INDEPENDENT POLICY SUBMISSION

Protecting the Right to Peaceful Enjoyment

A proportionate, time-bound framework for persistent anti-social behaviour in social housing in England

Core proposition

England already has substantial anti-social behaviour and possession powers. The reform priority is to make social landlords use the right powers promptly, consistently and transparently when repeated harm is evidenced - while preserving court oversight, proportionality and support for vulnerable households.

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For parliamentary and departmental consideration

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Policy analysis, not legal advice. Housing is devolved; the recommendations in this paper apply to England.

PURPOSE

A practical route from repeated harm to accountable action

This paper examines the relationship between anti-social behaviour (ASB) in social housing, failures in landlord case handling, and the documented effects on residents. It then proposes a statutory three-stage escalation framework designed to secure earlier protection, clearer accountability and more consistent use of existing enforcement powers.

The case for reform is not that every allegation should lead to eviction. It is that repeated, evidenced harm should trigger mandatory action, senior review and a reasoned enforcement decision within defined timescales. Eviction remains one possible remedy - not the policy objective - and the court remains the final decision-maker where possession is sought.

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Reading the five-year data correctly

The Housing Ombudsman has changed its reporting denominator over the period. Earlier years describe the share of incoming complaints; recent years describe investigated findings. A single five-year percentage or trend line would therefore be misleading. This paper presents the figures side by side, labels the denominator and avoids a false average.

EXECUTIVE SUMMARY

The problem is delayed activation, not an empty legal toolbox

Persistent ASB can turn a home into a place of fear, sleep deprivation and retreat. The national evidence shows not only the direct effects of ASB, but also that a poor reporting experience can intensify harm by adding uncertainty, evidence-gathering burdens, loss of trust and prolonged exposure.

The social housing system already contains discretionary and mandatory possession grounds, injunctions, closure powers and an ASB Case Review process. The Regulator of Social Housing also requires prompt and appropriate landlord action. Yet Housing Ombudsman decisions repeatedly identify the same operational failures: no early risk assessment, no agreed action plan, weak communication, poor records, delayed multi-agency working, and failure to take ownership of the case.

The latest Ombudsman review found 1,062 ASB findings in 2024-25 - the third-largest complaint category - and upheld 66% of them. In 2023-24, 68% were upheld. These are selected, escalated complaints rather than a prevalence estimate for the whole sector, but the persistently high uphold rate is a strong warning about the quality of landlord handling in cases that reach independent investigation. [1]

66% **ASB complaints upheld by the Housing Ombudsman in 2024-25** 1,062 investigated ASB findings	**59.5%** **Median landlord satisfaction with handling ASB** All low-cost rental accommodation, 2024-25	**36** **ASB cases per 1,000 homes** Median large registered landlord, 2024-25
27% **Recent reporters satisfied with the outcome** Small, non-representative MHCLG resident panel	**22%** **Reported difficulty sleeping** Home Office/Ipsos ASB impact study	**17%** **Work or education affected** Home Office/Ipsos ASB impact study

Central recommendation

Create a statutory Persistent ASB Protection and Accountability Framework for registered providers in England. It should impose three escalating duties: (1) protect and assess, (2) convene and intervene, and (3) conduct a senior enforcement review. Serious incidents must be able to bypass the sequence. The framework should require recorded reasons whenever a landlord decides not to use an available enforcement or safeguarding measure.

Why not an automatic “three strikes and out” rule?

A rigid strike count would be easy to describe but difficult to administer fairly. Allegations vary greatly in seriousness and evidential strength; disability, domestic abuse, safeguarding, counter-allegations and household members may all be relevant. Automatic eviction would also sit uneasily with proportionality and equality duties. A better “three-stage” model creates certainty about the landlord’s obligations without predetermining the court’s decision.

The reform principle

A resident should not have to prove the same danger repeatedly while separate agencies wait for one another. Once a defined threshold is met, the system - not the victim - should carry the burden of coordination.

RECOMMENDATIONS AT A GLANCE

Ten measures that can be acted on

1. **Statutory response times.** Require acknowledgement within two working days, triage and risk assessment within five working days, and a 24-hour pathway for immediate danger.
2. **Named ownership.** Every open ASB case should have a named case owner, a written action plan and an agreed contact schedule.
3. **Mandatory escalation threshold.** Trigger multi-agency review after one serious incident, three reasonably evidenced incidents within six months, or a material rise in risk.
4. **Serious-incident fast track.** Allow threats of serious violence, hate incidents, stalking, arson risk, weapons, serious drug activity or comparable danger to proceed directly to senior enforcement review.
5. **Senior enforcement decision.** Where harm persists, require a legally informed review of injunction, closure, tenancy action, possession, safeguarding and victim-relocation options within ten working days.
6. **Reasons and review.** Require written reasons for action or inaction, disclose what can lawfully be shared, and advise the victim of the ASB Case Review and new local policing body review routes.
7. **Shared evidence burden.** Diary sheets may support a case but should never be the only route. Landlords should triangulate police data, staff observations, repair records, CCTV, noise evidence, neighbour reports and professional assessments.
8. **Public performance data.** Publish response times, repeat reports, case age, risk assessments, action plans, outcomes, legal action, satisfaction and review referrals by landlord.
9. **Regulatory consequences.** Use poor ASB performance as a trigger for Regulator of Social Housing scrutiny and Housing Ombudsman wider orders, with annual board assurance.
10. **Support on both sides.** Provide victim advocacy and safety measures while addressing disability, mental health, substance misuse or other support needs of alleged perpetrators where relevant and safe.

Immediate parliamentary route

The most effective first route is through the local Member of Parliament. An MP can submit the paper to the Minister, request a meeting, table written parliamentary questions, ask for a formal departmental response and seek a Westminster Hall debate or adjournment debate if wider support emerges. A direct submission to the Ministry of Housing, Communities and Local Government should be made in parallel, not instead of the parliamentary route.

A live policy window

The Crime and Policing Act 2026 has just expanded ASB powers and data architecture, including closure notices for registered social housing providers, local policing body reviews and a power to require ASB information. The proposed framework would make those new tools work coherently inside social housing case management.

1. SCOPE AND METHOD

What this paper measures - and what it cannot yet prove

Geographical and tenure scope

The paper concerns social housing in England, including local authority landlords and private registered providers commonly described as housing associations. Housing law and regulation are devolved, so the proposals would need separate consideration in Scotland, Wales and Northern Ireland.

Evidence sources

- Housing Ombudsman annual complaint reviews, Insight reports and published determinations. [1]
- Regulator of Social Housing consumer standards and Tenant Satisfaction Measures. [5]
- MHCLG Social Housing Resident Panel research on experiences of ASB. [3]
- Home Office/Ipsos research on individual and community impacts of ASB. [4]
- Home Office/Ipsos research on the ASB incident journey from reporting to resolution. [22]
- Local Government Association survey evidence on the operation of the ASB Case Review. [21]
- Primary legislation, government guidance and the Crime and Policing Act 2026. [8]

The denominator problem

The Housing Ombudsman does not collect every complaint handled and resolved locally by social landlords. Its statistics concern cases received or decided by the Ombudsman, and are therefore not a national prevalence survey. In addition, the published measure changed across the period: 2020-21 and 2021-22 use the percentage of incoming complaints; 2022-23 is available as quarterly incoming complaint shares; 2023-24 and 2024-25 can be calculated from investigated findings. The figures should not be averaged as if they were identical measures. [1] [2]

Correlation versus causation

No current national dataset links an individual ASB incident, a specific landlord response, the duration of exposure and a resident health or employment outcome. This paper therefore does not claim a precise causal effect size for landlord maladministration. It instead tests whether multiple independent sources form a coherent evidence chain: material ASB workload; high uphold rates; repeated operational failure modes; poor satisfaction; documented harm; and evidence that poor reporting outcomes worsen that harm.

> **Data reform is part of the solution**
>
> The absence of a linked national dataset is not a reason to postpone action. It is a reason to require standard case-level fields, outcome measures and anonymised reporting so that future policy can be evaluated properly.

2. WHAT THE EVIDENCE SHOWS

ASB is a persistent and highly upheld complaint category

Across the last five reporting years, ASB or "tenant behaviour" has consistently formed a substantial part of the Housing Ombudsman workload. It was around 12% of incoming complaints in 2020-21 and 2021-22; quarterly shares ranged from 10% to 13% in 2022-23; and it accounted for 9.9% and 7.4% of investigated findings in 2023-24 and 2024-25 respectively. The apparent decline in the final two percentages must not be read as a single clean trend because the denominator changed.

Reporting period	Published ASB measure	Volume / rate	Independent outcome	Comparability note
2020-21	Share of all complaints received	12%	34% of tenant-behaviour findings upheld	Incoming complaints; category then labelled tenant behaviour.
2021-22	Share of complaints received	12%	Not published as a single directly comparable annual ASB uphold rate	Incoming complaints.
2022-23	Quarterly share of complaints received	Q1 12%; Q2 13%; Q3 10%; Q4 10%	Quarterly ASB maladministration reported at 31%, 39% and 43% for Q1-Q3	No single annual category share in the annual review.
2023-24	Share of investigated findings	1,173 of 11,835 = 9.9%	68% upheld	Findings, not incoming complaints.
2024-25	Share of investigated findings	1,062 of 14,420 = 7.4%	66% upheld; 39 severe maladministration findings	Method excludes withdrawn and outside-remit matters from category chart.

Table 1. Five-year Housing Ombudsman ASB picture. The table deliberately preserves the changing denominator. Sources [1], [2], [14]-[18].

What the latest year means

In 2024-25 the Ombudsman made 14,420 findings across all categories and 1,062 related to ASB. ASB remained the third-largest category after property condition and complaint handling. Two-thirds of the investigated ASB complaints were upheld, meaning the Ombudsman found severe maladministration, maladministration or service failure.[1]

This does not mean two-thirds of all landlord ASB cases fail. Cases reaching the Ombudsman are selected and escalated. It does mean that, among residents who exhausted the landlord process and secured an independent investigation, failure was found unusually often and at scale.

Tenant satisfaction and recorded case volume

For 2024-25, the median large landlord recorded 36 ASB cases per 1,000 homes. The median score for satisfaction with the landlord's approach to handling ASB was 59.5% across all low-cost rental accommodation. For private registered providers, the median was 63.4%. The regulator cautions that case volumes and perception measures must be interpreted in context and in the round.[5]

2024-25 TSM measure	Landlord median
ASB cases per 1,000 homes	36.0
Satisfaction with handling ASB - all LCRA	59.5%
Satisfaction with handling ASB - private registered providers	63.4%

Interpretation

The strongest evidence is not a single percentage. It is the combination of substantial workload, middling tenant satisfaction and a high independent uphold rate when disputes are escalated.

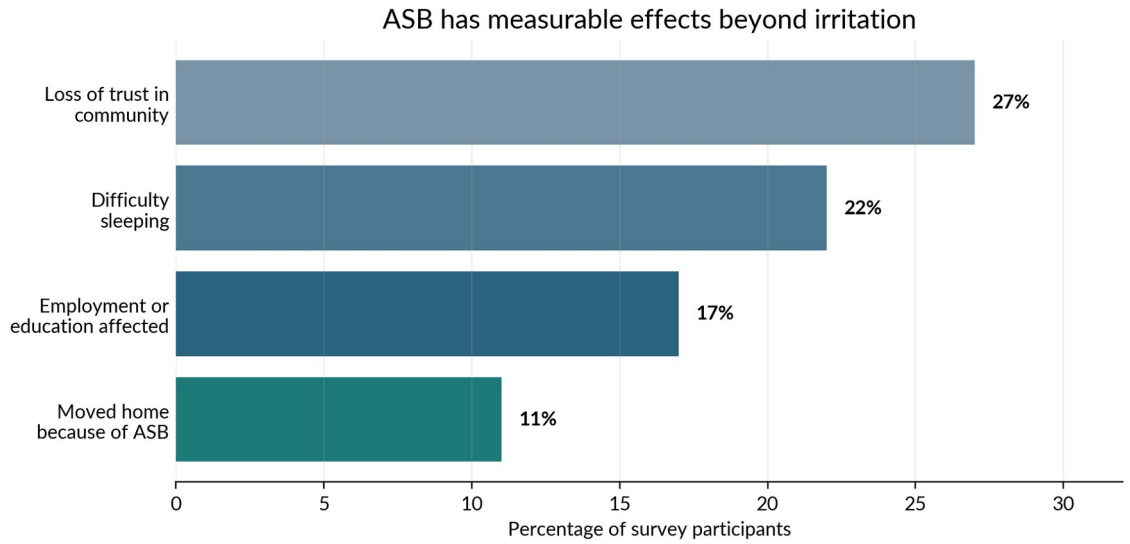
3. EFFECTS ON RESIDENTS

ASB damages sleep, work, mobility and trust

The Home Office/Ipsos study provides the broadest quantified evidence of individual and community impact. It is not limited to social housing, but nuisance-neighbour and noise cases - common in housing ASB - were among the behaviours associated with sleep loss and reduced productivity.

The reporting response is itself an intervention

Timely acknowledgement, honest updates, safety planning and visible ownership do not require a possession order. They can reduce uncertainty and harm while evidence is gathered and proportionate action is considered.



Source: Home Office/Ipsos research (2023). "Moved home" combines 6% to a new area and 5% within the same area.

Direct personal effects

Twenty-two per cent of survey participants reported difficulty sleeping. The figure rose to 42% among those affected by loud music or noise and 34% among those affected by nuisance neighbours. Seventeen per cent reported an effect on employment or education, including reduced productivity, time off, early exit from work or study, and job loss or change. Around one in ten moved home because of ASB. [4]

These outcomes matter for housing policy because prolonged case handling can extend exposure. Sleep loss can impair work and family functioning; fear can constrain use of communal areas; and moving the victim may transfer the cost of failure to the person who complied with the tenancy.

Community and institutional effects

Twenty-seven per cent reported a decline in trust in other people or their community. A separate 27% reported lost trust in institutions. The study found that inaction or a poor reporting experience could worsen negative impacts and reduce trust in the organisations responsible for responding. [4]

Social housing residents' experiences

The 2025 MHCLG Resident Panel exercise was small and explicitly not statistically representative. It is nevertheless valuable qualitative evidence from engaged social housing residents. Among participating panel members, 85% had experienced ASB, 75% of those had formally reported it, and only 27% of recent reporters said the matter had been resolved to a satisfactory standard. [3]

Participants linked negative experiences to poor ownership and communication, ineffective multi-agency working, evidence burdens and long delays. Some described desperation and suicidal feelings. These accounts are not statistically generalisable, but they are directly relevant to service design. [3]

4. THE EVIDENCE CHAIN

How landlord failure plausibly compounds resident harm

A national matched-data correlation cannot yet be calculated. However, the available evidence supports a strong and policy-relevant association between weak landlord handling and extended resident harm.



Five linked propositions

1. **ASB is not marginal.** It remains the Housing Ombudsman's third-largest category and large landlords record substantial case volumes.
2. **Failures are frequently verified.** The Ombudsman upheld 68% of ASB complaints in 2023-24 and 66% in 2024-25.
3. **The failures recur.** Published learning repeatedly identifies weak risk assessment, action planning, communication, case ownership and multi-agency working.
4. **Harm is measurable.** National research records sleep, work, relocation and trust effects, while social housing residents describe fear, stress and loss of faith in reporting.
5. **The response changes the impact.** Home Office research finds that poor reporting outcomes and support experiences increase negative impacts, while positive communication and timely support can ease them.

The counterfactual matters

Good practice cases show that better outcomes are operationally possible. Prompt visits, proportionate evidence gathering, early contact with alleged perpetrators, police liaison and regular communication can be delivered without assuming every report is proven or every tenancy must end. This weakens the argument that delay is simply an unavoidable feature of ASB complexity.

Policy conclusion from the evidence chain

The state should not define success solely by how many people are evicted. It should define success by how quickly risk is understood, harm is reduced, behaviour changes, victims regain safe enjoyment of their homes, and proportionate enforcement is used when earlier intervention fails.

> **Key distinction**
> The proposal is not a presumption of guilt after three reports. It is a presumption of institutional action after a defined risk or persistence threshold.

5. RECURRING FAILURE MODES AND CASE STUDIES

The same defects appear across different landlords

The Housing Ombudsman's July 2025 severe maladministration learning report highlighted recurring issues in hate crime and harassment, multi-agency cooperation, ASB-related repairs, action plans, risk assessments, communication and complaint handling, and noise. These are not merely legal-evidence problems; they are case-management problems.[6]

Failure mode	What it looks like	Risk created
No early risk assessment	Case opened without recording vulnerability, severity, escalation or immediate safety needs.	Danger is under-prioritised; later decisions lack a baseline.
No working action plan	Resident receives diary sheets but no clear account of what the landlord will do and when.	The victim carries the burden; drift becomes invisible.
Communication gaps	Long periods without acknowledgement or updates.	Distress, mistrust, repeat contacts and complaint escalation.
Weak multi-agency ownership	Landlord waits for police or passes the resident between bodies.	Available housing, safeguarding and environmental powers are not combined.
Evidence tunnel vision	Only diaries or criminal proof are treated as useful.	Corroborative housing evidence is missed; non-criminal nuisance is left unmanaged.
Late legal review	Solicitors are approached only after months of escalation, with incomplete papers.	Further delay and missed opportunities for injunction or tenancy action.
Victim displacement	Moving the victim becomes the main response.	The compliant household absorbs upheaval and the behaviour may remain.

Case study 1 - Hyde Housing Association: action came, but far too late

The landlord's own procedure required contact within five working days. The first evidenced contact came after 23 working days. A later communication gap lasted three months and 16 days, and it took almost seven months to contact the police or alleged perpetrator. The neighbour was eventually evicted, but the Ombudsman found maladministration in both the ASB handling and complaint handling.[7]

Case study 2 - L&Q: severe maladministration over a high-risk harassment case

In a case involving repeated harassment, police involvement and fear for personal safety, the landlord waited 47 working days before seeking formal police disclosure, did not complete the expected early risk assessment, communicated poorly and failed to take ownership after instructing solicitors. The Ombudsman found severe maladministration in the ASB response and complaint handling, ordered £3,550 compensation, a senior single point of contact and a multi-agency meeting.[8]

Case study 3 - Joseph Rowntree Housing Trust: prompt, proportionate handling

The landlord visited within days, supplied reporting tools, pursued the identity of alleged perpetrators, interviewed and warned an alleged perpetrator within the month, and liaised with police and other agencies. The Ombudsman found no maladministration. The case demonstrates that early action and fair communication are compatible with evidential caution.[9]

What the cases show

Enforcement outcomes differ, but the quality standard is stable: assess risk early, own the case, communicate, gather evidence actively, work with partners and review proportional options before harm becomes chronic.

6. CURRENT LAW AND REGULATION

England already has strong powers - but no universal activation timetable

Existing possession and enforcement routes

- **Secure tenancies.** Ground 2 in Schedule 2 to the Housing Act 1985 provides a discretionary possession ground for nuisance, annoyance and certain criminal or immoral use connected to the dwelling or locality. [10]
- **Assured tenancies.** Ground 14 in Schedule 2 to the Housing Act 1988 provides a discretionary possession ground for nuisance, annoyance and relevant offending. The court decides whether possession is reasonable. [10]
- **Mandatory serious-ASB route.** The Anti-social Behaviour, Crime and Policing Act 2014 introduced an absolute ground for secure tenancies and Ground 7A for assured tenancies when specified serious conditions are met, such as relevant convictions, injunction breaches or closure orders. [10]
- **Injunctions and closure.** The 2014 Act contains civil injunction and closure powers. The Crime and Policing Act 2026 restructures injunctions and enables registered social housing providers to issue closure notices for premises they own or manage, subject to the statutory scheme. [11]
- **ASB Case Review.** The 2014 Act provides a review mechanism often known as the Community Trigger. The 2026 Act adds a local policing body review route and publication duties. [11]
- **Data power.** Section 7 of the 2026 Act inserts a power for the Secretary of State to require specified authorities to provide ASB information. [11]

Regulatory expectations

The Neighbourhood and Community Standard requires registered providers to work with police, local authorities and other organisations; make reporting easy; keep tenants informed; take prompt and appropriate action using the full range of tools and powers; and support affected tenants. [12]

The regulator's Code of Practice states that ASB can have a significant negative impact, expects effective policies and processes, and calls for a victim-centred approach while also supporting vulnerable perpetrators to sustain their tenancy where possible. [13]

Why powers alone have not solved the problem

The legal framework answers "what may be done" but generally does not prescribe a uniform operational clock for "what must be assessed, convened, reviewed and explained by when". Landlord policies vary, and failure to follow even a landlord's own timescales often emerges only after prolonged complaint escalation.

This produces an accountability gap between broad regulatory words such as "prompt" and the day-to-day decision points that determine whether a victim receives protection. Awaab's Law demonstrates the wider policy logic of translating an important landlord duty into enforceable response times. ASB needs a similarly disciplined architecture, adapted to evidential complexity and due process.

Variation is built into the present delivery model

Home Office incident-journey research found that practice varied by area and agency from initial reporting through investigation, resolution and appeal. Housing associations and local authorities developed separate reporting processes, and those differences could weaken later multi-agency working. A national minimum process would preserve local discretion over remedies while reducing postcode variation in basic protection and accountability. [22]

The ASB Case Review is an important but uneven backstop

A 2025 Local Government Association survey of 77 councils found that 37% used eligibility caveats in addition to the statutory threshold. Among authorities using extra caveats, 44% said a victim could not apply while an investigation was ongoing and 43% required an application within one month of the last reported incident. Average applications among respondents rose to 8.67 per authority in 2023-24, while 36% to 52% of applications failed the threshold across the seven-year period examined. The survey is a snapshot rather than a representative national estimate, but it demonstrates material variation in access and operation. [21]

The Crime and Policing Act 2026 gives Police and Crime Commissioners a role in promoting the Case Review and providing a route to query decisions. Housing reform should complement that change with national minimum eligibility rules, published timescales and outcome data, and an independent chair for high-risk cases where the adequacy of the existing response is itself disputed. [11] [21]

Legal safeguards that must remain

Possession of a person's home is a grave measure. Public authority possession proceedings engage proportionality under Article 8, and social landlords must also act consistently with equality duties, including the public sector equality duty where applicable. Any reform must retain judicial scrutiny, reasonable adjustments, consideration of disability and family circumstances, and protection against discriminatory or retaliatory action. [19] [20]

Diagnosis

The gap is not "no power to evict". The gap is inconsistent, delayed and poorly documented movement from report, to protection, to intervention, to a proportionate enforcement decision.

Policy options appraisal

The government should compare realistic delivery options rather than treating the choice as either the status quo or automatic eviction. The 2026 Green Book requires appraisal of costs, benefits, risks and credible alternatives. [23]

Option	What it could achieve	Principal limitation and assessment
A. Status quo	No new implementation burden; existing powers remain available.	Does not address variable timescales, ownership or repeated operational failure. Not recommended.
B. Guidance only	Can be issued quickly and spread good practice.	Weak enforceability and limited visibility where landlords do not comply. Useful only as an interim step.
C. Regulatory code plus national data	Creates common expectations, inspection evidence and public comparison.	Can improve practice quickly but may not create clear individual review rights. Necessary, but not sufficient alone.
D. Statutory three-stage duty	Creates enforceable minimum actions, deadlines, reasons and escalation while retaining local choice of remedy.	Requires capacity, data standards and careful safeguards. Preferred option, tested through a pilot.
E. Automatic three-strikes possession	Simple message and apparent certainty.	Conflates reports with proof, risks discrimination and displacement, and pre-empts judicial proportionality. Reject.

7. PROPOSED STATUTORY FRAMEWORK

Persistent ASB Protection and Accountability Framework

The framework should apply to registered providers' management of reported housing-related ASB. It should be delivered through a combination of statutory guidance, amended consumer standards or code provisions, and - where necessary - targeted regulations or primary legislation. The duties concern the landlord's process and accountability; they do not determine whether an allegation is proven or direct a court to grant possession.

1 STAGE	**Protect and assess** **Trigger:** Any ASB report. Immediate-danger indicators create a 24-hour route; all other reports enter standard triage. **Required action:** Acknowledge; complete risk and vulnerability assessment; appoint named owner; agree safety and evidence plan; define communication frequency; distinguish ASB from normal living noise or an ordinary neighbour dispute. **Deadline:** Acknowledgement within 2 working days; triage and written initial plan within 5 working days.
2 STAGE	**Convene and intervene** **Trigger:** One serious incident; three reasonably evidenced incidents in six months; repeat reports after intervention; or a material increase in risk. **Required action:** Hold a multi-agency case conference; combine evidence; set a written intervention plan; consider warnings, support, mediation where safe, environmental measures, tenancy action, injunctions and victim protection; provide fortnightly updates. **Deadline:** Conference within 10 working days of threshold; written plan within 2 working days after conference.
3 STAGE	**Senior enforcement review** **Trigger:** Serious harm persists, interventions fail, a court order is breached, or the risk becomes intolerable. **Required action:** Senior housing, legal and safeguarding review of the strongest proportionate lawful options. Record action, reasons, evidence gaps, equality considerations, support offers and next review date. Advise victim of review rights. **Deadline:** Decision within 10 working days of trigger; urgent applications sooner where safety requires.

Serious-incident bypass

The stages are not a queue that must be completed mechanically. Credible threats of serious violence, stalking, hate incidents, arson risk, weapons, serious drug activity, sexual harassment, serious criminal damage or comparable danger should allow immediate movement to multi-agency and senior enforcement review while emergency services and safeguarding duties operate in parallel.

A rebuttable duty to act, not an automatic duty to evict

At Stage 3 the landlord should be required to use the strongest proportionate lawful tool supported by the evidence, or record a specific and reviewable explanation for not doing so. The available outcome might be an injunction, exclusion term, closure, demotion, possession, support-led tenancy intervention, management action, safeguarding transfer or a combination. Inaction without reasons should not be an acceptable outcome.

FRAMEWORK DETAIL

Make performance visible and comparable

Evidence rules

- Diary sheets are one source, not a gatekeeping requirement.
- Criminal conviction is not required for housing management action that uses a civil standard or non-legal intervention.
- Evidence should be triangulated across police records, professional observations, repair and security records, CCTV or doorbell footage lawfully obtained, noise monitoring, witness accounts and patterns across households.
- Anonymous or confidential reports should be used where lawful and safe, with clear explanations about evidential limitations.
- Counter-allegations must be assessed rather than used as a reason to close both cases automatically.

> **One sentence version**
>
> Three reports should not equal automatic eviction; three verified episodes should equal automatic escalation, visible ownership and a reasoned decision.

Required landlord metrics

- ASB cases opened per 1,000 homes, with definitions standardised.
- Median and 90th percentile acknowledgement, triage and action-plan times.
- Percentage of cases with a risk assessment, named owner and action plan completed on time.
- Repeat reports by household, location and alleged perpetrator, with appropriate privacy controls.
- Case age and number of cases open beyond 30, 90 and 180 days.
- Number and outcome of multi-agency conferences and ASB Case Reviews.
- Interventions used: support, mediation, warnings, security works, injunctions, closure, tenancy action and possession.
- Victim satisfaction at key stages, not only at closure.
- Number of cases closed as “no further action”, with coded reasons and evidence of communication.
- Complaints, Ombudsman findings and compensation linked to ASB case handling.

Board and regulatory assurance

Every registered provider should publish an annual ASB assurance statement signed by the board member or councillor responsible for housing. It should certify data quality, identify overdue high-risk cases, explain systemic learning and set improvement actions. Material or repeated failure should inform Regulator of Social Housing engagement and inspection.

Use the 2026 data power

The Secretary of State should use the new section 105A information power created by the Crime and Policing Act 2026 to standardise returns from relevant authorities and, where the legal definition permits or can be amended, registered social housing providers. This should include reports received by non-police agencies, use of powers, repeat victimisation, review applications and outcome data. The government’s own factsheet recognises gaps in national data on reports to non-police agencies and use of ASB powers. [11]

Standardise the ASB Case Review backstop

- **National eligibility baseline.** Local schemes should not add barriers that frustrate the statutory purpose or exclude a review solely because an investigation remains open when the adequacy or pace of that investigation is disputed.
- **Fixed review clock.** Determine eligibility within 10 working days, hold the review within 20 working days of acceptance, and issue a written action plan within five working days after the panel.
- **Independent chair for higher-risk cases.** Use an external chair where serious harm is alleged, the same agencies have repeatedly reviewed their own response, or confidence in impartiality is reasonably in issue.
- **Transparent outcomes.** Publish applications, acceptances, rejection reasons, timeliness, recommendations and completion rates in a standard format, with privacy protections.
- **No substitution.** A Case Review is a backstop and must not become a reason for a landlord to pause its own risk assessment, safeguarding or enforcement duties. [21]

Independent victim support

High-risk or long-running cases should trigger an offer of an independent ASB advocate. The advocate would help the resident understand the action plan, compile existing evidence without duplicating it, request an ASB Case Review and access health, safeguarding or legal support. The advocate must not replace the landlord's duty to investigate.

Protective measures while enforcement develops

- Locks, lighting, entry systems, repairs and environmental design measures.
- Confidential contact arrangements and safe methods for updates.
- Temporary refuge or emergency management transfer where risk cannot be contained.
- Coordination with police, environmental health, adult or children's services and domestic abuse specialists.
- A presumption against solving the case solely by moving the victim, unless that is the victim's informed preference or necessary for immediate safety.

The measure that changes behaviour inside organisations

A deadline without a named owner becomes a queue. A named owner without published performance becomes invisible. The framework needs both.

8. RIGHTS, SAFEGUARDS AND SUPPORT

Firm action must still be fair action

The legitimacy of faster enforcement depends on trustworthy safeguards. The framework should protect victims from institutional drift while protecting accused tenants and household members from error, discrimination and disproportionate punishment.

Safeguard	Minimum requirement
Evidence threshold	Escalation may rely on reasonably evidenced patterns; possession or injunction applications must meet the relevant legal test.
Notice and response	The alleged perpetrator should normally know the substance of allegations and have an opportunity to respond, subject to victim safety and legal restrictions.
Equality and disability	Record reasonable adjustments, disability-related behaviour, support needs, capacity concerns and the public sector equality duty analysis where applicable.
Domestic abuse and coercion	Screen for cases in which an apparent perpetrator is being coerced, exploited or reacting to abuse; avoid unsafe mediation.
Children and household members	Assess effects on dependants and non-culpable household members; connect support and safeguarding services.
Counter-allegations	Investigate each allegation on evidence and impact; do not default to labelling serious harassment as a mutual dispute.
Support before possession	Offer relevant mental health, substance misuse, tenancy-sustainment or behavioural support unless immediate danger makes prior intervention unsafe or futile.
Court oversight	Retain judicial determination for possession and contested injunctions, including proportionality where legally required.
Victim confidentiality	Share only what is necessary and lawful; explain when anonymity limits evidential use and provide alternative safety measures.

Support is not softness

Positive requirements, treatment, support and tenancy-sustainment work can reduce recurrence and may protect neighbours more effectively than warning letters alone. The 2026 framework for Respect Orders and housing injunctions reflects the value of combining prohibitions with requirements that address underlying behaviour. However, support must not become an indefinite reason to leave victims exposed.

Proportionality should be timely

Proportionality is often treated as a reason to postpone a decision. It should instead be a disciplined comparison of risk, evidence, alternatives, support and impact at a defined point in time. A prompt, documented proportionality assessment is more defensible than months of unrecorded drift.

> **Non-negotiable balance**
> No automatic eviction. No automatic inaction. The landlord must investigate, protect, decide and explain.

Likely objections - and why they are manageable

Objection	Policy response
"The deadlines will cost too much."	The framework should be piloted and costed, but repeat contact, complaint escalation, legal rework, repairs, transfers and multi-agency demand already consume resources. The test is net public value, not zero implementation cost.
"More reporting will make landlords look worse."	Raw case volume must never be used alone. Accessible reporting can increase recorded cases. Performance should combine volume with repeat harm, speed, case age, satisfaction and independent findings.
"Courts are already under pressure."	Most required actions are non-court measures. Earlier legal triage should also produce fewer, better-prepared applications rather than late and incomplete files.
"Disability or mental ill health makes firm action unfair."	Equality analysis, reasonable adjustments, support and positive requirements are built into the framework. Those duties should shape action, not justify indefinite exposure of neighbours to serious harm.
"Counter-allegations and false reports are common."	Escalation is not a finding of guilt. Evidence must be tested, parties heard and confidentiality managed. The duty is to investigate and decide, not automatically punish.
"Local agencies need discretion."	The proposal preserves discretion over the remedy. It standardises the minimum process: assess, own, convene, decide, record and review.

9. IMPLEMENTATION AND EVALUATION

A staged route that does not require waiting for a perfect Bill

Pilot hypothesis: Clear deadlines, named ownership and mandatory senior review should reduce prolonged exposure and repeat demand even where the final legal outcome is not possession.

Phase 1 - ministerial and regulatory action (0-6 months)

- MHCLG convenes a working group with the Home Office, Regulator of Social Housing, Housing Ombudsman, police, local authorities, landlords, victim organisations and tenant representatives.
- The regulator consults on time-bound Code of Practice expectations; the Ombudsman develops a model action plan, risk-assessment standard and learning indicators.
- The Secretary of State specifies the national ASB data return under the 2026 Act and publishes a data dictionary.
- Government selects a representative pilot cohort of local authorities and housing associations.

Phase 2 - 12-month pilot

Pilot the framework with eight to ten landlords across regions, landlord types and stock sizes. Include areas with differing ASB rates and complaint performance. Establish a pre-pilot baseline and independent evaluation before implementation begins.

Outcome domain	Illustrative measures
Speed	Acknowledgement, risk assessment, conference and enforcement-review times.
Safety and harm	Repeat incidents, urgent transfers, police call-outs, victim-reported safety and sleep disruption.
Resolution	Cases resolved, behaviour change, injunction/closure/possession outcomes and recurrence after closure.
Experience	Victim satisfaction, perceived fairness of accused tenants, communication quality and evidence burden.
Organisational quality	Policy compliance, record completeness, staff confidence, multi-agency attendance and legal-file readiness.
Equity	Outcomes by disability, ethnicity, age, sex, household type and landlord type, with careful disclosure controls.
Cost	Staff time, legal cost, temporary accommodation, repairs/security and avoided repeat demand.

Evaluation method

- **Pre-published protocol.** Set the primary outcomes, data definitions and analysis plan before the pilot begins.
- **Matched comparison.** Compare pilot landlords with similar non-pilot landlords and use a pre-pilot baseline, rather than relying only on before-and-after change.
- **Resident follow-up.** Measure safety, sleep, ability to use the home, trust, satisfaction and employment disruption at opening, 3 months, closure and 12 months.
- **Equity and unintended effects.** Test whether protected groups, children, victims of domestic abuse or households with disability-related needs experience different escalation, support or possession outcomes.
- **Independent publication.** Publish the full evaluation, including null or adverse findings, landlord-level implementation fidelity and lessons for national rollout. [23]

Phase 3 - national duty (12-24 months)

Following evaluation, place the operational duties on a statutory footing where the existing regulatory framework is insufficient. The final instrument should specify thresholds, minimum actions, record-keeping, reasons, reporting and review rights while allowing justified local adaptation.

Delivery capacity and workforce

Deadlines without capacity can create superficial compliance. Pilot funding should support specialist ASB case managers, early legal triage, trauma-informed and equality training, data-sharing agreements and active caseload oversight. In 2026, the Housing Ombudsman reported that a patch-based housing management structure at one

landlord had created competing pressures that reduced proactive case management, timely communication and consistent oversight; the response included clearer accountability, governance and a more specialist approach. [24]

Avoid perverse incentives

Publishing raw case volumes alone could discourage reporting or reward landlords that fail to record cases. Performance must therefore be judged in the round: reporting accessibility, repeat harm, response speed, case age, satisfaction, outcome and independent complaint findings. Higher initial case volumes may reflect better reporting rather than worse neighbourhoods.

Sunset and review

Require an independent statutory review after three years, including whether the thresholds are fair, whether enforcement is faster, whether victims are safer, whether protected groups experience adverse outcomes, and whether possession is being used proportionately.

10. ECONOMIC AND PUBLIC VALUE CASE

Measure the cost of inaction, not only the cost of reform

There is no defensible national cash estimate that isolates persistent ASB in social housing and the additional cost caused specifically by delayed landlord action. This paper should not manufacture one. The absence of a total is itself a data gap: the documented effects on sleep, work, relocation and trust imply real costs, but current systems do not connect incident duration, service use and household outcomes consistently. [4] [22]

A cost-of-inaction ledger

Cost bearer	Observable cost channels	Minimum pilot data
Residents and households	Lost sleep; time spent reporting and compiling evidence; work or education disruption; security spending; moving costs; loss of use of the home.	Time burden, absence, moves, personal expenditure, safety and wellbeing at fixed follow-up points.
Social landlords	Repeat contacts; complaint handling; compensation; staff travel; repairs and security; legal rework; management transfers; voids and tenancy failure.	Case-level staff time, compensation, works, legal cost, transfer and void cost.
Police and local government	Call-outs; environmental health work; safeguarding; community safety meetings; Case Reviews; enforcement and court preparation.	Agency contacts, hours, interventions, reviews and repeat demand by case.
Health and support services	Primary care, mental health, crisis support, domestic abuse and substance-misuse services where exposure or escalation contributes to need.	Self-reported and consented service use, with strict data minimisation and no assumption of causation.
Economy and public finances	Reduced productivity; sickness absence; job or education change; benefit or temporary-accommodation consequences after displacement.	Work and education outcomes, temporary accommodation, and attributable public expenditure where robustly evidenced.

Green Book appraisal

The 2026 Green Book identifies employment and productivity, crime, life and health, and public-sector efficiency as relevant social cost and benefit categories. It also permits wellbeing valuation where robust evidence supports it. The pilot business case should therefore separate: (a) direct financial effects on landlords and public bodies; (b) wider economic effects such as work absence; and (c) non-market social value such as improved safety and wellbeing. A WELLBY valuation should be used only if the evaluation collects appropriate life-satisfaction evidence and follows Treasury guidance. [23]

Value-for-money test

The preferred framework should proceed nationally only if the evidence shows that its additional staffing, data and legal-triage costs are justified by better protection and by avoided repeat demand, complaint escalation, compensation, emergency moves, repairs, duplicated agency work and prolonged cases. Financial savings should not be claimed in advance; they should be measured independently. [23]

Recommended economic commission

MHCLG and the Home Office should jointly commission a baseline and pilot cost study, publish a common unit-cost and data dictionary, and produce a Green Book-compliant business case before national rollout. The study should also identify costs that shift between organisations, so an apparent saving to one body is not achieved by transferring expense or harm to residents, police, councils or the NHS. [23]

11. PARLIAMENTARY AND DEPARTMENTAL ACTION REQUESTED

Six decisions requested from government

1. **Accept the problem definition.** Recognise that recurring delay, weak ownership and inconsistent escalation are a national social-housing consumer issue, not only a local tenancy-management matter.
2. **Consult on enforceable response architecture.** Launch a joint MHCLG/Home Office consultation on a three-stage, time-bound ASB framework for registered providers.
3. **Use the new 2026 Act powers.** Set a national ASB data return and align local policing body reviews with social landlord case escalation.
4. **Commission and fund pilots.** Test the model across a mixed landlord cohort, with independent evaluation and tenant participation.
5. **Commission the economic case.** Measure the direct public cost, household burden and wider social value of earlier action using the pilot and the 2026 Green Book framework.
6. **Report to Parliament.** Publish an annual cross-government account of social-housing ASB reports, repeat harm, response performance, powers used and review outcomes.

What the local MP can do immediately

- Send this paper to the Minister for Housing and request a substantive written response.
- Request a meeting with the Minister or responsible parliamentary under-secretary, accompanied by the author and - where appropriate - a tenant or victim representative.
- Table the written parliamentary questions in Appendix D.
- Ask the Housing, Communities and Local Government Committee to consider the issue in its work programme or evidence sessions.
- Seek cross-party co-signatories from MPs with significant social housing casework.
- Explore a Westminster Hall debate on persistent ASB and landlord accountability after the 2026 Act.

Suggested departmental ownership

MHCLG should lead because the duties fall on registered social landlords and the consumer regulatory framework. The Home Office should co-own the ASB powers, reviews and data provisions. The Department of Health and Social Care and Ministry of Justice should contribute on mental health support, court capacity and legal safeguards.

> **The request is deliberately practical**
>
> This paper does not ask Parliament to abolish discretion. It asks government to make discretion timely, evidenced, reviewable and visible.

CONCLUSION

Home should not become the place from which a victim has to escape

The evidence does not support a simplistic claim that social landlords have no legal means to tackle persistent ASB. It supports a more troubling conclusion: available powers are too often activated late, without a consistent operational framework, while residents absorb the consequences.

The Housing Ombudsman's high uphold rates, recurring case-management failures, tenant satisfaction data and resident-impact research point in the same direction. The system needs earlier risk assessment, named ownership, shared evidence gathering, mandatory escalation, a senior enforcement decision and transparent reasons.

A three-stage statutory framework would be firmer than the current patchwork and fairer than automatic eviction. It would protect the victim's ability to live safely and peacefully, require action where harm persists, preserve support and equality safeguards, and leave possession decisions with the court.

The policy test should be simple: when repeated harm is reasonably evidenced, can every resident see who owns the case, what happens next, by when, and who will review failure? At present, too often, the answer is no. This paper provides a route to change that.

Final proposition

Persistent ASB should move automatically up an accountability ladder - not leave the victim trapped in an evidence loop.

APPENDICES

Supporting material for an MP or ministerial submission

The appendices provide five-year evidence notes, a case-study comparison, a concise covering letter, parliamentary questions and a source list. They are designed to let the paper move quickly from research into parliamentary action.

Appendix A - Five-year evidence notes

2020-21: The Ombudsman reported that complaints about handling tenant behaviour represented 12% of complaints received and 34% of findings were upheld. Common recommendations included better risk assessment and more regular updates. [14]

2021-22: The national category breakdown reported property condition at 34%, complaint handling at 19% and ASB at 12% of complaints received. [15]

2022-23: Quarterly incoming complaint shares for ASB were 12%, 13%, 10% and 10%. Quarterly maladministration rates published for ASB rose from 31% in Q1 to 39% in Q2 and 43% in Q3. These figures are provisional quarterly measures and should not be treated as a single annual rate. [16] [17] [18]

2023-24: The annual review reported 11,835 findings overall. The following year's comparative category chart records 1,173 ASB findings, producing a calculated share of 9.9%, with 68% upheld. [1] [2]

2024-25: The annual review reported 14,420 findings overall, of which 1,062 related to ASB, producing a calculated share of 7.4%. The uphold rate was 66% and ASB remained the third-largest category. [1]

Appendix B - Case-study comparison

Case	Early risk and ownership	Partnership and evidence	Communication	Outcome
Hyde 202319093	Initial contact breached 5-day policy; drift across months.	Police and alleged perpetrator not contacted for almost 7 months.	Repeated long gaps; resident chased.	Neighbour later evicted; maladministration; £300 compensation.
L&Q 202111700	No effective early RAM/action plan in serious harassment case.	47 working days to formal police disclosure; late legal action.	Poor updates over a 33-month history.	Severe maladministration; £3,550; senior owner and multi-agency meeting ordered.
JRHT 202216191	Visited within days and actively investigated.	Located alleged perpetrators; warning and police/agency liaison.	Fair communication with resident and parties.	No maladministration.

APPENDIX C

Draft covering letter to the local MP

Dear [MP name],

I am writing to ask for your support in raising a national policy issue concerning persistent anti-social behaviour in social housing and the response of registered landlords.

I have attached an independent policy paper, “Protecting the Right to Peaceful Enjoyment”, which draws together Housing Ombudsman findings, Regulator of Social Housing data, government resident research and the current legal framework.

The evidence suggests that the central problem is not an absence of legal powers. It is the lack of a consistent, time-bound route from a resident’s report to risk assessment, multi-agency action and a senior enforcement decision. In the latest Housing Ombudsman review, 66% of investigated ASB complaints were upheld. Published casework repeatedly identifies delayed risk assessment, poor communication, weak evidence gathering and failures of partnership working.

The paper proposes a proportionate three-stage statutory framework. It would require social landlords to assess and protect, escalate persistent or serious cases, and make a documented enforcement decision within defined timescales. It does not propose automatic eviction: judicial oversight, equality duties and support for vulnerable households would remain.

I would be grateful if you would:

1. submit the paper to the Minister for Housing and request a formal response;
2. consider tabling the parliamentary questions included in Appendix D;
3. request a meeting with the responsible Minister or official;
4. ask the Department to commission the proposed pilot and Green Book-compliant cost study; and
5. explore whether there is cross-party interest in a pilot or parliamentary debate.

The Crime and Policing Act 2026 creates a timely opportunity because it expands ASB powers, review routes and data collection. A housing-specific operational framework would help ensure those powers translate into quicker protection for residents.

Thank you for considering the proposal. I would welcome the opportunity to discuss the evidence and the practical next steps with you.

Yours sincerely,

Dean Kennedy

Submission note

Attach the PDF version of the paper. Put the request for a formal ministerial response in the covering email, and ask the MP’s office to confirm the department and minister to whom it was sent. A parallel direct submission to MHCLG can state that the local MP has also been asked to raise the matter.

APPENDIX D

Suggested written parliamentary questions

1. To ask the Secretary of State for Housing, Communities and Local Government, what assessment has been made of the Housing Ombudsman finding that 66% of anti-social behaviour complaints investigated in 2024-25 were upheld.
2. To ask the Secretary of State for Housing, Communities and Local Government, whether the Department will consult on minimum response times for registered providers to acknowledge, risk-assess and produce an action plan following reports of serious or persistent anti-social behaviour.
3. To ask the Secretary of State for Housing, Communities and Local Government, whether consideration has been given to requiring registered providers to publish the median age of open anti-social behaviour cases, repeat-report rates and the proportion of cases with completed risk assessments and action plans.
4. To ask the Secretary of State for the Home Department, when the Government intends to commence sections 5 to 7 of the Crime and Policing Act 2026, and how implementation will be coordinated with registered providers of social housing.
5. To ask the Secretary of State for the Home Department, what information the Government plans to require under section 105A of the Anti-social Behaviour, Crime and Policing Act 2014, as inserted by the Crime and Policing Act 2026, and whether that information will include reports and outcomes handled by social landlords.
6. To ask the Secretary of State for Housing, Communities and Local Government, whether the Government will pilot a statutory three-stage escalation process for persistent anti-social behaviour in social housing, including a serious-incident fast track and a senior enforcement review.
7. To ask the Secretary of State for Housing, Communities and Local Government, what steps are being taken to ensure that victims are not required to rely solely on incident diaries where other evidence is available to a landlord or partner agency.
8. To ask the Secretary of State for Housing, Communities and Local Government, what assessment has been made of the effect of prolonged anti-social behaviour case handling on resident health, employment and the sustainability of social tenancies.
9. To ask the Secretary of State for Housing, Communities and Local Government, whether the Government will commission a Green Book-compliant appraisal of the public-service, productivity and wellbeing costs associated with prolonged anti-social behaviour case handling in social housing.

Possible debate title

> **Persistent anti-social behaviour in social housing: protecting victims and improving landlord accountability**
>
> A Westminster Hall debate could focus on implementation gaps after the Crime and Policing Act 2026 rather than reopening the entire law of possession.

Possible committee evidence request

The Housing, Communities and Local Government Committee could invite the Housing Ombudsman, Regulator of Social Housing, tenant representatives, housing associations, local authorities and the Home Office to give evidence on why high ASB uphold rates persist despite broad legal powers.

SOURCES

Official and primary materials

1. Annual Complaints Review 2024-25. Housing Ombudsman, 2025. Includes 2024-25 category counts, 2023-24 comparative ASB count and uphold rates.
2. Annual Complaints Review 2023-24. Housing Ombudsman, 2024. Includes total findings and methodology context.
3. Experiences of anti-social behaviour: Resident Panel report. Ministry of Housing, Communities and Local Government, 2025. Small, engaged panel; explicitly not statistically representative.
4. Anti-social behaviour: impacts on individuals and local communities. Home Office / Ipsos, 2023. National mixed-method impact research; not limited to social housing.
5. Tenant Satisfaction Measures 2024/25: Headline report. Regulator of Social Housing, 2025. Large registered landlords with 1,000 or more homes.
6. Learning from severe maladministration - July 2025. Housing Ombudsman, 2025. ASB themes and learning.
7. Hyde Housing Association Limited (202319093). Housing Ombudsman, 2024. Published determination.
8. London & Quadrant Housing Trust (L&Q) (202111700). Housing Ombudsman, 2023. Published severe maladministration determination.
9. Joseph Rowntree Housing Trust (202216191). Housing Ombudsman, 2023. Published no-maladministration determination.
10. Housing Act 1985, Housing Act 1988 and Anti-social Behaviour, Crime and Policing Act 2014. UK Public General Acts, 1985-2014. Primary legislation: possession grounds and ASB powers.
11. Crime and Policing Act 2026 and ASB factsheet. UK Parliament / Home Office, 2026. Sections 5-7 and schedules concerning social housing closure, reviews and data.
12. Neighbourhood and Community Standard. Regulator of Social Housing, 2024. Consumer standard for ASB, hate incidents and partnership working.
13. Consumer standards Code of Practice. Regulator of Social Housing, 2024. Interpretive expectations including victim-centred support.
14. Annual Complaints Review 2020-21. Housing Ombudsman, 2022. Tenant behaviour share and uphold rate.
15. Insight Report, Issue 12. Housing Ombudsman, 2022. National 2021-22 category breakdown and 2022-23 Q2 data.
16. Insight Report, Issue 11. Housing Ombudsman, 2022. 2022-23 Q1 data.
17. Insight Report, Issue 13. Housing Ombudsman, 2023. 2022-23 Q3 data.
18. Q4 quarterly data 2022-23. Housing Ombudsman, 2023. 2022-23 Q4 category data.
19. Manchester City Council v Pinnock [2010] UKSC 45. UK Supreme Court, 2010. Article 8 proportionality in public authority possession proceedings.
20. Equality Act 2010, section 149. UK Public General Act, 2010. Public sector equality duty.
21. **Anti-social behaviour case review process: survey of councils, March-April 2025**. Local Government Association, 2025. Snapshot survey of 77 councils on thresholds, caveats, applications, victim contact and panel arrangements.
22. **Anti-social behaviour: incident journey, from reporting to resolution**. Home Office / Ipsos, 2023. Mixed-method research on variation in reporting, investigation, resolution, appeals and multi-agency practice.
23. **The Green Book 2026**. HM Treasury and Government Finance Function, 2026. Current government guidance on appraisal of costs, benefits, risk, productivity, health, crime, public-sector efficiency and wellbeing.
24. **Landlords share extensive learning following the Housing Ombudsman further investigation process**. Housing Ombudsman, 2026. Evidence on specialist ASB management, triage, risk assessment, governance and competing patch-based workload.

Calculation note

The 2023-24 ASB share is calculated as 1,173 ASB findings divided by 11,835 total findings (9.91%, shown as 9.9%). The 2024-25 share is 1,062 divided by 14,420 (7.36%, shown as 7.4%). These calculated shares are included for transparency and are not presented by the Ombudsman as a five-year like-for-like series.

Terminology note

“Housing association” is used conversationally in this paper. Regulatory and legislative sources may use “private registered provider”, “registered provider” or “registered social housing provider”. “Victim” describes the person reporting or affected by ASB and does not imply that every allegation has already been legally proven.