

# Victims of Anti-Social Behaviour

**Claire Waxman OBE, Victims' Commissioner for England and Wales, is calling for amendments to the Victims and Courts Bill which will bring victims of persistent anti-social behaviour<sup>1</sup> in scope of the Victims' Code.**

Persistent, targeted anti-social behaviour (ASB) can devastate lives, leaving victims feeling unsafe and trapped in their own homes, with nowhere to turn. Despite the distress caused and the often-criminal nature of the incidents, these victims are not being given their rights under the Victims' Code. **The Victims and Courts Bill provides an opportunity to address this gap and ensure the recognition of victims of persistent anti-social behaviour under the Victims' Code, who for too long have been disregarded.**

Persistent ASB describes a pattern of behaviour, much of which is criminal in nature. Despite this, victims of persistent ASB are often denied their rights under the Victims' Code, even when the behaviour they are experiencing constitutes criminal offending. This is because authorities choose to treat the behaviour as a minor dispute or neighbourhood issue. Cases are also frequently passed between agencies, with each declining to take responsibility, leaving victims without the support and protection they should be entitled to.

ASB incidents are often considered in isolation, which can result in patterns of offending which would constitute a course of conduct offence such as harassment being missed until it is too late and the incidents escalate. This was a key finding of His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), in their 2023 Peel Inspection Report, which found that of the recorded incidents of ASB they considered in the review, police had correctly recorded just over half of the criminal offences they should have<sup>2</sup>. Most importantly, this means agencies often fail to recognise the level of harm being caused to the victim. This was a key finding of Baroness Newlove's research, [Living a Nightmare \(2019\)](#) and [Still living a nightmare \(2024\)](#).

**Failure to acknowledge a victim of ASB as a victim of crime can in effect prevent the victim from accessing their statutory entitlement to victim support services.** Police and Crime Commissioner's funding for victims' services is ringfenced for victims of crime, meaning ASB victims are erroneously told they are ineligible for locally commissioned support. Some PCCs use discretionary funds to provide help, although many do not, creating a postcode lottery. The Victims' Commissioner's 2024 Victim survey found

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*We felt trapped in our own home. We didn't feel safe to be here. We didn't feel safe to go out and leave the house unattended. We became virtual prisoners in our own home. (Female, 55-64, South West)*  
*"Still Living a Nightmare" (2024)*

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*The police simply do not join the dots. They treat every report as a single incident rather than a course of conduct. (Female, 55-64, South East)*  
*"Still Living a Nightmare" (2024)*

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<sup>1</sup> The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

- Conduct that has caused or is likely to cause harassment, alarm, or distress to any person.
- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises or
- Conduct capable of causing housing-related nuisance or annoyance to any person

<sup>2</sup> [The policing response to antisocial behaviour: PEEL spotlight report - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#) - HMICFRS identified 183 crimes which should have been recorded, of which police had recorded 103.

only 16% of victims of antisocial behaviour were referred or self-referred to victims' services, highlighting the significant barriers these victims face and lack of support provision in these cases<sup>3</sup>.

Where the behaviour does not constitute a criminal offence, it is accepted the individual subject to the behaviour should not be entitled to support. **However, where the behaviour is criminal, which is nearly always the case in persistent ASB, it is imperative victims receive the support they are entitled to under the Victims' Code.**

## The proposal

During the passage of the Victims and Prisoners Act 2024<sup>4</sup>, the previous Victims' Commissioner called for victims of persistent ASB to be explicitly listed as 'victims' for the purposes of the Victims' Code. Due to there being no statutory definition of "persistent ASB", the Commissioner called for the statutory threshold to the [ASB Case Review](#) to be used for this purpose. The ASB Case Review<sup>5</sup> was established to allow victims to trigger a multiagency resolution focused review of their case. Currently, victims must have reported three separate qualifying incidents of ASB within a six month-month period to meet the review threshold<sup>6</sup>. In many cases that meet this threshold, the behaviour is also likely to meet the criminal threshold for a course of conduct offence.

The Victims' Commissioner is repeating this call to ensure:

- Where a victim has experienced 3 incidents of ASB within 6 months, they are **recognised as victims of persistent ASB**
- Victims of persistent ASB are included within the definition of victims of crime in the Victims and Prisoners Act 2024.
- Victims of anti-social behaviour can **access their entitlements, including a referral to support services regardless of whether police decide to pursue criminal charges.**

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*We were completely on our own. Nobody cared about us whatsoever. We were living in a nightmare and there was nothing we could do. (Female, 35-44, South East)*  
*"Still Living a Nightmare" (2024)*

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## How this will improve victim's experiences

If implemented, these changes will ensure a more consistent response to victims of anti-social behaviour, preventing victims of ASB slipping through the net.

Too often, police see incidents of ASB as "low-level" and "low harm". Consequently, the investigation is deprioritised and dropped, without referring the victim to support services. Victims should not have to endure months of intimidation and harassment or wait for an escalation before being able to access support they badly need.

Research shows ASB victims often feel isolated, with the ASB impacting their sleep, work, relationships, and health. Where they receive emotional and practical help, along with advocacy, they feel heard and better understand their options to seek resolution.

<sup>3</sup> [Annual Victims' Survey 2024 - Victims Commissioner](#)

<sup>4</sup> [Victims and Prisoners Act 2024](#)

<sup>5</sup> Anti-social Behaviour, Crime and Policing Act 2014, Section 104 accessed at

<https://www.legislation.gov.uk/ukpga/2014/12/part/6/crossheading/response-to-complaints-about-antisocial-behaviour>

<sup>6</sup> This threshold is subject to local discretion. This is an issue that the Victims' Commissioner is also trying to address through the Crime and Policing Bill. Please request our briefing if of interest.

## The Victims and Courts Bill

With victims in the very title of this Bill, it provides the perfect legislative vehicle to ensure these often-overlooked individuals are finally recognised and given the support they deserve.

The Victims' Commissioner **will table this amendment in the House of Lords and is calling on Peers to speak in its favour:**

(1) The Victims and Prisoners Act 2024 is amended as follows

(2) Section 1, page 1, after subsection (2)(d), at end insert—

“(e) where the person has experienced anti-social behaviour, as defined by section 2 of the Anti-social Behaviour, Crime and Policing Act 2014, and the conditions necessary for an ASB case review under section 104 of that Act have been met.”

### *Member's explanatory statement*

*This amendment would ensure victims of persistent anti-social behaviour have access to victim support services provided by local Police and Crime Commissioners. These services are only available to victims as defined by the Victims' Code of Practice.*

## Case studies

### **Cheryl (as seen in ['We're living in fear of our neighbours' - BBC News](#))**

For four years, Cheryl says she has reported loud music, shouting, abuse and threatening behaviour from a neighbour, yet she feels no meaningful action has been taken.

"I don't sleep. It's like sharing a house with these people, and it affects every part of everything. I can't go out," she adds. "My routine revolves around them, so I sneak in and out when it's quiet, because it's been dangerous if I don't."

Cheryl says she installed cameras around her house because she feels unsafe.

Despite both Cheryl and another neighbour reporting incidents, she has been told by her landlord not to contact them further and that her complaints are “vexatious”.

Sussex Police said it had received "multiple reports of anti-social behaviour between neighbours" since 2021. It said a 61-year-old woman had been issued with a Community Protection Notice, and in August 2024 was ordered to complete a community resolution for a public order offence. However, this has not addressed the distress Cheryl feels in her own home.

Cheryl says the impact of living in this situation has been devastating and she has spent time in hospital after a suicide attempt.

"It's heartbreaking. It doesn't feel safe, life is hell. It's horrible. It's not a way to live."

### **Anonymous case study provided by [ASB Help](#)**

A resident living on a large council estate in London has experienced persistent anti-social behaviour (ASB) since 2013. The estate includes an open terrace area overlooking a car park, sports pitch and children's playground, which has become a hotspot for drug dealing due to its visibility and multiple escape routes.

Despite repeated requests from residents for preventative measures such as gating, the local authority consistently refused.

Over many years, the resident witnessed serious criminal activity linked to ASB, including drug dealing involving children, exploitation of young people, intimidation, vandalism, and drug use on a children's playground. Although the resident repeatedly reported these incidents to both the police and the council, agencies often dismissed concerns on the basis that perpetrators did not live within the local authority area or that the behaviour did not meet their definition of crime.

The resident attempted to use the ASB Case Review process, where changes were promised but largely not implemented. Issues persisted, with one group of perpetrators being displaced only for others to quickly take their place. On several occasions, evidence gathered by the resident, including photographs and videos, was refused by agencies, leaving the resident feeling disbelieved and unsupported.

In one incident, despite armed police later seizing a vehicle containing drugs, cash and weapons from the estate (publicly acknowledged by police), local housing officers continued to deny that crime existed on the estate. When the resident challenged this, they were dismissed, mocked, and told they were “the only one who was scared,” despite widespread concerns from other residents.

Repeated attempts to escalate concerns through meetings, complaints, and partnership forums were unsuccessful. The resident was told by the local authority that they could no longer be helped, despite extensive evidence of reporting. This lack of recognition as a victim, and the failure to acknowledge harm, risk and impact, had a significant emotional toll, leaving the resident distressed and requiring crisis emotional support.

Most recently, multiple residents raised concerns at a ward panel about drug-related exploitation of a vulnerable man and ongoing criminal ASB, only to be told by an elected official that there were “more serious crimes” to focus on.

#### **Paul (as seen in [Sky News](#))**

For four years, the park behind Paul's home has been a hotspot for disorder, with groups of mostly teenagers repeatedly vandalising property, igniting fires, and terrorising residents. Despite his repeated pleas for the council to install CCTV, his requests were rejected.

One night, a loud crash jolted Paul awake. Looking out of his bedroom window, he saw a shadowy figure setting something alight near the park gate. As flames spread dangerously close to his garden fence while his children slept, Paul began recording the incident. Urging his wife to call the emergency services, he said, “You need to ring 999 right now. People are setting light to something right by the gate at the front of the park.” Moments later, an explosion sent smoke billowing into the air.

The next morning, the charred frame of a motorcycle lay at the entrance to the park, surrounded by scorched debris and damage to the gate. A nearby tree had been singed, its leaves turned rusty brown. These scenes have become distressingly familiar for Paul and his neighbours, whose daily lives are shaped by fear and uncertainty. In Paul's words, living with persistent anti-social behaviour “makes you fearful.”

For Paul, the cumulative impact of years of neglect has taken a toll on his mental health and sense of safety. His experience underscores a wider national issue: thousands of communities feel abandoned when facing vandalism, intimidation and violence. Authorities' inaction leaves victims feeling, as one report

paraphrased, “fed up with nobody listening,” forcing ordinary residents to document crimes themselves, organise informal community action, or simply endure the disruption.

Neighbourhood Watch coordinator Garry Turner says the message they get back from the police is they need more evidence. “You can’t get more evidence than what has been provided. And we’re still not getting the response we deserve,” he adds.

