



Public Order Act 2023

2023 CHAPTER 15

PART 1

PUBLIC ORDER

Powers to stop and search

11 Powers to stop and search without suspicion

- (1) This section applies if a police officer of or above the rank of inspector reasonably believes—
- (a) that any of the following offences may be committed in any locality within the officer's police area—
 - (i) an offence under section 137 of the Highways Act 1980 (wilful obstruction) involving activity which causes or is capable of causing serious disruption to two or more individuals or to an organisation;
 - (ii) an offence under section 78 of the Police, Crime, Sentencing and Courts Act 2022 (intentionally or recklessly causing public nuisance);
 - (iii) an offence under section 1 (offence of locking on);
 - (iv) an offence under section 3 (offence of causing serious disruption by tunnelling);
 - (v) an offence under section 4 (offence of causing serious disruption by being present in a tunnel);
 - (vi) an offence under section 6 (obstruction etc of major transport works);
 - (vii) an offence under section 7 (interference with use or operation of key national infrastructure), or
 - (b) that persons are carrying prohibited objects in any locality within the officer's police area.
- (2) In this section “prohibited object” means an object which—
- (a) is made or adapted for use in the course of or in connection with an offence within subsection (1)(a), or

Changes to legislation: There are currently no known outstanding effects for the Public Order Act 2023, Section 11. (See end of Document for details)

- (b) is intended by the person having it with them for such use by them or by some other person,
and for the purposes of this section a person carries a prohibited object if they have it in their possession.
- (3) If the further condition in subsection (4) is met, the police officer may give an authorisation that the powers conferred by this section are to be exercisable—
- (a) anywhere within a specified locality within the officer’s police area, and
 - (b) for a specified period not exceeding 24 hours.
- (4) The further condition is that the police officer reasonably believes that—
- (a) the authorisation is necessary to prevent the commission of offences within subsection (1)(a) or the carrying of prohibited objects (as the case may be),
 - (b) the specified locality is no greater than is necessary to prevent such activity, and
 - (c) the specified period is no longer than is necessary to prevent such activity.
- (5) If it appears to a police officer of or above the rank of superintendent that it is necessary to do so to prevent the commission of offences within subsection (1)(a) or the carrying of prohibited objects, the officer may direct that the authorisation is to continue in force for a further period not exceeding 24 hours.
- (6) This section confers on any constable in uniform power—
- (a) to stop any person and search them or anything carried by them for a prohibited object;
 - (b) to stop any vehicle and search the vehicle, its driver and any passenger for a prohibited object.
- (7) A constable may, in the exercise of the powers conferred by subsection (6), stop any person or vehicle and make any search the constable thinks fit whether or not the constable has any grounds for suspecting that the person or vehicle is carrying a prohibited object.
- (8) If in the course of a search under this section a constable discovers an object which the constable has reasonable grounds for suspecting to be a prohibited object, the constable may seize it.
- (9) This section and sections 12 (further provisions about authorisations and directions under this section), 13 (further provisions about searches under this section) and 14 (offence relating to this section) apply (with the necessary modifications) to ships, aircraft and hovercraft as they apply to vehicles.
- (10) In this section and the sections mentioned in subsection (9)—
- “specified” means specified in an authorisation under this section;
- “vehicle” includes a caravan as defined in section 29(1) of the Caravan Sites and Control of Development Act 1960.
- (11) The powers conferred by this section and the sections mentioned in subsection (9) do not affect any power conferred otherwise than by this section or those sections.

Commencement Information

II S. 11 not in force at Royal Assent, see [s. 35\(5\)](#)

Changes to legislation: There are currently no known outstanding effects
for the Public Order Act 2023, Section 11. (See end of Document for details)

12 S. 11 in force at 20.12.2023 by S.I. 2023/1418, **reg. 2(b)**

Changes to legislation:

There are currently no known outstanding effects for the Public Order Act 2023, Section 11.