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data.access@justice.gsi.gov.uk

March 2019

Dear XXXX

Freedom of Information Act (FOIA) Request – 190305002

You asked for the following information from the Ministry of Justice (MoJ):

Please provide the following information regarding children (under-18s) in England and Wales subject to Civil injunctions aimed at preventing antisocial behaviour.

For the last five years:

- 1. How many children have been subject to Civil Injunctions?**
- 2. What proportion of these children have breached their injunction?**
- 3. Or, if the data is not available per child, how many instances of breaches have there been?**

Your request has been handled under the FOIA. For ease of reference, I have numbered your questions.

It has been passed to me because I have responsibility for answering requests relating to data in Her Majesty's Courts and Tribunals Service (HMCTS). HMCTS is an executive agency of the MoJ and is responsible for the administration of the magistrates' courts, the Crown Court, the County Court, the Family Court, the High Court, Court of Appeal and tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland.

Regarding Question one, I can confirm that the relevant legislation was implemented in March 2015 and that MoJ holds the information in our Magistrates' Courts case management and management information systems from Financial Year 2015/16 onwards. I have provided it below.

Year	2015/16	2016/17	2017/18
Civil Injunction Cases (Youth)	153	143	138

Notes regarding the above data.

- Data are taken from a live management information system and can change over time.
- Data are management information and are not subject to the same level of checks as official statistics.

- The data provided is the most recent available and for that reason might differ slightly from any previously published information.
- Figures quoted are for each Youth case where an Interim or Full Anti-Social Behaviour Injunction was made, rather than a count of Youth defendants. Hence, where a defendant has more than one case where an Order has been made, each case will be counted separately. Also, where an Interim Order is made in for example, the 2015/16 FY, and is then extended and/or becomes a Full Order in the 2016/17 FY, the Interim Order will be counted in the 2015/16 FY and the Interim or Full Order will be counted again in the 2016/17 FY.
- Data for Interim or Full Civil Injunctions are based on a calculation between the 'Laying of Information Date' and the defendant 'Date of Birth' present on the case, where the calculation deems the defendant to have been under 18, or where the Case was listed before the Youth Court.
- The data provided has been extracted specifically to answer this question and has not been cross referenced with case files.

Regarding Question two, the MoJ does not hold the information in the scope of your request. This is because there is no legal or business requirement for MoJ to do so.

I should explain that the HMCTS Magistrates' Courts case management and management information systems do not hold information relating to the number of individual Civil Injunctions that have been breached. We do hold data on the instances of a breach of a Civil Injunction coming before the Court, but a single Civil Injunction may be breached numerous times and not only in the year that it was ordered.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

Regarding Question three, the number of individual instances of a Civil Injunction being breached are provided below. Multiple breach offences may relate to a single Civil Injunction and data for Breaches in a given year may relate to Civil Injunctions issued in that year or in previous years. Therefore, although HMCTS is able to answer Question three, the figures provided below should not be compared directly to those provided for Question one, above.

Year	2015/16	2016/17	2017/18
Number of Breach Offences (Youth)	94	162	143

Notes regarding the above data.

- Data are taken from a live management information system and can change over time.
- Data are management information and are not subject to the same level of checks as official statistics.
- The data provided is the most recent available and for that reason might differ slightly from any previously published information.
- The data supplied for the number of Breach of Youth Civil Injunctions is a count of each occurrence of a Breach offence being recorded.
- Data for Breaches are based on a calculation between the 'Laying of Information Date' and the defendant 'Date of Birth' present on the case, where the calculation deems the defendant to have been under 18.

- The data provided has been extracted specifically to answer this question and has not been cross referenced with case files.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

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