

Prime Minister ②

This substantiates your statement that the Act is
"substantially unchanged".

RF 15/11

②

PRIME MINISTER

15 November 1984

PUBLIC ORDER ACT, 1936, SECTION 5 - text attached.

This Act has been amended.

Section 7 of the Race Relations Act, 1965 added a sub-
clause without changing the original sections.

The Race Relations Act, 1976 inserted more clauses, again
without changing the original.

This Act has been reviewed [(1980), Cmnd 7891; and
Commons Home Affairs Committee (1979-1980), H/C 756-I.]

The Home Affairs Committee in their 1980 Report, Page 30,
were persuaded by the fact that the Police regarded Section 5
of the Public Order Act, together with Section 1 of the Police
Act, 1964, as essential to their preserving order at public
demonstrations. They regarded this offence as an essential
power. They suggested no change in the law. The Law
Commission makes new proposals to strengthen the law against
threatening behaviour; where substantially, the only change
would be that the phrase "breach of the peace" would be
substituted by the word "violence". (Page 8, Law Commission
Report, 24 October 1983.) The Public Order Review of the Home
Office should include this matter.

H. Booth

HARTLEY BOOTH

CONFIDENTIAL

- 2 -

Any person who, in any public place or at any public meeting, uses threatening, abusive or insulting words of behaviour with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasion shall be guilty of offence.