

Crime and Policing Act 2026 Home Office Circular

Introduction

1. This circular is issued to inform the police and other relevant public authorities, of certain provisions of the Crime and Policing Act 2026 (“the Act”), which come into force on 29 June 2026. This circular does not constitute legal advice. It is not a statement of law and is not intended to provide a comprehensive description or interpretation of the provisions. The circular should be read alongside the Act and the accompanying explanatory notes, which can be found here: [Crime and Policing Act 2026](#).
2. Unless otherwise indicated, the provisions discussed in this circular extend to England and Wales only.

Background

3. The Act received Royal Assent on 29 April 2026. The Act itself provides for certain provisions to come into force either on Royal Assent or two months after Royal Assent. This circular details relevant provisions for which a commencement date has been set in the Act, and those which are to be commenced by regulations from 29 June 2026 (see the Crime and Policing Act 2026 (Commencement No. 1 and Saving Provision) Regulations 2026 (SI 2026/689)). The remaining provisions will be commenced by regulations in due course.

Seizure of Vehicles (Section 8).

Contact: contactPPU@homeoffice.gov.uk

4. Section 8 amends section 59 of the Police Reform Act 2002. Its effect is to repeal section 59(4) and (5) of that Act, thereby removing the need for a constable in uniform to issue a warning to a person using their vehicle in a manner causing alarm, distress or annoyance. This will make it easier and quicker for police to seize vehicles being used anti-socially.

Trespass and Begging Offences (Sections 11-12).

Contact: asblegislation@homeoffice.gov.uk

5. Sections 11 and 12 introduce new offences relating to trespass and facilitating begging for gain, providing the police with clearer and more effective powers to respond to harmful activity in public spaces. The measures replace provisions in the [Vagrancy Act 1824](#) which is also repealed with effect from 29 June 2026 (see Police, Crime, Sentencing and Courts Act 2022 (Commencement No. 9) Regulations 2026 (S 2026/690)).
6. In practice, these provisions enable the police to take action where individuals engage in persistent or harmful trespass and those who facilitate others begging, particularly where this is linked to anti-social behaviour or wider criminality. The offences are supported by proportionate enforcement powers

and safeguards, ensuring that action is targeted at harmful conduct while allowing appropriate discretion in individual circumstances.

Firearms (Section 44, Schedule 5)

Contact: Firearms.Weapons.Policy.Unit@homeoffice.gov.uk

7. Section 44 and Schedule 5 are concerned with the de-regulation of sound moderators and flash suppressors. These items were subject to control by virtue of the fact that they were included in the statutory definition of a firearm, set out in section 57 of the Firearms Act 1968 (the 1968 Act). Firearms licence holders with a legitimate need for these items were required to apply to the police to include them on their existing firearms licence, at a cost to both the police and the licence holder. Removing them from the legal definition of a firearm will alleviate the significant administrative burden on police firearms licencing departments who will no longer be required to process applications. It will benefit firearm certificate holders who will no longer be required to apply for, and pay for, a variation of their licence each time they acquire or dispose of a sound moderator, and it will also generate savings for Registered Firearms Dealers by removing the need to keep a record of transactions.
8. Subsection 44(2) adds a new section 2A to the 1968 Act creating a summary only offence of possessing a relevant accessory without having a valid firearm or shotgun certificate, or without an exemption applying. This ensures that these devices are held lawfully only by those with a legitimate purpose and who have been subject to full suitability checks to possess a firearm. A “relevant accessory” is defined as an accessory to a firearm to which section 1 applies which is designed or adapted to diminish the noise or flash caused by firing the firearm. The maximum penalty for the offence is a Level 3 fine.
9. The offence applies to section 1 firearms only. This is because the definition of a sound moderator in the 1968 Act related to the definition of a firearm in section 57 of the 1968 Act, but not to a shotgun or air weapon. Moderators for air weapons and shotguns can already be held without the need for a certificate and that will continue to be the case. If an air weapon moderator is fitted to a section 1 firearm and the owner does not have a firearm or shotgun certificate or without an exemption applying, they will not be in lawful possession of either.
10. Schedule 5 amends the provisions in the 1968 Act and the Firearms (Amendment) Act 1988 which allow a person to possess a firearm without holding a firearm or shotgun certificate. As set out in the Explanatory Notes, this will allow a person to possess a relevant accessory as well as a firearm without holding a certificate.
11. These measures extend and apply to England and Wales and Scotland.

Intimate Images and Online Pornography (Section 99)

Intimate Image Generators (Section 99)

12. Section 99 inserts new sections 66I, 66J, 66K, and 66L into the Sexual Offences Act 2003 Act, creating offences of making, adapting, supplying or offering to supply something for use as a generator of purported intimate images (that is, a “nudification” tool or app). This measure supplements other intimate image offences by targeting the making and supply of tools which facilitate intimate image offences.
13. The new section 66I offence is made out where a reasonable person having regard to all the circumstances would consider that the thing was made or supplied “for use as” a thing for creating, or facilitating the creation of, purported intimate images of a person. New section 66I(4) provides a defence where a person can prove that they took all reasonable steps to prevent the generator’s misuse to create, or facilitate the creation of, non-consensual intimate images. New section 66I(5) sets out the maximum penalty for this either way offence, which is three years’ imprisonment and/or an unlimited fine on indictment.
14. New section 66I(6) of the 2003 Act (in combination with section 99(4) of the Crime and Policing Act) ensures that section 72 of the 2003 Act, which provides for extraterritorial application, applies to new section 66I in relation to natural persons, bodies incorporated under UK law and unincorporated associations formed under UK law.
15. New section 66J provides further defences to the offence. These defences apply to people involved in law enforcement activities such as the prevention, investigation, and prosecution of crime, the exercise of any function of a security body (defined as the Security Service, Secret Intelligence Service, and GCHQ), and the exercise of any OFCOM online safety functions. Section 99(5) adds new section 66I to Schedule 3 to the 2003 Act, to apply the notification requirements in Part 2 of that Act to a person convicted of an offence under new section 66I and sentenced to imprisonment for a term of at least 12 months.

Public Order (Sections 157-169, Schedule 17)

Contact: contactPPU@homeoffice.gov.uk

Concealing identity at protests (Sections 157 to 159)

16. Sections 157 to 159 makes it is an offence to wear or use an item to conceal a person’s identity in a public place that has been designated by a senior police officer. An inspector (or above) may designate an area for up to 24 hours, if they reasonably believe a protest may or is taking place in the locality; the protest is likely to or has involved the commission of offences; and it is expedient to designate the area in order to prevent or limit the commission of offences.

Pyrotechnics at Protests (Section 160)

17. Section 160 makes it an offence to possess a pyrotechnic article while taking part in a protest in a public place. This offence only applies to those taking

part in a protest. But no offence is committed if a person is taking part in a cultural or religious event of a kind at which pyrotechnic articles are customarily used. Statutory defences include a reasonable excuse for having the article, and in particular, having the article for use in connection with work.

Climbing on Memorials (Section 161 and Schedule 17)

18. Section 161 makes it an offence for a person to climb on a specified memorial. Specified memorials are those listed in Schedule 17 to the Act, which includes certain war memorials, the statue of Sir Winston Churchill in Parliament Square, London, and the Holocaust Memorial Garden in Hyde Park, London. There is a statutory defence where the person had a good reason to climb on the memorial, was the owner or occupier of the memorial, or had the consent of the owner or occupier or other lawful authority to climb on it.

Protests outside public office holders homes (Section 162)

19. Section 162 creates a new offence whereby a person carries out a protest outside, or in the vicinity of, premises used by a public office holder as a dwelling. The protest must:
- a. be carried out for the purpose of representing to, or persuading, the public office-holder of something that they should or should not do or have done, and
 - b. be carried out because of, or in connection with, the public office-holder being a public office-holder.
20. The intent of this provision is to protect democratic participation and personal safety by preventing undue pressure at their private homes. Public office holders include all types of elected persons in England and Wales, peers in the House of Lords, and candidates to elected posts. This measure does not apply outside of public places which could also be used as a residence, such as No. 10 Downing Street, or the Houses of Parliament.

Interpretation of chapter (Section 163)

21. Section 163 provides interpretation of the terms “one-person protest”, “public assembly”, “public place” and “public procession”, with reference to the meanings for these terms given in the Public Order Act 1986.

Places of worship restrictions (Section 164)

22. Section 164 amends sections 12, 14 and 14ZA of the Public Order Act 1986 to enable conditions to be imposed on public processions, public assemblies and one-person protests, where a senior police officer reasonably believes the protest is in the vicinity of a place of worship and may intimidate persons of reasonable firmness so as to deter them from accessing the place of worship or from carrying out religious activities there. It remains an offence to breach conditions imposed under those sections.

Cumulative Disruption (Section 165)

23. Section 165 amends sections 12 and 14 of the Public Order Act 1986 to place a duty on a senior officer to take account of any relevant cumulative disruption when considering whether the serious disruption to the life of the community threshold is met, and if so, whether to impose conditions on a protest.
24. Relevant cumulative disruption means the cumulative disruption to the life of the community from any public procession or assembly that has taken place or is intended to take place in the same area. Sections 12 and 14 of the 1986 Act provide a non-exhaustive list of when a public procession or assembly may result in serious disruption to the life of the community, including where it may result in the significant delay to the delivery of a time-sensitive product to consumers of that product; or a prolonged disruption of access to any essential goods or any essential service, such as access to a place of worship or the supply of food and water. This applies regardless of whether the protests are organised by the same person, attended by any of the same people, or intended to occur at the same time. This measure does not allow the police to refuse permission for a procession on a particular day.

Senior police officer protest powers (Section 166)

25. Section 166 amends sections 12 and 14 of the Public Order Act 1986 so that, in relation to a public procession or public assembly, the powers of the senior police officer to impose conditions in sections 12(1) and 14(1), may also be exercised by a police officer authorised by a chief officer of police. The intention is to enable the Strategic (Gold) and Tactical (Silver) commanders to exercise these powers to impose conditions in addition to the most senior in rank of the police officers present at the scene.

Amendments relating to British Transport Police and Ministry of Defence Police (Section 167)

26. Section 167 extends certain existing public order powers to the British Transport Police (BTP) and Ministry of Defence Police (MDP). These include the ability for BTP to place conditions on protests at train stations, and to enable BTP and MDP officers require individuals to remove face coverings under section 60AA of the Criminal Justice and Public Order Act 1994. Additionally, it extends stop and search powers under section 60 of the 1994 Act to MDP.

Unauthorised Encampments (Section 168)

27. Section 168 amends provisions in the Criminal Justice and Public Order Act 1994, which provide powers to take action in relation to people residing on land without consent. These include powers to direct trespassers to leave land and seize vehicles. The amendment reduces the period during which a person directed to leave land must not return from twelve months to three months.

28. In May 2024, the High Court ruled that the twelve-month no-return period was incompatible with Article 8 and Article 14 of the European Convention on Human Rights because it placed a disproportionate burden on Gypsy, Roma and Traveller communities, in that the limited availability of authorised transit sites could result in individuals facing criminal penalties even where no lawful alternative accommodation was available. This amendment remedies the incompatibility with Convention rights. This includes amendments to sections 60C, 61, 62, 62B and 62C of the 1994 Act to substitute a three-month prohibited period.

Harassment of a person in their home (Section 169)

29. Section 169 broadens existing police powers so they can apply where people protest outside someone's home about something the person has already done. The key aim of this is to cover protests aimed at pressuring or criticising someone for past conduct where they should or should not have done or not done the issue protesters object to. This is applicable to both the section 42 power, and the section 42A offence in the Criminal Justice and Policing Act 2001.

DVLA Database Access (Section 181).

30. Section 181 replaces section 71 of the Criminal Justice and Court Services Act 2000. The replacement section 71 sets out who may be allowed to access driver licensing records held by the Driver and Vehicle Licensing Agency ("DVLA"). These people are described as "authorised persons" and include police officers, police staff and certain other law enforcement or oversight officials who need access to DVLA driver licensing information for policing or law enforcement work.

1 Authorised persons include:

2 A constable¹

3 A member of civilian police staff²

4 A police volunteer designated under section 38 of the Police Reform Act

5 An NCA officer

6 A member, or member of staff of the Independent Office for Police Conduct

7 A member of staff of the Police Investigations and Review Commissioner

8 A member of staff of the Police Ombudsman for Northern Ireland

9 A member of a service police force or person under the direction and control of a Provost Marshal

10 A person appointed as an investigating officer by, or a member of staff of the Service Police Complaints Commissioner

11 A member of an Island police force³

12 Other law enforcement officials in the Crown Dependencies

13 A member of the Royal Gibraltar Police

¹ Constable covers officers and staff from all UK territorial police forces and specialist police forces

² Police staff covers staff working for all UK territorial police forces and specialist police forces.

³ Island police force covers the police forces of Guernsey, Jersey and the Isle of Man.

a. A member of the Gibraltar Defence Police.

31. The information being provided is defined as information held by the Secretary of State for the purposes laid out in Part 3 of the Road Traffic Act 1988. Such information includes, in relation to each driver, their name and address, date and country of birth, photograph, signature, entitlement, endorsements, convictions and any relevant medical information that may affect their ability to drive.
32. Before this change, driver licensing information provided automatically could only be used for road traffic matters. Section 181 allows the Government to make regulations so that the information can also be used for wider policing and law enforcement purposes. It also makes clear that the information cannot be used for general administrative purposes. This is intended to give police and law enforcement bodies better access to information where it is needed for operational work, while also putting clearer controls around that access.
33. Section 181 also strengthens governance alongside the expanded capability. In addition to requiring regulations to set out the operational framework for authorisation and access, it also provides for a statutory code of practice covering the receipt and use of DVLA driver licensing information. Together, the regulations and the code of practice are intended to provide clearer, more consistent controls around how DVLA data is accessed and used across policing and law enforcement, thereby supporting operational effectiveness while strengthening accountability and safeguards.
34. Driver information regulations made under powers in section 181 set out the circumstances in which driver licensing information may be made available and the conditions that must be met before access is given. They may also deal with onward sharing by an authorised person and may specify information that must not be made available. The Department aims to make driver information regulations in the autumn and a further Home Office circular will issue to accompany the coming into force of the regulations.
35. The Secretary of State intends to use the power to issue a code of practice on the receipt and use of information provided under section 71. The code will support effective governance by explaining how police and law enforcement bodies should handle the information, helping to ensure that access is properly controlled, recorded and used only for appropriate policing and law enforcement purposes.
36. The Secretary of State is required to publish an annual report about the use of information made available under section 71.
37. Section 181 applies across England and Wales, Scotland and Northern Ireland.

Conditional Cautions for foreign national offenders (Section 188).

Contact: CriminalityPolicyGuidanceQueries@homeoffice.gov.uk

38. Section 188 enables foreign national offender conditional cautions to be given to foreign national offenders with limited leave to enter or remain in the UK.
39. Previously foreign national offenders could only be given a foreign national offender conditional caution to secure their removal from the UK if they did not have any existing leave to enter or remain here.
40. This section extends the pool of persons to whom a foreign national offender conditional caution can be given with a view to securing the removal from the UK of more foreign nationals who commit crimes.

Proceeds of Crime (Sections 189(1), 190, Schedule 21)

Contact: hoconfiscationteam@homeoffice.gov.uk

Confiscation (Section 189(1) and Schedule 21)

41. Section 189(1) introduces Schedule 21 which reforms the confiscation regime in respect of England and Wales by amending the Proceeds of Crime Act 2002 (POCA). Paragraph 1 of the Schedule inserts section 5A into POCA which defines the principal objective for which confiscation powers under Part 2 of POCA may be exercised. It defines the principal objective of the use of powers in Part 2 as 'to deprive the defendant of the defendant's benefit from criminal conduct, so far as within the defendant's means'. Parts 2 and 3 of the Schedule provide further clarity to existing POCA provisions regarding the calculation of benefit and the defendant's means. Parts 4 and 5 of the Schedule ensure that victim compensation is prioritised under POCA, by ensuring priority orders are paid first in all cases and providing for additional compensation to be paid where a confiscation order is varied upwards. Part 6 introduces Early Resolution of Confiscation (ERO) meetings and hearings, a formalisation of existing practice of agreeing confiscation orders prior to the confiscation hearing. ERO should enable the fast-tracking of orders or the narrowing of issues in dispute, saving court time and reducing the need for lengthy enforcement. Part 9 of the Schedule sets out a series of considerations for the court when making and varying a restraint order, clarifying the process and the defendant's rights. Finally, Part 11 consolidates the existing appeal rights for clarity. Additional operational guidance will be published on these measures.

Cost Protections (Section 190)

42. Part 12 of the Act reforms the proceeds of crime regime and the treatment of other property connected with criminal behaviour. Section 190 inserts new section 288A into Part 5 of POCA, providing protections for enforcement authorities against adverse costs orders in civil recovery proceedings before the High Court (or adverse expenses in the Court of Session in Scotland).

43. Under the new provision, enforcement authorities will not be required to pay costs or expenses unless they have acted unreasonably, dishonestly, or improperly, or where it is otherwise reasonable to make such an order; the threshold for doing so is high. The changes do not have retrospective effect.

Police Integrity (Sections 199)

IOPC Victims Right to Review (Section 199)

44. Section 199 amends Schedule 3 to the Police Reform Act 2002 to insert new paragraph 23A. This places the Independent Office for Police Conduct's (IOPC's) victims' right to review scheme on a statutory footing. Under the scheme, the Director General of the IOPC must take reasonable steps to give every "relevant victim" (or person acting on such a victim's behalf) the opportunity to request, within "the relevant period", a review of a proposed decision not to refer a case to the CPS following an IOPC investigation involving potential criminal conduct. New paragraph 23A(3) of Schedule 3 to the 2002 Act defines "the relevant period" and "relevant victim."

Counter Terrorism and National Security (Sections 232-233, 237)

Contact: ctpursueenquiries@homeoffice.gov.uk

Prevention of terrorism and state threats: weapons (Section 232)

45. The Terrorism Prevention and Investigations Measures (TPIM) Act 2011 supports the management of those involved in terrorism-related activity who cannot be prosecuted to prevent them carrying out further terrorist-related activity. The measures that can be imposed under a TPIM include a prohibition on owning guns, offensive weapons or explosives. The TPIM Act 2011 defined offensive weapons as "an article made or adapted for use for causing injury to the person, or intended by the person in possession for it for such use (by that person or another)".
46. The Act has broadened the definition of offensive weapons and gives the Home Secretary the power to prohibit possession of any item which could be used to cause injury. This specifically includes corrosive substances (as defined in the Offensive Weapons Act 2019) and motor vehicles. This will support operational partners to manage the risk from those involved in terrorism-related activity, by further limiting their access to bladed articles and other articles capable of being used as weapon. An equivalent amendment has also been made to the State Threats Prevention and Investigation Measures (STPIM) regime.

Offence of wearing of displaying articles in support of proscribed organisation (Section 233)

47. Section 13(1) of the Terrorism Act 2000 (TACT 2000) makes it an offence for a person in a public place to wear, carry or display articles in such a way or circumstances as to arouse reasonable suspicion that the person is a member or supporter of a proscribed organisation.

48. Section 233 of this Act replicates the offence for conduct taking place in prisons and other relevant premises as defined in the Act.
49. Section 13(4) of TACT 2000 enables a constable to seize articles reasonably suspected of being evidence of the offence under section 13(1), and where they are satisfied that it is necessary to do so to prevent the evidence being concealed, lost, altered or destroyed.
50. Section 233 of this Act expands this seizure power to make it available to police in cases where they are satisfied the article is evidence of an offence under section 13(1) of TACT 2000, but where it is otherwise necessary to seize it to prevent the item or article from continuing to be displayed. This allows the police to seize such items or articles where there is no person connected with the relevant article and therefore where there is no reasonable prospect of using the article as evidence in proceedings against an individual for the offence. Section 233 also introduces a new destruction power for the police to destroy such articles, which would only be used where the article is not necessary to retain for the purpose of criminal proceedings.

Terrorism Offences excepted from defence for slavery or trafficking victims (Section 237)

51. Section 45 of the Modern Slavery Act 2015 (a defence for slavery or trafficking victims) applied to a number of terrorism offences, as specified in Schedule 4 to the 2015 Act. Section 237 of this Act amends Schedule 4 to expand the list of terrorism offences excepted from defence for slavery or trafficking victims. The result is that any terrorism offence with a penalty of at least two years imprisonment is no longer eligible for the defence. Section 237 only applies to offences committed after this section came into force (29 June 2026). Consequently, any terrorism offence which was not previously listed in Schedule 4 to the 2015 Act before the commencement of section 237, and was committed before 29 June 2026, is eligible for the defence under section 45.

Identification Doctrine (Section 250)

52. The identification doctrine (also known as Corporate Criminal Liability) is the legal test for deciding whether the actions and state of mind of a corporate body can be regarded as those of a natural person. The common law concept of Corporate Criminal Liability is concerned with how criminal liability is attributed to corporations: i.e., how to hold a company to account for a criminal offence. Previously, for most offences a company is subject to criminal liability through the “identification principle”, which concerns the acts/omissions of its “directing mind”. Those who could constitute a “directing mind” of a company were limited and uncertain. There had been criticism of the suitability of this concept for prosecuting large institutions because it is difficult to know who had the “directing mind and will” when the wrongdoing occurred.

53. Given the concerns about how Corporate Criminal Liability was working, in 2020 the Law Commission was asked by the Ministry of Justice, Home Office, Attorney General's Office and the Department for Business and Trade (or Business, Energy and Industrial Strategy as it was then known as) to review this area and provide an options paper. It recommended replacing the common law doctrine with statutory provisions, so that fault is attributed to a corporation if a member of the corporation's senior management engaged in, consented to, or connived in the offence.
54. These recommendations were implemented in the Economic Crime and Corporate Transparency Act 2023. That Act makes provision for corporate liability where a senior manager commits an offence while acting in the scope of their actual or apparent authority, but in relation to economic crime offences only. Although this addressed shortcomings in corporate liability laws in a significant number of cases, the then government acknowledged during the passage of the 2023 Act that wider reform is required to introduce corporate liability for all crimes.
55. Section 250 of the Crime and Policing Act 2026 makes provision for corporate liability where a senior manager commits an offence while acting in the scope of their actual or apparent authority, for all crimes. This replaces the provisions in Economic Crime Corporate Transparency Act 2023 which are confined to economic crimes.
56. The Act adopts the definition of "senior manager" as provided in the Corporate Manslaughter and Corporate Homicide Act 2007. This definition looks at what the senior manager's roles and responsibilities are within the organisation – the level of managerial influence they might exert – rather than their job title. It covers instances where the senior manager is a person who plays a significant role in the making of decisions about the whole or a substantial part of the activities of the body corporate.
57. This has the advantage of providing greater clarity on the parameters of the legal test in respect of corporate liability for non-economic crimes and will also bring the law up to date to reflect modern company structures where directing minds are spread across different functions of a business. It will enable prosecutions to progress in more cases of non-economic crimes where senior level employees who do exert decision-making power are found to be involved in the offending.
58. The company will be criminally convicted and receive a fine, in addition to any sentences imposed for individuals who are also found guilty of the same offence(s).
59. The maximum fine will depend on the particular offence charged, but for most serious crimes an unlimited fine will be available.
60. The provision applies to senior managers of a body corporate, or partnership when they are acting within their actual or apparent scope of their authority, commit an offence under the law of England, Wales, Scotland or Northern

Ireland. The provision therefore applies UK wide. It does not apply, however, where all of the conduct constituting the offence occurs outside of the UK and the organisation could not be prosecuted for the offence under the relevant extraterritorial jurisdiction provisions if the organisation (rather than the senior manager) had committed the relevant conduct.

Home Office
26 June 2026