



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 1

PREMISES WHERE DRUGS USED UNLAWFULLY

9 Exemption from liability for certain damages

- (1) A constable is not liable for relevant damages in respect of anything done or omitted to be done by him in the performance or purported performance of his functions under this Part.
- (2) A chief officer of police is not liable for relevant damages in respect of anything done or omitted to be done by a constable under his direction or control in the performance or purported performance of the constable's functions under this Part.
- (3) Subsections (1) and (2) do not apply—
 - (a) if the act or omission is shown to have been in bad faith;
 - (b) so as to prevent an award of damages made in respect of an act or omission on the ground that the act or omission was unlawful by virtue of section 6(1) of the Human Rights Act 1998 (c. 42).
- (4) This section does not affect any other exemption from liability for damages (whether at common law or otherwise).
- (5) Relevant damages are damages in proceedings for judicial review or for the tort of negligence or misfeasance in public duty.