



Freedom of Information Request Reference No:

I note you seek access to the following information:

Please provide copies of guidance issued to supervisors of and/or officers deployed on pre-planned public order operations regarding:

- (1) Mass or multiple arrests, and
- (2) Arrests for offences of breaching conditions imposed under sections 12 or 14 of the Public Order Act 1986.

DECISION

Please find below guidance documents for Mass or multiple arrests, and Arrests for offences of breaching conditions imposed under sections 12 or 14 of the Public Order Act 1986. These guidance documents have been redacted where necessary, subject to the following exemptions:

Section 31(a)(b) - Law Enforcement
Section 40 (2)(3) - Personal Information

Before I explain the reasons for the decisions I have made in relation to your request, I thought that it would be helpful if I outline the parameters set out by the Freedom of Information Act 2000 (the Act) within which a request for information can be answered.

The Act creates a statutory right of access to information held by public authorities. A public authority in receipt of a request must, if permitted, confirm if the requested information is held by that public authority and, if so, then communicate that material to the applicant.

The right of access to information is not without exception and is subject to a number of exemptions, which are designed to enable public authorities to withhold information that is not suitable for release. Importantly, the Act is designed to place material into the public domain, that is, once access to information is granted to one person under the Act, it is then considered public information and must be communicated to any individual should a request be received.

Attached are the redacted versions of the guidance documents that address Mass or multiple arrests, and Arrests for offences of breaching conditions imposed under sections 12 or 14 of the Public Order Act 1986.

Briefings and documents are constantly updated for every event due to learning and changes.

The information disclosed satisfies the conditions and situation relevant to March 2015.

Briefing Note Prisoner Transport

Redaction 1 - information removed as exemption Section 31 engaged

Mass Arrest SOP

Redaction 1 - information removed as exemption Section 31 engaged

Redaction 2 - information removed as exemption Section 31 engaged

Briefing Note Good Practice

Redaction 1 - Information removed as exemption Section 40 engaged

Redaction 2 - information removed as exemption Section 31 engaged

Redaction 3 - information removed as exemption Section 31 engaged

Redaction 4 - information removed as exemption Section 31 engaged

Redaction 5 - information removed as exemption Section 31 engaged

Redaction 6 - information removed as exemption Section 31 engaged

Supervisors guidance card S12 & S14

No redactions required

Specialist Crime and Operations

**Public Order Branch
Briefing Note**

s31(1)(a), s31(1)(b)

[REDACTED]

Andy Robinson
Superintendent

Mass arrests instructions

Terms of reference -

Mass arrest - large number of suspects arrested for one offence i.e. sec 12 or 14 Public order act, aggravated trespass or Breach of the Peace. No specific number of suspects however this will apply to large groups of suspects as opposed to large numbers of suspects for individual offences.

Custody arrangements

A "Bx mass arrest" should be identified. Bx mass arrest could be the sub sector BX, Bx Containment or another Bx specifically designated by Sx. Direct liaison will then take place between Bx Crime and Bx mass arrest regarding procedures to be followed.

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Arrest teams

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2. The arresting officer is to make a note of that seal number and record it in the EAB.

3. The escorting officer is to also note the seal number in their EAB.

4. The escorting officer is to ensure that the custody officer records the seal number on the front of the custody record in the '**Circumstances of Arrest**' section.

Bx crime support at SOR will log all suspects' details on a system that will be transferred to the Investigation Management system (Watson) in the case of a post event investigation. This log will be available to the Intel cell at SOR via CLIO. At the end of the event the finalised version will be put on Crimint.

Sec12/14 arrests

The conditions imposed under sec 12 or 14 will need to be communicated to the group concerned. Ideally leaflets with the conditions on and the consequences of not complying with the conditions will be available and distributed by officers at the scene. Officers should also speak to the group and explain the situation, making sure that the directions are understood. EG officers should be deployed to record the warnings being given and to record any arrests that are made.

Officers making arrests **must** include in their notes:

- The conditions on the march/assembly and the authorising officer.
- That the suspect was told by the officer, the conditions, that the conditions were understood and warned that they were liable for arrest if they did not comply with the conditions. The only exception would be if the officer witnesses another officer give this warning, verbally or by a notice. The details of the officer giving the warning will need to be included in the notes.


Transport

Some amount of prisoner transport should be available. If further transport is required TFL should be considered, see attached document for details.

Appendix

TFL

S:\All HQ
Departments\Central

Mass arrest guidance

S:\All HQ
Departments\Central

MULTIPLE ARRESTS

Lessons learned and good practice



Public Order Investigation Team SC&O22



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We will cover.....

1. Recent multiple arrests
2. Case law
3. Multiple Arrest Option – The Process
4. Evidential requirements
5. Implementing a multiple arrest - Logistics
6. The practical realities to consider and good practice
7. CJS Considerations
8. Consequences
9. Questions



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Some Recent Multiple Arrests

- **145** for Aggravated Trespass at Fortnum and Masons (UK Uncut March 2011)
- **179** EDL for BOP (September 2011)
- **169** Congolese for Obstruction and Violent Disorder (December 2011)
- **182** cyclists for breach of S12 POA (Critical Mass at Olympic Opening Ceremony 2012)
- **53** EDL for conspiracy to commit public nuisance (October 2012)



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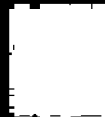
When are Multiple Arrests appropriate?

- Last resort and therefore not the first tactic of choice
- To prevent breach of the peace
- Can be for specific offences but commonly:
 - Breach of s12 and 14 POA
 - Aggravated Trespass
 - Disorder and Obstruction
- But only if the case law / evidential requirements are met, including the necessity to arrest criteria (PACE Code G).
- Arrest does NOT have to mean custody. Think about:
 - De-arrests on the street
 - Street Bail
 - Summons – you may not have to arrest



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Case Law and Multiple Arrests

Laporte for BOP

- The test is the reasonable apprehension of a real and imminent BOP to justify preventative action.
- Any preventative action (including arrest) must be reasonable and proportionate and afford the least restriction necessary to the rights of freedom of speech and freedom of peaceful assembly.
- Wherever possible, the focus of preventative action should be on those about to act disruptively, not on peaceful protesters.



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Multiple Arrest Option - Chain of Events

- Sx makes and records decision & informs Bx
- Bx records decision and briefs those under their Command
- Insp's record the information & brief their P.S.U.'s
- Arrest phase – the Arresting Officer must be satisfied that they have Reasonable Grounds



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Evidential Requirements (s9)

- Have grounds and necessity for arrest criteria been met?
- Have these been fully communicated to the PC on the ground?
- Fully document **how** this has been communicated – you must be precise (who did you speak to, when and what did you say).
- Do you need further evidence for any prosecution?
e.g. CCTV / Imagery (EGs/ASU), Proof of warnings / intent (s12/14 POA)



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Implementing a multiple arrest - logistics

Things to consider:

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- The operation does not end once prisoners are booked in.
- Getting the logistics wrong loses evidence and money.
- Document collection



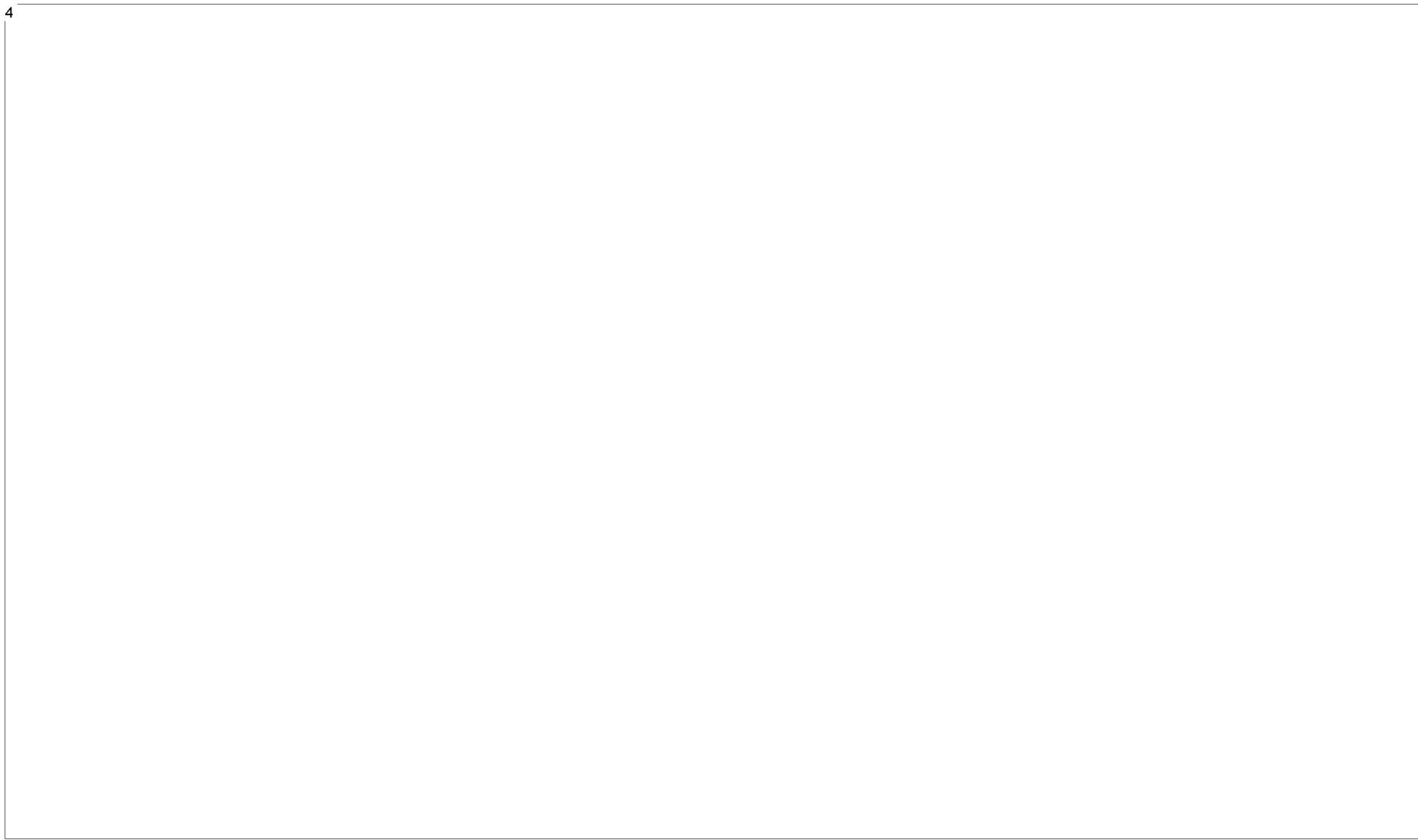
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CJS Considerations

Remember:

- Proportionality (for arrest) and the public interest test (for prosecution) are different tests.

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Consequences...

- Collapsed trials
- Offenders not brought to justice – lost opportunities to manage individuals who may be likely to commit future public order offences
- Damage to reputation of police (individuals, sections of organisation, and as a whole) & loss of public confidence
- MPS defending civil litigation relating to unlawful arrests, unlawful detention, assault, etc.
- Compensation paid by MPS
- Judicial Enquiry – Gx / Sx and Bx accounting for decisions/actions in court



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Discussion / Questions

?



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SECTION 12 / 14 POA 1986 SERIAL SUPERVISORS' CARD

If S.12 & 14 POA 1986 conditions are put in place then please read the following;

Both sections are in respect of public procession and public assembly. A senior police officer may impose certain conditions upon participants in order to:-

- **Prevent serious public disorder**
- **Prevent serious damage**
- **Prevent serious disruption to life of the community**

It is an offence to take part in a public procession or public assembly when knowingly failing to comply with a condition imposed by a senior officer.



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IMPORTANT CONSIDERATIONS

**It is vital that conditions are communicated to participants of the procession / assembly.
When arresting you must be able to evidence:-**

- [section 12 condition] that the person is participating in a public procession
- [section 14 condition] that the person is participating in a public assembly

For both s.12 and s.14 you should look to evidence that you engaged **EACH** participant separately to ensure that the individual:-

1. Knew of and understood the conditions
2. Knew they were committing an offence
3. Knew they may be arrested if they continued to disregard conditions
4. Nevertheless chose to ignore the direction you gave them to comply with the condition

Ensure your evidence includes **ALL** dialogue with participant covering above points. The quality and detail of your evidence will show legitimacy of your action and assist in bringing offenders to justice.

Try to ensure that if possible any engagement is recorded – EG's.
If arresting be clear on SOCPA necessity criteria decided by Bronze.

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