9. Violent Disorder and Affray

Violent Disorder and Affray are serious ‘behavioural offences’ of the Public Order Act (POA).

Violent Disorder (section 2 POA) is committed where 3 or more persons together, use or threaten unlawful violence that taken together could “cause a person of reasonable firmness to fear for their safety”. The person does not have to be present,

The 3 people involved do not need to co-operate with each other they just need to be present in the same area at the time the offence is committed.

The maximum penalty is 5 years in prison and/or an unlimited fine.

Affray (section 3 POA) is the equivalent (of Violent Disorder) when one person is acting alone. The conduct must be in excess of mere words. An assault on a single person would be unlikely to fall under this statute.

The maximum penalty is 3 years in prison and/or a fine.