



SCOTTISH EXECUTIVE

Acting up: understanding the new Antisocial Behaviour Bill

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Contents

- Background to the Bill
- Key Parts:
 - Strategies & ASBOs
 - Dispersal & Closure
 - Noise, Housing & other bits
- Plans for implementation



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Antisocial Behaviour etc. (Scotland) Bill 2004

- Consultation on ‘Putting our Communities First’ – 26 June to 11 September 2003
- Bill was introduced on 29 October 2003
- Approved by Parliament at Stage 3 debate on 17 June (Vote: For 113, Against 11)



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ASB Strategies

- Local authorities and police to prepare joint ASB strategies
- Power to secure participation of RSLs
- Consultation required with community bodies & others
- Requirements to monitor, review and report



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ASBOs

- Extension of ASBOs to 12-15 year olds
- Role of hearings and children's reporter
- Other changes on ASBOs – statutory power of arrest, ASBOs on conviction etc
- Link to security of tenure



Dispersal of groups

- Authorisation - Senior police officer must consult local authority and have reasonable grounds for believing that significant, persistent and serious antisocial behaviour has occurred in the locality.
- Direction - Constables may give direction requiring persons to leave area; or prohibit persons from returning to it for up to 24 hours.
- Knowing contravention of direction, without reasonable excuse, will be offence.



Closure of Premises

- New powers to close down premises at the centre of acute antisocial behaviour (e.g. drinking or drug dens) for up to 3 months
- Authorisation
- Closure notices and orders
- Vulnerability



Noise

- New powers for police and LAs to issue FPNs to curb domestic noise if warning notice is not heeded.
- Extending powers to LA officials to seize noise making equipment, to clarify any doubt on this issue within the statutory nuisance provisions.
- Financial support to local authorities adopting the noise nuisance service.



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Housing (Parts 7 & 8)

- Part 7 – new powers for local authorities the means to deal with private landlords who are not managing antisocial behaviour adequately in particular situations
- Part 8 – registration of private landlords



Other Parts of the Bill

- Parenting Orders
- Environment
- Graffiti and spray paint
- Community Reparation Orders
- Electronic monitoring
- Fixed Penalty Notices



Conclusion

- The Bill as a whole
- Links to wider strategy
- Plans for implementation

