



# Anti-social Behaviour Act 2003

## 2003 CHAPTER 38

### PART 4

#### DISPERSAL OF GROUPS ETC.

#### **30 Dispersal of groups and removal of persons under 16 to their place of residence**

- (1) This section applies where a relevant officer has reasonable grounds for believing—
  - (a) that any members of the public have been intimidated, harassed, alarmed or distressed as a result of the presence or behaviour of groups of two or more persons in public places in any locality in his police area (the “relevant locality”), and
  - (b) that anti-social behaviour is a significant and persistent problem in the relevant locality.
- (2) The relevant officer may give an authorisation that the powers conferred on a constable in uniform by subsections (3) to (6) are to be exercisable for a period specified in the authorisation which does not exceed 6 months.
- (3) Subsection (4) applies if a constable in uniform has reasonable grounds for believing that the presence or behaviour of a group of two or more persons in any public place in the relevant locality has resulted, or is likely to result, in any members of the public being intimidated, harassed, alarmed or distressed.
- (4) The constable may give one or more of the following directions, namely—
  - (a) a direction requiring the persons in the group to disperse (either immediately or by such time as he may specify and in such way as he may specify),
  - (b) a direction requiring any of those persons whose place of residence is not within the relevant locality to leave the relevant locality or any part of the relevant locality (either immediately or by such time as he may specify and in such way as he may specify), and
  - (c) a direction prohibiting any of those persons whose place of residence is not within the relevant locality from returning to the relevant locality or any part of

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*Status: This is the original version (as it was originally enacted).*

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the relevant locality for such period (not exceeding 24 hours) from the giving of the direction as he may specify;

but this subsection is subject to subsection (5).

- (5) A direction under subsection (4) may not be given in respect of a group of persons—
- (a) who are engaged in conduct which is lawful under section 220 of the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), or
  - (b) who are taking part in a public procession of the kind mentioned in section 11(1) of the Public Order Act 1986 (c. 64) in respect of which—
    - (i) written notice has been given in accordance with section 11 of that Act, or
    - (ii) such notice is not required to be given as provided by subsections (1) and (2) of that section.
- (6) If, between the hours of 9pm and 6am, a constable in uniform finds a person in any public place in the relevant locality who he has reasonable grounds for believing—
- (a) is under the age of 16, and
  - (b) is not under the effective control of a parent or a responsible person aged 18 or over,
- he may remove the person to the person's place of residence unless he has reasonable grounds for believing that the person would, if removed to that place, be likely to suffer significant harm.
- (7) In this section any reference to the presence or behaviour of a group of persons is to be read as including a reference to the presence or behaviour of any one or more of the persons in the group.