



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 9

MISCELLANEOUS POWERS

91 Proceedings under section 222 of the Local Government Act 1972: power of arrest attached to injunction

- (1) This section applies to proceedings in which a local authority is a party by virtue of section 222 of the Local Government Act 1972 (c. 70) (power of local authority to bring, defend or appear in proceedings for the promotion or protection of the interests of inhabitants of their area).
- (2) If the court grants an injunction which prohibits conduct which is capable of causing nuisance or annoyance to a person it may, if subsection (3) below applies, attach a power of arrest to any provision of the injunction.
- (3) This subsection applies if the local authority applies to the court to attach the power of arrest and the court thinks that either—
 - (a) the conduct mentioned in subsection (2) consists of or includes the use or threatened use of violence, or
 - (b) there is a significant risk of harm to the person mentioned in that subsection.
- (4) Harm includes serious ill-treatment or abuse (whether physical or not).
- (5) Local authority has the same meaning as in section 222 of the Local Government Act 1972.