

## Response Questionnaire

**Q1. What are your views on the current legislative framework to help tackle anti-social behaviour in Northern Ireland?**

**Response:** PBNI believes that there is enough legislation contained in the current legislative framework to address Anti-Social Behaviour. The positive effect of community initiatives and the role of PCSPs should not be underestimated. PBNI agrees strongly with the priority outlined at 4.2 'The importance of steering young people away from anti-social behaviour and offending behaviour is, therefore, a priority.' to reduce offending there is clear evidence ( see Strategic Framework for Reducing Offending 2013 (SFRO) pp21-23) that prevention and diversion are effective in diverting young people away from crime.

PBNI would recommend that the Youth Justice Agency is directly involved in this consultation.

Outcome 7 of the Programme for Government; 'We have a safe community, where we respect the law and each other', states 'We will intervene early to reduce crime and the harm and vulnerability caused by crime, and to maintain a peaceful society' which involves actions such as 'Intervene early with young people on the cusp of the Criminal Justice System; Develop cross-Executive action plans including on early intervention, hate crime, anti-social behaviour, domestic and sexual violence and other community safety issues; Develop the concept of place based approach to tackling crime which promotes collective efficacy and builds upon work of Policing and Community Safety Partnerships and the local community planning process'.

Further, the Strategic Framework for Reducing Offending states the importance of early intervention and diversion; 'Government Departments are separately progressing a range of strategies aimed at improving the well-being of everyone in Northern Ireland, with a particular focus on improving the life chances of children and

young people and their families. These initiatives should make a direct contribution to reducing offending by improving opportunities and outcomes of potentially vulnerable individuals, e.g. in health and well-being, education, employment and training and in increased prosperity. Within justice, the Youth Justice Review and Community Safety Strategy have a focus on early intervention and diverting young people at risk of offending behaviour.' There is clear evidence that to reduce offending, prevention and diversion are effective.

The use of ASBOs has been sporadic, with different applications in different areas. A consistent approach, which is not evident at present, is required. It is the considered view of PBNi that the answer to tackling Anti-social behaviour does not lie in creating more legislation in this area.

**Q2. *What are your views on the Part 5 of the Criminal Justice (NI) Order 2008, sections 68 to 72 and whether they ought to be commenced in Northern Ireland?***

**Response:** PBNi would broadly support the introduction of sections 68-72 (Part 5 of the Criminal Justice Order 2008) to allow police officers to intervene in particular circumstances and believes their commencement would be of benefit.

**Q3. *What are your views on Criminal Behaviour Orders?***

**Response:** The Strategic Framework for reducing offending promotes early intervention and prevention of crime. For PBNi, the introduction of Criminal Behaviour Orders, in place of ASBOs, has the potential to criminalise more individuals involved in Anti-Social Behaviour, rather than reduce the numbers of people entering the criminal justice system. PBNi recognises the limitations of ASBOs as they are currently applied but would recommend the continued use of PSNI Community Resolution Notices as having the potential to divert and prevent individuals from anti-social behaviour, and instead promote good citizenship.

**Q4. What would your views be if Criminal Behaviour Orders were introduced in Northern Ireland?**

**Response:** Criminal Behaviour Orders have the potential of criminalising already marginalised and minority groups e.g. young people further. There is already a crowded field in NI of orders/licences (7), for young people for example.

**Q5. What are your views on Public Space Protection Orders?**

**Response:** Whilst in principle PBNi would be in support of these Orders we believe their enforcement would risk criminalising individuals and introducing them to the criminal justice system. This enforcement would run contrary to the aims expressed under Outcome 7 of the Programme for Government; 'There is evidence that anti-social behaviour is often a precursor to more serious offending behaviour among young people. The importance of intervening early to steer young people away from anti-social behaviour and offending behaviour is therefore a priority.'

**Q6. What would your views be if Public Space Protection Orders were introduced in Northern Ireland?**

**Response:** PBNi would be in support of more preventive and diversionary, 'problem solving' approaches to this type of Anti-social behaviour.

**Q7. What are your views on Closure Powers?**

**Response:** PBNi can see merit in the introduction of these powers.

**Q8. What would your views be if Closure Powers were introduced in Northern Ireland?**

**Response:** PBNi would broadly support their introduction.

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**Q9. What are your views on the noise nuisance powers that are currently available in Scotland under the Civic Government (Scotland) Act 1982?**

**Response:** PBNI understands the negative impact of noise nuisance particularly on vulnerable e.g. elderly, members of the community. Probation's Corporate Plan 2017-20 contains the Strategic Priority 2 'Prioritising Service Delivery on perpetrators of crime against vulnerable people.' There is a risk however in introducing these powers, of criminalising individuals unnecessarily.

**Q10. What would your views be should these powers under the Civic Government (Scotland) Act 1982 be introduced in Northern Ireland?**

**Response:** PBNI would not be in support of the introduction of these powers.

Please email your completed questionnaire to:

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