



Public Order Act 1986

1986 CHAPTER 64

PART IV

EXCLUSION ORDERS

30 Exclusion orders.

- (1) A court by or before which a person is convicted of an offence to which section 31 applies may make an order (an exclusion order) prohibiting him from entering any premises for the purpose of attending any prescribed football match there.
- (2) No exclusion order may be made unless the court is satisfied that making such an order in relation to the accused would help to prevent violence or disorder at or in connection with prescribed football matches.
- (3) An exclusion order may only be made—
 - (a) in addition to a sentence imposed in respect of the offence of which the accused is convicted, or
 - (b) in addition to a probation order or an order discharging him absolutely or conditionally.
- (4) An exclusion order may be made as mentioned in subsection (3)(b) notwithstanding anything in sections 2, 7 and 13 of the Powers of Criminal Courts Act 1973 (which relate to orders there mentioned and their effect).

31 Offences connected with football.

- (1) This section applies to any offence which fulfils one or more of the following three conditions.
- (2) The first condition is that the offence was committed during any period relevant to a prescribed football match (as determined under subsections (6) to (8)), while the accused was at, or was entering or leaving or trying to enter or leave, the football ground concerned.

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- (3) The second condition is that the offence—
 - (a) involved the use or threat of violence by the accused towards another person and was committed while one or each of them was on a journey to or from an association football match,
 - (b) involved the use or threat of violence towards property and was committed while the accused was on such a journey, or
 - (c) was committed under section 5 or Part III while the accused was on such a journey.
- (4) The third condition is that the offence was committed under section 1(3) or (4) or 1A(3) or (4) of the Sporting Events (Control of Alcohol etc.) Act 1985 (alcohol on journeys to or from certain sporting events) and the designated sporting event concerned was an association football match.
- (5) For the purposes of subsection (3) a person's journey includes breaks (including overnight breaks).
- (6) The period beginning 2 hours before the start of the match or (if earlier) 2 hours before the time at which it is advertised to start, and ending 1 hour after the end of it, is a period relevant to it.
- (7) Where the match is advertised to start at a particular time on a particular day and is postponed to a later day, the period in the advertised day beginning 2 hours before and ending 1 hour after that time is also a period relevant to it.
- (8) Where the match is advertised to start at a particular time on a particular day and does not take place, the period in that day beginning 2 hours before and ending 1 hour after that time is a period relevant to it.

32 Effect of order.

- (1) An exclusion order shall have effect for such period as is specified in the order.
- (2) The period shall be not less than three months or, in the case of a person already subject to an exclusion order, not less than three months plus the unexpired period of the earlier order or, if there is more than one earlier order, of the most recent order.
- (3) A person who enters premises in breach of an exclusion order is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 1 month or a fine not exceeding level 3 on the standard scale or both.
- (4) A constable who reasonably suspects that a person has entered premises in breach of an exclusion order may arrest him without warrant.

33 Application to terminate order.

- (1) A person in relation to whom an exclusion order has had effect for at least one year may apply to the court by which it was made to terminate it.
- (2) On such an application the court may, having regard to the person's character, his conduct since the order was made, the nature of the offence which led to it and any other circumstances of the case, either by order terminate the order (as from a date specified in the terminating order) or refuse the application.

- (3) Where an application under this section is refused, a further application in respect of the exclusion order shall not be entertained if made within the period of six months beginning with the day of the refusal.
- (4) The court may order the applicant to pay all or any part of the costs of an application under this section.
- (5) In the case of an exclusion order made by a magistrates' court, the reference in subsection (1) to the court by which it was made includes a reference to any magistrates' court acting for the same petty sessions area as that court.
- (6) Section 63(2) of the Magistrates' Courts Act 1980 (power to suspend or rescind orders) does not apply to an exclusion order.

34 Information.

- (1) Where a court makes an exclusion order, the clerk of the court (in the case of a magistrates' court) or the appropriate officer (in the case of the Crown Court)—
 - (a) shall give a copy of it to the person to whom it relates,
 - (b) shall (as soon as reasonably practicable) send a copy of it to the chief officer of police for the police area in which the offence leading to the order was committed, and
 - (c) shall (as soon as reasonably practicable) send a copy of it to any prescribed person.
- (2) Where a court terminates an exclusion order under section 28, the clerk of the court (in the case of a magistrates' court) or the appropriate officer (in the case of the Crown Court)—
 - (a) shall give a copy of the terminating order to the person to whom the exclusion order relates,
 - (b) shall (as soon as reasonably practicable) send a copy of the terminating order to the chief officer of police for the police area in which the offence leading to the exclusion order was committed, and
 - (c) shall (as soon as reasonably practicable) send a copy of the terminating order to any prescribed person.
- (3) References in this section to the clerk of a magistrates' court shall be construed in accordance with section 141 of the Magistrates' Courts Act 1980, reading references to that Act as references to this section.
- (4) In this section "prescribed" means prescribed by order made by the Secretary of State.
- (5) The power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

35 Photographs.

- (1) The court by which an exclusion order is made may make an order which—
 - (a) requires a constable to take a photograph of the person to whom the exclusion order relates or to cause such a photograph to be taken, and
 - (b) requires that person to go to a specified police station not later than 7 clear days after the day on which the order under this section is made, and at a

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specified time of day or between specified times of day, in order to have his photograph taken.

- (2) In subsection (1) " specified " means specified in the order made under this section.
- (3) No order may be made under this section unless an application to make it is made to the court by or on behalf of the person who is the prosecutor in respect of the offence leading to the exclusion order.
- (4) If the person to whom the exclusion order relates fails to comply with an order under this section a constable may arrest him without warrant in order that his photograph may be taken.

36 Prescribed football matches.

- (1) In this Part " prescribed football match " means an association football match of any description prescribed by order made by the Secretary of State.
- (2) The power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

37 Extension to other sporting events.

- (1) The Secretary of State may by order provide for sections 30 to 35 to apply as if—
 - (a) any reference to an association football match included a reference to a sporting event of a kind specified in the order, and
 - (b) any reference to a prescribed football match included a reference to such a sporting event of a description specified in the order.
- (2) An order under subsection (1) may make such modifications of those sections, as they apply by virtue of the order, as the Secretary of State thinks fit.
- (3) The power to make an order under this section shall be exercisable by statutory instrument, and no such order shall be made unless a draft of the order has been laid before and approved by resolution of each House of Parliament.