

DYFED POWYS POLICE



ANTI SOCIAL BEHAVIOUR ORDERS

FORCE POLICY DOCUMENT

POLICY IDENTIFICATION PAGE

THIS POLICY HAS BEEN DRAFTED IN ACCORDANCE WITH THE PRINCIPLES OF HUMAN RIGHTS LEGISLATION, PUBLIC DISCLOSURE IS APPROVED UNLESS WHERE OTHERWISE INDICATED AND JUSTIFIED.

POLICY TITLE: Anti Social Behaviour Policy Document

POLICY REF. NO: 01/05

POLICY OWNERSHIP: Dyfed Powys Police

Portfolio / Business-area Owner:

Department Responsible: Community Safety

Person Responsible: Chief Inspector

Links or overlaps with other policies: Police /CPS ASBO Protocol

POLICY IMPLEMENTATION DATE: 01/04/05

REQUIRED FREQUENCY OF REVIEW Annually
e.g. SIX MONTHLY/ANNUALLY:

DATE POLICY LAST REVIEWED: New Policy

POLICY REVIEW DATE: 01/12/08

CERTIFICATE OF COMPLIANCE

This policy has been drafted in accordance with the Human Rights Act and has been reviewed on the basis of its contents and the supporting evidence and it is deemed compliant with that Act and the principles underpinning it.

Name: **Samantha Gainard**

Department: **Commercial Services Department**

Signed:*S. Gainard*..... (Force Legal Advisor)

REVIEW

This policy is due for review by: December, 2009

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REVIEW OF DOCUMENT

Date of Review	Reviewed By	Amendments made
11.12.06	Chief Insp. Nigel George	Review carried out, no changes required.
07.01.08	Chief Insp. Nigel George	Review undertaken no changes.
<u>04.12.08</u>	Chief Insp. Nigel George	<u>Ammendments to role titles and removal of telephone numbers.</u>

POLICY DOCUMENT STATEMENT

This policy has been drafted in accordance with the Human Rights Act 1998

1. GENERAL PRINCIPLES

- 1.1 It is the policy of Dyfed Powys Police:
- 1.2 To deliver guidance in respect of the procedures and management of Anti Social Behaviour Orders.
- 1.3 To clearly define administrative duties in support of key policing objectives.
- 1.4 To provide key information to front line officers.
- 1.5 To manage all files and applications for ASBO's. This includes the initiation of quality standards, monitoring and the delivery of information to other agencies.
- 1.6 All staff, in the adoption of this scheme, and in the exercise of their daily duties, must ensure that:
 - (a) They follow a clearly defined decision making process by detailing their objective(s), assessing all available and relevant information and feasible options, documenting decisions, and reviewing outcomes;
 - (b) They give due regard to the welfare, safety, general well being and human rights of all individuals;
 - (c) They do not unjustifiably discriminate against any individual or groups of individuals;
 - (d) Actions taken are justified, strictly proportional to, and they least intrusive and damaging option to the achievement of their legitimate aims;

2. AIM AND LAWFUL AUTHORITY

- 2.1 The purpose of this policy is to provide guidance to police personnel on procedures for considering and making an application for ASBO's and applying for variation and discharge of an ASBO
- 2.2 The legal basis for the exercise of powers and duties outlined in this policy are:
 - Crime and Disorder Act 1998

- Police and Criminal Evidence Act 1984
- Human Rights Act 1984
- Magistrates' Courts Act 1980
- Magistrates' Courts Rules 1981
- Crown Court Rules 1982
- Magistrates' Courts (Hearing Evidence in civil Proceedings) Rules 1999
- Data Protection Act 1999
- Magistrates' Courts (Anti-Social Behaviour) Rules 2002
- Anti-Social Behaviour Act 2003

2.3 Dyfed Powys Police consider that these actions are necessary in a democratic society in the interest of, and in order to safeguard:

- Public safety
- The prevention of disorder or crime
- The protection of public order
- The protection of rights and freedoms of others.

3. INTRODUCTION

- 3.1 The purpose of Anti-Social Behaviour Orders (ASBO's) under the Crime and Disorder Act 1998, is to protect individuals and local communities from the harassment, alarm or distress that can be caused by anti social behaviour, that is, any behaviour which prevents others from enjoying an acceptable quality of life.
- 3.2 This document provides guidance on policy and procedures for considering and making an application for an ASBO, and applying for the variation and discharge of an ASBO. This document should be read in conjunction with the Home Office Guidance entitled '*A Guide to Anti Social Behaviour Orders and Acceptable Behaviour Contracts.*' This can be found on the Home Office website.

4. Use of Anti-Social Behaviour Orders

- 4.1 The rationale underpinning the use of ASBO's is to deliver improved performance and greater public reassurance in dealing with anti-social behaviour. This will assist in improving the quality of life of local communities by reducing anti-social behaviour, by recognising and focusing our contribution in a partnership, problem-solving approach and by addressing the issues that prevent us from fully recognising the extent of the problem and the factors that lead to the breakdown of community cohesion.
- 4.2 The use of an ASBO should not be seen as the first step to tackle anti-social behaviour. The key issue is that an ASBO should be used where it is the most appropriate remedy. Other remedies that should be considered before applying for an ASBO include the following:
- Mediation
 - Home Visits
 - Letters
 - Use of Existing Legislation
 - Eviction
 - Demoted Tenancies
 - ABCs (Acceptable Behaviour Contracts)

It should however be noted that there is no requirement to demonstrate that these other remedies have been exhausted first.

5. Duration of Anti-Social Behaviour Orders

- 5.1 The minimum duration for an order is two years, but they may extend to any period of time, including an indefinite one.

6. ASBO Groups

ASBO groups will sit in each local authority area to deal with issues surrounding Anti Social Behaviour Orders.

6.1 Composition of Group

6.1.1 This group will be comprised of the ASBO co-ordinator, Police Inspector together with representatives from any other agency or other interested parties dependant on the Anti Social behaviour problem and whether they can contribute or assist in providing a solution. The ASBO coordinator will be responsible for convening this Group.

6.1.2 In cases where the anti-social behaviour concerned impacts upon more than one local authority area, the ASBO Co-ordinator for the neighbouring area should be consulted and involved in the process.

6.2 Terms of Reference for Group

6.2.1 The terms of reference of this group will be as follows:

(i) To agree whether an ASBO is/is not appropriate and compile an action plan aimed at: -

i) Supporting the victims and witnesses of anti-social behaviour;

ii) Preventing further anti-social behaviour,

(ii) To decide which agency takes the lead in applying for an Order,

(iii) To ensure that complaints have not been made as a result of malice or discrimination.

7. **Receiving Complaints of Anti-Social Behaviour**

7.1 Complaints of Anti-Social Behaviour can be made to any member of the Community Safety Partnership that are agencies listed as 'Responsible Authorities' under the Crime & Disorder Act 1998. These agencies are:

- Local Authorities
- Dyfed Powys Police
- Mid and West Wales Fire Service
- Local Health Board
- Youth Offending Team
- National Probation Service (Dyfed Powys Area)

7.2 Complaints of alleged anti-social behaviour can be made in person at any public office of each Partner Agency, or by telephone, fax or e-mail.

8. **Police ASBO Coordinators**

8.1 Neighbourhood Policing Inspectors within each BCU will undertake the role of the Police ASBO Officer for their respective areas. It will be their responsibility for supervising all ASBO applications, and maintaining links with the Local Authority ASBO co-ordinator as appropriate. The Police ASBO liaison officer will also ensure that details of all Orders granted are submitted to the Criminal Justice Unit for inputting on PNC. Contact details for the Police ASBO Officer and the Local Authority ASBO Co-ordinators can be found at ***'Appendix A'***.

9. Information Sharing

9.1 In accordance with Section 115 of the Crime and Disorder Act 1998 and the provisions of the Data Protection Act, each partner agency will exchange information relating to complaints of anti-social behaviour.

9.2 Where an agency becomes aware of behaviour or patterns of behaviour, which might require an ASBO, they will either notify the Local Authority ASBO Co-ordinator or the Police ASBO liaison officer. An inter-agency template Referral Form to assist the information sharing process can be found at ***'Appendix B'***.

10. Types of Anti-Social Behaviour Orders

10.1 There are three types of Anti-Social Behaviour Orders and it is important to understand their differences-

- i. A Stand Alone ASBO – application at Magistrates Court, sitting in Civil jurisdiction. This is an ASBO without other criminal proceedings associated with it.
- ii. A Post Conviction ASBO - following conviction for a criminal offence.
- iii. A County Court ASBO – this is generally an application utilised in Possession hearings, whereby there is good concern that the tenant will enter private accommodation and behave in the same manner. It is an application whereby the relevant authority is a party to the principal proceedings.

11. Lead Agency for applying for Anti-Social Behaviour Orders

11.1 The ASBO Group will have responsibility in reaching agreement as to which agency is most appropriately placed to take the lead in the application for an ASBO. In most cases this will be the Dyfed Powys Police or the relevant County Council and this will be decided on a case-by-case basis.

11.2 In general terms however, the lead agency for pursuing an ASBO will be as follows:

County Council

Where the incidents take place on council housing estates or on local

authority land.

Dyfed-Powys Police

Where the incidents occur in shopping precincts or other community areas, or the individual is also subject to related criminal proceedings. The Force legal department will prosecute in these cases.

- 11.3 The Police Reform Act 2002 also enables ASBO applications to be made by British Transport Police and Registered Social Landlords. However in these circumstances they are required to consult both the local authority and police in the respective areas when applying for such an Order.

12. Criteria for applying for an Anti-Social Behaviour Order

12.1 General

- 12.1.1 An order can be made against an individual who is aged 10 years or over who acts in a manner that causes, or is likely to cause harassment, alarm or distress to one or more persons, not in the same household as himself/herself.
- 12.1.2 For the purposes of obtaining an ASBO the applying agency must show that the defendant behaved in an anti-social manner and that an ASBO is necessary for the protection of relevant persons from further anti social behaviour by him/her. This is sometimes referred to as the “Two Stage Test”.
- 12.1.3 An application for an ASBO will only be considered where it is necessary to protect individuals or families who are the targets of anti-social behaviour or whose lives or communities are being blighted by such behaviour. An application will not be made against people simply because they are different from their neighbours or engage in activities which are different, for example because they belong to a different race or religion. Officers should be alert to complaints that are motivated by discrimination/victimisation on the grounds of race, disability, sex, sexual orientation, age, religion or creed and deal with such incidents accordingly.

13. Considerations when applying for an ASBO

13.1 Adults

In all cases involving an adult the National Probation Service will be consulted and where appropriate will provide an assessment to the ASBO Group as soon as is reasonably practicable, (Normally within 7 working days).

13.2 Children

Where the individual under consideration is a child or young person under the age of 18 years, the Youth Offending Team, the Social Services and Education Department will be represented on the ASBO Group when considering the case. Furthermore the Youth Offending Team will, where appropriate, provide an assessment to the ASBO Group as soon as is reasonably practicable,

(Normally within 7 working days).

Where the individual is a child who is subject to a local authority Care Order or accommodated by the local authority, the Director of Social Services will either be represented on the ASBO Group or consulted by the Youth Offending Team in advance of any discussion or decision.

13.3 Vulnerable Persons

Where the individual is considered to be vulnerable (by reason of age or disability) or to have significant social or health problems (drugs, alcohol misuse or mental health), the Social Services and Local Health Board will be consulted. The ASBO group must pay particular attention to the likely ability of the individual to understand the terms of an ASBO.

13.4 Racial or Homophobic Incidents

Where the harassment is of a racial or homophobic nature, the ASBO group will give due consideration to consultation with relevant representative groups as appropriate.

13.5 Human Rights

13.5.1 The Human Rights Act 1998 will be considered at all stages of the process, taking into account the need to protect the rights and freedoms of members of the community at large as well as those of the defendant.

13.5.2 In the application of this Policy Document, Dyfed Powys Police will not discriminate against any persons regardless of sex, race, colour, language, religion, political, or other opinion, national or social origin, association with national minority, property, birth, or other status as defined under Article 14, European Convention Human Rights (ECHR)”

13.5.3 In undertaking this function persons in charge of cases will ensure the following:

- All procedural and substantive rights under the Human Rights Act are complied with;
- Any interference with the defendant’s rights which is sought in the ASBO is necessary, relevant, proportionate and in accordance with the provisions of the Human Rights Act;
- The proposed terms of the ASBO are reasonable, relevant and proportionate to the antisocial behaviour in question; and
- The ASBO being applied for is not in such terms that the defendant is bound to breach it i.e. the prohibitions sought should be practicable, enforceable and clear in content and nature.

Care should be taken in assessing what is reasonable and proportionate to uphold people’s rights not to be disturbed by anti-social behaviour.

13.6 Accommodation

Where the accommodation in which either the individual or the victim is residing is that of a Registered Social Landlord, and then the Registered Social Landlord will be represented on the ASBO group from the outset.

14. Prohibitions within ASBO's

14.1 When it is requested that a court consider the imposition of an Anti Social Behaviour Order certain prohibitions may be incorporated within such an Order. Points to be taken into account when considering prohibitions may include: -

- Prohibitions to combat the range of Anti Social Acts committed by the defendant
 - Prohibitions necessary for protecting person(s) within a defined area from the anti social acts of the defendant
 - Reasonableness/proportionality/relevance
 - Justifiable/practical
 - Are the prohibitions clear, concise and easy to understand?
 - Are the prohibitions specific when referring to matters of time?
 - Are the prohibitions specific when referring to exclusions from areas i.e. clearly identifiable locations and boundaries?
 - Are the prohibitions worded in terms, which make it easy to determine and prosecute any breaches?
 - May contain a prohibition on inciting/encouraging others to engage in anti social behaviour?
 - Does the prohibition list serve to protect all people who are in the area covered by the Order from the behaviour, as well as specific individuals?
-
- Do the suggested prohibitions cover acts that are anti social in themselves and those that are precursors to a criminal act? *e.g. a prohibition on entering a shopping centre rather than on shoplifting*
 - May include a general condition prohibiting behaviour which is likely to cause harassment, alarm and distress
 - May include a prohibition from approaching or harassing any witnesses named in the court proceedings

15. Evidence in Support of an ASBO Application

15.1 The lead agency will be required to prove its case under civil rules of evidence and according to civil standards of proof. However the Court will need to be satisfied beyond reasonable doubt (i.e. to criminal standard of proof) that the defendant has acted in an anti-social manner i.e. in a manner, which caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself/herself. In effect this means that the criminal standard of proof applies to past acts of anti social behaviour alleged against the defendant.

15.2 Magistrates are used to dealing with the expression “harassment, alarm or distress” as this is contained in Section 5 Public Order Act 1986, and the expression “likely to cause” means that someone other than the victim of the behaviour can give evidence of its occurrence. Police officers who witness such incidents can therefore give evidence to the court as to their own direct observations of the behaviour.

15.3 An application must be made within six months of the behaviour-giving rise to the complaint. The lead agency will note that owing to the Rehabilitation of Offenders Act 1974 evidence of spent convictions are inadmissible in ASBO application proceedings (unlike applications for Sex Offender Orders).

16. Applying for a ‘Stand Alone’ ASBO

16.1 Under this type of order the ASBO application is by way of a complaint to the Magistrates Court acting in a civil capacity.

16.2 The person in charge of the case will be responsible for preparing an ASBO application and will consult with their respective agencies legal departments. This should be undertaken prior to making the application. ‘Referral’, ‘Application’ and ‘Certificate of Consultation’ forms are attached at **Appendix ‘B’, ‘C’ and ‘D’** respectively.

16.3 The file will be submitted to the Divisional DSU who will forward it to the Force Legal Department, HQ. Details of the documentation required (list not exhaustive) in the application for Stand Alone ASBO are as follows:

- Comprehensive Case Summary
- STORM message
- Letters of complaint
- Relevant witness statements
- Details of the prohibitions applied for:
 - i. Must relate to actions already committed by the defendant and which the applicant thinks will be committed again if no ASBO is granted
 - ii. Must be reasonable and proportionate
 - iii. Must be realistically practical
 - iv. Must be clear, concise and accurate
 - v. Must specify time and place, using Ordnance Survey maps to show prohibited areas
 - vi. Must not be mandatory - i.e. worded to compel the defendant to do specific actions
 - vii. Need not be confined to acts which are already criminal, but may also prohibit actions which, although not criminal themselves, would be necessary precursors to a criminal act – e.g. a prohibition on entering a shop, rather than shoplifting.
- Details of the duration of the ASBO.

- Certificate of consultation
- Relevant report either Probation Service or Youth Offending Team
- Previous Convictions if relevant

16.4 Time limits

16.4.1 Under section 127 of the Magistrates' Courts Act 1980, an application for a Stand Alone ASBO (by complaint) must be made within six months of the behaviour taking place, although earlier incidents may be used as background information to support a case.

16.5 Summons Procedures

16.5.1 The person in charge of the case will arrange for a summons to be prepared. A copy of the summons will be retained on the application file, and the defendant should be served with the following:

- i. The summons
- ii. A copy of the completed ASBO application
- iii. A copy of the certificate of consultation (signed by the BCU Commander or Deputy and the appropriate Local Authority Officer)
- iv. Guidance on how the defendant may obtain legal advice and representation
- v. Any notice of hearsay evidence
- vi. Such evidence in support of the application as agreed with the lead agency's solicitor
- vii. A formal warning to the defendant that it is a common law offence to pervert the course of justice, and that witness intimidation is liable to lead to prosecution.
- viii. Draft Order

16.5.2 Wherever possible the summons should be served in person, or served by registered first class post to the defendant's last known address. The certificate of service will be retained on file.

16.5.3 Where the defendant is a child or young person, a person with parental responsibility must also receive a copy of the summons.

17. **Applying for a 'Post Conviction' ASBO**

17.1 Applications for Post Conviction ASBO's can be made under Section 1(c) of the Crime & Disorder Act 1998. Following a conviction in criminal proceedings whether they be in the Magistrates Court, Crown Court or Youth Court - an Order may be imposed in addition to any sentence for the criminal offences proven.

17.2 All applications of this nature must firstly be authorised by the Sectional Inspector, and the ASBO package should be submitted to the DSU within 3 days of charge.

17.3 The procedures for applying for this type of ASBO are contained within a protocol that has been agreed by Dyfed Powys Police, CPS Dyfed Powys and other relevant agencies. This protocol is attached at **Appendix ‘E’**.

18. Related Criminal Proceedings

18.1 Where an individual subject of a potential ASBO is also the subject of related criminal proceedings, or is appealing against conviction, the decision to apply for an ASBO may be frozen to let the criminal proceedings take their course. However, where there has been no conviction as yet, and the ASBO group considers an ASBO to be a more effective means of tackling the anti-social behaviour, it may decide to proceed with the application. In these circumstances however, consultation and agreement should be firstly sought with the Crown Prosecution Service (or relevant prosecuting agency).

19. Witnesses Attending Court

19.1 The person in charge of the case will inform the case solicitor of the availability of witnesses and liaise with the Justices Clerk on whether the witnesses will be required in court and will be responsible for notifying witnesses of their requirement to attend court or otherwise.

20. Procedure on Hearing an Application (for both types of Order)

20.1 The application for an ASBO is by complaint to the magistrate’s court acting in its civil capacity, whether or not the defendant is 18 or over

20.2 Where the defendant is under 18, the question of reporting restrictions is for the court, the lead agency may need to resist a call from the defence for such restrictions if the effectiveness of the ASBO will largely depend on a wider community knowing the details.

20.3 Where an ASBO is granted, the Magistrates Court Clerk will undertake to serve a copy of the ASBO on the defendant prior to his or her departure from court. Where the defendant is under 18 the court may also consider making a parenting order and a copy of the ASBO will be given on the day of the hearing to the lead agency and Youth Offending Team.

21. Appeal Against Orders

21.1 An appeal against the making of an ASBO is to the Crown Court.

22. Post Order Procedure

22.1 The Magistrates Clerk will send a copy of the order to the BCU Commander for the area, in which the application is made and to other interested parties. This is in accordance with their procedures. The Police ASBO Co-ordinator must ensure that a copy of the order is forwarded to the Superintendent, Community Safety who will maintain a force-wide list.

22.2 It will be the responsibility of the ASBO co-ordinator to liaise with all partner

agencies, witnesses, and victims of the conditions of the order so that all breaches can be reported and acted upon.

23. Breaches of an ASBO

- 23.1 A breach of an order without reasonable excuse is an arrestable criminal offence. In the case of an adult the maximum penalty on conviction in the Magistrates Court is six months imprisonment or a fine not exceeding £5,000 or both; at the Crown Court the maximum penalty is 5 years imprisonment or a fine or both.
- 23.2 A breach of an order by a youth will be heard in the Youth Court. The maximum sentence of detention for breach is a 2-year detention order and training order (only twelve months of this can be served in custody). A young person may only be sentenced to a detention and training order if they are aged 15 or over, or is a persistent offender and aged 12 – 14 years of age. A minor aged 10 – 11 who is in breach of an ASBO may be subject to a community penalty.
- 23.3 When any information comes to light that an individual has breached an Order it will be immediately referred to the Police and ASBO co-ordinator. When and only when the defendant has been served the Order (or it is clear the terms are known to him) should the defendant be arrested for a breach of the Order.
- 23.4 Where the defendant is under 18, the police may wish to consult the Youth Offending Team on whether to prosecute. In the case of a first offender, it may be appropriate to consider a final warning.
- 23.5 Any prosecutions will be initiated by the police and will be referred to the CPS.

24. Variations and Discharge of an ASBO

- 24.1 Variation and discharge of an order are by way of a complaint to the court.
- 24.2 The original lead agency or the defendant can make the application for variation or discharge. An order cannot be discharged within two years of its service without the agreement of both parties. An order made on conviction cannot be discharged before the end of two years.
- 24.3 In cases where it is considered necessary to consider varying prohibitions or discharging an order then the applicant will need to consult with the ASBO Group prior to pursuing such a course.
- 24.4 Any notification of variation or discharge of an Order received from the courts will be forwarded to the appropriate BCU Commander, Dyfed-Powys Police, and to the Local Authority ASBO Co-ordinator within 24 hours. Each agency will then update their records. The Divisional ASBO co coordinator will be responsible for ensuring that the Phoenix Section CJU. are notified of all variations/discharged.

25. Review of ASBO Practice and Procedures

25.1 The Dyfed Powys ASBO Forum will meet on a Quarterly basis. The function and Terms of Reference of this forum is as follows:

- To promote partnership working,
- To share good practice,
- To provide guidance to all members,
- To promote a consistency of approach,
- To enable two-way provision of feedback and information between group members, BCU Commanders and CSP Heads.

25.2 Membership of the group consists of the following:

- Chief Inspector, HQ Communities & Partnerships (chair)
- Local Authority ASBO Coordinators
- A representative from each BCU.

25.3 Representatives of other agencies will be co-opted onto the group as and when necessary.

Appendix A

CARMARTHENSHIRE DIVISION

ASBO CO-ORDINATOR

Carmarthenshire County Council
Town Hall
Llanelli
Carmarthenshire
SA15 3AH

01554 742271

INSPECTOR POLICE STATIONS

Divisional Police Headquarters
Friar's Park
Carmarthen
Carmarthenshire
SA31 3AW

Ammanford Police Station
Foundry Road
Ammanford
Carmarthenshire
SA18 2LS

Llanelli Police Station
Waunlanyrafon
Llanelli
Carmarthenshire
SA15 3AD

CEREDIGION DIVISION

ASBO CO-ORDINATOR

Ceredigion County Council
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA

01545 572002

INSPECTOR POLICE STATIONS

Divisional Police Headquarters
Boulevard Saint Briec
Aberystwyth
Ceredigion
SY23 1PH

Lampeter Police Station
High Street
Lampeter
Ceredigion
SA48 7BH

Cardigan Police Station
Priory Street
Cardigan
Ceredigion
SA43 1BZ

POWYS DIVISION

ASBO CO-ORDINATOR

Community Safety Department
Powys County Council
County Hall
Llandrindod Wells
Powys
LD1 5LG

01597 826047

INSPECTOR POLICE STATIONS

Welshpool Police Station
Severn Road
Welshpool
Powys
SY21 7AR

Newtown Police Station
Park Lane
Newtown
Powys
SY16 1EN

Llandrindod Wells Police Station
High Street
Llandrindod Wells
Powys
LD1 6BG
SA14 6NA

Brecon Police Station
Lion Street
Brecon
Powys
LD3 7AU

Ystradgynlais Police Station
Station Road
Ystradgynlais
Swansea
SA9 1NZ

PEMBROKESHIRE DIVISION

ASBO CO-ORDINATOR

Pembrokeshire County Council
County Hall
Haverfordwest
Pembrokeshire
SA61 1TP

01437 775513

INSPECTOR POLICE STATIONS

Fishguard Police Station
Brodog Lane
Fishguard
Pembrokeshire

Haverfordwest Police Station
Merlins Hill
Haverfordwest
SA61 1PF

Milford Haven Police Station
Charles Street
Milford Haven
Pembrokeshire
SA73 2HP

Pembroke Dock Police Station
Water Street
Pembroke
Pembrokeshire
SA72 6DW

Tenby Police Station
Warren Street
Tenby
Pembrokeshire
SA70 7JS

Appendix B

ANTI-SOCIAL BEHAVIOUR ORDERS

REFERRAL FORM

From.....(Name of Organisation)

To: The ASBO Co-ordinator/Police Section Inspector

We ask you to consider making an application to.

Magistrates Court for an Anti-Social Behaviour Order in respect of the following person:

Name..... Sex.....M/F

Address.....

Date of Birth..... Local Authority Tenant: Yes/No

Occupation.....

Outline of the problem (give brief summary of relevant incidents(s). Continue on separate sheet if necessary).

.....
.....

Outline of action taken to date (give a brief summary of measures which have previously been taken to control his/her behaviour).

.....
.....

Other solutions are not expected to work in this case because: -
(Outline main reasons why an ASBO application is the most appropriate solution. Continue on separate sheet if necessary).

.....
.....

Contact point for organisation (investigating officer and address).....

.....

Signed..... Organisation.....

Position..... Date.....

Appendix C

CERTIFICATE OF CONSULTATION

Anti-Social Behaviour Order

I _____, BCU Commander/LA Lead of _____

Certify that I have been consulted by _____

In connection with an application for an Anti-Social Behaviour Order, in respect
of:

Name _____ Date of Birth _____

Address _____

and that I support the application.

Signed _____ Date _____

Appendix D

Application for an Anti Social Behaviour Order

..... Magistrate’s Court

Date:

Address

Defendant

Local Government area(s) in respect of which application is made
.....

Relevant authorities consulted

And it is alleged

a) That the defendant has acted on (dates)
at(place)

in an anti social manner, that is to say, in a manner that caused or was likely to cause harassment, alarm, or distress to one or more persons not of the same household as him/herself, and

b) That an anti social behaviour order is necessary to protect persons in the
() local government area(s) in which harassment, alarm, or distress was caused from further anti social acts by him/her and accordingly application is made for an anti social behaviour order containing the following prohibition(s): -

Short description of acts

The complaint of:

Address

Who (upon oath) states that the defendant was responsible for the Acts of which particulars are given, in respect of which this complaint is made.

Taken and Sworn before me

Justice of the Peace

(Justices’ Clerk)