



Policing and Crime Act 2009

2009 CHAPTER 26

PART 4

INJUNCTIONS: GANG-RELATED VIOLENCE

Miscellaneous

47 Guidance

- (1) The Secretary of State must issue guidance relating to injunctions under this Part.
- (2) The Secretary of State may revise any guidance issued under subsection (1).
- (3) Before issuing or revising any guidance under this section the Secretary of State must consult the Lord Chief Justice of England and Wales and such other persons as the Secretary of State thinks appropriate.
- (4) The Secretary of State must lay any guidance issued or revised under this section before Parliament.
- (5) The Secretary of State must publish any guidance issued or revised under this section.
- (6) Each of the following must have regard to any guidance published under subsection (5)
 - (a) a chief officer of police for a police area;
 - (b) the chief constable of the British Transport Police Force;
 - (c) a local authority.

48 Supplemental

- (1) Rules of court may provide that any power conferred on a county court to grant, vary or discharge an injunction under this Part may be exercised by a judge or district judge of that court.

Status: This is the original version (as it was originally enacted).

- (2) Rules of court may provide that an appeal from a decision of the High Court or county court to which this subsection applies may be made without notice being given to the respondent.
- (3) Subsection (2) applies to a decision to refuse to grant an interim injunction under section 41.

49 Interpretation

- (1) In this Part—
 - “application without notice” has the meaning given by section 39(2);
 - “consultation requirement” has the meaning given by section 38(2);
 - “court” means the High Court or a county court;
 - “local authority” has the meaning given by section 37(2);
 - “relevant judge” has the meaning given by section 43(7);
 - “respondent” means the person in respect of whom an application for an injunction is made or (as the context requires) the person against whom such an injunction is granted;
 - “review hearing” has the meaning given by section 36(5);
 - “specify”, in relation to an injunction, means specify in the injunction;
 - “violence” includes violence against property.
- (2) Any reference in this Part to an injunction under this Part includes a reference to an interim injunction.

50 Review of operation of this Part

- (1) The Secretary of State must—
 - (a) review the operation of this Part, and
 - (b) prepare and publish a report on the outcome of the review.
- (2) The report must be published before the end of the period of 3 years beginning with the day on which this Part comes into force.
- (3) The Secretary of State must lay the report before Parliament.