



Public Order Act 2023

2023 CHAPTER 15

PART 2

SERIOUS DISRUPTION PREVENTION ORDERS

Serious disruption prevention orders made on application

21 Serious disruption prevention order made on application

- (1) A magistrates' court may make a serious disruption prevention order in respect of a person ("P") where—
- (a) a person within subsection (7) applies by complaint to the court for a serious disruption prevention order to be made in respect of P,
 - (b) P is aged 18 or over when the application is made,
 - (c) the condition in subsection (2) is met, and
 - (d) the court considers it necessary to make the order for a purpose mentioned in subsection (4).
- (2) The condition in this subsection is that the court is satisfied on the balance of probabilities that—
- (a) on at least two occasions in the relevant period, P has—
 - (i) committed a protest-related offence for which P was convicted, or
 - (ii) committed a protest-related breach of an injunction for which P was found in contempt of court,
 - (b) P's conduct in relation to each occasion mentioned in paragraph (a)—
 - (i) related to a different protest, or
 - (ii) took place on a different day, and
 - (c) P's conduct in relation to each occasion mentioned in paragraph (a) has not been taken into account when making any previous serious disruption prevention order in respect of P.

Changes to legislation: There are currently no known outstanding effects for the Public Order Act 2023.
Cross Heading: Serious disruption prevention orders made on application. (See end of Document for details)

- (3) In subsection (2) “the relevant period” means the period of 5 years ending with the day on which the order is made; but P’s conduct may be taken into account for the purposes of this section only if it took place—
- (a) on or after the day on which this section comes into force, and
 - (b) when P was aged 16 or over.
- (4) The purposes are—
- (a) to prevent P from committing a protest-related offence or a protest-related breach of an injunction;
 - (b) to prevent P from carrying out activities related to a protest that result in, or are likely to result in, serious disruption to two or more individuals, or to an organisation, in England and Wales;
 - (c) to prevent P from causing or contributing to—
 - (i) the commission by any other person of a protest-related offence or a protest-related breach of an injunction, or
 - (ii) the carrying out by any other person of activities related to a protest that result in, or are likely to result in, serious disruption to two or more individuals, or to an organisation, in England and Wales;
 - (d) to protect two or more individuals, or an organisation, in England and Wales from the risk of serious disruption arising from—
 - (i) a protest-related offence,
 - (ii) a protest related-breach of an injunction, or
 - (iii) activities related to a protest.
- (5) A serious disruption prevention order under this section is an order which, for a purpose mentioned in subsection (4)—
- (a) requires P to do anything described in the order;
 - (b) prohibits P from doing anything described in the order.
- (6) On making a serious disruption prevention order the court must in ordinary language explain to P the effects of the order.
- (7) The following persons are within this subsection—
- (a) a relevant chief officer of police;
 - (b) the chief constable of the British Transport Police Force;
 - (c) the chief constable of the Civil Nuclear Constabulary;
 - (d) the chief constable of the Ministry of Defence Police.
- (8) For the purposes of subsection (7)(a) a chief officer of police is a relevant chief officer of police in relation to an application for a serious disruption prevention order in respect of P if—
- (a) P lives in the chief officer’s police area, or
 - (b) the chief officer believes that P is in, or is intending to come to, the chief officer’s police area.
- (9) An application for a serious disruption prevention order made by a chief officer of police for a police area may be made only to a court acting for a local justice area that includes any part of that police area.

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- (10) Where an offence is found to have been committed over a period of 2 or more days, or at some time during a period of 2 or more days, it must be taken for the purposes of this section to have been committed on the last of those days.
- (11) Section 127 of the Magistrates' Courts Act 1980 (time limits) does not apply to a complaint under this section.

Commencement Information

- I1** S. 21 not in force at Royal Assent, see [s. 35\(5\)](#)
- I2** [S. 21](#) in force at 5.4.2024 by [S.I. 2024/472](#), [reg. 2\(b\)](#)

Changes to legislation:

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