


Are councils failing to tackle anti-social behaviour?

16 August 2023  Ryan Wise

The BBC have published an interesting article about councils failing to tackle anti-social behaviour. Watchdog confirmed that out of 63 cases it investigated in the last year 51 were upheld.

The article is somewhat lacking in the detail and data I consider necessary in order to make the statement that councils are failing to tackle anti-social behaviour. How many reports of anti-social behaviour were received by local authorities last year? How many Community Protection Notices have local authorities issued within the last year? How many injunctions have local authorities applied for relating to anti-social behaviour in the last year? How many closure orders have local authorities applied for in the last year relating to anti-social behaviour? How many possession proceedings were issued by local authorities relating to anti-social behaviour in the last year?

Local authorities are over stretched and under-funded and many of those accused of anti-social behaviour have specific vulnerabilities including mental health issues which means they have to consider each report of anti-social behaviour carefully and take a balanced and proportionate approach meaning not every report of anti-social behaviour will result in action being taken.

Local authorities are also faced with reporters of anti-social behaviour wanting action to be taken but being unwilling for a variety of reasons to supply evidence to support any proposed course of action. With Equality Act Defences becoming more and more popular the local authorities also have to engage with several agencies to demonstrate that they have considered if there are any underlying issues that are causing the anti-social behaviour and whether there are alternative positive courses of action which might stop the behaviour complained of without the need for litigation. Where action is taken they must show that the action proposed is proportionate in all circumstances.

The 63 cases investigated will be a minute percentage of the amount of anti-social behaviour reports received by local authorities and does not give a true picture of how councils are dealing with anti-social behaviour and the pressures they face in doing so. There is however always room for improvement. Hopefully, the Government's Anti-Social Behaviour Action Plan will provide local authorities with the resource to further tackle anti-social behaviour and reduce the amount of cases upheld by Watchdog.

If you work for a local authority and require support with tackling anti-social behaviour please do not hesitate to contact us.

Contact

Ryan Wise

Associate (FCILEx)

ryan.wise@brownejacobson.com

+44 (0)115 934 2076

Victoria Curran

Partner

victoria.curran@brownejacobson.com

+44 (0)115 976 6509

Related expertise

Sectors

Emergency services

Local government

Social housing