

This response is made by the Social Housing Law Association (SHLA).

SHLA is a membership-based organisation of social housing professionals and their lawyers. Its members regularly either work for or act for social landlords in the housing and housing management sphere. As such, our members deal regularly with proceedings relating to anti-social behaviour, including possession claims, ASBIs, ASBOs, closure orders, demotion orders and other ASB related orders, as well as advising social landlords on options for dealing with ASB short of Court proceedings, including Acceptable Behaviour Contracts (ABCs) and mediation.

**Please use the space below to provide any comments you have on the potential benefits of the Community Remedy:**

SHLA very much favours the concept of the Community Remedy. One benefit we see is that the Community Remedy proposals will offer victims the benefit of obtaining a tangible resolution to their experience of ASB and, we would anticipate, in a much quicker manner than the Court system currently provides. The current delays in the judicial system often prevent ASB practitioners from obtaining speedy resolutions for their clients and for victims. County Courts and Magistrates Courts are struggling with a vast volume of cases against a backdrop of significant cuts to resources. This means that social landlords are often unable to obtain ASB orders as quickly as they should be able to, and certainly not as quickly as the victim would and should expect. The Community Remedy would therefore, in certain circumstances, enable the victim of low level ASB some form of redress for that behaviour without the delays which would otherwise be encountered from the Court process.

**Please use the space below to provide any comments you have on the potential limitations of the Community Remedy, or any concerns you may have:**

We are concerned at the lack of detailed attention given in the Community Remedy provisions to the role of social landlord (registered providers of social housing) in implementing the Community Remedy or even being involved in the consultation process in preparing the Community Remedy document. Given that SHLA members primarily work for or act for housing associations and local authority housing departments who play a key role in the community in dealing with ASB and obtaining legal sanctions for ASB committed by their residents and others, we are concerned to note that the proposals for Community Remedy, as drafted in the ASB Bill, fail to mention registered providers at all. Social

landlords already have the right to seek and obtain ASB remedies such as ASBIs, ASBOs, demotion orders, possession proceedings and so on and we consider that it will be an opportunity missed if social landlords are not also involved in the Community Remedy in order to help curb low level ASB, especially in the context of ASB committed by social housing tenants. Without the input of social landlords, we consider that the proposals ignore the reality that a significant element of ASB relates (unfortunately) to social housing and social housing residents. We know from our members that social landlords generally would welcome the ability to influence and be involved in the use of the Community Remedy.

We have further concerns that the Community Remedy proposals are too orientated towards the Police and based around action by the Police. Since the proposal is that the Community Remedy is driven by the Police, we are concerned that the use of the Community Remedy may be less widespread than it might be. The Police face significant front-line cuts which already cause them to focus on criminal behaviour rather than ASB. It seems counter-productive to impose a new tool for dealing with ASB on the Police alone when social landlords could use the Community Remedy proposals to good effect and thereby share the benefits as well as the burden which these new proposals will inevitably place on the Police. Too often our members already face the response from the Police that low-level ASB is a “civil matter” and not one which the Police can/are willing to deal with. By way of example, our members already face difficulty in persuading the Police to enforce Powers of Arrest attached to some ASBIs.

In summary, SHLA would like to see the power to impose a Community Remedy to be extended to nominated officers of registered providers of social housing. Those officers can be approved by the Police. In addition we would want to see registered providers in the particular police area specifically named as consultees under section 89(3).