



# Crime and Security Act 2010

## 2010 CHAPTER 17

### *Domestic violence*

#### **26 Breach of a domestic violence protection notice**

- (1) A person arrested by virtue of section 25(1)(b) for a breach of a DVPN must be held in custody and brought before the magistrates' court which will hear the application for the DVPO under section 27—
  - (a) before the end of the period of 24 hours beginning with the time of the arrest, or
  - (b) if earlier, at the hearing of that application.
- (2) If the person is brought before the court by virtue of subsection (1)(a), the court may remand the person.
- (3) If the court adjourns the hearing of the application by virtue of section 27(8), the court may remand the person.
- (4) In calculating when the period of 24 hours mentioned in subsection (1)(a) ends, Christmas Day, Good Friday, any Sunday and any day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 are to be disregarded.

#### **Commencement Information**

- I1** S. 26 coming into force (temp.) (30.6.2011 for specified police areas and policing divisions for a period of 12 months ending on 29.6.2012 so that the Secretary of State may assess the effectiveness of this provision) by [Crime and Security Act 2010 \(Domestic Violence: Pilot Schemes\) Order 2011 \(S.I. 2011/1440\)](#), [arts. 2, 3](#)
- I2** S. 26 coming into force (temp.) (7.10.2011 for specified police areas and policing divisions for a period ending on 29.6.2012 so that the Secretary of State may assess the effectiveness of this provision) by [The Crime and Security Act 2010 \(Domestic Violence: Pilot Schemes\) Order \(No. 2\) 2011 \(S.I. 2011/2279\)](#), [arts. 2, 3](#)
- I3** S. 26 in force at 30.6.2012 for specified purposes by [S.I. 2012/1615](#), [arts. 2, 3](#)

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**Changes to legislation:** *Crime and Security Act 2010, Section 26 is up to date with all changes known to be in force on or before 24 May 2023. 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) View outstanding changes*

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**I4** S. 26 in force at 8.3.2014 in so far as not already in force by [S.I. 2014/478](#), **art. 2(a)**

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**Changes and effects yet to be applied to :**

- s. 24-33 omitted by [2021 c. 17 s. 55\(1\)](#)