



Public Order Act 1986

1986 CHAPTER 64

PART I

NEW OFFENCES

5 Harassment, alarm or distress.

- (1) A person is guilty of an offence if he—
 - (a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or
 - (b) displays any writing, sign or other visible representation which is threatening, abusive or insulting,within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby.
- (2) An offence under this section may be committed in a public or a private place, except that no offence is committed where the words or behaviour are used, or the writing, sign or other visible representation is displayed, by a person inside a dwelling and the other person is also inside that or another dwelling.
- (3) It is a defence for the accused to prove—
 - (a) that he had no reason to believe that there was any person within hearing or sight who was likely to be caused harassment, alarm or distress, or
 - (b) that he was inside a dwelling and had no reason to believe that the words or behaviour used, or the writing, sign or other visible representation displayed, would be heard or seen by a person outside that or any other dwelling, or
 - (c) that his conduct was reasonable.
- (4) ^{F1}
- (5) ^{F1}
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Status: Point in time view as at 01/10/2007. This version of this provision has been superseded.

Changes to legislation: Public Order Act 1986, Section 5 is up to date with all changes known to be in force on or before 17 July 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)

Textual Amendments

- F1** S. 5(4)(5) repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 174(2), 178(8), Sch. 7 para. 26(5), [Sch 17 Pt. 2](#); S.I. 2005/3495, [art. 2\(m\)\(u\)\(xxvi\)](#)

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