

R. v DEAN BONESS AND OTHERS

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COURT OF APPEAL (Lord Justice Hooper, Mr Justice Roderick
Evans and Mr Justice Pitchers): October 14, 2005

[2005] EWCA Crim 2395; [2006] 1 Cr.App.R.(S.) 120

Anti-social behaviour orders; Sentencing guidelines

H1 *Crime and Disorder Act 1998, s.1C—anti-social behaviour order on conviction—general considerations*

H2 Observations on the considerations which are relevant to the making of orders under the Crime and Disorder Act 1998, s.1C.

H3 Boness: the appellant pleaded guilty to one count of burglary of a dwelling and one of handling stolen goods. The appellant and another person entered an unoccupied house and stole items to the value of £4,800. Following another burglary, the next day, a search of the appellant's home resulted in the discovery of property stolen in that burglary. The appellant had six previous appearances for offences involving vehicle crime, attempted burglary, violence, handling stolen goods and using threatening behaviour. He was subject to two community orders at the time of the offences. Sentenced to three years' detention in a young offender institution, and subjected to an order under the Crime and Disorder Act 1998, s.1C for a period of five years' prohibiting him from entering any public car park within a specified area except in the course of lawful employment, entering any land or building on land which formed part of educational premises except as an enrolled pupil, wearing or having with him in any public place anything which covered or could be used to cover the face or part the face, having with him in a public place any item which could be used in the commission of a burglary or theft from vehicles except one door or bicycle lock key, having possession of any article or carried in public any vehicle that could be used as a weapon, remaining on any shop, commercial or hospital premises if asked to leave by staff or entering any premises from which he was barred, entering any private land adjoining any dwelling premises or commercial premises outside the opening hours of those premises without express permission, touching or entering any unattended vehicle without the express permission of the owner, acting or inciting others to act in an anti-social manner, congregating in