



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 8

ANTI-SOCIAL BEHAVIOUR

Nuisance or disturbance on hospital premises

120 Power to remove person causing nuisance or disturbance

- (1) If a constable reasonably suspects that a person is committing or has committed an offence under section 119, the constable may remove the person from the NHS premises concerned.
- (2) If an authorised officer reasonably suspects that a person is committing or has committed an offence under section 119, the authorised officer may—
 - (a) remove the person from the NHS premises concerned, or
 - (b) authorise an appropriate NHS staff member to do so.
- (3) Any person removing another person from NHS premises under this section may use reasonable force (if necessary).
- (4) An authorised officer cannot remove a person under this section or authorise another person to do so if the authorised officer has reason to believe that—
 - (a) the person to be removed requires medical advice, treatment or care for himself or herself, or
 - (b) the removal of the person would endanger the person's physical or mental health.
- (5) In this section—

“appropriate NHS staff member”—

Status: This is the original version (as it was originally enacted).

- (a) in relation to English NHS premises, means an English NHS staff member, and
- (b) in relation to Welsh NHS premises, means a Welsh NHS staff member, “authorised officer”—
- (a) in relation to English NHS premises, means any English NHS staff member authorised by a relevant English NHS body to exercise the powers which are conferred by this section on an authorised officer in respect of English NHS premises, and
- (b) in relation to Welsh NHS premises, means any Welsh NHS staff member authorised by a relevant Welsh NHS body to exercise the powers which are conferred by this section on an authorised officer in respect of Welsh NHS premises,

“English NHS staff member” means a person employed by a relevant English NHS body or otherwise working for it (whether as or on behalf of a contractor, as a volunteer or otherwise),

“Welsh NHS staff member” means a person employed by a relevant Welsh NHS body or otherwise working for it (whether as or on behalf of a contractor, as a volunteer or otherwise).

- (6) Terms defined in section 119 have the same meaning in this section as in that section.