



Police Reform Act 2002

2002 CHAPTER 30

PART 4

POLICE POWERS ETC.

CHAPTER 2

PROVISIONS MODIFYING AND SUPPLEMENTING POLICE POWERS

Anti-social behaviour

64 Orders on conviction in criminal proceedings

After section 1B of the Crime and Disorder Act 1998 (c. 37) (which is inserted by section 63), there shall be inserted—

“1C Orders on conviction in criminal proceedings

- (1) This section applies where a person (the “offender”) is convicted of a relevant offence.
- (2) If the court considers—
 - (a) that the offender has acted, at any time since the commencement date, in an anti-social manner, that is to say in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself, and
 - (b) that an order under this section is necessary to protect persons in any place in England and Wales from further anti-social acts by him,it may make an order which prohibits the offender from doing anything described in the order.

Status: This is the original version (as it was originally enacted).

- (3) The court may make an order under this section whether or not an application has been made for such an order.
- (4) An order under this section shall not be made except—
 - (a) in addition to a sentence imposed in respect of the relevant offence; or
 - (b) in addition to an order discharging him conditionally.
- (5) An order under this section takes effect on the day on which it is made, but the court may provide in any such order that such requirements of the order as it may specify shall, during any period when the offender is detained in legal custody, be suspended until his release from that custody.
- (6) An offender subject to an order under this section may apply to the court which made it for it to be varied or discharged.
- (7) In the case of an order under this section made by a magistrates' court, the reference in subsection (6) to the court by which the order was made includes a reference to any magistrates' court acting for the same petty sessions area as that court.
- (8) No application may be made under subsection (6) for the discharge of an order before the end of the period of two years beginning with the day on which the order takes effect.
- (9) Subsections (7), (10) and (11) of section 1 apply for the purposes of the making and effect of orders made by virtue of this section as they apply for the purposes of the making and effect of anti-social behaviour orders.
- (10) In this section—
 - “the commencement date” has the same meaning as in section 1 above;
 - “the court” in relation to an offender means—
 - (a) the court by or before which he is convicted of the relevant offence; or
 - (b) if he is committed to the Crown Court to be dealt with for that offence, the Crown Court; and
 - “relevant offence” means an offence committed after the coming into force of section 64 of the Police Reform Act 2002 (c. 30).”