



Public Order Act 1986

1986 CHAPTER 64

PART II

PROCESSIONS AND ASSEMBLIES

11 Advance notice of public processions.

- (1) Written notice shall be given in accordance with this section of any proposal to hold a public procession intended—
 - (a) to demonstrate support for or opposition to the views or actions of any person or body of persons,
 - (b) to publicise a cause or campaign, or
 - (c) to mark or commemorate an event,unless it is not reasonably practicable to give any advance notice of the procession.
- (2) Subsection (1) does not apply where the procession is one commonly or customarily held in the police area (or areas) in which it is proposed to be held or is a funeral procession organised by a funeral director acting in the normal course of his business.
- (3) The notice must specify the date when it is intended to hold the procession, the time when it is intended to start it, its proposed route, and the name and address of the person (or of one of the persons) proposing to organise it.
- (4) Notice must be delivered to a police station—
 - (a) in the police area in which it is proposed the procession will start, or
 - (b) where it is proposed the procession will start in Scotland and cross into England, in the first police area in England on the proposed route.
- (5) If delivered not less than 6 clear days before the date when the procession is intended to be held, the notice may be delivered by post by the recorded delivery service; but section 7 of the ^{M1}Interpretation Act 1978 (under which a document sent by post is deemed to have been served when posted and to have been delivered in the ordinary course of post) does not apply.

Status: Point in time view as at 28/06/2022.

Changes to legislation: Public Order Act 1986, Part II is up to date with all changes known to be in force on or before 13 July 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)

- (6) If not delivered in accordance with subsection (5), the notice must be delivered by hand not less than 6 clear days before the date when the procession is intended to be held or, if that is not reasonably practicable, as soon as delivery is reasonably practicable.
- (7) Where a public procession is held, each of the persons organising it is guilty of an offence if—
- (a) the requirements of this section as to notice have not been satisfied, or
 - (b) the date when it is held, the time when it starts, or its route, differs from the date, time or route specified in the notice.
- (8) It is a defence for the accused to prove that he did not know of, and neither suspected nor had reason to suspect, the failure to satisfy the requirements or (as the case may be) the difference of date, time or route.
- (9) To the extent that an alleged offence turns on a difference of date, time or route, it is a defence for the accused to prove that the difference arose from circumstances beyond his control or from something done with the agreement of a police officer or by his direction.
- (10) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Marginal Citations

M1 1978 c. 30.

12 Imposing conditions on public processions.

- (1) If the senior police officer, having regard to the time or place at which and the circumstances in which any public procession is being held or is intended to be held and to its route or proposed route, reasonably believes that—
- (a) it may result in serious public disorder, serious damage to property or serious disruption to the life of the community,
 - [^{F1}(aa) in the case of a procession in England and Wales, the noise generated by persons taking part in the procession may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the procession,
 - (ab) in the case of a procession in England and Wales—
 - (i) the noise generated by persons taking part in the procession may have a relevant impact on persons in the vicinity of the procession, and
 - (ii) that impact may be significant, or]
 - (b) the purpose of the persons organising it is the intimidation of others with a view to compelling them not to do an act they have a right to do, or to do an act they have a right not to do,

he may give directions imposing on the persons organising or taking part in the procession such conditions as appear to him necessary to prevent such disorder, damage, disruption [^{F2}, impact] or intimidation, including conditions as to the route of the procession or prohibiting it from entering any public place specified in the directions.

- (2) In subsection (1) “the senior police officer” means—

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- (a) in relation to a procession being held, or to a procession intended to be held in a case where persons are assembling with a view to taking part in it, the most senior in rank of the police officers present at the scene, and
 - (b) in relation to a procession intended to be held in a case where paragraph (a) does not apply, the chief officer of police.
- [^{F3}(2A) For the purposes of subsection (1)(a), the cases in which a public procession in England and Wales may result in serious disruption to the life of the community include, in particular, where—
- (a) it may result in a significant delay to the delivery of a time-sensitive product to consumers of that product, or
 - (b) it may result in a prolonged disruption of access to any essential goods or any essential service, including, in particular, access to—
 - (i) the supply of money, food, water, energy or fuel,
 - (ii) a system of communication,
 - (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.
- (2B) In subsection (2A)(a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them.
- (2C) For the purposes of subsection (1)(aa), the cases in which the noise generated by persons taking part in a public procession may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the procession include, in particular, where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry on in that vicinity the activities or any one of them.
- (2D) For the purposes of subsection (1)(ab)(i), the noise generated by persons taking part in a public procession may have a relevant impact on persons in the vicinity of the procession if—
- (a) it may result in the intimidation or harassment of persons of reasonable firmness with the characteristics of persons likely to be in the vicinity, or
 - (b) it may cause such persons to suffer alarm or distress.
- (2E) In considering for the purposes of subsection (1)(ab)(ii) whether the noise generated by persons taking part in a public procession may have a significant impact on persons in the vicinity of the procession, the senior police officer must have regard to—
- (a) the likely number of persons of the kind mentioned in paragraph (a) of subsection (2D) who may experience an impact of the kind mentioned in paragraph (a) or (b) of that subsection,
 - (b) the likely duration of that impact on such persons, and
 - (c) the likely intensity of that impact on such persons.]
- (3) A direction given by a chief officer of police by virtue of subsection (2)(b) shall be given in writing.
- (4) [^{F4}Subject to subsection (5A), a person] who organises a public procession and ^{F5}... fails to comply with a condition imposed under this section is guilty of an offence,

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but it is a defence for him to prove that the failure arose from circumstances beyond his control.

- (5) [^{F6}Subject to subsection (5A), a person] who takes part in a public procession and ^{F7} ... fails to comply with a condition imposed under this section is guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.
- [^{F8}(5A) A person is guilty of an offence under subsection (4) or (5) only if—
- (a) in the case of a public procession in England and Wales, at the time the person fails to comply with the condition the person knows or ought to know that the condition has been imposed;
 - (b) in the case of a public procession in Scotland, the person knowingly fails to comply with the condition.]
- (6) A person who incites another to commit an offence under subsection (5) is guilty of an offence.
- (7) ^{F9}.....
- [^{F10}(8) A person guilty of an offence under subsection (4) is liable on summary conviction—
- (a) in the case of a public procession in England and Wales, to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 4 on the standard scale or both;
 - (b) in the case of a public procession in Scotland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.]
- [^{F10}(9) A person guilty of an offence under subsection (5) is liable on summary conviction—
- (a) in the case of a public procession in England and Wales, to a fine not exceeding level 4 on the standard scale;
 - (b) in the case of a public procession in Scotland, to a fine not exceeding level 3 on the standard scale.]
- [^{F10}(10) A person guilty of an offence under subsection (6) is liable on summary conviction—
- (a) in the case of a public procession in England and Wales, to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 4 on the standard scale or both;
 - (b) in the case of a public procession in Scotland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.]
- [^{F10}(10A) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales), the references in subsections (8)(a) and to (10)(a) to 51 weeks are to be read as references to 6 months.]
- (11) In Scotland this section applies only in relation to a procession being held, and to a procession intended to be held in a case where persons are assembling with a view to taking part in it.
- [^{F11}(12) The Secretary of State may by regulations amend any of subsections (2A) to (2C) for the purposes of making provision about the meaning for the purposes of this section of—

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- (a) serious disruption to the activities of an organisation which are carried on in the vicinity of a public procession, or
 - (b) serious disruption to the life of the community.
- (13) Regulations under subsection (12) may, in particular, amend any of those subsections for the purposes of—
- (a) defining any aspect of an expression mentioned in subsection (12)(a) or (b) for the purposes of this section;
 - (b) giving examples of cases in which a public procession is or is not to be treated as resulting in—
 - (i) serious disruption to the activities of an organisation which are carried on in the vicinity of the procession, or
 - (ii) serious disruption to the life of the community.
- (14) Regulations under subsection (12)—
- (a) are to be made by statutory instrument;
 - (b) may apply only in relation to public processions in England and Wales;
 - (c) may make incidental, supplementary, consequential, transitional, transitory or saving provision, including provision which makes consequential amendments to this Part.
- (15) A statutory instrument containing regulations under subsection (12) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.]

Textual Amendments

- F1** S. 12(1)(aa)(ab) substituted (28.6.2022) for word by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 73(2)(a)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))
- F2** Word in s. 12(1) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 73(2)(b)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))
- F3** S. 12(2A)-(2E) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 73(3)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))
- F4** Words in s. 12(4) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 75(3)(a)**, 208(1); S.I. 2022/520, reg. 5(i)
- F5** Word in s. 12(4) omitted (28.6.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 75(3)(b)**, 208(1); S.I. 2022/520, reg. 5(i)
- F6** Words in s. 12(5) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 75(4)(a)**, 208(1); S.I. 2022/520, reg. 5(i)
- F7** Word in s. 12(5) omitted (28.6.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 75(4)(b)**, 208(1); S.I. 2022/520, reg. 5(i)
- F8** S. 12(5A) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 75(5)**, 208(1); S.I. 2022/520, reg. 5(i)
- F9** S. 12(7) repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 174(2), 178(8), Sch. 7 para. 26(6), **Sch 17 Pt. 2**; S.I. 2005/3495, **art. 2(m)(u)(xxvi)**
- F10** S. 12(8)-(10A) substituted for s. 12(8)-(10) (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 75(6)**, 208(1) (with s. 75(12)); S.I. 2022/520, **reg. 5(i)**
- F11** S. 12(12)-(15) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 73(4)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))

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13 Prohibiting public processions.

- (1) If at any time the chief officer of police reasonably believes that, because of particular circumstances existing in any district or part of a district, the powers under section 12 will not be sufficient to prevent the holding of public processions in that district or part from resulting in serious public disorder, he shall apply to the council of the district for an order prohibiting for such period not exceeding 3 months as may be specified in the application the holding of all public processions (or of any class of public procession so specified) in the district or part concerned.
- (2) On receiving such an application, a council may with the consent of the Secretary of State make an order either in the terms of the application or with such modifications as may be approved by the Secretary of State.
- (3) Subsection (1) does not apply in the City of London or the metropolitan police district.
- (4) If at any time the Commissioner of Police for the City of London or the Commissioner of Police of the Metropolis reasonably believes that, because of particular circumstances existing in his police area or part of it, the powers under section 12 will not be sufficient to prevent the holding of public processions in that area or part from resulting in serious public disorder, he may with the consent of the Secretary of State make an order prohibiting for such period not exceeding 3 months as may be specified in the order the holding of all public processions (or of any class of public procession so specified) in the area or part concerned.
- (5) An order made under this section may be revoked or varied by a subsequent order made in the same way, that is, in accordance with subsections (1) and (2) or subsection (4), as the case may be.
- (6) Any order under this section shall, if not made in writing, be recorded in writing as soon as practicable after being made.
- (7) A person who organises a public procession the holding of which he knows is prohibited by virtue of an order under this section is guilty of an offence.
- (8) A person who takes part in a public procession the holding of which he knows is prohibited by virtue of an order under this section is guilty of an offence.
- (9) A person who incites another to commit an offence under subsection (8) is guilty of an offence.
- (10) ^{F12}
- (11) A person guilty of an offence under subsection (7) is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.
- (12) A person guilty of an offence under subsection (8) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (13) A person guilty of an offence under subsection (9) is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both ^{F13}

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Textual Amendments

- F12** S. 13(10) repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 174(2), 178(8), Sch. 7 para. 26(7), [Sch 17 Pt. 2](#); S.I. 2005/3495, [art. 2\(m\)\(u\)\(xxvi\)](#)
- F13** Words in s. 13(13) omitted (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), ss. 63(1)(2), 94(1), [Sch. 6 para. 58\(3\)\(b\)](#) (with [Sch. 13 para. 5](#)); S.I. 2008/2504, [art. 2\(a\)](#)

14 Imposing conditions on public assemblies.

(1) [^{F14}Subsection (1A) applies if] the senior police officer, having regard to the time or place at which and the circumstances in which any public assembly is being held or is intended to be held, reasonably believes that—

(a) it may result in serious public disorder, serious damage to property or serious disruption to the life of the community,

[^{F15}(aa) in the case of an assembly in England and Wales, the noise generated by persons taking part in the assembly may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the assembly,

(ab) in the case of an assembly in England and Wales—

(i) the noise generated by persons taking part in the assembly may have a relevant impact on persons in the vicinity of the assembly, and

(ii) that impact may be significant, or]

(b) the purpose of the persons organising it is the intimidation of others with a view to compelling them not to do an act they have a right to do, or to do an act they have a right not to do,

^{F16} ...

[^{F17}(1A) The senior police officer may give directions imposing on the persons organising or taking part in the assembly—

(a) in the case of an assembly in England and Wales, such conditions as appear to the officer necessary to prevent the disorder, damage, disruption, impact or intimidation mentioned in subsection (1);

(b) in the case of an assembly in Scotland, such conditions as to the place at which the assembly may be (or continue to be) held, its maximum duration, or the maximum number of persons who may constitute it, as appear to the officer necessary to prevent the disorder, damage, disruption or intimidation mentioned in subsection (1)(a) or (b).]

(2) In [^{F18}this section] “the senior police officer” means—

(a) in relation to an assembly being held, the most senior in rank of the police officers present at the scene, and

(b) in relation to an assembly intended to be held, the chief officer of police.

[^{F19}(2A) For the purposes of subsection (1)(a), the cases in which a public assembly in England and Wales may result in serious disruption to the life of the community include, in particular, where—

(a) it may result in a significant delay to the supply of a time-sensitive product to consumers of that product, or

(b) it may result in a prolonged disruption of access to any essential goods or any essential service, including, in particular, access to—

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- (i) the supply of money, food, water, energy or fuel,
 - (ii) a system of communication,
 - (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.
- (2B) In subsection (2A)(a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them.
- (2C) For the purposes of subsection (1)(aa), the cases in which the noise generated by persons taking part in a public assembly may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the assembly include, in particular, where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry on in that vicinity the activities or any one of them.
- (2D) For the purposes of subsection (1)(ab)(i), the noise generated by persons taking part in an assembly may have a relevant impact on persons in the vicinity of the assembly if—
- (a) it may result in the intimidation or harassment of persons of reasonable firmness with the characteristics of persons likely to be in the vicinity, or
 - (b) it may cause such persons to suffer alarm or distress.
- (2E) In considering for the purposes of subsection (1)(ab)(ii) whether the noise generated by persons taking part in an assembly may have a significant impact on persons in the vicinity of the assembly, the senior police officer must have regard to—
- (a) the likely number of persons of the kind mentioned in paragraph (a) of subsection (2D) who may experience an impact of the kind mentioned in paragraph (a) or (b) of that subsection,
 - (b) the likely duration of that impact on such persons, and
 - (c) the likely intensity of that impact on such persons.]
- (3) A direction given by a chief officer of police by virtue of subsection (2)(b) shall be given in writing.
- (4) [^{F20}Subject to subsection (5A), a person] who organises a public assembly and ^{F21}... fails to comply with a condition imposed under this section is guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.
- (5) [^{F22}Subject to subsection (5A), a person] who takes part in a public assembly and ^{F23}... fails to comply with a condition imposed under this section is guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.
- [^{F24}(5A) A person is guilty of an offence under subsection (4) or (5) only if—
- (a) in the case of a public assembly in England and Wales, at the time the person fails to comply with the condition the person knows or ought to know that the condition has been imposed;
 - (b) in the case of a public assembly in Scotland, the person knowingly fails to comply with the condition.]

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- (6) A person who incites another to commit an offence under subsection (5) is guilty of an offence.
- (7) ^{F25}
- [^{F26}(8) A person guilty of an offence under subsection (4) is liable on summary conviction—
- (a) in the case of a public assembly in England and Wales, to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 4 on the standard scale or both;
 - (b) in the case of a public assembly in Scotland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.]
- [^{F26}(9) A person guilty of an offence under subsection (5) is liable on summary conviction—
- (a) in the case of a public assembly in England and Wales, to a fine not exceeding level 4 on the standard scale;
 - (b) in the case of a public assembly in Scotland, to a fine not exceeding level 3 on the standard scale.]
- [^{F26}(10) A person guilty of an offence under subsection (6) is liable on summary conviction—
- (a) in the case of a public assembly in England and Wales, to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 4 on the standard scale or both;
 - (b) in the case of a public assembly in Scotland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.]
- [^{F26}(10A) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales), the references in subsections (8)(a) and to (10)(a) to 51 weeks are to be read as references to 6 months.]
- [^{F27}(11) The Secretary of State may by regulations amend any of subsections (2A) to (2C) for the purposes of making provision about the meaning for the purposes of this section of—
- (a) serious disruption to the activities of an organisation which are carried on in the vicinity of a public assembly, or
 - (b) serious disruption to the life of the community.
- (12) Regulations under subsection (11) may, in particular, amend any of those subsections for the purposes of—
- (a) defining any aspect of an expression mentioned in subsection (11)(a) or (b) for the purposes of this section;
 - (b) giving examples of cases in which a public assembly is or is not to be treated as resulting in—
 - (i) serious disruption to the activities of an organisation which are carried on in the vicinity of the assembly, or
 - (ii) serious disruption to the life of the community.
- (13) Regulations under subsection (11)—
- (a) are to be made by statutory instrument;
 - (b) may apply only in relation to public assemblies in England and Wales;

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Changes to legislation: Public Order Act 1986, Part II is up to date with all changes known to be in force on or before 13 July 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)

- (c) may make incidental, supplementary, consequential, transitional, transitory or saving provision, including provision which makes consequential amendments to this Part.
- (14) A statutory instrument containing regulations under subsection (11) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.]

Textual Amendments

- F14** Words in s. 14(1) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 74(2)(a)**, 208(1); S.I. 2022/520, reg. 5(i)
- F15** S. 14(1)(aa)(ab) substituted (28.6.2022) for word by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 74(2)(b)**, 208(1); S.I. 2022/520, reg. 5(i)
- F16** Words in s. 14(1) omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 74(2)(c)**, 208(1); S.I. 2022/520, reg. 5(i)
- F17** S. 14(1A) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 74(3)**, 208(1); S.I. 2022/520, reg. 5(i)
- F18** Words in s. 14(2) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 74(4)**, 208(1); S.I. 2022/520, reg. 5(i)
- F19** S. 14(2A)-(2E) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 74(5)**, 208(1); S.I. 2022/520, reg. 5(i)
- F20** Words in s. 14(4) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(8)(a)**, 208(1); S.I. 2022/520, reg. 5(i)
- F21** Word in s. 14(4) omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(8)(b)**, 208(1); S.I. 2022/520, reg. 5(i)
- F22** Words in s. 14(5) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(9)(a)**, 208(1); S.I. 2022/520, reg. 5(i)
- F23** Word in s. 14(5) omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(9)(b)**, 208(1); S.I. 2022/520, reg. 5(i)
- F24** S. 14(5A) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(10)**, 208(1); S.I. 2022/520, reg. 5(i)
- F25** S. 14(7) repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 111, 174(2), 178(8), Sch. 7 para. 26(8), **Sch 17 Pt. 2**; S.I. 2005/3495, **art. 2(m)(u)(xxvi)**
- F26** S. 14(8)-(10A) substituted for s. 14(8)-(10) (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(11)**, 208(1) (with s. 75(12)); S.I. 2022/520, **reg. 5(i)**
- F27** S. 14(11)-(14) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 74(6)**, 208(1); S.I. 2022/520, reg. 5(i)

Modifications etc. (not altering text)

- C1** S. 14 excluded (E.W.) (1.8.2005) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 132(6)**, 178(8); S.I. 2005/1521, **art. 4(1)**

[^{F28}14ZA] Imposing conditions on one-person protests

- (1) Subsection (2) applies if the senior police officer, having regard to the time or place at which and the circumstances in which any one-person protest in England and Wales is being carried on or is intended to be carried on, reasonably believes—
- (a) that the noise generated by the person carrying on the protest may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the protest, or
 - (b) that—

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- (i) the noise generated by the person carrying on the protest may have a relevant impact on persons in the vicinity of the protest, and
 - (ii) that impact may be significant.
- (2) The senior police officer may give directions imposing on the person organising or carrying on the protest such conditions as appear to the officer necessary to prevent such disruption or impact.
- (3) Where the one-person protest is moving, or is intended to move, from place to place—
 - (a) the senior police officer must also have regard under subsection (1) to its route or proposed route, and
 - (b) the conditions which may be imposed under subsection (2) include conditions as to the route of the protest or prohibiting the person carrying on the protest from entering any public place specified in the direction while the person is carrying it on.
- (4) In this section “one-person protest” means a protest which, at any one time, is carried on by one person in a public place.
- (5) In this section “the senior police officer” means—
 - (a) in relation to a one-person protest being held or to a one-person protest intended to be held in a case where a person is in a place with a view to carrying on such a protest, the most senior in rank of the police officers present at the scene, and
 - (b) in relation to a one-person protest intended to be held in a case where paragraph (a) does not apply, the chief officer of police.
- (6) For the purposes of subsection (1)(a), the cases in which the noise generated by a person taking part in a one-person protest may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the protest include, in particular, where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry on in that vicinity the activities or any one of them.
- (7) For the purposes of subsection (1)(b)(i), the noise generated by a person carrying on a one-person protest may have a relevant impact on persons in the vicinity of the protest if—
 - (a) it may result in the intimidation or harassment of persons of reasonable firmness with the characteristics of persons likely to be in the vicinity, or
 - (b) it may cause such persons to suffer alarm or distress.
- (8) In considering for the purposes of subsection (1)(b)(ii) whether the noise generated by a person carrying on a one-person protest may have a significant impact on persons in the vicinity of the protest, the senior police officer must have regard to—
 - (a) the likely number of persons of the kind mentioned in paragraph (a) of subsection (7) who may experience an impact of the kind mentioned in paragraph (a) or (b) of that subsection,
 - (b) the likely duration of that impact on such persons, and
 - (c) the likely intensity of that impact on such persons.
- (9) A direction given by a chief officer of police by virtue of subsection (5)(b) must be given in writing.
- (10) A person (“P”) is guilty of an offence if—

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- (a) P organises or carries on a one-person protest,
 - (b) P fails to comply with a condition imposed under this section, and
 - (c) at the time P fails to comply with the condition, P knows or ought to know that the condition has been imposed.
- (11) It is a defence for a person charged with an offence under subsection (10) to prove that the failure arose from circumstances beyond the person's control.
- (12) A person who incites another to commit an offence under subsection (10) is guilty of an offence.
- (13) A person guilty of an offence under subsection (10) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (14) A person guilty of an offence under subsection (12) is liable on summary conviction to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 4 on the standard scale or both.
- (15) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales), the reference in subsection (14) to 51 weeks is to be read as a reference to 6 months.
- (16) The Secretary of State may by regulations amend subsection (6) for the purposes of making provision about the meaning for the purposes of this section of serious disruption to the activities of an organisation which are carried on in the vicinity of a one-person protest.
- (17) Regulations under subsection (16) may, in particular, amend that subsection for the purposes of—
- (a) defining any aspect of that expression for the purposes of this section;
 - (b) giving examples of cases in which a one-person protest is or is not to be treated as resulting in serious disruption to the activities of an organisation which are carried on in the vicinity of the protest.
- (18) Regulations under subsection (16)—
- (a) are to be made by statutory instrument;
 - (b) may make incidental, supplementary, consequential, transitional, transitory or saving provision, including provision which makes consequential amendments to this Part.
- (19) A statutory instrument containing regulations under subsection (16) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.]

Textual Amendments

F28 S. 14ZA inserted (E.W.) (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 79\(1\)](#), [208\(1\)](#); [S.I. 2022/520](#), [reg. 5\(j\)](#)

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[^{F29}14A Prohibiting trespassory assemblies.

- (1) If at any time the chief officer of police reasonably believes that an assembly is intended to be held in any district at a place on land to which the public has no right of access or only a limited right of access and that the assembly—
 - (a) is likely to be held without the permission of the occupier of the land or to conduct itself in such a way as to exceed the limits of any permission of his or the limits of the public's right of access, and
 - (b) may result—
 - (i) in serious disruption to the life of the community, or
 - (ii) where the land, or a building or monument on it, is of historical, architectural, archaeological or scientific importance, in significant damage to the land, building or monument,he may apply to the council of the district for an order prohibiting for a specified period the holding of all trespassory assemblies in the district or a part of it, as specified.
- (2) On receiving such an application, a council may—
 - (a) in England and Wales, with the consent of the Secretary of State make an order either in the terms of the application or with such modifications as may be approved by the Secretary of State; or
 - (b) in Scotland, make an order in the terms of the application.
- (3) Subsection (1) does not apply in the City of London or the metropolitan police district.
- (4) If at any time the Commissioner of Police for the City of London or the Commissioner of Police of the Metropolis reasonably believes that an assembly is intended to be held at a place on land to which the public has no right of access or only a limited right of access in his police area and that the assembly—
 - (a) is likely to be held without the permission of the occupier of the land or to conduct itself in such a way as to exceed the limits of any permission of his or the limits of the public's right of access, and
 - (b) may result—
 - (i) in serious disruption to the life of the community, or
 - (ii) where the land, or a building or monument on it, is of historical, architectural, archaeological or scientific importance, in significant damage to the land, building or monument,he may with the consent of the Secretary of State make an order prohibiting for a specified period the holding of all trespassory assemblies in the area or a part of it, as specified.
- (5) An order prohibiting the holding of trespassory assemblies operates to prohibit any assembly which—
 - (a) is held on land to which the public has no right of access or only a limited right of access, and
 - (b) takes place in the prohibited circumstances, that is to say, without the permission of the occupier of the land or so as to exceed the limits of any permission of his or the limits of the public's right of access.
- (6) No order under this section shall prohibit the holding of assemblies for a period exceeding 4 days or in an area exceeding an area represented by a circle with a radius of 5 miles from a specified centre.

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- (7) An order made under this section may be revoked or varied by a subsequent order made in the same way, that is, in accordance with subsection (1) and (2) or subsection (4), as the case may be.
- (8) Any order under this section shall, if not made in writing, be recorded in writing as soon as practicable after being made.
- (9) In this section and sections 14B and 14C—
- “assembly” means an assembly of 20 or more persons;
 - “land” means land in the open air;
 - “limited”, in relation to a right of access by the public to land, means that their use of it is restricted to use for a particular purpose (as in the case of a highway or road) or is subject to other restrictions;
 - “occupier” means—
 - (a) in England and Wales, the person entitled to possession of the land by virtue of an estate or interest held by him; or
 - (b) in Scotland, the person lawfully entitled to natural possession of the land, and in subsections (1) and (4) includes the person reasonably believed by the authority applying for or making the order to be the occupier;
 - “public” includes a section of the public; and
 - “specified” means specified in an order under this section.

[In relation to Scotland, the references in this section to the public’s rights (or limited ^{F30}(9A) right) of access do not include any right which the public or any member of the public may have by way of access rights within the meaning of the Land Reform (Scotland) Act 2003 (asp 2).]

- (10) In relation to Scotland, the references in subsection (1) above to a district and to the council of the district shall be construed—
- (a) as respects applications before 1st April 1996, as references to the area of a regional or islands authority and to the authority in question; and
 - (b) as respects applications on and after that date, as references to a local government area and to the council for that area.
- (11) In relation to Wales, the references in subsection (1) above to a district and to the council of the district shall be construed, as respects applications on and after 1st April 1996, as references to a county or county borough and to the council for that county or county borough.]

Textual Amendments

F29 S. 14A inserted (3.11.1994) by 1994 c. 33 ss. 70, 172(4)

F30 S. 14A(9A) inserted (S.) (9.2.2005) by Land Reform (Scotland) Act 2003 (asp 2), ss. 99, 100(3), sch. 2 para. 9 (with s. 100(2)); S.S.I. 2005/17, art. 2(b)

[^{F31}14B Offences in connection with trespassory assemblies and arrest therefor.

- (1) A person who organises an assembly the holding of which he knows is prohibited by an order under section 14A is guilty of an offence.

Status: Point in time view as at 28/06/2022.

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- (2) A person who takes part in an assembly which he knows is prohibited by an order under section 14A is guilty of an offence.
- (3) In England and Wales, a person who incites another to commit an offence under subsection (2) is guilty of an offence.
- ^{F32}(4)
- (5) A person guilty of an offence under subsection (1) is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.
- (6) A person guilty of an offence under subsection (2) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (7) A person guilty of an offence under subsection (3) is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both ^{F33}
- (8) Subsection (3) above is without prejudice to the application of any principle of Scots Law as respects art and part guilt to such incitement as is mentioned in that subsection.]

Textual Amendments

- F31** S. 14B inserted (3.11.1994) by 1994 c. 33, ss. 70, 172(4)
- F32** S. 14B(4) repealed (E.W.) (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 111, 174(2), 178(8), Sch. 7 para. 26(9), Sch. 17 Pt. 2; S.I. 2005/3495, art. 2(m)(u)(xxvi); and (S.) (25.1.2018) by The Criminal Justice (Scotland) Act 2016 (Consequential and Supplementary Modifications) Regulations 2017 (S.S.I. 2017/452), reg. 1, sch. para. 10
- F33** Words in s. 14B(7) omitted (E.W.) (1.10.2008) by Serious Crime Act 2007 (c. 27), ss. 63(2), 94(1), Sch. 6 para. 58(3)(d) (with Sch. 13 para. 5); S.I. 2008/2504, art. 2(a)

[^{F34}**14C Stopping persons from proceeding to trespassory assemblies.**

- (1) If a constable in uniform reasonably believes that a person is on his way to an assembly within the area to which an order under section 14A applies which the constable reasonably believes is likely to be an assembly which is prohibited by that order, he may, subject to subsection (2) below—
 - (a) stop that person, and
 - (b) direct him not to proceed in the direction of the assembly.
- (2) The power conferred by subsection (1) may only be exercised within the area to which the order applies.
- (3) A person who fails to comply with a direction under subsection (1) which he knows has been given to him is guilty of an offence.
- ^{F35}(4)
- (5) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

Status: Point in time view as at 28/06/2022.

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Textual Amendments

- F34** S. 14C inserted (3.11.1994) by 1994 c. 33, **ss. 71**, 172(4)
- F35** S. 14C(4) repealed (E.W.) (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 111**, 174(2), 178(8), **Sch. 7 para. 26(10)**, **Sch. 17 Pt. 2**; S.I. 2005/3495, **art. 2(m)(u)(xxvi)**; and (S.) (25.1.2018) by The Criminal Justice (Scotland) Act 2016 (Consequential and Supplementary Modifications) Regulations 2017 (S.S.I. 2017/452), **reg. 1**, **sch. para. 10**

15 Delegation.

- (1) The chief officer of police may delegate, to such extent and subject to such conditions as he may specify, any of his functions under sections 12 to ^{F36}14A] to ^{F37}an] assistant chief constable; and references in those sections to the person delegating shall be construed accordingly.
- (2) Subsection (1) shall have effect in the City of London and the metropolitan police district as if “^{F37}an] assistant chief constable” read “an assistant commissioner of police”.

Textual Amendments

- F36** Word in s. 15(1) substituted (1.3.1998) by 1994 c. 33, s. 168(2), **Sch. 10 para. 60**; S.I. 1998/277, **art. 3**
- F37** Words in s. 15(1) substituted (1.4.1995) by 1994 c. 29, s. 44, **Sch. 5 Pt. II para. 37**; S.I. 1994/3262, **art. 4**, **Sch.**

16 Interpretation.

In this Part—

“the City of London” means the City as defined for the purposes of the Acts relating to the City of London police;

“the metropolitan police district” means that district as defined in section 76 of the ^{M2}London Government Act 1963;

“public assembly” means an assembly of ^{F38}20] [^{F38}2] or more persons in a public place which is wholly or partly open to the air;

“public place” means—

- (a) any highway, or in Scotland any road within the meaning of the ^{M3}Roads (Scotland) Act 1984, and
- (b) any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;

“public procession” means a procession in a public place.

Textual Amendments

- F38** S. 16: in definition of “public assembly”, reference to “20” substituted (E.W.) (20.1.2004) for reference to “2” by Anti-social Behaviour Act 2003 (c. 38), **ss. 57**, 93(1); S.I. 2003/3300, **art. 2(e)(i)**

Marginal Citations

- M2** 1963 c. 33.

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M3 [1984 c. 54.](#)

Status:

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Changes to legislation:

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