

# Public Order Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**Before Clause 15**

LORD SHARPE OF EPSOM

Before Clause 15, insert the following new Clause –

**“Imposing conditions on public processions: serious disruption**

- (1) Section 12 of the Public Order Act 1986 (imposing conditions on public processions) is amended as follows.
- (2) After subsection (2) insert –
  - “(2ZA) In considering for the purposes of subsection (1)(a) whether a public procession in England and Wales may result in serious disruption to the life of the community, the senior police officer may have regard to the cumulative disruption to the life of the community resulting from –
    - (a) the procession,
    - (b) any public procession in England and Wales within subsection (2ZB), and
    - (c) any public assembly in England and Wales within subsection (2ZE).
  - (2ZB) A public procession (“Procession A”) is within this subsection if it was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in subsection (2ZA)(a) (“Procession B”) is being held or is intended to be held.
  - (2ZC) In subsection (2ZB) “area” means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from Procession A and Procession B.
  - (2ZD) For the purposes of subsection (2ZB), it does not matter whether or not –
    - (a) Procession A and Procession B are organised by the same person,
    - (b) any of the same persons take part in Procession A and Procession B,
    - (c) Procession A and Procession B are held or are intended to be held at the same time, or
    - (d) directions are given under subsection (1) in relation to Procession A.

- (2ZE) A public assembly is within this subsection if it was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in subsection (2ZA)(a) is being held or is intended to be held.
- (2ZF) In subsection (2ZE) “area” 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 assembly and the procession.
- (2ZG) For the purposes of subsection (2ZE) it does not matter whether or not –
- (a) the assembly and the procession are organised by the same person,
  - (b) any of the same persons take part in the assembly and the procession,
  - (c) the assembly and the procession are held or are intended to be held at the same time, or
  - (d) directions are given under section 14(1A) (imposing conditions on public assemblies) in relation to the assembly.
- (2ZH) In considering for the purposes of subsection (1)(a) whether a public procession in England and Wales may result in serious disruption to the life of the community –
- (a) all disruption to the life of the community –
    - (i) that may result from the procession, or
    - (ii) that may occur regardless of whether the procession is held (including in particular normal traffic congestion),
 is to be taken into account, and
  - (b) “the community” means any group of persons that may be affected by the procession, and it does not matter whether or not all or any of those persons live or work in the vicinity of the procession.”
- (3) In subsection (2A) (examples of serious disruption) –
- (a) before paragraph (a) insert –
    - “(za) it may, by way of physical obstruction, result in the prevention of, or a hindrance that is more than minor to, the carrying out of daily activities (including in particular the making of a journey),”
  - (b) in paragraph (a), for “a significant delay to” substitute “the prevention of, or a delay that is more than minor to,”, and
  - (c) in paragraph (b), for “a prolonged disruption” substitute “the prevention, or a disruption that is more than minor,”.
- (4) After subsection (3) insert –
- “(3A) Subsection (3B) applies where –
- (a) a public procession is being held or is intended to be held in England and Wales,
  - (b) it appears to the senior police officer that there is a connection between the procession and –
    - (i) one or more other public processions that are being held or that are intended to be held in England and Wales, or

- (ii) one or more public assemblies that are being held or that are intended to be held in England and Wales,
  - (c) the senior police officer reasonably believes that one of the conditions in subsection (1)(a) to (b) is met in relation to the procession mentioned in paragraph (a), and
  - (d) the senior police officer reasonably believes –
    - (i) in relation to a procession mentioned in paragraph (b)(i), that one of the conditions in subsection (1)(a) to (b) is met in relation to the procession, or
    - (ii) in relation to an assembly mentioned in paragraph (b)(ii), that one of the conditions in section 14(1)(a) to (b) is met in relation to the assembly.
- (3B) The senior police officer may –
- (a) give directions under subsection (1) in relation to –
    - (i) the procession mentioned in subsection (3A)(a), and
    - (ii) any procession mentioned in subsection (3A)(b)(i) in relation to which the condition in subsection (3A)(d)(i) is met, and
  - (b) give directions under section 14(1A) in relation to any assembly mentioned in subsection (3A)(b)(ii) in relation to which the condition in subsection (3A)(d)(ii) is met.
- (3C) Directions given in accordance with subsection (3B) may impose the same or different conditions in relation to different processions and assemblies.
- (3D) In subsections (3A) and (3B) “the senior police officer” means –
- (a) where the public procession mentioned in subsection (3A)(a) is being held, the police officer responsible for managing the police response to the procession, and
  - (b) where the public procession mentioned in subsection (3A)(a) is intended to be held, the chief officer of police.
- (3E) A direction given by a chief officer of police by virtue of subsection (3D)(b) must be given in writing.”

***Member's explanatory statement***

*This new Clause amends section 12 of the Public Order Act 1986 (imposing conditions on public processions) to make provision about when a public procession in England and Wales may result in serious disruption to the life of the community. The amendments also allow for conditions to be imposed in relation to connected processions and assemblies.*

LORD SHARPE OF EPSOM

Before Clause 15, insert the following new Clause –

**“Imposing conditions on public assemblies: serious disruption**

- (1) Section 14 of the Public Order Act 1986 (imposing conditions on public assemblies) is amended as follows.

- (2) In subsection (2) (meaning of senior police officer), for “this section” substitute “subsections (1) and (1A)”.
- (3) Before subsection (2A) insert –
- “(2ZA) In considering for the purposes of subsection (1)(a) whether a public assembly in England and Wales may result in serious disruption to the life of the community, the senior police officer may have regard to the cumulative disruption to the life of the community resulting from –
- (a) the assembly,
  - (b) any public assembly in England and Wales within subsection (2ZB), and
  - (c) any public procession in England and Wales within subsection (2ZE).
- (2ZB) A public assembly (“Assembly A”) is within this subsection if it was held, is being held or is intended to be held in the same area as the area in which the assembly mentioned in subsection (2ZA)(a) (“Assembly B”) is being held or is intended to be held.
- (2ZC) In subsection (2ZB) “area” means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from Assembly A and Assembly B.
- (2ZD) For the purposes of subsection (2ZB), it does not matter whether or not –
- (a) Assembly A and Assembly B are organised by the same person,
  - (b) any of the same persons take part in Assembly A and Assembly B,
  - (c) Assembly A and Assembly B are held or are intended to be held at the same time, or
  - (d) directions are given under subsection (1A) in relation to Assembly A.
- (2ZE) A public procession is within this subsection if it was held, is being held or is intended to be held in the same area as the area in which the assembly mentioned in subsection (2ZA)(a) is being held or is intended to be held.
- (2ZF) In subsection (2ZE) “area” 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 and the assembly.
- (2ZG) For the purposes of subsection (2ZE) it does not matter whether or not –
- (a) the procession and the assembly are organised by the same person,
  - (b) any of the same persons take part in the procession and the assembly,
  - (c) the procession and the assembly are held or are intended to be held at the same time, or
  - (d) directions are given under section 12(1) (imposing conditions on public processions) in relation to the procession.

- (2ZH) In considering for the purposes of subsection (1)(a) whether a public assembly in England and Wales may result in serious disruption to the life of the community –
- (a) all disruption to the life of the community –
    - (i) that may result from the assembly, or
    - (ii) that may occur regardless of whether the assembly is held (including in particular normal traffic congestion),is to be taken into account, and
  - (b) “community” means any group of persons that may be affected by the assembly, and it does not matter whether or not all or any of those persons live or work in the vicinity of the assembly.”
- (4) In subsection (2A) (examples of serious disruption) –
- (a) before paragraph (a) insert –
    - “(za) it may, by way of physical obstruction, result in the prevention of, or a hindrance that is more than minor to, the carrying out of daily activities (including in particular the making of a journey),”
  - (b) in paragraph (a), for “a significant delay to” substitute “the prevention of, or a delay that is more than minor to,” and
  - (c) in paragraph (b), for “a prolonged disruption” substitute “the prevention, or a disruption that is more than minor,”.
- (5) After subsection (3) insert –
- “(3A) Subsection (3B) applies where –
- (a) a public assembly is being held or is intended to be held in England and Wales,
  - (b) it appears to the senior police officer that there is a connection between the assembly and –
    - (i) one or more other public assemblies that are being held or that are intended to be held in England and Wales, or
    - (ii) one or more public processions that are being held or that are intended to be held in England and Wales,
  - (c) the senior police officer reasonably believes that one of the conditions in subsection (1)(a) to (b) is met in relation to the assembly mentioned in paragraph (a), and
  - (d) the senior police officer reasonably believes –
    - (i) in relation to an assembly mentioned in paragraph (b)(i), that one of the conditions in subsection (1)(a) to (b) is met in relation to the assembly, or
    - (ii) in relation to a procession mentioned in paragraph (b)(ii), that one of the conditions in section 12(1)(a) to (b) is met in relation to the procession.
- (3B) The senior police officer may –
- (a) give directions under subsection (1A) in relation to –
    - (i) the assembly mentioned in subsection (3A)(a), and

- (ii) any assembly mentioned in subsection (3A)(b)(i) in relation to which the condition in subsection (3A)(d)(i) is met, and
  - (b) give directions under section 12(1) in relation to any procession mentioned in subsection (3A)(b)(ii) in relation to which the condition in subsection (3A)(d)(ii) is met.
- (3C) Directions given in accordance with subsection (3B) may impose the same or different conditions in relation to different assemblies and processions.
- (3D) In subsections (3A) and (3B) “the senior police officer” means—
- (a) where the public assembly mentioned in subsection (3A)(a) is being held, the police officer responsible for managing the police response to the assembly, and
  - (b) where the public assembly mentioned in subsection (3A)(a) is intended to be held, the chief officer of police.
- (3E) A direction given by a chief officer of police by virtue of subsection (3D)(b) must be given in writing.””

***Member's explanatory statement***

*This new Clause amends section 14 of the Public Order Act 1986 (imposing conditions on public assemblies) to make provision about when a public assembly in England and Wales may result in serious disruption to the life of the community. The amendments also allow for conditions to be imposed in relation to connected assemblies and processions.*

**Clause 35**

BARONESS CHAKRABARTI

Clause 35, page 36, line 25, at end insert—

- “(4A) No other provisions of this Act may be brought into force until a report by His Majesty’s Chief Inspectorate of Constabulary and Fire Services on improvements to the vetting, recruitment and discipline of specialist protest police officers is laid before and debated in each House of Parliament.”

***Member's explanatory statement***

*This amendment, and another in the name of Baroness Chakrabarti, require parliamentary debate of a report by HMCI on improvements to the vetting, recruitment and discipline of specialist protest police officers before most provisions of the legislation may be brought into force.*

BARONESS CHAKRABARTI

Clause 35, page 36, line 26, leave out “and (4)” and insert “, (4) and (4A)”

***Member's explanatory statement***

*This amendment, and another in the name of Baroness Chakrabarti, require parliamentary debate of a report by HMCI on improvements to the vetting, recruitment and discipline of specialist protest police officers before most provisions of the legislation may be brought into force.*



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*16 January 2023*

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