



EXPLANATORY NOTES

Public Order Act 2023

Chapter 15

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PUBLIC ORDER ACT 2023

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Public Order Act 2023 which received Royal Assent on 2 May 2023 (c. 15).

- These Explanatory Notes have been prepared by the Home Office in order to assist the reader of the Act. They do not form part of the Act and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Act means in practice; provide background information on the development of policy; and provide additional information on how the Act will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Act. They are not, and are not intended to be, a comprehensive description of the Act.

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Overview of the Act

- 1 The purpose of this Act is to strengthen police powers to tackle dangerous and highly disruptive tactics employed by a minority of protesters. This includes provisions to protect major transport projects and key national infrastructure from being targeted by protesters, causing significant delays to the travelling public, preventing the distribution of critical goods such as fuel, and causing costly delays in construction.
- 2 The Act is in three Parts.
- 3 Part 1 creates a number of new offences relating to locking-on, tunnelling, obstructing major transport works and interfering with the use or operation of key national infrastructure. This Part also confers preventative powers for the police to search for and seize articles related to protest-related offences. It equalises the rank of senior officer to whom the exercise of certain powers under the Public Order Act 1986 may be delegated, removing differences between London and the rest of the country. It extends to the British Transport Police and Ministry of Defence police, where appropriate, existing public order powers already available to other police forces. It makes provision concerning the granting of injunctions in proceedings brought by the Secretary of State in relation to protest activity. It also makes it an offence for a person within a designated area (safe access zone) to interfere with a person's decision to access, provide, or facilitate the provision of abortion services within that safe access zone. Finally, it introduces a safeguard for journalists by specifying that the police cannot use their powers for the sole purpose of preventing a person from observing or reporting on a protest or observing or reporting on the exercise of police powers in relations to protests.
- 4 Part 2 provides for a new preventative court order, the Serious Disruption Prevention Order, to disrupt the activities of repeat offenders.
- 5 Part 3 contains general provisions in relation to extent and commencement and includes a definition of serious disruption.

Policy background

- 6 Pre-existing legislation to manage protests provided predominantly for powers to counter behaviours at protests which are violent or distressing to the public. These powers include those under the Public Order Act 1986 (the "1986 Act") which provide the police with powers to manage public processions and assemblies, including protests. Sections 12 and 14 of the 1986 Act (as amended by the Police, Crime, Sentencing and Courts Act 2022 ("the 2022 Act")) allow the police to impose any type of condition on a public procession or public assembly necessary to prevent: significant impact on persons or serious disruption to the activities of an organisation by noise; serious disorder; serious damage to property; serious disruption to the life of the community; or if the purpose of the persons organising the protest 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.
- 7 Recent changes in the tactics employed by certain protesters highlighted gaps in the legislation, for example gluing themselves to buildings or vehicles, blocking roads, tunnelling under land that is subject to development, and obstructing access to buildings such as oil refineries and newspaper printing works. The 2022 Act addressed some of the gaps in the law, including by increasing the maximum penalty for the offence of wilful obstruction of a highway and providing for a statutory offence of intentionally or recklessly causing public nuisance. To further address these gaps, the Public Order Act 2023:

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- Introduces new criminal offences of locking-on and going equipped to lock-on, criminalising the protest tactic of individuals attaching themselves to others, objects or buildings to cause serious disruption.
- Introduces new criminal offences of causing serious disruption by tunnelling, going equipped to tunnel, and being present in a tunnel.
- Introduces a new criminal offence of obstructing major transport works. This will cover any behaviours which obstruct or interferes with the construction or maintenance of significant transport projects such as High Speed 2.
- Provides for a new criminal offence of interfering with key national infrastructure. This covers any behaviour which obstructs or delays the use or operation of key infrastructure, such as airports, railways, oil refineries and printing presses.
- Extends stop and search powers (both suspicion-led and suspicion-less) for police to search for and seize articles related to protest-related offences.
- Provides for a Secretary of State to bring proceedings in relation to protest activity and makes provision about injunctions in such proceedings.
- Introduces a new preventative court order – the Serious Disruption Prevention Order – targeting protestors who repeatedly inflict disruption on the public or businesses.

8 Some of these measures were originally tabled by the Government as amendments at Lords Report stage of the Police, Crime, Sentencing and Courts Bill. Following the debate on 17 January 2022 (House of Lords, Official Report, columns 1430-1476), the Government amendments were rejected by the Lords.

Legal background

9 The Act amends the following legislation:

- Section 1 of the Police and Criminal Evidence Act 1984, which confers stop and search powers on the police.
- Sections 14, 14ZA and 14A of the Public Order Act 1986, which makes provision for chief police officers to impose conditions on public assemblies or one-person protests and prohibit trespassory assemblies where certain conditions are met.
- Section 15 of the Public Order Act 1986, which makes provision for chief officers of police to delegate certain functions in relation to the imposition of conditions on processions or assemblies and the prohibition of trespassory assemblies.
- Section 14 of the Planning Act 2008, which defines nationally significant infrastructure projects.

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- Section 379 of the Sentencing Code, which signposts other behaviour orders etc. available on conviction (in this case to Serious Disruption Prevention Orders provided for in Part 2 of the Act).
- Section 3 of the Prosecution of Offences Act 1985 (functions of the Director of Public Prosecutions) to include conduct of applications for serious disruption prevention orders on conviction on the list of duties of the Director of Public Prosecutions.

Territorial extent and application

- 10 Section 35 sets out the territorial extent of the Act, that is the jurisdictions in which the Act forms part of the law.
- 11 The provisions in the Act extend to England and Wales only, except provisions which make amendments to other Acts, which have the same extent as the provisions being amended.
- 12 Section 6(10) amends section 14 of the Planning Act 2008 in relation to nationally significant infrastructure projects, section 15 amends section 15 of the 1986 Act in relation to the delegation of powers by chief officers of police. These provisions extend to England and Wales and Scotland in line with the provisions being amended.
- 13 Section 16 amends sections 14, 14ZA, 14A and 15 of the 1986 Act. The amendments to section 14ZA (which relates to one-person protests) extend to England and Wales only but the amendments to the other sections extend to England and Wales and Scotland in line with the existing provisions. These amendments extend certain police powers in the 1986 Act to the British Transport Police and the Ministry of Defence Police in relation to areas in which those forces have jurisdiction, including in Scotland.
- 14 See the table in Annex A for a summary of the position regarding territorial extent and application in the United Kingdom.

Commentary on provisions of the Act

Part 1: Public Order

Section 1: Offence of locking on

- 15 Subsection (1) creates a new offence of “locking on”. An offence is committed where a person attaches themselves to another person, to an object or to land, or an object to another object or to land. It is a requirement of the offence that the act causes or is capable of causing serious disruption to two or more individuals or an organisation in a place other than a dwelling and that the accused intends that to occur or is reckless as to whether it will occur.
- 16 Subsection (2) provides for a reasonable excuse defence. The burden of proof is placed on the defendant as the facts as to whether they have a reasonable excuse will be within their knowledge. The prosecution will still need to prove all the elements of the offence to the criminal standard of proof, including that the act causes or is capable of causing serious disruption, and the defendant intended or was reckless as to whether their act would have this consequence. Although not explicitly set out, the standard to which the defendant will be required to prove the defence is the balance of probabilities.
- 17 Subsections (3) and (4) provide for the maximum penalty for the offence, namely six months imprisonment (rising to 51 weeks once section 281(5) of the Criminal Justice Act 2003 has been brought into force), an unlimited fine, or to both.
- 18 Subsection (5) defines what is meant by a “dwelling”.

Section 2: Offence of being equipped for locking on

- 19 Subsection (1) creates an offence where a person has an object (such as glue or a padlock) with them in a place other than a dwelling with the intention that it may be used in the course of or in connection with the locking on offence provided for in section 1.
- 20 Subsection (2) provides that the maximum penalty for the offence is an unlimited fine.
- 21 Subsection (3) applies the definition of a “dwelling” in section 1.

Section 3: Offence of causing serious disruption by tunnelling

- 22 Subsection (1) creates a new offence of “causing serious disruption by tunnelling”. An offence is committed where a person creates, or participates in the creation of, a tunnel, the creation or existence of the tunnel causes or is capable of causing serious disruption to two or more individuals or an organisation in a place other than a dwelling and the person intends that to occur or is reckless as to whether it will occur.
- 23 Subsection (2) provides for a reasonable excuse defence. The burden of proof is placed on the defendant as the facts as to whether they have a reasonable excuse will be within their knowledge. The prosecution will still need to prove all the elements of the offence to the criminal standard of proof. Although not explicitly set out, the standard to which the defendant will be required to prove the defence is the balance of probabilities.
- 24 Subsection (3) provides that, if the construction of the tunnel was authorised by someone with an interest in the land who was entitled to do so (for example the landowner, legitimate occupier, or someone acting on their behalf), this will count as a reasonable excuse.
- 25 Subsection (4) provides for the maximum penalty for the offence, namely three years imprisonment on indictment or the maximum penalty a magistrates’ court may impose on summary conviction (currently 6-months), an unlimited fine, or both.

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- 26 Subsections (5) and (6) define what is meant by a tunnel and an excavation.
- 27 Subsection (7) provides that this offence does not apply to tunnels that are in or are under a dwelling.
- 28 Subsection (8) applies the same definition of a “dwelling” as in section 1.

Section 4: Offence of causing serious disruption by being present in a tunnel

- 29 Subsection (1) creates a new offence of “causing serious disruption by being present in a tunnel”. An offence is committed where a person is present in a tunnel, their presence causes or is capable of causing serious disruption to two or more individuals or an organisation in a place other than a dwelling and the person intends that to occur or is reckless as to whether it will occur.
- 30 Subsections (2) and (3) provide the same reasonable excuse defence as section 3.
- 31 Subsection (4) provide for the maximum penalty for the offence, namely three years imprisonment on indictment or the maximum penalty a magistrates’ court may impose on summary conviction (currently 6-months), an unlimited fine, or both.
- 32 Subsection (5) defines what is meant by a tunnel.
- 33 Subsection (6) specifies that a “relevant tunnel” means a tunnel that was created for the purposes of, or in connection with, a protest. It also clarifies that it does not matter whether an offence has been committed under section 3 in relation to the creation of the tunnel.
- 34 Subsection (7) defines what is meant by an excavation.
- 35 Subsection (8) provides that this offence does not apply to tunnels that are in or are under a dwelling.
- 36 Subsection (9) applies the same definition of a “dwelling” as in section 1.

Section 5: Offence of being equipped for tunnelling etc

- 37 Subsection (1) creates a new offence of “being equipped for tunnelling”. This will be committed where a person has an object with them in a place other than a dwelling with the intention that it will be used in the course of or in connection with the commission by any person of the tunnelling offences provided for in sections 3 and 4.
- 38 Subsections (2) and (3) provide that the maximum penalty for the offence is six months’ imprisonment on summary conviction (rising to 51 weeks once section 281(5) of the Criminal Justice Act 2003 is brought into force), an unlimited fine, or both.
- 39 Subsection (4) applies the same definition of a “dwelling” as in section 1.

Section 6: Obstruction etc of major transport works

- 40 Subsection (1) provides that a person commits an offence if the person (a) obstructs a relevant undertaker or person acting under the undertaker’s authority in setting out the lines of any major transport work, in constructing or maintaining any major transport works, or taking any steps that are reasonably necessary for the purposes of facilitating, or in connection with, the construction or maintenance of any major transport works, or (b) interferes with, moves or removes any apparatus which relates to the construction or maintenance of any major transport works and belongs to a person within subsection (5).

- 41 Subsection (2) provides for a reasonable excuse defence, and a defence if the act was done wholly or mainly in contemplation or furtherance of a trade dispute. The burden of proof is placed on the defendant as the facts as to whether they have a reasonable excuse will be within their knowledge. The prosecution will still need to have proved all the elements of the offence to the criminal standard of proof. Although not explicitly set out, the standard to which the defendant will be required to prove the defence is the balance of probabilities.
- 42 Subsections (3) and (4) provide for the maximum penalty for the offence, namely six months imprisonment (rising to 51 weeks once section 281(5) of the Criminal Justice Act 2003 has been brought into force), an unlimited fine, or to both.
- 43 Subsection (5) sets out the persons to whom apparatus may belong for the purposes of subsection (1)(b): the undertaker, statutory undertaker, or a person acting under their authority.
- 44 Subsection (6) defines “major transport works”. The definition is in two parts. First, under (6)(a), it covers transport infrastructure authorised by an Act of Parliament, for example, the High Speed Rail (London – West Midlands) Act 2017 and the High Speed Rail (West Midlands - Crewe) Act 2021 which provide the legislative authority for the construction of the first and second phases of HS2 from London to the West Midlands and Crewe. The second part of the definition, at (6)(b), relates to transport works granted development consent by an order made under section 114 of Planning Act 2008. Development consent orders cover nationally significant infrastructure projects, including new airports, airport extensions and major road projects.
- 45 Subsection (7) explains what type of development is within subsection (6)(b). The types of development are threefold:
- developments that are, or form part of a nationally significant infrastructure project within any of paragraphs (h) to (l) of section 14(1) of the Planning Act 2008, namely a highway-related development; an airport-related development; the construction or alteration of harbour facilities; the construction or alteration of a railway; or the construction or alteration of a rail freight interchange.
 - developments that are, or form part of, a project (or proposed project) in the field of transport to which the Secretary of State has given a direction under section 35(1) of the Planning Act 2008, for example the new railway works between Bedford and Cambridge (East West Rail Company - Planning Act 2008 direction (publishing.service.gov.uk)).
 - associated developments in relation to developments within paragraphs (a) and (b) above.
- 46 Subsections (8) and (9) defines terms used in this section, including “statutory undertaker”.
- 47 Subsection (10) amends section 14 of the Planning Act 2008. Section 14(1) of the Planning Act 2008 lists the categories of project which are “nationally significant infrastructure projects” for the purposes of the Act and section 14(3) enables the Secretary of State to make an order which amends the categories of nationally significant infrastructure project. Subsection (10) inserts a new subsection (3A) in section 14 of the Planning Act 2008 which enables an order made under section 14(3) to make consequential amendments to subsection (6)(a) of this section.

Section 7: Interference with use or operation of key national infrastructure

- 48 Subsection (1) makes it an offence for a person to do an act which interferes with the use or operation of key national infrastructure in England and Wales where the person intends the act to have that effect or is reckless as to whether it will do so.
- 49 Subsection (2) provides for a reasonable excuse defence and a defence if the act was done wholly or mainly in contemplation or furtherance of a trade dispute.
- 50 Subsection (3) provides for the maximum penalty for the offence, namely, on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court, an unlimited fine, or both and, on conviction on indictment, 12 months' imprisonment, an unlimited fine, or both.
- 51 Subsections (4) and (5) define interference as an act that prevents or significantly delays the infrastructure from being used or operated to any extent for its intended purposes.
- 52 Subsection (6) lists key national infrastructure in scope of the offence, namely: road transport infrastructure; rail infrastructure; air transport infrastructure; harbour infrastructure; downstream oil infrastructure; downstream gas infrastructure; onshore oil and gas exploration and production infrastructure; onshore electricity generation infrastructure; and newspaper printing infrastructure. These terms are defined in section 8.
- 53 Subsections (7) to (9) confer a power on the Secretary of State to amend the list of key national infrastructure in subsection (7) by regulations (subject to the affirmative procedure).
- 54 Subsection (10) defines further terms used in this section.

Section 8: Key national infrastructure

- 55 This section defines the different types of key national infrastructure for the purposes of section 7.

Section 9: Interference with access to or provision of abortion services

- 56 Subsection (1) makes it an offence for a person within a safe access zone to intentionally or recklessly influence, obstruct, or cause harassment, alarm or distress to any person in connection with their decision to access, provide, or facilitate the provision of abortion services at an abortion clinic. The affected person must be within the safe access zone for the abortion clinic.
- 57 Subsection (2) defines the term safe access zone as an area that is within 150 metres from any part of an abortion clinic or any access point to a building or site that contains an abortion clinic, and is on or adjacent to a public highway or right of way, in an open space to which the public has access, within the area of land attached to an abortion clinic, or in a location that is visible from any of those areas.
- 58 Subsection (3) establishes that an offence is not committed under subsection (1) by a person inside a dwelling where the person affected is also in that or another dwelling, or a person inside a building or site used as a place of worship where the person affected is also in that building or site.
- 59 Subsection (4) provides for the maximum penalty for the offence, namely an unlimited fine.
- 60 Subsection (5) sets out actions that may take place within safe access zones but are not an offence under subsection (1). This includes: anything done while providing or facilitating abortion services in an abortion clinic, anything done while providing medical care in a

healthcare facility, any action by a person accompanying with consent, persons accessing, providing, or facilitating abortion services, or the operation of a camera if its coverage of persons accessing a clinic is incidental.

61 Subsection (6) defines abortion clinic.

Section 10: Powers to stop and search on suspicion

62 This section amends section 1 of the Police and Criminal Evidence Act 1984 (“PACE”) to allow a constable to stop and search a person or vehicle if they have reasonable grounds for suspecting that they will find an article made, or adapted or intended, for use in the course of or in connection with the following offences:

- an offence under section 137 of the Highways Act 1980 (wilful obstruction of a highway) involving activity which is capable of causing serious disruption;
- an offence under section 78 of the Police, Crime, Sentencing and Courts Act 2022 (intentionally or recklessly causing public nuisance);
- an offence under section 1 of this Act (offence of locking on);
- an offence under section 3 of this Act (offence of causing serious disruption by tunnelling);
- an offence under section 4 of this Act (offence of causing serious disruption by being present in a tunnel);
- an offence under section 6 of this Act (obstruction etc. of major transport works) and
- an offence under section 7 of this Act (interference with use or operation of key national infrastructure).

63 The exercise of stop and search powers under section 1 of PACE is subject to PACE code of practice A ([PACE Code A \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)) which will be updated to reflect the extension of the section 1 powers.

Section 11: Powers to stop and search without suspicion

64 This section makes provision for a senior police officer to give an authorisation applying to a specific locality for a specified period that allows a constable in uniform to stop and search a person or vehicle for an object made, adapted or intended for use in the course of or in connection with a specified protest-related offence. While the authorisation is in force a constable may exercise the search power whether or not they have any grounds for suspecting the person or vehicle is carrying such an object.

65 Subsection (1) provides for the circumstances in which a senior officer of or above the rank of inspector can give such an authorisation. Those circumstances are that the senior officer reasonably believes that any of the offences specified in paragraph 65 above may be committed in a locality within the officer’s police area or that persons are carrying prohibited objects (as defined in subsection (2)) in that area.

66 Subsection (3) stipulates that if the further condition in subsection (4) is met the senior police officer may give an authorisation that the suspicion-less stop and search powers conferred by this section are to be exercisable anywhere within a specified locality, within the officer’s police area, for a period not exceeding 24 hours.

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- 67 Subsection (4) specifies the condition under which a senior police officer may give an authorisation. The senior officer must reasonably believe that: the authorisation is necessary to prevent the commission of offences within subsection (1)(a) or the carrying of prohibited objects, the specified locality is no greater than is necessary to prevent such activity, and the specified period is no longer than is necessary to prevent such activity.
- 68 Subsection (5) allows for an officer of the rank of superintendent or above to provide for an authorisation to continue for up to a further 24 hours.
- 69 Where such an authorisation is in place, subsection (6) confers on any constable in uniform power to stop any person and search them or anything carried by them for a prohibited object; or to stop any vehicle and search the vehicle, its driver and any passenger for a prohibited object.
- 70 Subsection (7) allows a constable to stop any person or vehicle and make any search the constable thinks fit whether or not the constable has any grounds for suspecting that the person or vehicle is carrying a prohibited object.
- 71 Subsection (8) enables a constable to seize an object found during the course of a search if they have reasonable grounds for suspecting it to be a prohibited object.
- 72 Subsection (9) provides that the powers in this section and sections 12 to 14 apply to ships, aircraft and hovercraft as they apply to vehicles.
- 73 Subsection (10) defines terms used in sections 11 to 14.
- 74 Subsection (11) provides that the powers conferred by sections 11 to 14 do not affect any power conferred otherwise than by those sections.
- 75 The exercise of stop and search powers under this section is subject to PACE code of practice A (PACE Code A (publishing.service.gov.uk)) which will be updated to reflect these new powers. PACE Code A covers analogous suspicion less stop and search powers conferred by section 60 of the Criminal Justice and Public Order Act 1994.

Section 12: Further provisions about authorisations and directions under section 11

- 76 Subsection (1) requires an inspector giving an authorisation under section 11 to inform an officer of superintendent rank or above as soon as practicable.
- 77 Subsection (2) stipulates that the authorisation under section 11 must be given in writing and signed, specify the grounds on which it was given and specify the locality covered by the authorisation and for how long the powers are available.
- 78 Subsection (3) provides that a direction given by an officer of the rank of superintendent or above under section 11(5) allowing for the continuation of the powers for a further period of up to 24 hours must also be given in writing. Where, due to operational circumstances, it is necessary to give the direction verbally, it must be recorded in writing as soon as practicable.
- 79 Subsection (4) ensures the powers in sections 11 and 12 may be exercised by senior officers of the British Transport Police (“BTP”) Force.
- 80 Subsection (5) provides that where an authorisation is made by a senior BTP officer, the “locality” to be covered by an authorisation is to be defined by reference to the jurisdiction of BTP as specified in section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003, this includes railway tracks, stations and other land used for purposes of or in relation to a railway.

Section 13: Further provisions about searches under section 11

- 81 Subsections (1) and (3) state that a person who is searched or a person who has their vehicle searched by a constable under section 11 is entitled to obtain a written statement from the officer that the person was searched and/or the vehicle was stopped.
- 82 Subsections (2) and (4) place a time limit of 12 months, from the day of the search, for the person or driver to request a statement as in subsections (1) and (3).
- 83 Subsection (5) provides that any object seized by a constable under section 11 may be retained in accordance with regulations made by the Secretary of State. Subsections (6) to (9) make further provision in respect of the regulation-making power, including that such regulations are subject to the negative procedure. It is envisaged that such regulations will be made and will contain broadly analogous provisions to those contained in the Police (Retention and Disposal of Items Seized) Regulations 2002 (SI 2002/1372) made under section 60A of the Criminal Justice and Public Order Act 1994.

Section 14: Offence relating to section 11

- 84 Subsection (1) makes it an offence for a person to intentionally obstruct an officer in exercising powers under section 11.
- 85 Subsections (2) and (3) provide for the maximum penalty for the offence, namely one month's imprisonment (rising to 51 weeks once section 281(5) of the Criminal Justice Act 2003 has been brought into force), a level 3 fine (currently £1,000), or both.

Section 15: Processions, assemblies and one-person protests: delegation of functions

- 86 Sections 12, 14 and 14ZA of the 1986 Act enable a chief officer of police to impose conditions on upcoming public processions, assemblies and one-person protests where certain conditions are met. Where a chief officer of police believes that their powers in section 12 will be insufficient to prevent a public procession from causing serious public disorder, they can apply to the local council (or the Secretary of State for the Metropolitan and City of London Police forces) to prohibit processions in part of or all their district for a maximum of three months under section 13 of the 1986 Act. Section 14A provides a similar power to section 13 in relation to trespassory assemblies. Section 15 enables a chief constable for a force outside London to delegate their functions under sections 12 to 14A to an Assistant Chief Constable. In contrast, in London the Metropolitan Police Commissioner or City of London Police Commissioner can only delegate these functions to an officer of the rank of Assistant Commissioner (equivalent to a chief constable in other forces). This section substitutes a new subsection (2) of section 15 of the 1986 Act so that in London the functions can be delegated to an officer of the rank of Commander (or above), which is equivalent to Assistant Chief Constables outside of London. This is necessary to relieve Assistant Commissioners of the heavy burden of attending court to provide firsthand evidence whenever the lawfulness of a condition attached to a protest is contested.

Section 16: Assemblies and One-Person Protests: British Transport Police and MoD Police

- 87 Section 16 makes amendments to the Public Order Act 1986 (the 1986 Act) to extend certain police powers to the British Transport Police and MoD police.

- 88 Subsection (2) extends the powers under section 14 of the 1986 Act to set conditions on public assemblies to the British Transport Police and Ministry of Defence Police, where the assembly in question is being held or intended to be held within their jurisdictions¹.
- 89 Subsection (3) extends the powers under section 14ZA of the 1986 Act to set conditions on one-person protests to the British Transport Police and Ministry of Defence Police, where the one-person protest in question is being held or intended to be held within their jurisdictions².
- 90 Subsection (4) applies the powers under section 14A of the 1986 Act to prohibit trespassory assemblies to the British Transport Police and Ministry of Defence Police. The chief constable of the British Transport Police must reasonably believe that the assembly is to be held on an area within the jurisdiction of the British Transport Police to which the public do not have a general right of access, that the assembly is likely to be held without the consent of the occupier of the land, and may result in serious disruption to railway services, or to the life of the community, or in significant damage to land, or a building or monument on it that is of historical, architectural, archaeological or scientific importance³.
- 91 The chief constable of the Ministry of Defence Police must be satisfied that the assembly will be held on an area within the jurisdiction of the Ministry of Defence Police to which the public do not have a general right of access, and that the assembly is likely to be held without the consent of the occupier of the land, and may result in serious disruption to the use of a specified place for defence purposes, or to the life of the community, or in significant damage to land, or a building or monument on it that is of historical, architectural, archaeological or scientific important.
- 92 Each chief constable must gain the consent of the Secretary of State in relation to an area in England and Wales or Scottish Ministers in relation to an area in Scotland before making an order prohibiting assemblies under this subsection.
- 93 Subsection (5) allows the chief constables of the Ministry of Defence and British Transport Police forces to delegate any of their functions in the above subsections to deputy or assistant chief constables.

Section 17: Exercise of police powers in relation to journalists

- 94 Section 17 explicitly provides that constables cannot use police powers for the sole purpose of preventing individuals from observing or reporting on protest or protest related activities, or observing or reporting on the exercise of a police power in relation to protest activities.
- 95 Subsection (3) clarifies that this section does not affect the use of police powers for other purposes for example the purpose of maintaining public order and public safety.
- 96 Subsection (4) provides definitions for terms used in this section.

¹ The amendments made by this subsection extend to England and Wales and Scotland.

² The amendments made by this subsection extend to England and Wales only.

³ The amendments made by this subsection extend to England and Wales and Scotland.

Section 18: Power of Secretary of State to bring proceedings

- 97 Section 18 makes provision for a Secretary of State to bring civil proceedings (including applying for injunctions) in relation to protest activity.
- 98 Subsection (1) sets out a power for a Secretary of State to bring civil proceedings where they reasonably believe that one or more persons are carrying out or likely to carry out activities related to a protest and certain conditions are met.
- 99 Subsections (2) and (3) specify that the Secretary of State must also reasonably believe the activities are:
- causing or likely to cause serious disruption to the use or operation of any key national infrastructure (as defined in section 8), or
 - to access to any essential goods or services in England and Wales, or
 - having or likely to have a serious adverse effect on public safety in England and Wales.
- 100 Subsection (4) provides that proceedings may be brought in the name of the Secretary of State where these conditions are met and the Secretary of State considers that it is expedient in the public interest to do so.
- 101 Subsection (5) requires the Secretary of State to consult such persons (if any) as the Secretary of State considers appropriate before bringing proceedings, in particular having regard to any persons who may also bring civil proceedings in relation to the protest-related activities (for example, the landowner).
- 102 Subsection (7), in line with other offences in the Act, excludes from scope activities done wholly or mainly in contemplation or furtherance of a trade dispute.

Section 19 and Schedule 1: Injunctions in Secretary of State proceedings: Power of arrest and remand

- 103 Section 19 applies in proceedings brought by the Secretary of State under section 18. Subsection (2) provides that, if the Court has granted an injunction prohibiting conduct which is capable of causing nuisance or annoyance to a person, or of having a serious adverse effect on public safety, the Court may attach a power of arrest to any provision of the injunction.
- 104 Subsection (3) provides that the Court may do this if the Secretary of State has applied for it, and if the Court thinks that the prohibited conduct involves the use or threat of violence, or that there is significant risk of harm to a person, or to the public or section of the public.
- 105 Subsection (4) allows a constable to arrest, without a warrant, anyone they reasonably suspect may be in breach of a provision of an injunction that has a power of arrest attached. Subsection (5) requires constables to inform the Secretary of State of the arrest as soon as reasonably practicable.
- 106 Subsection (6) provides that a person who is arrested must appear before court within 24 hours of the arrest, and that the court may remand the person if required.
- 107 Subsection (8) introduces Schedule 1, which contains further detail on remand.
- 108 Subsections (9) to (11) make further provision about the power to remand in particular cases.
- 109 Subsection (12) defines certain terms for the purposes of the section.

These Explanatory Notes relate to the Public Order Act 2023 which received Royal Assent on 2 May 2023 (c. 15).

Part 2: Serious Disruption Prevention Orders

110 This Part introduces a new civil order, the Serious Disruption Prevention Order (SDPO).

Section 20: Serious disruption prevention order made on conviction

111 Subsection (1) provides for the preliminary conditions that must be satisfied before a court can make an order, namely that the person is aged 18 or over, has been convicted of an offence which was committed on or after section 20 came into force and the prosecution has applied for an order to be made (consequently, a court may not make an order on its own volition under this section).

112 Subsections (2) to (5) sets out further conditions for the making of an order. These require that the person has been convicted by the court of a protest-related offence and that on another occasion (that is, at a different protest or on a different day) within the relevant period the person has:

- been convicted of another protest-related offence;
- been found in contempt of court for a protest-related breach of an injunction;

113 In addition, subsection (3)(c) stipulates that the conduct detailed in subsection 3(a) cannot be considered if it was already accounted for in the making of a prior serious disruption prevention order involving the individual.

114 The other occasions must have occurred no earlier than five years before the order is made after section 20 comes into force and when the person concerned was aged 16 or older at the time (subsection (4)).

115 In determining whether the current offence is protest-related and the condition in subsection 3 is met, the court will apply the civil standard of proof (the balance of probabilities).

116 Under subsection (5), the court must consider it necessary to make the order for a purpose specified in subsection (5). Those purposes are to:

- prevent the person from committing a protest-related offence or a protest-related breach of an injunction,
- prevent the person from carrying out activities related to protests that result, or are likely to result in, serious disruption to two or more individuals or an organisation,
- prevent the person from causing or contributing to the commission by another person of the acts set out at (a) or (b) above (for example, where the person was responsible for organising protests),
- protect two or more individuals or an organisation from the risk of serious disruption caused by a protest-related offence, a protest-related breach of an injunction or activities related to a protest.

117 Subsection (6) specifies that a SDPO under section 20 is an order which imposes any requirement or prohibition necessary to achieve one of the purposes specified in subsection (5), although section 22 provides a non-exhaustive list of such requirements or prohibitions.

- 118 Subsection (7) provides that a court may only make a SDPO under this section if a person has a sentence imposed in respect of the current offence, or an order discharging that person conditionally. Consequently, if the person concerned is given an absolute discharge no SDPO may be made.
- 119 Subsections (8) and (9) enables the court to hear evidence from both the person and the prosecution when deciding whether to make an order, and such evidence may include evidence that would not have been admissible in the proceedings for the current offence (for example, hearsay evidence).
- 120 Subsection (10) enables a court to adjourn the proceedings regarding the serious disruption prevention order even after sentencing the person.
- 121 Subsections (11) to (13) set out the powers of a court where the person concerned does not appear for any adjourned proceedings.
- 122 Subsection (14) requires the court to explain the effects of the order in ordinary language to the person concerned.
- 123 Subsection (15) provides that where an offence is committed over two or more days, or during two or more days, it is to be treated as having been committed on the last of those days.

Section 21: Serious disruption prevention order made on application

- 124 This section provides for the making of a SDPO by a magistrates' court on application by police. Such an application may be made by the chief officer of the police force in England and Wales where the prospective subject of the order lives or is intending to come to (see subsections (1)(a), (7)(a) and (8)), or the chief constable of the British Transport Police, Civil Nuclear Constabulary or Ministry of Defence Police (see subsections (1)(a) and (7)(b)-(d)). An order may only be made in respect of a person aged 18 or older (subsection (1)(b)).
- 125 Subsection (2) sets out the conditions that must be met for an order to be made, namely that the person must have on at least two occasions (that is, at a different protest or on a different day):
- been convicted of a protest-related offence;
 - been found in contempt of court for a protest-related breach of an injunction;
- 126 In addition, subsection (2)(c) stipulates that the conduct detailed in subsection (2)(a) cannot be considered if it was already accounted for in the making of a prior serious disruption prevention order involving the individual.
- 127 The two occasions must have occurred no earlier than five years before the order is made, after each event must have taken place after section 21 comes into force and when the person concerned was aged 16 or older at the time (subsection (3)).
- 128 In determining whether the condition in subsection (2) is met the court will apply the civil standard of proof (the balance of probabilities).
- 129 A further condition for making an order is that the court considers it necessary to make the order for a purpose specified in subsection (4). Those purposes are to:
- prevent the person from committing a protest-related offence or a protest-related breach of an injunction,

- prevent the person from carrying out activities related to protests that result, or are likely to result in, serious disruption to two or more individuals or an organisation,
- prevent the person from causing or contributing to the commission by another person of the acts set out at (a) or (b) above (for example, where the person was responsible for organising protests),
- protect two or more individuals or an organisation from the risk of serious disruption caused by a protest-related offence, a protest-related breach of an injunction or activities related to a protest.

130 Subsection (5) specifies that a SDPO under section 21 is an order which imposes any requirement or prohibition necessary to achieve one of the purposes specified in subsection (4), although section 22 provides a non-exhaustive list of such requirements or prohibitions.

131 Subsection (6) requires that the court explain the effects of the order in ordinary language to the person who is the subject of the order.

132 Subsection (9) provides that an application made by a chief officer of police for a territorial force must be made to a court acting for a local justice area that forms part of the police force area.

133 Subsection (10) provides that where an offence is committed over two or more days, it is to be treated as having been committed on the last of those days.

134 Subsection (11) provides that section 127 of the Magistrates' Courts Act 1980 (which provides for a six-month time limit on a magistrates' court hearing a complaint unless the complaint was made within six months from the time the matter of complaint arose) does not apply to applications under this section.

Section 22: Provisions of serious disruption prevention order

135 As provided for in section 20(6) and 21(5) a court may impose any requirements (in addition to the standard notification requirements) or prohibitions as part of a SDPO as it considers necessary for a purpose set out in section 20(5) and 21(4) respectively. Subject to the generality of those provisions, this section sets out non-exhaustive examples of the types of requirements or prohibitions that may be imposed.

136 Subsection (2)(a) provides that the requirements that may be imposed by a SDPO include a requirement requiring the subject of the order to present themselves to a particular person at a particular place at, or between, particular times on particular days. Such a requirement may be necessary to reinforce a prohibition on the person attending known protest-related events. Subsection (2)(b) provides that a SDPO may include a requirement that the subject of an order remains at a particular place for particular periods, for example, at their home during the currency of certain protests.

137 Subsection (4) sets out a non-exhaustive list of prohibitions that may be attached to a SDPO. These may prohibit the subject of an order from:

- being in or entering a particular place or area (for example, a named oil refinery),
- being in or entering a particular place or area between particular times, on particular days or any days,

- being with particular people (for example, associates who were convicted of a protest-related offence at the same time as the subject of the order),
- participating in particular activities,
- possessing particular articles (for example, lock-on devices),
- using the internet to facilitate or encourage protest-related offences or protest-related breaches of injunctions, or carrying out activities relating to a protest that result in, or are likely to result in, serious disruption to two or more individuals or an organisation.

138 Subsection (5) provides that references to particular persons, particular places, activities and articles in this section can include persons, places, activities and articles of a particular description.

139 Subsection (6) provides that a SDPO which imposes prohibitions may include exceptions from those prohibitions imposed.

140 Subsection (8) provides that the requirements or prohibitions of a SDPO must, where possible, avoid conflict with the person's religious beliefs and times where they attend their place of work or educational establishment.

Section 23: Requirements in serious disruption prevention order

141 Subsection (1) provides that, where a SDPO imposes a requirement on a person (other than a notification requirement as set out in section 24), the order must name someone responsible for supervising compliance with the requirement.

142 Subsection (2) specifies that the supervisory person may be an individual or an organisation.

143 Subsection (3) sets out that the court must receive evidence about the suitability and enforceability of any requirements before they are imposed from the supervisory person or organisation.

144 Subsection (4) ensures the court assesses whether multiple requirements are compatible with one another before imposing them.

145 Subsection (5) establishes the duties for the supervisory person from subsection (1). This person must make any necessary arrangements in connection with the requirements they are responsible for, promote the person's compliance with them, and inform the relevant chief officer of police if the person has complied or not complied with the relevant requirements.

146 Subsection (6) specifies that the relevant chief officer of police referenced in subsection (5) is either the chief police officer for the police area which it appears to the supervisory person the person subject to the SDPO lives in, or if it appears to the supervisory person that the person subject to the SDPO lives in more than one police area, whichever chief police officer of those areas that person think it is most appropriate to inform.

147 Subsection (7) specifies that where the person is subject to a SDPO requirement, other than a notification requirement under section 24, they must keep in touch with the supervisory person and notify them of any change in their home address.

148 Subsection (8) provides that subsection (7) applies to an individual subject to a SDPO as if it were a requirement of the order (as such, failure to comply without reasonable excuse will be an offence under Section 27).

Section 24: Notification requirements in serious disruption prevention order

149 Subsection (1) provides that a SDPO must impose the notification requirements in subsections (2) and (4).

150 Subsection (2) specifies that the person subject to an order must notify the information in subsection (3) to the police within 3 days of the order taking effect.

151 Subsection (3) sets out the information the person must provide to the police. This information is:

- their name on the day the notification is given and any other names they use.
- their home address on the day the notification is given.
- the addresses of any other premises where they regularly reside or stay.

152 Subsections (4) and (5) requires the person subject to an order to notify the police if they change their name or home address, or if they decide to live for a period of one month or more at an address not previously notified to the police. This information must be provided to the police within three days of such a change.

153 Subsection (6) provides that persons subject to a SDPO must fulfil the above requirements by attending a police station in the police area where they live and giving oral notification to a police officer or other person authorised by the officer in charge of the station.

Section 25: Duration of serious disruption prevention order

154 Subsection (1) provides a SDPO takes effect on the day it is made, subject to subsections (3) and (4).

155 Subsection (2) sets out that a SDPO must specify the period that it has effect. This is a fixed period of a minimum of one week, up to a maximum of two years (but a SDPO may be renewed under the provisions of section 28).

156 Subsection (3) sets out that subsection (4) applies where a person has been remanded in or committed to custody by a court, had a custodial sentence imposed on them or serving or otherwise subject to such a sentence, or is on licence for part of a custodial sentence.

157 Subsection (4) provides that SDPOs may provide that they do not take effect until the person is released from custody, ceases to be subject to a custodial sentence, or ceases to be on licence. In the latter case, the licence conditions may have similar effect to the prohibitions or restrictions provided for in the order and, as such, the order need not take effect until the licence conditions cease to apply.

158 Subsection (5) allows SDPOs to specify periods where particular requirements or prohibitions have effect. Particular provisions of an order may therefore apply for a more limited period than the order itself. Where a requirement of a SDPO is time limited, the duration of the requirement may be extended on the variation of the SDPO under Section 28.

159 Subsection (6) provides that, where a court makes a SDPO on a person already subject to a SDPO, the earlier order ceases to have effect.

160 Subsection (7) defines custodial sentence in this section as having the same meaning as in the Sentencing Code and including pre-Code custodial sentence (see section 222(4) of the Sentencing Act 2020).

Section 26: Other information to be included in serious disruption prevention order

161 This section requires that a SDPO specifies the reasons for making the order and the penalties which may be imposed for breaching the order.

Section 27: Offences relating to a serious disruption prevention order

162 Subsection (1) provides that a person subject to a SDPO commits an offence when:

- they fail to do anything required of them by the order without reasonable excuse.
- they do anything prohibited by the order without reasonable excuse.
- they provide information, in purported compliance with the order, that they know to be false.

163 Subsections (2) and (3) provide for the maximum penalty for these offences, namely six months' imprisonment (rising to 51 weeks when section 281(5) of the Criminal Justice Act 2003 is brought into force), an unlimited fine, or both.

Section 28: Variation, renewal or discharge of serious disruption prevention order

164 Subsection (1) enables a person named in subsection (2) to apply to court to vary, renew or discharge a SDPO.

165 Subsection (2) sets out these persons:

- the person subject to a SDPO.
- the chief officer of police where the person subject to a SDPO lives.
- a chief officer of police who believes that a person subject to a SDPO is in or intending to come into their police area.
- the chief officer of police who made the original SDPO application.
- the chief officer of police for the police area in which the person committed an offence which led to the imposition of a SDPO.
- where the order was made following an application by a constable within subsection (3), that constable.

166 Subsection (3) lists the chief constables, namely of the British Transport Police, Civil Nuclear Constabulary and Ministry of Defence Police.

167 Subsection (4) establishes that an application to vary, renew or discharge an order must be made to a magistrates' court by complaint, or in accordance with the rules of the court if applying to another court.

168 Subsection (5) requires the court to hear from the person making the application, and any other person specified in subsection (2) before making its decision.

169 Subsection (6) (subject to subsections (7) to (9)) allows the court to make such order varying, renewing or discharging a SDPO as it sees fit, following an application.

170 Subsection (7) allows a court to vary a SDPO in order to extend the period for which the order has effect, extend the period for which a requirement or prohibition imposed has effect, or impose an additional prohibition or requirement if it considers that it is necessary for a purpose mentioned in subsection (8). The court may also renew a SDPO if it considers that it is necessary for a purpose mentioned in subsection (8).

171 The purposes in subsection (8) are:

- prevent the person subject to a SDPO from committing a protest-related offence or protest-related breach of an injunction,
- prevent the person subject to a SDPO from carrying out activities related to protests that result, or are likely to result in serious disruption to an organisation or two or more individuals,
- protect an organisation or two or more individuals from the risk of serious disruption arising from protest-related offences, protest-related breaches of injunctions and activities related to a protest,
- prevent the person subject to a SDPO from causing or contributing to any other person's protest-related offence or protest-related breach of an injunction, or
- prevent the person subject to a SDPO from causing or contributing to any other person's act which is likely to result in serious disruption to an organisation or two or more individuals.

172 Subsection (9) specifies that the court may not renew a serious disruption prevention order more than once.

173 Subsection (10) specifies that the provisions in sections 22 to 26 (other than section 24(2) and (3)) also have effect in relation to the renewal or variation of an order under this section.

174 Subsection (11) requires the court to explain in ordinary language to the person subject to a SDPO, the effects of the SDPO which has been varied or renewed.

175 Subsection (12) provides that section 127 of the Magistrates' Courts Act 1980 (which provides for a six-month time limit on a magistrates' court hearing a complaint unless the complaint was made within 6 months from the time when the matter of complaint arose) does not apply to applications under this section.

176 Subsection (13) defines the meaning of appropriate court for the purpose of this section. The appropriate court is:

- where the Crown Court or Court of Appeal made the SDPO, the Crown Court.
- where a magistrates' court made the order and the application is made by an individual subject to a SDPO, or a constable within subsection (3), then the appropriate court is the magistrates' court or the magistrates' court for the area where the person subject to a SDPO lives.
- where a magistrates' court made the order and a chief police officer applies, then the appropriate court is the magistrates' court or the magistrates' court where the person subject to a SDPO lives, or a magistrates' court acting for a local justice area which includes any part of that chief officer's police area.

Section 29: Appeal against serious disruption prevention order

177 Subsection (1) provides for a person issued with a SDPO on conviction may appeal against the decision to make an order as if the order was part of the sentence for the offence for which they were convicted. As such, the appellate court will either be the Crown Court (where an order was made on conviction in a magistrates' court) or the Court of Appeal (where an order was made on conviction in the Crown Court).

178 Subsection (2) provides for a right of appeal against the making of a SDPO otherwise on conviction. The appeal is to the appropriate court as defined in subsection (5), namely the Crown Court.

179 Subsection (3) enables the person who applied for a SDPO otherwise than on conviction to appeal against the decision of the court to refuse to make an order. The appeal is to the appropriate court as defined in subsection (5), namely the Crown Court.

180 Subsection (4) provides for a right of appeal to the appropriate court as defined in subsection (5) in relation to the variation, renewal or discharge of a SDPO. The persons who may appeal here are:

- the person who applied for a SDPO to be varied, renewed or discharged may appeal if their application is refused.
- the person subject to a SDPO may appeal against a SDPO which has been varied or renewed.
- a person specified in Section 28(2), other than the individual subject to a SDPO, may appeal against the varying, renewing or discharge of a SDPO, which occurred following an application by the person subject to the SDPO.

181 Subsection (6) enables the Crown Court, on granting an appeal, to make such orders necessary to give effect to its determination of the appeal and any appropriate consequential and incidental orders.

Section 30: Guidance

182 Subsection (1) provides that the Secretary of State may issue guidance to chief officers of police and chief constable of the British Transport Police Force, Civil Nuclear Constabulary and Ministry of Defence Police, in relation to SDPOs.

183 Subsection (2) sets out a non-exhaustive list of the matters which may be addressed in the guidance, namely:

- the exercise by chief officers and chief constables in subsection (1) of their functions under Part 2,
- identifying persons in respect of whom it may be appropriate for applications for SDPOs to be made, and
- providing assistance to prosecutors in connection with applications for SDPOs.

184 Subsections (3) and (4) enable the Secretary of State to revise any guidance issued under this section and provides for any guidance issued under this section to be published.

185 Subsection (5) requires chief officers and chief constables in subsection (1) to have regard to any guidance issued under this section.

Section 31: Guidance: Parliamentary procedure

186 This section provides for any guidance issued under section 30 to be subject to the draft negative resolution procedure.

Section 32: Interpretation of Part

187 This section defines terms used in Part 2.

Section 33: Consequential amendments

188 Subsection (1) amends the Prosecution of Offences Act 1985 to provide for the Director of Public Prosecutions to conduct applications for SDPOs under section 20(1)(b).

189 Subsection (2) adds SDPOs made on conviction to the list in section 379(1) of the Sentencing Code, which signposts other behaviour orders available on conviction.

Part 3: General

Section 34: Meaning of serious disruption

190 This section defines “serious disruption” for the purposes of the Act by providing examples of the cases in which individuals or organisations may suffer serious disruption.

191 Subsection (1) lists a non-exhaustive list of examples of cases where individuals or organisations may suffer serious disruption, including where they are:

- by way of physical obstruction prevented or hindered to more than a minor degree from carrying out their day-to-day activities (including in particular the making of a journey), construction or maintenance works, or activities related to such works,
- prevented from making or receiving, or suffer a delay that is more than minor to the making or receiving of, a delivery of a time-sensitive product, or
- prevented from accessing or suffer a disruption that is more than minor to the accessing of, any essential goods or any essential service.

192 Subsection (2) provides definitions for terms used in subsection 1 as follows:

- “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;
- accessing essential goods or essentials services includes in particular a reference to accessing the supply of money, food, water, energy or fuel, communication systems, places of worship, transport facilities, educational institutions or health-related services.

Section 35: Extent, commencement and short title

193 This section specifies the territorial extent of the provisions in the Act, provides for commencement and specifies the short title of the Act.

Commencement

194 Section 35(3) provides for section 35 to come into force on Royal Assent. The regulation-making powers in sections 7 and 13 also come into force on Royal Assent. Section 16 comes into force two months after Royal Assent. The remaining provisions will be brought into force by commencement regulations made by the Secretary of State (section 35(5)).

Related documents

195 The following documents are relevant to the Act and can be read at the stated locations:

- Getting the balance right? An inspection of how effectively the police deal with protests (justiceinspectrates.gov.uk), March 2021, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services.
- Delegated Powers and Regulatory Reform Committee, 13th Report of session 2021-22 (HL Paper 107).
- Delegated Powers and Regulatory Reform Committee, 15th Report of session 2021-22 (HL Paper 133).
- Impact assessment.
- Equality impact assessment.
- Delegated powers memorandum.
- ECHR memorandum.

Annex A – Territorial extent and application in the United Kingdom

Provision	England	Wales	Scotland	Northern Ireland
	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Extends and applies to Scotland?	Extends and applies to Northern Ireland?
Sections 1 to 35 (excluding Section 16)	Yes	Yes	No	No
Section 16	Yes	Yes	Some (see page 12)	No

Annex B – Hansard References

Stage	Date	Hansard Reference
<i>House of Commons</i>		
Introduction	11 May 2022	
Second Reading	23 May 2022	Vol. 715. Col. 48-134
Public Bill Committee – 1 st sitting	9 June 2022	Col. 1-28
Public Bill Committee – 2 nd sitting	9 June 2022	Col. 29-78
Public Bill Committee – 3 rd sitting	14 June 2022	Col. 79-108
Public Bill Committee – 4 th sitting	14 June 2022	Col. 109-136
Public Bill Committee – 5 th sitting	16 June 2022	Col. 137-162
Public Bill Committee – 6 th sitting	16 June 2022	Col. 163-204
Public Bill Committee – 7 th sitting	21 June 2022	Col. 205-244
Report Stage	18 October 2022	Vol. 720. Col. 548-629
Third Reading	18 October 2022	Vol. 720. Col. 630-633
<i>House of Lords</i>		
Introduction	19 October 2022	Vol. 824 Col. 1106-
Second Reading	1 November 2022	Vol. 825. Col. 140-204
Committee	16 November 2022	Vol. 825. Col. 891-949
Committee	16 November 2022	Vol. 825. Col. 962-976
Committee	22 November 2022	Vol. 825. Col. 1290-1362
Committee	13 December 2022	Vol. 826. Col. 596-650
Report	30 January 2023	Vol. 827. Col. 427-489
		Vol. 827. Col. 507-534
Report	7 February 2023	Vol. 827. Col. 1098-1157
Third Reading	21 February 2023	Vol. 827. Col. 1554-1561
Commons Consideration of Lords amendments	7 March 2023	Vol. 729. Col. 201-266
Lords Considerations of Commons amendments	14 March 2023	Vol. 828. Col 1197-1233
Commons Considerations of Lords messages	22 March 2023	Vol. 730. Col. 369-383
Lords Considerations of Commons amendments	28 March 2023	Vol. 829 Col. 131-150
Commons Consideration of Lords message	24 April 2023	Vol. 731 Col. 546-556
Lords Consideration of Commons	26 April 2023	Vol. 829. Col. 1218-1221

These Explanatory Notes relate to the Public Order Act 2023 which received Royal Assent on 2 May 2023 (c. 15).

amendments		
Royal Assent	2 May 2023	House of Lords Vol. 829.
		House of Commons Vol. 732

These Explanatory Notes relate to the Public Order Act 2023 which received Royal Assent on 2 May 2023 (c. 15).

Annex C – Progress of Bill Table

Section of the Act	Bill as introduced in the Commons	Bill as amended in Committee in the Commons	Bill as introduced in the Lords	Bill as amended in the Committee in the Lords	Bill as amended on Report in the Lords
Section 1	Clause 1	Clause 1	Clause 1	Clause 1	Clause 2
Section 2	Clause 2	Clause 2	Clause 2	Clause 2	Clause 3
Section 3		Clause 3	Clause 3	Clause 3	Clause 4
Section 4		Clause 4	Clause 4	Clause 4	Clause 5
Section 5		Clause 5	Clause 5	Clause 5	Clause 6
Section 6	Clause 3	Clause 6	Clause 6	Clause 6	Clause 7
Section 7	Clause 4	Clause 7	Clause 7	Clause 7	Clause 8
Section 8	Clause 5	Clause 8	Clause 8	Clause 8	Clause 9
Section 9			Clause 9	Clause 9	Clause 10
Section 10	Clause 6	Clause 9	Clause 10	Clause 10	Clause 11
Section 11	Clause 7	Clause 10	Clause 11	Clause 11	
Section 12	Clause 8	Clause 11	Clause 12	Clause 12	Clause 12
Section 13	Clause 9	Clause 12	Clause 13	Clause 13	Clause 13
Section 14	Clause 10	Clause 13	Clause 14	Clause 14	Clause 14
Section 15	Clause 11	Clause 14	Clause 15	Clause 15	Clause 15
Section 16		Clause 15	Clause 16	Clause 16	Clause 16
Section 17					Clause 19
Section 18			Clause 17	Clause 17	Clause 17
Section 19			Clause 18	Clause 18	Clause 18
Section 20	Clause 12	Clause 16	Clause 19	Clause 19	Clause 20
Section 21	Clause 13	Clause 17	Clause 20	Clause 20	
Section 22	Clause 14	Clause 18	Clause 21	Clause 21	Clause 21
Section 23	Clause 15	Clause 19	Clause 22	Clause 22	Clause 22
Section 24	Clause 17	Clause 21	Clause 24	Clause 24	Clause 23
Section 25	Clause 18	Clause 22	Clause 25	Clause 25	Clause 24
Section 26	Clause 19	Clause 23	Clause 26	Clause 26	Clause 25
Section 27	Clause 20	Clause 24	Clause 27	Clause 27	Clause 26
Section 28	Clause 21	Clause 25	Clause 28	Clause 28	Clause 27
Section 29	Clause 22	Clause 26	Clause 29	Clause 29	Clause 28
Section 30	Clause 23	Clause 27	Clause 30	Clause 30	Clause 29
Section 31	Clause 24	Clause 28	Clause 31	Clause 31	Clause 30
Section 32	Clause 26	Clause 30	Clause 33	Clause 33	Clause 31

These Explanatory Notes relate to the Public Order Act 2023 which received Royal Assent on 2 May 2023 (c. 15).

Section 33	Clause 27	Clause 31	Clause 34	Clause 34	Clause 32
Section 34					Clause 1
Section 35	Clause 28	Clause 32	Clause 35	Clause 35	Clause 33

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