



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 1

INJUNCTIONS

VALID FROM 23/03/2015

Breach of injunctions

9 Arrest without warrant

- (1) Where a power of arrest is attached to a provision of an injunction under section 1, a constable may arrest the respondent without warrant if he or she has reasonable cause to suspect that the respondent is in breach of the provision.
- (2) A constable who arrests a person under subsection (1) must inform the person who applied for the injunction.
- (3) A person arrested under subsection (1) must, within the period of 24 hours beginning with the time of the arrest, be brought before—
 - (a) a judge of the High Court or a judge of the county court, if the injunction was granted by the High Court;
 - (b) a judge of the county court, if—
 - (i) the injunction was granted by the county court, or
 - (ii) the injunction was granted by a youth court but the respondent is aged 18 or over;
 - (c) a justice of the peace, if neither paragraph (a) nor paragraph (b) applies.
- (4) In calculating when the period of 24 hours ends, Christmas Day, Good Friday and any Sunday are to be disregarded.

Status: Point in time view as at 20/10/2014. 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: Breach of injunctions is up to date with all changes known to be in force on or before 20 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)

- (5) The judge before whom a person is brought under subsection (3)(a) or (b) may remand the person if the matter is not disposed of straight away.
- (6) The justice of the peace before whom a person is brought under subsection (3)(c) must remand the person to appear before the youth court that granted the injunction.

10 Issue of arrest warrant

- (1) If the person who applied for an injunction under section 1 thinks that the respondent is in breach of any of its provisions, the person may apply for the issue of a warrant for the respondent's arrest.
- (2) The application must be made to—
 - (a) a judge of the High Court, if the injunction was granted by the High Court;
 - (b) a judge of the county court, if—
 - (i) the injunction was granted by the county court, or
 - (ii) the injunction was granted by a youth court but the respondent is aged 18 or over;
 - (c) a justice of the peace, if neither paragraph (a) nor paragraph (b) applies.
- (3) A judge or justice may issue a warrant under this section only if the judge or justice has reasonable grounds for believing that the respondent is in breach of a provision of the injunction.
- (4) A warrant issued by a judge of the High Court must require the respondent to be brought before that court.
- (5) A warrant issued by a judge of the county court must require the respondent to be brought before that court.
- (6) A warrant issued by a justice of the peace must require the respondent to be brought before—
 - (a) the youth court that granted the injunction, if the person is aged under 18;
 - (b) the county court, if the person is aged 18 or over.
- (7) A constable who arrests a person under a warrant issued under this section must inform the person who applied for the injunction.
- (8) If the respondent is brought before a court by virtue of a warrant under this section but the matter is not disposed of straight away, the court may remand the respondent.

11 Remands

Schedule 1 (remands under sections 9 and 10) has effect.

12 Powers in respect of under-18s

Schedule 2 (breach of injunctions: powers of court in respect of under-18s) has effect.

Status:

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Changes to legislation:

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