Appendix E

Step-by-step process for anti-social behaviour orders and orders on conviction

Process for anti-social behaviour orders

Collect evidence

Agencies applying for orders should strike a balance and focus on what is most relevant and necessary to provide sufficient evidence for the court to arrive at a clear understanding of the matter.

Undertake statutory consultation

Documentary evidence of consultation, not agreement, is required although it is not a statutory requirement for orders on conviction (see below).

The stages for orders in county court proceedings will be available on publication of the practice direction in the updated Civil Procedure Rules.

Partnership working

Lead agencies should liaise with other agencies which can add value to the application. Involve the youth offending team and social services at the start of the process if the subject of the application is a child or young person, in order to ensure that any assessment required is carried out in parallel with the application process. If the perpetrator is aged 10 to 17, the court is obliged to consider making an individual support order (ISO). Consideration needs to be given at an early stage to the positive interventions which could be included in such an order to address the individual's anti-social behaviour.

Identification of the need to protect the community

An order is necessary to protect person(s) from further anti-social acts by the perpetrator.

Identification of anti-social behaviour

There is behaviour that is causing, or likely to cause, harassment, alarm or distress to one or more person(s) not of the same household as the perpetrator.

The hearing

The lead officer in charge of the case should ensure that all the evidence and witnesses are available at the hearing, including any evidence in support of the need for the court to make an immediate order. The defendant(s) should attend but an order can be made in their absence.