



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART V

PUBLIC ORDER: COLLECTIVE TRESPASS OR NUISANCE ON LAND

Disruptive trespassers

68 Offence of aggravated trespass.

- (1) A person commits the offence of aggravated trespass if he trespasses on land [^{F1}in the open air] and, in relation to any lawful activity which persons are engaging in or are about to engage in on that or adjoining land [^{F2}in the open air], does there anything which is intended by him to have the effect—
- (a) of intimidating those persons or any of them so as to deter them or any of them from engaging in that activity,
 - (b) of obstructing that activity, or
 - (c) of disrupting that activity.

[^{F3}(1A) The reference in subsection (1) above to trespassing includes, in Scotland, the exercise of access rights (within the meaning of the Land Reform (Scotland) Act 2003 (asp 2)) up to the point when they cease to be exercisable by virtue of the commission of the offence under that subsection.]

- (2) Activity on any occasion on the part of a person or persons on land is “lawful” for the purposes of this section if he or they may engage in the activity on the land on that occasion without committing an offence or trespassing on the land.
- (3) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale, or both.

Status: Point in time view as at 09/02/2005. This version of this provision has been superseded.

Changes to legislation: Criminal Justice and Public Order Act 1994, Section 68 is up to date with all changes known to be in force on or before 26 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)

- (4) A constable in uniform who reasonably suspects that a person is committing an offence under this section may arrest him without a warrant.
- (5) In this section “land” does not include—
- (a) the highways and roads excluded from the application of section 61 by paragraph (b) of the definition of “land” in subsection (9) of that section; or
 - (b) a road within the meaning of the ^{M1}Roads (Northern Ireland) Order 1993.

Textual Amendments

- F1** Words in s. 68(1) repealed (E.W.S.) (20.1.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. 59(2), 92, 93, [Sch. 3](#); S.I. 2003/3300, [art. 2\(e\)\(iii\)\(g\)\(ii\)](#)
- F2** Words in s. 68(1) repealed (E.W.S.) (20.1.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. 59(2), 92, 93, [Sch. 3](#); S.I. 2003/3300, [art. 2\(e\)\(iii\)\(g\)\(ii\)](#)
- F3** S. 68(1A) inserted (S.) (9.2.2005) by [Land Reform \(Scotland\) Act 2003 \(asp 2\)](#), ss. 99, 100(3)(4), [Sch. 2 para. 13](#) (with s. 100(2)); S.S.I. 2005/17, [art. 2\(a\)](#)

Marginal Citations

- M1** [S.I. 1993/3160 \(N.I. 15\)](#).

Status:

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