



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 8

ANTI-SOCIAL BEHAVIOUR

Nuisance or disturbance on hospital premises

119 Offence of causing nuisance or disturbance on NHS premises

- (1) A person commits an offence if—
 - (a) the person causes, without reasonable excuse and while on NHS premises, a nuisance or disturbance to an NHS staff member who is working there or is otherwise there in connection with work,
 - (b) the person refuses, without reasonable excuse, to leave the NHS premises when asked to do so by a constable or an NHS staff member, and
 - (c) the person is not on the NHS premises for the purpose of obtaining medical advice, treatment or care for himself or herself.
- (2) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) For the purposes of this section—
 - (a) a person ceases to be on NHS premises for the purpose of obtaining medical advice, treatment or care for himself or herself once the person has received the advice, treatment or care, and
 - (b) a person is not on NHS premises for the purpose of obtaining medical advice, treatment or care for himself or herself if the person has been refused the advice, treatment or care during the last 8 hours.
- (4) In this section—

“English NHS premises” means—

Changes to legislation: Criminal Justice and Immigration Act 2008, Section 119 is up to date with all changes known to be in force on or before 20 May 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

- (a) any hospital vested in, or managed by, a relevant English NHS body,
- (b) any building or other structure, or vehicle, associated with the hospital and situated on hospital grounds (whether or not vested in, or managed by, a relevant English NHS body), and
- (c) the hospital grounds,
 - “hospital grounds” means land in the vicinity of a hospital and associated with it,
 - “NHS premises” means English NHS premises or Welsh NHS premises,
 - “NHS staff member” means a person employed by a relevant English NHS body, or a relevant Welsh NHS body, or otherwise working for such a body (whether as or on behalf of a contractor, as a volunteer or otherwise),
 - “relevant English NHS body” means—
 - (a) a National Health Service trust (see section 25 of the National Health Service Act 2006 (c. 41)), all or most of whose hospitals, establishments and facilities are situated in England,
 - (b) ^{F1}...
 - (c) an NHS foundation trust (see section 30 of that Act),
 - “relevant Welsh NHS body” means—
 - (a) a National Health Service trust (see section 18 of the National Health Service (Wales) Act 2006 (c. 42)), all or most of whose hospitals, establishments and facilities are situated in Wales, or
 - (b) a Local Health Board (see section 11 of that Act),
 - “vehicle” includes an air ambulance,
 - “Welsh NHS premises” means—
 - (a) any hospital vested in, or managed by, a relevant Welsh NHS body,
 - (b) any building or other structure, or vehicle, associated with the hospital and situated on hospital grounds (whether or not vested in, or managed by, a relevant Welsh NHS body), and
 - (c) the hospital grounds.

Textual Amendments

- F1** Words in s. 119(4) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 153](#); [S.I. 2013/160](#), art. 2(2) (with arts. 7-9)

Commencement Information

- I1** S. 119(1)-(3) in force at 30.11.2009 in relation to English NHS premises by [S.I. 2009/3074](#), art. 3(a)
- I2** S. 119(4) in force at 1.1.2009 in relation to English NHS premises by [S.I. 2008/3260](#), art. 2(2)(a)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 119(4) words omitted by [2012 c. 7 Sch. 14 para. 107\(a\)](#)
- s. 119(4) words substituted by [2012 c. 7 Sch. 14 para. 107\(b\)](#)

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):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)