

POLICING AND CRIME ACT 2009

EXPLANATORY NOTES

TERRITORIAL EXTENT AND APPLICATION

Part 4 – Injunctions: Gang-Related Violence

Power to grant injunctions

Section 34 Injunctions to prevent gang-related violence

222. This section sets out the conditions that must be met in order for a court to have the power to grant an injunction under this Part. It also sets out the purposes of the injunction.
223. Subsection (2) provides that before granting an injunction the court must first be satisfied to the civil standard of proof that the respondent has engaged in, encouraged or assisted gang-related violence.
224. Subsection (3) requires the court to think it necessary for an injunction to be granted to prevent the respondent from engaging in, encouraging or assisting gang-related violence and/or to protect the respondent from gang-related violence. Either or both of these conditions must be met in addition to the condition set out in subsection (2) before an injunction can be granted.
225. Subsection (5) defines gang-related violence.