



# Public Order Act 1986

## 1986 CHAPTER 64

### PART II

#### PROCESSIONS AND ASSEMBLIES

#### 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,

[<sup>F1</sup>(aa) in the case of a procession in England and Wales, the noise generated by persons taking part in the procession may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the procession,

(ab) in the case of a procession in England and Wales—

(i) the noise generated by persons taking part in the procession may have a relevant impact on persons in the vicinity of the procession, and

(ii) that impact may be significant, 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 [<sup>F2</sup>, impact] 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

---

**Changes to legislation:** Public Order Act 1986, Section 12 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (b) in relation to a procession intended to be held in a case where paragraph (a) does not apply, the chief officer of police.

[<sup>F3</sup>(2A) For the purposes of subsection (1)(a) [<sup>F4</sup>—

- (a) the cases in which a public procession in England and Wales may result in serious disruption to the life of the community include, in particular, where it may, by way of physical obstruction, result in—
  - (i) the prevention of, or a hindrance that is more than minor to, the carrying out of day-to-day activities (including in particular the making of a journey),
  - (ii) the prevention of, or a delay that is more than minor to, the delivery of a time-sensitive product to consumers of that product, or
  - (iii) the prevention of, or a disruption that is more than minor to, access to any essential goods or any essential service,
- (b) in considering whether a public procession in England and Wales may result in serious disruption to the life of the community, the senior police officer—
  - (i) must take into account all relevant disruption, and
  - (ii) may take into account any relevant cumulative disruption, and
- (c) “community”, in relation to a public procession in England and Wales, means any group of persons that may be affected by the procession, whether or not all or any of those persons live or work in the vicinity of the procession.]

(2B) In [<sup>F5</sup>subsection (2A) and this subsection—

“access to any essential goods or any essential service” includes, in particular, access to—

- (a) the supply of money, food, water, energy or fuel,
- (b) a system of communication,
- (c) a place of worship,
- (d) a transport facility,
- (e) an educational institution, or
- (f) a service relating to health;

“area”, in relation to a public procession or public assembly, means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from the procession or assembly;

“relevant cumulative disruption”, in relation to a public procession in England and Wales, means the cumulative disruption to the life of the community resulting from—

- (a) the procession,
- (b) any other public procession in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under subsection (1) in relation to that other procession), and
- (c) any public assembly in England and Wales that was held, is being held or is intended to be held in the same area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under section 14(1A) in relation to that assembly),

---

**Changes to legislation:** Public Order Act 1986, Section 12 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

and it does not matter whether or not the procession mentioned in paragraph (a) and any procession or assembly within paragraph (b) or (c) are organised by the same person, are attended by any of the same persons or are held or are intended to be held at the same time;

“relevant disruption”, in relation to a public procession in England and Wales, means all disruption to the life of the community—

- (a) that may result from the procession, or
- (b) that may occur regardless of whether the procession is held (including in particular normal traffic congestion);]

“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.

(2C) For the purposes of subsection (1)(aa), the cases in which the noise generated by persons taking part in a public procession may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the procession include, in particular, where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry on in that vicinity the activities or any one of them.

(2D) For the purposes of subsection (1)(ab)(i), the noise generated by persons taking part in a public procession may have a relevant impact on persons in the vicinity of the procession if—

- (a) it may result in the intimidation or harassment of persons of reasonable firmness with the characteristics of persons likely to be in the vicinity, or
- (b) it may cause such persons to suffer alarm or distress.

(2E) In considering for the purposes of subsection (1)(ab)(ii) whether the noise generated by persons taking part in a public procession may have a significant impact on persons in the vicinity of the procession, the senior police officer must have regard to—

- (a) the likely number of persons of the kind mentioned in paragraph (a) of subsection (2D) who may experience an impact of the kind mentioned in paragraph (a) or (b) of that subsection,
- (b) the likely duration of that impact on such persons, and
- (c) the likely intensity of that impact on such persons.]

(3) A direction given by a chief officer of police by virtue of subsection (2)(b) shall be given in writing.

(4) [<sup>F6</sup>Subject to subsection (5A), a person] who organises a public procession and <sup>F7</sup>... 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) [<sup>F8</sup>Subject to subsection (5A), a person] who takes part in a public procession and <sup>F9</sup>... 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.

[<sup>F10</sup>(5A) A person is guilty of an offence under subsection (4) or (5) only if—

- (a) in the case of a public procession in England and Wales, at the time the person fails to comply with the condition the person knows or ought to know that the condition has been imposed;

---

**Changes to legislation:** Public Order Act 1986, Section 12 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (b) in the case of a public procession in Scotland, the person knowingly fails to comply with the condition.]
- (6) A person who incites another to commit an offence under subsection (5) is guilty of an offence.
- (7) <sup>F11</sup> .....
- [<sup>F12</sup>(8) A person guilty of an offence under subsection (4) is liable on summary conviction—
  - (a) in the case of a public procession in England and Wales, to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 4 on the standard scale or both;
  - (b) in the case of a public procession in Scotland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.]
- [<sup>F12</sup>(9) A person guilty of an offence under subsection (5) is liable on summary conviction—
  - (a) in the case of a public procession in England and Wales, to a fine not exceeding level 4 on the standard scale;
  - (b) in the case of a public procession in Scotland, to a fine not exceeding level 3 on the standard scale.]
- [<sup>F12</sup>(10) A person guilty of an offence under subsection (6) is liable on summary conviction—
  - (a) in the case of a public procession in England and Wales, to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 4 on the standard scale or both;
  - (b) in the case of a public procession in Scotland, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.]
- [<sup>F12</sup>(10A) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales), the references in subsections (8)(a) and to (10)(a) to 51 weeks are to be read as references to 6 months.]
- (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.
- [<sup>F13</sup>(12) The Secretary of State may by regulations amend any of subsections (2A) to (2C) for the purposes of making provision about the meaning for the purposes of this section of—
  - (a) serious disruption to the activities of an organisation which are carried on in the vicinity of a public procession, or
  - (b) serious disruption to the life of the community.
- (13) Regulations under subsection (12) may, in particular, amend any of those subsections for the purposes of—
  - (a) defining any aspect of an expression mentioned in subsection (12)(a) or (b) for the purposes of this section;
  - (b) giving examples of cases in which a public procession is or is not to be treated as resulting in—
    - (i) serious disruption to the activities of an organisation which are carried on in the vicinity of the procession, or

---

**Changes to legislation:** Public Order Act 1986, Section 12 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

(ii) serious disruption to the life of the community.

(14) Regulations under subsection (12)—

- (a) are to be made by statutory instrument;
- (b) may apply only in relation to public processions in England and Wales;
- (c) may make incidental, supplementary, consequential, transitional, transitory or saving provision, including provision which makes consequential amendments to this Part.

(15) A statutory instrument containing regulations under subsection (12) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.]

#### Textual Amendments

- F1** S. 12(1)(aa)(ab) substituted (28.6.2022) for word by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 73(2)(a)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))
- F2** Word in s. 12(1) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 73(2)(b)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))
- F3** S. 12(2A)-(2E) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 73(3)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))
- F4** Words in s. 12(2A) substituted (15.6.2023) by The Public Order Act 1986 (Serious Disruption to the Life of the Community) Regulations 2023 (S.I. 2023/655), regs. 1(2), **2(2)**
- F5** Words in s. 12(2B) substituted (15.6.2023) by The Public Order Act 1986 (Serious Disruption to the Life of the Community) Regulations 2023 (S.I. 2023/655), regs. 1(2), **2(3)**
- F6** Words in s. 12(4) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(3)(a)**, 208(1); S.I. 2022/520, reg. 5(i)
- F7** Word in s. 12(4) omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(3)(b)**, 208(1); S.I. 2022/520, reg. 5(i)
- F8** Words in s. 12(5) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(4)(a)**, 208(1); S.I. 2022/520, reg. 5(i)
- F9** Word in s. 12(5) omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(4)(b)**, 208(1); S.I. 2022/520, reg. 5(i)
- F10** S. 12(5A) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(5)**, 208(1); S.I. 2022/520, reg. 5(i)
- F11** S. 12(7) repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 111, 174(2), 178(8), Sch. 7 para. 26(6), **Sch 17 Pt. 2**; S.I. 2005/3495, **art. 2(m)(u)(xxvi)**
- F12** S. 12(8)-(10A) substituted for s. 12(8)-(10) (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 75(6)**, 208(1) (with s. 75(12)); S.I. 2022/520, **reg. 5(i)**
- F13** S. 12(12)-(15) inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 73(4)**, 208(1); S.I. 2022/520, reg. 5(i) (as amended by S.I. 2022/680, reg. 2(a))

**Changes to legislation:**

Public Order Act 1986, Section 12 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 12(8) words substituted by [2003 c. 44 Sch. 26 para. 37\(2\)\(a\)](#)
- s. 12(10) words substituted by [2003 c. 44 Sch. 26 para. 37\(2\)\(b\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4B inserted by [2023 c. 47 s. 1](#)