



Public Order Act 1986

1986 CHAPTER 64

PART II

PROCESSIONS AND ASSEMBLIES

11 Advance notice of public processions.

- (1) Written notice shall be given in accordance with this section of any proposal to hold a public procession intended
 - (a) to demonstrate support for or opposition to the views or actions of any person or body of persons,
 - (b) to publicise a cause or campaign, or
 - (c) to mark or commemorate an event,unless it is not reasonably practicable to give any advance notice of the procession.
- (2) Subsection (1) does not apply where the procession is one commonly or customarily held in the police area (or areas) in which it is proposed to be held or is a funeral procession organised by a funeral director acting in the normal course of his business.
- (3) The notice must specify the date when it is intended to hold the procession, the time when it is intended to start it, its proposed route, and the name and address of the person (or of one of the persons) proposing to organise it.
- (4) Notice must be delivered to a police station—
 - (a) in the police area in which it is proposed the procession will start, or
 - (b) where it is proposed the procession will start in Scotland and cross into England, in the first police area in England on the proposed route.
- (5) If delivered not less than 6 clear days before the date when the procession is intended to be held, the notice may be delivered by post by the recorded delivery service; but section 7 of the Interpretation Act 1978 (under which a document sent by post is deemed to have been served when posted and to have been delivered in the ordinary course of post) does not apply.

Status: This is the original version (as it was originally enacted).

- (6) If not delivered in accordance with subsection (5), the notice must be delivered by hand not less than 6 clear days before the date when the procession is intended to be held or, if that is not reasonably practicable, as soon as delivery is reasonably practicable.
- (7) Where a public procession is held, each of the persons organising it is guilty of an offence if—
 - (a) the requirements of this section as to notice have not been satisfied, or
 - (b) the date when it is held, the time when it starts, or its route, differs from the date, time or route specified in the notice.
- (8) It is a defence for the accused to prove that he did not know of, and neither suspected nor had reason to suspect, the failure to satisfy the requirements or (as the case may be) the difference of date, time or route.
- (9) To the extent that an alleged offence turns on a difference of date, time or route, it is a defence for the accused to prove that the difference arose from circumstances beyond his control or from something done with the agreement of a police officer or by his direction.
- (10) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

12 Imposing conditions on public processions.

- (1) If the senior police officer, having regard to the time or place at which and the circumstances in which any public procession is being held or is intended to be held and to its route or proposed route, reasonably believes that—
 - (a) it may result in serious public disorder, serious damage to property or serious disruption to the life of the community, or
 - (b) the purpose of the persons organising it 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,he may give directions imposing on the persons organising or taking part in the procession such conditions as appear to him necessary to prevent such disorder, damage, disruption or intimidation, including conditions as to the route of the procession or prohibiting it from entering any public place specified in the directions.
- (2) In subsection (1) " the senior police officer " means—
 - (a) in relation to a procession being held, or to a procession intended to be held in a case where persons are assembling with a view to taking part in it, the most senior in rank of the police officers present at the scene, and
 - (b) in relation to a procession intended to be held in a case where paragraph (a) does not apply, the chief officer of police.
- (3) A direction given by a chief officer of police by virtue of subsection (2)(b) shall be given in writing.
- (4) A person who organises a public procession and knowingly fails to comply with a condition imposed under this section is guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.

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- (5) A person who takes part in a public procession and knowingly fails to comply with a condition imposed under this section is guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.
- (6) A person who incites another to commit an offence under subsection (5) is guilty of an offence.
- (7) A constable in uniform may arrest without warrant anyone he reasonably suspects is committing an offence under subsection (4), (5) or (6).
- (8) A person guilty of an offence under subsection (4) is liable on summary conviction 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 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 to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both, notwithstanding section 45(3) of the Magistrates' Courts Act 1980 (inciter liable to same penalty as incited).
- (11) In Scotland this section applies only in relation to a procession being held, and to a procession intended to be held in a case where persons are assembling with a view to taking part in it.

13 Prohibiting public processions.

- (1) If at any time the chief officer of police reasonably believes that, because of particular circumstances existing in any district or part of a district, the powers under section 12 will not be sufficient to prevent the holding of public processions in that district or part from resulting in serious public disorder, he shall apply to the council of the district for an order prohibiting for such period not exceeding 3 months as may be specified in the application the holding of all public processions (or of any class of public procession so specified) in the district or part concerned.
- (2) On receiving such an application, a council may with the consent of the Secretary of State make an order either in the terms of the application or with such modifications as may be approved by the Secretary of State.
- (3) Subsection (1) does not apply in the City of London or the metropolitan police district.
- (4) If at any time the Commissioner of Police for the City of London or the Commissioner of Police of the Metropolis reasonably believes that, because of particular circumstances existing in his police area or part of it, the powers under section 12 will not be sufficient to prevent the holding of public processions in that area or part from resulting in serious public disorder, he may with the consent of the Secretary of State make an order prohibiting for such period not exceeding 3 months as may be specified in the order the holding of all public processions (or of any class of public procession so specified) in the area or part concerned.
- (5) An order made under this section may be revoked or varied by a subsequent order made in the same way, that is, in accordance with subsections (1) and (2) or subsection (4), as the case may be.

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- (6) Any order under this section shall, if not made in writing, be recorded in writing as soon as practicable after being made.
- (7) A person who organises a public procession the holding of which he knows is prohibited by virtue of an order under this section is guilty of an offence.
- (8) A person who takes part in a public procession the holding of which he knows is prohibited by virtue of an order under this section is guilty of an offence.
- (9) A person who incites another to commit an offence under subsection (8) is guilty of an offence.
- (10) A constable in uniform may arrest without warrant anyone he reasonably suspects is committing an offence under subsection (7), (8) or (9).
- (11) A person guilty of an offence under subsection (7) is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.
- (12) A person guilty of an offence under subsection (8) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (13) A person guilty of an offence under subsection (9) is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both, notwithstanding section 45(3) of the Magistrates' Courts Act 1980.

14 Imposing conditions on public assemblies.

- (1) If the senior police officer, having regard to the time or place at which and the circumstances in which any public assembly is being held or is intended to be held, reasonably believes that—
 - (a) it may result in serious public disorder, serious damage to property or serious disruption to the life of the community, or
 - (b) the purpose of the persons organising it 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,
 he may give directions imposing on the persons organising or taking part in the assembly such conditions as to the place at which the assembly may be (or continue to be) held, its maximum duration, or the maximum number of persons who may constitute it, as appear to him necessary to prevent such disorder, damage, disruption or intimidation.
- (2) In subsection (1) " the senior police officer " means—
 - (a) in relation to an assembly being held, the most senior in rank of the police officers present at the scene, and
 - (b) in relation to an assembly intended to be held, the chief officer of police.
- (3) A direction given by a chief officer of police by virtue of subsection (2)(b) shall be given in writing.
- (4) A person who organises a public assembly and knowingly fails to comply with a condition imposed under this section is guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.

- (5) A person who takes part in a public assembly and knowingly fails to comply with a condition imposed under this section is guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.
- (6) A person who incites another to commit an offence under subsection (5) is guilty of an offence.
- (7) A constable in uniform may arrest without warrant anyone he reasonably suspects is committing an offence under subsection (4), (5) or (6).
- (8) A person guilty of an offence under subsection (4) is liable on summary conviction 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 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 to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both, notwithstanding section 45(3) of the Magistrates' Courts Act 1980.

15 Delegation.

- (1) The chief officer of police may delegate, to such extent and subject to such conditions as he may specify, any of his functions under sections 12 to 14 to a deputy or assistant chief constable; and references in those sections to the person delegating shall be construed accordingly.
- (2) Subsection (1) shall have effect in the City of London and the metropolitan police district as if " a deputy or assistant chief constable " read " an assistant commissioner of police ".

16 Interpretation.

In this Part—

" the City of London " means the City as defined for the purposes of the Acts relating to the City of London police;

" the metropolitan police district " means that district as defined in section 76 of the London Government Act 1963;

" public assembly " means an assembly of 20 or more persons in a public place which is wholly or partly open to the air;

" public place " means—

(a) any highway, or in Scotland any road within the meaning of the Roads (Scotland) Act 1984, and

(b) any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission ;

" public procession " means a procession in a public place.