

BBC News

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Q&A: New powers to replace Asbos

The government is holding a consultation on scrapping Anti-social Behaviour Orders (Asbos) in England and Wales and replacing them with a new range of measures to combat anti-social behaviour.

Why are the government thinking of getting rid of Asbos?

According to the Home Office, a review suggested there are too many tools for practitioners to tackle anti-social behaviour, some of which are described as too bureaucratic, too costly and not addressing underlying problems.

At the same time, the Home Office says, the growing number of people who ignore these penalties suggests a persistent minority are still not being deterred from committing anti-social behaviour.

Asbos have been criticised by some for being ineffective and being seen as a badge of honour among offenders.

And more than half of Asbos in England and Wales were breached from 2000 to 2008, government figures show.

What are the new measures being proposed?

Subject to consultation the new tools will replace 18 of the formal powers currently available. They fall into five areas:

Community triggers - where local agencies will be compelled to take action if five people from five different residences in the same neighbourhood have complained and no action has been taken, or the behaviour in question has been reported to the authorities by an individual three times, and no action has been taken

Criminal Behaviour Orders - issued by the courts after conviction, the order would ban an individual from certain activities or places and require them to address their behaviour. Under the new criminal behaviour orders, police will be able to apply for a court order to tackle low-level nuisance behaviour

Crime Prevention Injunctions - designed to nip bad behaviour in the bud before it escalates. The injunction would carry a civil burden of proof, making it quicker and easier to obtain than previous tools.

Community Protection Orders - these are place-specific orders, bringing together a number of existing measures. There will be one for local authorities to stop persistent environmental anti-social behaviour like graffiti, neighbour noise or dog fouling, and another for police and local authorities to deal with more serious disorder and criminality in a specific place, such as closing a property used for drug dealing

Police "direction" powers - the ability to direct any individual causing or likely to cause crime or disorder away from a particular place and to confiscate related items

What happens if they are breached?

Breaching a Criminal Behaviour Order would incur a maximum five-year prison term.

Breaking a Crime Prevention Injunction would, for adults, mean they are imprisoned or fined. For under-18s a breach could be dealt with through curfews, supervision or detention.

The Home Office also says troublemakers could face the same asset seizure powers, potentially to be employed on other criminals, under the new orders. They could have personal items, such as music systems, confiscated.

What do Labour say?

Asbos were introduced in England and Wales under former Labour Prime Minister Tony Blair in 1999.

Shadow Home Office minister Vernon Coaker said Asbos may not have been perfect, but they were working well.

"Of course there were problems, and there have been some terrible examples of where things have gone wrong.

"But overall, crime fell dramatically, anti-social behaviour became less of a problem and confidence with respect to the police increased. So there was very real progress made."

He also said the main factor that had made a difference to anti-social behaviour over the past 10 years had been neighbourhood police teams on the streets and working with local communities.

But, he said, current plans by the coalition government for "savage cuts" to policing numbers would damage that work.

How long does the consultation period for the new measures last for?

The public consultation on the new proposals launched on 7 February and runs until 3 May 2011.