



# Ministry of JUSTICE

13 October 2011

## Statistical Notice: Anti-Social Behaviour Order (ASBO) Statistics England and Wales 2010

Statistics on Anti-Social Behaviour Orders (ASBOs) administered in the period 1 April 1999 to 31 December 2010 in England and Wales are released today and can be accessed from either of the following two locations:

1. On the Home Office website:

<http://www.homeoffice.gov.uk/science-research/research-statistics/>

2. The United Kingdom Statistics Authority (UKSA) website:

<http://www.statistics.gov.uk/hub/index.html>

These statistics are based on ASBOs issued after application by a relevant body<sup>1</sup> to magistrates' courts (acting in their civil capacity) or to county courts and ASBOs issued following conviction for a criminal offence<sup>2</sup> either by magistrates' courts (acting in their criminal capacity) or the Crown Court.

### ASBOs issued - in the period 1 April 1999 to 31 December 2010:

- In total 20,335 ASBOs have been issued over the period **(Table 1)**.
- The highest number of ASBOs issued in any calendar year was 4,122 in 2005. Since 2005 there have been year-on-year falls in the number of ASBO issued with 1,664 issued in 2010 – this is down by less than one per cent (0.4) from the 1,671 issued in 2009 **(Table 1)**.
- Since 1 June 2000<sup>3</sup>, 86.0 per cent of ASBOs have been issued to males (17,396 were issued to males and 2,835 to females) **(Table 2)**.
- Since 2004 more ASBOs have been issued following conviction for a criminal offence rather than following an application. In 2010, 58.2 per cent of ASBOs were issued following a conviction for a criminal offence **(Table 3)**.
- Sixty per cent of ASBOs issued up to the end of 2010 were for a period of between two and three years **(Table 4)**.

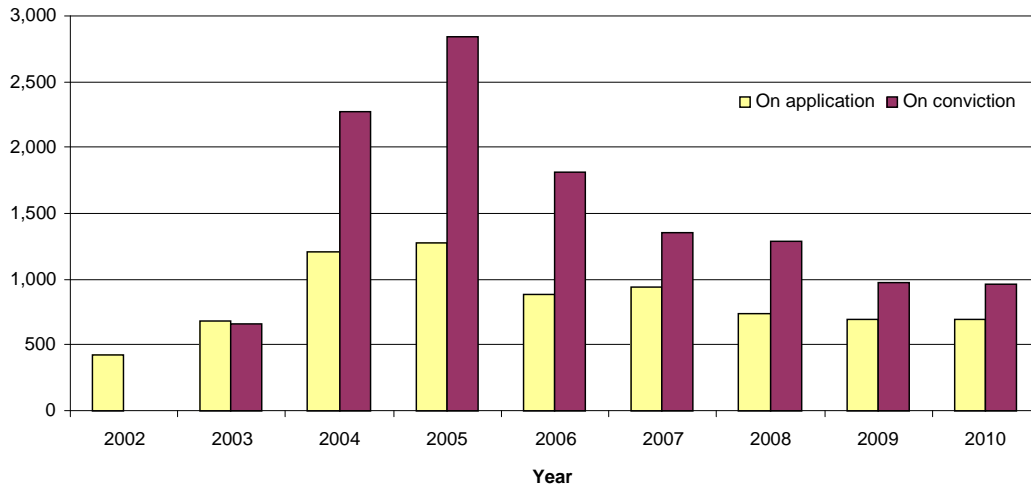
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<sup>1</sup> Including local authorities, police, registered social landlords, housing action trusts, British Transport Police, Transport for London.

<sup>2</sup> Details of the offences and behaviours that can lead the issue of an ASBO can be found in 'A guide to anti-social behaviour orders' available from the Home Office.

<sup>3</sup> Information on gender breakdowns is not available prior to June 2000.

**Figure 1: Anti-social Behaviour Orders (ASBOs) issued on application and following conviction at all courts, 2002<sup>(1)</sup> - 2010**



<sup>(1)</sup> 2002 was the first year ASBOs were issued on application.

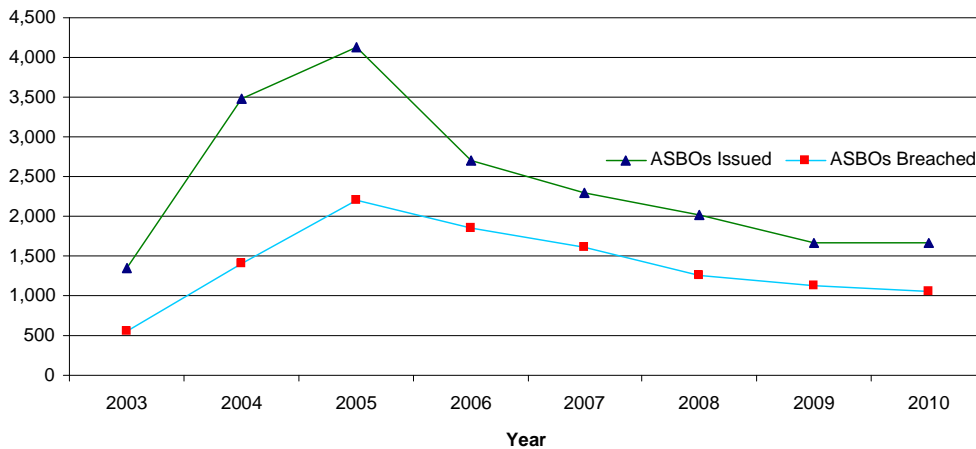
- Of the 20,335 ASBOs issued 8,147 were made as the result of an application made to magistrates' or county courts. The overwhelming majority (92.1 per cent) of applications were made by the police or local government authority (**Tables 3 and 6**).

#### **Breaches of ASBOs issued** - in the period 1 June 2000 to 31 December 2010:

ASBOs are issued with at least two years' duration and may remain in force 'until further notice'. The number of ASBOs breached in a year will be related to the number of ASBOs still in force in that year, many of which will have been issued in previous years. Additionally an individual may have received more than one ASBO, for a new anti-social incident or as the result of breaching an existing order.

- Of the 20,231 ASBOs issued between 1 June 2000 to 31 December 2010, 56.5 per cent (11,432) had been breached at least once, with 8,492 (42.0 per cent) of these breached more than once (**Tables 7 and 9**).
- By the end of 2010, juveniles accounted for 46.0 per cent of all ASBOs breached, despite accounting for only 38.5 per cent of those issued (**Table 16a**).
- Just under sixty-eight per cent of juveniles had breached their ASBOs at least once by the end of 2010, compared to 50.4 per cent of adults (**Table 16b**).
- In 2010 there were 1,052 ASBOs breached for the first time, compared with 2,204 breached for the first time in 2005 - the year the highest number of ASBOs were breached. Since 2005 there has been an average annual decrease of ASBOs breached of 13.6 per cent, this compares to average annual increases of 93.0 per cent seen from 2000 to 2005. (**Table 8**).

**Figure 2: Anti-social Behaviour Orders (ASBOs) issued and proven at court to have been breached<sup>(1)</sup> at all courts, 2003 to 2010<sup>(2)</sup>**



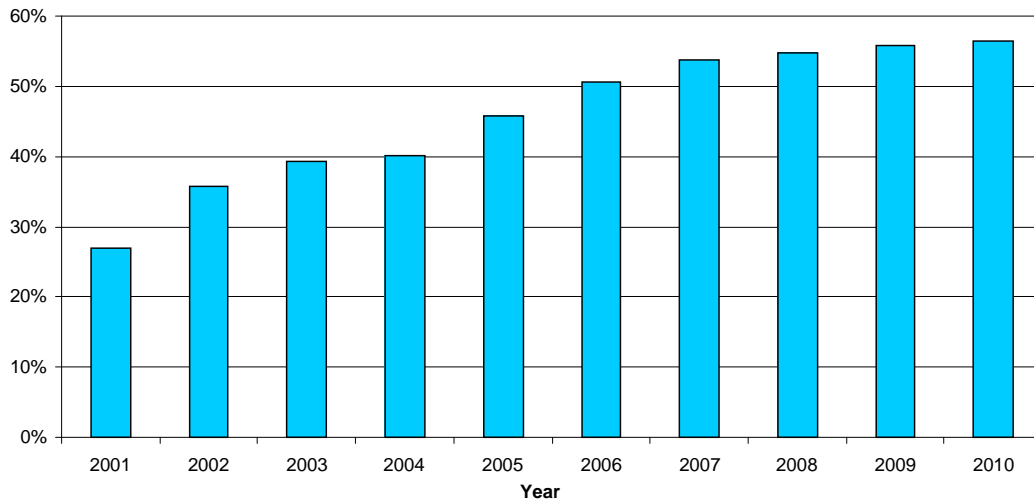
(1) ASBOs may be breached more than once and in more than one year. ASBOs in this figure are counted once only within the year they were first breached.

(2) ASBOs are issued with at least two years' duration and may remain 'until further notice'. The number of ASBOs breached in a year will be related to the number of ASBOs still in force in that year, many of which will have been issued in previous years.

- There have been a total of 51,976 separate breaches of ASBOs. If an ASBO is breached, it is breached an average of 4.5 times (**Table 10**).
- Of the 487 ASBOs issued by the end of 2001, 26.9 per cent had been breached at least once. By the end of 2010, 56.5 per cent of the 20,231 ASBOs issued had been breached at least once (**Figure 3**).
- The breach rate (by year of issue) shows that on average 29.2 per cent of ASBOs are breached within the year of issue. The highest in-year breach rates are seen for 2000-2002 (35.8 per cent) and 2010 (30.6 per cent) (**Table 16b**).
- The rate of breaches increases over time, 30.6 per cent of ASBOs issued during 2010 had been breached at least once by the end of 2010 compared with 50.3 per cent of those ASBOs issued in 2009 (**Table 16b**).
- The highest number of ASBOs breached in a single year (2,204) occurred in 2005. Additionally the number of ASBOs issued in 2005 had the highest volume of breaches in total (2,432), which coincided with the highest number of ASBOs issued in a single year (4,122) (**Table 16a**).

**Note:** These breach rates have been computed excluding data relating to the period prior to 1 June 2000. This is because between 1 April 1999 and 31 May 2000 data on ASBOs issued were collected on aggregate numbers by police force area only, making it impossible to relate breach occasions back to the ASBOs to which they relate for this period.

**Figure 3: The percentage of ASBOs issued by the end of each period that have been breached at least once**



**Sentencing for ASBOs breached - in the period 1 June 2000 to 31 December 2010**

- Of the 11,342 ASBOs breached at least once, 52.5 per cent were given an immediate custodial sentence, 24.5 per cent were given a community sentence. Fines, one day in police cells and disqualification from driving and other miscellaneous disposals not shown separately account for the remaining 22.9 per cent of sentences given for breaches (**Table 12**).
- Immediate custodial sentences were given to 6,007 offenders for breaches of ASBOs with an average custodial sentence length of 5.2 months (**Table 13**).

## Notes to editors

1. The latest available data on ASBOs issued and breached currently cover the period from 1 April 1999 to 31 December 2010. The data for ASBOs issued and breached are collated via separate systems.
  - a. ASBOs issued are recorded at magistrates' courts and the Crown Court on a management information system operated by Her Majesty's Court and Tribunal Service (HMCTS) and are validated at the point of entry.
  - b. Breaches are recorded on the Court Proceedings Database after which they are validated and processed by the Ministry of Justice Criminal Justice System Statistics team.
2. Once the two sets of data are received, an exercise is undertaken to match each ASBO breach with the corresponding ASBO issued. This is done by matching certain criteria from the two datasets, such as name, date of birth, court appearance date etc. In 2010, 8,927 breaches were submitted, of which 6,377 (71 per cent) were matched against ASBOs issued. The remaining unmatched breaches are discarded and assumed that an error has occurred somewhere along the recording process (for instance, the breach is for an offence that is not an ASBO).
3. Information on ASBOs breached are subject to the same validation and quality assurance process undertaken on court proceedings data used for the annual publication *Criminal Statistics, England and Wales*.
4. The availability of more timely data from the LIBRA case management system, which was introduced to magistrates' courts in 2008, will enable Ministry of Justice to improve the timeliness of ASBO statistics. Data for 2011 is provisionally planned for publication in autumn 2012.
5. The ASBO publication will continue to be treated as an Official Statistics publication and precise publication dates will be pre-announced as soon as possible following the Code of Practice for Official Statistics.

## Contact details and further information

Press enquiries about the policy of administering ASBOs should be directed to the Home Office press office:

Tel: **020 7035 3535**

Press enquiries about the statistics presented in the National Statistics publication should be directed to the Ministry of Justice press office:

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Other enquiries about this statistical note or the statistics publications should be directed to:

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