



Public Order Act 2023

2023 CHAPTER 15

PART 2

SERIOUS DISRUPTION PREVENTION ORDERS

Provisions of serious disruption prevention orders

22 Provisions of serious disruption prevention order

- (1) The only requirements and prohibitions that may be imposed on a person by a serious disruption prevention order are those which the court making the order thinks are necessary for a purpose mentioned in section 20(5) or 21(4) (as the case may be).
- (2) The requirements imposed on a person (“P”) by a serious disruption prevention order may, in particular, have the effect of requiring P—
 - (a) to present themselves to a particular person at a particular place at, or between, particular times on particular days;
 - (b) to remain at a particular place for particular periods.
- (3) Sections 23 and 24 make further provision about the inclusion of requirements (including notification requirements) in a serious disruption prevention order.
- (4) The prohibitions imposed on a person (“P”) by a serious disruption prevention order may, in particular, have the effect of prohibiting P from—
 - (a) being in or entering a particular place or area;
 - (b) being in or entering a particular place or area between particular times on particular days;
 - (c) being in or entering a particular place or area between particular times on any day;
 - (d) being with particular persons;
 - (e) participating in particular activities;
 - (f) having particular articles with them;
 - (g) using the internet to facilitate or encourage persons to—

Status: This is the original version (as it was originally enacted).

- (i) commit a protest-related offence or a protest-related breach of an injunction, or
 - (ii) carry out activities related to a protest that result in, or are likely to result in, serious disruption to two or more individuals, or to an organisation, in England and Wales.
- (5) References in this section to a particular place or area or particular persons, activities or articles include a place, area, persons, activities or articles of a particular description.
- (6) A serious disruption prevention order which imposes prohibitions on a person may include exceptions from those prohibitions.
- (7) Nothing in this section affects the generality of sections 20(6) and 21(5).
- (8) The requirements or prohibitions which are imposed on a person by a serious disruption prevention order must, so far as practicable, be such as to avoid—
- (a) any conflict with the person’s religious beliefs, and
 - (b) any interference with the times, if any, at which the person normally works or attends any educational establishment.

23 Requirements in serious disruption prevention order

- (1) A serious disruption prevention order which imposes on a person (“P”) a requirement, other than a notification requirement under section 24, must specify a person who is to be responsible for supervising compliance with the requirement.
- (2) That person may be an individual or an organisation.
- (3) Before including such a requirement, the court must receive evidence about its suitability and enforceability from—
- (a) the individual to be specified under subsection (1), if an individual is to be specified;
 - (b) an individual representing the organisation to be specified under subsection (1), if an organisation is to be specified.
- (4) Before including two or more such requirements, the court must consider their compatibility with each other.
- (5) It is the duty of a person specified under subsection (1)—
- (a) to make any necessary arrangements in connection with the requirements for which the person has responsibility (the “relevant requirements”);
 - (b) to promote P’s compliance with the relevant requirements;
 - (c) if the person considers that P—
 - (i) has complied with all of the relevant requirements, or
 - (ii) has failed to comply with a relevant requirement,
 to inform the appropriate chief officer of police.
- (6) In subsection (5)(c) “the appropriate chief officer of police” means—
- (a) the chief officer of police for the police area in which it appears to the person specified under subsection (1) that P lives, or
 - (b) if it appears to that person that P lives in more than one police area, whichever of the chief officers of police of those areas the person thinks it is most appropriate to inform.

- (7) Where P is subject to a requirement in a serious disruption prevention order, other than a notification requirement under section 24, P must—
- (a) keep in touch with the person specified under subsection (1) in relation to that requirement, in accordance with any instructions given by that person from time to time, and
 - (b) notify that person of any change of P's home address.
- (8) The obligations mentioned in subsection (7) have effect as if they were requirements imposed on P by the order.

24 Notification requirements in serious disruption prevention order

- (1) A serious disruption prevention order made in respect of a person ("P") must impose on P the notification requirements in subsections (2) and (4).
- (2) P must be required to notify the information in subsection (3) to the police within the period of 3 days beginning with the day on which the order takes effect.
- (3) That information is—
- (a) P's name on the day that the notification is given and, where P uses one or more other names on that day, each of those names,
 - (b) P's home address on that day, and
 - (c) the address of any other premises at which, on that day, P regularly resides or stays.
- (4) P must be required to notify the information in subsection (5) to the police within the period of 3 days beginning with the day on which P—
- (a) uses a name which has not been previously notified to the police in accordance with the order,
 - (b) changes their home address, or
 - (c) decides to live for a period of one month or more at any premises the address of which has not been previously notified to the police in accordance with the order.
- (5) That information is—
- (a) in a case within subsection (4)(a), the name which has not previously been notified,
 - (b) in a case within subsection (4)(b), the new home address, and
 - (c) in a case within subsection (4)(c), the address of the premises at which P has decided to live.
- (6) A serious disruption prevention order must provide that P gives a notification of the kind mentioned in subsection (2) or (4) by—
- (a) attending at a police station in a police area in which P lives, and
 - (b) giving an oral notification to a police officer, or to any person authorised for the purpose by the officer in charge of the station.

25 Duration of serious disruption prevention order

- (1) A serious disruption prevention order takes effect on the day it is made, subject to subsections (3) and (4).

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- (2) A serious disruption prevention order must specify the period for which it has effect, which must be a fixed period of not less than 1 week and not more than 2 years.
- (3) Subsection (4) applies in relation to a serious disruption prevention order made in respect of a person (“P”) if—
 - (a) P has been remanded in or committed to custody by an order of a court,
 - (b) a custodial sentence has been imposed on P or P is serving or otherwise subject to such a sentence, or
 - (c) P is on licence for part of the term of a custodial sentence.
- (4) The order may provide that it does not take effect until—
 - (a) P is released from custody,
 - (b) P ceases to be subject to a custodial sentence, or
 - (c) P ceases to be on licence.
- (5) A serious disruption prevention order may specify periods for which particular requirements or prohibitions have effect.
- (6) Where a court makes a serious disruption prevention order in respect of a person and the person is already subject to such an order, the earlier order ceases to have effect.
- (7) In this section “custodial sentence”—
 - (a) has the same meaning as in the Sentencing Code, and
 - (b) includes a “pre-Code custodial sentence” within the meaning of the Sentencing Code (see section 222 of the Code).

26 Other information to be included in serious disruption prevention order

- A serious disruption prevention order made in respect of a person must specify—
- (a) the reasons for making the order, and
 - (b) the penalties which may be imposed on the person for breaching the order.