

Webinar

'The Best Use of Injunctions'
with **Kuljit Bhogal KC, Sarah
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on
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Injunctions

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Introduction

What are we covering?

- Scenarios in which injunctions can be used and lessons from the case law;
- General considerations when applying for injunctions; and,
- Common errors in procedure.



Injunctions



Injunctions can be a powerful tool in a variety of situations

Behaviour & gangs

s.222, LGA 1972

Town and Country Planning

Defamation

Freezing

Breach of Tenancy

Court of Protection

Family Jurisdiction

Behaviour (1)

Anti-social Behaviour, Crime and Policing Act 2014

Section 1 - a court may grant an injunction against a person aged 10 or over if two conditions are met.

- **First condition** - the court is satisfied, on the balance of probabilities, that the respondent has engaged or threatens to engage in anti-social behaviour.
- **Second condition** - the court considers it **just and convenient** to grant the injunction for the purpose of preventing the respondent from engaging in anti-social behaviour.

Section 2 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.

Policing and Crime Act 2009

Section 34 - a court may grant an injunction under this section if **two conditions** are met:

- “(2) The **first condition** is that the court is satisfied on the balance of probabilities that the respondent has engaged in or has encouraged or assisted -
 - (a) gang-related violence, or
 - (b) gang-related drug-dealing activity.
- (3) The **second condition** is that the court thinks it is **necessary** to grant the injunction for either or both of the following purposes -
 - (a) to prevent the respondent from engaging in, or encouraging or assisting, gang-related violence or gang-related drug-dealing activity;
 - (b) to protect the respondent from gang-related violence or gang-related drug-dealing activity.”

Behaviour (2)

Protection from Harassment Act 1997

Prohibition of harassment

1. A person must not pursue a course of conduct—
 - (a) which amounts to **harassment** of another, and
 - (b) which he knows or ought to know amounts to harassment of the other.

(1A) A person must not pursue a **course of conduct** —

 - (a) which involves harassment of two or more persons, and
 - (b) which he **knows or ought to know** involves harassment of those persons, and
 - (c) by which he intends to persuade any person (whether or not one of those mentioned above)—
 - (i) not to do something that he is entitled or required to do, or
 - (ii) to do something that he is not under any obligation to do.

3A Injunctions to protect persons from harassment within section 1(1A)

- (1) This section applies where there is an actual or apprehended breach of section 1(1A) by any person (“the relevant person”).
- (2) In such a case—
 - (a) any person who is or may be a victim of the course of conduct in question, or
 - (b) any person who is or may be a person falling within section 1(1A)(c),may apply to the High court or the county court for an injunction restraining the relevant person from pursuing any conduct which amounts to harassment in relation to any person or persons mentioned or described in the injunction.
- (3) Section 3(3) to (9) apply in relation to an injunction granted under subsection (2) above as they apply in relation to an injunction granted as mentioned in section 3(3)(a).

Behaviour (3) Section 222, Local Government Act 1972 (1)

“222.— Power of local authorities to prosecute or defend legal proceedings

- (1) Where a local authority **consider it expedient** for the promotion or protection of the **interests of the inhabitants of their area**—
 - (a) they may prosecute or defend or appear in any legal proceedings and, in the case of civil proceedings, may institute them in their own name, and
 - (b) they may, in their own name, make representations in the interests of the inhabitants at any public inquiry held by or on behalf of any Minister or public body under any enactment.
- (2) In this section “local authority” includes the Common Council and a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 and the London Fire Commissioner.”

Defamation Claims

- Injunction to prevent someone publishing certain material.
- High court may grant an interim (s.37(1) SCA 1981 and CPR 25.1(1)(a)), if considered and convenient to do so.
- **Interim Injunction:**
 - Injunction can prevent information from being published, which is defamatory or a malicious falsehood;
 - Do not need to show an actionable publication, or that damage has been sustained;
 - Injunction may be granted ex parte and before issuing a claim form;
 - Interim injunctions for pure defamation claims are very rare.
- **Final injunctions:**
 - Need to demonstrate that the words complained of are defamatory/slanderous to C;
 - Jurisdiction extends to actions of slander, in addition to actions of;
 - Final injunction is permanent in duration;
 - Consideration given to the protections for freedom of expression in HRA 1998;
 - Court can order the operator of a website to remove a defamatory statement, and/or restrict the distribution of the relevant material.

Freezing Injunction

- Prevents defendants/respondents from diminishing the value of assets, or dissipating the assets.
- Assets: tangible (e.g. vehicles/land), intangible (e.g. intellectual property rights, goodwill in a business), and bank accounts, and private/public shares.
- High court has the jurisdiction to grant a freezing injunction on an interim basis (s.37(1) SCA 1981).
- Basis of application:
 - Underlying cause of action (e.g. evidence of fraud, and real risk of dissipation of assets)
 - Good arguable case;
 - Real risk of dissipation;
 - Assets concerned are within the court's jurisdiction; and
 - Just and convenient to grant the order.

Section 222, Local Government Act 1972 (2)

- Section 222 provides an “*additional power on a local authority which is charged with the administration of its area*”: *Stoke-on-Trent Council v B&Q Ltd* [1984] 1 AC 765 at p.774B.
- The power is limited to the promotion or protection of the interests of the inhabitants of their area: *B & Q* at 774G.
- Test of whether it is in the interests of the inhabitants of an area, is a decision for the local authority, not the court, subject to judicial review.
- Since its enactment, section 222 has been relied upon by local authorities to restrain breaches of the criminal law in many cases. These have been in the following disparate areas of threatened criminal conduct (see notes to section 222 in the Encyclopedia of Local Government):
 - town and country planning;
 - street trading;
 - sex shops;
 - trading standards;
 - licensing;
 - anti-social behaviour;
 - car cruising;
 - insurance; and,
 - traveller encampments.

Persons Unknown (1)

- Since *Bloomsbury Publishing Group v News Group Newspapers* [2003] EWHC 1205 (Ch), injunctive relief has been granted against persons unknown in numerous contexts.
- Examples include:
 - Protestors;
 - Trespassers;
 - Those behaving anti-socially;
 - Worldwide freezing injunctions; and,
 - Proprietary injunctions.
- See also: *Wolverhampton City Council and others v London Gypsies and Travellers and others* [2023] UKSC 47 (discussed later in presentation).

Persons Unknown (2)

- Important to have the ability to seek injunctive relief against persons unknown:
 - Remedy is preventative and anticipatory, and to deal with with the infringement of a public right.
- Such objectives are commendable. Millet J in *Wychavon DC v Midlands Enterprises (Special Events) Ltd* [1988] 1 CMLR 397 at [401]:
 - *'Counsel for the defendants criticised the council for threatening to seek a quia timet injunction even before any threatened breach of the law had occurred and when therefore no prosecution was possible. In a proper case I do not consider that that is a ground for criticism but for commendation. It must be an eminently sensible and convenient manner of proceeding.'*
- Alternative remedy: Public Space Protection Order (ss.59-75 ASBCP Act 2014):
 - PSPO can be challenged under s.66 ASBCP 2014, but only **within six weeks of the order being made.**

Town and Country Planning (1)

“Section 187B, Town and Country Planning Act 1990:

- (1) Where a local planning authority consider it necessary or expedient for any **actual or apprehended breach of planning control** to be restrained by injunction, they may apply to the court for an injunction, whether or not they have exercised or are proposing to exercise any of their other powers under this Part.
- (2) On an application under subsection (1) the court may grant such an injunction as the court thinks appropriate for the purpose of restraining the breach.
- (3) Rules of court may provide for such an injunction to be issued **against a person whose identity is unknown**.
- (4) In this section “the court” means the High court or the county court.”

Town and Country Planning (2)

- Injunctions to restrain planning control, can be made in both the High Court and county courts.
- Examples of injunctions granted under s.187B TCPA 1990:
 - Interim injunction made without notice, against persons unknown, to restrain unauthorised development on land adjacent to a gypsy caravan site (*South Cambridgeshire District Council v Persons Unknown* [2004] EWCA Civ 1280).
 - Removal of tents put up by protestors near St Paul's Cathedral. Fourth defendant was Persons Unknown (*Mayor, Commonalty and Citizens of the City of London v Samede* [2012] EWHC 34 (QB)).

Other S.222 Examples

- Car/street cruising:
 - *Sharif v Birmingham City Council* [2020] EWCA Civ 1488;
 - *North Warwickshire Borough Council v Persons Unknown* [2018] EWHC 1603 (QB).
- Gathering for amplified music events/deposit waste at a communal area on a housing estate:
 - *Wandsworth LBC v Persons Unknown*, unreported, 14 July 2020 (interim orders).
- Gathering in order to organise/attend/participate in gatherings, which may involve amplified music:
 - *Hackney LBC v Persons Unknown* [2020] EWHC 3049 (QB)
- Felling trees:
 - *Sheffield City Council v Fairhall & Others* [2017] EWHC 2121 (QB) (and extended [2018] EWHC 1793 (QB)).
- School protests:
 - *Birmingham City Council v Afsar* [2020] EWHC 864 (QB); [2020] E.L.R. 341.
- Begging:
 - *Leeds City Council v Persons Unknown & Scott* 2015 unreported;
 - See also: *Swindon Borough Council v Abrook* [2024] EWCA Civ 221 (discussed later in presentation).

Breach of Tenancy Injunction

- Often referred to as 'gas access injunction', but technically a breach of tenancy injunction.
- Injunction based on the tenant's **breach of tenancy to provide access** (as opposed to being directly based on the Gas Safety Regulations 1998).
- Social housing providers can utilise injunctive relief to gain access in other scenarios:
 - Building safety works;
 - Firestop works;
 - Electrical checks.
- Caution:
 - Forced entry clause (is forced entry provided for, in the tenancy agreement?);
 - Duration of the injunction.

Court of Protection

- Court of Protection can grant an injunction by virtue of:
 - Section 47(1) MCA 2005;
 - Section 37 SCA 1981;
 - Section 16(5); and,
- Enforcement of orders:
 - COP Rules 2017 and accompanying practice directions (e.g. Part 21, and Practice Direction 21A).
- *Re G* [2022] EWCA Civ 1312: **test for the court is:** whether it is '**just and convenient**' to grant an injunction, comprises:
 - Whether P has an interest that merits protection; and
 - Whether there is a legal or equitable principle that justifies making an order for someone to do or not do something.
- Test likely to be satisfied when an injunction is granted to prevent the court's decision under Section 16(2) of the MCA 2005 from being frustrated and/or undermined.
- In *EG & Anor v AP & Ors* [2023] EWCOP 15 ('EG'), HHJ Hilder considered that the Court of Protection's **powers of injunctive relief are limited, it can make injunctions only in connection with its jurisdiction or specifically where it is necessary and expedient to give effect to its best interests decisions.**

Family Jurisdiction

Non-Molestation Order (s.42 FLA 1996)

- S.42(1): NMO can prohibit R from:
 - (a) molesting another person associated with R;
 - (b) molesting a relevant child.
- S.42(5): The *court* shall consider all circumstances, including the need to secure the health, safety and well-being of the applicant and any relevant child.
- Common terms include prohibiting R from:
 - Using/threatening violence;
 - Pestering, harassing or intimidating;
 - Coming within c.100 metres of the FMH;
 - Sending threatening communication; and,
 - Communicating directly/indirectly with A.

Occupation Order (s.33-41 FLA 1996)

- Nature of OO sought, will depend on A's rights to occupy.
- E.g.: OO under s.33 (where A has an estate/interest), may:
 - Enforce A's entitlement to remain in occupation (as against R);
 - Require R to permit A to enter and remain in the property or part of the property;
 - Regulate the occupation of the property by either or both parties;
 - Prohibit, suspend or restrict the exercise by R of their right to occupy the property;
 - Restrict or terminate R's rights;
 - Require R to leave the dwelling-house or part of the property; or,
 - Exclude R from a defined area in which the dwelling-house is included.

- Both NMO and OO can be made ex-parte (s.45(1)), providing criteria in s.45(2) is met



Lessons from the case law



Wolverhampton City Council and others v London Gypsies and Travellers and others [2023] UKSC 47

- In summary:
 - Supreme court found that courts can make **final injunctions binding against persons unknown**;
 - Newcomer injunctions obtained by local authorities to prevent gypsies/travellers from camping on local authority land without permission;
 - Injunctions obtained at without notice hearings.
- Newcomer injunctions can be used to target group actions (e.g. occupying motorway gantries), but must be **full assessment** of:
 - Justification for the order sought;
 - Rights which are or may be interfered with by the grant of the order;
 - Proportionality of that interference.
- Need to show a '**compelling justification**' by way of detailed evidence §188.
- Applied in *Buckinghamshire Council v Persons Unknown & Others* [2024] EWHC 140 (KB).

Swindon Borough Council v Abrook [2024] EWCA Civ 221

- Section 1 2014 Act injunction application, breaches, in the context of begging.
- The Court of Appeal held (§§108-111) that:
 - a distinction between ‘aggressive’ and ‘passive’ begging is not useful: it **should not be substituted for the statutory test (as this is clear, and framed in ordinary language)**;
 - The fact that the impugned conduct falls within the statutory definition is not enough: the court must also be satisfied that it is just and convenient to make an Order, for the purpose of preventing ASB;
 - A **power of arrest** should not be attached to an Order as a matter of course (should only be attached if the test in section 4(1) is met); and,
 - Applicants must observe (and the court must police carefully) the restrictions on **without notice applications** and **interim** injunctions.



02



General considerations when applying for an injunction



Applications

- Applications need to be made on 2 days' notice to R (except for without notice applications/court permitted shorter period of notice).
- Attach a draft order (Form N16) to application and power of arrest (Form N110A) (if sought).
- Set out in separate numbered paragraphs:
 - Each term of the injunction (prohibition/positive requirement);
 - Each provision, where it is sought for a power of arrest to attach.
- Whether or not Form N16 is used, check that the order contains the penal notice:
 - *CPR 81.2: "penal notice" means a **prominent notice on the front of an order warning** that if the person against whom the order is made (and, in the case of a corporate body, a director or officer of that body) disobeys the court's order, the person (or director or officer) may be held in contempt of court and punished by a fine, imprisonment, confiscation of assets or other punishment under the law'.*

Witness Statements (1)

- All applications need to include a W/S, which sets out:
 - The terms of the injunction applied for, and the reasons (e.g. exclusion zone, use clear maps);
 - If without notice: why notice has not been given;
 - Reasons for seeking a power of arrest;
 - What steps have been taken to address the ASB (e.g. warning letters);
 - Any relevant information regarding the respondent's engagement with social services;
 - If the respondent is vulnerable: analysis of why application is necessary and proportionate, and what referrals/steps been made;
 - Which individuals/bodies have been consulted.
- Oral evidence is very unlikely at without notice first hearings.
- Updating W/S to address any incidents post-application.

Witness Statements (2)

- Less is not always more....
 - Sufficient detail of allegations is vital;
 - W/S from direct witnesses to the incidents;
 - W/S from third parties (police/residents' association);
 - Contemporaneous records (diaries/notes);
 - Warning letters;
 - Video footage;
 - Audio recordings;
 - Photographs;
 - Maps; and,
 - Certificate of convictions.

Schedule of Allegations

- Can be effective if done correctly:
 - Choose main allegations and limit number (e.g. 5-10);
 - Ensure all main allegations relied on, are in schedule;
 - Schedule must include sufficient detail (dates, parties involved);
 - Cross-reference schedule to witness statement;
 - Consider categorisation of behaviour.
- If schedule is relied on, should be served with witness statement/prior to first hearing.
- Witness statement **must** expand on schedule.
- **NOTE** the risk that at trial the judge may not allow you to introduce evidence outside the schedule – **be clear as to the basis upon which the schedule is being prepared**, ideally record this in the recital to the order.

Service

- In good time prior to hearing, check that all relevant documents have been served;
- Service of the order is **imperative**: (no effect unless personal service/court dispensed with service):
 - Can dispense with service for: prohibitory orders, and satisfied that R had notice of order;
 - Cannot dispense with service for: orders which include positive requirements
- Approved order should be given to the Respondent at end of hearing:
 - Removes delay between order being made and being drawn up by the court office;
 - Personal service can be dispensed with;
 - Clearly record in the order:
 - Respondent's attendance at court;
 - Court explained the terms, order and implications of any breaches, to the Respondent (who confirmed understanding);
 - Dispensation of personal service/service;
 - Order has been given to the Respondent at court.

Without Notice (1)

- Must have a **proper basis** which warrants the application to be made without notice:
 - Without notice applications should not be made routinely;
 - Without notice orders are made in **exceptional cases** to stop serious harm to victims.
- In **Hartless [2005] EWCA Civ 287**, Brooke LJ provided guidance:
 - [63]: No order should be made without notice, *'unless there is a very good reason for departing from the general rule that notice must be given'*
 - [63]: *'the more intrusive the order, the stronger must be the reasons for the departure'*
 - [72]: *'It would in our judgment be best if judges in the county courts, when deciding whether to exercise their discretion to make an ASBI without notice, followed the guidance given in s.45(2)(a) of the Family Law Act 1996. They should bear in mind:*
 - (1) *that to make an order without notice is to depart from the normal rules as to due process and warrants the existence of exceptional circumstances;*
 - (2) *that one such exceptional circumstance is that there is a risk of significant harm to some person or persons attributable to conduct of the defendant if the order is not made immediately;*
 - (3) *That the order must not be wider than is necessary and proportionate as a means of avoiding the apprehended harm.'*

Without Notice (2)

- If the Respondent has already been warned that an application is imminent (and no adverse consequences), may be difficult to justify a without notice application
- Can be made in the High court or County court (vast majority in CC, HC useful for out of hours).
- If application is made without notice, court can grant an interim injunction, but must either adjourn or dismiss the proceedings.
- Section 14 requirement to consult applies for first on-notice hearing.

Power of Arrest

- Provides a power to arrest the respondent, if there is a reasonable cause to believe that a breach of injunction has occurred.
- Attached to a prohibition or positive requirement.
- Can only be attached, if test under section 4(1) ASBCPA 2014, is met, i.e. if court considers that ASB:
 - Includes the use or threatened use of violence against other persons; or
 - Where it considers that there is a significant risk of harm to other persons from the respondent.
- Harm = emotional/psychological.
- Can be effective remedy.
- Caution: brings an extended practical obligation.
- If Power of Arrest made: must also be served on the Respondent. A copy must be given to the relevant police station (give to the Respondent **first** if order made without notice - CPR r.65.44(3)).

Committal Applications

- Matters to consider, whether or not to make an application:
 - Seriousness of the breach;
 - Impact of the breach on the complainant;
 - Whether there have been previous breaches;
 - The quality of the evidence available to support any enforcement action;
 - Parallel criminal proceedings;
 - How many breaches are there/seriousness of the breaches;
 - Proximity of the breaches to the date of the order.
- If appropriate, consider informal response (e.g. warning letter) prior to application.
- Committal hearings:
 - Robed;
 - Criminal rules of evidence (e.g. Defendant right to silence/no requirement for evidence in advance/criminal legal aid);
 - Civil rules for evidence of chief.
- Heightened levels of disclosure.
- Sentencing (up to 2 years) or unlimited fine. See [Civil Justice Council's Report on Anti-Social Behaviour and the Civil courts](#) on the approach to sentencing, which differs from sentencing in criminal cases, see *Lovett v Wigan BC* [2022] EWCA Civ 1631.
- Finding of breach (admission or court finding) likely to amount to mandatory ground of possession.

Protected Party

- Protected party: respondent who lacks capacity to conduct their defence in injunction proceedings (CPR r.21.1(2)(d)).
- Finding that a party lacks litigation is a serious step, see: *Islington v QR* [2014] EWHC 26 (COP). The threshold is high.
- Implications:
 - Litigation friend (CPR 21.2(1));
 - Permission from court required for everything, bar issuing and serving claim form/applying for a litigation friend (CPR 21.3(2)(b));
 - Any step prior to appointment of a litigation friend, has no effect, unless court orders otherwise (CPR 21.3(4)).
- Consider if the Official Solicitor can act as a litigation friend (procedure at CPR r.21.5, and subject to relevant criteria being satisfied).

Capacity

- Capacity must be assessed for each domain, e.g.:
 - Conducting litigation for whole of proceedings (not decisions within));
 - Understanding and complying with the terms of an injunction.
- Capacity is to be assessed in relation to the relevant decision/activity in question (*Dunhill v Burgin* [2014] UKSC 18).
- Assessed in accordance with test under sections 2-3 MCA 2005.
- S.2(3): Lack of capacity cannot be established merely by reference to P's age/appearance or P's condition/behaviour.
- S.3(1): *A person is unable to make a decision for himself if he is unable—*
 - (a) to **understand** the **information relevant** to the decision,
 - (b) to **retain** that information,
 - (c) to **use or weigh** that information as part of the process of making the decision, or
 - (d) to **communicate** his decision (whether by talking, using sign language or any other means).
- MCA assessment:
 - Must be thorough (specify what 'relevant information' was assessed);
 - Undertaken by a doctor/social worker/mental health worker.

Relevant Information

- Conducting proceedings, does the respondent have the capacity to conduct a defence in the context of:
 - Did the behaviour take place;
 - Will the behaviour continue to take place unless the respondent is restrained by injunctive relief.
- R may also be asked whether they want to give a promise to the court in relation to her behaviour.
- ASB relevant information likely to include:
 - That the ASB happened;
 - Landlord is seeking an order as a result of the behaviour;
 - Whether the respondent wants to defend the case;
 - Whether the respondent accepts that the allegations of the anti-social behaviour are true;
 - Whether the respondent can understand the terms of an injunction;
 - Whether the respondent will choose, and (is able to do so), to stop committing the behaviour and either agree an order or give an undertaking to the court.

Understanding the Injunction (1)

- *Wookey v Wookey, S (A Minor) (Injunction to Restrain)* [1991] Fam. 121 ('Wookey'):
 - Inherent jurisdiction to grant an injunction (NMO made against a mentally ill respondent).
 - Key principles from Butler-Sloss LJ judgement:
 - An injunction ought not to be granted if:
 - It cannot be enforced;
 - If the medical evidence establishes that R is incapable of understanding that, what he was doing was wrong.
 - Important distinction between: being *incapable of complying* v *disobeying* order (as applied in *C v F* [2014] EWHC 3346 (QB)).
 - The appointment of a litigation friend is not *of itself* a bar to an injunction or its enforcement.
 - First hearing: Judge should consider if there is sufficient evidence to appoint a litigation friend.

Understanding the Injunction (2)

- Wookey applied in *P v P (Contempt of court: Mental Capacity)* [1999] 2 FLR 897, CA:
 - Butler-Sloss LJ at page 902 (emphasis added):
 - *'a degree of understanding, which is not total, may in a case be sufficient. It is not necessary for members of the public to have a clear understanding of the finer points of procedure of the law in the case in which they are parties. It depends upon the facts. **It is however crucial that a litigant against whom an order is to be made understands what he must not do, that the order on a piece of paper tells him he must not do A or B or C and that he understands that if he disobeys the order he will be in trouble and he may go to prison.***
 - Sedley LJ at page 904 (emphasis added):
 - It is unnecessary for the contemnor to understand the nature and extent of the jurisdiction of the court. It is enough for that the person understands that *'**an order has been made forbidding him to do certain things and that if he does them he may well be punished.***

Equality Act 2010

- Respondents who have a protected characteristic (s.4 EA 2010) may defend an injunction application on the basis that:
 - Application amounts to discrimination within the meaning of the EA 2010; or,
 - Public body has not complied with the PSED (s.149 EA 2010).
- Does a respondent have a 'disability' (s.6 EA 2010):
 - Physical/mental impairment, which has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities
 - Expert evidence will be required
- *Forward v Aldwyck Housing Group Ltd* [2019] EWHC 24 (QB): Mrs Justice Cheema-Grubb DBE at [39]:
 - *'There can be no question that a simple proportionality assessment is not what the PSED requires. A rigorous consideration of the impact of the decision to commence eviction proceedings, against the equality objectives encapsulated in the PSED is required. It must be done with an open mind and not as a defensive 'sweep - up'. This consideration must itself be set in the context of promoting the statutory objective'*.

Care Act 2014

- Under the CA 2014, local authorities have a duty to assess any person in their area, who may require care and support.
- For example:
 - Does the respondent have mental health issues, learning difficulties or evidence of substance abuse.
 - Individuals who were assessed as eligible for homelessness assistance with a 'priority need' under the HA 1996, Part VII, may have been allocated temporary/permanent social housing, but remain vulnerable and in need of support.
- Consider whether the local authority should be asked to assess the individual.
- Collaborative approach with social services/support agencies can be effective in addressing the relevant behaviour.



Common errors



Common Errors

**Application
form**

**Witness
statements**

Service

**Committal
proceedings**

**Without
notice**

**Power of
arrest**

Capacity

PSED





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Resources:

Cornerstone on Anti-social Behaviour by Kuljit Bhogal KC
<https://www.bloomsburyprofessional.com/uk/cornerstone-on-antisocial-behaviour-9781526508645>