



# 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—

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*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)*

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- “(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—

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**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)

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- “(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.

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#### 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.