



WHAT YOU NEED TO KNOW ABOUT THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014: DISPERSAL POWERS

This briefing is one of eight papers that set out the new powers and tools available in the Anti-Social Behaviour, Crime and Policing Act 2014. These powers come into operation from 20 October.

This power allows for quick action to tackle or prevent ASB in a locality.

Purpose:

To stop/ prevent someone engaging in anti-social, disorderly or criminal behaviour in a locality by requiring them to leave for up to 48 hours.

Who can apply:

- uniformed police or police community support officers (where designated with powers by Chief Constable)

Test:

That the powers are necessary to remove or reduce the likelihood of members of the public being harassed, alarmed or distressed, or the occurrence of crime or disorder, in a specified locality.

Details:

- police inspectors can identify specific areas from which they can order the dispersal of people for a period of up to 48 hours, where it is necessary to remove/ reduce likelihood of public being harassed, alarmed or distressed, or a crime or disorder taking place
- under the power a constable can direct people to disperse, where they have reasonable grounds to suspect that the behaviour of that person/ people has contributed to harassment, alarm or distress or the occurrence of crime or disorder in the locality. If the person in question is under 16, the constable may remove them to where they live or place of safety
- the direction can also require the person to surrender any item of property that might be used in such behaviour
- such a direction cannot be applied to someone under 10, or where it prevents a person from accessing their home or place they are required to be at that time e.g. for employment, education, medical treatment.



There is no requirement to consult although working with the local authority and community representatives can help to identify and address repeat/ ongoing issues, and manage impacts for local people.

Penalty on breach:

Failure to comply with the direction is a criminal offence. Penalties include:

- imprisonment up to 3 months (unless under 18) and/ or a fine.
- a fine for refusal to surrender items.

Tips:

- talk to the police to understand how, when and under what circumstances they will use these powers
- ongoing engagement with police and wider local partnerships will help collectively to identify if and how use of these powers, can alleviate repeated or ongoing problems, perhaps in conjunction with other interventions.

CIH policy and practice contact: [Sarah Davis](#)

Sign up to the [Respect Charter](#) – the ASB Charter for housing. It will help you to examine and improve your ASB services, to ensure that they are delivered effectively and efficiently.

For more information on how we can help you to prepare for and use the new tools and powers, and support your work on anti-social behaviour, contact [Gez Kinsella](#) or see our [website](#).