Effectiveness of Anti Social Behaviour Orders (ASBO) Scrutiny Review

1. Summary

1.1 The purpose of this briefing paper is to inform Members of the progress of the Anti Social Behaviour Orders (ASBO) Task and Finish Group since the Panel's last meeting on 17th November 2005.

2. Background

2.1 At the Panel's meeting on 17th November 2005 a Task and Finish Group comprising of Councillor Buckley, Councillor Mrs Hyde and Councillor Shellie was established to look at the effectiveness of anti social behaviour orders in the District. A scoping paper for the exercise was agreed at this meeting.

3. Key Issues

3.1 The Group has met once since the last Panel meeting, which was on 5th December 2005. Councillor Buckley was elected as Chairman. At this meeting the Group invited officers from West Mercia Constabulary, PC Andrew Holliday and PC Richard Drewett to answer questions concerning ASBOs.

3.2 Question 1. How many ASBOs have been issued for the Wyre Forest District since 1st April 1999 to the current date and how does this compare with the number of ASBOs issued for the other District Council areas in Worcestershire?

Since 1st April 1999, twenty-nine ASBOs have been issued for the Wyre Forest District by West Mercia Constabulary. Nineteen have been ASBOs and ten have been CRASBOs (an ASBO given post...
conviction). For this same period Redditch has had twenty ASBOs, Redditch Borough Council has issued ten and West Mercia Constabulary has also issued ten.

3.3 Question 2. The ages and geographical residence (e.g. Kidderminster, Bewdley, Stourport-on-Severn or rural parishes) of the individuals issued with ASBOs.

Ages of the people issued with ASBOs in Wyre Forest range from 16-50 years of age
Of the Nineteen ASBOs, the geographical residences were:
Two - No Fixed Abode
Twelve - Kidderminster
Four - Stourport-on-Severn
One - Bewdley

3.4 Question 3. For what purposes was each of the ASBOs issued? E.g. assaulting, threatening or intimidating residents.

ASBOs cover a variety of offender behaviour, which can range from habitual drunkenness to general anti social behaviour and any other offender behaviour such as burglary and shoplifting.

3.5 Question 4. ASBOs can prohibit an individual from entering a particular area - e.g. Dog Lane Car Park - what public areas have been included in ASBO prohibitions?

Depends on the individual offender but some individuals have been banned from entering gardens and premises, prevented from carrying a ball point pen - related to their offending behaviour. In other areas of the country individuals can’t wear particular items of clothing, hats etc. Individuals will be issued with a map telling them where they can’t go and the specific routes they’re allowed to take. There are two habitual drunks in Kidderminster who have ASBOs, one is not allowed near the hospital and the other has to stay away from certain streets in the town centre.

3.6 Question 5. How many of the ASBOs have been broken and what were the consequences for the individual?

In Wyre Forest there have been sixty-eight breaches (those people who have been charged for a breach).
Twelve - Kidderminster Town Centre Residents.
Ten - East sector (covers Offmore, Comberton, Greenhill, Broadwaters, Spennells, Aggborough, Blakedown, Churchill, Broome, Chaddesley Corbett and Stone.
Twenty-six - West sector (covers Habberley, Franche, Ferndale, Cookley, Caunsall, Wolverley, Upper Arley, Oldington and Foley Park and Sutton Farm.
Twenty - Stourport-on-Severn and Bewdley. (Note: six people have been arrested on more than one occasion.)

One hundred and seventy-seven breaches across North Worcestershire Police Division (Wyre Forest, Bromsgrove and Redditch). The number of breaches in Wyre Forest is proportionate to the rest of the division.

3.7 Question 6. Identify any cases of good practice where ASBOs have made a significant difference to a local community.

It was noted that good results have been seen on Habberley. Acceptable Behaviour Contracts (ABCs) have worked in one instance, where it split up a gang, whereby the gang members told on each other. Anti social behaviour is not tolerated on Habberley by the community.

3.8 Other Important Issues that Arose

a) Engaging the public - The public do not always realise how difficult it is to get an ASBO and the process involved. Members of the public are scared to make statements. However the more people who make statements the better, as an ASBO is more likely to be issued. Hearsay evidence - hearsay statements should not be used to replace statements from members of the public but are ways and means of giving evidence if people in communities are scared of an individual. A Councillor can present hearsay evidence to the police but would need names; these would then be anonymised for use in court.

b) Acceptable Behaviour Contracts (ABCs) - ABCs are used as part of the intervention/education phase. They structure a young person's behaviour by giving them guidelines and boundaries in respect of their behaviour. In some cases ABCs have been prompted by parents to assist in parental control of young people. They have an overarching role in changing offender behaviour.

c) Intervention and Education Phases (stages before getting to an ASBO):
   - First stage, an advice letter will be sent.
   - If it comes to the police's attention again a level one letter will be sent.
   - If it comes to the police’s attention for a third time a level two letter will be hand delivered by the Beat Manager.

d) Number of Letters Issued - Since 1st September 2005 (since Pc Holliday has been in post as the ASB Co-ordinator for the North Worcestershire Division) for the Wyre Forest thirty-one advice letters have been sent out and in total thirty-nine level one and level two letters. In North Worcestershire there is only a 2% repeat intervention/education process needed.
e) **Effectiveness of ABCs** - 80% success rate nationally, people may go onto level two but will not go any further if they are educated. The majority of individuals will be caught in the education/intervention stage, which prevents unnecessary ASBOs.

3.9 **Office of Deputy Prime Minister Consultation Paper entitled**

   ‘Enabling local authorities to contract their Anti-Social Behaviour Order function to organisations managing their housing stock - November 2005’ - the consultation paper was circulated and discussions took place with particular attention paid to page seven, point ten of the paper. This states that local authorities, who have delegated its’ housing management functions, such as Wyre Forest District Council, ‘may delegate responsibility for taking action against Anti Social Behaviour’. The paper was recognised as an opportunity to enhance current working practices. It was acknowledged that there is a gap in terms of action against ASB for those living in non-social housing compared to those who are tenants of a registered social landlord such as Wyre Forest Community Housing. Due to partnership working and the introduction of local policing in the Wyre Forest District action against anti social behaviour can only improve.

4. **Options**

4.1 In light of the information gathered from the Group’s first meeting on 5th December 2005, it is proposed that a further meeting be held to call other key witnesses, including Tom Magee, Estates and Anti Social Behaviour Manager for Wyre Forest Community Housing.

5. **Consultation**

5.1 Consultation carried out with PC Holliday and PC Drewett of West Mercia Constabulary.

6. **Relevant Council Policies/Strategies**

6.1 Community Safety Strategy (Wyre Forest Community Safety Partnership)

6.2 Section 17 of the Crime and Disorder Act 1998 Legislation
7. **Background Papers**

7.1 Anti Social Behaviour (ASBO) Briefing Paper - 17\textsuperscript{th} November 2005

7.2 Office of Deputy Prime Minister Consultation Paper ‘Enabling local authorities to contract their Anti-Social Behaviour Order function to organisations managing their housing stock - November 2005’

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