



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 3

DISPERSAL POWERS

36 Restrictions

- (1) A constable may not give a direction under section 35 to a person who appears to the constable to be under the age of 10.
- (2) A constable may not give a direction under section 35 that prevents the person to whom it is given having access to a place where the person lives.
- (3) A constable may not give a direction under section 35 that prevents the person to whom it is given attending at a place which the person is—
 - (a) required to attend for the purposes of the person's employment, or a contract of services to which the person is a party,
 - (b) required to attend by an obligation imposed by or under an enactment or by the order of a court or tribunal, or
 - (c) expected to attend for the purposes of education or training or for the purposes of receiving medical treatment,at a time when the person is required or expected (as the case may be) to attend there.
- (4) A constable may not give a direction to a person under section 35 if the person is one of a group of persons who are—
 - (a) engaged in conduct that is lawful under section 220 of the Trade Union and Labour Relations (Consolidation) Act 1992 (peaceful picketing), or
 - (b) taking part in a public procession of the kind mentioned in subsection (1) of section 11 of the Public Order Act 1986 in respect of which—
 - (i) written notice has been given in accordance with that section, or

Changes to legislation: *Anti-social Behaviour, Crime and Policing Act 2014, Section 36 is up to date with all changes known to be in force on or before 20 April 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) View outstanding changes*

- (ii) written notice is not required to be given as provided by subsections (1) and (2) of that section.
- (5) In deciding whether to give a direction under section 35 a constable must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention.

“Convention” has the meaning given by section 21(1) of the Human Rights Act 1998.

Commencement Information

II S. 36 in force at 20.10.2014 by [S.I. 2014/2590](#), **art. 3(b)**

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(2)(ba) inserted by [2022 c. 32 Sch. 11 para. 35\(2\)\(a\)](#)