



## 3. Conditions on a Protest - including Section 12/14 of the Public Order Act

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Sections 12 and 14 of the Public Order Act (1986) allow conditions to be imposed on 'public processions' and 'public assemblies'.

A 'public procession' constitutes any number of people (the law does not specify a minimum) moving along a route.

A 'public assembly' is two or more people gathered together in a public place. This includes highways, parks, shopping precincts, shops and offices, restaurants, pubs or any other place to which the public have access or partial access.

Conditions can be set which restrict **the place, the duration and the numbers of people allowed**, or "any reasonable" conditions on a procession, including route changes. Often, conditions will include setting up a "protest pen" and asking you to move into it. Conditions can be imposed in advance, or by the senior police officer who is at the scene. The law states that conditions can be imposed 'as they appear necessary to prevent serious disorder, disruption of the life of the community, or intimidation'.

Conditions may be **more likely** to be imposed if you talk to the police ahead of your action. If you or your group are considering this, please read our guide on [notifying the police of actions](#).

In order to be convicted of an offence under section 12 or 14, it must be proved that you were **aware of the conditions** and then chose to break them. A senior officer may make an announcement, or sometimes visual displays or leaflets are used.

**Do not pass on leaflets, make announcements, or tweet about conditions under Section 12 or 14.** This is doing the police's work for them. It is often very difficult to hear, or comply with, conditions, but by passing on the message you **make people liable for conviction** under the act. It is also an offence to organise or incite people to break the conditions and your actions may be misinterpreted as obstructing the police.

These laws give the police power to move you, using force if necessary, in order to comply with conditions. You can go limp. Knowingly not complying with the conditions is an offence under the act, and can be grounds for arrest, although it is a defence to prove that the failure to comply arose from circumstances out of your control.

*If convicted, the maximum penalty is a fine of £1000. First time offenders would be likely to receive a fine of about £200.*

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**Section 35 of the Anti-Social Behaviour, Crime, and Policing Act allows officers to force individuals to leave an area for up to 48 hours.**

Section 35 has also been used to try and gather peoples details. We know of several instances where refusal of details under Section 35 resulted in arrest. However in the only instance we know of where people continued withholding information, (after over 24 hours on remand) this resulted in a court ruling that those involved were entitled to withhold their information.