

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

Fifth Delegated Legislation Committee

DRAFT ANTI-SOCIAL BEHAVIOUR, CRIME AND  
POLICING ACT 2014 (AMENDMENT) ORDER 2018

*Tuesday 8 January 2019*

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**Saturday 12 January 2019**

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**The Committee consisted of the following Members:**

*Chair:* MR LAURENCE ROBERTSON

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|--|--|
| † Ali, Rushanara ( <i>Bethnal Green and Bow</i> ) (Lab)                                      | † Mann, John ( <i>Bassetlaw</i> ) (Lab)                                |
| † Atkins, Victoria ( <i>Parliamentary Under-Secretary of State for the Home Department</i> ) | † Masterton, Paul ( <i>East Renfrewshire</i> ) (Con)                   |
| † Bebb, Guto ( <i>Aberconwy</i> ) (Con)  | † Maynard, Paul ( <i>Lord Commissioner of Her Majesty's Treasury</i> ) |
| † Dakin, Nic ( <i>Scunthorpe</i> ) (Lab)   | Siddiq, Tulip ( <i>Hampstead and Kilburn</i> ) (Lab)                   |
| † Haigh, Louise ( <i>Sheffield, Heeley</i> ) (Lab)   | Smith, Eleanor ( <i>Wolverhampton South West</i> ) (Lab)               |
| † Hair, Kirstene ( <i>Angus</i> ) (Con)  | † Stevenson, John ( <i>Carlisle</i> ) (Con)                            |
| † Hoey, Kate ( <i>Vauxhall</i> ) (Lab)   | Umunna, Chuka ( <i>Streatham</i> ) (Lab)                               |
| † Johnson, Joseph ( <i>Orpington</i> ) (Con)   | Jeanne Delebarre, <i>Committee Clerk</i>                               |
| † Lefroy, Jeremy ( <i>Stafford</i> ) (Con)   |  |
| † Lord, Mr Jonathan ( <i>Woking</i> ) (Con)  | † <b>attended the Committee</b>  |

## Fifth Delegated Legislation Committee

Tuesday 8 January 2019

[MR LAURENCE ROBERTSON *in the Chair*]

### Draft Anti-social Behaviour, Crime and Policing Act 2014 (Amendment) Order 2018

2.30 pm

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins):** I beg to move,

That the Committee has considered the draft Anti-social Behaviour, Crime and Policing Act 2014 (Amendment) Order 2018.

It is a pleasure to serve under your chairmanship, Mr Robertson. May I wish everyone on the Committee a happy new year?

The draft order, which was laid before both Houses on 5 November, will add Transport for Greater Manchester to the list of bodies that can apply to the courts for a civil injunction to address antisocial behaviour on their transport network. We introduced the Anti-social Behaviour, Crime and Policing Act 2014 to provide police, local authorities and other local agencies with flexible powers to enable them to respond quickly and effectively to tackle and prevent antisocial behaviour. The decision to use the powers will be an operational one for the police force, local authority or local agency entitled to use them under the Act. We are deliberately focusing on local agencies because we believe that they are best placed to decide when and in which circumstances to use the relevant powers to combat antisocial behaviour in their areas.

The powers include a civil injunction, which can be issued by the courts, on application, against any person aged 10 years or over whose behaviour

“has caused, or is likely to cause, harassment, alarm or distress” to others. Such an injunction can include prohibitions to stop certain behaviours by the perpetrator, or positive requirements that focus on addressing the underlying causes of their behaviour. The bodies currently able to apply to the court for an injunction are the police, including the British Transport police; local councils and housing providers; Transport for London; the Environment Agency and Natural Resources Wales; NHS Protect; and the West Midlands combined authority.

I hope that the Committee agrees that adding Transport for Greater Manchester to the list makes a great deal of sense. It follows a request from TfGM and from the Mayor of Greater Manchester, Andy Burnham, and will help to ensure that TfGM can take swift action to address antisocial behaviour that takes place on Manchester’s transport network. To put the issue in context, in 2017 some 40 million passenger journeys were made using the Metrolink network in Manchester, while a total of 196 million passenger journeys were made on Manchester bus services.

The draft order will ensure that Transport for Greater Manchester has additional powers to deal with people who behave antisocially on its network. It comes in addition to work at a local level through the TravelSafe

Partnership, which has had a great deal of success: in 2017-18, there were a total of 1,692 incidents of antisocial behaviour, a significant decrease from the preceding year’s figure of 3,984. The draft order is very much part of the work of Greater Manchester police, TfGM and agencies to ensure that passengers on the Manchester travel network are able to enjoy their journeys in peace and quiet. We are very happy to have introduced it, and we hope that it meets with the Committee’s approval.

2.34 pm

**Louise Haigh** (Sheffield, Heeley) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. May I, too, wish you and the Committee a very happy new year?

I am pleased to say that the Opposition support the draft order, so I shall not detain the Committee for too long. As the Minister said, Transport for Greater Manchester and the Mayor have been calling since November 2017 for these powers, which their safer transport officers need to clamp down on the threat that antisocial behaviour poses on the network. They have been very clear that the powers will be used to combat persistent and well-known troublemakers by setting a clear standard of behaviour for perpetrators, stopping their behaviour from escalating, and placing positive requirements on them without criminalising individuals.

The reality of such civil orders is that they require authorities and personnel with knowledge and intelligence of the transport network to enforce them. Safer transport officers are best placed to identify troublemakers using the tools at their disposal and, once the order is enforced, to ensure it is complied with, so the Opposition are happy to give the draft instrument our full support.

I will ask just a few questions of the Minister. The power in the draft instrument is clearly welcome for Greater Manchester transport routes, but we know that the threat posed by antisocial behaviour on the transport network is prevalent across the country. The type of harassment and aggressive and threatening behaviour that powers in section 1 of the 2014 Act deal with are regrettably present every single day on trains, trams, tubes and buses across the country. As many as 43% of passengers have said they felt intimidated or threatened by antisocial behaviour while using the public transport network within the last year. What thought has the Department put into ensuring that the public can have confidence that local authorities can use the powers available to them to clamp down on antisocial behaviour, particularly on local bus services, which are fragmented and obviously not under local authority control in all areas?

In Sheffield—the area that I represent—neither the South Yorkshire passenger transport executive nor the Sheffield city region combined authority has those powers. How will this work practically in those circumstances? I know that the West Midlands combined authority has these powers in theory. What requests have the Government received from other combined authorities to take over these powers on transport networks? These powers are clearly best enforced by appropriate authorities with knowledge and intelligence of transport networks. It would be welcome if the Minister could outline what steps the Government are taking to ensure that that happens consistently and effectively nationwide.

Finally, it would be helpful to have—the Minister could perhaps write to Committee members, rather than listing it all now—data on how many times these powers have been used by each relevant authority.

2.36 pm

**John Mann** (Bassetlaw) (Lab): It would be remiss of Committee members not to record their congratulations and thanks for the outstanding leadership of the Mayor of Manchester—a huge loss to the House and to the parliamentary Labour party, but a gain to the people of Manchester. That ought to be on the record, because I am sure it is a unanimous view among Committee members.

2.37 pm

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins)**: In the spirit of good will in this new year, I will not disagree with the hon. Gentleman, although I of course reserve the right to campaign robustly in any future mayoral election.

I thank the shadow Minister, the hon. Member for Sheffield, Heeley, for her support and for her questions on this important topic. She is absolutely right about the interest of other transport providers in being able to access these powers. We make it very clear that it is for

individual transport providers to consider whether they may benefit from having the ability to apply directly for injunctions, and if so, to make the case for it. We will consider requests for additions to the list of bodies that may apply for injunctions on a case-by-case basis.

I am helpfully told by my hon. Friend the Member for Blackpool North and Cleveleys that when he served the Government in another capacity, the Department for Transport commissioned a review of crime on public transport. We are very conscious of how upsetting and serious it can be to witness not only antisocial behaviour but crime more generally on our journeys to and from work and leisure visits.

I will happily write to Committee members on the number of times these injunctions have been used, but it may be of interest to the hon. Member for Sheffield, Heeley, to hear that the British Transport police and Transport for London have used these injunctions on 72 occasions since 2014. Although that it is only one statistic, it none the less shows that the authorities rightly use the injunctions, which can be very powerful, on a considered basis. I commend the draft order to the Committee.

*Question put and agreed to.*

2.39 pm

*Committee rose.*





