

At the hearing, nine perpetrators were charged on criminal offences ranging from disorderly behaviour to attempted arson. Three of the gang were given ASBOs and six of the gang signed acceptable behaviour agreements.

Conditions attached to the ASBOs were designed to protect the community from any recurrence of the behaviour. The perpetrators were restricted to sleeping at their nominated address and were not allowed out between 6.00pm and 6.00am unless accompanied by a parent or appropriate adult. They were clearly instructed not to approach or interfere with any prosecution witnesses. They were also prohibited from being verbally abusive and from throwing missiles at any residential property or from carrying anything which they could use to launch a missile.

The CPS advised the local media of the antisocial behaviour response court and the press reported this operation on the front pages of the local papers. This is part of a strategy to publicise successful action of the police, CPS and judiciary working in partnership to tackle anti-social behaviour. Its aim is to encourage the community to report anti-social behaviour, knowing that it will be dealt with effectively.

Outcome

The operation provided much needed relief for the residents in the area. A parent of one of the gang members has since become proactive in a local community action group which is working to increase diversionary activities for young people in the area.

For the professionals involved in the case, the operation has underlined the importance of taking impact statements as a matter of course when victims fail to press charges due to fear of reprisals. The multiagency partnership approach works best if one officer who is aware of all the facts of the case co-ordinates the case.

Orders made in county court proceedings (section 1B of the Crime and Disorder Act 1998)

For an application to be made in the county court, both the applicant and the person against whom the application is made must be parties to the 'principal proceedings' (such as an eviction). Where the relevant authority is not a party to the principal proceedings, an application to be had a party and the application for an order should be made as soon as possible after the authority becomes aware of the principal proceedings. Where the person alleged to have committed the anti-social behaviour is not a party but the relevant authority thinks that his anti-social acts are material to the principal proceedings, the authority can apply to have him joined in the proceedings and apply for an order. The county court will be able to grant orders where the principal proceedings involve evidence of anti-social behaviour.

Enabling the county courts to make orders may remove the need for a separate legal process in the magistrates' court and make it possible for the public to be protected from anti-social behaviour more quickly and more efficiently.

An order made in county court proceedings might, for example, be useful to prevent an individual, evicted from his accommodation for harassing his neighbours and/or others in the area, from returning to the same area to continue the abusive behaviour.

90

**140.**

**Simon Cordell's Skeleton Argument (2) Pdf**

**Taking a strategic approach**

Orders can only work properly when they are based on partnership in action. They are powerful instruments, and they will be at their most effective when all the agencies confronted by an individual's anti-social behaviour collaborate to make the best possible use of them.

**Orders made on conviction in criminal proceedings**