It is important for communities to set the standards of behaviour by which they expect people to live. But if these standards are to be credible and respected, it must be clear to everyone that swift and effective action will be taken against unacceptable behaviour.

Warnings can be very effective in stopping people behaving anti-socially at an early stage; reserving law enforcement powers to be used against the minority who choose to continue with the behaviour, ignoring the warning about the impact of their behaviour on others and the likely consequences.
There are various stages at which different levels of intervention and enforcement are appropriate according to the persistent nature of offending.

It is important for local agencies to choose the approach needed so that local people understand the consequences of behaving anti-socially. Some of the most successful interventions are those that engage the individual in changing their own behaviour. By ensuring that individuals understand the impact of their behaviour on the community, whilst offering the necessary support for them to stop, it is possible to achieve long-term change.

**PENALTY NOTICES FOR DISORDER**

Penalty notices can be the first stage of intervention for many forms of low-level disorder offences. They offer speedy and effective action that frees up police, local authority and court time. They also ensure that all unacceptable behaviour is challenged. The offender receives an immediate punishment, which if paid, will not result in a criminal record.

**Who can be given a penalty notice for disorder?**

Penalty notices for disorder under the Criminal Justice and Police Act 2001 are targeted at low-level anti-social offending.

Penalty notices can currently be issued to anyone aged 16 years and above.

**What offences attract a penalty notice for disorder?**

PNDs are available for 21 disorder offences including:

- being drunk and disorderly
- section 5 public order offences
- throwing fireworks
- causing criminal damage
- giving a false alarm to a fire or rescue service

For information on offences that attract a penalty notice for disorder go to Enforcement tools and powers>penalty notices on www.respect.gov.uk/members.

Penalties for each offence are set at either £50 or £80.

**Who can issue a penalty notice for disorder?**

The notices can be issued by the police and where designated, police community support officers. They are also available as part of a community safety accreditation scheme.

**What happens if the penalty is not paid?**

If the penalty is not paid within 21 days it is automatically registered as a fine at one and a half times the level of the penalty. Unpaid fines are enforced through the courts in the normal way. The scheme became operational across the country in April 2004.
PENALTY NOTICES FOR ENVIRONMENTAL OFFENCES

Penalty notices for litter and dog-fouling were created in the Environmental Protection Act 1990 and expanded by the Anti-Social Behaviour Act 2003 and Clean Neighbourhoods and Environment Act 2005.

Who can issue a penalty notice?

Depending on the offence, penalty notices can be issued

- mainly by local authority employees
- also by police community support officers
- also by persons accredited under a community safety scheme.

If the penalty is not paid, the local authority can prosecute the perpetrator for the original offence.

For more information on penalty notices for environmental offences go to www.respect.gov.uk/members (Enforcement tools and powers>penalty notices>Environmental crime).

WARNINGS

Written or verbal warnings can be very effective in stopping people behaving anti-socially. By challenging all unacceptable behaviour immediately they establish clear standards of behaviour and reinforce the message that anti-social behaviour will not be tolerated.

What are the different types of warnings?

- **Early intervention warnings** can consist of letters or warning interviews by housing agencies, local authorities police and others tackling anti-social behaviour. They are intended to prevent a situation escalating.
- **Juvenile reprimands** are a formal verbal warning given by a police officer to a young person who admits they are guilty of a minor first offence.
- **Juvenile final warning** is a formal verbal warning given by a police officer to a young person who admits their guilt for a first or second offence. It triggers an automatic referral to a youth offending team.
- **Police cautions** can only be given to an adult who has admitted guilt for a minor offence. Cautions are recorded on the Police National Computer.
- **Police conditional caution** where an officer has evidence that an adult has committed an offence. The caution has conditions attached.
- **Prostitutes cautions**: prostitutes cautions can be given by the police to persons loitering or soliciting for the purposes of prostitution. Up to two cautions can be given before the person is liable to be charged for this offence.

UNDERSTANDING THE IMPACT OF BEHAVIOUR ON OTHERS AND THE CONSEQUENCES IF IT DOES NOT STOP CAN BE AN EFFECTIVE DETERRENT
What is the format for early intervention warnings?

Warnings generally:

- describe the behaviour observed
- inform the individual that the behaviour is anti-social and unacceptable
- advise the individual that their behaviour is being monitored
- warn the individual that there will be further enforcement action if the behaviour does not cease.
- A note or record is kept.

Good practice is that the police or local authority explain to individuals, children or their parents what the problem is and the consequences of this behaviour.

In many cases, awareness of the impact of the behaviour on their neighbours and the threat of further enforcement can be a sufficient deterrent for an individual to change their behaviour.

For information on warnings go to www.respect.gov.uk/members (Enforcement tools and powers>warnings).

ACCEPTABLE BEHAVIOUR AGREEMENTS/CONTRACTS (ABAs OR ABCs)

Acceptable behaviour agreements (also known as acceptable behaviour contracts) are a model designed to engage an individual in acknowledging their anti-social behaviour and the effect it has on others with the aim of stopping that behaviour. An acceptable behaviour agreement/contract is a written agreement.

Who can make an acceptable behaviour agreement?

Acceptable behaviour agreements/contracts are not set out in law, and any agency is able to use and adapt the model. An agreement can be made between the individual and their:

- local authority
- youth inclusion support panel
- landlord
- police.

Although acceptable behaviour agreements/contracts have often been made with young people, it is a tool that can be used for any age. Their informal, flexible nature, means they can be used for a variety of anti-social behaviours.

Involving partner agencies in drawing up an agreement

It is important to involve other partner agencies when using agreements or contracts to determine whether the individual or their family is subject to any other investigations or support, or whether any such support may be required. For example, the youth offending team, and social services and education welfare (if appropriate) should be informed when the contract is agreed with a young person.
Contents of an agreement/contract

An acceptable behaviour agreement/contract is completely flexible and can be adapted for the particular local need. It can contain conditions that the parties agree to keep. It should also contain the consequences of breaking the agreement.

The individual may agree to:

- stop specific behaviour that has been causing disruption to the community
- positive requirements such as engaging in a community group, attending school regularly, or attending a local youth diversion scheme.

The agency may agree to:

- provide support which will help the individual to keep the agreement.
- refer the person to appropriate agencies who are able to provide further intervention or support.

It is important that both parties sign the agreement and receive copies so that there is no doubt about what has been agreed.

Where an agreement is broken

It is essential that when an agreement is broken, it is followed up with further action. This will normally begin with a meeting to discuss why it was broken and further steps, including more formal enforcement action.

Actions should reflect those agreed when the agreement was signed. Where a contract or agreement has been unsuccessful, it will often be necessary to obtain an anti-social behaviour order or other court action to ensure that the behaviour stops.

ABCs and ASBO applications

ABCs and ABAs are not legally binding, but can be cited in court in ASBO applications or in eviction/possession proceedings.

There does not have to have been an acceptable behaviour contract in place before an ASBO application is made.

There will be cases where an immediate ASBO application is the appropriate intervention.

For information go to www.respect.gov.uk/members. (Enforcement tools and powers>Acceptable behaviour contracts (ABCs) and agreements(ABAs)).
PARENTING CONTRACTS

It is crucial to work with young people in the context of their family. Alongside acceptable behaviour contracts or other interventions with young people it is important to engage the parents in enforcing the change in behaviour.

What are parenting contracts?

Parenting contracts are a two-sided arrangement where both the parent and the agency play a part in improving the child’s behaviour.

It may be necessary to support the parent to build their skills so they can respond more effectively. Parenting contracts offer a method for agencies to work with parents on a voluntary basis, in a structured and balanced way.

Who can enter into a parenting contract with the parents of a child?

The Anti-Social Behaviour Act 2003 set out parenting contracts in legislation to make it clear that:

- schools and local education authorities can enter into parenting contracts with the parent(s) of a child who has truanted or been excluded from school
- youth offending teams can enter into parenting contracts with the parent(s) of a child who has engaged in or is likely to engage in criminal conduct or anti-social behaviour.

As with acceptable behaviour agreements/contracts, it is important that there is a clear agreement about the consequences if the contract is not adhered to.

Parenting orders are imposed by a court and can be used where the parent has not engaged with a contract or support offered on a voluntary basis.

For more information go to www.respect.gov.uk/members (Supportive interventions>Parenting and families).

OUTCOMES

FOR THE PERPETRATOR

A successful warning or agreement can result in bringing an end to the unacceptable behaviour.

Establishing a clear approach to warnings and agreements means that the perpetrator is under no doubt about the enforcement action that will be taken against them for failing to engage and stop the behaviour.

It is important that consequences are consistent and that where there is a promise of action, it is delivered.

Where warnings and agreements have been used, it is
important to record every action taken. This can help support any subsequent enforcement action.

FOR THE COMMUNITY

Taking action against the first sign of anti-social behaviour is crucial in building the trust of the community. Unless the community knows that agencies will respond when they make a complaint, they will not feel able to take a stand against anti-social behaviour.

When action has been taken it is important that feedback is provided to the victims. In the case of an agreement, this may include the fact that an agreement has been made with the perpetrator.

It should be made clear that if the problems reoccur the victim should contact the agency involved immediately.

In some circumstances it may also be helpful to inform the wider community about work that has been undertaken to give warnings to perpetrators of anti-social behaviour. Advising the community that a number of warnings or agreements have been made will boost trust in the ability of those agencies to deliver.

For further information contact the RESPECT ActionLine on 0870 220 2000 or go to www.respect.gov.uk/members

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