

## Economic Note 1007 – Taking back our streets

The measures assessed in this Economic Note for “Taking back our streets” are listed below in Table 1.

**Table 1: Measures included in “Taking back our streets”**

Proposal	Measures included
<b>Proposal 1: Anti-social behaviour and immediate seizure of vehicles</b>	<ul style="list-style-type: none"> <li>• Introduce the Respect Order, a new civil behavioural order to enable courts to ban adult offenders from engaging in specified activities relating to their anti-social behaviour (ASB).</li> <li>• Place a duty on local agencies to provide prescribed ASB-related data to Home Office</li> <li>• Permit the police to seize vehicles being used in an anti-social manner, without the requirement for the constable to first issue a warning to the person that their vehicle will be seized if they continue to offend in this manner.</li> <li>• Strengthen and enhance the powers in the Anti-social Behaviour, Crime and Policing Act 2014 (ASBCP 2014) and the Community Safety Accreditation Scheme (CSAS).</li> </ul>
<b>Proposal 2: Retail Crime</b>	<ul style="list-style-type: none"> <li>• Introduce stronger measures to address low value theft (repeal section 22A of the Magistrates’ Court Act 1980, as inserted by section 176 of the ASBCP 2014</li> <li>• Introduce offence of assault of a retail worker</li> </ul>
<b>Proposal 3; Knife Crime and offensive weapons</b>	<ul style="list-style-type: none"> <li>• Enable the police to seize, retain and destroy bladed articles found at a private property.</li> <li>• Increase the maximum penalty, from six months’ imprisonment to two years’ imprisonment, for the offences of private possession, importation, manufacture, sale, or supply of prohibited offensive weapons and knives and of selling knives to those under 18.</li> <li>• Introduce a new offence of possession of a knife or offensive weapon in public or private with intent to use unlawful violence. The offence will carry a maximum penalty of four years’ imprisonment.</li> </ul>
<b>Proposal 4: Electronic devices used in vehicle theft</b>	<ul style="list-style-type: none"> <li>• Introduce legislation to ban electronic devices used to steal vehicles, empowering the police and courts to target the criminals using, manufacturing, and supplying them.</li> </ul>

<b>Economic Note</b>	<b>Number: HO EN 1007</b>
<b>Title of regulatory proposal</b>	<b>Crime and Policing Bill: Taking back our streets.</b> <b>1. Anti-social behaviour and immediate seizure of vehicles</b> <b>2. Retail Crime</b> <b>3. Knife Crime and offensive weapons</b> <b>4. Electronic Devices Used in Vehicle Theft</b>
<b>Lead Department/Agency</b>	Home Office
<b>Expected date of implementation</b>	From Q1 2026
<b>Origin</b>	Domestic
<b>Date</b>	10 February 2025
<b>Lead Departmental Contact</b>	CrimeandPolicingBillTeam@homeoffice.gov.uk
<b>Departmental Assessment(s)</b>	GREEN
<b>Rationale for intervention, objectives and intended effects</b>	
<p><b>Proposal 1: Anti-social behaviour and immediate seizure of vehicles</b></p> <p>The objective of these measures is to meet government manifesto commitments and strengthen the powers in the Anti-social Behaviour, Crime and Policing Act 2014, which is expected to improve agencies' response to ASB. These changes will introduce a new civil preventative order (Respect Orders) to ban adult offenders engaging in specific activities relating to ASB. They will place a duty on local agencies to provide ASB-data to the Home Office, and allow police to seize vehicles being used in anti-social manner without first issuing a warning.</p> <p><b>Proposal 2: Retail Crime</b></p> <p>The objective of these measures is to meet the government's manifesto commitments and address retail crime by ensuring the police and courts have the necessary powers to help deal with assaults against retail workers; and concerning shop theft removing the effective immunity granted by the previous government where the value of goods taken was of and below £200, which has created a perception that this level of theft will not be punished.</p> <p><b>Proposal 3: Knife Crime and offensive weapons</b></p> <p>These changes will enable the police to seize, retain and destroy bladed articles found at a private property and will disrupt those who are minded to use knives for acts of serious violence or crime. This measure will also bring about parity between the offences of marketing knives for violence and manufacturing, importing, selling prohibited offensive weapons which, in turn, will allow police more time to investigate cases as it will be upgrading the offence from 'summary' to 'either way', reflecting the severity of the offence and by increasing the maximum penalty, from six months'</p>	

imprisonment to two years' imprisonment. Lastly, a separate offence for possession of a knife with the intention to cause fear of harm will bridge a gap between possession of a knife or offensive weapon in public or private and it being used to threaten or harm somebody.

#### **Proposal 4: Electronic Devices Used in Vehicle Theft**

Electronic devices used for vehicle crime, predominantly vehicle theft, are currently not illegal to possess and current legislation is difficult for police to use.

Creating new offences will discourage individuals from being involved in these activities, will provide law enforcement with improved legal powers to disrupt individuals facilitating vehicle theft and reduce the associated societal damage caused by vehicle theft.

#### **Policy options (including alternatives to regulation)**

##### **Proposal 1a: Anti-social behaviour**

**Option 0: 'Do nothing'**. Do not change any legislation in Anti-Social Behaviour, Crime and Policing Act 2014 (ASBCP 2014).

**Option 1: (Preferred)** Amend the powers in the Anti-social Behaviour, Crime and Policing Act 2014 by primary legislation to introduce the Respect Order, ASB data reporting requirements and measures carried over from the Criminal Justice Bill. This fulfils a manifesto commitment, and will enhance the powers available to the police, and other local agencies to address ASB. **This is the government's preferred option.**

**Option 2:** Update statutory guidance. This option would only allow the government to highlight recommended practice in relation to the existing powers in ASBCP 2014. It would not be possible to introduce the Respect Order, a manifesto commitment, or any other changes to the powers in ASBCP 2014 through this option.

##### **Proposal 1b: Vehicle related anti-social behaviour**

**Option 0: 'Do nothing'**.

**Option 1: (Preferred)** Amend the powers in the Police Reform Act (anti-social vehicles). **This is the government's preferred option.**

**Option 2: Non-regulatory options** Take forward non-legislative measures (anti-social vehicles)

##### **Proposal 2a: Retail Crime - £200 rule**

**Option 0: 'Do nothing'**. Do not repeal section 176 of the Anti-social Behaviour, Crime and Policing Act 2014 (ASBCP 2014).

**Option 1: (Preferred)** Repeal section 176 of the ASBCP 2014 and section 22 of the Magistrates' Court Act 1980 to change perceptions around police action and ensure there are meaningful consequences for perpetrators and would-be perpetrators. **This is the government's preferred option.**

**Option 2: Non-regulatory options** Communication campaign to encourage behavioural change. The government could support a communications campaign to try and change perpetrators' and would-be perpetrators' perception that shop theft of and below £200 will not be punished, as well as seeking to restore public confidence in policing.

#### **Proposal 2b: Retail Crime - Assault offence**

**Option 0:** 'Do nothing'. Do not introduce legislation for the specific offence of assault on a retail worker.

**Option 1: (Preferred)** Introduce new legislation that allows assaulting a retail worker to be a separate offence, aligned with the common assault offence in terms of maximum penalties (six months imprisonment and/or unlimited fine), but with an additional ancillary penalty of a presumption by the court to apply a Criminal Behaviour Order on first conviction. **This is the government's preferred option.**

**Option 2: Non-regulatory options** Support comms campaign. The Home Office could undertake a communication campaign to draw attention to the statutory aggravating factor for assault against any public facing worker via section 156 of the Police, Crime, Sentencing and Courts Act 2022.

#### **Proposal 3: Knife Crime and Offensive Weapons**

**Option 0:** 'Do nothing'.

**Option 1: (Preferred)** To implement the following legislative measures to address knife crime: additional powers for police to seize, retain, and destroy lawfully held bladed articles held in private; increase the maximum penalty to two years imprisonment for the offences of private possession, importation, manufacture, sale, and general supply of prohibited and dangerous weapons and sale of knives to persons under 18 years old; introduce a new possession offence of bladed articles with intention to endanger life or cause fear of violence. **This is the government's preferred option.**

**Option 2: Non-regulatory options:** No non-regulatory options were considered as they do not meet the governments objective.

#### **Proposal 4: Electronic Devices Used in Vehicle Theft**

**Option 0:** 'Do nothing'. Do not introduce new legislation to ban electronic devices used to steal vehicles.

**Option 1: (Preferred)** Introduce new offences to ban electronic devices used to steal vehicles, empowering the police and courts to target the criminals using, manufacturing and supplying them. **This is the government's preferred option.**

**Option 2:** Include wider definition of devices used for vehicle theft.

**Option 3: Non-regulatory options** Ask manufacturers to design out crime.

## Costs and benefit summary

### **Proposal 1: Anti-social behaviour powers and vehicle related anti-social behaviour**

Set up/ transition costs are made up of familiarisation costs and prison place building costs. There are familiarisation costs to police, housing providers and Local Authorities, as well as other organisations involved in the CSAS. Respect Orders will partially replace the current Civil Injunctions and provide alternative sentencing options for offenders, overall reducing demand for additional prison places. This is despite the measure to increase the timeframe for a dispersal order, which is expected to increase prison places.

Ongoing costs primarily affect the Criminal Justice System (CJS). Such costs include court costs, legal aid costs within police stations and courts, the cost of running a prison place, and probation costs. Additional ongoing costs are incurred by Police, Local Authorities, and housing providers when fulfilling Risk Assessment requirements for Respect Orders, as well as the cost of FTE within Police Crime Commissioner (PCC) areas to carry out new ASB Case Review requirements.

The primary benefits are improved effectiveness and efficiency for police and other agencies in responding to ASB, as well as an expected reduction in ASB and improvements in victim support.

### **Proposal 2: Retail Crime**

#### **a) £200 rule**

The reclassification of theft from shops, at or under £200, as an either-way offence might lead to increased court costs through the Crown Court and potentially longer prison sentences.

Objectives related to public perception and behavioural changes lack empirical support. Consequently, potential deterrence or reporting effects have not been monetised.

Scenario modeling was employed to explore potential changes in reporting stemming from altered public perceptions and to assess the potential indirect costs on the CJS.

#### **b) Assault offence**

Increased costs are only expected through the additional consequence of Criminal Behaviour Orders (CBOs) for offenders and their breaches, which can result in a custodial sentence of up to five years.

The negative NPSV is driven primarily by prison place running and building costs and the lack of monetised benefits for this measure.

This measure would break even if the new offence created a deterrence effect that prevented between 380 and 475 retail assaults a year.

### **Proposal 3: Knife Crime and Offensive Weapons**

Set up costs include the construction of prison facilities and the familiarisation process for Police, solicitors, and barristers.

Ongoing costs are associated with the Criminal Justice System and arise from increased case volumes and include legal aid costs, probation costs, prison place costs and court case costs.

There would be a net benefit to society if five homicides were prevented over the 10-year appraisal period, or at least 1205 incidents of violence resulting in injury during the same period.

#### **Proposal 4: Electronic Devices Used in Vehicle Theft**

Once in steady state, total costs are expected to be £0.81 million, whilst total benefits (from preventing theft of vehicles) are expected to be £1.98 million per year.

The Net Present Social Value (NPSV) over the 10-year appraisal period is expected to be £3.13 million.

This measure would break even if the new offence created a deterrence effect that prevented between 281 (low) and 422 (high) vehicle thefts per year.

#### **Risks**

#### **Proposal 1: Anti-social behaviour and immediate seizure of vehicles**

##### **a) Anti-social behaviour**

The main risk to this appraisal is the limited data surrounding the process times of ASB powers. Police time with regards to certain measures have been non-monetisable, which impacts the robustness of the final NPSV figures as in some places it may not indicate the true costs of this legislation.

##### **b) Vehicle related anti-social behaviour**

An increase in the number of immediate vehicle seizures may lead to more contested cases and appeals. If so, there will be additional legal costs not included in the analysis.

#### **Proposal 2: Retail Crime**

##### **a) £200 rule**

A change in public perception could lead to more cases and justice system costs, as well as a strain on police resources.

Becoming an either-way offence may lead to private prosecutions and subsequent costs on the Criminal Justice System.

##### **b) Assault offence**

There is a risk that other professions, particularly other public facing workers, may request similar bespoke offences, as well as possible confusion on who this measure specifically applies to. This confusion would increase familiarisation costs for both the police and the CPS.

#### **Proposal 3: Knife Crime and offensive weapons**

The police require reasonable grounds to suspect an article would be used in serious crime to justify seizing knives held in private. This could present a risk that a knife is

left on the property because it was not deemed likely to be used for serious violence or crime.

There is uncertainty surrounding the number of additional cases of selling a blade to under 18s (section 141A of the Criminal Justice Act 1988). NPCC have advised there would be 50 additional cases per year, roughly one per police force. Sensitivity analysis has been adopted to capture this uncertainty and effect on CJS costs.

Under the measure to introduce a new offence of possession of a bladed article with intent to endanger life or cause fear of violence, there is uncertainty over the expected volume of cases under this new offence. This is due to this being a new offence, where the threshold for and ease of proving intent is unknown.

Similarly, there is uncertainty surrounding how offenders under the new possession of a bladed article with intent to endanger life or cause fear of violence offence will be treated by the CJS.

#### **Proposal 4: Electronic Devices Used in Vehicle Theft**

There is uncertainty regarding the volume of offences/offenders each year. The estimates have been triangulated with other data sources, which suggest the volume of offenders assumed should be considered an upper bound. The impact of using upper bound estimates is to increase the criminal justice costs associated with the measure.

<b>Summary of Measures</b>			
<b>Total Cost (£m PV)</b>	<b>Transition Cost (£m Constant)</b>	<b>Cost to Business (£m PV)</b>	
<b>245.64</b>	<b>83.12</b>	<b>0.00</b>	
<b>Total Benefit (£m PV)</b>	<b>NPSV (£m PV)</b>	<b>BNPV (£m PV)</b>	<b>EANDCB (£m PV)</b>
<b>25.43</b>	<b>-53.54</b>	<b>-0.03</b>	<b>0.00</b>
<b>Price Base Year</b>	<b>PV Base Year</b>	<b>Appraisal period (Years)</b>	<b>Transition period (Years)</b>
<b>2025-26</b>	<b>2025-26</b>	<b>2025-2034</b>	<b>See Annex B</b>

<b>Departmental sign-off (SCS):</b>	Paul Regan Nick Hunt	Date: 10/02/25
<b>Chief Economist sign-off:</b>	Tim Laken	Date: 10/02/25
<b>Better Regulation Unit sign-off:</b>	Emma Kirk	Date: 10/02/25

## Evidence Base

### A. Policy objectives and intended effects

#### Proposal 1: Anti-social behaviour and immediate seizure of vehicles

1. The government intends to introduce the Respect Order, a new civil behavioural order to enable courts to prohibit adult offenders from engaging in specified activities relating to their ASB. The breach of a Respect Order will be a criminal offence, meaning the police can enforce suspected breaches via arrest, enabling rapid action to stop ASB, providing relief to affected communities and victims. The Respect Order can also make positive requirements, which could compel perpetrators to take action to address the root cause of their behaviour. It should be noted that not all Respect Orders will contain positive requirements and it is at the discretion of the court whether they are included. The Respect Order will be piloted to ensure that it is as effective as possible. The government also intends to make various amendments to strengthen and enhance the powers in the ASBCP 2014<sup>1</sup> and the CSAS. These are as follows:
  - a) Extending the timeframe for a dispersal order from 48 hours to 72 hours, with a mandatory review at 48 hours.
  - b) Increasing the upper limit for a Fixed Penalty Notice for breaches of a Public Spaces Protection Order and a Community Protection Notice from £100 to £500.
  - c) Extending the timeframe that relevant agencies can apply for a Closure Order from 48 hours after service of a Closure Notice through the courts to 72 hours.
  - d) Extending the Closure Power to registered housing providers.
  - e) Extending the powers available under the Community Safety Accreditation Scheme (CSAS) to allow CSAS officers to enforce breaches of Community Protection Notices and Public Spaces Protection Orders.
  - f) Placing a duty on PCCs to promote awareness of the ASB Case Review in their police force area and provide a route for victims to query decisions via their office.
2. Expanding and improving the powers in ASBCP 2014 will enable agencies to respond to ASB more effectively, and lead to a reduction in ASB incidents across England and Wales, and better outcomes for ASB victims.
3. The government intends to create a new power for the Secretary of State for the Home Department (Home Secretary) to require agencies including local authorities and social housing providers to report data on ASB incidents and use of powers to government. This will fill a main data gap to enable a better national picture of ASB and local interventions, which will in turn inform and shape future national and local work to address ASB.
4. The government plans to make the powers under section 59 of the Police Reform Act 2002 easier to use, allowing police to react robustly and immediately to vehicular ASB offending. The policy objective is to permit police to seize vehicles used in an anti-social manner, without requiring for the constable to first issue a warning to the person outlining that their vehicle will be seized if they continue to offend in this manner.<sup>2</sup> By permitting the immediate seizure of the

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2014/12/contents>

<sup>2</sup> <https://www.legislation.gov.uk/ukpga/2002/30/section/59>



vehicle it would - at least temporarily - remove the potential for the offender to continue their ASB.

5. In line with the government's manifesto commitments, the collective intention of these policies is to reduce ASB and improve public confidence in the relevant agencies' abilities to address ASB. The Home Office will measure effectiveness through ASB data in the Crime Survey of England and Wales and police recorded incidents as well as engagement with practitioners involved in tackling ASB.

## **Proposal 2: Retail Crime**

### **a) £200 rule**

6. Retail crime, including shop theft, has recently increased. Police recorded crime figures show shoplifting offences increased by 29 per cent in the 12 months leading up to June 2024. The objective of repealing Section 176 of ASBCP 2014<sup>3</sup> is to ensure there are no barriers to effectively reduce shop theft numbers.
7. The introduction of this legislation in the ASBCP 2014, created a perception that shop theft of goods £200 and under would not be investigated and prosecuted, resulting in perpetrators thinking that there would be no consequences for committing this crime. Research by Emmeline Taylor (2019<sup>4</sup>, 2023<sup>5</sup>), a leading academic for retail crime, found that both offenders and retailers perceive this 'downgrading' of store theft as a 'licence to steal' so long as perpetrators stay below the £200 threshold.
8. The aim of repealing this legislation is to show perpetrators and would-be perpetrators that this crime will not be accepted and will be punished on the grounds that all shop theft is illegal. This repeal could also act as a deterrent for others who plan to commit these crimes, potentially reducing the level of shop theft across the country. Taylor (2023) also notes that it may increase confidence amongst retailers and shop staff to report incidents to the police. Academic research by Taylor (2019) notes that some retailers do not report when shop theft is of £200 or under as they believe no action will be taken.
9. It should be noted that the research available is based on a sample of qualitative interviews with shop staff as an indicator of attitudes, rather than a larger scale survey with quantitative outputs. The behavioural factors that influence reporting are also complex, difficult to accurately anticipate, and not definitively tied to this legislation.
10. Repealing the measure will not stop the police from charging shop theft cases (96 per cent of shoplifting offences were charged by the police in 2022 and 2023<sup>6</sup>). Any potential increase in the volume of shop theft cases reported will result in increased workload for both the police and CPS.
11. The Home Office expects this course of action will help reduce crime, supporting the government's wider Safer Streets Mission, making people feel safe in public and restoring public confidence in policing. Any deterrent or reporting effect will impact the number and reports of

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<sup>3</sup> Section 176, Anti-social Behaviour, Crime and Policing Act 2014:  
<https://www.legislation.gov.uk/ukpga/2014/12/section/176>

<sup>4</sup> Taylor, E. (2019). It's not part of the job. Available:  
[https://assets.ctfassets.net/5ywmq66472jr/22QfMejeWYbimJ9ykX9W9h/0e99f15c0ed24c16ab74d38b42d5129a/It\\_s\\_not\\_part\\_of\\_the\\_job\\_report.pdf](https://assets.ctfassets.net/5ywmq66472jr/22QfMejeWYbimJ9ykX9W9h/0e99f15c0ed24c16ab74d38b42d5129a/It_s_not_part_of_the_job_report.pdf)

<sup>5</sup> Taylor, E. (2023). Stealing with impunity. Available: <https://d2td6mzj4f4e1e.cloudfront.net/wp-content/uploads/sites/9/2024/02/REPORT--STEALING-WITH-IMPUNITY.pdf>

<sup>6</sup> Police recorded crime and outcomes open data tables user guide - GOV.UK:  
<https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables/police-recorded-crime-and-outcomes-open-data-tables-user-guide>

shop theft. The scale of these two factors and the potential impacts on the CJS and Police Recorded Crime is unknown.

#### **b) Assault offence**

12. Retail crime has continued to increase. Police recorded crime figures show shop theft offences increased by 29 per cent in the 12 months leading up to June 2024<sup>7</sup>.
13. The British Retail Consortium Crime Report 2024 showed there were around 475,000 incidents of violence and abuse in 2022/23 up from 316,000, or 1,300 incidents a day in 2021/22 up from 867 the previous year<sup>8</sup>.
14. This new, standalone offence for the retail sector will ensure data can be collected and provide a clear evidence base which highlights the issue. This will allow the Home Office to measure the activity of this crime and ensure the police allocate sufficient resourcing to deal with the issue. The data collected will also inform the next steps from a funding and policy perspective about what more could potentially be done to support the retail sector.
15. The aim is to show offenders that violence and abuse of a retail worker will not be tolerated and will be punished, which the government believes - but there is no definitive evidence to suggest - may have a deterrent effect for those who plan to commit retail crime.
16. It will also reassure retail workers who are on the receiving end of violent or abusive incidents confident in the knowledge that they will be listened to and supported. This could potentially lead to more reporting of the crime.

#### **Proposal 3: Knife Crime and offensive weapons**

17. The knife legislation proposals are in response to significant public and parliamentary concern about increases in knife crime. The Home Office ran a public consultation between 18 April and 6 June 2023 asking for views on legislative proposals to reduce knife crime<sup>9</sup>. Not all the proposals covered in the consultation require new primary legislation, this note refers only to the measures to provide additional powers for police to seize, retain, and destroy lawfully held bladed articles held in private; increase the maximum penalty to two years imprisonment for the offences of private possession, importation, manufacture, sale, and general supply of prohibited and dangerous weapons and sale of knives to persons under 18 years old; introduce a new possession offence of bladed articles with intention to endanger life or cause fear of violence.
18. The consultation received a total of 2,544 responses with most being supportive of the proposals. A number of respondents raised concerns in relation to police power to seize knives held in private particularly in relation to whether the new legislation would give rise to power to entry and the level of evidence for seizing.

#### **Proposal 4: Electronic Devices Used in Vehicle Theft**

19. The Office for National Statistics (ONS) published data showing that from June 2023 to June 2024, there was a total of 380,329 vehicle related thefts. 192,805 of these offences were theft from a vehicle and 133,101 were theft of a vehicle<sup>10</sup>.

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<sup>7</sup> Police recorded crime and outcomes open data tables user guide - GOV.UK:

<https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables/police-recorded-crime-and-outcomes-open-data-tables-user-guide>

<sup>8</sup> British Retail Consortium Crime Report 2024: <https://brc.org.uk/market-intelligence/publications/benchmarks/crime-shrink-benchmark/2024/brc-crime-survey-2024/>

Consultation on new knife legislation proposals to tackle the use of machetes and other bladed articles in crime: <https://www.gov.uk/government/consultations/machetes-and-other-bladed-articles-proposed-legislation/consultation-on-new-knife-legislation-proposals-to-tackle-the-use-of-machetes-and-other-bladed-articles-in-crime-accessible>

<sup>10</sup> Crime in England and Wales - Office for National Statistics:

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingjune2024>

20. Vehicles are predominantly stolen using electronic devices (easily bought online) to gain entry and start the vehicle, with this crime predominantly committed by organised crime groups.
21. From April 2022 to March 2023, an offender manipulated signals from a remote locking device in 40 per cent of vehicle thefts according to the CSEW<sup>11</sup>. Anecdotal evidence from the Metropolitan Police suggests that approximately 60 per cent of vehicle thefts are conducted with the use of an electronic device.
22. Electronic devices used for vehicle theft are currently not illegal to possess. Offenders can be charged with being equipped to commit theft under section 5 of the Theft Act 1968<sup>12</sup>, conspiracy to steal, and conspiracy to handle stolen goods. However, operational partners have raised concerns that existing offences places the burden on the prosecution to prove the defendant's intention to steal, which can be difficult. There is no legitimate use for signal jammers by members of the public or businesses.
23. Creating new offences would deter individuals from being involved in these activities, provide law enforcement with improved legal powers to disrupt individuals facilitating vehicle theft, and reduce the associated societal damage caused by vehicle theft.

## **B. Policy options considered, including alternatives to regulation**

### **Proposal 1: Anti-social Behaviour and immediate seizure of vehicles**

#### **Option 0: 'Do nothing'**

##### **a) Anti-social behaviour powers**

24. The Respect Order would not be introduced, and an important government manifesto commitment would not be met. It would also mean that the government is not acting on stakeholder feedback taken via a public consultation under the previous government to strengthen the powers in ASBCP 2014.
25. Failing to legislate on ASB data reporting would prevent the Home Office from collecting and monitoring ASB data from local authorities and housing providers to help understand the national ASB picture and inform future interventions at national and local level.

##### **b) Vehicle related anti-social behaviour**

26. Doing nothing would also mean that an important government commitment to give police the powers they need to take illegal, dangerous and antisocial bikes off the streets for good is not met.<sup>13</sup>

#### **Option 1: Preferred Option**

##### **a) Anti-social behaviour powers**

27. Amend ASBCP 2014 to strengthen the ASB powers, introduce the Respect Order, and mandate data reporting. This enables manifesto commitments to be achieved and would result in enhanced powers for the relevant agencies involved in tackling ASB, which is expected to lead to an improved response from relevant practitioners.

<sup>11</sup> Crime in England and Wales - Office for National Statistics:  
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingjune2024>

<sup>12</sup> <https://www.legislation.gov.uk/ukpga/1968/60/section/5>

<sup>13</sup> <https://questions-statements.parliament.uk/written-questions/detail/2024-07-23/1200>

## **b) Vehicle related anti-social behaviour**

28. Amending section 59 of the Police Reform Act 2002<sup>14</sup> to remove the requirement for a constable in uniform to give a warning before seizing a vehicle which is being or has been driven carelessly or inconsiderately on road or without authorisation off-road and in a manner causing, or likely to cause, alarm, distress or annoyance. This would meet public commitments and strengthen existing police powers.

### **Non-regulatory options**

#### **a) Anti-social behaviour powers**

29. Amend statutory guidance. This would not give the necessary impetus to the relevant agencies in tackling ASB as the proposed changes cannot be achieved without amendments to primary legislation. It would also fail to meet the manifesto commitment to introduce Respect Orders.

#### **b) Vehicle related anti-social behaviour**

30. Effective use of technology and neighbourhood patrols which will work best if pursued in conjunction with enhanced powers.

## **Proposal 2: Retail Crime**

### **Option 0: 'Do-nothing'**

#### **a) £200 rule**

31. This would go against a clear government manifesto commitment. Section 176 of ASBCP 2014 was introduced to try and make prosecution of shop theft more efficient, but this has not happened due to the creation of perceptions around police action and lack of meaningful consequences for perpetrators. To do nothing would be to continue without introducing any deterrent effect for perpetrators and would-be perpetrators.

#### **b) Assault offence**

32. This would go against a clear government manifesto commitment.
33. The retail sector has lobbied for over 20 years to have this offence, so to rely on the current offence of common assault, which means it is not possible to distinguish between a retail worker and any other person – would not be welcome by the sector. Given the vocality of the sector it will likely impinge on the government's aim to restore public confidence in policing and make people feel safe when out and about.

### **Option 1: Preferred option**

34. In summary, to repeal section 176 of the ASBCP Act 2014 and to introduce new legislation that allows assaulting a retail worker to be a separate offence. See paragraphs below for further detail.

#### **a) £200 rule**

35. Repeal section 176 of the ASBCP 2014<sup>15</sup> and section 22A of the Magistrates' Court Act 1980<sup>16</sup> to change perceptions around police action and ensure there are meaningful consequences for perpetrators and would-be perpetrators.

#### **b) Assault offence**

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<sup>14</sup> Section 59 Police Reform Act 2002: <https://www.legislation.gov.uk/ukpga/2002/30/section/59>

<sup>15</sup> Section 176 Anti-social Behaviour, Crime and Policing Act 2014: <https://www.legislation.gov.uk/ukpga/2014/12/section/176>

<sup>16</sup> Section 22A Magistrates' Courts Act 1980: <https://www.legislation.gov.uk/ukpga/1980/43/section/22A>

36. Introduce new legislation that allows assaulting a retail worker to be a separate offence. This will align with the common assault offence in place in terms of maximum penalties (six months imprisonment and/or unlimited fine) but carries an additional ancillary penalty of a presumption by the court to apply a Criminal Behaviour Order on conviction.
37. In taking this approach, the immediate impact on prison capacity will be reduced. Although the breaching of a Criminal Behaviour Order is a criminal offence and can lead to a custodial sentence (up to five years), the court can also extend or intensify conditions associated with a Criminal Behaviour Order, which is expected to better impact on repeat and prolific offenders.

### **Non-regulatory options**

#### **a) £200 Rule**

38. The government could support a communications campaign to try and change perpetrators and would-be perpetrators' perception that shop theft of and below £200 will not be punished, as well as seeking to restore public confidence in policing. However, the scale of shop theft requires a more consistent and sustainable intervention, beyond a likely time-bound communications campaign. A good proportion of offenders in this space commit this crime due to long-standing addictions<sup>17</sup>.
39. This approach is very unlikely to create a deterrent effect, and we do not consider it will have any impact on changing the attitude of prolific perpetrators, where behaviour changes are needed.

#### **b) Assault offence**

40. The previous government introduced a statutory aggravating factor for assault against any public facing worker via section 156 of the Police, Crime, Sentencing and Courts Act 2022<sup>18</sup>. The aggravating factor applies in cases of assault where an offence is committed against those providing a public service, performing a public duty or providing a service to the public.
41. This includes retail workers, but also all other public-facing workers. The impact of the statutory aggravating factor cannot be measured as data on its application by the courts is not collected. The retail sector figures suggest violence and abuse towards retail workers has continued to increase post the introduction of this<sup>19</sup>.
42. The Home Office could undertake a communication campaign to draw attention to the issue, but this would have limited impact on changing behaviour, especially as increasingly shop theft offenders are now also being violent and abusive towards retail workers<sup>20</sup>. The Home Office has previously given funding to ShopKind, a campaign co-ordinated by the Association of Convenience Stores.<sup>21</sup>
43. The ShopKind campaign's aim is to encourage positive behaviours in shops, acknowledge the important role of shopworkers and raise awareness about the scale and impact of violence and abuse against shopworkers. This campaign has some beneficial impact, but has not so far created long-lasting, sustainable changes in behaviour.

### **Proposal 3: Knife Crime and offensive weapons**

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<sup>17</sup> <https://assets.publishing.service.gov.uk/media/5a7c74e8e5274a5255bcec63/horr73.pdf>

<sup>18</sup> <https://www.legislation.gov.uk/ukpga/2022/32/section/156>

<sup>19</sup> BRC Crime Survey 2024: <https://brc.org.uk/market-intelligence/publications/benchmarks/crime-shrink-benchmark/2024/brc-crime-survey-2024/>

<sup>20</sup> BRC Crime Survey 2024: <https://brc.org.uk/market-intelligence/publications/benchmarks/crime-shrink-benchmark/2024/brc-crime-survey-2024/>

<sup>21</sup> <https://nbcc.police.uk/business-support/shopkind>

### **Option 0: 'Do nothing'**

44. No further government intervention to restrict sales of knives or toughen the criminal justice response to knife crime.

### **Option 1: Preferred option**

45. It is the government's preferred option to introduce these measures to provide additional powers for Police to seize, retain, and destroy lawfully held bladed articles held in private; increase the maximum penalty to two years imprisonment for the offences of private possession, importation, manufacture, sale, and general supply of prohibited and dangerous weapons and sale of knives to persons under 18 years old; introduce a new possession offence of bladed articles with intention to endanger life or cause fear of violence to achieve its objective of tackling the use of knives in crime.

### **Non-regulatory options**

46. Non-regulatory options were not considered as primary legislation is required to give effect to the government's objectives.

## **Proposal 4: Electronic Devices Used in Vehicle Theft**

### **Option 0: 'Do nothing'**

47. This option would mean that the supply of electronic devices would continue un-restricted, and criminals would continue to have easy access to devices that enable them to steal cars.
48. This option was not taken forward due to the scale of the issue continuing to grow. Police have been clear of the benefits of new legislation. The option of doing nothing would not meet the priorities of the government's Safer Streets Mission to reduce serious harm and increase public confidence in policing and in the Criminal Justice System.

### **Option 1 - Preferred option - Introduce new legislation to ban electronic devices used to steal vehicles.**

49. Introduce new legislation to ban devices, using a broad definition. This means electronic devices which may be developed in the future would be covered by the legislation without the need for updating if a new device was developed.
50. This will support the government's Safer Streets Mission which is focused on reducing serious harm. This will provide meaningful consequences for the offenders that commit these crimes.
51. Within the Home Office's consultation<sup>22</sup> published on 24 January 2023 on serious and organised crime, a number of respondents suggested including electronic devices used to steal vehicles.
52. One respondent emphasised a potential positive impact on the customer by a reduction in car insurance costs.

### **Non-regulatory options**

53. The government could ask manufacturers to design out this crime; however, vehicle manufacturers have made clear they cannot keep up with the illegal devices that are being created and used – it would be very resource intensive and expensive. This additional burden on manufacturers also runs the risk of impacting on investment in the UK.

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<sup>22</sup> Strengthening the law enforcement response to serious and organised crime - GOV.UK:  
<https://www.gov.uk/government/consultations/strengthening-the-law-enforcement-response-to-serious-and-organised-crime>

## C. Past evaluations and rationale for government intervention

### Proposal 1: Anti-social Behaviour and immediate seizure of vehicles

54. ASB is a pressing concern for the public, with CSEW data<sup>23</sup> suggesting 36 per cent of respondents personally witnessed or experienced ASB in their area. It was also a government manifesto commitment to “crack down” on ASB by introducing Respect Orders.
55. The powers in ASBCP 2014 are localised in nature, but it’s important to ensure local agencies have the appropriate powers to tackle ASB effectively. The government has set out the position that the current powers in ASBCP 2014 do not go far enough in addressing ASB which is why it committed in its manifesto to introducing the Respect Order, which will partially replace the existing ASB court order (Civil Injunction) and will have a power of arrest, with breach being a criminal offence enabling a broader range of sentencing options.
56. The Respect Order is intended to improve the enforcement capability and deterrent effect of the existing power, providing relevant agencies with a powerful tool in tackling persistent ASB. The Respect Order should also address some issues raised in the 2020 Civil Justice Council<sup>24</sup> report on Civil Injunctions, which, for example, suggested moving sentencing for breaches to the criminal courts who are more aware of wider contextual factors when making sentencing decisions and introducing a risk assessment checklist to ensure more proportionate use. The NPCC and ASB sector organisations including Resolve and ASB Help are supportive of the proposal.
57. A series of additional amendments to the powers in ASBCP 2014 to ensure more consistent and effective use will also be pursued.
58. ASB data on incidents and use of the powers in ASBCP 2014 by agencies other than the police is not habitually shared with the Home Office, meaning it is not possible to develop a national dataset of ASB and use of relevant interventions. Mandating relevant agencies to report this to the Home Office should help to inform a national ASB dataset, and to inform future national and local interventions. Additionally, various stakeholders and agencies, such as the ASB charity, Resolve, and the NPCC, have highlighted the need for better central ASB data.
59. ASB involving vehicles is a matter of significant public concern which communities frequently raise with Members of Parliament and PCCs. The Home Office does not hold data on the prevalence of vehicular ASB, but policing stakeholders report that this includes off-road bike misuse, illegal motorbike and car racing, noisy and dangerous motorbike use, and aggressive or inconsiderate driving.
60. The Home Office understands that some vehicles, particularly e-scooters and e-bikes, are used to facilitate drug dealing, organised acquisitive crime and, serious violence. Following Home Office engagement, policing stakeholders were strongly supportive of the proposal.

### Proposal 2: Retail Crime

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<sup>23</sup>

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingjune2024#anti-social-behaviour>

<sup>24</sup>

<https://www.judiciary.uk/guidance-and-resources/anti-social-behaviour-and-the-civil-courts/>  
<https://www.judiciary.uk/guidance-and-resources/anti-social-behaviour-and-the-civil-courts/>

### **a) £200 rule**

61. Under section 22A of the Magistrates' Courts Act 1980 (as inserted by section 176 of the Anti-Social Behaviour, Crime and Policing Act 2014), the shop theft of goods of £200 and under is a summary offence unless the defendant, if an adult, elects to be tried in the Crown Court.
62. Where a summary offence is committed, the case can be handled as a police-led prosecution. Police-led prosecutions were introduced to improve the efficiency of the CJS by allowing for a simpler, more proportionate police-led process in high-volume, low-level, uncontested cases.
63. The intended impact of taking pressure away from the CJS has not happened. The police do not take forward police-led prosecutions in this space and perpetrators and would-be perpetrators perceive they can steal goods of £200 and under without any meaningful CJS consequences occurring.
64. Retailers often tend not to report crime if the value of the goods stolen is under the current £200 threshold. Research by Taylor (2023<sup>25</sup>) highlights that retailers believe the police won't take any action if 'low value' thefts are reported, and they don't want to take up valuable police resource.
65. As shop theft continues to rise, intervention is necessary to not only ensure the crime is reported, but so perpetrators realise all shop theft has consequences, and they will be punished whatever amount of goods they steal.

### **b) Assault offence**

66. Retail crime has increased recently. Police recorded crime figures show shoplifting offences increased by 29 per cent in the 12 months leading up to June 2024<sup>26</sup>.
67. The British Retail Consortium Crime Report 2022<sup>27</sup> showed there were around 475,000 incidents of violence and abuse in 2022/23 up from 316,000, or 1,300 incidents a day in 2021/22 up from 867 in the previous year. If the government does not intervene, it is very likely the problem will continue to increase.
68. The previous government introduced a statutory aggravating factor for assault against any public facing worker; however, it is impossible to measure the impact this and data from the retail sector suggests the issue prevails and continues to increase regardless of this.
69. A bespoke offence has been introduced in Scotland for retail workers, that is being used regularly. It is too early to know the effectiveness of the measure. However, it has been well received by the retail sector in Scotland and by Police Scotland.

### **Proposal 3: Knife Crime and offensive weapons**

70. The government is taking action to continue the downwards trend in knife crime, given the impact that serious violence has on society. This includes the emotional and physical harms to individuals, and the wider impact on health services and the criminal justice system. Police recorded 50,973 knife enabled offences in the year ending June 2024<sup>28</sup> and Knives and sharp instruments are the most common method of homicide, and their use in homicides have

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<sup>25</sup> Taylor, E. (2023). Stealing with impunity. Available: <https://d2td6mzj4f4e1e.cloudfront.net/wp-content/uploads/sites/9/2024/02/REPORT--STEALING-WITH-IMPUNITY.pdf>

<sup>26</sup> Police recorded crime and outcomes open data tables user guide - GOV.UK: <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables/police-recorded-crime-and-outcomes-open-data-tables-user-guide>

<sup>27</sup> BRC Crime Survey 2024: <https://brc.org.uk/market-intelligence/publications/benchmarks/crime-shrink-benchmark/2024/brc-crime-survey-2024/>

<sup>28</sup> Crime in England and Wales - Office for National Statistics: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingjune2024>



increased since 2014. There were 225 homicides committed using a knife or sharp instrument in the year ending June 2024 (40 per cent of total homicides), compared to 183 in year ending March 2014. Reducing knife crime will be an important contributor to preventing homicides.

71. The measures included in the government's preferred option will contribute towards tackling knife crime and reduce the number of victims.

#### **Proposal 4: Electronic Devices Used in Vehicle Theft**

72. The scale of the issue continues to grow, despite manufacturers constantly designing new security measures to help design out crime. The CSEW shows that 'Offender manipulated signal from remote locking device' has increased from 13 per cent from April 2018 to March 2019 to 40 per cent from April 2022 to March 2023<sup>29</sup>.
73. Manufacturers have undertaken work to try and design vehicles that prevent electronic devices being used, with millions of pounds being spent. Vehicle crime has also meant insurance premiums have increased, which is causing further issues to the general public in a time of cost of living pressures.
74. The intention of the legislation is to give law enforcement the tools they need to deal with this crime type. Additionally, increasing the risk in supplying, processing, or offering to supply these devices may make it harder for criminals to access these products as they become less readily available and more expensive. Through discouraging and deterring criminal supply chains, this measure may prevent vehicle theft or force criminals to use less sophisticated and less successful methods.

## **D. Appraisal**

### **General assumptions and data for all measures**

75. The following assumptions apply to all the measures in this note:
  - The appraisal period for measuring the impacts of the proposed new legislation is 10 years, 2025 to 2034.
  - Annual costs and benefits are in 2025/25 prices using The HM Treasury GDP Deflators (October 2024)<sup>30</sup>.
  - The present value base year is 2025.
  - A 3.5 per cent annual social discount rate is implemented in line with the HM Treasury Green Book (2022)<sup>31</sup>.
  - All costs and benefits are relative to the baseline presented in Option 0: 'Do nothing'

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<sup>29</sup> Crime in England and Wales - Office for National Statistics: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingjune2024>

<sup>30</sup> GDP Deflators (October 2024): <https://www.gov.uk/government/statistics/gdp-deflators-at-market-prices-and-money-gdp-october-2024-autumn-budget-2024>

<sup>31</sup> The Green Book (2022): <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government/the-green-book-2020>

76. There will be transition familiarisation costs whereby police officers, legal professionals and other stakeholders will need to become aware of any updated legislation. Specific costs to read the relevant guidance will be covered in each measure; common assumptions include:
- The Readingsoft<sup>32</sup> calculator is used to estimate familiarisation costs.
  - Labour cost values, including National Insurance and pension contributions, for Police Constables, Sergeants, Inspectors, Chief Inspectors, and Superintendents are taken from the Home Office Staff Costing<sup>33</sup> model.
  - Labour cost values for PCSOs and all other relevant occupations are derived from the Annual Survey of Hours and Earnings (ASHE)<sup>34</sup>. These salaries have a non-wage labour uplift of 22 per cent and 18 per cent applied to public and private sector profession salaries respectively, as taken from the ONS Index of Labour Costs per Hour (ILCH; 2020)<sup>35</sup>.
  - Familiarisation costs are estimated using the formula:  
reading time x median wage x number of readers x (1 + (non-wage labour uplift))  
per cent per cent per cent per cent per cent per cent per cent

## Proposal 1: Anti-social behaviour and immediate seizure of vehicles

### Assumptions and data

77. The following assumptions apply to measures with impacts on the CJS:
- Based off assumptions from the Ministry of Justice (MoJ), 50 per cent of cases in the magistrates' court and 75 per cent of cases in the Crown Court require legal aid.
  - A 20 per cent optimism bias is applied to all court and probation costs.
  - The government assumes that between 20 to 25 per cent of individuals breach the conditions of their community and suspended sentences; 22.5 per cent is used in the central scenario.
  - Individuals only serve an assumed 50 per cent of their prison sentence.
  - Estimates for how volumes of proceedings will change as a result of these measures are based off of the CJS statistics quarterly (December 2023) Outcomes by Offence tool<sup>36</sup>.
78. It should be noted that Respect Orders will first be piloted before full rollout. The impacts of Respect Orders in this economic note have been assessed for the entirety of England and Wales as details of this pilot are to be confirmed.

### Monetised Costs

<sup>32</sup> The speed at which individuals are assumed to read the guidance is taken from: <https://readingsoft.com/>

<sup>33</sup> An internal Home Office staff costs database which provides central figures to be used across the department in economic appraisal, business case planning, or in recruitment.

<sup>34</sup> ASHE provides information about the levels, distribution and make-up of earnings and paid hours worked for employees in all industries and occupations:  
<https://www.ons.gov.uk/surveys/informationforbusinesses/businesssurveys/annualsurveyofhoursandearningsashe>

<sup>35</sup> ONS Index of Labour Costs per Hour (2020):  
<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/indexoflabourcostsperhourilchseasonallyadjusted>

<sup>36</sup> Criminal Justice System statistics quarterly, December 2023: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

## Transition Costs

### Transition Cost 1: Familiarisation Costs

79. Total familiarisation costs across all measures are expected to within a range of **£120,600** to **£937,200**, with central estimate of **£461,600**. These costs occur in the first year only.
80. The length of guidance to read varies between measures. This is either based on previous guidance or estimates from Home Office Policy Officials.
81. Police workforce figures are taken from Gov.uk<sup>37</sup> statistics, specific policing teams such as 'Neighbourhood Policing' and 'Fixed Penalty Notice Scheme' are chosen to be reading guidance as required per individual measure. Numbers of individual grades within policing teams are estimated using the proportion of each grade in the total police workforce.
82. Local Authority Full Time Equivalent (FTE) come from internal Home Office estimates around the amount of individuals working toward ASB measures within local authorities; the range is 2000 to 3000 FTE, with a central estimate of 2500.
83. CSAS FTE come from an internal Home Office estimate. As numbers of CSAS officers ceased to be recorded in 2010, these are estimated until 2021 using the yearly increase in SIA license holders between 2010 to 2021 from Gov.uk – an average of the increase from this 11 year window (4 per cent growth) is then applied to estimate beyond 2021. These figures are rounded to the nearest 500 such that the range of CSAS FTE is 2000 to 3000, with a central estimate of 2500.
84. Two staff per Housing Provider are to read measure specific guidance; number of Housing Providers come from Gov.uk<sup>38</sup> and Gov.wales<sup>39</sup>.

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<sup>37</sup> Police Workforce, England and Wales (March 2024): <https://www.gov.uk/government/statistics/police-workforce-england-and-wales-31-march-2024/police-workforce-england-and-wales-31-march-2024>

<sup>38</sup> Gov.uk List of Registered Housing Providers, England (November 2024): <https://www.gov.uk/government/publications/registered-providers-of-social-housing/>

<sup>39</sup> Gov.wales Registered Social Landlords, Wales (November 2024): <https://www.gov.wales/registered-social-landlords>

**Table 2: Familiarisation Costs by Measure, £, 2025/26 prices**

	Familiarisation Costs		
	Low	Central	High
Respect Orders	85,800	310,500	574,900
LA Data Request	0	0	0
Extend the Timeframe for a Dispersal Order from 48 to 72 Hours	4,100	24,900	62,300
Increase the Upper Limit of an FPN for PSPOs and CPNs from £100 to £500	15,100	60,800	142,700
Extend the Timeframe for a Closure Order from 48 to 72 Hours	400	2,800	7,900
Give Closure Powers to Housing Providers	1,900	6,500	13,500
Allow CSAS Officers to Issue FPNs for PSPO and CPN Violations	8,600	34,100	86,300
Require PCCs to Create Awareness and develop a review process for the ASB Case Review	300	900	1,800
Bike Seizures	4,400	21,200	47,700

Source: Home Office estimates, 2024

### Transition Cost 2: Prison Place Building Costs

85. Costs per prison place as supplied by MoJ are as follows:

**Table 3: Total Building and Running Costs per Prison Place, £, uprated to 2025/26**

		2025/26	+ 20 per cent Optimism Bias
<b>Total Building Cost per Prison Place (Closed Estate, 2023/24)</b>	500,000	524,100	628,900
<b>Total Running Cost per Prison Place (Closed Estate, 2024/25)</b>	52,000	53,200	63,900

Source: MoJ, 2024

86. The government assumes that the change in volumes from increasing the timeframe to receive a Dispersal Order from 48 to 72 hours will be proportional to the change seen when this timeframe increased from 24 to 48 hours under the ASBCP 2014.
87. Respect Orders are expected to yield an overall reduction in prison places. Allowing this measure to be heard in the criminal courts allows alternative sentencing options to what is possible within the civil courts, whereby violating a civil Injunction can currently only carry a fine or immediate custodial sentence for 'contempt of court'. Respect orders open up to the usage of community and suspended sentences, so are estimated to reduce overall prison places if volumes are held constant.
88. Sentence outcomes are taken from harassment Injunctions as a proxy for civil injunctions that will become Respect Orders. civil injunctions are currently heard in the civil courts, but Respect Orders, as with harassment injunctions, are to be heard in the criminal courts. Evidence from

the Civil Justice Council<sup>40</sup> suggests that 38 per cent of civil injunction penalties from a sample were that of immediate custody.

89. The above has been applied to the proportion of harassment injunctions that receive a penalty in the Magistrates' or Crown Court (44 per cent) to estimate that 17 per cent of civil injunction breaches result in immediate custody. This allows us to estimate baseline levels of prison places to calculate expected reduced places from respect orders.
90. Extending the timeframe for a dispersal order is expected to require 0.4 additional prison places per year in the central scenario, these are more than offset by a reduction of 2.7 prison places per year from respect orders due introduction of alternative sentence options from the latter measure.
91. These measures are expected to reduce prison place requirements by between 1 to 3.3 places, with a central estimate of -2.3.
92. These measures yield an overall cost **saving** of between **-£2,533,200** and **-£188,700** in the first year, with a central estimate of **-£1,444,904**.

### Total Transition Costs

**Table 4:** Total Transition Costs by Type, £, 2025/26 prices

	<b>Familiarisation Costs</b>	<b>Prison Place Building Costs</b>	<b>Total</b>
<b>Low</b>	120,600	-2,533,200	<b>-2,412,700</b>
<b>Central</b>	461,600	-1,444,900	<b>-983,300</b>
<b>High</b>	937,200	-188,700	<b>748,500</b>

Source: Home Office, internal estimates, 2024

### Ongoing Costs

#### Ongoing Cost 1: Court Legal Aid Costs

93. Extending the timeframe for a dispersal order is likely to increase volumes of individuals breaching said order. It is assumed that the rate of increase in prosecutions will be proportional to that seen when this timeframe increased by 100 per cent from 24 to 48 hours under the ASBCP 2014<sup>41</sup>.
94. Proceedings increased by 311 per cent between the five years leading up to and following the change. A 156 per cent increase in volumes is estimated to match the 50 per cent increase in timeframe. This measure is expected to lead to additional court legal aid costs of between **£30,000** and **£126,400**, with a central estimate of **£67,200**.
95. Increasing the upper limit of a Fixed Penalty Notice (FPN) for PSPOs and Community Protection Notices (CPNs) from £100-£500 is expected to reduce the volumes of individuals appearing in the Magistrates' Courts as police are able to issue fines for more serious breaches on the spot rather than having to go through court proceedings. Legal aid costs are expected to be reduced between **-£159,300** and **-£30,000**, with a central estimate of **-£82,400**.
96. The reduction in FPN volumes has been estimated by assuming yearly volumes of individuals who undergo court proceedings and receive a fine between £100 to 500 are reduced to a value

<sup>40</sup> Anti-social Behaviour and the Civil Courts, Civil Justice Council: <https://www.judiciary.uk/wp-content/uploads/2022/07/ASBI-final-accessible.pdf>

<sup>41</sup> Anti-social Behaviour, Crime and Policing Act 2014, Dispersal Powers: <https://www.legislation.gov.uk/ukpga/2014/12/part/3>

equivalent to the proportion of individuals who do not pay FPNs. This is estimated using the average of FPN repayment rates from four proxies: COVID-19 lockdown breaches<sup>42</sup>, CPNs (from a small sample of 15 councils)<sup>43</sup>, motoring offences<sup>44</sup>, and fly-tipping<sup>45</sup>.

97. Overall court legal aid costs are expected to be between **-£129,300** and **£96,430** per year, with a central estimate of **-£15,200**.

### **Ongoing Cost 2: Police Station Legal Aid Costs**

98. These costs are incurred when extending the timeframe for a dispersal order from 48 to 72 hours. MoJ assume 60 per cent of cases each cost £260 in legal aid within a police station. Yearly costs range from **£17,400** to **£73,000**, with a central estimate of **£38,800**.

### **Ongoing Cost 3: Court Costs**

99. Extending the timeframe for a dispersal order from 48 to 72 hours is expected to lead to additional court costs from a higher volume of cases. This is estimated to cost between **£40,600** and **£170,800**, with a central estimate of **£90,800**. Increasing the upper limit of an FPN for PSPOs and CPNs, is expected to reduce court costs due to a decrease in Magistrates Court volumes with a range of **-£215,300** to **-£40,500** and a central estimate of **-£111,300**<sup>46</sup>.
100. Court costs would also be present under the introduction of respect orders. Criminal court costs would be between **£222,900** and **£1,052,600** per year, with a central estimate of **£588,200**<sup>47</sup>. The reduction in civil court costs are unavailable and respect order court costs are omitted from the NPSV.

### **Ongoing Cost 4: Prison Place Running Costs**

101. The reduction in required prison places, as discussed in 'Transition Cost 2', have associated running costs<sup>48</sup>.
102. Table 5 breaks down the overall prison place running costs cost by measure.

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<sup>42</sup> COVID-19 Lockdown Breach FPNs: <https://news.npcc.police.uk/releases/update-on-coronavirus-fpns-issued-by-forces-in-england-and-wales-and-the-payment-of-fpns>

<sup>43</sup> Community Protection Notice (CPN) FPNs. These appear most relevant for this measure however data comes from a small sample of 15 counties out of 92 in England and Wales, so may not be reflective of the overall figures: <https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/YASE%20briefing%201%2017-07-2018.pdf>

<sup>44</sup> FPNs and Other Outcomes for Motoring Offences (December 2022): <https://assets.publishing.service.gov.uk/media/65b7ae3cc5aacc0013a68463/fixed-penalty-notices-and-other-motoring-offences-statistics-police-powers-and-procedures-year-ending-31-dec-2022.ods/preview>

<sup>45</sup> Fly-tipping Statistics for England, 2022 to 2023: <https://www.gov.uk/government/statistics/fly-tipping-in-england/local-authority-fly-tipping-enforcement-league-tables-for-england-202122>

<sup>46</sup> Unit court costs have been provided by MoJ for Magistrates' Court Costs (Summary Non-motoring, 2023/24). This has 20 per cent optimism bias applied and has been updated for FY2025-26.

<sup>47</sup> Unit court costs from MoJ for Magistrates' Court Costs (Other Offences, 2023/24) and Crown Court Costs (Public Order Offences, 2023/24) with an applied 20 per cent optimism bias and updated for FY 2025/26.

<sup>48</sup> Overall running costs per prison place include all relevant expenditure – this includes expenditure met at regional or national level, depreciation on property, major maintenance through the Facilities Management contract, business rates, prisoner escort service, HQ costs and the share of expenditure from Shared Services and Functional Leadership.

**Table 5: Yearly Prison Place Running Costs by Measure, £, 2025/26 prices**

	Respect Orders	Extend the Timeframe for a Dispersal Order from 48 to 72 hours	Total
<b>Low</b>	-267,200	9,800	<b>-257,300</b>
<b>Central</b>	-172,400	25,700	<b>-146,800</b>
<b>High</b>	-74,100	55,000	<b>-19,200</b>

Source: Home Office, own estimates, 2024, numbers may not sum due to rounding

### Ongoing Cost 5: Probation Costs

103. Respect orders and extending the timeframe for a dispersal order from 48 to 72 hours are expected to lead to additional probation costs. Respect orders are expected to increase the numbers given community and suspended sentences, which will lead to additional probation costs.
104. Extending the timeframe for a dispersal order is also expected to lead to an increase in the numbers given community and suspended sentences and increase the number of individuals on licence following a custodial sentence, which will lead to additional probation costs. These costs are outlined in the table below.

**Table 6: Probation costs, £, 2025/26 prices.**<sup>49</sup>

	Respect Orders	Extend the Timeframe for a Dispersal Order from 48 to 72 hours	Total
<b>Low</b>	120,200	46,000	<b>166,200</b>
<b>Central</b>	333,300	104,600	<b>437,900</b>
<b>High</b>	625,300	200,400	<b>825,700</b>

Source: Home Office, Internal Estimates, 2024, numbers may not sum due to rounding

### Ongoing Cost 6: Risk Assessments

105. Respect Orders require risk assessments to be completed per case. The government assumes these would need be completed by either a local authority officer, a police inspector, or a housing provider staff member. The range presented is built around the time taken to complete a risk assessment of between one to three hours.
106. Whilst Respect Orders only cover a subset of former Civil Injunctions, risk assessments would also need to be completed for Youth and Housing Injunctions, two further injunction types replacing the remaining Civil Injunctions. These operate the same as current Civil Injunctions apart from the addition of Risk Assessments. These costs are factored into the overall cost of risk assessment production.
107. Total risk assessment production costs per year are expected to be between **£23,700** to **£335,700** with a central estimate of **£125,100**.

<sup>49</sup> Probation costs are built around MoJ 2023/24 estimates for the 'Marginal Cost of a Person on Probation' updated over time with OBR's forecast of average earnings.

**Ongoing Cost 7: Anti-social behaviour Case Review Promotion, Monitoring, and Queries Process**

108. It is anticipated to take additional time to promote the ASB case review and provide a route for victims to query the decision. The time taken to carry out these tasks is estimated to be equivalent to between 0.4 to 0.6 FTE per Office of the Police and Crime Commissioner (OPCC) per year<sup>50</sup>.
109. Costs per year are expected to be between **£496,800** and **£745,300** with a central estimate of **£621,000**<sup>51</sup>.

**Total Ongoing Costs**

**Table 7: Yearly Ongoing Costs by Type, £, 2025/26 prices**

	Court Legal Aid Costs	Police Station Legal Aid Costs	Court Costs	Prison Place Running Costs	Probation Costs	Risk Assessment Production	ASB Case Review	Total
<b>Low</b>	-129,300	17,400	-174,700	-257,300	166,200	23,700	496,800	<b>272,000</b>
<b>Central</b>	-15,214	38,800	-20,600	-146,800	437,900	125,100	621,000	<b>1,055,500</b>
<b>High</b>	96,400	73,000	130,300	-19,200	825,700	335,700	745,300	<b>2,090,800</b>

Source: Home Office estimates, 2024; numbers may not sum due to rounding.

**Non-Monetised Costs**

**Non-Monetised Cost 1: Policing Costs**

110. Data collected around the time police forces dedicate to certain activities is currently unavailable, as such, estimates for police time spent enforcing the extended timeframe for dispersal orders and seizing vehicles are unable to be quantified.

**Non-Monetised Cost 2: Cost of Removing and Storing Seized Vehicles**

111. It is expected that the amendment to section 59 of the Police Reform Act 2002 will lead to more vehicle seizures, though the extent of this increase could not be quantified. If more vehicles are seized, it's likely there will be increased removal and storage costs. However, no data is held centrally on vehicle removal or storage costs.
112. Police are given permission to recover some of these costs through statutory fees, or through the sale of unrecovered vehicles, so the expected net impact on costs is reduced.

**Non-Monetised Cost 3: Civil Court and Legal Aid Costs**

113. As court and legal aid costs for civil courts relating to breaches of civil injunctions are unavailable, the change in court and legal aid costs from civil injunctions to respect orders are omitted from the NSPV. Whether or not this is a cost increase or saving depends on whether the cost of court and legal aid in the Civil Courts exceeds that of the Magistrates’.

<sup>50</sup> This is based on consultation with an OPCC.

<sup>51</sup> This is costed using the 2024 median annual salary for a Local Authority administrative assistant from the ASHE, uprated to 2025.



#### **Non-Monetised Cost 4: Prison Places and Probation**

114. Consultation analysis has highlighted that increasing the timeframe to receive a closure order to 72 hours would give agencies and defendants more time to collate evidence to support their case. This could impact on sentencing outcomes, the extent to which is uncertain.

#### **Non-Monetised Cost 5: Increased Usage of the anti-social behaviour Case Review**

115. Requiring PCCs to promote awareness of the ASB case review in their police force area is expected to increase its usage. However, overall costs for the ASB Case Review process are unavailable, so this is not monetised.

#### **Non-Monetised Cost 6: Duty for Local Authorities to Report Anti-social Behaviour Data to the Home Secretary**

116. This economic note does not include any monetised costs for the duty on local authorities to report ASB data to the Home Secretary. These will be included in the necessary documents for secondary legislation which will outline further details of the measure.

### **Benefits**

#### **Monetised Benefits**

117. These measures have no monetised benefits. The primary benefits, as explored in the 'Non-monetised Benefits' section below, are improved effectiveness and efficiency for police as well as a reduction in ASB.

118. These measures are not monetisable as data on the amount of time that police dedicate to certain activities is not currently available. This, combined with staffing costs, would otherwise enable us to estimate the amount of time police save through having powers spread to other agents such as CSAS officers, or streamlining procedures to reduce ASB such as removing the need to issue a warning before seizing a vehicle involved in ASB.

#### **Non-Monetised Benefits**

##### **Non-Monetised Benefit 1: Improved Effectiveness and Efficiency for Police**

119. Respect Orders breaches can be dealt with more efficiently than current Civil Injunctions as all respect orders will carry a power of arrest on breach. This should allow police to more efficiently enforce breaches of Respect Orders compared to the current civil injunction. Evidence of the degree to which efficiency may increase is unavailable, therefore this effect is not quantifiable.

120. Allocating CSAS officers the powers to enforce PSPO and CPN breaches is expected to alleviate pressures on the police and local authorities, as CSAS officers will not always need to involve these authorities to enforce breaches of PSPOs and CPNs. This may result in increased enforcement of PSPOs and CPNs.

121. Removing the need to issue a warning before the seizure of a vehicle should improve efficiency for police as seizures can be made in the first instance of this ASB as opposed to having to issue a warning and later seize the vehicle.

122. Extending Closure Powers to registered housing providers will effectively shift some burden from local authorities and police to housing providers, freeing up local authorities and police time to carry out other tasks. Through engagement with stakeholders, it was suggested housing providers are often already involved in Closure Power admin so their ability to use this power will remove unnecessary administration.

### Non-Monetised Benefit 2: Improved Data Recording

123. Giving the Home Secretary the power to request ASB data from local authorities will help to improve recording and provide a more comprehensive national picture of ASB, how interventions are used, and geographic contributors regarding where ASB is experienced.

### Non-Monetised Benefit 3: Reduced Anti-social Behaviour

124. The increased timeframe for a Dispersal Order should ensure lower levels of ASB in the affected area for a longer period.

125. The threat of immediate vehicle seizure is likely to act as a deterrent against vehicle related ASB. It may also prevent reoffending by individuals who would previously have received a warning before offending again and having their vehicle seized. The benefit could not be monetised as neither the likelihood, nor the magnitude of these effects is known due to an absence of available evidence.

126. More general reductions in levels of ASB as a collective result of these measures are expected due to greater efficiency in dealing with offences and deterrence to potential offenders.

### Non-Monetised Benefit 4: Improved Victim Support

127. The requirement for PCCs to provide a route to appeal case reviews should aid in improving the support given to victims of ASB.

### NPSV, BNPV and EANDCB

128. The NPSV is estimated to be between **£1,145,200** and **-£19,018,800**, with a central estimate of **-£7,746,900** over the appraisal period (2025/26 prices, present value). This is summarised in Table 8 below:

**Table 8: Summary CBA, NPSV, BNPVC and EANDCB, £ million (PV) over 10 years, 2025/26 prices**

Summary	Low	Central	High
<b>Costs</b>			
Total Transition Costs	-2.41	-0.98	0.75
Total Ongoing Costs	1.19	8.69	18.26
<b>Total Costs</b>	<b>-1.22</b>	<b>7.70</b>	<b>19.01</b>
<b>Benefits</b>			
Ongoing Benefits	0.00	0.00	0.00
<b>Total Benefits</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>NPSV</b>	<b>1.22</b>	<b>-7.70</b>	<b>-19.01</b>
<b>BNPV</b>	<b>0.01</b>	<b>0.03</b>	<b>0.07</b>
<b>EANDCB</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Source: Home Office, own estimates, 2024, numbers may not sum due to rounding

Note: NPSV = Net Present Social Value, BNPV = Business Net Present Value and EANDCB = Equivalent Annual Net Direct Cost to Business

129. Estimates show these measures to have a negative NPSV across the central and high scenario, but a positive NPSV in the low. This is driven primarily by prison place running costs as a result of Respect Orders and FTE costs from requiring PCCs to promote and monitor the ASB Case Review.

130. Whilst the NPSV is negative, this does not include several of the benefits outlined earlier which are not monetised but would be likely to increase the NPSV.
131. The positive low scenario value is driven by cost savings due to reduced prison place requirements from Respect Orders providing alternative sentencing options.
132. The BNPV is driven by familiarisation costs to privately run housing providers as well as time taken for them to complete Risk Assessments for Respect Orders. Local authority and privately run housing provider impacts are both included in the NPSV.

## Proposal 2: Retail Crime

### a) £200 rule

#### General assumptions and data

133. The following assumptions apply to the measure within this section:
  - The Home Office have applied a 20 per cent optimism bias to all court and prison costs, legal aid costs have been exempted. These are included in all final cost estimates below.
  - Estimates for how volumes of proceedings will change as a result of these measures are based on the CJS statistics quarterly (December 2023)<sup>52</sup> including the Outcomes by Offence<sup>53</sup>, Crown Court data tool<sup>54</sup> and the Magistrates Court data tool<sup>55</sup>.

#### Costs & Benefits

134. The ASBCP 2014 allowed the police to prosecute theft from a shop, of goods worth £200 or less, without the involvement of the Crown Prosecution Service (CPS). ASBCP 2014 also made theft from a shop, of goods worth £200 or less, a summary-only offence. This meant they would “no longer be sent to the Crown Court for trial (unless the defendant elects) or sent for sentence”<sup>56</sup>.
135. Currently, there is no centralised database tracking police prosecutions. To assess the potential impact of repealing the legislation on prosecution, the Home Office requested that the NPCC survey forces about their current practices regarding low-value shoplifting prosecutions. Of the 40 forces that responded, none indicated they were actively prosecuting shop theft cases of, or under, £200.
136. Repealing this legislation would reclassify theft from a shop, of goods worth £200 or less, as an either-way offence. This means such cases could be tried in the Crown Court, where the maximum sentence is seven years' imprisonment, compared with the six-month limit in the Magistrates' Court. While the likelihood of seven-year sentences for low-value shop thefts is low, the potential for increased sentencing powers and the possibility of cases now progressing to the Crown Court will have cost implications for the Criminal Justice System.
137. As outlined in section A, the primary aim of the repeal is to counter the perception that shop theft of £200 and under is not taken seriously by the police and ensure perpetrators and would-

<sup>52</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK ([www.gov.uk](http://www.gov.uk)):

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

<sup>53</sup> <https://assets.publishing.service.gov.uk/media/6646118dbd01f5ed32793d44/outcomes-by-offence-2023.xlsx>

<sup>54</sup> <https://assets.publishing.service.gov.uk/media/664611e1ae748c43d3793d34/crown-court-tool-2023.xlsx>

<sup>55</sup> <https://assets.publishing.service.gov.uk/media/664611bef34f9b5a56adc962/magistrates-court-tool-2023.xlsx>

<sup>56</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/317719/low\\_value\\_shop\\_theft\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/317719/low_value_shop_theft_guidance.pdf)

be perpetrators understand the seriousness of any value shop theft. Evidence from Taylor (2019) suggests the former could lead to increased reporting by affected businesses or members of the public, potentially resulting in additional costs for the justice system.

138. For either way offences, private prosecutors can claim back costs. If a private prosecution for an either way offence is successful, the court may order the payment of reasonable costs out of central funds. Private prosecutors cannot typically claim costs for summary only offences. As such, repealing this legislation could potentially lead to an increase in the number of private prosecutions for shoplifting under £200.
139. The incentive for private prosecution given underreporting and relatively low charge rates could be large. These cases would also be eligible for a prosecution costs order made by the court at the end of the proceedings. There could be an increase in claims for costs to be paid from central funds (administered by the Legal Aid Agency).
140. These effects, however, remain both uncertain in both scale and materialisation. Firstly, there is no definitive evidence that repealing this legislation will significantly alter public perception and lead to a substantial increase in reporting. Secondly, the extent to which businesses will pursue private prosecutions following the repeal is highly uncertain.
141. Acknowledging the potential for increased reporting driven by heightened public awareness, the anecdotal evidence of low-reporting available and the objective of this policy to impact perceptions, this note incorporates scenario modelling to explore potential cost implications of increased reporting.
142. There are no monetised benefits within this note. A potential deterrent effect is uncertain and is therefore explored in a breakeven analysis.

### **Monetised costs**

143. Scenario modelling has been used to estimate the number of future shoplifting charges, given uncertainty on the factors affecting this crime.
144. The central scenario assumes the number of charges remains consistent with 2023 levels at approximately 31,000. The low scenario assumes a reduction in shoplifting charges to the average level observed over the past three years, approximately 25,000. The high scenario assumes an increase in charges to 42,000, reflecting a continuation of the current upward trend between 2022 and 2023. These assumptions are generated using the Magistrates Outcome Tool.
145. There are no precise estimates for the volume of shoplifting cases involving goods valued at £200 or less, so two proxies are used to estimate the number of cases:
146. Firstly, assuming higher-value thefts are more likely to proceed to the Crown Court, the percentage of cases convicted in the Magistrates' Court (96 per cent in the last three years) can be used as a proxy for the proportion of cases involving goods under £200.
147. Secondly, the percentage of cases with compensation payments under £200 (81 per cent in the last three years) can also serve as an indicator of the proportion of low-value thefts.
148. Using the midpoint of these two proxies, the government assumes that approximately 88 per cent of shoplifting cases involve goods valued at £200 or less across all scenarios. This assumption also aligns with older research by the Sentencing Advisory Panel (2006), which estimated that 90 per cent of shoplifting cases involved property worth under £200<sup>57</sup>.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/317719/low\\_value\\_shop\\_theft\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/317719/low_value_shop_theft_guidance.pdf)

149. Based on data from the Magistrates' Court tool, an average of five per cent of individuals in the last three years charged with shoplifting proceed to trial or are committed for sentencing in the Crown Court. Assuming that these cases only involve thefts of goods valued at £200 or more, this suggests an approximate split of 40 per cent of cases over £200 attending the Crown Court and 60 per cent of such cases attending the Magistrates' Court.
150. This assumption may overestimate the proportion of shoplifting cases involving goods valued at £200 or more in the Crown Court, that is some may be defendants facing charges for shoplifting under £200 whom elect to attend the Crown Court; however, this is a reasonable assumption on which to base future costs.
151. While theft from a shop, of goods worth £200 or less, would now be an either-way offence, it is unlikely that such cases will proceed to the Crown Court by the same proportions as shop theft over £200. The low scenario assumes that 1 per cent of charges under £200 will proceed to the Crown Court, with the high and best scenarios assuming 14 per cent and 8 per cent respectively.
152. These assumptions reflect the varying likelihood of low value shop theft now proceeding to the Crown Court. The higher the assumption, the more thefts under £200 will begin to mirror treatment in the CJS of thefts over £200 and the higher the potential cost implications in terms of Court cost, legal aid and prison places.

#### **Ongoing Cost 1: Court Costs**

153. Based on the projected number of shoplifting cases, the assumed proportion of cases involving goods valued at £200 or less (88 per cent), and the varying assumptions regarding Crown Court proceedings rates (Low: 1 per cent, Central: 8 per cent, High: 14 per cent), the analysis estimates that the number of additional Crown Court cases resulting from the repeal would approximately be 2,100 (Low: 200 and High: 5,400).
154. Based on the average cost of a Crown Court and Magistrates' Court case, the increased cost of processing these additional cases in the Crown Court is estimated to range from £0.34 million to £8.46 million, with a central estimate of £3.30 million.

#### **Ongoing Cost 2: Legal Aid**

155. Based on legal aid statistics and data from the Outcome by Offence tool, close to 100 per cent of individuals charged with shoplifting received legal aid in 2023/24.
156. This analysis assumes that all offenders who would now proceed to the Crown Court would have otherwise received legal aid in the Magistrates Courts.
157. Based on the average Magistrates and Crown Court legal aid cost, the incremental cost of legal aid due to the shift of cases to the Crown Court is estimated to range from £0.31 million to £7.69 million, with a central estimate of £3.00 million.

### Ongoing Cost 3: Prison Place Running Costs

158. The Magistrates' data tool from 2021/22 to 2023/24 reveals an average conviction rate of 92 per cent, an immediate custody rate of 24.7 per cent and an average sentence length of 1.9 months. This compares to 4.4 months in Crown Court, according to the Crown Court Data tool.
159. However, it is likely not a fair assessment to assume all cases that now attend the Crown Court would have the full increased sentence length.
160. In the low, it is assumed that cases now entering the Crown Court will not have increased average prison sentence length. In the high it is assumed that those cases will now attain the average prison sentence length in the Crown Court and an increase of 2.5 months per conviction. The central is between both extremes at 1.3, based on the assumption that cases under £200 are unlikely to attain the same prison sentences as those over £200.
161. The low scenario requires no additional prison places due to no change in average sentence length. The High Scenario requires an additional 129 prison places and the central an additional 25 prison places, assuming offenders spend half of their prison sentence.
162. Assuming a marginal cost of £53,000 per prison place, the total running cost of these additional places is estimated to be: £0.0 million in the low scenario, £8.24 million in the high scenario, and £1.61 million in the central.
163. This analysis also assumes negligible changes in sentencing for Community sentences and Suspended Sentences by making the offence triable either way. In the last three years, an average of 30 per cent of offenders faced community or suspended sentences in the Magistrates Court and 29 per cent in the Crown Court. Assuming no changes in police recorded crime and prosecutions, there would be minor impacts on the probation services.

### Transition Cost 1: Prison Place Set-up Costs

164. Prison capacity is limited, and the prison population is expected to rise in the future. New policies which send more people to prison, require the government to build and run additional prison places on top of existing expansion plans to accommodate this policy.
165. Government analysis includes a set up cost associated with each prison place. This is an estimated unit cost of approximately £523,000 in 2025/26 prices. This creates costs between £0 million and £81.12 million, with a central estimate of £15.83 million.

**Table 11: Costs by Type, 2025/26 prices (£)**

	Legal Aid Costs	Other Court Costs	Prison Place Running Costs	Prison Set Up Costs	Total Set Up Costs (initial year)	Total Running Costs (yearly)
<b>Low</b>	311,000	343,000	0	0	0	655,000
<b>Central</b>	3,001,000	3,303,000	1,607,000	15,827,000	15,827,000	7,912,000
<b>High</b>	7,690,000	8,465,000	8,240,000	81,117,000	81,117,000	24,395,000

Source: Home Office, own estimates, 2024; numbers may not sum due to rounding. Rounded to the nearest £1,000.

### Scenario modelling

166. **As outlined above, reporting effects remain both uncertain in scale and materialisation. Scenario modelling has been used to ascertain their potential impacts. Note, these figures are not indicative costs or volumes and simply illustrative for the purpose of sensitivity, on the conditionality of increased reporting.**

167. To estimate potential impact in effecting reporting, it is required to estimate the number of future cases in the absence of the repeal. Given the uncertainty of surrounding factors that impact shoplifting, like the cost of living, the appraisal makes use of multiple scenarios.
168. For the central, is the government assumes that 443,000 reported cases in 2023/24 continue and in the low, that cases will fall to the average between 2021/22 and 2023/24 to 354,000. The high scenario assumes that shoplifting increases to 564,000 based on an increase average trend between 2021 and 2023/24. These assumptions are generated using Police Recorded Crime from 2023/24 to 2021/22<sup>58</sup>.
169. The analysis then separates cases that reflect thefts of and under £200 and could be impacted by this repeal, and an increase in reporting. Exact estimates are not possible with current data constraints. As above, 88 per cent is utilised as an intermediate point between two appropriate proxies. This reflects the assumption that most shop theft is low value goods under £200.

### Ongoing Cost 1: Court Costs

170. Together with the above future trajectories, this creates a central number of future thefts from a shop, of goods worth £200 or less, in the absence of this repeal of 391,000 (Low: 312,000 and High: 497,000). For sensitivity analysis, it is assumed that reporting increases by one per cent for the low scenario, five per cent for the central and ten per cent for the high. This creates an increase in the number of shop theft reports between 3,100 and 50,000. The central scenario would be 20,000.
171. Assuming a continuation of the prosecution rate of 6.6 per cent - the average in the last three years – this leads to 207 additional court cases in the low scenario, 1,298 in the central scenario and 3,298 in the high scenario. The 6.6 per cent assumption is developed using a combination of the Police Recorded Crime and Magistrates tool<sup>59</sup>.
172. It is assumed that all cases are designated in line with the scenarios outlined in the main Cost Analysis above. For example, in the central scenario 8 per cent of cases attend the Crown Court and 92 per cent attend the Magistrates.
173. The extra cost for courts to review these cases, including the relevant optimum bias, was calculated to be £0.74 million (£0.10 million - £2.22 million).

### Ongoing Cost 2: Legal Aid

174. Using legal aid statistics<sup>60</sup> and the number of prosecuted cases in the Outcome by Offence tool, close to 100 per cent of people charged with shop theft receive legal aid in 2023-24. It is assumed each offender charged requires legal aid at Court and legal aid take-up would be mirrored at police stations.
175. Legal aid costs for Magistrates' and Crown Court proceedings are allocated across the scenarios based on the proportion of cases expected to proceed to each court outlined in the main Cost Analysis above. For example, in the low scenario 1 per cent of cases attend the Crown Court and 99 per cent attend the Magistrates.

<sup>58</sup> Police recorded crime and outcomes open data tables - GOV.UK ([www.gov.uk](https://www.gov.uk)): <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables/police-recorded-crime-and-outcomes-open-data-tables-user-guide>

<sup>59</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK ([www.gov.uk](https://www.gov.uk)): <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

<sup>60</sup> Microsoft Power BI: <https://app.powerbi.com/view?r=eyJrIjoiaMGQwNzY5MjQyYUyZS00NWUzLWE4NzItYWZhN2U3ZDJJMzE1IiwidCI6ImM2ODc0NzI4LTcxZTYtNDZmZS1hOWUxLTJlOGMzNjc3NmFkOCIsImMiOiJh9&chromeless=1&filter=true/ecf&pageName=ReportSection4ac9ce90680a0c047484>

176. The total cost of legal aid from the increase in reported offences would be between £0.17 million in the low scenario, £3.17 million in the high and £1.15 million in the central.

### **Ongoing Cost 3: Prison Place Running Costs**

177. The Magistrates' data tool from 2021/22 to 2023/24 reveals an average conviction rate of 92 per cent and an immediate custody rate of 24.7 per cent. This leads to approximately 50 offenders in the low, 300 in the central and 770 in the high facing prison.

178. The Magistrates' data tool from 2021/22 to 2023/24 also shows an average sentence length of 1.9 months. Crown Court data however is 4.4 months according to the Crown Court Data tool.<sup>14</sup>

179. Like the above cost analysis, the average sentence lengths used are aligned with the proportions of cases assumed to be allocated to Crown and Magistrates Courts. For example, in the high scenario 14 per cent attend the Crown Court and 86 per cent attend the Magistrates.

180. This would lead to an additional 4 prison places in the low scenario, 27 in the central scenario and 76 in the high scenario.

181. The marginal cost of each place is around £53,000 meaning the total running cost of these prison places would be between £0.26 million in the low scenario, £4.83 million in the high and £1.76 million in the central.

### **Ongoing Cost 4: License & Probation**

182. The Magistrates' Court data tool reveals that between 2021/22 to 2023/24 there was an average community and suspended sentence rate of approximately 30 per cent for shoplifting.

183. This would lead to approximately 58 offenders in the low, 365 in the central and 927 in the high possibly impacting the probation services.

184. Based on the marginal cost of an individual on community probation, factoring in electronic monitoring, this leads to a probation cost of £0.25m in the low, £3.95 in the high and £1.55 in the central.

185. Those who face prison above are also expected to serve half their sentence on license.

186. Based on the marginal cost of an individual on license, factoring in electronic monitoring, this leads to a license fee cost of £0.32 million in the low, £2.01 million in the central and £5.12 million in the high.

### **Transition Cost 1: Prison Place Set-up Costs**

187. Prison capacity is limited, and the prison population is expected to rise in the future. New policies which send more people to prison, require the government to build and run additional prison places on top of existing expansion plans to accommodate this policy.

188. Government analysis must include a set up cost associated with each prison place. This is an estimated unit cost of approximately £523,000 in 2025/26 prices.

189. This creates costs between £2.53 million and £47.50 million, with a central estimate of £17.28 million.



**Table 12: Costs by Type, Scenario Modelling, 2025/26 prices (£)**

	Legal Aid Costs	Other Court Costs	Prison Place Running Costs	Prison Set Up Costs	License and probation costs	Total Set Up Costs (initial year)	Total Running Costs (yearly)
Low	168,000	96,000	257,000	2,530,000	569,000	2,530,000	1,089,000
Central	1,151,000	738,600	1,755,000	17,280,000	3,567,000	17,280,000	7,213,000
High	3,177,000	2,221,000	4,825,000	47,501,000	9,068,000	47,501,000	19,292,000

Source: Home Office, own estimates, 2024; numbers may not sum due to rounding. Rounded to the nearest £1,000.

### Non-monetised costs

190. The potential increase in reporting may lead to a diversion of police resources, in the form of time and would lead to additional costs on the CJS as illustrated by the Scenario Modelling. These costs are not monetised within this Cost Benefit analysis as there is no definitive evidence on an increase on reporting as a result of this repeal. Additionally, it is not known if police resources would be transferred to solve additional cases, how much and from where.
191. With this repeal, theft from a shop also becomes an either-way offence and courts may subsequently see a possible increase in the volume of private prosecutions. As either-way offences are eligible for a prosecution costs order made by the court at the end of the proceedings, there could be an increase in claims for costs to be paid from central funds (administered by the Legal Aid Agency).
192. However, business behaviour in the form of private prosecutions, as a response to this measure is highly unpredictable. There may be incentive for private prosecution given underreporting and low charge rates. However, this is not certain and not quantified within this Economic Note.
193. Serving longer sentence lengths may also mean that those released are on license for longer post-prison. These have not been included in the cost analysis above.

### Non-monetised benefits

194. As stated above, this measure previously created the public perception that shop theft of goods of and under £200 will not be investigated and prosecuted. Government action could improve this perception, which would enhance public safety and security, boosting public and business confidence in justice and town centres.
195. Secondly, through the change in perceptions, it may also undermine the notion that there are no consequences for committing this crime. The change in perception could deter potential shoplifters, leading to a reduction in crime. Less shoplifting would reduce losses for retailers and benefit the wider policing and CJS through less cases and prosecutions.
196. According to the Cost of Crime report, Commercial theft has a cost of £970, approximately £1,300 in 2025/26 prices<sup>61</sup>. This cost includes anticipation, consequence, and response costs. To break even on the yearly costs (excluding setup), the required shop theft deterrence ranges from 455 incidents in the low scenario to 16,261 incidents in the high scenario. The central deterrence needed is calculated to be 5,262 offences. The latter would represent a 1.2 per cent drop in Police Recorded Crime for the year 2023/24.

<sup>61</sup> The economic and social costs of crime: <https://assets.publishing.service.gov.uk/media/5b684f22e5274a14f45342c9/the-economic-and-social-costs-of-crime-horr99.pdf>

## NPSV, BNPV and EANDCB

Table 13: Summary CBA, NPSV, BNPVC and EANDCB, £ million (PV) over 10 years, 2025/26 prices

Summary	Low	Central	High
<b>Costs</b>			
Total Transition Costs	0.00	15,827,000	81,117,000
Total Ongoing Costs	5,635,000	68,102,000	209,984,000
<b>Total Costs</b>	<b>5,635,000</b>	<b>83,929,000</b>	<b>291,102,000</b>
<b>Benefits</b>			
Ongoing Benefits	0.00	0.00	0.00
<b>Total Benefits</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>NPSV</b>	<b>-5,635,000</b>	<b>-83,929,000</b>	<b>-291,102,000</b>
<b>BNPV</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>EANDCB</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Source: Home Office, own estimates, 2024, numbers may not sum due to rounding

Note: NPSV = Net Present Social Value, BNPV = Business Net Present Value and EANDCB = Equivalent Annual Net Direct Cost to Business

### b) Assault offence

#### Assumptions

197. A 20 per cent optimism bias is applied to all court and prison costs, legal aid costs have been exempted.
198. Estimates for how volumes of proceedings will change as a result of these measures are based off of the CJS statistics quarterly (December 2023)<sup>62</sup> including the Outcomes by Offence<sup>63</sup> and Magistrates' Court data tool<sup>64</sup>.

#### Costs & Benefits

199. The impact of this new offence is limited as assault on retail workers is already an offence covered under wider assault charges and these cases would have been prosecuted, processed, and determined in the same way without the new offence. Increased costs are only expected through the additional consequence of CBOs for offenders and their possible breaches.
200. There is no definitive evidence that the creation of this new offence will lead to an increase or decrease in the number of assaults on retail workers. The timing of any possible effects is also uncertain; it is possible there may be an increase in offences initially as more retailer's report assaults on their workers, but a decrease over time as the increased deterrence from the specific offence spreads through offender's circles. No change of reporting is modelled within this analysis. These impacts are instead explored in the non-monetised costs and benefits.

#### Number of relevant cases

201. To estimate the potential impact of CBO's, it is required to estimate the number of future cases. There is currently no accurate means to separate the number of assaults on retail workers. This

<sup>62</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK:

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

<sup>63</sup> <https://assets.publishing.service.gov.uk/media/6646118dbd01f5ed32793d44/outcomes-by-offence-2023.xlsx>

<sup>64</sup> <https://assets.publishing.service.gov.uk/media/664611bef34f9b5a56adc962/magistrates-court-tool-2023.xlsx>

is because Police Recorded Crime does not distinguish assault based on occupation. For the basis of determining the costs, it is assumed the number of reported assaults on retail workers is in line with the 2023 British Retail Crime Survey report<sup>65</sup>. This was estimated to be 53,000 incidents a year. However, the accuracy of this figure remains uncertain.

202. The figure of crimes reported to the police could be lower than that in the survey - resulting in an upward bias to the costs outlined below. Equally, it is unknown to what extent the survey captures all assault on retail workers and may in fact be an underestimate.
203. Assuming the continuation of a 7 per cent<sup>66</sup> prosecution rate for wider violence and abuse for retail staff, this would lead to 3,710 court cases for this new offence a year. The estimated 7 per cent is also close to the charge rate of wider Violence at around 6 per cent<sup>67</sup> and a trusted figure that is not varied within the analysis.
204. Of these cases, it is expected that 76 per cent<sup>68</sup> to achieve a conviction in line with common assault and battery year ending June 2023. This results in an estimated 2,820 convictions per a year. There will be no additional cost from these cases themselves, to the CJS or wider society, as assault on retail workers is already an offence covered under wider assault charges. These cases would have been prosecuted, processed, and determined in the same way without the new offence. Nonetheless, increased costs on CJS could be incurred via the new CBOs for offenders.
205. It is assumed that 90 per cent of these individuals will receive a CBO – creating a 2,538 new CBOs a year. Based on previous evidence, Home Office expect that around 58 per cent of CBO's will be breached. This is based on the ASB order statistics<sup>69</sup> from previous evidence of Anti-social Behaviour Orders (ASBOs) which were replaced by CBOs. This has been varied between 50 per cent and 60 per cent in the low and high scenarios for sensitivity purposes. This produces between 1,269 and 1,523 CBO breach cases – with a central estimate of 1,472.

## **Monetised Costs**

### **Assault offence**

#### **Ongoing costs 1: Court costs**

206. It is expected that 97 per cent of breaches to be heard in the Magistrate's Court. This is based on average within the magistrates' court data tool for breach of CBOs<sup>70</sup>.
207. This creates a range of cases between 1,231 to 1,477 and a central scenario of 1,428 for the magistrates' court. In the Crown Court, it is expected that between 38 to 46 cases and a central scenario of 44.
208. Based on the average costs of the Magistrates and Crown Court, the extra cost for courts to review these cases, including optimism bias, was calculated to be £0.73 million (£0.63 million -

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<sup>65</sup> Crime survey report-2023 (brc.org.uk) – pg23: [https://brc.org.uk/media/682083/crime-survey-report-2023\\_final\\_lowres.pdf#page=12](https://brc.org.uk/media/682083/crime-survey-report-2023_final_lowres.pdf#page=12)

<sup>66</sup> Crime survey report-2023 (brc.org.uk) – pg2: [https://brc.org.uk/media/682083/crime-survey-report-2023\\_final\\_lowres.pdf#page=2](https://brc.org.uk/media/682083/crime-survey-report-2023_final_lowres.pdf#page=2)

<sup>67</sup> Crime outcomes in England and Wales 2022 to 2023 - GOV.UK: <https://www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-2022-to-2023/crime-outcomes-in-england-and-wales-2022-to-2023>

<sup>68</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

<sup>69</sup> Anti-social behaviour order statistics: England and Wales 2013 key findings - GOV.UK: <https://www.gov.uk/government/statistics/anti-social-behaviour-order-statistics-england-and-wales-2013/anti-social-behaviour-order-statistics-england-and-wales-2013-key-findings>

<sup>70</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

£0.76 million). The low range and high range were calculated by assuming the number of breaches varied between 50 per cent and 60 per cent - with a central estimate of 58 per cent.

### **Ongoing costs 2: Legal aid**

209. It is assumed in the central case that 80 per cent of offenders breaching their CBO will be eligible for legal aid. This is based on a combination of the magistrates tool and Legal aid statistics<sup>71</sup> which showed that an average of 80 per cent of people receive legal aid for the total number of Offences against the person in 2021/22. This is varied for sensitivity, from 100 per cent in the high and 75 per cent in the low.
210. Legal aid usage is assumed constant across the Crown and Magistrates Courts, as well as in Police Stations.
211. Utilising the breakdown of legal aid costs across these three areas, the additional cost of legal aid was calculated to be £0.99m, with a low and high range between £0.80 million and £1.28 million. Sensitivity is generated through the variation of legal aid take up and CBO breaches.

### **Ongoing costs 3: Prison places**

212. It is assumed that individuals only serve 50 per cent of their prison sentence.
213. Based on the Outcomes by Offence tool, it is assumed that 43 per cent of CBO breaches (the average over the last three years) will receive immediate custody<sup>72</sup>.
214. For this CBO, it is expected that the sentence length will be 3.6 months based on the average custodial sentence length for a breach of a CBO since 2018. This is evidenced in the Outcomes by offence data tool<sup>73</sup>.
215. It is expected to be a requirement for an additional 95 prison places in the steady state for the central cases. A range of 82 to 98 prison places is estimated based on CBO breaches varying between 50 per cent and 60 per cent.
216. The unit cost of a prison place is estimated at approximately £53,000 per year in 2025/26 prices. The additional HMPPS impact is estimated, including optimism bias, to be between £5.24 million and £6.29 million per year, with a central estimate of £6.08 million.

### **Transition costs 1: Prison Place Set-up Costs**

217. Prison capacity is limited, and the prison population is expected to rise in the future. New policies which send more people to prison, require the government to build and run additional prison places on top of existing expansion plans to accommodate this policy.
218. Government analysis must include a set up cost associated with each prison place. This is an estimated unit cost of approximately £523,000 in 2025/26 prices.
219. This creates costs including optimism bias between £51.56 million and £61.87 million, with a central estimate of £59.81 million.

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<sup>71</sup> Microsoft Power BI:  
<https://app.powerbi.com/view?r=eyJrIjoiaMGQwNzY5MjQyYTUyZS00NWUzLWE4NzItYWZhN2U3ZDJJMzE1IiwidCI6ImM2ODc0NzI4LTcxZTYtNDZmZS1hOWUxLTJlOGMzNjc3NmFkOCIsImMiOiJh9&chromeless=1&filter=true/ecf&pageName=ReportSection4ac9ce90680a0c047484>

<sup>72</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK:  
<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

<sup>73</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK:  
<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

**Table 14: Costs per year by Type, 2025/26 prices (£)**

	Legal Aid Costs	Other Court Costs	Prison Place Running Costs	Prison Set Up Costs	Total Set Up Costs	Total Running Costs
Low	802,000	630,000	5,238,000	51,561,000	51,561,000	6,670,000
Central	993,000	731,000	6,076,000	59,810,000	59,810,000	7,799,000
High	1,283,000	756,000	6,286,000	61,873,000	61,873,000	8,325,000

Source: Home Office, own estimates, 2024; numbers may not sum due to rounding. Rounded to the nearest £1,000

### Non-monetised costs

220. The new offence could potentially lead to an increased, resulting in a higher number of cases, prosecutions, and prison places. However, as outlined above, there is no evidence the creation of this offence will lead to an increase or decrease in the number of assaults on retail workers. It may act as a deterrent, leading to a decrease in such incidents.
221. Familiarisation has not been costed. Familiarisation is expected to be minimal, as the new offence will largely mirror existing assault charges. There may be some initial costs in terms of understanding the CBO and the difference with wider assault in both the courts and enforcement, but these are likely to be limited and short-term.
222. There is a possibility that the imposition of CBOs could have negative consequences for individuals, such as limiting their opportunities or creating stigmatisation.

### Benefits

#### Monetised benefits

223. This measure has no monetised benefits. The primary benefits are explored in the 'Non-monetised Benefits' section below.

#### Non-monetised benefits

224. The measure may boost confidence in the government's commitment to addressing violence and abuse against retail workers. This may lead to an increased sense of security for retail staff, improving staff retention, productivity, and overall well-being. Additionally, this commitment could enhance wider public safety, in both town centres and wider retail areas.
225. By distinguishing assaults against retail workers as a specific crime category, the Home Office will gain valuable insights into the nature and extent of this issue. Future data can be used to identify trends, patterns, and geographic hotspots, enabling targeted interventions and policy development.
226. CBOs themselves have very little evidence in terms of effectiveness. The evidence that exists is qualitative and mixed, but in some cases, it suggests CBOs can help with crime prevention<sup>74</sup>.

#### Breakeven analysis

227. Total steady state costs vary between £6.48 million and £8.10 million in the low and high scenarios. To calculate the number of offences which would need to be prevented to achieve

<sup>74</sup> For example, see Police perceptions of powers within the Anti-Social Behaviour, Crime and Policing Act 2014: <https://www.gov.uk/government/publications/police-perceptions-of-powers-within-the-anti-social-behaviour-crime-and-policing-act-2014/police-perceptions-of-powers-within-the-anti-social-behaviour-crime-and-policing-act-2014#asb-powers-with-individuals-police-perception-of-use-challenges-and-solutions>

breakeven against the costs, economic values are drawn from the Economic and Social Cost of Crime<sup>75</sup>.

228. Using 'Violence with injury' as a proxy and converting to 2025/26 prices, between 380 and 475 retail assaults must be prevented a year, with a central estimate of 445.

### NPSV, BNPV and EANDCB

**Table 15: Summary CBA, NPSV, BNPVC and EANDCB, £ million (PV) over 10 years, 2025/26 prices:**

Summary	Low	Central	High
<b>Costs</b>			
Total Transition Costs	51,561,000	59,810,000	61,873,000
Total Ongoing Costs	57,413,000	67,133,000	71,657,000
<b>Total Costs</b>	<b>108,974,000</b>	<b>126,943,000</b>	<b>133,530,000</b>
<b>Benefits</b>			
Ongoing Benefits	0.00	0.00	0.00
<b>Total Benefits</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>NPSV</b>	<b>-108,974,000</b>	<b>-126,943,000</b>	<b>-133,530,000</b>
<b>BNPV</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>EANDCB</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Source: Home Office, own estimates, 2024, numbers may not sum due to rounding

Note: NPSV = Net Present Social Value, BNPV = Business Net Present Value and EANDCB = Equivalent Annual Net Direct Cost to Business

229. Our estimates show this measure has a negative NPSV in the low, central and high scenario. This is driven primarily by prison place running and building costs and the lack of monetised benefits for this measure.

## Proposal 3: Knife Crime and offensive weapons

### General assumptions and data

230. The analysis uses existing offences as a proxy for new measures. Possession of prohibited offensive weapons in private resulted in 711 prosecutions. Sale of bladed articles to under 18s resulted in 36 prosecutions. Possession of bladed articles in public resulted in 8,350 prosecutions.<sup>76</sup>

### Measure 1: Additional powers for police to seize, retain, and destroy lawfully held bladed articles held in private

<sup>75</sup> The economic and social cost of crime. Second edition.  
<https://assets.publishing.service.gov.uk/media/5b684f22e5274a14f45342c9/the-economic-and-social-costs-of-crime-horr99.pdf>

<sup>76</sup> Outcomes by offence data tool December 2023

231. The analysis assumes that, for Measure 1, only seizures involving non-prohibited blades would have any additional costs and benefits, as seizures of prohibited offensive weapons held in private are already captured in the CJS through existing offences.
232. The analysis assumes in the steady state 1659 seizures involving non-prohibited blades. This is arrived at by using the possession of prohibited offensive weapons in private (711) and proportion of knife related homicides which involve prohibited knives used as proxy for the percentage of blades seized which are prohibited (30 per cent, from Homicide Index). This appraisal assumes 60 per cent of blades used are non- prohibited and apply this to arrive at the volume of seizures involving non-prohibited blades.
233. The following appeal rate is assumed, 5 per cent in the low, 10 per cent in the central and 15 per cent in the high, applying this to the seizures involving non-prohibited, this analysis arrives at 83 appeals in the low, 166 in the central and 249 in the high.

**Measure 2: Increase the maximum penalty to two years for the offences of private possession, importation, manufacture, sale, and general supply of prohibited and dangerous weapons and sale of knives to persons under 18 years old**

234. Under Measure 2, the government assumes there will be an increase in prosecutions for the offence of the sale of bladed articles to persons aged under 18; this increase is associated with the additional length of time police will have to investigate cases and make a charge. The current summary offence time limit is six months, and upgrading the mode of trial would remove the time limit for charges altogether.
235. There is not expected to be an increase in the number of prosecutions for other offences which fall within the scope of the measure due to the low volumes of searches instigated by possession of prohibited offensive weapons in private, and as there is already high compliance with the offence of manufacture, import, sale or hire of a prohibited offensive weapon.
236. The analysis assumes additional prosecutions for the offence of sale of bladed articles to under 18s as a low scenario of 25, central scenario of 50 and high scenario of 100. Based on Home Office conversations with the NPCC. These investigations are more complex and time consuming as sales often take place online. It is assumed that additional investigation time will result in additional 0.5 and 2 additional prosecutions per police force each year, with a best estimate of 1.
237. The government assumes 100 per cent of additional cases going to Magistrates' Courts, as there have been no custodial sentences for the offence in the previous five years.
238. As well as an 82 per cent conviction rate for additional cases based on the average conviction rate from year ending December 2019 to December 2023. The likelihood of receiving a custodial sentence is 0 per cent and the likelihood of receiving community sentence is 3 per cent. Therefore, a low scenario of 0.7, a central of 1.4 and a high of 2.7 of additional community sentences are expected, by applying the conviction rate and community sentence rate to the number of additional prosecutions.

**Measure 3 - introduce a new possession offence of bladed articles with intention to endanger life or cause fear of violence**

239. The government assume the volume of possession of bladed articles offences prosecuted, where there is intent to use in unlawful violence is 695 in the low, 1097 in the central, and 1,500 in the high. The low scenario assumes that those sentenced to a custodial term of greater than six months were all possession with intent cases. The high scenario assumes that those sentenced to a custodial term of greater than or equal to six months were all possession with intent cases. The best estimate scenario takes a rounded mid-point. The charge rate under the

new offence is expected at 10 per cent, this is included to reflect the likelihood that most possession with intent cases are unlikely to have sufficient evidence. The 10 per cent assumption is based on Home Office conversations with NPCC and the ratio of prosecutions of firearm possession offences with intent to harm against other firearm possession offences. Therefore, applying the 10 per cent from the previous assumption to volume of bladed article offences, 69.5 new prosecutions in the low, 109.7 in the central and 150 in the high.

240. The analysis assumes a conviction rate of 62 per cent based on the average conviction rate for offence of possession of firearms with intent is used as a proxy. The likelihood of receiving a custodial sentence on conviction is 63 per cent. The average custodial sentence length for possession of bladed articles in public is 6.7 months.<sup>77</sup> The ACSL for the new offence is 13.4 months assumed to be double the current possession offence to reflect increased severity. Therefore, requiring an additional 8 prison place in the low scenario, 12 in the central and 17 in the high.

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<sup>77</sup> ACSL for offence from outcomes by offence data tool



**Table 9: Assumptions underpinning familiarisation costs**

<b>Assumption (year one)</b>	<b>Value</b>	<b>Source Methodology</b>
Length of documentation	Low: 2,000 Central: 3,500 High: 5,000	Consultation with NPCC stakeholders.
Number of police officers who will require familiarisation	Senior Police Officers: 10,000 Sergeants : 22,091 Constables: 114,976 PCSOs: 9,000	Consultation with NPCC stakeholders. Equivalent to 65 per cent of workforce.
Police officers labour cost	Senior Police Officers: £50.99 Sergeants: £40.13 Constables: £27.33	Home Office Internal Staff Cost Model. Assumed Senior Police Officer is equivalent to Inspector.
Police community support officers median hourly wage	PCSOs: £17.99	ASHE survey 2024 Adjusted to account for non-wage labour costs (22 per cent).
Number of solicitors who will require familiarisation	Low: 2,940 Central: 5,880 High: 8,820	Based on number of solicitors and barristers working for criminal legal aid (CLA) firms, adjusted for percentage of CLA firms working in other legal areas.
Number of barristers who will require familiarisation	Low: 700 Central: 1,330 High: 2,000	
Solicitor and Barrister Median Hourly Wage	Solicitors: £29.85 Barristers: £29.59	ASHE survey 2024 Adjusted to account for non-wage labour costs (22 per cent).
Reading speed (words per minute)	Low: 700 Central: 300 High: 200	Readingsoft calculator

**Costs****Transition Costs****Familiarisation Costs**

241. Police officers of varying ranks, lawyers, solicitors, and other legal professionals will need to familiarise themselves with the new legislation. The familiarisation costs only occur in year one (2025/26) after implementation, and are estimated to be between £0.23 and £2.14 million, with a best estimate of £0.97 million.

## **Set-up costs to the Criminal Justice System**

242. Measure 3 will require additional prison capacity, equivalent to the number of prison places which will be occupied per year in the steady state. This ranges between 8 and 17, with a central estimate of 12. Prison set up costs are estimated to be between £4.73 million and £10.33 million, with a central estimate of £7.53 million in year one only. These costs are in line with the steady state annual volumes set out in Table 4. As the steady state will not be reached until year two, this capacity will not be required until then.

## **Ongoing costs**

### **Police and Criminal Justice System**

#### **Measure 1**

243. This proposal includes a new right of appeal to the magistrate's court, meaning HMCTS may also incur costs associated with appeals. The assumptions indicate there would be between 83 and 249 appeals per year, with a central estimate of 166 appeals. Table 6 provides an annual breakdown of the cost over the 10-year appraisal period. It is estimated that the cost of appeals heard in the magistrate's court will be between £0.19 million and £0.57 million, with a central estimate of £0.38 million over the appraisal period.

#### **Measure 2**

244. Discussions with NPCC stakeholders indicate that any cost associated with extra investigations would be negligible, as the cases related to the offences in question are likely to be relatively simplistic, not requiring extra resource to investigate but merely more time to complete the charging process.

245. It is estimated that there will be between 25 and 100 additional prosecutions under the offence of selling knives to persons aged under 18 years of age, with a central estimate of 50 prosecutions.

246. The government assumes that all of the cases will be heard in the magistrate's court, and the additional costs to the Magistrates' Court associated with these cases have been estimated to be between £0.17 million and £0.70 million, with a best estimate of £0.35 million over the appraisal period.

247. Legal aid costs associated with the additional cases in the magistrates' court are estimated to be between £0.09 million and £0.36 million, with a best estimate of £0.18 million over the appraisal period.

248. When further applying the conviction rate and the likelihood of receiving a community sentence, the CJS will incur probation costs associated with the additional community sentences awarded. This is estimated to be between 0.7 and 2.7, with a central estimate of 1.4 additional community sentences per year. Probation costs associated with these additional sentences are estimated to be between £0.03 million and £0.12 million, with a best estimate of £0.06 million over the appraisal period.

#### **Measure 3**

249. The new possession offence is not estimated to create a significant additional cost to the police, despite the additional investigations and cases resulting from the proposal. Following Home Office discussions with NPCC stakeholders, it's estimated that investigators will likely have a reasonable idea very early on in the investigation, based on initial evidence, as to whether they will be able to prove intent. This means costs associated with additional investigations would be negligible.

250. There is no expected increase in prosecutions, however cases charged under the new possession with intent offence (instead of the existing possession in public offence) are expected to be treated more seriously in court.
251. Those who are charged under the possession with intent offence will have higher legal aid costs due to the higher category of offence payable under the Crown Court. Additional legal aid costs are estimated to be between £3.47 million and £7.49 million, with a best estimate of £5.48 million.
252. Those who receive a custodial sentence will also have a higher average custodial sentence length, despite the maximum penalty being the same under both offences (four years' imprisonment), due to the greater severity of the new offence. The additional number of prison places which will be occupied per year in the steady state is between 8 and 17, with a best estimate of 12. The ongoing costs of these additional prison places are estimated to be between £3.77 million and £8.24 million, with a best estimate of £6.01 million.

### **Retailers**

253. As Measure 2 will mean that police will have more time to investigate a suspected offence, knife retailers will need to ensure that they keep any relevant documentation (for example, copy of proof of age) for a longer time period following point of sale. This means they may face additional administration costs in relation to record keeping and GDPR. Responses to the consultation indicate that the cost associated with keeping records for longer would be negligible for the vast majority of retailers.

### **Benefits**

254. Reduction in knife crime: The intention of each of the policy options is to reduce their possession and use in offences. This cannot be quantified as there is not sufficient evidence available to determine how many offences will be avoided as a result of individual proposals. However, breakeven analysis has been undertaken for policy option 1 to determine the number of homicides, robberies, and violence with injury offences which would need to be prevented in order for benefits to outweigh net costs of the policy. The estimated cost to society per homicide is £4.02 million, and violence with injury is £0.02 million.
255. Policy option 1 would need to prevent approximately five homicides across the 10-year appraisal period (in the central scenario), to have a net benefit to society. At least 1195 incidents of violence with injury across the 10-year appraisal period (in the central scenario) would have to be prevented in order for the benefits to outweigh the costs.
256. Fear of crime: Some of the proposals may lead to a reduction in fear of crime, however this benefit has not been monetised due to lack of evidence on the specific drivers of fear of knife crime, and the extent to which the proposals will affect this.

### **NPSV, BNPV and EANDCB**

257. The NPSV is estimated to be between -£12.06 million and -£27.80 million with a central estimate of -£19.19 million over the appraisal period. This is summarised in the table below.

**Table 10: Summary CBA, NPSV, BNPV and EANDCB, £ million (PV) over 10 years.**

<b>Costs</b>	<b>Low</b>	<b>Central</b>	<b>High</b>
<b>Total set up costs</b>	4.96	8.50	12.46
<b>Total ongoing costs</b>	7.73	12.46	17.49
<b>Total costs</b>	12.69	20.96	29.95
<b>Benefits</b>			
<b>Total benefits</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>NPSV</b>	-12.69	-20.96	-29.95
<b>BNPV</b>	0	0	0
<b>EANDCB</b>	0	0	0

Source: Home Office Estimates

## **Proposal 4: Electronic Devices Used in Vehicle Theft**

### **General assumptions and data**

258. Estimates for how volumes of proceedings will change as a result of these measures are based on the CJS statistics quarterly (December 2023) including the Outcomes by Offence and the Magistrates Court data tool .

### **Number of relevant cases**

259. Following discussions with the NPCC, it is estimated that between 200 and 400 electronic compromising devices are recovered each year, with a central estimate of 300.

260. The estimate is based on data collected from a limited number of forces that have identified these devices. These findings were then extrapolated across the 43 police force areas in England and Wales, weighted by each force's proportion of vehicle related crime.

261. Phased implementation is assumed, with volumes at 25 per cent in 2026/27, 50 per cent in 2027/28, and full operation (200 to 400 cases annually, central estimate 300) by 2028/29.

**Table 16: Volumes of offences, by year**

<b>Low, Central, and High scenario estimates of the volume of offences</b>			
<b>Year</b>	<b>Low</b>	<b>Central</b>	<b>High</b>
<b>2025/26</b>	0	0	0
<b>2026/27</b>	50	75	100
<b>2027/28</b>	100	150	200
<b>2028/29 onwards</b>	200	300	400

Source: Home Office estimates, 2023.

262. Based on conversations with stakeholders, it is highly likely that many of these devices are manufactured and supplied from abroad, and most domestic online suppliers have been removed from the market.

263. The government expects the legislation on manufacture and supply to be preventative, rather than needing to be enforced through the criminal justice system. On this basis, a 90/10 split

between possession and manufacture/ supply would be more likely. This is reflected in tables 17 and 18 below.

**Table 17: Volumes of possession offences, by year**

<b>Volume estimates for possession offences</b>			
<b>Year</b>	<b>Low</b>	<b>Central</b>	<b>High</b>
<b>2025/26</b>	0	0	0
<b>2026/27</b>	45	70	90
<b>2027/28</b>	90	135	180
<b>2028/29 onwards</b>	180	270	360

Source: Home Office estimates, 2023.

**Table 18: Volumes of supply/manufacturing offences, by year**

<b>Volume estimates for manufacture/ supply offences</b>			
<b>Year</b>	<b>Low</b>	<b>Central</b>	<b>High</b>
<b>2025/26</b>	0	0	0
<b>2026/27</b>	5	10	10
<b>2027/28</b>	10	15	20
<b>2028/29 onwards</b>	20	30	40

Source: Home Office estimates, 2023.

## Costs

264. Total costs, (set up and ongoing costs) are estimated to be between £6.24 million and £12.49 million, with a central estimate of £9.39 million over the ten-year appraisal period. This includes costs which encompasses legal aid costs, ongoing prison costs, Out of Court Disposals (OOCs) costs and court costs.
265. Due to the phased rollout of this measure (that is, 25 per cent in 2026/27, 50 per cent in 2027/28 and 100 per cent from 2028/29) these costs are expected to increase over time. The low, central, and high costs for all relevant years are displayed in Tables 19, 20 and 21 respectively.

**Table 19: Costs by Type, Year 1 (2026/27), 2025/26 prices**

	<b>Prison Set-up costs</b>	<b>Prison ongoing costs</b>	<b>Out of Court disposals (OOCs) costs</b>	<b>Police station legal aid costs</b>	<b>Court costs</b>	<b>Total Costs</b>
<b>Low</b>	3,004,000	64,000	1,000	8,000	63,000	<b>3,134,000</b>
<b>Central</b>	4,506,000	115,000	1,000	12,000	104,000	<b>4,731,000</b>
<b>High</b>	6,008,000	128,000	2,000	16,000	125,000	<b>6,269,000</b>

Source: Home Office, own estimates, 2024; numbers may not sum due to rounding. Rounded to the nearest £1,000

**Table 20: Costs by Type, Year 2 (2027/28), 2025/26 prices**

	<b>Prison Set-up costs</b>	<b>Prison ongoing costs</b>	<b>Out of Court disposals (OOCs) costs</b>	<b>Police station legal aid costs</b>	<b>Court costs</b>	<b>Total Costs</b>
<b>Low</b>	-	128,000	2,000	16,000	125,000	<b>270,000</b>
<b>Central</b>	-	192,000	2,000	23,000	188,000	<b>405,000</b>
<b>High</b>	-	256,000	3,000	31,000	251,000	<b>541,000</b>

Source: Home Office, own estimates, 2024; numbers may not sum due to rounding. Rounded to the nearest £1,000

**Table 21: Costs by Type, Year 3 (2028/29) Onwards, 2025/26 prices**

	<b>Prison Set-up costs</b>	<b>Prison ongoing costs</b>	<b>Out of Court disposals (OOCs) costs</b>	<b>Police station legal aid costs</b>	<b>Court costs</b>	<b>Total Costs</b>
<b>Low</b>	-	256,000	3,000	£31,000	251,000	<b>541,000</b>
<b>Central</b>	-	384,000	4,500	£47,000	376,000	<b>811,000</b>
<b>High</b>	-	512,000	6,000	£62,000	502,000	<b>1,082,000</b>

Source: Home Office, own estimates, 2024; numbers may not sum due to rounding. Rounded to the nearest £1,000

### Police station legal aid costs

266. It is assumed based upon stakeholder engagement with MoJ that police legal aid take up is 60 per cent.
267. Therefore, government anticipates that once this measure is in a steady state position (2028/29 onwards) there will be between 120 and 360 people with a central estimate of 180 people requiring police station legal aid.
268. Based on the cost of legal aid, this would lead to police legal aid costs ranging between £31,200 and £62,400 with £46,800 being the central estimate from a steady state position.

### Out of court disposals (OOCs) costs

269. It is assumed there will be between 10 and 21 OOCs with a central estimate of 15 OOCs.
270. These are split into conditional cautions and community resolutions.
271. Based on the average cost of a conditional caution and community resolution, this would lead to total costs for OOCs ranging between £3,004 and £6,009 with a central estimate of £4,506.

### Court costs

272. In the central scenario, the government uses the average Magistrates and Crown Court cost provided to estimate the total cost to the courts.
273. The government expects 81 per cent of possession and 52 per cent of manufacturing and supply cases to be heard in the magistrate's court. This is based on average within the Magistrates Court data tool for the following offences: Possession of articles for use in frauds (HO05343), Making, adapting, supplying or offering to supply any article knowing that it is designed or adapted for use in the course of or in connection with fraud, or intending it to be used to commit or facilitate fraud (HO05344) and Participate in the criminal activities of an organised crime group (HO06801) <sup>78</sup>.
274. The projected annual caseload for possession-related offenses is 36 to 71 cases in Magistrates' Court (central scenario: 53) and 8 to 17 cases in Crown Court (central scenario: 13). The projected annual caseload for supply and manufacturing-related offenses is 4 to 8 cases in Magistrates' Court (central scenario: 6) and 4 to 7 cases in Crown Court (central scenario: 5).
275. Based upon the cost of magistrates' legal aid and the cost for Crown Court legal aid the total central court legal aid would range between £116,000 and £231,000 with a central cost of £173,559 per year from a steady state position.
276. In addition, the extra cost for courts to review these cases over the entirety of the appraisal period was calculated to have a central value of **£2.93 million (£1.94 million - £3.899 million)**.

### Prison ongoing costs

277. The government assumes that individuals only serve 50 per cent of their prison sentence.
278. Based upon the Possessing articles for use in Fraud (05343) offence within the Outcomes by offence data tool<sup>79</sup>, the average custodial sentence is expected to be 4.2 months for possession related offences. This is based upon the average custodial sentence between 2019 to 2023.
279. Based upon the making, adapting, supplying, or offering to supply articles for use in Fraud (05344) and the participating in the criminal activities of an organised crime group (06801), it is

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<sup>78</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK:  
<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

<sup>79</sup> Criminal Justice System statistics quarterly: December 2023 - GOV.UK:  
<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2023>

expected that average custodial sentence will be 13.5 months for manufacturing and supply related offences. This is based upon data from 2019 to 2023.

280. Applying this to the number of prison sentences given per year, this would result in between 5.2 and 10.4 prison places for possession offenders per year, with a central estimate of 7.8 prison places per year.
281. For those convicted of manufacture/supply offences, this would result in between 1.9 and 3.8 prison places per year, with a central estimate of 2.9 prison places per year.
282. Given the phased implementation, these additional prison places would not need to be ready by 2025/26 but 2028/29 when this measure is in steady state.
283. The unit cost of a prison place is estimated at approximately £53,000 per year in 2025/26 prices. The additional HMPPS impact (given the number of prison places above) is estimated to be between £1.98 million and £3.97 million throughout the appraisal period, with a central estimate of £2.99 million.

### **Prison Place Set-up Costs**

284. Prison capacity is limited and currently under significant pressures, and the prison population is expected to rise in the future. New policies which send more people to prison, require the government to build and run additional prison places on top of existing expansion plans to accommodate this policy.
285. Government analysis must include a set up cost associated with each prison place. This is an estimated unit cost of approximately £523,000 in 25/26 prices.
286. Using the prison place estimates above, this creates costs between £3.0 million and £6.0 million, with a central estimate of £4.51 million throughout the entirety of the appraisal period.

### **Familiarisation costs**

287. Familiarisation has not been costed. Familiarisation is expected to be minimal, as the new offence will largely mirror existing assault charges. There may be some initial costs expected as the change in legislation will mean that lawyers, solicitors, and other legal professionals will have to familiarise themselves with how the new legislation affects decisions during charges, court proceedings, prosecutions, convictions, and sentencing but these are likely to be limited and short-term.

### **Benefits**

288. There are expected to be benefits associated with reductions in vehicle theft, and reduced serious organised crime, though the extent to which serious crime would be reduced because of this measure is uncertain. The cost of vehicle theft and commercial vehicle theft within the economic and social costs of crime<sup>80</sup> are used as a proxy for breakeven analysis and benefit calculations.
289. This has then been multiplied by the number of total charges (also modelled as the number of thefts prevented). These figures were calculated by using volumes of crime (these were obtained from conversations with NPCC) and multiplying them by the expected outcome within the outcomes by offence data tool. This is a modest estimate which assumes one charge, prevents one theft, however a single electronic device could be used in multiple thefts, although there is lack of evidence to suggest exactly how many.

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<sup>80</sup> The economic and social costs of crime:

<https://assets.publishing.service.gov.uk/media/5b684f22e5274a14f45342c9/the-economic-and-social-costs-of-crime-horr99.pdf>



290. Due to the phased rollout of this measure (that is, 25 per cent in 2026/27, 50 per cent in 2027/28 and 100 per cent from 2028/29) benefits are smaller in 2026/27 and 2027/28. The low, central, and high costs for all relevant years are displayed in Table 22 below.

**Table 22: Summary Benefits, £ (PV) over 10 years, 2025/26 prices**

Appraisal Year	2025/26	2026/27	2027/28	2028/29 (onwards)
Financial Year	1	2	3	4 (onwards)
Low	-	330,000	6,000	1,192,000
Central	-	495,000	925,000	1,82,000
High	-	661,000	1,233,000	2,642,000

Source: Home Office, own estimates, 2024; numbers may not sum due to rounding. Rounded to the nearest £1,000

### Breakeven analysis

291. Total costs across the whole appraisal period vary between £7.04 million and £14.08 million in the low and high scenario, with a central cost scenario of £10.59 million. Economic and Social Cost of crime is utilised to understand how many offences would need to be prevented for breakeven.
292. Using a median of the theft of vehicle and theft of a commercial vehicle is a proxy and converting to 2025/26 prices. It is understood that between 281 and 562 vehicle thefts must be prevented across the whole appraisal period, with a central estimate of 422. Thus, we can conclude (in the central scenario) that we would need to prevent at least 41.3 vehicle thefts per year for this measure to have a positive impact.

### NPSV, BNPV and EANDCB

**Table 23: Summary CBA, £ million (PV) over 10 years, 2025-26 prices:**

Summary	Low	Central	High
<b>Costs</b>			
Prison Set-up Costs	2.90	4.35	5.81
Prison Ongoing Costs	1.64	2.48	3.28
Out of court disposal (OOCs) Costs	0.02	0.03	0.05
Police Station legal aid costs	0.20	0.30	0.40
Court costs	1.61	2.42	3.22
<b>Total Costs</b>	<b>6.37</b>	<b>9.59</b>	<b>12.75</b>
<b>Benefits</b>			
<b>Total Benefits</b>	<b>10.24</b>	<b>15.36</b>	<b>£20.48</b>

Source: Home Office, own estimates, 2024, numbers may not sum due to rounding

**Table 24: Summary of NPSV, BNPV and EANDCB, £ million (PV) over 10 years, 2025-26 prices**

Summary	Low	Central	High
NPSV	2.10	3.13	4.21
BNPV	0	0	0
EANDCB	0	0	0

Source: Home Office, own estimates, 2024, numbers may not sum due to rounding

## Value for Money (VfM)

### Proposal 1: Anti-social behaviour and immediate seizure of vehicles

293. The NPSV indicates a net cost in the central and high scenario, however, these figures do not include the non-monetised benefits expected from the legislation, such as time savings and removing unnecessary administration, which should be considered when assessing the value for money of the legislation.
294. For vehicle related ASB it is not possible to use the NPSV to assess value for money, as benefits are not monetised due to the absence of available evidence and data.

### Proposal 2: Retail Crime

295. The estimated NPSV for the shoplifting repeals suggests the measure is a net cost, due to the change to shoplifting under £200 being treated as an either-way offence. The estimated cost also does not include possible increased reporting. Benefits are not monetised due to the absence of available evidence and data but value for money will likely depend on whether the repeal's deterrent effect and the perception benefit of government and police action outweigh criminal justice impacts.
296. The estimated NPSV for Assault against retail workers suggests the measure is a net cost, primarily due to the consequence of CBOs and their high breach rate. Similar to above, the benefits are not monetised due to the absence of available evidence and data but value for money likely depends on the deterrent effect from a CBO and a bespoke offence.

### Proposal 3: Knife Crime and offensive weapons

297. It is not possible to use the NPSV to assess value for money, as benefits are not monetised. However, breakeven has been undertaken to determine the number of homicides, and violence with injury offences which would need to be prevented in order for benefits to outweigh net costs. The policy would need to prevent approximately five homicides across the 10-year appraisal period (in the central scenario), to have a net benefit to society. At least 1205 incidents of violence with injury across the 10-year appraisal period (in the central scenario) would have to be prevented in order for the benefits to outweigh the costs.

### Proposal 4: Electronic devices used in vehicle theft

298. The estimated NPSV for the electronic devices measure suggests a small net benefit. It is important to note that the benefits methodology has taken a conservative approach as it only considered the theft of a vehicle as opposed to theft from a vehicle which may also be applicable. In addition, it is assumed that each electronic device being recovered would lead to prevention of one vehicle theft. Under this assumption the NPSV will always be positive as a

prevention of vehicle theft has greater benefits than the criminal justice costs modelled. This is again, however, a conservative estimate as one electronic device being recovered could prevent more, and there may be wider deterrence impacts from the measure.

## **E. Wider Impacts**

### **Proposal 1: Anti-social behaviour and immediate seizure of vehicles**

299. An Equalities Impact Assessment has been carried out in addition to this IA; see Annex A.

#### **Impact on Small and Micro-businesses**

300. There are no monetised/quantified impacts of the proposals on small and micro-businesses.

### **Proposal 2: Retail Crime**

#### **a) £200 rule**

301. The repeal is not anticipated to have any negative impacts on the environment, social equity, or regional income and wealth distribution as it is not currently enforced.

302. If the repeal acts as a deterrent, it could benefit businesses, particularly small and medium-sized enterprises (SMEs) who have fewer financial resources to prevent and deal with address shoplifting. By enhancing the perception of police responsiveness, it may increase businesses' sense of security and potentially reduce the financial burden of shoplifting.

303. The Commercial Victimization Survey (2021) reveals that while 34 per cent of all retailer's experience theft, this figure is lower for small independent retailers (23 per cent)<sup>81</sup>. It also estimates that 77 per cent of supermarkets experience theft. This suggests that a potential deterrent effect from the policy change may have a more significant financial implications for larger retailers.

304. Additionally, if there is any impact in charge rates as was modelled within the scenario modelling above, it can be expected that different regions will be impacted differently. Using the Police Recorded Crime YE June 2024, shoplifting charge rates vary widely across the country from 5.3 per cent to 32.8 per cent. Forces above the national average may expect more pressure on the CJS because of increased reporting but would conversely benefit greater from any deterrent affects.

#### **b) Assault offence**

305. As stated above, the consequence of this measure is limited to the additional consequence of criminal behaviour orders. It is not anticipated to have any negative impacts on the environment, wealth distribution or regional income.

306. Due to data constraints, it is not possible to determine further details of where and who commits retail specific assault. For example, it is unknown how assault of retail workers is distributed across large, medium and small businesses. Although it is likely that all types of businesses are affected by this crime.

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<sup>81</sup> Findings from the 2021 Commercial Victimization Survey <https://www.gov.uk/government/statistics/crime-against-businesses-findings-from-the-year-ending-march-2021-commercial-victimisation-survey/crime-against-businesses-findings-from-the-2021-commercial-victimisation-survey>

307. The socio-economic background of those committing this crime is also unknown. It may be possible that particular individuals bear the brunt of any associated stigma. Like wider assault, assault of retail workers is also likely to be more prevalent in certain regions of the country. The costs of criminal behaviour orders will likely not be equally spread.

### **Proposal 3: Knife Crime and offensive weapons**

308. Upgrading the category of selling knives to those aged under 18 to an either way offence will mean that retailers will need to ensure that they keep any relevant documentation (for example, copy of proof of age) for two years following point of sale. However, responses to the consultation indicate that this cost would be negligible for the vast majority of retailers, as many of them employ this practice currently due to prior firearms legislation.

309. These measures may lead to a reduction in fear of crime; however, this has not been quantified due to an absence of evidence on the specific drivers of fear of knife crime, and the extent to which the proposals will affect this.

### **Proposal 4: Electronic Devices Used in Vehicle Theft**

310. This measure is expected to have a negligible impact on the environment. It is also expected it will have negligible impacts on region, income, wealth distribution and households.

311. The Options Assessment (Reference RPC-HO-24018-OA (1)) originally included direct costs to businesses that sell in-scope electronic devices (loss of sales) as a negligible non-monetised cost to business. Since then, the Options Assessment has clarified that there will be no impact to legitimate business from this measure. The measure has therefore been removed from the final IA for the Bill, and is instead presented in the Taking Back Our Streets Economic Note.

312. Based on conversations with NPCC stakeholders, it is highly likely that many of these devices are manufactured and supplied from abroad. In addition, this regulation will not impact legitimate businesses (this includes small and medium businesses) in the UK as there is no known legitimate use of these devices. As a result of the above points, any impact that this may have on UK businesses should not be monetised so no exemptions/mitigations need to be legislated for small and medium businesses.

## **F. Sensitivity**

None of the measures in this EN are regulatory provisions as defined under the Better Regulation Framework. The equivalent annual net direct costs to the public sector are less than +/- £20 million, so an IA is not required. This Economic Note has been produced instead and contains proportionate analysis outlining the main costs, benefits, and NPSV calculations.

## **G. Risks**

### **Proposal 1: Anti-social Behaviour and immediate seizure of vehicles**

#### **Risk 1: Additional Legal Costs**

313. An increase in the number of immediate vehicle seizures may lead to more contested cases and appeals. If so, there will be additional legal costs not included in the analysis.

**Risk 2: Data Quality**

314. The main risk to this appraisal is the limited data surrounding the process times of ASB powers, which means that police time with regards to certain extended measures could not be monetised and impacts the robustness of the final NPSV figures as it may not indicate the true costs of this legislation.

315. Across all measures, the cost of familiarisation with the new legislation for all groups is dependent on the complexity of legislation guidance and training materials produced, and the number of staff required to familiarise themselves with the guidance.

316. The estimate used for the number of former Civil Injunctions that will be replaced by Respect Orders is based on assumptions around the usage of the new orders as well as data from a small sample of local authorities. Sensitivity analysis has been conducted and presented below to show the transition, ongoing, and 10-year costs assuming 50 per cent and 75 per cent of former injunctions become Respect Orders.

317. Remaining injunctions are assumed to become Youth or Housing injunctions, which are treated the same as current Civil Injunctions apart from the addition of Risk Assessments. Costs for these are in line with business-as-usual.

**Table 25: Sensitivity analysis presenting 50 per cent and 75 per cent scenarios for the number of Civil Injunctions becoming Respect Orders, 2025/26 prices (£)**

	Transition		Ongoing		10-year Discounted	
	50%	75%	50%	75%	50%	75%
<b>Low</b>	-1,973,100	-3,002,500	-84,000	-137,800	-2,674,300	-4,153,300
<b>Central</b>	-1,018,500	-1,682,900	255,800	321,100	1,117,300	998,500
<b>High</b>	3,700	-281,900	769,300	986,000	6,427,300	7,951,800

Source: Home Office internal estimates, negative values present cost savings

**Risk 3: Estimates for FTE**

318. Numbers of CSAS officers ceased to be recorded after 2010 in line with a Home Office commitment to reduce bureaucracy in policing; forces are no longer required to report centrally on the number of persons accredited under the scheme. It is possible the number of CSAS officers greatly differs from the modelled estimate.

319. Local Authority Officers who dedicate their time to ASB are based on internal Home Office estimates resulting from consultation with a sample of local authorities. These are used to calculate familiarisation costs to local authorities. Numbers of ASB focused Local Authority Officers in 2025 are estimated to be within a range of 2000-3000 FTE which is subject to some uncertainty.

320. Breakdowns of police officers by grade in policing teams (Neighbourhood Policing, Fixed Penalty Schemes, Custody, and Road Policing) are not available more granular than Police Officer, Police Staff, and PCSOs. Because of this, the proportional grade breakdown from total policing staff has been applied to individual teams. This may risk overstating or understating the familiarisation costs if certain teams' breakdown of grades deviates from the total.

## **Proposal 2: Retail Crime**

### **a) £200 rule**

321. This repeal reclassifies theft from a shop, of goods worth £200 or less, as an either-way offence. This means such cases could be tried in the Crown Court, where the maximum sentence is seven years' imprisonment, compared to the six-month limit in the Magistrates' Court.
322. While the likelihood of seven-year sentences for low-value shop thefts is low, the potential for increased sentencing powers and the possibility of cases now progressing to the Crown Court will have cost implications for the Criminal Justice System. This may add additional pressure to prison places and the Crown Courts.
323. As highlighted in the scenario modelling, a significant cost risk associated with this measure is the potential for increased reporting driven by a change in public perception. This would likely lead to more cases and further strain on the justice system.
324. Further reporting could also strain police resources. The repeal of this measure does mean the police are receiving extra resource to deal with the potential additional reports and cases. To act on such cases, police resources would need to be diverted from elsewhere. Without this, prosecuted cases may not necessarily increase despite an increase in reporting, and this may even prevent any positive impact in perceptions, as police would be unable to act on the reports.
325. Perceptions are likely to be determined by a myriad of factors. For example, one measure alone may not be adequate to change reporting or create a potential deterrence.
326. The introduction of this legislation previously allowed police to prosecute theft from shops. Despite, the NPCC survey outlining that this did not occur, this policy allowed a secondary route by which theft from shops could be prosecuted and a deterrent be obtained. Although, this may have created a perception that shop theft of goods of £200 and under will not be investigated and prosecuted, it could have acted as a secondary source of prosecution if widely utilised. This may have had similar perception impacts to the aim of this repeal.

### **b) Assault Offence**

327. A significant cost risk associated with this measure is the potential for increased reporting driven by a change in retail perceptions. This would likely lead to more cases and further strain on the justice system.
328. Any cost of familiarisation with the new legislation for all groups is dependent on the complexity of legislation guidance and training materials produced, and the number of staff required to familiarise themselves with the guidance. This has not been determined for this analysis and is not included within the cost benefit analysis.
329. Important to note that other professions may request similar measures for other offenses. Moreover, there may be confusion on when this measure applies or not.

## **Proposal 3: Knife Crime and offensive weapons**

330. Across all options, the cost of familiarisation with the new legislation for all groups is dependent on the length of guidance produced, and the number of staff required to familiarise themselves with the guidance. To reflect the uncertainty associated with the length of guidance and volume of staff required to familiarise, sensitivity analysis has been adopted, covering a range of costs for low, central, and high scenarios.
331. Under the measure to introduce a new police power to seize, retain and destroy legally held knives in private, critical areas of uncertainty will include the number of weapons which will be

seized and destroyed (that is, the extent to which the new powers will be used) and the appeal rate against seizures (which may have a feedback effect on use of powers). This will affect both police and CJS costs associated with the proposal. To reflect the uncertainty associated with the appeal rate, sensitivity analysis has been adopted, covering a range of costs for low, central and high scenarios.

332. Although the power detailed above, can be applied to any knife in a private property, the police would need to have reasonable grounds to suspect an article being used in serious crime. This could present a risk that a knife is left on the property because it was not deemed likely to be used for serious violence or crime but an individual resorts to using it in such a way because other knives have been removed from the property.
333. Under the measure to increase the maximum penalty for offences under section 141 and section 141A of the CJA 1988<sup>82</sup>, there is uncertainty surrounding the number of additional cases of selling a blade to under 18s. NPCC have advised there would be 50 additional cases per year, roughly one per police force. However, this is a rough estimate and will affect the CJS costs associated with the proposal. To reflect the uncertainty associated with the volume of additional cases, sensitivity analysis has been adopted, covering a range of costs for low, central and high scenarios.
334. Under the measure to introduce a new offence of possession of a bladed article with intent to endanger life or cause fear of violence, there is uncertainty over the expected volume of cases under this new offence. This is mainly due to this being a new offence, where the threshold for and ease of proving intent is unknown.
335. The estimated figure was obtained following analysis of the data on current possession of a bladed article offence, the proxy offence of possession of firearms with intent to endanger life or cause fear of violence, and consultation with NPCC stakeholders. To reflect the uncertainty associated with the volume of cases under the new offence, sensitivity analysis has been adopted, covering a range of costs for low, central and high scenarios.
336. There is further uncertainty surrounding how offenders under the new possession of a bladed article with intent to endanger life or cause fear of violence offence will be treated by the CJS. Assumptions on the conviction rate, crown court/ magistrate's court split, and sentencing outcomes were made using proxy offences.
337. A critical area of uncertainty is also the length of custodial sentence given to convicted offenders. The government estimates this to be double that of the existing offence of possession of a bladed article, but there are insufficient data and evidence to base this assumption on. As the implications of this assumption on costs to the CJS are extremely significant, the ACSL of this new offence will be closely monitored following implementation.
338. It will not be possible to quantify the impacts on knife-related injuries, hospital admissions, and homicides resulting from the proposals in the final Impact Assessment. Benefits will be appraised using breakeven analysis, demonstrating the number of homicides, robberies, and violence with injury offences which would need to be prevented in order for proposals to have an overall net benefit to society. Reductions in harms under the latter measures will depend on the extent to which more severe penalties act as a deterrent against knife crime.

#### **Proposal 4: Electronic Devices Used in Vehicle Theft**

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<sup>82</sup> Criminal Justice Act 1988: <https://www.legislation.gov.uk/ukpga/1988/33/section/141A>

339. There is uncertainty regarding the volume of offences/offenders each year. The estimates have been triangulated with other data sources, which suggest the volume of offenders assumed should be considered an upper bound. The impact of using upper bound estimates is to increase the criminal justice costs associated with the measure.

## H. Annexes

### Proposal 1: Anti-social behaviour and immediate seizure of vehicles

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>Consideration has been given to the impacts of the proposed changes and whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics as specified in the Equality Act 2010. From the Equalities Impact Assessment (EIA), we have established there is a potential positive/negative impact to 'Age' and 'Race' as protected characteristics, a potential negative (indirect) impact to 'Sex' as a protected characteristic and potential positive impacts to 'Sexual Orientation', 'Religion or Belief' and 'Disability' as protected characteristics. There will be appropriate actions and safeguards in place to address any potential negative impacts on those with protected characteristics set out above.</p> <p><b>The SRO has agreed these summary findings.</b></p>	<p><b>Yes</b></p>



## Proposal 2: Retail Crime

### a) £200 Rule

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>The Ministry of Justice have not identified any negative impacts in connection with repealing this legislation. The offence of committing low value theft applies equally to all offenders, regardless of any protected characteristics.</p> <p>MoJ's assessment is that these changes are not directly discriminatory within the meaning of the Equality Act 2010, as they apply in the same way to all individuals regardless of their protected characteristics. No defendant will be treated less favourably in relation to any protected characteristic. In general, non-white ethnic groups appear to be over-represented at most stages throughout the CJS, compared with the white ethnic group, and among non-white ethnic groups, black and mixed individuals are often the most over-represented. This trend is not reflected in the statistics for theft from shop defendants proceeded against in the magistrates' court in 2023. Home Office believes any risk is mitigated as this policy change does not alter a defendant's right to elect for a jury trial in the Crown Court nor should it affect where a case is heard.</p> <p><b>The SRO has agreed these summary findings.</b></p>	<p><b>Yes</b></p>

### b) Assault Offence

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>The Home Office have not identified any negative impacts in connection with creating a standalone offence for assaults on retail workers. This offence will apply equally to all offenders who commit a relevant offence, regardless of any protected characteristics. However, the data for those who are caught and convicted for shop theft from MoJ shows that offenders aged 30 to 49 accounted for more than two-thirds (69.1 per cent) of sentencing occasions for shop theft (20,003 occasions) in the year ending December 2023. If introduced, this offence may indirectly discriminate against individuals in this age bracket.</p> <p><b>The SRO has agreed these summary findings.</b></p>	<p><b>Yes</b></p>

**Proposal 3: Knife Crime and offensive weapons**

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>The Home Office have considered the impacts of the proposed changes on whether it will or will not be likely to lead to discrimination or disadvantage, based on the protected characteristics in the Equality Act 2010.</p> <p>The Home Office have established there is a potential positive impact to the 'Age' 'Race' and 'Sex' as a protected characteristic. If there is a negative impact to these protected characteristics, we will work with the police to ensure that effective training is applied, and guidance will be issued on the application to these measures.</p> <p><b>The SRO has agreed these summary findings.</b></p>	<p><b>Yes</b></p>

**Proposal 4: Electronic Devices Used in Vehicle Theft**

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>The public sector equality duty requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations in the course of developing policies and delivering services. [<a href="#">1. Equality Duty Toolkit</a> and <a href="#">3. Equality Duty Resources</a>]</p> <p>As these measures apply equally to all, we do not believe there would be any impact on individuals due to protected characteristics.</p> <p><b>The SRO has agreed these summary findings.</b></p>	<p><b>Yes</b></p>

## I. Annex B. Summary of each measure

<b>Proposal 1: Anti-social behaviour and vehicles</b>			
	•		
<b>Total Cost (£m PV)</b>	<b>Transition Cost (£m Constant)</b>	<b>Cost to Business (£m PV)</b>	
7.75	-0.98	0.00	
<b>Total Benefit (£m PV)</b>	<b>NPSV (£m PV)</b>	<b>BNPV (£m PV)</b>	<b>EANDCB (£m PV)</b>
0.00	-7.75	-0.03	0.00
<b>Price Base Year</b>	<b>PV Base Year</b>	<b>Appraisal period (Years)</b>	<b>Transition period (Years)</b>
2025-26	2025-26	2025-34	1

<b>Departmental sign-off (SCS):</b>	Paul Regan	Date: 13/12/24
<b>Chief Economist sign-off:</b>	Tim Laken	Date: 10/02/25
<b>Better Regulation Unit sign-off:</b>	Emma Kirk	Date: 10/02/25

<b>Proposal 2a: Retail Crime: £200 rule</b>			
<b>Total Cost (£m PV)</b>	<b>Transition Cost (£m Constant)</b>	<b>Cost to Business (£m PV)</b>	
83.4	15.8	0.00	
<b>Total Benefit (£m PV)</b>	<b>NPSV (£m PV)</b>	<b>BNPV (£m PV)</b>	<b>EANDCB (£m PV)</b>
0.00	83.4m	0.00	0.00
<b>Price Base Year</b>	<b>PV Base Year</b>	<b>Appraisal period (Years)</b>	<b>Transition period (Years)</b>
2025-26	2025-26	2025-2034	NA

<b>Departmental sign-off (SCS):</b>	Paul Regan	Date: 16/01/25
<b>Chief Economist sign-off:</b>	Tim Laken	Date: 10/02/25
<b>Better Regulation Unit sign-off:</b>	Emma Kirk	Date: 10/02/25

<b>Proposal 2b: Retail Crime: Assault offence</b>			
<b>Total Cost (£m PV)</b>	<b>Transition Cost (£m Constant)</b>	<b>Cost to Business (£m PV)</b>	
125.1	59.8	0.00	
<b>Total Benefit (£m PV)</b>	<b>NPSV (£m PV)</b>	<b>BNPV (£m PV)</b>	<b>EANDCB (£m PV)</b>
0.00	-£125.1		
<b>Price Base Year</b>	<b>PV Base Year</b>	<b>Appraisal period (Years)</b>	<b>Transition period (Years)</b>
2025-26	2025-26	2025-2034	2025

<b>Departmental sign-off (SCS):</b>	Paul Regan	Date: 08/01/25
<b>Chief Economist sign-off:</b>	Tim Laken	Date: 10/02/25
<b>Better Regulation Unit sign-off:</b>	Emma Kirk	Date: 10/02/25

<b>Proposal 3: Knife Crime and offensive weapons</b>			
<b>Total Cost (£m PV)</b>	<b>Transition Cost (£m Constant)</b>	<b>Cost to Business (£m PV)</b>	
21.14 (central)	8.5 (central)	0	
<b>Total Benefit (£m PV)</b>	<b>NPSV (£m PV)</b>	<b>BNPV (£m PV)</b>	<b>EANDCB (£m PV)</b>
0	-21.19	0	0
<b>Price Base Year</b>	<b>PV Base Year</b>	<b>Appraisal period (Years)</b>	<b>Transition period (Years)</b>
2025/2026	2025/2026	2025-2034	2025

<b>Departmental sign-off (SCS):</b>	Nick Hunt	Date: 13/01/2025
<b>Chief Economist sign-off:</b>	Tim Laken	Date: 10/02/25
<b>Better Regulation Unit sign-off:</b>	Emma Kirk	Date: 10/02/25

<b>Proposal 4: Electronic Devices Used in Vehicle Theft</b>			
<b>Total Cost (£m PV)</b>	<b>Transition Cost (£m Constant)</b>	<b>Cost to Business (£m PV)</b>	
<b>8.30</b>	<b>0.0</b>	<b>0.0</b>	
<b>Total Benefit (£m PV)</b>	<b>NPSV (£m PV)</b>	<b>BNPV (£m PV)</b>	<b>EANDCB (£m PV)</b>
<b>25.43</b>	<b>17.1</b>	<b>0.0</b>	<b>0.0</b>
<b>Price Base Year</b>	<b>PV Base Year</b>	<b>Appraisal period (Years)</b>	<b>Transition period (Years)</b>
<b>2025-26</b>	<b>2025-26</b>	<b>2025-34</b>	<b>N/A</b>

<b>Departmental sign-off (SCS):</b>	Paul Regan	Date: 08/01/25
<b>Chief Economist sign-off:</b>	Tim Laken	Date: 10/02/25
<b>Better Regulation Unit sign-off:</b>	Emma Kirk	Date: 10/02/25