

Anti-social Behaviour Law

Second Edition

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PREFACE

This second edition is considerably larger than the first and this reflects the continuing attention that the subject of anti-social behaviour has received both from the legislature and from the courts. If the basic principles are now well-established, their application in particular cases can remain contentious. Successive governments have both amended existing legislation and introduced new tools to address anti-social behaviour since the first edition of this book.

At the time this edition goes to press, the current government has embarked on a consultation on 'More effective responses to anti-social behaviour'. The new government claims that it is necessary to move beyond the ASBO but proposals for a new Criminal Behaviour Order and Crime Prevention Injunction might be seen rather to build on and adapt the classic anti-social behaviour order than to represent a radical departure. We do not consider the government's proposals in detail as the consultation is at an early stage but we suspect and hope that much of the material on ASBOs covered in this book will be of use under the new regime, whatever shape it finally takes.

In addition to covering the substantial new case law that has emerged across the various topics addressed in this work, there are several new chapters. Specific provision has now been made in relation to causing nuisance and disturbance on NHS premises and a new gang-specific injunction has been devised specifically to address the problem of involvement with gangs. Closure notices and orders, originally introduced specifically to deal with drug dens, can now also be sought in relation to premises associated with anti-social behaviour more generally (see Chapter 11) and premises associated with certain prostitution and pornography related offences (see Chapter 25).

We have tried to state the law as at 21 March 2011.

We wish to thank again those of our colleagues who contributed to the first edition of this work (in particular Lisa Busch, Chris Buttler, Andrew Fraser-Urquhart, Saima Hanif, Richard Humphreys QC and James Strachan) and who have discussed certain issues in relation to this second edition, in particular Philip Coppel QC and Paul Greatorex.

Finally, we would like again to offer our thanks to Tony Hawitt at Jordans for his support and, above all, patience in putting together this second edition.

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