

Anti-social Behaviour, Crime and Policing Bill

Comparison with the current law

IPNAs

Current law

ASBO (Anti-social Behaviour Order)

- covers any place
- “the person **has acted** in an anti-social manner...that caused or was likely to cause **harassment, alarm or distress**”
- criminal standard of proof (‘beyond reasonable doubt’)
- court must be satisfied that the order is “**necessary**”
- it is a defence if the behaviour was “reasonable in the circumstances”
- can prohibit specific conduct

ASBI (Anti-social Behaviour Injunction)

- a measure **only landlords** can apply for
- restricted to housing-related anti-social behaviour
- a person “is engaging, has engaged or **threatens to engage**” in conduct “capable of causing a **nuisance or annoyance**”
- civil standard of proof (‘balance of probabilities’)
- prohibits specific conduct

Replacement under the Bill

IPNA (Injunction to Prevent Nuisance or Annoyance)

- covers any place
- person “has engaged” or “**threatens to engage**” in conduct “capable of causing **nuisance or annoyance** to any person”
- civil standard of proof (‘balance of probabilities’)
- court must believe the order is “**just and convenient**”
- **no defence** of reasonableness
- prohibits specific conduct **and can require** specific conduct