

# Britain: police given new powers against the young

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On December 26, the Home Office announced that young people between 10 to 15 years of age would face on-the-spot fines for anti-social behaviour.

Police powers to impose the fines on this age group—issued for vandalism, misuse of fireworks and underage drinking—first won parliamentary approval in September. Seven police forces in England will be able to impose the fines, including Merseyside, Nottinghamshire and the West Midlands.

On-the-spot fines of between £50 and £80 were introduced against those aged 16 years and over in April, since then some 40,000 have been issued.

The government has said that targeting fines against younger teenagers will force parents to deal with anti-social behaviour, as the parents of those who do not pay the penalty can face imprisonment.

Home Office minister Hazel Blears said, “Parents cannot be spectators, and have to take responsibility for their children. They cannot stand by whilst their children cause damage and distress to law-abiding citizens.”

Blears claimed that fixed penalty fines were “particularly appropriate” for young teenagers, as “police can deal firmly and quickly with first-time, low-level offending in a way that avoids the young person going through the criminal justice system.”

The fixed penalty notices builds on the government’s Anti-Social Behaviour Orders (Asbos), which came into force in April 1999. Part of the Crime and Disorder Act, targeting “nuisance” families and individuals, Asbos enable action to be taken against named individuals, even if they are not guilty of a criminal offence. Announcing the measure Prime Minister Tony Blair had threatened, “For too long the selfish minority

have had it all their own way. That’s changing.

“The fightback against the criminals, the louts and the nuisance neighbours is well under way.”

Issued by a magistrate’s court following an application, usually by a local council, an Asbo sets down restrictions against named individuals. It applies not only to criminal acts but also to acts which may be the precursor to a criminal offence—so that a 33-year-old woman, for example, was barred from owning a TV, stereo or radio to prevent her playing loud music.

The Asbo need not be time specific and can run indefinitely if the court deems it appropriate. Almost 3,000 anti-social behaviour orders have been issued since they came into force. In some instances people have been served Asbos preventing them from wearing hats (so that they cannot disguise their identity from CCTV operators and police) and ringing doorbells without permission.

Asbos have been issued against all age groups. One 87-year-old woman was given an Asbo preventing her from “harassing” her neighbours, but the orders are generally targeted at the young.

There have been many instances of young people being barred from walking down certain streets in their neighbourhood, or entering shopping centres. On December 24, twin 10-year-old boys became the youngest recipients of an order after council officials in Norfolk accused them of playing loud music, playing ball games, running around on the balcony outside their flat and banging on stairwells. The twin’s 13-year-old brother, and two other boys aged 15 and 13, were also made subjects of an Asbo.

Such cases have led to complaints by the probation union, Napo. On December 26, the union issued a survey urging a review of the anti-social behaviour orders, which it said were being “abused”.

More and more people were being imprisoned for breaching the terms of their orders, Napo reported, even though their original offence was not an imprisonable offence. In 2001, 114 of the 322 Asbos issued resulted in the offender being jailed, rising to 212 imprisoned out of 403 orders imposed in 2002, the survey showed.

Napo said that Asbos were also subject to a “geographical lottery” with some areas of the country, such as Greater Manchester, being five times more likely to issue an order than other areas.

Among the cases highlighted by Napo is a young girl served an Asbo to prevent her spitting in public; she is in jail on remand after a witness reported that she had breached it. Another case involves a 28-year-old man who received an Asbo for “howling” in a way that alarmed his neighbours. He has been imprisoned twice for breaching its terms. Earlier in the year, a 15-year-old was sentenced to six months in a detention centre for failing to abide by his order.

Such instances underscore how the Blair government deals with social problems by resorting to criminal sanctions. People with mental health problems requiring medical treatment are instead being subjected to injunctions that they cannot possibly meet, ending up in jail as a consequence. Similarly young people—often excluded from school—are “named and shamed” on posters and in newspapers and effectively criminalised.



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