



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 3

#### PUBLIC ORDER

##### *One-person protests*

#### **79 Imposing conditions on one-person protests**

(1) After section 14 of the Public Order Act 1986 insert—

##### **“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—
    - (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.

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**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 79. (See end of Document for details)

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- (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—
  - (a) P organises or carries on a one-person protest,
  - (b) P fails to comply with a condition imposed under this section, and

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- (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.”
- (2) The Secretary of State must, before the end of the period of 2 years beginning with the day on which this section comes into force—
  - (a) prepare and publish a report on the operation of section 14ZA of the Public Order Act 1986, and
  - (b) lay the report before Parliament.

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#### Commencement Information

- I1** S. 79 not in force at Royal Assent, see [s. 208\(1\)](#)
- I2** [S. 79](#) in force at 28.6.2022 by [S.I. 2022/520](#), [reg. 5\(j\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 79.