GBH or damage. However, it does not cover any criminal offences beyond this. The new trespassing offence means that it will be an offence for a person to be a trespasser on any premises (meaning any building, part of a building or enclosed area) with the intention to commit an offence. For example, it would cover a situation where a person is trespassing in a building with the intention of carrying out harassment of a worker or trespassing or a public order offence. The power the police currently rely on to tackle these types of

offences is in the 1824 Act. However, upon repeal of the 1824 Act, police would lose the power to tackle these offences.

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1. <https://sciencesearch.defra.gov.uk/ProjectDetails?ProjectId=21398>
(<https://sciencesearch.defra.gov.uk/ProjectDetails?ProjectId=21398>)
 2. <https://sciencesearch.defra.gov.uk/ProjectDetails?ProjectId=20941>
(<https://sciencesearch.defra.gov.uk/ProjectDetails?ProjectId=20941>)

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