

Animal rights extremism : government strategy: a consultation document / [Home Office].

Contributors

Great Britain. Home Office.

Publication/Creation

London : Home Office, 2001.

Persistent URL

<https://wellcomecollection.org/works/seuxbmn3>

License and attribution

You have permission to make copies of this work under an Open Government license.

This licence permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited.

Image source should be attributed as specified in the full catalogue record. If no source is given the image should be attributed to Wellcome Collection.



Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
<https://wellcomecollection.org>

ANIMAL RIGHTS EXTREMISM - CONSULTATION DOCUMENT

FOREWORD

The Government is committed to doing whatever is necessary to help the police tackle violent animal extremists. There are already tough laws in place to protect business and individuals from violent or threatening protests, and we are looking to strengthen these further to give the police additional powers to ensure that business and individuals can go about their lawful business without fear of violence or protest. It must be right that lawful and legitimate activities are damaged by violence and intimidation.

Some people object to the use of animals in scientific experiments, and would like to see an end to such use. But this cannot be done without halting important areas of medical and scientific research. The development of new drugs and medical and veterinary treatments, and the development of new vaccines against large-scale infectious diseases, all depend on the use of animals.

ANIMAL RIGHTS EXTREMISM:

GOVERNMENT STRATEGY

A Consultation Document

M
21104

WELLCOME LIBRARY
M
21104



22501541285

ANIMAL RIGHTS EXTREMISTS: CONSULTATION DOCUMENT

FOREWORD

The Government is committed to doing whatever is necessary to help the police tackle violent animal extremists. There are already tough laws in place to protect business and individuals from violent or threatening protests, and we are looking to strengthen these further to give the police additional powers to ensure that business and individuals can go about their lawful business without fear of violence or intimidation. It cannot be right that lawful and legitimate activities are damaged by violence and intimidation.

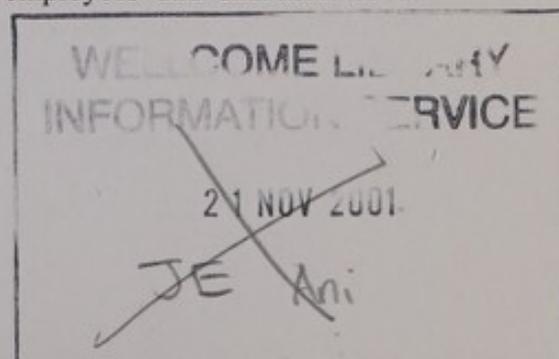
Some people object to the use of animals in scientific experiments, and would like to see an end to such use. But this cannot be done without halting important areas of medical and scientific research. The development of new drugs, and medical and veterinary technologies which help to reduce suffering and prevent large-scale infections among humans and animals, continues to depend on this use of animals. We recognise the need to promote and protect the welfare of such animals.

The use of animals in experiments and other scientific procedures is strictly regulated by the Animals (Scientific Procedures) Act 1986, which is the most rigorous piece of legislation of its type in the world. It offers a high level of protection to animals, whilst recognising the need to use animals in research. It also requires the latest ideas and technology to be taken into account when deciding whether the use of animals is strictly necessary.

The measures we are proposing to prevent intimidation would allow the police to take action to prevent extremists from protesting outside people's homes; will strengthen the law against the sending of malicious communications and make this an imprisonable offence; and will help protect the home addresses of company directors subject to violence or intimidation. We are also providing advice to shareholders and employees on protecting their home addresses and on personal security.

In addition, we have consulted closely with the police service, the Crown Prosecution Service and the courts to achieve an effective and consistent approach to enforcement of the law in this area. The attached document, on which comments are invited:

- sets out the current legal framework for dealing with violence and intimidation;
- notes the Government's current proposals for changes in the law;
- sets out advice on good practice in enforcement to the police service and CPS; and
- provides advice on personal safety for employees and shareholders in vulnerable companies.



ANIMAL RIGHTS EXTREMISTS: CONSULTATION DOCUMENT

FOREWORD

The Government is committed to doing whatever is necessary to help the animal rights activists... There are already tough laws in place to protect animals... and we are looking to strengthen... to give the police additional powers to create the business and... individuals can go about their daily business without fear of violence or harassment... cannot be right that brutal and legitimate activities are damaged by violence and... individuals

Some people think that the use of animals in scientific experiments, and results has to... see in your research... But this cannot be done without taking account of the... medical and other research... The development of new drugs and medical and... veterinary technology which helps to reduce suffering and prevent dangerous... illnesses, cancer, heart disease and other... conditions is essential to the care of animals... We support the need to protect and protect the welfare of such animals

The use of animals in experiments and other scientific procedures is already regulated... by the Animals (Scientific Procedures) Act 1986... It offers a high level of protection to animals... which is regarded as the best in the world... It also requires that the use of animals... and technology to be used only for purposes which are clearly defined... in the Act

The Government is committed to ensuring that the use of animals in experiments... and other scientific procedures is regulated in a way which... the law... the use of animals in experiments and other scientific procedures... and other scientific procedures... We are also providing advice to... and other scientific procedures and on... and other scientific procedures

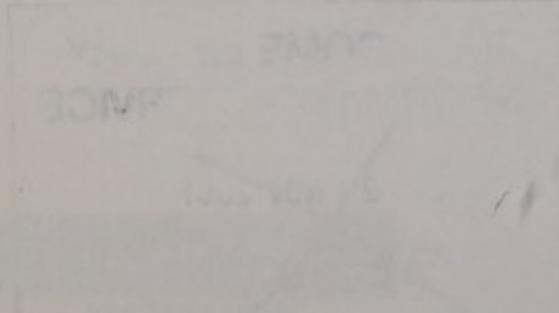
In addition, we have worked closely with the police... to ensure that the use of animals in experiments and other scientific procedures... of the law... The Animal Welfare Act 2006... and other scientific procedures

... the current legal framework for dealing with... and other scientific procedures

... the Government's current proposals for... and other scientific procedures

... our efforts to ensure that... and other scientific procedures

... provide advice on... and other scientific procedures



We should be grateful for your views on whether the current proposals go far enough in dealing with the problems of violence and intimidation by extremist groups, or whether further changes are necessary or desirable? Secondly on whether the guidance provided is adequate, or whether further issues need to be addressed? Finally any other ideas for dealing with problems of intimidation will be gratefully received and carefully considered.

I should be grateful for all comments to reach us by 27 April 2001. Please send these to:

Action Against Crime and Disorder Unit, Home Office, Room 540, 50 Queen Anne's Gate, London SW1H 9AT.

MIKE O'BRIEN MP
Parliamentary Under-Secretary of State
Home Office

March 2001

We should be grateful for your views on whether the current proposals for the change
in dealing with the problems of violence and intimidation by persons are, or
whether further changes are necessary or desirable? Secondly on whether the
provision provided is adequate, or whether further action need to be taken.
I highly appreciate your dealing with problems of consultation will be gratefully
received and carefully considered.

I should be grateful for all comments to reach us by 27 April 2001. Please send them

London Against Crime and Disorder Unit, Home Office, Room 240, 25 Great
George's Gate, London SW1H 9AT

KEITH CURRIE MP
Parliamentary Under Secretary of State
Home Office

March 2001

MEASURES TO COMBAT ANIMAL RIGHTS EXTREMISTS:

LEGAL FRAMEWORK

Principles

- Enforcement of the criminal law is an operational matter for the police; officers dealing with individual situations must consider whether offences are being committed and when enforcement action is necessary and justified;
- Police must balance the right to protest peacefully with the need for enforcement when protest activities become intimidating or threatening;
- Both legislators, in drafting new provisions, and the police in enforcing them, must also now have regard to the Human Rights Act, which protects rights to freedom of speech and assembly;
- The Government fully supports effective enforcement action against protests which become threatening or intimidatory, and against extremist action.

Existing Provisions which can be used to tackle protest activities carried out by animal rights extremists

Public Order Act 1986

Contains a range of offences aimed at preventing harassment, alarm or distress to individuals, ranging from riot to relatively low level harassment. The behaviour of the offender must be threatening, abuse or insulting, and likely to cause harassment, alarm or distress: this is unlikely to catch behaviour which is non-threatening but which might be seen by some as amounting to intimidation. Can be applied in respect of demonstrations at which abusive or threatening language is used, or in cases of individual actions which is likely to cause alarm. There does not have to be a specific victim, only the likelihood that persons present would be caused harassment, alarm or distress. Likely to be a range of interpretation by the police on when behaviour crosses the threshold of insulting or threatening behaviour. Unlikely to apply to protests which are merely noisy.

Section 14 enables the police to impose conditions on public assemblies of 20 or more people. Can be used effectively for larger demonstrations. It is an offence to knowingly fail to comply with such conditions.

Protection from Harassment Act 1997

The Protection from Harassment Act 1997 provides a criminal offence if a person pursues a course of conduct which they know, or ought to have known, causes another harassment. This offence carries a penalty of a maximum of six months' imprisonment and/or a level five fine. The Act also provides for a second criminal offence for those cases where a person pursues a course of conduct which they know, or ought to have known, causes another to fear that violence will be used against them. It carries a penalty of a maximum of five years' imprisonment and/or an

Principles

- Enforcement of the criminal law is an essential matter for the police officer dealing with individual situations that consider whether or not the police is committed and when enforcement action is necessary and justified.
- Police must balance the right to protest peacefully with the need for enforcement when protest activities become intimidating or threatening.
- Host legislation, in dealing with protesters, and the police in enforcing them, must also have regard to the Human Rights Act, which protects rights to freedom of speech and assembly.
- The Government fully supports effective enforcement action against persons which become intimidating or threatening and against extremist activities.

Existing provisions which can be used to tackle the Act will also continue to be animal rights extremists

Public Order Act 1986

Common a range of offences aimed at preventing harassment, alarm or distress to individuals ranging from that in relatively low level harassment. The intention of the offences is to be intimidating, alarm or distress, and likely to cause harassment, alarm or distress. This is neither an exact definition which is non-exhaustive, but which might be seen as analogous to harassment. It can be applied to a range of circumstances which involve or threaten harassment, or to a range of individual actions which are likely to cause alarm. There does not have to be a specific victim, only the likelihood that persons present would be caused harassment, alarm or distress. Likely to be a state of apprehension by the person or persons present, or a state of apprehension by the person or persons present. It is likely to apply to persons which are merely noisy.

Section 14 enables the police to impose conditions on public assemblies of 50 or more people. Can be used effectively for larger demonstrations. It is an offence to knowingly fail to comply with such conditions.

Provision from Harassment Act 1987

The Protection from Harassment Act 1987 provides a criminal offence if a person persists a course of conduct which they know or ought to know causes or intends to cause harassment. The offence carries a penalty of a maximum of six months imprisonment and a level 5 fine. The Act also provides for a civil remedy for those cases where a person pursues a course of conduct which they know or ought to know causes or intends to cause harassment. It is an offence to persist in a course of conduct which causes or intends to cause harassment. It carries a penalty of a maximum of five years' imprisonment unless an

unlimited fine. A restraining order, available from the criminal court, will prohibit further harassment or conduct which causes fear of violence.

A breach of a restraining order is a criminal offence, punishable by up to five years in prison. The Act also provides a civil injunction, breach of which is an arrestable criminal offence.

Criminal proceedings under the Act

Criminal proceedings rely on the effect the offences have on the victim, and so can deal with a series of incidents carried out by one person against another, which, alone do not constitute a criminal offence, but where the effect of the persistent conduct is considerable. There is a need to identify one, named offender for each offence, and the Act requires that a course of conduct can be shown on the part of the offender. It is not therefore suitable for one-off incidents.

Civil proceedings under the Act

Civil orders may be taken out by individuals or companies which are subject to harassment. This allows a restraining injunction to be issued before waiting for any criminal offence to be proved. There is a need to identify named individuals to whom any injunction applies.

Crime and Disorder Act 1998

Anti-social behaviour orders

The anti-social behaviour order is designed to protect the community from the actions of an individual or individuals who cause harassment, alarm or distress through anti-social behaviour to one or more persons not in the same household as the defendant. The order prevents the defendant from doing anything specified in it. A breach of the Order attracts stiff penalties of up to five years' imprisonment. The measure is intended to combat serious and persistent anti-social behaviour. This measure would send a clear message from a court of law that the behaviour of the defendant is not acceptable. One or more staff (eg managers or security guards) could give evidence on behalf of other staff about the harassment caused. There is a need to identify one, named individual for each order. The behaviour would have to be anti-social and cause distress to the victim, and so is likely to be unsuitable for use in genuinely peaceful and orderly gatherings.

The Order is limited to a certain local government area and may be extended only to adjoining local government areas.

unlimited time. A restraining order, available from the criminal court, will prohibit further harassment or contact with anyone listed on the order.

A breach of a restraining order is a criminal offense, punishable by up to five years in prison. The Act also provides a civil injunctive remedy of which is an equitable criminal offense.

Criminal Proceedings under the Act

Criminal proceedings may be initiated by the officer having on the return, and an affidavit with a return of probable cause by the officer against another, which shall do not constitute a criminal offense, but when the effect of the proposed conduct is considered, there is a need to bring the matter before the court for a hearing and the Act requires that a return of probable cause be shown on the part of the officer. It is not sufficient to show the return of probable cause.

Civil Proceedings under the Act

Civil orders may be taken out by individuals or companies which are subject to harassment. This allows a restraining injunction to be issued before a hearing for any criminal offense to be proved. There is a need to clearly define the conduct to which any application applies.

Crime and Disorder Act 1998

Anti-social behaviour orders

The anti-social behaviour order is designed to prevent the commission of the offence of an individual or individuals who cause harassment, alarm or distress to one or more persons who live in the same premises as the defendant. The order prevents the defendant from doing anything specified in it. A breach of the order attracts a fine of up to five years imprisonment. The order is intended to control serious and persistent anti-social behaviour. The order would send a clear message from a court of law that the behaviour of the defendant is not acceptable. One or more staff (eg managers or security guards) could issue a notice on behalf of other staff about the harassment caused. There is a need to identify and name individual for each order. The order will have to be issued to the person causing distress to the victim, and it is likely to be made available to the police and other agencies.

The Order is limited to a certain level of punishment and may be extended only to adjoining local government areas.

Malicious Communications Act 1998

Makes it an offence to send someone a letter or other article containing a message, which is grossly offensive, or a threat. This could well cover the sort of threatening and intimidatory letters and leaflets received by workers, and no "course of conduct" need be proved.

The Government is proposing to amend this legislation to ensure the defence provided is an objective one, based on reasonable grounds; to ensure that it covers all forms of communications including electronic mail; and to mark the seriousness of behaviour of this kind by making it an imprisonable offence for the first time.

Offences Against the Person Act 1861, s 16

Makes it an offence without lawful excuse to make to another a threat, intending that other to fear it would be carried out, to kill that other or a third person.

Criminal Law Act 1977: Conspiracy

Section 1 of the 1977 Act makes it an offence to agree with any other person to follow a course of conduct which, if the agreement is carried out, would amount to or involve the commission of offences by one or more of the parties to the agreement; or would do so but for factors which render the commission of the offences impossible. Such an agreement may be established by proving the circumstances surrounding it. The substantive offence(s) need not actually be committed to convict the ringleaders of a conspiracy. But if the behaviour planned does not amount to a criminal offence – for example planning protest activity intended to remain lawful and peaceful – then neither would the conspiracy.

Criminal Justice and Courts Services Act 2000: Exclusion Orders

Exclusion orders were made available to the courts in section 46 of the Criminal Justice and Courts Services Act 2000, and exclusion as a requirement of a community rehabilitation order was made available in section 51 of that Act. These provisions have not yet come into effect: they may be commenced by order of the Secretary of State, and it is likely that they will be introduced initially on a pilot basis later this year. Exclusion orders and requirements are sometimes known as 'reverse tagging' because the effect is virtually the opposite of that obtained in a curfew order: the offender is excluded from entering a particular place.

Exclusion is most suitable where there is a specific and identifiable locale from which it would be desirable to prohibit an offender (for example, because of a habit of offending in a particular place, or to protect an identifiable victim). Exclusion orders and requirements may be monitored electrically if the court so directs under section 52 of the Act.

Alibi Evidence (1977)

It is an offence to send someone a letter or other article containing a message which is grossly abusive or obscene. This would cover the case of threatening and indecent letters and vulgar postcards, and in "course of contact" need be proved.

The Government is proposing to amend the legislation to ensure the defence provided is an effective one based on reasonable grounds to believe that it is a letter or article of communication bearing evidence of the sender's intention of committing an offence of this kind by making it an independent offence for the first time.

Offences Against the Person Act 1961, s 14

It is an offence without lawful excuse to make or intend to make a threat, knowing that other persons would be caused fear, that the offender or a third person would do an act which would be a criminal offence.

Criminal Law Act 1977: Conspiracy

Section 1 of the 1977 Act makes it an offence to agree with one or more other persons to follow a course of conduct which is the agreement to do or would amount to or involve the commission of an offence by one or more of the parties to the agreement or would do so but for factors which render the commission of the offence impossible. Such an agreement may be established by proving the agreement, understood as the substantive offence(s) would not actually be committed to prevent the completion of a conspiracy - that is the behaviour planned does not amount to a criminal offence - the example planning process involves intended to remain lawful and possible - that neither would the conspiracy.

Criminal Justice and Courts Act 1988: Exclusion Orders

Exclusion orders were made available to the courts in section 40 of the Criminal Justice and Courts Act 1988, and exclusion as a requirement of a company's rehabilitation order was made available in section 41 of that Act. These provisions have not yet come into effect, they may be commenced by order of the Secretary of State, and it is likely that they will be brought into effect in a short time. Exclusion orders and requirements are contained in section 40 and 41 because the effect is virtually the reverse of the change in a written order, the offence is excluded from being a criminal offence.

Exclusion is most suitable where there is a specific and identifiable legal basis which it would be desirable to prohibit an offender from exercising, because of a lack of offending in a particular place, or to prevent an identifiable activity. Exclusion orders and requirements may be imposed if the court is satisfied that the offender is a danger to the public. s 41 of the Act.

Common Law: Breach of the Peace

Breach of the peace is a common-law concept dating back to the tenth century.

In October 1981, in a Court of Appeal giving judgment in *R. v. Chief Constable of Devon and Cornwall, ex parte Central Electricity Generating Board* ([1982] Queen's Bench Reports 458), which concerned a protest against the construction of a nuclear power station, Lord Denning, Master of the Rolls, defined "breach of the peace" as follows:

"There is a breach of the peace whenever a person who is lawfully carrying out his work is unlawfully and physically prevented by another from doing it. He is entitled by law peacefully to go on with his work on his lawful occasions. If anyone unlawfully and physically obstructs the worker – by lying down or chaining himself to a rig or the like – he is guilty of a breach of the peace." (p. 471)

In a subsequent case before the Divisional Court (*Percy v. Director of Public Prosecutions* [1995] 1 Weekly Law Reports 1382), Mr Justice Collins followed *Howell*, rather than *ex parte Central Electricity Generating Board*, in holding that **there must be a risk of violence before there could be a breach of the peace**. However, it was not essential that the violence be perpetrated by the defendant, as long as it was established that the natural consequence of his behaviour would be to provoke violence in others:

"The conduct in question does not itself have to be disorderly or a breach of the criminal law. It is sufficient if its natural consequence would, if persisted in, be to provoke others to violence, and so some actual danger to the peace is established." (p. 1392)

This could apply where actions prevent others from working, or in any circumstances where violence or the threat of violence is present. It is unlikely to apply to a peaceful demonstration unless it was likely to provoke some form of confrontation.

Incitement

To solicit or incite another to commit a crime is indictable at common law, even if the solicitation or incitement has no effect. A crime would not actually need to be committed to convict ringleaders who were inciting offences by others. But a conviction would have to be for incitement to commit another offence. If the behaviour did not meet the threshold of an offence, then neither would incitement do so.

Civil Injunctions

Companies, or individual staff could seek civil injunctions against an organisation or individual campaigners preventing from congregating in certain areas, or approaching staff. This is a familiar remedy which a company can obtain either for itself or for

Breach of the peace is a common-law concept dating back to the tenth century.

In October 1981, in a Court of Appeal giving judgment in *R v Chief Constable of Devon and Cornwall ex parte Central Electricity Generating Board* (1981) 1 All ER 1013, Lord Bridge of Harlow, who gave the majority judgment, stated that the concept of a breach of the peace is a common-law concept dating back to the tenth century.

There is a breach of the peace whenever a person who is lawfully carrying out his work is unlawfully and physically prevented by another from doing so. He is entitled by law peacefully to go on with his work on the lawful occasions. If anyone unlawfully and physically obstructs the worker - by lying down or chaining himself to a gate or the like - he is guilty of a breach of the peace" (p. 477).

In a subsequent case before the Divisional Court, *Fraser v Thwaites* (1981) 1 All ER 1013, Lord Bridge stated that a breach of the peace is a common-law concept dating back to the tenth century. He stated that there must be a risk of violence to the person or property of the peace. However, it was not essential that the violence be perpetrated by the defendant, as long as it was established that the actual consequence of the behaviour would be to provoke violence in others.

"The common law does not itself have to be disturbed or a breach of the criminal law. It is sufficient if an actual and dangerous breach of the peace is provoked or likely to be provoked, and so some actual damage to the peace is caused" (p. 1007).

This could apply where a person prevents others from working or in any circumstances where violence of the kind of violence is provoked. It is sufficient to give to a person demonstration unless it was likely to provoke some form of violence.

Liability

To make or incite another to commit a crime is indictable at common law, even if the solicitation or incitement has no effect. A crime would not actually have to be committed to convict a person who was inciting others to commit it. The conviction would have to be for incitement to commit another offence. If the behaviour did not meet the threshold of an offence, then neither would incitement to it.

Civil Liability

Common law or individual still might not be liable for a breach of the peace or for individual culpability preventing that incitement or other crime, or for a breach of the peace which a company or other entity has committed or for

individual employees. Injunctions are effective throughout England and Wales. There is a need to identify an organisation or individuals who are to be restrained.

Victim Personal Statements

These are being introduced administratively with effect from 1 October this year. Any person who makes a witness statement will be asked whether they wish to add a personal statement describing the effect of the crime on them. In addition to establishing whether any support is needed for the victim, from the police, Victim Support and so on, such a statement will inform the various criminal justice agencies dealing with the case of the victim's position. Where cases reach the sentencing stage, this could help magistrates and judges to see the effect over-zealous campaigners have on their victim. This could also help in assessing cases where harassment, alarm or distress needs to be proved.

- to provide a new power for police to move protesters away from houses, where such protests may cause harassment, alarm or distress; this is aimed particularly at preventing the kind of intimidation which individuals may feel if protests target their houses or family, and at protecting rights to privacy and family life;
- to strengthen the provisions on sending malicious communications and to make this an imprisonable offence, as outlined above;
- to protect the home addresses of Directors in vulnerable companies, by providing the home addresses of Directors at risk of violence or intimidation to be withheld from the public by use of a secure register; and
- to extend the Protection from Harassment Act 1997 to ensure that separate incidents of harassment organised by a group of people are caught by the Act.

Directors and Shareholders' names and addresses

We are satisfied that shareholders may withhold their home addresses under current Company law. They may use a nominee or service address, if available, or alternatively the company's own address.

There are a number of requirements under the Companies Act for company Directors and secretaries to provide their home addresses, which are then available to the public. We therefore intend to introduce a system whereby Directors and secretaries who may be at risk from violence or intimidation may apply to the Secretary of State for Trade and Industry to have their home addresses maintained on a separate, secure register. They would have to provide a service address for public use, and their home addresses would continue to be available to Companies House and to law enforcement authorities. Regulations setting up this system will be drawn up by the Department for Trade and Industry.

Individual employees. Information are obtained throughout England and Wales
There is a need to identify an organization or individuals who are to be contacted

Victim Personal Statements

There are being introduced administratively with effect from 1 October this year.
Any person who makes a witness statement will be asked whether they wish to add a
personal statement describing the effect of the crime on them. In addition to
establishing whether any support is needed for the victim, from the police, Victim
Support and so on, such a statement will inform the victim's personal statement which is
dealing with the case of the victim's partner. Where there is a witness statement
this could help magistrates and judges to see the effect of the crime on the victim
on their victim. This could also help in assessing any other personal statement or
other needs to be given.

GOVERNMENT PROPOSALS FOR CHANGES

Proposals for a Fixed Penalty Notice

The Government published in September last year a consultation paper entitled "Reducing Public Disorder – the Role of Fixed Penalties". Responses to that consultation have been evaluated and legislative proposals have now been brought forward in the Criminal Justice and Police Bill to enable fixed penalties to be given by the police, in cases of relatively minor public disorder. These powers will be in relation to existing offences and would not add to police powers of arrest or removal. The recipient would retain the right to go to court if they wished. These powers are likely to be introduced on a pilot basis in the first instance.

In addition to bringing in fixed penalty notices for disorderly behaviour, the Government is proposing to strengthen the legislation in a number of specific areas in the Criminal Justice and Police Bill:

- to provide a new power for police to move protesters away from homes, where such protests may cause harassment, alarm or distress; this is aimed specifically at preventing the kind of intimidation which individuals may feel if protests target their home or family, and at protecting rights to privacy and family life;
- to strengthen the provisions on sending malicious communications and to make this an imprisonable offence, as outlined above.
- to protect the home addresses of Directors in vulnerable companies, by providing the home addresses of Directors at risk of violence or intimidation to be withheld from the public by use of a secure register; and
- to amend the Protection from Harassment Act 1997 to ensure that separate incidents of harassment organised by a group of people are caught by the Act.

Directors and Shareholders names and addresses

We are satisfied that shareholders may withhold their home addresses under current Company law. They may use a nominee or service address, if available, or alternately the company's own address.

There are a number of requirements under the Companies Act for company Directors and secretaries to provide their home addresses, which are then available to the public. We therefore intend to introduce a system whereby Directors and secretaries who may be at risk from violence or intimidation may apply to the Secretary of State for Trade and Industry to have their home addresses maintained on a separate, secure register. They would have to provide a service address for public use, and their home addresses would continue to be available to Companies House and to law enforcement authorities. Regulations setting up this system will be drawn up by the Department for Trade and Industry.

GOVERNMENT PROPOSALS FOR CHANGES

Proposals for a Fixed Penalty Notice

The Government published in September last year a consultation paper entitled "Reducing Public Disorder - The Role of Fixed Penalties". Responses to the consultation have been constant and legislative proposals have now been brought forward in the Criminal Justice and Police Bill to enable fixed penalties to be given by the police in cases of relatively minor public disorder. These powers will be in relation to existing offences and would not add to police powers to arrest or detain. The recipient would retain the right to go to court if they wished. These powers are likely to be introduced on a pilot basis in the first instance.

In addition to bringing in fixed penalty notices for disorderly behaviour, the Government is proposing to transfer the legislation in a number of other areas to the Criminal Justice and Police Bill.

- to provide a new power for police to issue notices to those protesters who have been warned where such notices may cause harassment, alarm or distress, this is aimed specifically at preventing the kind of intimidation which individuals may feel if persons light their homes at night, and at preventing rights to privacy and family life;
- to strengthen the provisions on creating nuisance communications and to make this an indictable offence as outlined above;
- to protect the home addresses of Directors in voluntary companies, by providing the home addresses of Directors at risk of violence or intimidation to be withheld from the public by way of a notice to restrict access to around the Director from Harassment Act 1997 to ensure that reports of harassment against a group of people are caught by the Act.

Directors and Shareholders' names and addresses

We are seeking the information that without their home addresses being known to the public, they may use a service or other address if available or otherwise the company's own address.

There are a number of arguments under the Companies Act for company Directors and secretaries to provide their home addresses which are then available to the public. We believe that the information system whereby Directors and secretaries who may be liable for offences or liabilities may apply to the Secretary of State for Trade and Industry to have their home addresses restricted on a separate secure register. They would have to provide a service address for public use and their home addresses might continue to be available to Companies House and to law enforcement authorities. The register setting up the system will be drawn up by the Department for Trade and Industry.

Advice on personal safety for employees and shareholders is attached to this document.

Comments and observations

Comments are invited on whether any further legislative changes are needed to help ensure protection from extremist protest action, on the measures the Government is proposing, and on the attached advice on policing arrangements and personal safety.

*Police Response towards the
Home Office National Strategy*

Advice on personal safety for employees and shareholders is stated in the document.

Comments and observations

Comments are invited on whether any further legislative changes are needed to help ensure protection from unwanted product action. In the interim, the Government is proposing, and on the attached advice on policy arrangements and personal safety.

INDEX

INDEX 2

1. Protester activity 3

1.1 Primary sites 3

1.2 Secondary sites 3

A. PLAN 4

A1. Preparation 4

A2. Prevention 5

A3. Training 6

B1. Coordination/Control 11

B2. Intelligence 11

Actuarial intelligence - where we should be in place to guide planning teams
The following 11

B3. Pre-incident 12

B4. De-escalation 13

B5. Contingency 14

B7. Media 14

B8. Communications 15

B9. Flexibility 15

C. POST OPERATIONS 17

C1. De-briefing 17

C3. Post-incident investigation 18

C4. The chain of evidence 18

ANIMAL RIGHTS PROTEST

**Police Response towards the
Home Office National Strategy**

ANIMAL RIGHTS PROTEST

Police Response towards the
Home Office National Strategy

INDEX

THE POLICE RESPONSE

INDEX.....	2
1. Protester activity.....	3
1.1 Primary sites.....	3
1.2 Secondary sites.....	3
A. PLANNING/PRE-OPERATIONS.....	8
A1. Partners.....	8
A2. Prevention.....	9
A3. Training.....	9
B1. Co-ordination/Command.....	11
B2. Intelligence.....	11
Actionable intelligence structures should be in place to guide planning teams.	
The following areas were identified as legitimate sources of intelligence.....	11
B3. Pre-event planning.....	12
B4. Briefing.....	13
B6. Contingency.....	14
B7. Media.....	14
B8. Complaints.....	15
B9. Flexibility.....	15
C. POST OPERATIONS.....	17
C1. De-briefing.....	17
C3. Post-incident investigation.....	18
C4. The chain of evidence.....	18

- These are considered as legitimate sources of intelligence which are likely to be available to the primary target site, for example:
- Home addresses of directors, shareholders, employees of the primary target.
 - Home addresses of directors, shareholders, employees of any secondary sites.
 - The neighbours of any above.
 - Suppliers of primary/secondary targets.
 - Customers of primary/secondary targets.
 - Local authorities.
 - Solicitors.
 - Banks.
 - Shops.
 - Public places.
 - The police.

The use of potential secondary targets is critical. It is generally any target which will have a direct impact or assist in the continuing and increasing pressure to bring about the closure of that primary target business.

2. PROTESTER TACTICS

It is well recognised that the vast majority of the members of the protest groups are law-abiding citizens, exercising their right in this free democracy to voice their opinions and concerns about what they see as serious societal problems. However, amongst these protest groups are those who are willing to use forceful extreme methods

INDEX

INDEX

1. Incident analysis 1

1.1 Primary sites 1

1.2 Secondary sites 1

A. PLANNING AND OPERATIONS

A1. Purpose 2

A2. Personnel 2

A3. Training 2

B1. Co-ordination/structure 3

B2. Intelligence 3

Accident investigation structure should be in place to guide planning team

The following areas were identified as important aspects of intelligence

B3. Pre-event planning 3

B4. Briefing 3

B5. Contingency 3

B7. Media 3

B8. Computers 3

B9. Flexibility 3

C. POST OPERATIONS

C1. De-briefing 3

C2. Post incident investigations 3

C4. The chain of evidence 3

THE POLICE RESPONSE

INFORMATION

1. PROTESTER ACTIVITY

The targeting of protest activity is directed towards Primary and Secondary sites consisting of:

Day to day activities, the normal protesting by local group members at the primary and sometimes secondary sites.

Regional and National days of action, where substantially larger numbers of protesters gather together or in organised groups. They will target both primary and secondary sites. Often the majority of the protesters are not locals and there is more likelihood of more extremist activists' involvement.

1.1 Primary sites

This will consist of the main target premises where the activity of that business is the direct issue against which the protest is directed.

1.2 Secondary sites

These will consist of all other sites, which are linked in any whatsoever to the primary target site, for example:

- Home addresses of directors, shareholders, employees of the primary target.
- Home addresses of directors, shareholders, employees of any secondary sites.
- The neighbours of any above.
- Suppliers of primary/secondary targets.
- Customers of primary/secondary targets.
- Local authorities.
- Solicitors.
- Banks.
- Shops.
- Public places.
- The police

The list of potential secondary targets is endless. It is generally any target which will have a direct impact or assist in the continuing and increasing pressure to bring about the closure of that primary target business.

2. PROTESTER TACTICS

It is well recognised that the vast majority of the members of the protest groups are law-abiding citizens, actioning their right in this free democracy to voice their opinions and concerns about what they see is cruelty towards animals. However, amongst these protest groups are those who are willing to use more extreme methods

THE POLICE RESPONSE

INFORMATION

1. PROTESTER ACTIVITY

The degree of protest activity is divided into three main categories and consists of:

Due to the nature of the protest activity, local groups tend to be primary and sometimes secondary sites.

Regional and national sites are often where substantially larger numbers of protesters gather together or in organized groups. They will target both primary and secondary sites. Often the majority of the protesters are not local and there is a high likelihood of more extensive activities.

1.1 Primary sites

This will consist of the main target premises where the activity of the protesters is the most intense and where the greatest damage is done.

1.2 Secondary sites

These will consist of all other sites which are targeted in an attempt to support the primary target site. For example:

- Home addresses of protesters, shopkeepers, employers or other primary targets
- Home addresses of local, national and international supporters of the protesters
- The neighbors of any above
- Supporters of primary/secondary targets
- Customers of primary/secondary targets
- Local authorities
- Schools
- Banks
- Shops
- Public places
- The police

The list of potential secondary targets is endless. It is generally not known which will have a direct impact or result in the escalation and intensification of the primary target. The choice of the primary target depends on the nature of the protest.

2. PROTESTER TACTICS

It is well recognized that the non-violence of the protesters of the protest groups and the peaceful nature of the protest is the key to the success of the protest. However, protesters and organizers should be aware that they are in a constant state of tension and that they are likely to be seen as a threat to the status quo. Amongst these protest groups are those who are willing to use force to achieve their aims.

to achieve their aims. Methods ranging from the harassment of others to outright terrorism.

The severity of the protest will be affected by the significance of the target and whether the action is a day to day activity or a regional/national day of action.

2.1 Meet and greet

Groups of protestors will gather outside the primary and secondary sites and petition directors and employees of those businesses going to and from work, to encourage them to cease the activity towards which the protest is directed. This protest action will range in its extreme with reasonable verbal discussion to extreme abuse and threats. Protester numbers will vary from just a few people to several hundred, sometimes tactically splitting into several groups.

2.2 Home visits

Via their own significant intelligence gathering systems, the protest organisation will identify the names and addresses of people concerned with those primary and secondary target sites, ie activists will follow them home, use the electoral role. 192. Com website informants within the business.

An evolving tactic is for protestors to gather outside the home addresses of directors, employees and shareholders of target sites. The number of protestors will vary according to activity planned outside the address.

The activity may involve the protestors standing in the street making no sound at all. More often it involves protestors shouting towards the address, knocking on doors and windows, knocking on neighbours' doors, displaying banners with pictures of animals or allegations of cruelty against the target resident.

The passive protest outside houses poses challenges and questions as to use of legislation (or whether such legislation in fact presently exists).

2.3 Posters and leaflets

Activists prepare and display posters and banners with pictures relating to the target business. These will be pictures of animals including some from within the business and may range from animals at play to mutilated animals which could be considered upsetting by much of the general public. Activists will also distribute leaflets containing such pictures and allegations against the target business or person.

2.4 Public places

Protest activists will target town and city centres often near the primary or secondary target business. Their activities will include static protests in small groups sometimes outside banks; shops or other premises, which they believe, support their target.

to achieve their aims. At the same time, the management of others is essential to success.

The success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

1.1 First and Great

Groups of workers will gather outside the factory and surround the main entrance. The success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

1.2 Home visit

At their own workplaces, intelligent workers, the most important will identify the main objectives of the project and discuss with their managers and secondary staff. The success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

An evening focus is the intention to gather outside the main entrance of the factory. The success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

The activity may involve the purchase of goods at the factory or other sites. The success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

The project will involve the purchase of goods at the factory or other sites. The success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

1.3 Posters and Letters

Activities involve the purchase of goods at the factory or other sites. The success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

1.4 Public places

Public places will target areas and the success of the project will be affected by the effectiveness of the target and whether the action is a day to day activity or a significant day of action.

They may organise marches in large numbers holding Regional/National days of marching and protesting in town centres.

Often these gatherings occur as secondary activities with the protesters splitting into small groups from the primary site, gathering at a local town centre.

2.5 Harassment of Police

Activists will target and harass police officers in the front line of the operation. The activists are well aware that offensive conduct towards officers may lead to instant arrest. And some may be willing to do this to reduce police numbers and vehicles. The activists will also target a few identified officers and constantly question them about their activity, motivation, use of powers etc. Over a time this can be very stressful to officers at the forefront of the police operation.

One particular target for the activists will be the Police commander. Activist leaders will identify the Bronze commander and engage him/her in conversation about the protest, police powers etc with the sole intention to distract the officer from their real job to command the incident therefore affecting the police operation.

2.6 Phone calls

Phone calls will be made to the primary or secondary sites. These will range from polite discussion to persuade the target to desist, through to abuse and threats of impending harm or violence. The calls will occur at any time of day or night.

2.7 Fax

Protest activists will make use of fax facilities and their practices include sending offensive pictures to sending a black sheet of paper, which is taped so as to form a loop. This has the result in a constant print of black sheet at the target fax which puts the machine out of use for receiving other faxes and uses up all of the printer ink.

2.8 Web-sites

As with any organisation, protest groups make great use of the Internet and maintain their own web-sites. These sites contain information on the protest issue and advertise days of action. Some sites have developed and encourage use of more direct action against targets including the advertising of names, addresses and phone numbers. They also include details of tactics such as mentioned above.

2.9 Cause damage

More radical direct action protesters will claim that any law, which protects those who abuse animals, is not a law to be obeyed. They will claim a legitimate right to damage the very systems and structures which involve this abuse. Activists will damage site fencing, attempt site invasions to liberate the animals and damage equipment and security cameras, damage business vehicles, and break windows. Radical activists will damage vehicles outside or en-route to home addresses even whilst the driver is still in the vehicle.

They may require transfer to large numbers having registrations, etc. of matching and protecting in their areas.

Other these findings occur in some cases, writers with the previous planning and small groups from the group are looking at a local town center.

1.2 Assessment of Police

Activists will meet and have police officers in the front line of the operation. The activists are well aware that officers should be ready to respond to any situation. And some may be willing to do this to reduce police numbers and violence. The activists will also target a few selected officers and community members about their activities, reputation, use of force, etc. Over a time this can be very useful to officers in the front line of the police operation.

One particular target for the activists will be the police commander. Activist leaders will identify the person responsible and engage him but in conversation about the police, police power and the role of the police in society. The officer from their job to command the police should be the police operation.

1.3 Phone calls

Phone calls will be made to the military or necessary staff. These will report their police situation to persuade the police to focus through to them and bring in responding them at violence. The calls will occur at any time of day or night.

1.4 Fax

Police activists will make use of the facilities and their practice include sending officers orders to produce a black sheet of paper, which is typed on as to have a look. This has the result in a message into of black sheet at the paper for which the machine out of use for producing other faces and uses up all of the printer ink.

1.5 Web sites

As with any organization, protest groups make great use of the internet and maintain their own web sites. These sites contain information on the group's aims and activities, dates of action, dates when new developed and developed use of their own action against targets including the advertising of action, addresses and phone numbers. They also include details of tactics such as massed marches.

1.6 Cause damage

Police activists that action protesters will claim that any law which restricts their own actions is not to be obeyed. They will claim a legitimate right to damage the very systems and structures which involve this abuse. Activists will target facing around the invasion of their own and damage equipment and security cameras, damage windows, vehicles and break windows. Roadside signs will damage vehicles outside or on route to home activists can utilize the driver in the vehicle.

Cash point machines have been disabled by the use of super glue covered cash cards.

2.10 Petrol bomb

The more extreme end of direct action involves acts, which comes within the provisions of terrorism.

Activists will target the vehicles of those employees, directors and shareholders. Usually the vehicle will be on the street or outside next to the target home address. The arsonists will destroy the vehicles using petrol bombs, a tactic, which only takes a few seconds and leaves little evidence.

2.11 Incendiary/explosive devices

Again acts which come within the provisions of terrorism include the use of explosive and incendiary devices via the mail or posting through the letterbox. This act targets an individual or the premises.

2.12 Drain on Police Resources

This is a deliberate tactic and can take more than one form, ranging from regular day in day out of protest to regional or national days of action. It can be designed to force police to rely upon Mutual Aid, which is seen as a victory as the host force cannot cope.

In slower time, the use of complaints and increasingly civil litigation, especially with the differential standard of proof, can help them achieve success.

3. POLICE ISSUES

In the policing of Animal Rights protest, there are many issues of consideration for those police forces affected, such as:

- Ensuring the right to lawful protest.
- Maintaining the Human Rights of all concerned.
- The facilitation of the lawful trade and business.
- Maintenance of a normal policing service for local communities.
- Resourcing and costs to the force.
- Flexibility of operations.
- Co-operation with businesses and other partners.
- Co-operation with and from other forces.
- Use of available and need for new legislation.
- Force image and complaints against police.
- Relevance to local policing plan.
- Training.

Cash point machines have been disabled by the use of water glass covered cash cards.

2.10 Food bank

The main entrance and at least other nearby areas which access within the provision of services.

Analysis will target the vehicles of those employees, directors and shareholders. Ideally the vehicle will be on the street or airport near to the main home address. The message will be to the vehicle using mobile phones & radios which only work a few seconds and have the vehicle.

2.11 Incubator/epidemic devices

Agencies which come within the provision of services include the use of explosive and incendiary devices and the use of poisoning through the incubator. This can target an individual or the general.

2.12 Drive on Police Highway

This is a deliberate tactic and can be more than one form, ranging from regular day in day out or random or targeted drive on police. It can be designed to force police to only speed through A14, which is now an a vehicle in the road with camera.

In theory that the use of operations and increasingly civil litigation, especially with the different world of police, can help drive a drive success.

3. POLICE PRACTICE

In the police of London & the police that the main body of consideration for those police forces in London, which are:

- Enforcing the right to lawful protest
- Maintaining the public rights of all citizens
- The protection of the public order and interests
- Maintenance of a neutral standing service for local communities
- A standing and work to the heart
- Flexibility in operations
- Co-operation with business and other partners
- Co-operation with and across other forces
- The use of evidence and legal and other legislation
- Force intake and retention against protest
- Networks to local, national and international
- Training

INTENTION

The intention of the Police Service in respect of the policy of extremist activity by animal rights protesters should generally encompass the following elements:-

- The prevention of offences
- The detection and prosecution of offenders
- The preservation of public tranquillity (keeping the peace)
- The maintenance of an even-handed approach
- The observation of human rights

METHOD

The policing operation issues can be listed under 3 main headings:

- A. Planning/Pre-operations
- B. Operations
- C. Post-Operations

A. PLANNING/PRE-OPERATIONS

A1. Partners:

Examples of stakeholders to be considered in the planning stage.

- The target company
- Their employees and families
- Private security
- Businesses who supply to, purchase from or support the Target Company
- Financial institutions
- Neighbouring police forces
- Local Special Branch and the NPOIU
- Bramshall/National Operations Faculty
- Farmers and landowners
- Public – local communities
- The protesters
- The local authority
- Highways agency
- Footpath commission
- Media

INTENTION

The intention of the Police Service in respect of the policy of assisting severely disabled persons should generally encompass the following elements:

- The prevention of offences
- The detection and prosecution of offences
- The preservation of public tranquility (keep the peace)
- The maintenance of an even-handed approach
- The observation of human rights

METHOD

The policing operation below can be listed under 3 main headings:

- A. Planning/pre-operation
- B. Operation
- C. Post-Operation

A. PLANNING/PRE-OPERATIONS

A1. Partners

Examples of stakeholders to be considered in the planning stage:

- The target company
- Their employees and families
- Private security
- Businesses who supply or purchase from or support the target company
- Friends of businesses
- Neighbouring police forces
- Local Special Branch and/or RUC
- Home Office/Police Operations Group
- Partners and witnesses
- Public - local communities
- The protesters
- The local authority
- Highways agency
- Police/Police Liaison
- Media

A2. Prevention

Minimise and designing out unlawful protester activity by using a combination of preventative measures.

- Crime prevention advice in booklet form and the availability of a Crime Prevention Officer for home visit to stakeholders to give regular updates and security advice.
- Target hardening advice.
- Focused high visibility patrols.
- Security briefings for staff employed by or connected to the target business.
- Surgeries available to employees prior to demonstrations (to encourage staff to identify additional problems that may arise prior to or during a protest that may otherwise go unreported, eg individual targeting).
- Re-registering of private vehicles, ie in the name of the company or to a PO box.
- Blocking of private vehicles on PNC.
- Furnishing of employee details to the force area in which the employee resides.
- Disruption tactics, ie marked police vehicles outside target premises.
- Road closure applications to local authorities.
- Use of legislation (see legislation section).
- Private security provisions for site. However it is noted that the owner might be reluctant to provide own security owing to substantial cost implications. The owner may be content to allow police to provide the security. Reversing this situation can be a significant challenge but one that needs to be addressed.
- Communicate via press. There are two trains of thought in this area, one being to use the press to emphasis the police operation and the other to play down or avoid the media to prevent promotion of the protest.
- Contingency planning to ensure security of local major roads and to prevent roadblocks etc.
- Communication of policing intent to both sides via letter, E-mail, via media or in person.

... and ...

A3. Training

Training requirements to facilitate the policing of lawful protest

- The forward intelligence team is a specialised role and requires identification of person skills relevant to that role. It is not a role that can be developed overnight.
- Most forces use Evidence Gathering Teams (EGT) and there are several National Police Training (NPT) approved courses for this role.
- Tactical advisors attend NPT approved courses but may require regular updates to ensure the quality level of their personal knowledge and subsequent advice.
- Officers should have received personal safety training and training specific to environmental type protest.
- Forces need to maintain adequate numbers of officers trained to CMS.
- European Convention Human Rights (ECHR) training is required for all officers.
- Health and Safety consideration awareness training for all officers.
- Many forces have introduced law guides specific to their protest issues. It was recognised by the group that forces should consider additional legislation training for officers policing protests.
- Examples exist of additional training for Control room staff who were given an overview of the campaign and also took part in site visits to assist their comprehension and working knowledge of the protest and site.
- It has been identified that officers carrying out briefings may require training in this area to ensure the effectiveness of the briefing.
- Police officer training re protester actions, one option chosen was to arrange for officers to visit the protest site where they were briefed by a protester as to the reasons for their protest and their expectations of the police.
- A training need may be identified for the Crown Prosecution Service (CPS) in the realities and consequences of this type of policing and the support levels required. Such training would inform the CPS lawyers in the challenges faced by those front line officers policing the protest and allow them to give advice at an early stage. This would assist CPS case planning. Forces demonstrated differing levels of co-operation with CPS and identified the need for this inconsistency to be addressed at an early stage.

Training requirements to facilitate the pricing of financial services

- The financial intelligence team is a specialised role and requires identification of persons with relevant to this role. It is not a role that can be developed overnight
- Staff focus on Business Learning Teams (BLTs) and their role within National Finance Training (NFT) approved courses for the role
- Technical advice about NFT approved courses for staff requires regular updates to ensure the quality level of their personal knowledge and subsequent advice
- Officers should have regular personal learning and training opportunities to environmental type position
- Forces need to maintain adequate number of officers trained in GMS
- European Convention Human Rights (ECHR) training is required for all officers
- Health and Safety awareness training for all officers
- Many forces have introduced the quality standard in their training. It was recognised by the group that forces should consider additional legislation relating to officers' ongoing training
- Examples exist of additional training for Officers to ensure staff who work away from the office and also look part in the way to ensure their competence and relevant knowledge at the point of contact
- It has been identified that officers working out of their normal region training in this area to ensure the effectiveness of the training
- Police officers training is essential within our current climate and to ensure for officers to visit the force, the whole has been enabled by a process of in the training for their personal and their competence at the point of contact
- A training need may be identified for the Lower Professional Services (LPS) in the training and competence in the type of delivery and the support levels required. Staff training would include the LPS support in the challenges faced by those that are officers working the front and allow them to give advice in early stage. This would be up to LPS staff planning. Forces should consider training in the context of cooperation with LPS and identified the need for the importance to be addressed in an early stage

B. OPERATIONS

- It should be highlighted that complaints and civil litigation, and the use of hidden tape recorders and video cameras as a protester tactic concerned officers. This concern could be addressed by appropriate training from force complaints and discipline departments and the force solicitors. The staff of those departments could also receive training in policing of protest issues to ensure their awareness of the difficulties faced by police officers.
- The Target Company could receive crime reduction and target hardening training.
- Forces may wish to contact the National Operations faculty at Bramshill who offer a training and consultant service.

III. Intelligence

Actionable intelligence structures should be in place to guide planning teams. The following areas were identified as legitimate sources of intelligence:

Open intelligence

- Internet, research of protest web-sites.
- Publications, campaign literature, newspapers.
- Local liaison, direct contact with local community and protesters.

It should be highlighted that complaints and civil litigation, and the use of hidden tape recording and video cameras as a proactive tactic to prevent officers. This content could be addressed by appropriate training from force complaints and discipline departments and the force itself. The staff of those departments could also receive training in handling or dealing with to ensure that witnesses at the different levels of force activities.

The Yacht Company could receive crime reduction and target policing training.

Force may wish to contact the National Operations Centre to identify who offer training and consultation services.

B. OPERATIONS

B1. Co-ordination/Command

The workshop members considered force co-ordination of and management of resources.

- All forces operated the Gold/Silver/Bronze command structure.
- Tactical advisors are utilised as and when necessary. Some forces attach a tactical advisor to silver and depending on availability to as many bronze commanders as is feasible.
- Maintenance of a policy/decision-making log to evidence the decision-making processes.
- The co-ordination and directing of resources should be intelligence led.
- Be intelligence led, do not overstaff.
- Forces are moving from cautiously overstaffing and are now relying on and reacting to the intelligence they are getting.
- It is advisable to organise an independent event channel for the operation. There is clear evidence that protesters interfere with and monitor radio channels.
- Consider using two channels, one for command, one for operations.
- Police frequently uses mobile phones; the downfall of this is that control staff who cannot control the use of mobile phones misses vital information.

B2. Intelligence

Actionable intelligence structures should be in place to guide planning teams. The following areas were identified as legitimate sources of intelligence:

Open intelligence

- Internet, research of protest web-sites.
- Publications, campaign literature, newspapers.
- Local liaison, direct contact with local community and protesters.

OPERATIONS 3

Co-ordination/Command 81

The following are the key elements of the management of resources:

- All forces operating the Gold/Silver/Bronze command systems
- Tactical advice is issued as and when necessary. Some forces may be tactical advice is given and regarding an availability to be given to the commander as a leader
- Maintenance of a professional working relationship to enhance the decision making process
- The co-ordination and direction of resources should be intelligence led
- The intelligence led do not occur
- Forces are working from constantly updating and are being fed and training to the intelligence that is given
- It is desirable to operate an intelligence led system for the operation. There is clear evidence that resources are being used and managed within channels
- Consider using two channels, one for command, one for operations
- Police frequently use mobile phones, the details of this is the command and you cannot control the use of mobile phones unless you have information

Intelligence 82

Intelligence is essential to the success of any operation. The following are the key elements of intelligence:

- Open intelligence
- Internal research of police websites
- Police officers and the business community
- Local business often contact with local community and police

Source intelligence

- Use of National Public Order Intelligence (NPOIU) and local Special Branch for source information to gauge the scale of the demonstration and information on specific planned protester activity.
- Management of intelligence in accordance with the NCIS Intelligence Model.
- Forces must ensure that proper tested systems are in place for the collection analysis and dissemination of intelligence.

Methods of collection of fast time intelligence and its dissemination. How is it assessed? How do you ensure that just in time intelligence reaches its intended target?

- The use of forward intelligence officers (FIT) was common amongst forces with variations of use in plain clothes and uniform. Due to risk factors for their officers working in an exposed environment all forces now seem to use them in uniform, at times attached to an EG officer.
- Undercover officers are available for use.
- Informants are commonly used.
- All feed into a SB officer, who assesses the intelligence and updates and advises the Silver commander. A decision is then made whether to act upon the intelligence, if so then the appropriate course of action is set.
- In one force the passage of intelligence is direct from SB to the Ops Planning.
- In many situations the intelligence gatherers would be further tasked to develop the intelligence.

B3. Pre-event planning:

- Special Branch/Intelligence Cell, dependant upon the force structures to brief gold commander. This stage may vary according to individual force practices.
- Briefing to planning team, Silver and in some cases Bronze and tactical advisors. Further areas of research would be identified and appropriate teams tasked.
- Operational Orders would be prepared, reviewed and authorised by appropriate commander.
- The preparation of an operational briefing pack which may contain:

Source: Intelligence
• Use of National Police (NP) and local Special
Branches for source information to be of the appropriate and
information on specific personal security matters.

• Management of intelligence in accordance with the NPIS Intelligence
Model.

• Focus must ensure that proper control systems are in place for the
collection, analysis and dissemination of intelligence.

Methods of collection of last time intelligence and its dissemination. How
is it assessed? How do you ensure that last time intelligence remains for
intended targets?

• The use of forward intelligence officers (FIO) was common amongst
forces with a history of use in their control and collection. This is not
factors for their officers working in an agreed environment. All last time
sources to use them in a forward role, it may be used in an FIO role.

• Unfinished officers are available for use.

• Information are commonly used.

• All last time a 50 officer who assesses the intelligence and makes a
analysis for the officer. A decision is then made whether to act
upon the intelligence. It is then the officer who reports to the officer.

• In one force the passage of intelligence is direct from SI to the CTO
Planning.

• In many situations the intelligence officer would be having to
develop the intelligence.

Pre-event planning

• Special Branch intelligence. All dependent upon the force structure to
that point. This may vary according to the force structure.
Practice.

• Binding to planning team. Silver and in some cases Bronze and Gold
advice. Further areas of research would be identified and supported
terms/used.

• Operational Officers would be prepared, trained and supported by
operational command.

• The preparation of an operational briefing pack which may contain

Operational order
Ethical statement
Risk assessments
Law guides (various complexities)
Maps
Photographs
Contact numbers
Log sheet
Overtime sheets
De-brief sheets

- Briefing to Mutual aid commanders and force partners.

B4. Briefing

The requirements of the Briefing stage. What style of briefing used, what was the content and who briefed whom?

It was generally identified that dependent upon the level of the briefing a degree of sanitising may be required.

- Silver, Bronze and Tactical Advisor briefing to all staff.
- SB briefs to Silver. Silver briefs Bronze, Forward Intelligence Teams, EG team. Bronze commander briefs staff.
- Generic briefing (2 or more locations) by a dedicated briefing officer to all staff.
- The structure and content of briefings was commonly directed by the level of protest:

An intelligence briefing to the operation commander may lead to a scripted briefing to other groups devolving down to individual deployment briefings.

National events would involve structured briefing by the Gold or Silver commander utilising presentation method such as power point. This would outline in detail aims and objectives, policing styles, arrest policies, current intelligence etc.

Normal events may involve a verbal briefing by Bronze or dedicated project team. This would include changes in normal intelligence, policy, and any changes in aims and objectives.

A comprehensive briefing pack is advisable, as staffing during weekend and night shift periods will expose officers not experienced in this particular policing issue.

B5. Arrests

Arrests policies and systems for transportation and detention of arrested persons.

- It was agreed that we should allow peaceful and lawful protest with a firm but fair approach and an even handed policing style.
- Positive arrest policies were in place and these along with the policing style would be covered in the briefing of officers.
- The use of Breach of Peace powers was recognised as problematic and one force avoided arrests under this legislation altogether.
- A retrospective arrest policy was also a common issue with forces choosing to identify and arrest offenders after the protest incident.
- Dedicated vehicles could be identified and allocated for prisoner transportation.
- Contractors such as Group 4 could be used to transport prisoners from protest site to custody offices.
- Additional custody officer training was good practice.
- Dispersal of detainees across police stations would ensure that protesters did not gather in large numbers targeting a selected police station. If detainees were taken to one police station this may result in officers going off duty having to drive past protesters in their own cars.
- At police custody centres, good practice was the use of dedicated prisoner handling teams who would receive additional training in this type of investigation.
- Service level agreements with relevant criminal justice departments were identified as a good practice.

B6. Contingency

Contingencies for dealing with protracted demonstrations and intimidation.

- Many forces that have demonstrations which have been ongoing for some time, have developed comprehensive generic operational orders.

Agency policies and systems for transportation and detention of persons

It was noted that the Agency allows passenger and freight travel with a bus but the Agency and various other agencies

Positive stress points were in place and were being dealt with the Agency style would be covered in the briefing of officers

The use of British of Police was recognized as necessary and was being avoided where possible the regulation of police

A representative from police was also a member of the Joint Agency to identify the requirements after the first action

Medical vehicles would be identified and allocated for police transportation

Contractors such as those that could be used to transport persons from point one to other offices

Additional security officer training was good practice

Disposal of business stress points would ensure that persons did not gather in large numbers regarding a specific police action. It was noted that the police stress the way to deal with officers' point of view having to drive past protesters in their own cars

At police custody events, good practice was the use of medical personnel having their own medical training in the case of investigation

Police level agreement with relevant criminal justice departments were identified as a good practice

Contingency for dealing with protesters demonstrating and intimidation

They have the best demonstration which have been dealing for some time have been dealt with in a good manner

- A number of these forces have found it necessary to put in place a dedicated operational team. The work of these teams has been to develop operational parameters for the protest and develop contingencies for potential actions.
- The target companies have been encouraged to implement support networks, which have been developed with the assistance of police liaison officers for their employee victims.
- Contingencies also need to be in place for spontaneous protests not just those that are pre-planned. For example one police force has introduced a software programme that is integrated into the command and control system. This will assess and introduce a graded response to calls from the target business or their employees.
- Task forces could be utilised.
- Some forces give examples of Mutual Aid response agreements to share response and costs. For example two police forces have an arrangement for mutual aid provisions and joint operations.

B7. Media

Force media policies and how media interest is dealt with. What image to they wish to portray?

- A common theme was that all authority for contact with the media must be via Silver Command.
- The actual dealings with media interest varied, with some fully involving the media to the level of accompanying the police, to none/very low key use of the media.
- The force Media officers would be on stand-by or in direct contact with the media, dependent on the type and level of the protest.
- The portrayed police image would be that of even-handedness and impartiality allowing lawful peaceful protest – preventing crime and focusing on core police responsibilities.

B8. Complaints

The prevention of and dealing with complaints during the police operation.

- To reduce the number of complaints and provide support for officers during protest, officers should be deployment on site in pairs.

- A number of these forces have found it necessary to put in place a dedicated operational team. The work of these teams has been to develop operational responses for the police and identify contingencies for potential actions.
- The target companies have been encouraged to implement support networks which have been developed with the assistance of police liaison officers for their emergency systems.
- Companies are also asked to be in place for operational periods and not those that are pre-planned. For example, the police have introduced a software programme that is designed to the command and control system. This will allow and improve a greater response to calls from the impact business or their employees.
- Task forces could be initiated.
- Some forces give examples of Mutual Aid response agreements in their responses and costs. For example, two police forces have an agreement for mutual aid provision and joint operations.

87. Media

- Force media policies and how media interest is dealt with. What issues do they wish to portray?
- A common theme was not all subject for contact with the media should be via Silver Command.
 - The actual designs with media interest varied, with some being involving the media to the level of supporting the police, to some very low use of the media.
 - The force media officers would be on stand by or in direct contact with the media dependent on the time and level of the event.
 - The portrayed police image would be that of responsiveness and capability allowing lawful essential police - protecting crime and focusing on core police responsibilities.

88. Complaints

- The provision of and dealing with complaints during the police operation.
- To reduce the number of complaints and provide support for officers during protest officers should be deployed on site in pairs.

- Once a complaint against police has been received from a protester, forces have varying policies on who receives this complaint. This ranges from the Bronze commander assigning an officer, to an on-call officer from the force Complaints and Discipline office attending.
- Complaints may also be taken by the dedicated PACE Inspector.
- To reduce litigation issues, input from the force legal department on civil complaints and preservation of evidence issues may form part of the operational briefing.
- In order to minimise spurious complaints, forces may wish to implement a policy (documented) whereby the complainant is referred to a nearby police station or other central complaint point, or to write in to the appropriate complaints department.

B9. Flexibility

Flexibility of operational planning on the day of the protest and how forces addressed sudden changes in protester activity.

- Communication was highlighted of great importance. There is a need to regularly test and if necessary, implement alternative measures of communication.
- Ensure the use of a dedicated radio channel or channels and the availability of a back-up channel.
- Planning to include access to additional resources at very short notice.
- Mobile forward intelligence teams fast motorcycle response units or other intelligence resources would provide the information to identify changes in protester activity.
- Silver and Bronze commanders need decision making processes which are clear and fast-evidenced based and audited.
- There must be an agreed flexibility in the use of available resources ie Police Support Units (PSU's).

One of our primary goals is to ensure that we have a consistent and clear set of policies and procedures that are easy to understand and follow. This is particularly important in the context of our operations, where the complexity of our business and the number of our employees make it difficult to ensure that everyone is on the same page. We are committed to providing a clear and concise set of policies and procedures that are easy to understand and follow.

- To reduce litigation costs, it is important to have a clear set of policies and procedures that are easy to understand and follow. This is particularly important in the context of our operations, where the complexity of our business and the number of our employees make it difficult to ensure that everyone is on the same page. We are committed to providing a clear and concise set of policies and procedures that are easy to understand and follow.
- In order to ensure that our policies and procedures are clear and concise, we will provide a clear and concise set of policies and procedures that are easy to understand and follow. This is particularly important in the context of our operations, where the complexity of our business and the number of our employees make it difficult to ensure that everyone is on the same page. We are committed to providing a clear and concise set of policies and procedures that are easy to understand and follow.

Flexibility

Flexibility of operational planning in the day of the product and how forces address and/or change in business strategy.

- Communication was highlighted of your experience. There is a need to regularly test and if necessary, implement alternative methods of communication.
- Ensure the use of a dedicated radio channel or channels and the availability of a back-up channel.
- Planning to include access to additional resources at very short notice.
- Mobile-based solutions for the purpose of providing a clear and concise set of policies and procedures that are easy to understand and follow. This is particularly important in the context of our operations, where the complexity of our business and the number of our employees make it difficult to ensure that everyone is on the same page. We are committed to providing a clear and concise set of policies and procedures that are easy to understand and follow.
- Clear and concise communication and decision-making processes which are clear and concise.
- There must be an agreed flexibility in the use of available resources in order to ensure that we have a consistent and clear set of policies and procedures that are easy to understand and follow. This is particularly important in the context of our operations, where the complexity of our business and the number of our employees make it difficult to ensure that everyone is on the same page. We are committed to providing a clear and concise set of policies and procedures that are easy to understand and follow.

C. POST OPERATIONS

C1. De-briefing

What has worked well during the operations stage?

- The use of experience gained from other forces to implement the operations stage.
- The use of experienced Silver commanders.
- The use of legislation already tested in other force areas eg Sect 2 Protection from Harassment Act and Sect 14 Public Order Act.

What has not worked so well during this stage?

- Using staff inexperienced to the protest has caused difficulties in familiarisation of the protest site, the protesters themselves and the availability and use of legislation.
- The frequency of the protests can cause a constraint drain on resources.
- Maintaining the morale of the front line officers.
- The cost of the policing operations.

A National day of action:

- There were various approaches to the de-brief. Commonly this involved a full structured de-brief although in some forces this depended upon the level of action.
- A hot de-brief may take place between Commanders.
- A hot de-brief for Bronze, Tactical Advisors and PSU commanders. Other officers would be encouraged to give feedback.
- Most followed the force de-brief policy including time scales.
- For example following the hot de-brief a formal debrief could take place two days later once all the de-brief information has been collected.
- The production of an overview post operation sheet outlining numbers of protesters, arrest, incidents of note.
- The hot de-brief in a large event is structured. For a small event the de-brief day is set to include all Silver, Bronze, PSU commanders, relevant managers and other force PSU commanders.

C POST OPERATIONS

C1 De-briefing

What has worked well during the operations stage?

- The use of experience gained from other factors to improve the operations stage.
- The use of experienced Silver Commanders.
- The use of legislation already noted in other cases such as 2001 Protection from Harassment Act and new 14 Public Order Act.

What has not worked so well during this stage?

- Using staff inexperienced to the protest has caused difficulties in familiarisation of the protest and the protesters themselves and the availability and use of legislation.
- The frequency of the protest can cause a constant strain on resources.
- Maintaining the morale of the front line officers.
- The cost of the policing operations.

A National day of action

- There were various agencies in the de-brief. Certainly the level of a full structured de-brief although in some areas that depends upon the level of action.
- A hot de-brief may take place between Commanders.
- A hot de-brief for Bronze, Tactical Advisors and TCU commanders. Once officers would be encouraged to give feedback.
- This followed the force de-briefing in being more active.
- For example following the hot de-brief a formal de-brief could take place two days later once all the de-brief information has been collected.
- The production of an overview post operations stage including minutes of operations, issues, incidents of note.
- The hot de-brief is a large event is structured. For a while even the hot de-brief is set to include all Silver, Bronze, TCU commanders, Tactical Advisors and other force TCU commanders.

Normal day:

- A hot de-brief between the officers and sergeant in the field.
- An incident de-briefing form may be produced.
- Production of an overview post operation sheet outlining numbers of protesters, arrest, incidents of note.

C2. Post-incident analysis and actions

- A Post Operation de-brief sheet may be provided for officers. These are passed to their supervisors who must go through the de-brief sheets and inform Silver of any issues.
- Written identification of issues from Silver or Bronze commander.
- Necessary actions should be logged at the de-brief stage.
- Action forms from the de-brief should contain identified return dates for completed actions.
- Officers do forget the de-brief stage and its importance. They should be reminded during the briefing and operations stage. Include this in the operational order.
- There may be no sense of ownership. Officers when they complete duty may not feel that they retain any responsibility. Instil this requirement at an early stage.
- A post event analysis form should be introduced to determine the action plan for future events.
- Consider liaison with National Operations Faculty regarding what went well/badly and how protesters' tactics may have changed.

C3. Post-incident investigation

A varying approach to this area:

- A dedicated Senior Investigating Officer (SIO) would be nominated for that operation.
- A nominated SIO reserve.
- A common theme was that the SIO should be trained in protest areas.
- There is a need for other supporting investigators to be trained.

- A link is established between the officer and subject in the field
- An incident de-briefing form may be produced
- Production of an overview post-incident report outlining activities in procedure, arrest, incident of case

C1. Post-incident analysis and actions

- A Post-incident de-brief report may be provided to officers. These are passed to their supervisors who must go through the de-brief stage and inform officer of any issues
- Written identification of issues from officer or supervisor
- Necessary actions should be logged in the de-brief stage
- Action forms from the de-brief stage may be identified when data is completed actions
- Officers do follow the de-brief stage and its importance. They should be reminded during the training and creation stage. Includes this in the operational order
- There may be no sense of ownership. Officers when they complete this may not feel that they have any responsibility. In this situation it is an early stage
- A post-incident analysis form should be introduced to document the team plan for future events
- Consider liaison with national operations centrally regarding what went well badly and how partners' issues may be shared

C2. Post-incident investigation

- A varying approach to this area
- A detailed State Investigating Order (SIO) would be followed for the operation
- A summary SIO report
- A common theme was that the SIO should be raised in future cases
- There is a need for other supporting investigations to be raised

- In some forces this area is covered by the dedicated team.
- Overall there is a need for a nominated/dedicated SIO who is experienced in or has received training to deal with protester investigation issues.

C4. The chain of evidence

- Forces must ensure that systems are in place to collect all evidence from officers during the operations and de-brief stages.
- This may be via a dedicated investigation team.
- Ensure proper audit trail for evidence gatherer material.
- Dedicated sweep up teams may be in place in the custody centres to ensure the capture of and preservation of evidence.
- Forces should ensure a service level agreement with their Criminal Justice Services and that dedicated teams are in place to monitor file quality and timelines.
- The importance of DNA sampling from prisoners cannot be overstated.
- Scenes of Crime Officers' (SOCO) attendance times were an issue that was raised, again highlighting the importance of inter-agency agreements.

LEGISLATION

Some of the legislation available to police the protests and combat unlawful activity and the use, advantages and disadvantages of that legislation. The definitions for the legislation are contained within law guides.

- Breach of peace – Common law: A power frequently used historically but identified as an area, which exposes forces to litigation issues. It was acknowledged that substantive offences would have been committed in most cases and arrests should be considered for those offences. Some forces had arrest policies, which do not allow Breach of Peace arrests.
- Sections 1 to 5 Public Order Act 1986 offences: Clearly defined offences, which if used appropriately should not cause problems. Officers feel comfortable in the use of this legislation. More use should be made in reporting for offences under sect 5 POA in addition to warning re conduct. This will emphasise to activists that offensive conduct will not be tolerated and may lead to its reduction.
- Section 12 Public Order Act 1986: Imposing conditions on public processions. Identification of organisers may be difficult in giving written notice prior to procession. Some forces distribute leaflets and post signs at the scene of a protest procession.

- In some cases this may be covered by the dedicated team
- Overall there is a need for a multi-agency approach to be taken to ensure that all relevant agencies are involved in the investigation process

CA The chain of evidence

- Forces must ensure that systems are in place to collect all evidence from officers during the operation and to protect it
- This may be via a dedicated investigation team
- Ensure proper audit trail for evidence gathering process
- Dedicated sweep up teams may be placed in the custody chains to ensure the capture of and preservation of evidence
- Forces should ensure a strong level of agreement with their Criminal Justice Services and that dedicated teams are in place to protect the quality and timeliness
- The importance of DNA sampling from preserved evidence is highlighted
- Cases of Crime Officers (CO) evidence items were an early focus of the work aimed again highlighting the importance of inter-agency agreement

LEGISLATION

Some of the legislation available to police the incidents and conduct outlined above and the use, advantages and disadvantages of that legislation. The definition for the legislation are contained within the table below.

- Breach of peace - Common law. A power to arrest is not generally held in an act which requires force to be used. It was acknowledged that substantive offences which have been defined as non-force offences should be considered for their offences. Some force and that power which do not show breach of peace.

- Section 1 to 3 Police Order Act 1986 defines clearly defined offences which need separately should not cover private citizens but comparable in the use of the legislation. There are several ways to identify the offences under act 3 POA in addition to working in context. This will require a number of that offensive conduct will not be relevant and may lead to its exclusion.

- Section 12 Police Order Act 1986 (enabling conditions on public order) - identification of offenders may be relevant to the extent that they are in a public procession. Some force offences include the power to arrest in the event of a public procession.

- In relation to imposing conditions on a procession, which is sporadic in nature, the imposition is by the senior officer at the scene. This is by rank and length of service. Forces must ensure that the senior officer present at the scene can be identified at all times. The other issue re this power is that the senior officer must believe that disorder, damage, disruption or intimidation will occur. If the previous processions have been without incident, this may pose problems.
- Sect 14 Public Order Act 1986: Imposing conditions on public assemblies. As with sect 12, relevant belief that serious disorder, damage, disruption or intimidation will take place is required. This power applies to assemblies of 20 or more people. Most forces hand out leaflets to the protesters and erect notices at the scene. It was commended upon that CPS in certain forces might not pursue this offence with the vigour that would be desired.
- Sect 60 Criminal Justice & Public Order Act 1994: Power to Stop and Search in a locality. Authorising officer must be able to show reasonable belief that serious violence may take place or persons are carrying dangerous instruments or offensive weapons. This again may be difficult without supporting intelligence if there have been no recent incidents. An underused piece of legislation in this field.
- Sect 1 Prevention of Crimes Act 1953. Offensive weapons. Provides power of arrest if offensive weapon is found during search.
- Sect 25 Crime & Disorder Act 1998: Removal of Face Coverings. Sect 60 CJ & POA (see above) authority must be in place.
- Sect 26 Crime & Disorder Act 1998: Seizure of Face Coverings. As above, Officer seizing must reasonably believe intent to conceal identity.
- Sect 68 Criminal Justice & Public Order Act 1994: Aggravated Trespass. One force commented that this was a very cumbersome piece of legislation. Difficulty in proving the intent section.
- Sect 69 Criminal Justice & Public Order Act 1994: Forces must ensure the senior officer present is identified. (Comments as Sect 68).
- Sect 2 Protection from Harassment Act 1997: Requirement to prove a course of conduct. Obviously Harassment would include alarm or distress; Collins dictionary includes trouble or torment. Used by several forces to good effect with several protestors on first warnings. One force had an arrest pending at the time of one workshop.
- Sect 4 Protection from Harassment Act 1997: Requirement to prove course of conduct. Causing another to fear that violence will be used against them on at least 2 occasions.

in relation to imposing conditions on a procession which is required to obtain the permission is by the senior officer in the area. This is to be read and treated as if the senior officer in the area is the senior officer in the area at all times. The other parts of the power to give the senior officer that believe that disorder, damage, disruption or intimidation will occur. If the senior officer believes that disorder, damage, disruption or intimidation will occur, the senior officer may impose conditions on the procession.

Section 14 Public Order Act 1986: Imposing conditions on public assemblies. A senior officer may impose conditions on a public assembly if he believes that disorder, damage, disruption or intimidation will occur. The power applies to assemblies of 20 or more people. A senior officer may also impose conditions on a public assembly if he believes that disorder, damage, disruption or intimidation will occur. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to impose conditions on a public assembly.

Section 15 Criminal Justice Act 1988: Power to stop and search in a public place. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. A senior officer may also stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

Section 16 Prevention of Crime Act 1953: Offensive weapons. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

Section 17 Crime & Disorder Act 1998: Removal of Fire Arms. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

Section 18 Crime & Disorder Act 1998: Search of Part 6A. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

Section 19 Criminal Justice Act 1988: Application of Part 6A. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

Section 20 Criminal Justice Act 1988: Power to stop and search. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

Section 21 Protection from Harassment Act 1997: Requirement to give a notice. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

Section 22 Protection from Harassment Act 1997: Requirement to give a notice. A senior officer may stop and search a person in a public place if he has reasonable grounds for believing that the person has a dangerous weapon. It was commented upon that it is not clear what the senior officer's powers are in relation to the power to stop and search a person in a public place.

- Sect 241 Trade Union and Labour Relations (Consolidation) Act 1992. Preventing a person going about lawful business. A piece of legislation, which is very applicable to this issue. Manchester airport (80 convictions). Problems in proving compelling to do or abstain from doing an act, and watching and besetting.
- Sect 3 Criminal Damage Act 1971. Going equipped to damage/destroy. Good power of arrest if constable suspects person has possession/under his control, anything with intent to do this. Need to prove intent to charge.
- Sect 137 Highways Act 1980. Has been used successfully when protesters choose to block roads.
- Sect 22 Road Traffic Act 1988. A useful piece of legislation to prevent interference with road signs or the placing of blocks on roads or interfering with vehicles or trailers.
- Sect 62 Control of Pollution Act. Noise Abatement Act. Considered by the group. This legislation was explored with South Staffs District Council with regard to the use of loud hailers and fireworks. The legislation was written to combat residents, not visitors to an area. It may not be appropriate to this issue.
- Customs and Excise – red diesel. Consideration could be given to traffic mobiles checking vans for illegal use of red diesel.
- Car Insurance – Company cars. Some protesters will use company cars to transport groups. It is unlikely that their company insurance would cover them for this.
- Public Nuisance – This legislation requires significant work in the form of numerous statements from the community. Conspiracy to cause is indictable only.
- Litter – Protestors tying ribbons to fences representing the colour of the campaign.
- Terrorism Act 2000 – the interpretation and implementation of this legislation in the area of Animal Rights extremist actions will pose many opportunities for police forces and their partners in the CPS.
- Civil Litigation – when taken out by or on behalf of the company or victim concerned, has proven to be a very effective method of controlling the actions of activists at the locations specified within the injunction.
- Bail Conditions – the imposition of strong and relevant bail conditions greatly assists in the policing of persons charged with offences.

- Section 241 Trade Union and Labour Relations (Restrictions) Act 1974
 Following a series of strikes, a new law was passed which is very applicable to the case. It allows for the suspension of any person engaged in an activity which is not a necessary part of the business of the company.
- Section 2 Criminal Damage Act 1971
 Power of arrest to contain suspect person and possession of anything with intent to do this. Power to seize items in charge.
- Section 137 Highways Act 1980
 Has been used successfully when protesters choose to block roads.
- Section 25 Road Traffic Act 1988
 A useful piece of legislation to prevent motorists with road signs in the vicinity of blocks to make or obstructing with vehicles or trailers.
- Section 63 Control of Pollution Act 1974
 This legislation was passed with regard to the use of land and the environment. The legislation was written to control the use of land and the environment. It may not be applicable to the case.
- Customs and Excise - not direct
 Customisation could be given to traffic checking vans for illegal use of road.
- Car Insurance - Company case
 Some protection will not apply to the transport group. It is unlikely that the company insurers would cover them for the case.
- Public Nuisance - This legislation requires significant work in the form of nuisance abatement from the community. Companies to avoid in industrial area.
- Litter - Protesters may refuse to litter surrounding the area of the protest.
- Tortious Act 1999 - The introduction and implementation of the legislation in the area of Animal Rights activists will pose many opportunities for police forces and their partners in the case.
- Civil Litigation - When taken out by or on behalf of the company or group concerned, has proven to be a very effective method of controlling the actions of activists in the locations specified within the legislation.
- Bail Conditions - The imposition of strict and relevant bail conditions greatly assists in the policing of persons charged with offences.

INTER AGENCY LIAISON ON ANIMAL RIGHTS DEMONSTRATIONS:

CROWN PROSECUTION SERVICE: PROSECUTION POLICY

When reviewing cases, all Crown Prosecutors are guided by the Code for Crown Prosecutors. Before a prosecution can be mounted, the prosecutor must be satisfied that there is sufficient evidence and that it is in the public interest to prosecute. If there is insufficient evidence, then the prosecution cannot go ahead, no matter how strong the public interest factor is.

Animal rights demonstrations have gained momentum recently and they have been widely publicised in the media. The CPS has agreed to conduct an evaluation project in a number of CPS areas where the demonstrators are active. The aim of the project will be to measure the effectiveness of legislation in this area, and to identify good practice from successful prosecutions. For example, some CPS areas are already using dedicated prosecutors to handle animal rights prosecutions. The project will also consider the benefits of such an approach.

The CPS is keen to adopt an inter-agency approach and many CPS areas are already working very closely with the local police force to ensure that demonstrations who protest unlawfully and use violence against victims are brought to justice.

In addition, the courts have been made aware of the importance of the context of such offences where these may be part of a campaign of harassment or intimidation of a victim.

CPS
March 2001

GROUP PROSECUTION SERVICES
PROSECUTION POLICY

When reviewing cases, all Crown Prosecutors are guided by the Code for Crown Prosecutors. Before a prosecution can be brought, the prosecutor must be satisfied that there is sufficient evidence and that it is in the public interest to prosecute. If there is insufficient evidence, then the prosecution should not proceed, or where there is strong public interest factor is

Animal rights demonstrators have gained recognition recently and they have been widely featured in the media. The CPS has agreed to conduct an evaluation project in a number of CPS areas where the demonstrators are active. The aim of the project will be to measure the effectiveness of legislation in this area and to identify areas for improvement. For example, some CPS areas are better placed than others to handle animal rights demonstrators. The project will also consider the benefits of such an approach.

The CPS is keen to adopt an inter-agency approach and some CPS areas are already working very closely with the local police force to ensure that demonstrators are prosecuted effectively and the violence against victims are brought to justice.

In addition, the courts have been made aware of the importance of the protection of witnesses where there may be part of a campaign of harassment or intimidation of a victim.

CPS
March 2001

Contents

- 1) Introduction
- 2) Planning for the threat
- 3) Site Security **Protest Action:**
- 4) Good Housekeeping
- 5) Action in event of a protest

6) **A Guidance Paper for Personal Safety**

- 7) Telephone Threats
- 8) Suspect Packages
- 9) Personal safety

Protest Action:

A Guidance Paper for Personal Safety

Contents

This booklet has been produced by the police service to assist staff and management to review their current security arrangements. It provides advice on physical security and personal safety. Situations and circumstances can vary considerably, and this booklet is considered as a definitive guide, but the advice and procedures may not be applicable in all circumstances. If you need further specific advice, please contact your local police prevention officer.

- 1) Introduction
- 2) Planning for the threat
- 3) Site Security
- 4) Good Housekeeping
- 5) Action in event of a protest
- 6) Knowing the law
- 7) Telephone Threats
- 8) Suspect Packages
- 9) Personal safety

Doors

All external doors should meet minimum standards in respect of robustness and locking systems. Those not in repair should have strong internal bolts.

Internal doors between reception areas and offices should be secure controlled to prevent unauthorised entry.

Contents

- 1) Introduction
- 2) Planning for the threat
- 3) Site Security
- 4) Good Housekeeping
- 5) Action in event of a protest
- 6) Knowing the law
- 7) Telephone Threats
- 8) Suspect Packages
- 9) Personal safety

Introduction

This booklet has been produced by the police service to assist staff and management to review their current security arrangements. It provides advice on physical security and personal safety. Situations and circumstances can vary considerably, and this booklet should not be considered as a definitive guide, but the advice and recommendations adapted as necessary. If you need further specific advice, please ask to speak to your local crime prevention officer.

2. Planning for the threat

- The responsibility for planning and protecting company buildings, contents and staff lie with the owner or occupier of the premises.
- Think about the threats you may face, what matters to you, what is most vulnerable.
- Develop a security plan and identify measures to reduce the risk.
- Identify a security co-ordinator to implement any procedures.
- All staff have a responsibility to consider security procedures.

3. Site Security

You need to consider:

The protection of staff and visitors

The building contents

The building itself

- Regularly review existing security measures eg CCTV, access control, perimeter protection. Remember, security systems will only be effective if used correctly. All staff share responsibility for the security of the site and the safety of their fellow staff members.

Doors

- All external doors should meet minimum standards in respect of robustness and locking systems. Those not in regular use should have strong internal bolts.
- Internal doors between reception areas and offices should be access controlled to prevent unauthorised entry.

This booklet has been produced by the police service to assist staff and management to review their current security arrangements. It provides advice on physical security and personal safety. Situations and circumstances are very complex and the booklet should not be considered as a definitive guide, but the advice and recommendations should be adapted as necessary. If you need further advice, please ask to speak to your local crime prevention officer.

3. Planning for the threat

The responsibility for planning and protecting company buildings, contents and staff is with the owner or manager of the premises.

Think about the threats you may face, what actions to take, what you want to risk.

Develop a security plan and identify measures to reduce the risk.

Identify a security coordinator to implement any procedures.

All staff have a responsibility to co-operate with security procedures.

4. Site Security

You need to consider:

The protection of staff and visitors

The building contents

The building itself

Regularly review existing security measures eg CCTV, access control, perimeter protection. Remember security systems will only be effective if used correctly. All staff have responsibility for the security of the site and the safety of their fellow staff members.

Doors

All external doors should meet minimum standards in respect of robustness and locking systems. These are in force and should have been tested before.

Internal doors between reception areas and offices should be tested regularly to prevent break-ins.

Access Routes

- The most effective control is an efficient reception area.

Windows

- Laminated glass and good quality key operated locks should be fitted to all windows to which access might be gained.

Intruder Alarms

- Choose one that suits your site.

CCTV

- Cameras can make an important contribution to security. They may also help to deter protesters.

Lighting

- Good lighting is a deterrent.

4. Good Housekeeping

- Introduce a visitors book and badge system. Signs should be erected in the car park and at all site entrances to direct visitors and contractors to the reception area. **ALL** visitors to the site should be requested to sign in and give details of their vehicle. They should then be issued with a visitors badge and accompanied by a staff member throughout the duration of their visit.
- It is important that there is a central record of who is on site (including staff members). Many access control systems have a memory function so that staff movements can be checked. Reinforce the need for a "challenge culture" with staff members. If someone unfamiliar is seen on site, staff should be reminded to politely ask them who they are and if they can help. If necessary, they should ask for identification. Strangers should not be allowed to wander around unchallenged. Unauthorised visitors will be easier to detect if staff are asked to wear their passes at all times.
- Consideration should be given to fitting a panic button under the reception desk so that the receptionist can summon assistance if protesters enter the building.
- The ability to lock the external main entrance door remotely from behind the reception desk should be considered. If the receptionist becomes aware that protesters are on site, the door can be locked without jeopardising the receptionist's safety by pressing the remote locking button.
- Consider what information staff give out over the phone – it could be used against the company or individuals associated with the company. Staff should always

Access Control

The most effective control is an efficient inspection area

Windows

Laminated glass and good quality key-operated locks should be fitted to all windows to which access might be gained

Intruder Alarms

Choose one that suits your site

CCTV

Cameras can make an important contribution to security. They may also help to deter criminals

Lighting

Good lighting is a deterrent

Good Housekeeping

Introduce a visitor book and badge system. Signs should be erected in the car park and at all the entrances to direct visitors and conveyors to the reception area. All visitors to the site should be requested to sign in and give details of their vehicle. They should then be issued with a visitor badge and accompanied by a staff member throughout the duration of their visit.

It is important that there is a constant record of who is on site (including staff members). Many access control systems have a company directory or list which can be checked. Reinforce the need for a "challenge culture" with staff members. If someone unfamiliar is seen on site staff should be asked to identify and then who they are and if they can help. If necessary, they should call for identification. Suspicious visitors may be allowed to queue around the perimeter. Unauthorised visitors will be asked to depart if staff are asked to investigate. Unauthorised visitors will be asked to depart if staff are asked to investigate. Unauthorised visitors will be asked to depart if staff are asked to investigate.

Consideration should be given to giving a pass to staff under the reception desk so that the receptionist can maintain a record of visitors entering the building.

The ability to lock the external main entrance door manually from behind the reception desk should be considered. If the receptionist becomes aware that intruders are on site the door can be locked without jeopardising the receptionist's safety by pressing the manual locking button.

Consider what messages will be put over the alarm - it could be used to alert the company of intruders associated with the company. Staff should always

identify the caller. If they are unsure, they should tell the caller that they will phone them back, after independently checking their telephone number in the telephone book. Staff should not accept a number offered by the caller – this may be bogus.

- Consider a 'clear desk' policy. Staff should be encouraged to keep as much paperwork out of sight as possible. If desks are lockable company policy should dictate their paperwork is locked away at the end of each day and over the weekend.
- Protesters may rummage through rubbish bins and retrieve company information. Discarded, sensitive documents should be put through a shredder or in a shed safe box.
- Staff should take responsibility for closing and locking all windows in their office area at night and at weekends.
- Computers and monitors should be turned off when staff leave the site. Install password protection on PCs where possible. If staff leave the office during the lunch hour they should ensure that their computer is switched off and that unauthorised access is not possible.
- If offices hold sensitive information staff should be encouraged to lock doors when leaving the room. The last person out of the building/office should take responsibility for locking up offices and store cupboard.
- All communal areas, stairs, hall, toilet/restroom should be kept clean and tidy.
- It is important that staff are vigilant in the car park. They should be encouraged to challenge individuals who are unfamiliar. Keep a sharp look out for unusual behaviour or item out of place. They should not leave personal belongings identifying personal details in their vehicles eg diary. If individuals are sighted writing registration numbers down or photographing/videoing people/buildings/vehicles, then the Security Manager should be notified immediately. These may be protesters gathering information about the company or staff members.
- Outside, keep everywhere as tidy as possible, including shrubbery.
- Staff, particularly high profile management staff, should be aware of the possibility that they could be followed by protesters when driving home from work. It should be remembered that protesters may know some of the route home and follow from any given location. If they believe they are being followed they should be advised to vary their route, to double check. If they are still in doubt they should drive to a Police Station or busy, public place (eg petrol station) where they can get help.
- Suspicious incidents should always be reported to the member of staff with responsibility for security. Information should be recorded in an incident book

Identify the caller. If they are unsure, they should tell the caller that they will
phone them back after independently checking their telephone number in the
telephone book. Staff should not accept a transfer offered by the caller - this may
be bogus.

Consider a 'clear desk' policy. Staff should be encouraged to keep as much
paperwork out of sight as possible. If desks are lockable, sensitive policy should
be placed in locked trays at the end of each day and over the
weekend.

Procedures may vary through different parts and involve company information.
Discarded, sensitive documents should be put through a shredder or in a locked safe
box.

Staff should take responsibility for closing and locking all windows in their office
area at night and at weekends.

Computers and machines should be turned off when staff leave the area through
password protection on PCs where possible. If staff leave the office during the
lunch hour they should ensure that their computer is switched off and that
unauthorized access is not possible.

If officers hold sensitive information staff should be encouraged to lock their
when leaving the room. The last person out of the business office should take
responsibility for locking up offices and secure equipment.

All communal areas, stairs, hall, toilet/restroom should be kept clean and tidy.

It is important that staff are vigilant in the car park. They should be encouraged to
challenge individuals who are unresponsive. Keep a sharp look out for unusual
behaviour or items out of place. They should not leave personal belongings
identifying personal details in their vehicles or bags. If individuals are observed
writing registration numbers down or photographing vehicles,
people/police/manager, then the Security Manager should be notified
immediately. There may be potential gathering information about the company
or staff members.

Outside keep everywhere as tidy as possible including shopping.

Staff, particularly high profile management staff, should be aware of the
possibility that they could be followed by protesters when driving home from
work. It should be recognized that protesters may have some of the same family
and follow them from their location. If they believe they are being followed they
should be advised to vary their route to double check. If they do not believe
they should drive to a Police Station or local public place for help, should they
they can get help.

Suppliers' vehicles should always be reported to the manager of staff staff
responsibility for sensitive information should be reported to an incident book.

and passed to the Police at regular intervals. This is how patterns are established and protest plans foiled before they are established.

- A designated member of staff should have responsibility for logging details of all suspicious incidents in an incident book. All staff should be aware who this person is and where the log is kept. Staff should be encouraged to report suspicious incidents.
- A member of the management team should be designated to have specific responsibility for co-ordinating staff in the event of a protest.
- It is important that the designated manager with responsibility for security is familiar with the exact site boundaries. If there is a need to request protesters to leave the site, the manager will need to be certain that they are in fact on company property.

5. Recommendation Action Plan in the Event of a Protest Action by Designated Security Manager

- When the protesters arrive, the designated manager with responsibility for security and staff co-ordination should be alerted.
- The designated manager should contact the Police and if possible notify all staff. There are various ways of doing this. For example, using the tannoy, varying the tone on the fire alarm or using a cascade telephone system. It is important that all staff are familiar with the alerting system and that they know what action they are expected to take.
- The management team should be clear about the Company's attitude to prosecution. Clear messages will need to be relayed to the Police about the action that the Company is prepared to take in the event of criminal acts being committed by the protesters.

Action by Staff

It is recommended that the number of staff who have direct contact with the protesters is kept to a minimum. These guidance notes recommend that the majority of staff are kept safe, inside the building, and away from the nucleus of the protest.

Staff should be advised to take the following actions:

- Switch off all computer equipment including laptops
- Remove any paperwork from their desks.
- Lock filing cabinets.
- Close and secure windows. Pull down blinds.

and passed to the Police as regular business. This is how patterns are established and previous plans failed before they are established.

A designated number of staff should have responsibility for logging details of all suspicious incidents in an incident book. All staff should be aware who this person is and where the log is kept. Staff should be encouraged to report suspicious incidents.

A number of the management team should be designated to have specific responsibility for co-ordinating staff in the event of a protest.

It is important that the designated manager with responsibility for security is familiar with the exact site boundaries. If there is a need to request assistance to leave the site, the manager will need to be certain that they are in fact on company property.

2. Recommendation Action Plan in the Event of a Protest Action by Designated Security Manager

When the protesters arrive, the designated manager with responsibility for security and staff co-ordination should be alerted.

The designated manager should contact the Police and if possible notify all staff. There are various ways of doing this. For example, using the company website, the all staff on the phone or using a cascade telephone system. It is important that all staff are familiar with the alerting system and that they know what action they are expected to take.

The management team should be clear about the Company's attitude to protestation. Clear messages will need to be relayed to the Police about the action that the Company is prepared to take in the event of a protest, and being coordinated by the protesters.

Action by Staff

It is recommended that the number of staff who have direct contact with the protesters is kept to a minimum. These guidelines were recommended that the majority of staff are kept safe, inside the building, and away from the numbers of the protest.

Staff should be advised to take the following actions:

- Switch off all computer equipment including laptops

- Remove any paperwork from their desks

- Lock filing cabinets

- Check and secure windows. Pull down blinds

- Lock offices doors (otherwise protesters may ransack the office looking for information to support their cause).
- Stay in their office (if appropriate), or make their way to the designated assembly area. Once the designated officer has notified staff that it is safe to resume their normal duties, they may return to their offices. However, if the fire alarm sounds at any time during the protest it is imperative that all personnel and visitors follow the fire drill and leave the building immediately.
- The contingency plan should be practised and must be taken seriously. The intention of this plan is to minimise contact with the protesters. However, if staff members do come into contact with the protesters, they should be encouraged to remain calm and adopt a non-aggressive demeanour. They should not respond to personal or emotive comments.

Contact with Protesters

Follow the establishment's recommended procedure. However, if there is no procedure in place, the following action may be considered appropriate:

- The designated management representative should ask the protesters to leave the site, reminding them that it is private property.
- If the protesters refuse to move, they should be informed that they are trespassing.
- Efforts should be made to move photographers/cameramen away from buildings. However, under no circumstances should staff attempt to snatch or cover their cameras.
- If the protesters take anything (eg documents, equipment) they should be informed that it is an act of theft and that it will be reported to the police.

Handling the Media

A highly organised protest group will court media coverage. If their cause is topical or high on the political agenda (eg genetically modified crops), it is likely that their protest could attract wide local, and possibly national media interest.

It is important to remember that the words and actions of staff may be recorded. Staff should be reminded of this fact, and should not be drawn into an argument or use bad language. By acting professionally, and in accordance with the establishment's policy, it is easy to turn the voice of protest around so that a balanced view can be gained.

If staff are approached by the media they should not get drawn into making any comment but politely refer them to the designated member of the management team.

• Lock officers doors (otherwise protesters may breach the office building for information to support their cause)

• Stay in their office (if appropriate), or make their way to the designated assembly area. Once the designated officer has notified staff that it is safe to return then normal duties they may return to their offices. However, if the staff receive at any time during the protest a representative that all personnel and visitors should the fire drill and leave the building immediately.

• The contingency plan should be reviewed and kept in mind accordingly. The intention of this plan is to maintain contact with the protesters. However, it will be necessary to come into contact with the protesters, they should be encouraged to remain calm and adopt a non-aggressive demeanor. They should not respond to threats or abusive comments.

Contact with Protesters

Follow the establishment's recommended procedure. However, if there is no procedure in place the following action may be considered appropriate:

- The designated management representative should ask the protesters to leave the site, reminding them that it is private property.
- If the protesters refuse to move, they should be advised that they are trespassing.
- Efforts should be made to move protesters away from buildings. However, under no circumstances should staff attempt to touch or enter their cars.
- If the protesters take anything (eg documents, equipment) they should be informed that it is not of their making and it will be reported to the police.

Handling the Media

A highly organized protest group will want media coverage. If your team is asked to help on the political grounds (eg generally notified copies of a letter) you should provide contact with local and possibly national media persons.

It is important to remember that the words and actions of staff may be recorded. Staff should be reminded of this fact and should not be drawn into an argument or any form of language. By acting professionally and in accordance with the establishment's policy it is vital to turn the volume of protest around so that a balanced view can be given.

If staff are approached by the media they should not get drawn into making any comment but politely refer them to the designated member of the management team.

6. Knowing the Law

Civil Trespass

"Trespass is committed by a person who is improperly on someone else's property without permission".

Trespass is NOT a criminal offence unless it is accompanied by others' acts which make it so.

Where there is no other consideration, it is known as Civil Trespass.

Defined in law, lawful occupiers are those who have the express permission of the owners of the company to be on their property and those who rent any land or building, or part of therein.

In civil law, the lawful occupier has the right to exclude anyone from the premises at anytime, even if they are there lawfully. Failure to comply with this request renders the person guilty of a civil trespass.

Police can only act on the request of any lawful occupier or the designated manager, to assist in the removal of trespassers.

Rights of the Lawful Occupier

Civil Trespass

A lawful occupier may remove a trespasser using **no more force than is necessary**.

He/she may also call on others to assist.

Given that "reasonable force" is open to individual interpretation, for the protection of the lawful occupier, it is recommended that **NO PHYSICAL CONTACT** is effected with protesters. The lawful occupiers should try to position themselves between the buildings and the protesters to block their passage.

It should be noted that unless a criminal offence has occurred (eg theft) the Police can only assist to prevent a breach of the peace. They cannot expel protesters just because they are requested to.

Burglary

Protesters may enter the buildings as a trespasser, but their actions whilst in the building could render them liable to prosecution for burglary. If they enter the building to protest and do not:

A. STEAL B. INJURE C. RAPE or D. DAMAGE PROPERTY

Civil Trespass

Trespass is committed by a person who is intentionally or recklessness enters the land of another without permission.

Trespass is NOT a criminal offence unless it is accompanied by a lack of intent to cause harm.

Where there is no other consideration, it is known as Civil Trespass.

Defendant in law, lawful occupiers are those who have the superior possession of the land or the right to be on their property and those who are not the owner, tenant, licensee or part of business.

In civil law, the lawful occupier has the right to exclude anyone from the premises if anyone enters it without their lawful authority. Failure to comply with this requirement is the positive liability of a civil trespasser.

Police can only act on the request of any lawful occupier or the designated authority to enter in the removal of trespassers.

Rights of the Lawful Occupier

Civil Trespass

A lawful occupier may remove a trespasser using no more force than is necessary.

Force may also be used in order to resist.

Given that "reasonable force" is open to individual interpretation, the protection of the lawful occupier, it is recommended that NO PHYSICAL CONTACT is allowed with protesters. The lawful occupier should try to position themselves between the protesters and the protesters to block their passage.

It should be noted that unless a criminal offence has occurred (eg theft) the police can only exist to prevent a breach of the peace. They cannot arrest protesters just because they are requested to.

Harassment

Protesters may enter the buildings as a trespasser, but their actions whilst in the building could render them liable to prosecution for harassment. If they cause the building to protest, and do not.

A. THEFT B. BURGLAR C. RAPE D. DAMAGE PROPERTY

Whilst the building then NO OFFENCE of burglary has been committed.

If however, once they have entered the building and been asked to leave they decide to steal company property or assault an individual then they **HAVE** committed the offence of burglary.

Additionally, if they intentionally damage property whilst on your property they can be arrested and charged with criminal damage.

If they enter as a **TRESPASSER** and **NO CRIMINAL OFFENCE** is committed, they can only be dealt with as a trespasser.

Action to be taken by Staff who Witness a Criminal Act

If criminal offences have been committed or are being committed these can be dealt with by the police.

The staff member(s) who witness the incident should bring the incident to a Police Officer's attention immediately.

As soon as possible, they should write down a detailed description of the offender including any name/nickname used. A note should then be made of exactly what happened, and the time and location of the offence.

These notes will assist the staff member when making a statement to the Police, which may be necessary to support any resulting court proceedings.

REMEMBER: Protesters are often well informed about their rights, and know exactly what the law permits them to do/not do.

7. Telephone Threats

- It is an offence to make any threatening, abusive or a series of nuisance calls on a telephone system.
- Police with the assistance of the telephone service provider may be able to trace and prosecute an offence depending on the comments made or the nuisance that has been caused.
- The company should have a policy covering under what circumstances complaints will be made to the police.
- Any threat made to a named individual should be reported in any case.

While the building then NO OFFENSE of burglary has been committed.

If however, once they have entered the building and been asked to leave they decide to steal company property or return an individual then they HAVE committed the offense of burglary.

Additionally, if they intentionally damage property whilst on your property they can be arrested and charged with criminal damage.

If they enter as a THIEF and NO CRIMINAL OFFENSE is committed they can only be dealt with as a trespasser.

Actions to be taken by Staff who Witness a Criminal Act

If criminal offences have been committed or are being committed there can be dealt with by the police.

The staff member(s) who witness the incident should bring the incident to a Police Officer's attention immediately.

As soon as possible they should write down a detailed description of the offence including any circumstances noted. A note should then be made of exactly what happened, and the time and location of the offence.

These notes will assist the staff member when making a statement to the Police, which may be necessary to support any existing court proceedings.

REMEMBER: Professor has often well informed about their rights and how exactly what the law permits them to do.

Telephone Threats

It is an offence to make any threatening, abusive or a series of nuisance calls on a telephone system.

Police with the assistance of the telephone service provider may be able to trace and prosecute an offence depending on the circumstances of the incident that has been raised.

The company should have a policy covering such incidents with circumstances complaint will be made to the police.

Any threat made to a named individual should be reported in any case.

- Any member of staff receiving problems on their home telephone should contact their local police informing them of the circumstances of the call and where they work.
- Police may request to place a telephone line trace on your system to obtain 'independent' evidence via your service provider.
- A written record of any such calls should be kept, including as much detail as possible to the nature of the call.

Telephone Bomb Threat Warnings

Most telephoned bomb threat calls are made by malicious pranksters whose threats are empty. But making such calls is a crime, and they should always be reported to the police.

You should initially always consider such a call as genuine. These calls constitute a threat to the lives of your colleagues or others in the commodity, and they must always be treated seriously and handled urgently.

Such calls may be the closest that you and your staff will come to terrorism. Because of the potential seriousness of each and every call, planning is needed, just as it is for other forms of attack.

Handling such a call is never easy. It is difficult to remain calm and react effectively. Regular training is therefore essential – practising with a small team will assist if and when a real threat is made.

The golden rules are:

- **Keep calm;**
- **Try to obtain as much information as possible. Write down and record Exactly what has been said;**
- **Dial 1471 (if that facility operates);**
- **Report it to the security co-ordinator and the police immediately.**

The following pages are a checklist, which should be on hand for use by all staff who may take a direct call from the public.

See Appendix 1 – Bombs, protecting people and property.

Any member of staff receiving enquiries on their hours telephone should contact their local police informing them of the circumstances of the call and where they work.

Police may request to place a telephone tap wire on your system to obtain independent evidence via your service provider.

A written record of any such calls should be kept, including as much detail as possible to the nature of the call.

Telephone Fraud Threat Warnings

Most telephone based fraud calls are made by malicious persons whose details are copied. But making such calls is a crime, and they should always be reported to the police.

You should identify always number such a call as genuine. These calls number a threat to the bank or your colleague or others in the community, and they must always be treated seriously and handled urgently.

Such calls may be the start of an attempt to cause you and your staff to withdraw. Because of the potential seriousness of such and every call, however, is serious, just as a few other forms of attack.

Handling such a call is never easy. It is difficult to remain calm and not offensively. Regular testing is therefore essential - practicing with a small team will mean it will be a real threat is made.

The golden rules are:

- Keep calm;
- Try to obtain as much information as possible. Write down and record exactly what has been said;
- Dial 1471 (if that facility operates);
- Report to the security co-ordinator and the police immediately.

The following pages are a checklist which should be on hand for use by all staff who may take a direct call from the public.

8. Suspect Packages

Postal explosives devices have been used in the United Kingdom by terrorist organisations and supporters of various radical causes.

Such devices may come in any shape or size, parcels, envelopes, video cassettes, postal tubes and padded "jiffy bags", either delivered through the Royal Mail systems or by courier service.

Postal devices are designed to operate on being opened, ie victim operated, and are therefore generally safe to handle.

There are often "tell-tale" signs accompanying such postal devices and it is therefore important that all staff who are required to open mail and parcels are aware of these signs and the action to take when identifying suspicious items.

It should be remembered that postal devices are designed to injure the addressee, upon opening the letter or package or disrupt day to day business.

Victim operated devices will normally have travelled through the postal service, been well handled and often treated quite roughly. It is most unlikely that the device will function until an attempt is made to open the package/envelope, and therefore in the majority of cases, will be safe to carry.

Initial Acceptance of Mail/Packages

All items should be initially delivered to the mailroom.

If practical, the item, date and who made the delivery should be recorded by some means. For example:

Date	Time	Description	Delivered by	Name/Vehicle
22.11.99	1314	Various letters + 2 packages	Royal Mail	John Smith
22.11.99	1410	1 x Jiffy Bag	Express Courier	Ian Brown W123 ABC

Ideally every letter/package should be checked and X-Ray considered. (We are not only concerned about explosive devices, which will normally be bulky, but also think about razor blades and hypodermic needles.)

Have you considered a process forewarning the mailroom staff when other departments expect unusual deliveries?

Encourage good practice in those who you deal with regularly by having a clearly identifiable sender shown on each item. One of the simplest ways in which to by-pass security is by organisations having supporters of their cause on your staff. Mail could then be placed directly in the office of the intended victim. Therefore all staff should

2. Suspect Packages

Postal explosive devices have been used in the United Kingdom by terrorist organisations and supporters of various radical causes.

Such devices may come in any shape or size, plastic envelopes, video cassettes, postal tubes and padded "jiffy bags", either delivered through the Royal Mail system or by courier service.

Postal devices are designed to operate on being opened, or victim opened, and are therefore generally safe to handle.

There are often "tell tale" signs accompanying such postal devices and it is therefore important that all staff who are required to open mail and parcels are aware of these signs and the action to take when identifying suspicious items.

It should be remembered that postal devices are designed to ignore the address, upon opening the return or postage or disrupt day to day business.

Victim opened devices will normally have travelled through the postal service, been well handled and often tested quite thoroughly. It is most unlikely that the device will function until an attempt is made to open the package/envelope, and therefore in the majority of cases will be safe to carry.

Initial Acceptance of Mail/Packages

All items should be initially delivered to the mailroom.

If practical, the item, date and who made the delivery should be recorded by some means. For example:

Date	Time	Description	Delivered by	Person / Initials
22.11.99	15:10	7 return letters + 2 packages	Royal Mail	John Smith
22.11.99	14:10	1 x jiffy bag	Express Couriers	John Brown W.D. 412

Initially every item/package should be checked and X-ray screened. (It is not necessary to concern about explosive devices, which will normally be empty, but also that show minor blemishes and hydraulic needles.)

If you considered a process following the mailroom staff then please department express manual delivery.

Encourage good practice in those who deal with regularly following a checklist routine shown on each item. One of the simplest ways in which to improve security is by organisations having representatives of their staff in jiffy bags. Mail should then be placed directly in the office of the intended recipient. The office staff should

be responsible for their own security and not assume that security staff have checked all items of mail.

What to Look For

When checking mail think of dangers other than explosives – a lot of harm can be done to a person opening a normal every day letter using their finger when a razor blade or hypodermic needle has been secured under the flap!

Always consider the simplest forms of devices first. An envelope only containing wires and a battery will have the desired effect in disrupting your everyday business. A matchstick, friction strip and impregnated paper that will ignite when being opened is a simple incendiary device. Similarly a small, low voltage bulb filament, watch battery, together with some type of trigger device (simple yet very compact) could cause injury or damage to property.

Common "Tell-Tale" Signs of Devices

- No Return address or fictitious
- If there is a return address is the postmark from that area?
- May bear endorsements such as "PERSONAL", "PRIVATE" or "CONFIDENTIAL"
- Grease marks on envelope or wrapping
- Unusual odour, such as marzipan, oil or petrol
- Visible wiring or tin foil, particularly if the package is damaged
- Unusually heavy for the size of the package
- Weight distribution uneven
- Contents rigid in a flexible envelope/packing
- Excessive wrapping (to prevent leakage)
- Wrongly addressed
- Unusual/Unexpected postmark
- Poor spelling, handwriting or typing
- Excessive amount of postage stamps for the weight
- Delivered by hand from unknown source

be responsible for their own security and not assume that security will be provided
all items of mail.

What to Look For

When checking mail think of things other than appearance - is the item as it
looks to a person opening a normal e-mail every day but using their finger when a new
link or hypertext address has been received under the link?

Always consider the simplest form of device first. An envelope with something
taped and a battery will have the desired effect in delivering your electronic message.
A makeshift, flexible strip and impregnated paper that will glow when being opened
is a simple electronic device. Similarly a small, low voltage battery, fluorescent wire
battery, together with some type of trigger device (spring gun, very sensitive) could
cause injury or damage to property.

Common "Tell-Tale" Signs of Devices

- No Return address or business
- If there is a return address is the postmark from the area?

• May bear endorsement such as "PERSONAL" "CONFIDENTIAL" "SECRET"

- Glance inside on envelope or wrapping
- Unusual odors, such as mercury, oil or petrol
- Visible wiring on the foil, particularly if the package is damaged
- Unusually heavy for the size of the package
- Weight distribution uneven
- Contents rigid in a flexible envelope/package
- Excessive wrapping (to prevent leakage)
- Wrongly addressed
- Unusually impromptu postmark
- Poor printing, handwriting or typing
- Excessive amount of postage stamps for the weight
- Delivered by hand from unknown source

- One end of package, heavily sellotaped
- Unusual or unidentified contents displayed on X-ray machine
- Booby trap devices normally direct the person opening it towards a particular side or end by deliberating using excessive tape etc on the non-trigger end

Briefing for Mail Handling Team

What to do with Suspect Package

Do not use a radio.

Place item in blast proof container.

If no blast proof container installed, the package should be placed on the floor.

The supervisor should evacuate all staff in the immediate area, plus rooms to the sides, above and below.

The room containing the device locked and the key retained by that person.

Security to be informed.

For a large device a full evacuation of the site may be required.

Police contacted immediately.

Remember the member of staff who discovered the device will be required to give the following details of the item for the assistance of Police and Military Teams:

SIZE

SHAPE

LENGTH

DIAMETER/WIDTH (Sketch may help)

POSTMARK

ANY DETAILS OF SENDER

EXCESSIVE NUMBER OF STAMPS

ANY IRREGULARITY IN ADDRESS eg SPELLING ERRORS

WRAPPINGS

SELLOTAPE

BALANCE

ANY OTHER USEFUL INFORMATION

IT IS VITAL IN ALL CASES OF SUSPECT MAIL WHETHER EXPLOSIVE DEVICES OR THREATENING/HOAX LETTERS THAT POLICE CAN EVIDENCE:

- WHEN, WHERE AND BY WHAT MEANS DELIVER WAS MADE.
- WHO ACCEPTED THE ITEM ON BEHALF OF THE COMPANY.

- One end of package, heavily reinforced
- Unusual or unidentified contents revealed on X-ray machine
- Body cap device normally stored in person's possession, it may not be present at the end by deliberate means, however, the cap may be removed and

Handling for Mail Handling Team

What to do with suspect package

Do not use a table

Place item in clear plastic container

If no blast proof container installed, the package should be placed on the floor

The supervisor should evacuate all staff in the immediate area, this room to the side, above and below.

The room containing the device locked and the key retained by that person

Security to be informed

For a large device a full evacuation of the site may be required

Police contacted immediately

Remember the member of staff who discovered the device will be required to give the following details of the item for the assistance of Police and Ministry of Defence

- SIZE
- SHAPE
- LENGTH
- DIAMETER/THICKNESS (if not a tube)
- POSITION
- ANY DETAILS OF SCHEMATIC
- EXPOSURE NUMBER OR SERIAL
- ANY UNUSUALITY IN ADDRESS OR SPELLING ERRORS
- TEXTURES
- SMELL/TASTE
- WEIGHT
- ANY OTHER POINTS OF INTEREST

IT IS VITAL IN ALL CASES OF SUSPECT MAIL WHETHER EXPLOSION DEVICE OR THERMALLY SENSITIVE ITEMS THAT FULL AND ACCURATE RECORDS BE KEPT

- WHEN WHERE AND BY WHAT MEANS DEVICE WAS MADE
- WHO RECEIVED THE ITEM ON BEHALF OF THE COMPANY

- ALL PERSONS WHO LATER HAD POSSESSION OF THAT ITEM.
- WHO FINALLY HANDED ITEM TO POLICE.

If possible write down the Registration Number - Colour - Make - Model of the car. Make a note of the numbers and description of the protesters.

9. **Personal Safety**

At Work

IF YOU THINK YOU ARE BEING FOLLOWED

How Should I Deal with Incidents at Work?

Protesters are allowed to peacefully demonstrate. Unfortunately they may also use tactics which involve: intimidation, harassment, damage and on occasions possibly cause injury to staff. If those tactics are used Police and Site Security should be informed.

They need you to react to their intimidation to be successful

- The main concern for your at work will be intimidation at the Company Gate. **Do not react** – inform your Security of any incidents. They will know if Police should be informed.
- You will probably be filmed entering or leaving the premises.

Do not react

Often no film is in the camera or video. Tell Security or Police on site.

- Remember to concentrate on your driving at all times, do not drive fast in an attempt to avoid a confrontation.
- Do not engage in any conversation or argument with demonstrators – **They want you to react.**
- Keep your doors and windows locked when driving passed demonstrators.
- You may receive suspect mail – (see advice about what to look for). **DO NOT OPEN OR TAMPER WITH IT.** Place it in a safe place – Evacuate the room and lock it – Contact Security.

Travelling to work and home

What Should I Do If I Think I am being Followed?

- If you believe you are being followed:
 - If you have a mobile phone – contact the police and follow their advice.
 - If you do not have a mobile phone, attempt to drive to a police station if nearby, or return to your company.

- ALL PERSONS WHO HAVE HAD POSSESSION OF THIS ITEM
- WHO REALLY HANDED THEM TO YOU?

Personal Safety

At Work

How Should I Deal with Incidents at Work?

Proctors are allowed to prohibit dangerous instruments. Instruments they may also use force which includes restraint, batons, darts and an excessive use of force. If these actions are used Police and the Security should be called.

They need you to react to their instructions to be successful

- The main concern for you in work will be the situation at the Company. Do not react - unless you identify the situation. They will know if you should be instructed.

- You will probably be faced during or leaving the premises

Do not react

Once no time is in the course of action. Tell the way of follow on site

- Remember to concentrate on your driving at all times. Do not have an attempt to avoid a confrontation

- Do not engage in any conversation or argument with demonstrators - They want you to react

- Keep your doors and windows locked when the premises are empty

- You may receive support and - Use advice whenever you feel you DO NOT OPEN OR TAMPER WITH IT - Check it in a safe place - Inform the room and lock it - Contact Security

Preparing to work and home

What should I do if I think I am being followed?

- If you believe you are being followed:
 - If you have a mobile phone - contact the police and follow their advice
 - If you do not have a mobile phone - attempt to drive to a public station if possible or return to your workplace

- Failing this go into a large petrol station (preferably with CCTV cameras) and ask staff to telephone the local police.

If possible write down the: Registration Number – Colour – Make – Model of the vehicle following you. Also make a note of the numbers and description of the occupants.

IF YOU THINK YOU ARE BEING FOLLOWED

****DO NOT RETURN HOME****

- Protesters may know some of your route home and follow from any given location. Consider varying your times and route to and from work.
- Do not display any Company stickers in your car (Parking permits etc).

IF YOU THINK YOU ARE IN DANGER

DIAL 999

At Home

What Should I do If I have Problems at Home?

- If you are visited at home by protesters, phone your local police. Tell them where you are employed and what the company does. Inform Company Security. Draw your curtains and go to a room away from where the demonstrators are standing. If family or friends are expected to visit, then ask them to delay their visit till you contact them again. When Police arrive ask for their ID.

**DO NOT ENGAGE IN DISCUSSION WITH THE PROTESTERS
THEY WANT YOU TO REACT**

- If you discover incidents of damage to your property, inform your local police immediately. Tell them where you are employed. Also inform Company security.
- Consider asking your telephone company to make your home telephone number ex-directory.
- Ask neighbours in area if they see anything suspicious at your home to contact local police.
- Protesters may rummage through your rubbish bins and retrieve private information.
- Neighbours themselves have been targeted in the past. Consider making them aware of your concerns.
- If you find a suspect package left at your home:

Feeling that you may be a target person (personally with 1-877-888-8888) and
are not to telephone the local police.

If possible write down the registration number -- Color -- Make -- Model of the
vehicle following you. Also make a note of the number and description of the
occupants.

IF YOU THINK YOU ARE BEING FOLLOWED "DO NOT BEAT ON HOME"

- Proctors may have some of your work items and follow them and give
location. Consider writing your name and phone to get their work.
- Do not display any Company stickers in your car if being followed.

IF YOU THINK YOU ARE IN DANGER CALL 911

At Home

What Should I do if I see a Proctor at Home?

- If you are visited at home by proctors, please give the address. Tell them when
you are employed and what the company does. Inform Company Security. Have
your camera and go to a room where there is no door or window in vicinity.
If family or friends are exposed to risk, call them to help. Also call the
contact them again. When Police arrive call the 911.

DO NOT ENGAGE IN DISCUSSION WITH THE PROCTORS THEY WANT YOU TO REACT

- If you discover incidents of damage to your property, inform your local police
immediately. Tell them what you are employed. Also inform Company Security.
- Consider asking your telephone company to make your home telephone number
anonymous.
- Ask neighbors to see if they see anything suspicious at your home in contact
with proctors.
- Proctors may attempt to get your address and contact persons
information.
- Neighbors themselves have been targeted in the past. Consider making them
aware of your concerns.
- If you find a suspect package left at your home.

****DO NOT OPEN OR TAMPER WITH IT****

Place it in a safe place where children will not touch it.

**Contact
COMPANY SECURITY OFFICE
Or
LOCAL POLICE HEADQUARTERS**

Friends & Family

What Should I Tell Them?

Friends and family should be made fully aware of the current circumstances.

- Protesters have targeted friends and family in the past.
- Family may receive telephone calls, advise them to ask for the name, address and telephone number of the caller. Remember to do a 1471 check.
- Tell your family **not** to give your personal details to anyone without your knowledge.
- Advise your family to be vigilant and what to look for when receiving mail.
- Tell them not to open anything they believe may be suspicious. Put it out of children's reach. Contact the local police for advice.
- If they receive an abusive or threatening phone call at home, do a 1471 check. Contact your local police station and company security office.
- It may be worth considering supplying family with a mobile phone.
- If they are approached in the street by protesters – go to the nearest place of safety – ie Police Station – Shop – Garage – (Ideally with a security camera) – ask the staff to contact the police.

DO NOT ARGUE WITH THEM!

They want you to react



