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# **County court anti-social behaviour co-ordinators – a pilot scheme**

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# **County court anti-social behaviour co-ordinators**

## **– a pilot scheme**

Findings from interviews with stakeholders in the  
county court anti-social behaviour co-ordinator pilot

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Tammy Campbell is a Research Officer in the Ministry of Justice.

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## Summary

The position of anti-social behaviour (ASB) co-ordinator was piloted for a year, from October 2006, in 12 English and Welsh county courts. This qualitative study investigates perceptions of the effectiveness of the pilot scheme in enhancing relationships between courts and their users, and improving processing of ASB-related cases. The views of housing and legal professionals involved with ASB proceedings, and of co-ordinators themselves, are discussed. Findings include:

- A perception among co-ordinators and users that the appointment of co-ordinators had generally little impact in the pilot courts. A lack of awareness among some users interviewed that a pilot had been taking place.
- A sense that county courts deal with so few ASB cases as to render dedicated co-ordinators unwarranted. However, it should also be noted that there is some lack of clarity over which cases are regarded by court staff as ASB-related.
- An opinion among many interviewees that relationships between courts and users are adequate and were already adequate before the co-ordinator pilot.
- Perceptions among co-ordinators that the guidance materials (checklists and jobcards) provided to court staff during the pilot scheme were useful.
- A sense among court users that building facilities and equipment in county courts are at times inadequate in allowing for witness safety and anonymity, and in enabling effective presentation of evidence.

Findings from this study have been used to inform policy on the role of ASB co-ordinators in the county courts and on provision of guidance to staff and users dealing with ASB cases.

# 1. Introduction

In January 2006, the *Respect Action Plan* promised to ‘set out a framework of powers and approaches to promote respect positively...bear[ing] down uncompromisingly on anti-social behaviour’ (p. 1). Integral to this aim was a ‘focus on civil measures which [could] be used to bring rapid relief to communities...improve[ing] the justice system to make it swift and proportionate in its responses and sanctions to anti-social behaviour’ (p. 31).

Pawson, Davidson and Lederle (2007) argue that while among social housing practitioners there is a perception of an increase in anti-social behaviour (ASB) grievances raised, there is no corresponding belief that actual anti-social acts are becoming more frequent. They suggest that ‘the phenomenon of ASB has emerged as a high profile social problem in political and media debate...partly in response to this, a range of new legal powers has been made available to associations’ (p. 3).

Within the civil legal system, the vast majority of ASB-associated cases dealt with in the county courts appear to be related to housing. They include: housing possession claims (i.e. evictions), demotion orders and assured short-term tenancies on grounds of ASB (where an individual’s right to tenancy is made conditional and subsequently less secure), and applications for ASB injunctions and ASB orders (which require certain actions and/or prohibit certain behaviours).

Pawson et al describe for the years 2005-2006 an increase of 9-10% in evictions on grounds of ASB, compared to a 6% drop in total housing association evictions. In addition, Pawson, Flint et al (2005) report that ‘possession actions by social landlords more than doubled in the decade to 2003,’ with grounds of ASB underlying a significant minority of these cases (rent arrears comprise the majority).

There is therefore some evidence that the underlying prevalence of anti-social acts may not have altered in the recent past. However, an escalation of complaints about nuisance behaviour, and more widespread use of a blossoming range of legal measures, appears to have resulted in an upsurge in numbers of ASB-related cases being brought to county courts in the past 15 years.

Given this apparent increase, and the fact that powers such as demotion orders and ASB orders have only relatively recently been introduced (in 2004 and 2002, respectively), it is

possible that the prevalence of ASB-related cases in the civil justice system will continue to rise. The *Respect Action Plan* proposed in response to this and to the fact that 'civil courts hear the majority of nuisance-related housing cases...' (p. 34) that the position of anti-social behaviour co-ordinator, already in place in the magistrates' courts, should be extended to county courts.

The *Respect Action Plan* intended that: 'We will introduce co-ordinators into areas with high levels of anti-social behaviour cases first. Co-ordinators will be nominated from court staff and will act as advocates and promote better understanding of anti-social behaviour cases, paying particular attention to the needs of victims and witnesses. If this proves to be effective we will spread this to other areas' (p. 34).

It is this initial piloting of ASB co-ordinators in 12 county courts identified by the Action Plan as serving areas with a high level of ASB that the study reported in this paper investigates.

The courts in which the co-ordinator role has been piloted are: Lambeth, Central London, Bow, Nottingham (in conjunction with Mansfield), Bristol, Manchester, Liverpool, Birmingham, Leeds, Bradford and Hull. The pilot scheme ran for a year, from October 2006.

Nominated from existing (administrative and/or managerial) court staff to act as a main point of contact for ASB-related issues, the aim of the ASB co-ordinator role was to improve mutual understanding between county courts and their users in ASB-related cases. This, in turn, intended to overcome perceived barriers to victims and witnesses testifying in ASB cases (for discussion of these barriers, see e.g. Pawson et al, 2005; *Respect Action Plan*, 2006) and to facilitate smoother, more effective working.

The main duties originally conceived for the ASB co-ordinator role are set out in full at annex 1. Key responsibilities included: acting as the main point of contact for ASB cases; ensuring that organisations/individuals bringing cases to the county court are aware of the need to provide appropriate information to the county court; and overseeing the provision to court staff of appropriate training in handling/recording ASB cases.

Co-ordinators from each court in the pilot attended initial centralised training when the scheme commenced. Here they received information from magistrates' court staff experienced in dealing with ASB-related cases. Managers from a county court that had already devised and implemented procedures for ASB work also advised and shared practice. Each co-ordinator received a description of their responsibilities, a set of job-cards

for use by court staff in processing ASB cases, and ASB case checklists (see annex 2). The checklists were intended to act as a comprehensive additional guide for staff, and included questions such as “Is there a witness statement filed with form N16A?” and “Are there appropriate witness facilities?”

The co-ordinators were also provided with data-collection sheets to facilitate recording and monitoring of ASB cases presenting at their court. Co-ordinators were required to return monthly reports to the relevant Ministry of Justice (MOJ) policy team detailing numbers of ASB cases.

As described in the *Respect Action Plan*, it was intended that lessons from piloting ASB co-ordinators would inform future MOJ strategy on ASB-related practice and roles in county courts. It was not a requirement of policies based on the Plan that the scheme should necessarily be rolled out exactly as piloted, but that it should be evaluated and assessed. Therefore, it is important to inform any modifications with the experiences of those who have been involved.

The research presented here investigates perceptions of the co-ordinator scheme. It focuses on the co-ordinators themselves and on external applicants who bring ASB-related cases. It aims to develop an understanding of views on the pilot of stakeholders and to explore some associated issues around the implementation of ASB cases in county courts.

This study was undertaken by researchers in the MOJ Research Unit. For the purposes of this work, the Research Unit operated on a consultative basis, independently of the relevant MOJ policy-making team. Researchers agreed with the team co-ordinating the ASB co-ordinator pilot – the Debt and Housing Branch of the MOJ Civil Law and Justice Division - several questions to be addressed, as follows.

- Is the ASB co-ordinator role perceived as being useful, and in what conditions?
- What good practice in dealing with ASB-related cases in county courts is perceived as having arisen within the pilot?
- What is perceived as having worked less well within the pilot?

Sub-questions were formulated as follows.

- What do different stakeholders know about the ASB co-ordinator’s role?
- How do different stakeholders compare the actual duties carried out by the ASB co-ordinator with the original formulation of the role (annex 1)? How does the reality

within the pilot map on to the specification? Which aspects of the role specification do they consider worthwhile?

- How effective is the ASB co-ordinator scheme viewed as being? What improvements are perceived as being possible within the role/its implementation?
- Do the ASB co-ordinators feel that their role has provided any particular difficulties/challenges/rewards?

What follows is a description of the methods used to address these questions and of findings that emerged.

## 2. Method

A qualitative methodology, focussing in detail on the experiences and opinions of individuals, was chosen for this study. In part, this was because the field to be investigated did not lend itself to quantitative methods, which require large numbers of participants to produce meaningful results. Given the relatively few courts in the ASB co-ordinator pilot, and issues (to be discussed at a later point) with reaching large numbers of external stakeholder participants, a quantitative approach would not have been appropriate.

The qualitative method applied here, of in-depth interviews, allowed for extensive exploration of the views and understandings of participants. In-depth interviews make use of a topic guide (see later in the report for full discussion of this aspect) but do not constrain participants, who are allowed to dictate the conversation to a degree. This allows novel and unpredicted concepts to emerge, informing the research in valuable ways that may have not been anticipated. In-depth interviews also allow for thorough discussion of topics that are of particular importance to participants or to researchers.

### 2.1 Identification and solicitation of participants

The two groups of participants in this study were ASB co-ordinators and external applicants who bring ASB cases to county courts. ASB co-ordinators were identified as important to the evaluation as they are at the centre of the scheme. It was hoped that these individuals would be able to provide information on the wider court administration perspective, as well as presenting their views on any difference the scheme and their role has made to court dealings with ASB-related cases.

External applicant organisations who potentially bring ASB-related cases to county courts, such as solicitors and local authority housing teams, were also identified as essential to the evaluation. The ASB co-ordinator pilot aimed to address possible issues with their relationships with county courts, and to facilitate the smooth running of ASB cases. It was therefore important to solicit the views of this group.

#### ASB co-ordinators

A list of named ASB co-ordinators was provided to the researchers and, initially, an introductory email was sent by a researcher to these individuals. This document explained the study that was to take place, and asked for co-operation and participation. ASB co-ordinators had also been informed by the relevant policy team at the MOJ, with whom they

had been dealing throughout the pilot, that the evaluation was to take place. The email stressed that anonymity would be guaranteed to all participants, and that the research being conducted was assessing the effectiveness of the pilot programme – **not** individuals' competence or performance in the co-ordinator role.

Initially, few individuals responded to the researcher, so over a period of three weeks multiple attempts at contact were made. Phone calls, answering machine messages and further emails resulted in gaining the participation of eight ASB co-ordinators from seven of the 12 courts in the pilot (one court incorporated a main co-ordinator and a deputy). The possible implications of difficulties making contact with and obtaining participation of all co-ordinators are discussed later in this report.

Because the number of participating ASB co-ordinators is so low, for reasons of anonymity the courts from which they were drawn will not be reported here. Courts from the London area and from outside London are included, as are courts dealing with different overall caseloads and proportions of case-types.

### External applicant organisations

Relevant individuals from applicant organisations were identified through a number of means. Initially, it was hoped that ASB co-ordinators themselves should be able to provide contact details for applicants in their area, though it was acknowledged that there would be issues here with bias in the sample, with the possibility that co-ordinators would screen and select the people they referred. However, a limited pool of contact details was provided by co-ordinators, though some went so far as to arrange meetings with applicant professionals at their court for the purposes of research. Individuals whose details **were** provided to researchers also proved in some cases difficult to track down, despite repeated attempts by phone and email. Contact was attempted during the summer period, so it is possible that this hindered recruitment.

The second method used to identify relevant applicant organisations was to get in touch with individuals who had previously responded to a small-scale survey carried out by the policy team responsible for the ASB co-ordinator pilot. Research fatigue, timing, or other factors may have contributed to a lack of responses from this group.

Lastly, one individual from an applicant organisation that had substantial dealings with two of the courts involved in the pilot was identified through another participant who mentioned him during interview. Interestingly, details for this new individual were not provided by his linked

ASB co-ordinators, highlighting limitations with the methodology used to identify and contact participants. It is of course possible that various other potential participants with a variety of views and experience failed to be reached through the means employed. Limitations are further compounded by the low number of participants who were ultimately solicited from the applicant side.

Thirteen individuals whose work involves bringing ASB-related cases in seven different pilot county courts participated in the study. These participants included solicitors (both privately and council-employed), and Local Authority Anti-Social Behaviour and Housing Officers. All but one brought cases in courts that had ASB co-ordinators participating in this research. For reasons of anonymity, no further identifying details on these participants will be provided in this document.

In effect, then, the views and experiences of both co-ordinators at and external applicants to six of the 12 pilot county courts were investigated. In addition, a co-ordinator and an external professional from two respective further courts were also included. This means that individuals connected to eight of the 12 pilot county courts had some input into this research. It must be strongly emphasised, however, that given the sparse number of participants (21 in total), the findings reported here cannot be taken as a fully representative analysis of the ASB co-ordinator scheme. Rather they provide a starting point for discussion, and an exploration of some of the issues raised by individuals involved in the implementation of the pilot.

## **2.2 Implementation of interviews**

Interviews were based on topic guides formulated to stimulate discussion of the pilot scheme. The topic guides evolved over the first few interviews with each participant group, as new ideas were indicated as being important. See annexes 3 and 4 for copies of the topic guides in their final iteration.

In-depth interviews, though based on guides that map the areas the researchers wish to cover, are a two-way process, requiring the facilitator to be responsive to the participant. While the topic guide is used to ensure that all original research questions are covered, there is scope for the interviewee to steer the discussion in directions that seem to them important. Researchers endeavour to listen actively to the participant and to probe for more detail on new areas raised that may be relevant to the area under investigation. Therefore, the questions listed in the topic guides are not a comprehensive description of interviews that took place, as each will vary.

Most interviews with ASB co-ordinator participants took place in person at the co-ordinator's place of work, on a one-to-one basis with a researcher. The remainder were conducted by telephone, again on a one-to-one basis. Interviews were recorded for transcription.

Interviews with external applicants were mainly conducted on a one-to-one basis, in person, though four individuals participated in a group discussion facilitated by the researchers, and two engaged in a paired discussion with a researcher. Two one-to-one telephone interviews were conducted with two further applicant participants.

The choice of method for each interview (in person or by phone; individual, paired or grouped) was driven primarily by practical considerations: when and where participants and researchers were available and able to make contact. Each person in the paired and group sessions was treated as an individual and it was not assumed during analysis that there would be uniformity of opinions within one transcript. Therefore, the full range of opinions presented during each interaction was noted during analysis.

## **2.3 Method of analysis**

Tape recordings of each interview were transcribed. The transcripts were interrogated using a thematic analysis method that drew on grounded theory approaches. This is explained in non-technical terms in annex 5.

Responses were then organised into separate spreadsheets for ASB co-ordinators and external applicants. The layout of these documents allowed an overview of the thoughts of the two groups by thematic area. They gave a sense of whether several individuals shared particular opinions, and of the variety of opinions on particular subjects. They also allowed any individual's comments to be examined in isolation.

An exploration of views, opinions and experiences as collated in these spreadsheets forms the basis of the following discussion of findings.

### 3. Discussion of findings

This section is structured to explore the research questions originally agreed to be addressed in the study. This is followed by a discussion of findings that emerged in addition to those covered by the primary questions.

#### 3.1 The perceived utility & effectiveness of the ASB co-ordinator role

##### Feedback on usefulness of the role from co-ordinators

When asked whether they perceived the ASB co-ordinator pilot to have brought about useful changes, a lot of of the co-ordinators interviewed expressed the view that the same work would be taking place in their court regardless of the pilot, or that systems had already been established pre-pilot. The creation of the role of ASB co-ordinator was often seen as having no substantial effect or use. One co-ordinator stated:

*The whole policy of injunction orders and procedures was in place long before the anti-social behaviour co-ordinator role came in.*

Another, discussing the lack of impact of the scheme on their colleagues, explained that:

*...if they become a court clerk they get the full training on...dealing with anything that comes into court...so the actual injunction would have been covered in that anyway.*

A general sense that their role as ASB co-ordinator was essentially nominal prevailed among a number of the co-ordinators interviewed. One expressed the opinion that:

*To me it's just a title that doesn't actually mean anything in the county courts.*

However, the view that the pilot scheme had produced little change was tempered by a positive view from a co-ordinator at a court that deals with higher numbers of ASB applications than most. This co-ordinator believed that the appointment of a dedicated individual to deal with ASB cases enabled uniformity of procedures between courts, and the opportunity to share good practice and administrative procedures. This individual also felt that, within their own court, acting as co-ordinator had facilitated communication between applicants, court staff and the judiciary, leading to more efficient handling of cases.

It is worth noting that some of the co-ordinators who expressed the view that the pilot scheme had produced little useful change also ventured positive feelings about the networking enabled by the scheme. Co-ordinators mentioned that:

*...it was nice to put names to faces...*

and that there was some use in:

*...meeting other people and being able to pick their ideas up.*

There was also a feeling shared by some that that having a named contact person for ASB applicants might be an advantage, in theory, as it has the potential to allow external professionals bringing cases to make contact more easily (though this was not matched by a corresponding perception that this facilitation was actually being experienced in the pilot courts).

Among most of the co-ordinators interviewed, there was a sense that county courts deal with so few ASB cases as to make the appointment of a dedicated ASB co-ordinator meaningless. As one individual explained:

*Some weeks we don't get any [ASB cases] so it's not as if it's a very big take-up...where for example [other types of] cases we have them coming out of our ears – we've been getting 20 a day...For [this] county court I would say it's a dead duck...there's just nothing to do really on it...it seems a waste of time to have an anti-social behaviour co-ordinator when the volume is not here.*

There was also resentment among some of the co-ordinators interviewed about having to keep records and report back to the MOJ policy team on cases that to them seemed of very little significance in comparison to other areas dealt with in county courts. One commented:

*When you fill in a form, 'nil, nil, nil, nil,' that seems a bit of a waste of time really.*

In contrast, the checklists and jobcards produced to accompany the ASB co-ordinator scheme were generally well received, though one co-ordinator felt that as her team knew how to deal with ASB cases already, there was unnecessary:

*...extra work for the issue team to fill in the checklist.*

Another suggested that her court already had systems in place and a trained staff for whom the checklists provided a refresher, but nothing novel.

However, most concurred with the sentiment that:

*Often new things are happening but you haven't always got the guidance for staff...so it was useful having [the checklists].*

Another individual stated that:

*The jobcards are the vital thing and court will be screaming out for these... what you need is a jobcard, rather than legislation...if they'd been available straight away then perhaps some of this pilot wouldn't have been necessary.*

Though there was some diversity of opinion, the ASB co-ordinator scheme was viewed by most co-ordinators as producing little change of note, aside from the production of the checklists and jobcards, which some found helpful.

### Feedback on usefulness of the ASB co-ordinator role from external applicants

There was mixed feedback from external applicants as to whether they were aware that an ASB co-ordinator had been appointed at the county courts with which they dealt. A number of individuals expressed some kind of awareness of the scheme, though they did not necessarily know who the co-ordinator was, or what their role was intended to entail. Even some of the external applicants who had been referred to the research team by their local co-ordinator were unaware of the individual and/or their role.

Few of the external applicants interviewed described making use of the appointed ASB co-ordinator on any regular basis, or of being contacted by a co-ordinator in their capacity as such. Often there was a sense, even from those who had been informed at an early stage that a scheme was to run, that:

*... after the initial blaze of publicity we have heard very little about it.*

Interestingly, some of those individuals who were aware of their local co-ordinator expressed a feeling that it was difficult to differentiate between the court staff member in their original guise (as court manager, for example), and in their incarnation as ASB co-ordinator:

*[co-ordinator] and her staff are always extremely helpful in getting matters issued... it is very apparent how well it is run here ... that's been the case probably since we have been majoring in this work so the appointment of [co-ordinator] was not really... [co-ordinator]'s role was really seamless as far as we were concerned.*

One aim of the research reported here was to investigate whether the ASB co-ordinator scheme had facilitated better relationships between external applicants and county courts. Several applicants were appreciative of the relationship they had established with their local county court pre-pilot: for example, praising:

*...quick court time, efficient administration, quick administration, knowledge...about procedures, and appreciation about what we have to go for.*

There was a general lack of any sense that existing good relationships were influenced specifically by an appointed ASB co-ordinator:

*I don't know what goes on behind the scenes at court. All I know is how I was responded to and what service I got. Whether that is because I had an ASB co-ordinator or whether it's not I don't know...but [it] worked very well for me.*

The individual quoted here did not recall a palpable change in the way that applications were dealt with or in relationships with the court around the time co-ordinators were appointed; nor did most of the other applicants interviewed. The exception was an applicant who was aware of their co-ordinator and of the specifics of the co-ordinator's role.

As well as some views expressing satisfaction with processing of cases by county courts, there were a number of applicants who described problems with bringing ASB cases in this environment. There was some mention of administrative inefficiency, but many of the issues raised by applicants related to factors arguably beyond the control of administrative staff. This will be discussed in more detail at a later point; for now, it is worth mentioning that just as there was no real sense that the ASB co-ordinator pilot had enhanced existing good relationships with and processing of cases in county courts, there was no overall feeling from the applicants interviewed that the appointment of a co-ordinator had solved any of the problems they encountered while bringing cases.

It is interesting to compare the overriding lack of awareness of any changes specifically engendered by the pilot scheme among applicants interviewed with the general feedback from co-ordinators themselves that ASB cases make up a tiny proportion of the caseload within their court. It is possible that, given their views of ASB cases as relatively insignificant, few sustained efforts were made by co-ordinators to develop their role as such in addition to the demands of their day-to-day job. Some co-ordinators confirmed this during interview.

Though several of the applicants interviewed in this study did not express any comprehensive understanding of the role of the ASB co-ordinator, most, when presented with the job description as originally formulated for the role, stated that the ASB co-ordinator position appeared in theory to be a useful function. Perceptions of the co-ordinator role as initially prescribed are discussed in more detail in the next section of this report.

### **3.2 The reactions of co-ordinators and external applicants to the ASB co-ordinator job description**

This section discusses reactions of co-ordinators and external applicants to some of the key features of the ASB co-ordinator job description (see annex 1).

#### **Acting as the main point of contact for ASB cases in the county courts**

Most external applicants interviewed expressed the view that this was, in theory, an important function. One explained:

*New people come into organisations, people leave...there's changes...I think it's crucial that ...there is that liaison between the courts and external organisations so that people are aware of who to contact and what the court needs from us as practitioners.*

Other applicants felt that it would be useful if the ASB co-ordinator were to take personal ownership of each ASB-related case that was brought to the county court:

*...co-ordinat[ing] these applications and dealing with them when they come in.*

This, of course, raises the question of whether it would be in any way practical for the ASB co-ordinator to manage each case comprehensively, given the demands of their existing workload; but it also ties in with a sense expressed by several applicants that they are not clear on who is or should be responsible for processing of the cases they bring, and a desire to be able to track and account for the progress of cases.

A general sense from ASB co-ordinators themselves that acting as a point of contact for ASB-related cases might be useful for applicants was tempered by the opinion of some that there are too few ASB cases in county courts to justify a named contact for this specific type of application, and the idea raised by several that:

*There's other areas I think need to be tackled rather than anti-social behaviour.*

Most co-ordinators also expressed the opinion that pre-existing relationships with external applicants rendered a named, main contact unnecessary. One stated that:

*They tend to know how the courts work...*

while another explained that it had always been the case that:

*We have constant conversations.*

### **Ensuring that applicant organisations are aware of the need to provide appropriate information to the court**

This aspect of the ASB co-ordinator job description did not elicit many specific responses.

However, some applicants expressed the view that:

*It is for practitioners to take ownership of the case, warning the court we think there is a particular aggressive defendant coming...it's for us to take the initiative.*

They felt that the onus to ensure provision of appropriate information should not necessarily lie with the court. Another stated that:

*It's part of our client care – we would never dream of putting someone before the courts who we knew was potentially difficult and not saying anything to the court staff.*

One applicant described the need to provide appropriate information to the court as:

*...very much a two-way street, because practitioners [should ensure] the information that is required is sent to the court.*

Some ASB co-ordinators reported providing checklists to external organisations so that they could be used to inform the processing of ASB-related cases in the county courts, and a few co-ordinators reported positive feedback on the checklists from external organisations.

### **Ensuring that court staff receive appropriate training and updates for handling ASB cases**

Generally, external applicants responded positively to this aspect of the job description, deeming it theoretically useful. However, given that all the co-ordinators interviewed were in managerial positions, with responsibility for staff, part of their existing job may well already entail co-ordinating training and updates – not just on ASB cases, but on any type of case that falls into their managerial remit. As mentioned earlier, most co-ordinators felt that there was so little specific ASB work taking place within their court that this aspect of the job description was of limited relevance.

### **Monitoring and understanding the implications of any changes to relevant legislation, including the implications of new measures**

Some strong opinions were expressed on this aspect of the job description, with a modicum of conflict between and within those of applicants and those of co-ordinators. While one co-ordinator saw value in remaining informed of legislative changes, stating that it allowed a better relationship with customers in the general public whom he could assist with understanding aspects of their cases, others disagreed. One declared:

*I really dislike...this monitoring implications of relevant legislation...that is really hard for us to do...It's like giving someone a book and saying, 'right, now read it and tell me...' It becomes my interpretation...It's just spiteful to have to sit here and read it.*

Another concurred:

*I'm not legally trained so I wouldn't have a clue.*

In contrast, some of the external applicants interviewed expressed appreciation for this section of the ASB co-ordinator job description, saying, for example, that:

*I think they ought to be aware of the full legislative background.*

Responses to this aspect of the co-ordinator job description raise questions regarding the types of responsibilities that are appropriate for administrative court staff. It is not possible to infer from the interviews what lies beneath the sense of some external applicants that it would be an advantage for court staff to be aware of legislation. It might be the case that

opinions to this effect are spurred by a dissatisfaction with aspects of the experience of bringing ASB cases in county courts which are not necessarily directly related to the knowledge of court staff in legislative matters. Indeed, one external applicant suggested as a solution to the potential issue of lack of information available on legalities a centrally produced resource, detailing practical implications of legislation, which could be provided by the courts to users, though cautioning:

*...that should not be a substitute for legal advice because I think people will just start to use it you know as - you know I can do this for free, I can do it myself because the court are going to tell me how to do it and that perhaps is not the court's role really. They have got enough on their plate.*

### **Supporting/co-ordinating local liaison meetings**

This feature of the ASB co-ordinator job description was seen as reasonable by most applicants interviewed, though it is worth noting the view held by some that:

*Locally, the presence or absence of a co-ordinator would not make a tremendous difference because we've always had pretty good service.*

This is reflected in an awareness, articulated by most of the applicants, of court user groups and liaison meetings which had been in place before the co-ordinator pilot began.

Only one co-ordinator reported that additional liaison meetings had taken place since the inauguration of the pilot. Of the external applicants interviewed, just one, who was linked to the same court as this co-ordinator, reported additional meetings. It is worth noting that other applicants who also used this court stated that they were not aware of these events. As benefited by their existing managerial role, several co-ordinators were involved pre-pilot with facilitating local user groups; or if they were not directly involved, user groups were already in existence and were not generally perceived as requiring additional support or a particular emphasis on ASB as opposed to other local issues.

### **Other comments on the ASB co-ordinator job description**

Various interesting additional points for discussion were raised by some of the individual co-ordinators and external applicants interviewed. One applicant suggested that having just one individual as a point of contact for ASB cases might not be ideal as, should that particular person be engaged with other responsibilities, scope to ask other members of staff to deal with their enquiry would be limited. Another applicant was concerned that, in cases where it might be appropriate to inform the court that a potentially volatile defendant was to attend, it would not be best to do this through an official co-ordinator. This applicant perceived a

danger of prejudicing the case being brought by officially informing the court that the defendant was, for example, potentially violent.

Some of the co-ordinators interviewed expressed dissatisfaction with an emphasis that they perceived on producing reports for MOJ headquarters (and the implications of this are discussed in a later section):

*Right now it's like we have the monthly stats and there's nothing more.*

One co-ordinator expressed the opinion that their position as conceived in the job description is too limiting:

*You could do so much more with this role...possible outreach into schools, [tackling] children who are prone towards this...culture of violence.*

Like the responses to the idea that ASB co-ordinators should monitor changes to legislation, this suggestion raises the question of what responsibilities are useful or reasonable for administrative court staff. Appointment as ASB co-ordinator produced in some interviewees a reaction against the activities prescribed within the role; in another individual, a feeling that the role does not stretch far enough and should extend beyond their administrative court duties.

### **3.3 Possible improvements to the ASB co-ordinator role, and views on national roll-out**

Among most of the co-ordinators interviewed, there was a general lack of enthusiasm at the idea that the ASB co-ordinator scheme be rolled out nationally. One said:

*Roll it out by all means, but it won't mean anything...*

Another agreed:

*It would be doing it just for the sake of it...it shouldn't be forced on every single court.*

Co-ordinators who ventured that there might be some merit in rolling out the scheme cautioned that this should only take place in courts with enough ASB-related cases to justify the work:

*It depends on the area and how busy the court is.*

One suggested:

*A regional role...you could co-ordinate it better...see where the pockets were, where the problems were.*

Others agreed, expressing the opinion that regional volumes of ASB cases might better justify the appointment of a co-ordinator than the relatively few cases dealt with locally.

One co-ordinator strongly backed the continuation of the scheme, stressing a perception of a need for communication with the community that the court serves and for a sharing of information and practice between staff of different courts.

Among the external applicants interviewed, several responded positively to the suggestion that the ASB co-ordinator scheme be rolled out. Appreciation for the possibility of a named contact person was expressed by some, while another mentioned that:

*You do get such different reactions...it would be useful for all courts to have the same or similar systems in place...I think it would be useful for us all...of benefit to both the court and court users.*

Some co-ordinators concurred with the sentiment that consistency across courts would be of use, so that:

*...[applicants] can all be confident they are following the same bits of paper.*

One question raised by the suggestion that roll-out of the pilot scheme would encourage uniformity of procedures across courts is how far a co-ordinator would actually be able to influence systems for dealing with ASB cases. To what extent do other factors affect the service provided to, and experiences of, professional applicants? This is discussed further in a subsequent section, where other aspects of the court experience of external users are explored.

Though there was some enthusiasm for the roll out of the pilot scheme among applicants interviewed, others shared the view of some co-ordinators that roll-out must be justified by necessity and/or potential benefits:

*You'd have to look at whether it's good value for money to have it in every court.*

Another stated that, pre-pilot:

*In practice things weren't that bad after all. We seemed to be able to get things done.*

One applicant suggested that, given their lack of awareness of the present scheme:

*If it was going national, then I would like to think that it's going to be in The Gazette and places like that...Maybe there could be an email group set up that could be added to as people leave and join firms...if something changes you'd know.*

### 3.4 General perceptions regarding the processing of ASB cases in county courts

Some strong themes regarding the way that ASB cases are handled in county courts arose during the course of the interviews for this study. Though they do not directly answer the research questions, they serve further to inform findings and provide some context for the responses described earlier.

#### The nature of ASB cases, and implications for county courts

Some co-ordinators mentioned problems with dealing with ASB cases in county courts that they perceived as arising when:

*...listing...sometimes finding availability for a judge has been quite difficult  
...sticking ASB cases into an already busy court is quite a mean feat.*

It was mentioned by one co-ordinator that the type of defendants involved in ASB cases have often:

*...actually been in sheltered accommodation...they are harder to deal with...can really cause a problem in the system.*

This corresponds to the view expressed by most of the external applicants that ASB cases are urgent, because:

*There is a serious threat of violence that often suddenly erupts...Violence is the thread that runs through [ASB cases].*

Several external applicants also described how ASB cases can be distressing for witnesses called to give evidence against their perpetrator, with safety and anonymity of witnesses an issue mentioned by several.

*One of the main problems we encounter is people remaining anonymous... they are afraid in terms of reprisal to be identified.*

There was no overall sense among the co-ordinators or applicants interviewed that the ASB co-ordinator pilot scheme had gone any way towards addressing concerns about the volatile and pressurised nature of ASB cases.

Given the perceived urgency of ASB cases expressed by most of the applicants, both in terms of possible repercussions if the case takes a long time to process and in terms of extended stress and worry for witnesses, several felt that processing ASB cases through county courts is onerous and time-consuming. One described the effects of delays on witnesses:

*These are vulnerable people [who have] been through ASB and getting to court is a huge task – and they are told they have to come back and they have to sit there all day and it is wasted.*

Several of the applicants interviewed expressed a perception that bringing ASB cases in county courts is problematic because:

*It's some years now since police were permanently based in civil courts and the last thing we want [for witnesses] is an intimidatory atmosphere or threat of violence.*

Among the applicants interviewed, there was a general sense that facilities at county courts need to be improved in order to render them suitable for bringing ASB cases. One interviewee commented that:

*It's a bit disturbing the way that...there is an assumption that people will behave responsibly simply because they are in a court environment.*

The magistrates' courts were seen by several applicants interviewed as a more secure and efficient forum to which to bring ASB cases:

*The magistrates' court is more geared up to deal with these types of things because it deals with the criminal aspect...in the magistrates' court they have DVD, video recorder, visual aids.*

Another applicant commented that, when bringing ASB cases:

*We need an immediate order because the behaviour is so bad...the magistrates courts are a faster forum.*

In contrast, county courts were described by one individual as having:

*Not enough people, not enough judges, not enough space.*

In the context of this study of the ASB co-ordinator scheme, the concerns of external applicants regarding a lack of facilities, space, and staff and judicial time at county courts can be seen to raise issues beyond the scope and power of any individual co-ordinator. The implications of bringing potentially aggressive or violent defendants in an environment that generally deals with civil cases invite further consideration.

### **External applicants' suggestions for improvements**

As well as a strong sense among external applicants involved with ASB cases of a need for better facilities in county courts, additional suggestions for improvement included more consistency of staffing and that county court processes be:

*...either streamlined or simplified to make the procedure more attractive.*

Most applicants expressed a wish that cases in county courts would be processed more quickly, and some suggested that there was scope to facilitate this with improved use of electronic communication:

*Perhaps an email way of setting up paying the court by some sort of electronic transfer...the courts want to see a cheque, and that is an issue with us particularly when you're talking about distance.*

Some applicants suggested that increased public and professional understanding of the inner workings of the county courts would be beneficial because:

*...expectations need to be controlled.*

One applicant explained:

*As far as I can see I'm just sitting there for an hour while they've gone away with my file and I'm thinking, 'well, how long does it take to stamp a few bits of paper?'*

Another suggested that enhanced public and professional awareness of the court processes would enable people to:

*...understand that waiting is a huge part of the court proceedings because of the volume of the work and the nature of the work that goes on there. It's a bit like when you are waiting in accident and emergency and you can see the people who need treatment are getting served first and you don't mind waiting.*

Though the ASB co-ordinator role as originally conceived intended to address these issues - of understanding between courts and their users - there is no suggestion from the individuals interviewed that it has yet done so. Some applicants expressed a view that county courts need to be more palpably responsive to change. One ventured:

*I think the court could perhaps look to move on in modern times.*

Another, discussing the changes in legislation that have resulted in ASB cases being brought in county courts, stated that:

*These tools weren't available [five years ago]...and that's got to be reflected by having a court system in place that can meet these challenges.*

### **3.5 For what manner of cases did the ASB co-ordinators actually perceive themselves as responsible, and implications**

The ASB co-ordinators were required to provide monthly updates on numbers of ASB cases dealt with during the pilot period. Returns were inconsistent, and in the cases of some courts, very rare. Those that are available back up claims that numbers of ASB cases dealt with were relatively few (see annex 8 for compiled counts based on the information available).

While this corresponds to the view expressed by many co-ordinators that their court deals with so few ASB cases as to make the additional bureaucratic duty of reporting to MOJ headquarters a meaningless inconvenience, it also raises the possibility that co-ordinators were reporting, and perceiving their own responsibility as for, **only** those cases specifically designated as ASB: namely, injunctions and ASB orders.

Given that possession on grounds of ASB is thought to be the 'most widely exercised counter-ASB power,' (Pawson, 2007) and given the possibility that the grounds for a possession might not be flagged up for or noted by administrative court staff, there is a likelihood, confirmed by the MOJ policy team dealing with the co-ordinator pilot, that a large proportion of ASB-related cases were effectively ignored in the implementation of the scheme. As witness testimony **can** be used in possession cases, it is possible that the pilot as it was administered failed fully to explore the potential of ASB co-ordinators in facilitating better relations and witness attendance in **all types** of ASB-related cases.

However, when considering this possibility, it should also be noted that recent years have seen the introduction of various witness protection and support measures external to the courts themselves: 'Many landlords have developed initiatives aimed at facilitating the availability of witness evidence to underpin legal action against ASB perpetrators.' (Pawson et al, 2006). Coupled with the view expressed by some of the applicants interviewed that the responsibility for witness care and encouragement lies outside of the court, along with perceptions of inadequate in-court facilities, the possibility re-emerges that, in the domain of the court, it is the physical environment, rather than staff structures, that hinders witness participation.

## 4. Conclusions

### 4.1 Is the ASB co-ordinator role perceived as being useful, and in what conditions?

Several of the co-ordinators interviewed expressed a feeling that the ASB co-ordinator pilot had little effect or use in their court. Reasons for this ranged from a sense that the pilot had come too late, with systems for dealing with ASB cases already established, to a sentiment expressed by most that county courts deal with too few ASB cases to justify a dedicated co-ordinator. It can be speculated that this feeling among co-ordinators that their role was not warranted, along with the opinion expressed by some that its only effect was to create additional paperwork and time-consuming contact with MOJ headquarters, was reflected in difficulties experienced by the researchers in making contact and securing the co-operation of several co-ordinators. In general, the role of ASB co-ordinator was rarely perceived as being of any significant use by the co-ordinators themselves.

Among external applicants, there was greater enthusiasm overall for the role as a theoretical concept. Some of the applicants interviewed expressed appreciation for the idea of a key contact who would hold responsibility for ASB cases, though there was also a feeling that some applicants already had a good relationship with their county court.

Both co-ordinators and applicants conveyed some sense that the pilot scheme might be rolled out if justified by local conditions and volume of ASB cases, but not necessarily in courts where few cases of this sort are regularly processed.

### 4.2 What good practice in dealing with ASB cases in county courts is perceived as having arisen within the pilot?

Most of the co-ordinators interviewed spoke to some extent positively about the jobcards and checklists produced for the pilot. There was an overriding feeling among most of the co-ordinators interviewed that other than this, the pilot had brought little change, so it is difficult to assess any other good practice perceived by this group as arising within the implementation period.

The qualitative interviews undertaken for this investigation allowed external applicants who bring ASB-related cases a forum to express views on improvements that they would like to see in county courts, which they felt would lead to better practice. These included a wish for improved facilities and building space in county courts so that witnesses' safety and

anonymity could better be guaranteed, and more up-to-date technology in the courts, both for presenting evidence and for administrative matters. Some applicants also articulated a view that increased public and professional user understanding of the inner workings of the county courts would control expectations and mitigate negative perceptions of the courts.

### **4.3 What is perceived as having worked less well within the pilot?**

The external applicants interviewed were divided in whether they were aware of their local co-ordinator and of what their role entailed. As an essential aspect of the co-ordinator role as it was originally formulated was to set up and maintain liaison with relevant external agencies and individuals, this implies a lack of success of the pilot in facilitating the relationships it sought to build. Whether this is because the co-ordinators appointed did not dedicate the time necessary to relationship-building (or were unable to devote the time due to more pressing demands), or whether there is an inherent lack of feasibility within the job description, is a matter for further discussion. The point made by most co-ordinators and applicants, that existing pre-pilot relationships were already reasonable and did not require improvement, should also be taken into account.

Most (though not all) of the co-ordinators interviewed expressed frustration at having to produce reports on ASB cases brought to their courts during the pilot. Some felt that this was the main palpable demand of the role, and resented this extra administration that they viewed as of little meaning or use. While it is of course necessary to monitor vital statistics during a pilot scheme such as that investigated here, issues regarding use of resources and relationships between policy makers and ground-level staff are suggested by this feedback. There is also a question around the accuracy of the statistics provided by co-ordinators.

### **4.4 Overview of findings, and limitations**

The ASB co-ordinator pilot intended to enable better practitioner understanding of the workings of ASB cases in county courts, to ensure that cases were set up and processed smoothly, and to facilitate witness attendance and participation. The qualitative interviews that form the basis for the investigation described here predominantly suggest that the pilot has not effected the changes envisioned. Indeed, the interviews imply in addition that so few ASB cases are processed through county courts as to make the ASB co-ordinator position close to redundant in some instances.

However, it should be noted that, as mentioned earlier in the methods section, there are limitations to the reliability and generalisability of the findings discussed here, due to the

small number of participants and to difficulties recruiting a balanced sample of stakeholders. It is also worth considering that the opinions elucidated in the research interviews are the perceptions of individuals, all of whom will have an agenda through which their comments are filtered and by which their statements are influenced. No individual will have presented an unbiased, objective assessment of the scheme. In addition, it cannot be expected that any of the individuals interviewed for this study have a comprehensive overview of the entire workings of the ASB co-ordinator pilot, or even of the workings of ASB cases in their particular area. This means that while the limited exploration of views presented in this report suggest that the ASB co-ordinator pilot did not fulfil its original intentions, this does **not** definitively mean that no changes took place during its implementation.

When considering the qualitative analysis here in conjunction with the limited data provided by co-ordinators on frequency of use of the county courts for ASB cases, questions arise regarding the parameters of the pilot and therefore of the evaluation itself. There is not complete clarity on which types of cases the co-ordinators perceived as falling into their remit, and the extent to which the pilot was implemented as originally conceived is, therefore, uncertain.

#### **4.5 Key questions and matters for consideration raised through this investigation**

It was the intention of the investigation described here to inform possible roll-out of the ASB co-ordinator pilot, and to explore associated issues that might arise around the processing of ASB cases in county courts. Key questions for consideration in this context may include:

- Does the volume of ASB cases being processed through county courts justify the appointment of a dedicated ASB co-ordinator in each?
- If the ASB co-ordinator scheme is rolled-out, would a modified approach, such as regional co-ordinators, be of use?
- Are there specific aspects of the scheme, such as checklists or other procedures, which would be useful to roll-out independently?
- The jobcards and checklists produced for the pilot were generally well received. Would it be appropriate to produce similar guidance for other types of case?
- What responsibilities are suitable for administrative county court staff? Specifically, is it appropriate or useful for administrative staff to acquire knowledge of legislation?
- Several co-ordinators involved in this pilot expressed dissatisfaction with the extra administration generated, which they perceived as having little meaning or use.

There are also questions around co-ordinator understandings of the remit of their role and of cases for which they were obliged to account. What are the implications in implementing pilot schemes such as this for communication of the purpose of new work between MOJ policy teams and ground-level staff in courts?

- Given that pilot schemes such as this are led primarily by policy rather than by demand at ground level, is there an argument for more extensive, pre-pilot consultation with ground-level staff?
- Communication, networking and named contacts were generally perceived by all participants as useful tools for ensuring the effective functioning of court cases. By what means (other than a named ASB co-ordinator) could these processes be engendered?
- What changes are possible in county courts in terms of facilities and building space in order to ensure the safe and efficient processing of ASB cases?
- Are the county courts the best forum in which to bring ASB cases? Would it be more appropriate to restrict such cases to the magistrates' courts?
- How can county courts take advantage of modern technologies and media to improve processing of urgent cases involving ASB, and communication with customers?



## References

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# Annex 1: ASB co-ordinator job description

## Primary duties

- Acting as the main point of contact between relevant organisations/agencies and court for ASB cases in the county courts.
- Ensuring that applicant organisations are aware of the need to provide appropriate information to HMCS.
- Ensuring that HMCS staff receive appropriate training in handling/recording ASB cases.

In particular, the co-ordinator will:

- set-up and maintain effective liaison arrangements with relevant organisations/agencies;
- spearhead the adoption of “good practice” in the local court;
- monitor and understand the implications of any changes to relevant legislation, including the implication of new measures (e.g. parenting orders);
- ensure training and updates are managed properly; and
- support and/or co-ordinate local liaison meetings (for example, county court user/housing group meetings) as necessary and appropriate.

## Specific pilot duties

In addition to the duties of the role itself, during the pilots, the co-ordinator will also be responsible for:

- setting up liaison with local stakeholders;
- planning, customising and implementing the role to meet their local needs; and
- supporting the central evaluation of the impact of the pilot in their local area.



## Annex 2: Checklists for use during the pilot

### CHECKLIST (1)

APPLICATION FOR ANTI-SOCIAL BEHAVIOUR INJUNCTION UNDER SECTION 153A, 153B AND 153D HOUSING ACT (HA) 1996

**Claim Number:**

**Checking Officer:**

ACTION	YES	NO
Has the 'relevant landlord' notified the court of his/her intention to bring a claim?	<input type="checkbox"/>	<input type="checkbox"/>
Is the application in Form N16A? <i>[See PD1.1]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Has the application been commenced in court for the district in which the defendant resides or the conduct complained of occurred? <i>[See CPR 65.3(2)(b)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is there a witness statement filed with the form N16A? <i>[See CPR 65.3(2)]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is there a draft order with the application?	<input type="checkbox"/>	<input type="checkbox"/>
Is the 'relevant landlord' proposing to bring witnesses to the first hearing?	<input type="checkbox"/>	<input type="checkbox"/>
Has the 'relevant landlord' advised the court as to the number of witnesses attending?	<input type="checkbox"/>	<input type="checkbox"/>
Do any of the witnesses have special needs or are special facilities required?	<input type="checkbox"/>	<input type="checkbox"/>
Are there appropriate witness facilities e.g. a separate waiting area, video link etc, available if required or	<input type="checkbox"/>	<input type="checkbox"/>
Has an arrangement been made to transfer the case to another court with the appropriate facilities?	<input type="checkbox"/>	<input type="checkbox"/>
Is the respondent/defendant 18 or over?	<input type="checkbox"/>	<input type="checkbox"/>
Did the 'relevant authority' provide a copy of the draft orders to court before the hearing?	<input type="checkbox"/>	<input type="checkbox"/>

## CHECKLIST (2)

### APPLICATION FOR ANTI-SOCIAL BEHAVIOUR ORDER UNDER THE CRIME AND DISORDER ACT (CD) 1998

**Claim Number:**

Checking Officer:

#### PART 1

ACTION	YES	NO
Has the 'relevant authority' notified the court of its intention to file an application?	<input type="checkbox"/>	<input type="checkbox"/>
Are there principal proceedings? <i>[See section 1B(1) CDA]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is the applicant a party to the principal proceedings? <i>[See sections 1B(2), 1B(3) CDA] CPR 65.24</i>	<input type="checkbox"/>	<input type="checkbox"/>
Or is there an application to join him or her? <i>[See sections 1B(2), 1B(3) CDA]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is the defendant a party to the proceedings? <i>[See section 1B(2), 1B(3); CPR 65.22]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Or is there an application to join him or her? <i>[See section 1B(3B); CPR 65.23]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is the application to join made in the same application notice for the ASBO? <i>[See CPR 65.23]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is the defendant 18 or over?	<input type="checkbox"/>	<input type="checkbox"/>
Is the application made		
<ul style="list-style-type: none"> <li>• in a claim form? <i>[See CPR 65.22(1)(a)]; or,</i></li> <li>• by application notice by the defendant filed with the defence? <i>[See CPR 65.22(1)(b)]; or,</i></li> <li>• by application notice by existing party after it becomes aware of the circumstances that led it to apply for an order after its claim was issued or its defence filed? <i>[See CPR65.22(22)]; or,</i></li> <li>• in the same application notice as application to have relevant authority or new respondent/defendant joined as party? <i>[See CPR65.23(1)(b) and 65.24 (1)(b)]</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

## CHECKLIST (2)

APPLICATION FOR ANTI-SOCIAL BEHAVIOUR ORDER UNDER THE CRIME AND DISORDER ACT (CD) 1998

**Claim Number:**

Checking Officer:

PART 2

ACTION	YES	NO
Is the 'relevant authority proposing to bring witnesses to the first hearing?'	<input type="checkbox"/>	<input type="checkbox"/>
Has the relevant authority advised court as to the number of witnesses attending?	<input type="checkbox"/>	<input type="checkbox"/>
Do any of the witnesses have special needs or are special facilities required?	<input type="checkbox"/>	<input type="checkbox"/>
Are there appropriate witness facilities e.g. a separate waiting area, video link, etc, available if required?; or,	<input type="checkbox"/>	<input type="checkbox"/>
Has an arrangement been made to transfer case to another court with the appropriate facilities?	<input type="checkbox"/>	<input type="checkbox"/>
Did the 'relevant authority' provide a copy of the draft orders to court before the hearing?	<input type="checkbox"/>	<input type="checkbox"/>

### CHECKLIST (3)

#### APPLICATION FOR INTERIM ANTI-SOCIAL BEHAVIOUR ORDER

Claim Number:

Checking Officer:

ACTION	YES	NO
Is there a main application for an ASBO? <i>[See section 1D(1) CDA]</i>	<input type="checkbox"/>	<input type="checkbox"/>
Is the application accompanied by written evidence?	<input type="checkbox"/>	<input type="checkbox"/>
Has the relevant authority notified the court of his/her intention to file an application?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Did the “relevant authority” provide a copy of the draft order with the application?</b>	<input type="checkbox"/>	<input type="checkbox"/>
Is the application in the claim form, or application notice seeking the full order? <i>Rule 65.26(2(a))</i>	<input type="checkbox"/>	<input type="checkbox"/>

## Annex 3: Topic guide for ASB co-ordinator interviews

1. Reiteration of purpose, thanks, etc. Confidentiality, taping. Any questions?
2. Could you tell me a bit about your job here before you took on the ASB co-ordinator role? How long have you been working here?
3. How long have you been ASB co-ordinator?
4. Why did you take on the ASB co-ordinator position?
5. What specifically have you been doing as ASB co-ordinator that you didn't do before?
6. Have you had contact with other ASB co-ordinators?
7. Do you think much has changed as a direct result of work you have done as ASB co-ordinator?
8. How useful do you think ASB co-ordinator role is?
9. (What are your views on the usefulness of the ASB co-ordinator role - specifically in your court / potentially in courts other than the one you work in?)
10. Do you perceive anything useful as having risen out of the wider ASB co-ordinator pilot? If so, what?
11. Do you perceive any negative effects of the wider ASB co-ordinator pilot? If so, what?
12. What, if any, impact has the scheme had on other court staff? On external applicants?
13. Do you think any other changes have taken place, directly or indirectly, as a result of the ASB co-ordinator role? If so, what?
14. Have you experienced any difficulties as ASB co-ordinator? Have there been any particular challenges, or rewards?

15. (Show job description) How does your role compare to this description?
16. Do you think another member of staff could do this role? Why (not)?
17. Have you had any input to support you in your role?
18. Could you comment on how this job description fits into local needs and ways of doing things?
19. What would your comments be on the proposal that the ASB co-ordinator role is established in every county court in the country?
20. Do you think it would be useful to have a co-ordinator for any other types of cases dealt with in county courts?
21. Moving away from the scheme for a moment, do you have any comments on the way that you think ASB-related cases should be dealt with in county courts?
22. Is there anything else you feel has been learned from the ASB co-ordinator pilot?
23. Are there any other comments you would like to make, about your time as ASB co-ordinator, or about the ways ASB-related cases are dealt with in county courts?

## Annex 4: Topic guide for external applicants

1. Thanks, reiteration of purpose. Confidentiality, taping. Any questions?
2. Could you briefly introduce yourself, and describe what your job consists of? How long have you worked as X?
3. Do you have much to do with ASB-related cases in county courts?
4. Are you aware of the ASB co-ordinator position in X court? Or the new procedures for dealing with ASB-related cases in county courts? (If yes: continue to '5.' If no: go to 'a.')
5. What are your views on the usefulness of the ASB co-ordinator role?
6. Do you perceive any good practice as having risen out of the wider ASB co-ordinator pilot, over the last ten months? If so, what?
7. Do you perceive any bad practice as having risen out of the ASB co-ordinator pilot, over the last ten months? If so, what?
8. Do you think any other changes have taken place, directly or indirectly, as a result of the ASB co-ordinator role? If so, what?
9. (Show job description) How does [name]'s role compare to this description?
10. Could you comment on this job description and how it would fit in to local practice?
11. What would your comments be on the proposal that the ASB co-ordinator role is established in every county court in the country?
12. Is there anything else you feel has been learned from this ASB co-ordinator pilot?
13. Do you have any other comments on the ways that ASB-related cases are dealt with in county courts?

14. What perceptions do RSLs / LAs have about the way ASB-related cases are dealt with through county courts?

15. Do applicant organisations want/need closer relationships with the courts?

a) Do you know [name of co-ordinator]? – and work [name] has been undertaking since [month]? What is your understanding of the work [name] undertakes?

b) If still not – explain – show description of ASB Co-ordinator role. Explain checking process – show form.

c) Can you see a use in having this role in county courts?

d) Do you have any other comments on the way ASB-related cases are dealt with in county courts?

e) What do you think needs to be in place for ASB-related cases to work as they should?

f) Could you give examples of when things haven't gone through as they should?

g) What do you think of the idea of the ASB co-ordinator role being introduced in every county court in the country?

## Annex 5: Methods of analysis

A sample of transcripts from each group (co-ordinators and applicants) were read by two researchers, who each drew up a list of themes and ideas that they perceived as presenting themselves in the documents. These initial ideas, as well as the topic guides used with each group, were utilised to produce two separate lists of points that could be covered by each individual participant during their interview.

The list of points for the co-ordinator group of participants, and that for the external applicant group, were each then checked against all of the transcripts that had not been used in the initial reading. When a point was made in a transcript that was not yet on the list, it was added. Finally, the lists of points were re-checked against the original sample of transcripts.

These inventories of ideas emerging from the two sets of transcripts were then ordered and categorised so that thoughts on similar themes were grouped together. For example, a range of perceptions on whether the ASB co-ordinator scheme had produced change was sorted into one group. Various thoughts on whether the pilot scheme should be rolled out countrywide were clustered into another section. See figure A5.1 for a list of section headings for each group. Each section was numbered, and each sub-point within the section was lettered. Two coding grids, one for the co-ordinator group, and one for the applicant group, covering the points arising from the transcripts, were produced. See annexes 6 and 7 for the two coding grids.

**Figure A5.1: Section headings in coding grids**

<b>ASB co-ordinator group</b>	<b>External applicant group</b>
1) Personal circumstances of and impact on individual ASB co-ordinator	1) Individual's role
2) Scheme produced useful change	2) Important characteristics of ASB cases
3) Scheme produced no change	3) Feelings about ASB cases in county courts
4) Scheme produced negative change	4) Ideas for improving way ASB cases dealt with in county courts
5) Impact of scheme on external applicants/relationships with external applicants	5) Existing relationship with court
6) Thoughts on paperwork provided to facilitate scheme	6) Scheme produced change?
7) Comparison of job description to duties actually carried out	7) Roll-out of ASB co-ordinator role
8) Feelings about ASB Injunctions as a tool	8) Aware of ASB co-ordinator?
9) General thoughts on importance of ASB Injunctions cases in county courts	9) Comments on job description/ASB co-ordinator role in theory
10) Thoughts on roll-out	10) Questioning purpose of role/scheme
11) General thoughts on role/scheme	

Each transcript was then coded against the appropriate grid. If any extra point arose as this took place, they were added to the grid. This intended to ensure that all views expressed were accounted for.

Each transcript now contained a series of numbers and letters that corresponded to the coding grids. Excel spreadsheets were set up for each main theme, with individual respondents represented by columns, and ideas and sub-points by rows. See figure A5.2 for an example spreadsheet.

**A5.2: Example theme spreadsheet**

		One	Two	Three	Four	Five	Six	Seven
a	Jobcards useful							
b	Jobcards standard for all types of case							
c	Checklist useful							
d	Provided refresher for staff, but nothing new							
e	Not relevant to workings of court/because so few cases							
f	Systems other than Caseman are needed to deal effectively with ASBIs							

Spreadsheet for the theme 'Impact of paperwork provided to facilitate scheme'

The coding from each transcript, along with illustrative quotes and paraphrasing of key points, was transferred into the spreadsheets, referencing page and paragraph numbers within transcripts. The resulting documents, representing an overview of opinions as well as illustrating each individual's views, formed the basis for further analysis and discussion of findings.

# Annex 6: Coding grid for ASB co-ordinators

<p><b>1) Personal circumstances of and impact on individual ASB Co</b></p> <p>a) Permanent job title and responsibilities</p> <p>b) Positive decision to take on role</p> <p>c) Role was forced upon individual</p> <p>d) Role was assigned to individual, who is happy about this</p> <p>e) Short length of time in role</p> <p>f) In role since inauguration</p> <p>g) No extra workload generated</p> <p>h) Extra, role-appropriate workload generated</p> <p>i) Extra administration/paperwork generated</p> <p>j) Appreciated training received</p> <p>k) Found training pointless/excessive/repetitive</p> <p>l) Initial difficulties/lack of support and guidance to establish role</p> <p>m) Not enough/inappropriate support from HQ</p> <p>n) Lack of feedback and acknowledgement from HQ</p> <p>o) Other – note on transcript</p>	<p><b>2) Scheme produced useful change</b></p> <p>a) Networking useful</p> <p>b) Sharing procedures useful</p> <p>c) Idea to email orders useful</p> <p>d) Led to better handling of ASB cases</p> <p>e) Allows one person to control ASB systems</p> <p>f) Allows pre-warning of court re info important to case</p> <p>g) Allows for direct contact/named person</p> <p>h) Personal knowledge of ASB enhanced</p> <p>i) Facilitates communication from applicants to judiciary</p> <p>j) Publicity generated awareness of civil channels available for ASB</p> <p>k) <i>Other – note on transcript</i></p>	<p><b>5) Impact of scheme on external applicants/relationships with external applicants</b></p> <p>a) None – they were not interested in improving relationship</p> <p>b) Scheme facilitated better relations</p> <p>c) None – had good relationship already</p> <p>d) None – court too busy to dedicate time to ASB</p> <p>e) Additional engagement still needed</p> <p>f) <i>None</i></p> <p>g) Other – note on transcript</p>	<p><b>8) Feelings about ASBIs as a tool</b></p> <p>a) Not appropriate – underlying causes of ASB better dealt with by other means</p> <p>b) Not appropriate – county courts not equipped for ASB cases</p> <p>c) Useful because of power of arrest</p> <p>d) Useful as serve to clarify what is available to applicants</p> <p>e) Difficult for court staff because of timeframes</p> <p>f) Don't want to encourage more ASBIs</p> <p>g) Caseman doesn't include ASBI fields/codes</p> <p>h) Other – note on transcript</p>	<p><b>10) Thoughts on roll-out</b></p> <p>a) Should not be rolled out, because there are so few ASBI cases</p> <p>b) Should not be rolled out just for the sake of it</p> <p>c) Should be rolled out in courts which are big enough/with enough cases to justify</p> <p>d) Should be rolled out if enough resources</p> <p>e) Should be rolled out because consistency across courts good</p> <p>f) Should be rolled out because number of ASB cases set to increase</p> <p>g) Rolled out as regional co-ordinators</p> <p>h) Rolled out with regular co-ordinator meetings to share best practice</p> <p>i) Rolled out with advice and assistance of courts in pilot</p> <p>j) Rolled out with more resources and time</p> <p>k) Rolled out and expanded to encompass new legislation</p> <p>l) Rolled out and widened to include community outreach/early intervention remit</p> <p>m) <i>Other – note on transcript</i></p>
<p><b>3) Scheme produced no change</b></p> <p>a) Same work takes place regardless of pilot</p> <p>b) Scheme too late to have effect – systems established</p> <p>c) Other factors outside of pilot's scope more important to running of ASB cases</p> <p>d) No impact</p> <p>e) Not enough volume of cases for any impact to take place</p>	<p><b>4) Scheme produced negative change</b></p> <p>a) Wasted time/money</p> <p>b) Stress of demands for additional paperwork</p> <p>c) Inflamed defendant organisations who perceive a bias towards applicants</p> <p>d) Other – note on transcript</p>	<p><b>6) Thoughts on paperwork provided to facilitate scheme</b></p> <p>a) Jobcards useful</p> <p>b) Jobcards standard for all types of case</p> <p>c) Checklist useful</p> <p>d) Provided refresher for staff, but nothing new</p> <p>e) Not relevant to workings of court/because so few cases</p> <p>f) Systems other than caseman are needed to effectively deal with ASBIs</p> <p>g) Other – note on transcript</p> <p><b>7) Comparison of job description to duties actually carried out</b></p> <p>a) Fits with existing role</p> <p>b) Certain aspects inappropriate</p> <p>c) <i>Appreciate certain aspects</i></p> <p>d) Other (junior) members of staff could do this</p> <p>e) Fits only with a managerial-level job</p> <p>f) Too much emphasis in reality on producing statistics</p> <p>g) Job description not wide enough – constricting</p> <p>h) Don't have time to devote a lot of time to extra work described here</p> <p>i) Other – note on transcript</p>	<p><b>9) General thoughts on importance of ASBI cases in county courts</b></p> <p>a) Insignificant compared to other types of cases</p> <p>b) Insignificant and do not require co-ordinator</p> <p>c) ASBI cases unique, so co-ordinator appropriate</p> <p>d) ASB cases tend to go to magistrates as more appropriate than county court</p> <p>e) Other – note on transcript</p>	<p><b>11) General thoughts on role/scheme</b></p> <p>a) Why have an individual, when all staff can deal with enquiries?</p> <p>b) Existing staff communications/relations are good – don't need co-ordinator</p> <p>c) Why just for ASB cases? May be useful for others, too</p> <p>d) Other – note on transcript</p>



# Annex 7: Coding for external applicants

<p><b>1) Individual's role</b></p> <ul style="list-style-type: none"> <li>a) Extent and nature of involvement with ASB cases</li> <li>b) Extent of involvement with county court in the pilot as opposed to other courts</li> <li>c) General comments on job</li> <li>d) Other</li> </ul>	<p><b>5) Existing relationship with court</b></p> <ul style="list-style-type: none"> <li>a) Good – they are helpful/accommodating/understanding</li> <li>b) Problematic in certain ways, could be improved</li> <li>c) Fine, but <b>we</b> have to do a lot of work to make it so</li> <li>d) Struggle to get involved and establish relationship – need more contact</li> <li>e) Good – have user meetings</li> <li>f) Court not in loop</li> <li>g) Other</li> </ul>	<p><b>8) Aware of ASB co-ordinator?</b></p> <ul style="list-style-type: none"> <li>a) Yes</li> <li>b) Not at all</li> <li>c) Rings a bell. But hazy as to what is going on</li> <li>d) Heard something about it initially, but no follow-up</li> <li>e) Aware of individual staff member, but not of their official role as ASB Co</li> <li>f) Confused as to what normal role is and what done as ASB Co</li> <li>g) Aware but no of who is ASB Co</li> <li>h) More publicity needed</li> <li>i) Not sure court in general or specifically co-ordinator facilitating smooth running</li> </ul>
<p><b>2) Important characteristics of ASB cases</b></p> <ul style="list-style-type: none"> <li>a) Potential for escalation/violence</li> <li>b) In public eye</li> <li>c) Urgent</li> <li>d) Distressing for witnesses</li> <li>e) Other</li> </ul>	<p><b>6) Scheme produced change?</b></p> <ul style="list-style-type: none"> <li>a) Yes, certain changes</li> <li>b) Yes – but wasn't actually aware this was due to pilot</li> <li>c) No – but no change needed, systems already established</li> <li>d) No – but already had good relationship with court</li> <li>e) No – but certain changes are needed</li> <li>f) No sure – but don't use ASBIs as much as other types of order</li> <li>g) No – not aware of liaison meetings</li> <li>h) No – not aware of new procedures</li> </ul>	<p><b>9) Comments on job description/ASB Co role in theory</b></p> <ul style="list-style-type: none"> <li>a) This role is useful, in theory</li> <li>b) This role is not useful, in theory</li> <li>c) Job desc doesn't reflect what staff member does</li> <li>d) Job desc mirrors what co-ordinator does</li> <li>e) Job desc looks useful and appropriate, but don't know if actually implemented</li> <li>f) Certain aspects seem particularly useful</li> <li>g) Should be expanded to include more outreach</li> <li>h) Should be expanded so personal responsibility taken for each ASBI case</li> <li>i) Needs dedicated person with time to spare (not court manager)</li> <li>j) Wouldn't make much difference</li> <li>k) Useful while this type of case not familiar to staff/for clients not used to dealing with court</li> <li>l) Some aspects inappropriate, should eg fall in solicitor's remit</li> <li>m) Having just one point of contact can be problematic/inappropriate</li> <li>n) Other</li> </ul>
<p><b>3) Feelings about ASB cases in county courts</b></p> <ul style="list-style-type: none"> <li>a) Individuals involved often have mental health issues/drug problems</li> <li>b) Individuals often young people not used to independence</li> <li>c) ASBIs are excessive – sledgehammers to crack nuts</li> <li>d) ASBIs are useful tools because of power of arrest</li> <li>e) ASBIs are dealt with efficiently and easy to enforce</li> <li>f) Magistrates deal with ASB cases more efficiently (/tend to go there instead)</li> <li>g) Bringing ASBIs in county courts is onerous/slow/time-wasting/costly</li> <li>h) Safety and anonymity of witnesses an issue</li> <li>i) Facilities and security are sufficient</li> <li>j) Often ASB dealt with by measures other than ASBIs in county courts</li> <li>k) ASBIs not perceived by public as making difference</li> <li>l) Prefer bringing ASB in county courts to mags</li> <li>m) Not enough judicial time</li> </ul>	<p><b>7) Roll-out of ASB Co role</b></p> <ul style="list-style-type: none"> <li>a) Do it - ASB cases unique</li> <li>b) Do it – named/contact person useful</li> <li>c) Do it – consistency across courts good</li> <li>d) Do it, where court size and cases dealt with make appropriate</li> <li>e) Don't do it just for the sake of it</li> <li>f) Roll out with regional co-ordinators</li> <li>g) Roll out with wider remit including responsibility for each incoming ASBI case</li> <li>h) Roll out with better, more regular contact with practitioners</li> <li>i) To be rolled out efficiently, needs more publicity and awareness</li> <li>j) Rolled out and lessons learned applied to other areas, too</li> <li>k) Other</li> </ul>	<p><b>10) Questioning purpose of role/scheme</b></p> <ul style="list-style-type: none"> <li>a) Is there excessive focus on this because of the political agenda?</li> <li>b) Is there more ASB, and is there a significant problem – or just a construction of one?</li> <li>c) Why a co-ordinator just for ASB cases? Useful for others too</li> <li>d) Why an individual, when all staff can deal with enquiries?</li> <li>e) Things were okay before – what is the point of this scheme?</li> <li>f) Injunction possession already existed – there is nothing new going on</li> <li>g) Other</li> </ul>
<p><b>4) Ideas for improving way ASB cases dealt with in county courts</b></p> <ul style="list-style-type: none"> <li>a) Improve facilities and security</li> <li>b) More/dedicated court/staff time needed</li> <li>c) More staff and consistency of staffing needed</li> <li>d) Staff need to be better informed</li> <li>e) Fewer adjournments</li> <li>f) More direct contact with landlords/caseworkers</li> <li>g) Streamlining and simplifying of procedure</li> <li>h) More judges</li> <li>i) More public/professional information/understanding of workings of Court</li> <li>j) More electronic communication and facilitation of work</li> <li>k) Speed up process</li> <li>l) Court needs to be responsive to changes</li> <li>m) other</li> </ul>		



## Annex 8: Monthly returns from co-ordinators (anonymised by court): number of ASB cases dealt with

Court	Oct '06	Nov	Dec	Jan '07	Feb	March	April	May	June	July	Aug	Sept
<b>a</b>	15	ND	8	11	14	11	11	13	6	12	10	8
<b>b</b>	1	NR	1	0	0	1	NR	0	NR/ND	NR/ND	NR/ND	NR/ND
<b>c</b>	1	3	NR	1	NR	1	0	1	0	NR/ND	NR/ND	NR/ND
<b>d</b>	NR	NR	2	0	1	3	3	NR/ND	NR/ND	NR/ND	NR/ND	NR/ND
<b>e</b>	2	4	2	2	1	1	2	1	NR/ND	NR/ND	NR/ND	NR/ND
<b>f</b>	NR	NR	NR	0	1	1	NR	NR/ND	NR/ND	NR/ND	NR/ND	NR/ND
<b>g</b>	4	4	3	3	NR	6	2	3	0	NR/ND	NR/ND	3
<b>h</b>	1	8	1	11	3	6	3	5	NR/ND	NR/ND	NR/ND	NR/ND
<b>i</b>	7	8	10	7	8	8	7	NR/ND	NR/ND	NR/ND	NR/ND	NR/ND
<b>j</b>	4	7	5	2	1	2	1	NR/ND	0	4	NR/ND	NR/ND
<b>k</b>	5	4	1	1	3	2	2	NR/ND	0	3	NR/ND	0
<b>l</b>	6	15	3	10	5	4	4	NR/ND	9	10	3	NR/ND

NR = Null return  
ND = No data available



**Ministry of Justice Research Series 13/08**

**County court anti-social behaviour co-ordinators – a pilot scheme**

A qualitative investigation of stakeholder views on the pilot scheme, which ran from Autumn 2006 to Autumn 2007. Housing and legal professionals, along with co-ordinators themselves, were interviewed as the pilot period drew to a close. Main findings include a sense that the scheme has resulted in little impact, with county courts dealing with too few anti-social behaviour (ASB) cases to warrant a dedicated co-ordinator. However, this is tempered by some suggestion that in practice all possible ASB-related proceedings were not identified during the pilot. Participants also raised issues around the suitability and sufficiency of county court facilities for ASB cases.

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