



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 3

PUBLIC ORDER

Public processions and public assemblies

75 Offences under sections 12 and 14 of the Public Order Act 1986

- (1) The Public Order Act 1986 is amended as follows.
- (2) Section 12 (imposing conditions on public processions) is amended in accordance with subsections (3) to (6).
- (3) In subsection (4)—
 - (a) for “A person” substitute “Subject to subsection (5A), a person”, and
 - (b) omit “knowingly”.
- (4) In subsection (5)—
 - (a) for “A person” substitute “Subject to subsection (5A), a person”, and
 - (b) omit “knowingly”.
- (5) After subsection (5) insert—

“(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) For subsections (8) to (10) substitute—

Changes to legislation: There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 75. (See end of Document for details)

- “(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.
- (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.
- (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.
- (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.”
- (7) Section 14 (imposing conditions on public assemblies) is amended in accordance with subsections (8) to (11).
- (8) In subsection (4)—
- (a) for “A person” substitute “Subject to subsection (5A), a person”, and
 - (b) omit “knowingly”.
- (9) In subsection (5)—
- (a) for “A person” substitute “Subject to subsection (5A), a person”, and
 - (b) omit “knowingly”.
- (10) After subsection (5) insert—
- “(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.”
- (11) For subsections (8) to (10) substitute—

Changes to legislation: There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 75. (See end of Document for details)

“(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.

(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.

(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.

(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.”

(12) Subsections (6) and (11) apply only in relation to offences committed on or after the day on which this section comes into force.

Commencement Information

- I1** S. 75 not in force at Royal Assent, see [s. 208\(1\)](#)
- I2** [S. 75](#) in force at 28.6.2022 by [S.I. 2022/520](#), [reg. 5\(i\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 75.