



ASB: a 10-minute team briefing

Facilitator notes | Illustrative questions, not real incidents

Aim

Staff distinguish the power available today from the power commencing on 26 October, and select the correct evidence and breach route.

0-2 minutes | Set the date

Show the Respect Orders poster and check its start date. Ask: Can an officer use a Respect Order on 20 October? Answer: no; the commencement date is 26 October. Existing injunctions and earlier applications are saved by section 2.

2-5 minutes | Choose the route

Use the A4 sheet. Ask the team to separate a person-based order, a place-based PSPO, a premises closure and an immediate dispersal. Identify the applicant, decision-maker and threshold for each.

5-8 minutes | Test the exceptions

Ask the four questions on page 2. Invite a reason before revealing the answer. Avoid teaching that every breach automatically means arrest.

8-10 minutes | Confirm local arrangements

Record: ASB case owner; legal services contact; order access out of hours; positive-requirement supervisor; warning-record location; safeguarding contact; local ASB Case Review and local policing body review contacts.

After the briefing

Supervisor checks current legislation and the guidance discrepancy note before operational issue. Agree a review date for local forms and practice. This pack is an educational aid, not an approved force policy or a substitute for legal advice.



Four checks before using the power

Questions and answers | England and Wales

1. A first missed activity session: arrest for breach?

Not automatically. For failure to comply with a court-declared activity requirement, section I1(2) requires a warning relating to that requirement within the preceding 12 months. Check reasonable excuse, the precise condition and the warning record. Section H1 sets the supervisor's warning duty. Other prohibited conduct has a different route.

2. A 72-hour dispersal zone from 26 October?

Do not confuse the clocks. Section 3(2) changes the individual section 35 direction to 72 hours and requires review of each direction exceeding 48 hours. Section 34 locality authorisation remains 48 hours in the text checked. The October guidance is inconsistent: refer it to legal services.

3. Does a closure notice keep the tenant out?

No. Section 76(4) protects access by habitual residents and the owner under a notice. A court order can restrict that access. Plan safeguarding and accommodation. Section 80(3) retains a 48-hour hearing deadline in the text checked, despite a conflicting guidance diagram.

4. Does a £500 FPN prove the CPN threshold?

No. The new figure is a ceiling for an FPN after breach. A CPN first needs unreasonable persistent/continuing detrimental conduct, a written warning and sufficient time to comply. Preserve the statutory defences and proportionality.



Implementation record

Recommended local checks | Complete before operational rollout

Force / team and briefing date

Responsible ASB lead and legal reviewer

Application owner and out-of-hours order access

Positive-requirement provider / supervisor and funding

Breach evidence and activity-warning recording process

Victim contact, safeguarding and housing arrangements

ASB Case Review / local policing body review contact

Review date and measures: safety, repeat harm, compliance

Source set

Commencement: SI 2026/960 reg 4
Respect Order tests, safeguards and breach: 2026 Act s1
Saved injunctions / pending applications: 2026 Act s2
Clocks: 2026 Act s3 and 2014 Act ss34-35, 76-82
CBOs: Sentencing Act 2020 ss330-342

Home Office statutory guidance October 2026
Thinking About Policing.org | England & Wales | Checked 20 October 2026 | v2.0 3 / 3
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