

Status: Point in time view as at 02/06/2014. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Anti-social Behaviour, Crime and Policing Act 2014, Cross Heading: Contents of injunctions is up to date with all changes known to be in force on or before 15 June 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)



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 1

INJUNCTIONS

VALID FROM 23/03/2015

Contents of injunctions

3 Requirements included in injunctions

- (1) An injunction under section 1 that includes a requirement must specify the person who is to be responsible for supervising compliance with the requirement.

The person may be an individual or an organisation.

- (2) Before including a requirement, the court must receive evidence about its suitability and enforceability from—
- (a) the individual to be specified under subsection (1), if an individual is to be specified;
 - (b) an individual representing the organisation to be specified under subsection (1), if an organisation is to be specified.
- (3) Before including two or more requirements, the court must consider their compatibility with each other.
- (4) It is the duty of a person specified under subsection (1)—
- (a) to make any necessary arrangements in connection with the requirements for which the person has responsibility (the “relevant requirements”);
 - (b) to promote the respondent's compliance with the relevant requirements;

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- (c) if the person considers that the respondent—
- (i) has complied with all the relevant requirements, or
 - (ii) has failed to comply with a relevant requirement,
- to inform the person who applied for the injunction and the appropriate chief officer of police.

- (5) In subsection (4)(c) “the appropriate chief officer of police” means—
- (a) the chief officer of police for the police area in which it appears to the person specified under subsection (1) that the respondent lives, or
 - (b) if it appears to that person that the respondent lives in more than one police area, whichever of the relevant chief officers of police that person thinks it most appropriate to inform.
- (6) A respondent subject to a requirement included in an injunction under section 1 must—
- (a) keep in touch with the person specified under subsection (1) in relation to that requirement, in accordance with any instructions given by that person from time to time;
 - (b) notify the person of any change of address.

These obligations have effect as requirements of the injunction.

4 Power of arrest

- (1) A court granting an injunction under section 1 may attach a power of arrest to a prohibition or requirement of the injunction if the court thinks that—
- (a) the anti-social behaviour in which the respondent has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons, or
 - (b) there is a significant risk of harm to other persons from the respondent.

“Requirement” here does not include one that has the effect of requiring the respondent to participate in particular activities.

- (2) If the court attaches a power of arrest, the injunction may specify a period for which the power is to have effect which is shorter than that of the prohibition or requirement to which it relates.

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