



# Anti-social Behaviour, Crime and Policing Act 2014

## 2014 CHAPTER 12

### PART 3 **E+W**

#### DISPERSAL POWERS

#### 37 Surrender of property **E+W**

- (1) A constable who gives a person a direction under section 35 may also direct the person to surrender to the constable any item in the person's possession or control that the constable reasonably believes has been used or is likely to be used in behaviour that harasses, alarms or distresses members of the public.
- (2) A direction under this section must be given in writing, unless that is not reasonably practicable.
- (3) A constable who gives a person a direction under this section must (unless it is not reasonably practicable)—
  - (a) tell the person that failing without reasonable excuse to comply with the direction is an offence, and
  - (b) give the person information in writing about when and how the person may recover the surrendered item.
- (4) The surrendered item must not be returned to the person before the end of the exclusion period.
- (5) If after the end of that period the person asks for the item to be returned, it must be returned (unless there is power to retain it under another enactment).
- (6) But if it appears to a constable that the person is under the age of 16 and is not accompanied by a parent or other responsible adult, the item may be retained until the person is so accompanied.

**Changes to legislation:** *Anti-social Behaviour, Crime and Policing Act 2014, Section 37 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (7) If the person has not asked for the return of the item before the end of the period of 28 days beginning with the day on which the direction was given, the item may be destroyed or otherwise disposed of.

**Commencement Information**

**II** [S. 37](#) in force at 20.10.2014 by [S.I. 2014/2590](#), [art. 3\(b\)](#)

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(2)(ba) inserted by [2022 c. 32 Sch. 11 para. 35\(2\)\(a\)](#)