



**ASSOCIATION OF  
CHIEF POLICE OFFICERS**

# **Policing linked to Onshore Oil and Gas Operations**

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The Association of Chief Police Officers have agreed to this guidance being circulated to, and adopted by, Police Forces in England and Wales.

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# Document information

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**This Guidance has been produced by the ACPO Uniformed Operations Business Area. ACPO has agreed to this guidance being circulated to and adopted by Police Forces in England and Wales. It will be updated according to legislative and policy changes and re-published as required.**

**Any queries relating to this document should be directed to either the author detailed above or the ACPO Programme Support Office on 020 7084 8958/8959.**

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## 1. BACKGROUND

- 1.1. The following guidance is produced on behalf of the National Policing Public Order and Public Safety Working Group to support policing associated with onshore oil and gas operations in the UK.
- 1.2. The guidance draws on the experience of those police commanders and operational planning teams that have been involved in policing protest of this type over the past two years and from the College of Policing and the National Domestic Extremism and Disorder Intelligence Unit (NDEDIU) and consolidates a number of lessons identified in the various de-briefs of the events and academic research.
- 1.3. The guidance is intended to bring together the lessons learned from previous policing operations, to support operational planning and decision making and to promote a consistent approach to the policing of onshore oil and gas operations.
- 1.4. **The guidance, although referencing good practice across multi-agency and partnership working, is primarily aimed at supporting police commanders at strategic (Gold), tactical (Silver) and operational (Bronze) levels and operational planners.**
- 1.5. Onshore exploration for oil and gas has been taking place in the UK for many years but has only recently become a focus for protest activity following the granting of licences by the Department of Energy and Climate Change (DECC) to carry out exploratory drilling particularly using unconventional exploration methods.
- 1.6. The most contentious of these exploration methods is hydraulic fracturing, known as 'fracking', and although this method of exploration is not commonplace, 'fracking' has been undertaken in the UK since the early 1990's. Some protestors have sought to use public concerns around 'fracking' to target other more widespread and conventional forms of oil and gas exploration.
- 1.7. Since 2013 there have been a number of significant protest events which have been linked to onshore oil and gas operations. The most significant of these protests have been seen at Balcombe in Sussex, Barton Moss in Greater Manchester, Fylde in Lancashire and West Newton and Crawberry Hill in Humberside.
- 1.8. Some of these protests have seen the establishment of protest camps. These camps have varied in duration from a few days to several weeks with numbers of protestors present ranging from single figures to the low hundreds during well publicised events such as 'climate camp'.

- 1.9. Many of the protest events have seen supporters conducting marches, static demonstrations, obstructions of the highway or site accesses, the use of lock-on type devices and office incursions or occupations. Protest at secondary locations, including police premises, has also taken place.
- 1.10. The vast majority of protest and actions taken by protestors continue to be entirely peaceful. Where this is the case the presumption must be in favour of facilitating peaceful assembly and the Police Service has a positive duty, in certain circumstances, to safeguard this right<sup>1</sup> under ECHR.
- 1.11. With some analysts predicting that onshore reserves in the UK may be as high as 150 million cubic metres of gas<sup>2</sup> together with significant oil reserves, it is likely that within the short to medium term, most Police Force areas may see some form of oil or gas exploration activity and, therefore, the likelihood of protest. For those Police Forces with a predominantly urban landscape, although actual drilling activity is unlikely, it is probable that targeting of business premises linked to oil and gas exploration companies or secondary targeting may occur.

## **2. INTRODUCTION**

- 2.1. Policing activity associated with onshore oil and gas operations requires a strategic multi-agency approach due to the complex social, environmental, legal and planning issues present. The Police Service alone cannot provide effective management of such complex issues and whilst the Police may be the lead agency during much of the activity, it may be more appropriate for other agencies to lead particular aspects of the operation, particularly during the recovery phase.
- 2.2. In support of this strategic approach three key national pieces of work are being undertaken to provide;
- a strategic intelligence requirement which will be reviewed and updated on at least a six monthly basis,
  - a regularly updated national threat and risk based problem profile,
  - the development of a system whereby Police Forces are provided with early notification of planning and licensing relating to onshore oil and gas operations.
- 2.3. A key concern expressed to the Police Service generally by both protestors and the onshore oil and gas industry has been around a perceived lack of a consistent approach by different Police Forces to policing and protest associated with onshore oil and gas operations.

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<sup>1</sup> College of Policing (2014) : *Core principles and legislation* [Internet]. <http://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/> [Accessed 23 January 2015]

<sup>2</sup> The Unconventional Hydrocarbon Resources of Britain's Onshore Basins – Shale Gas – DECC (2013)

- 2.4. Whilst each policing operation will be distinct in terms of the specific geography, local community, protest activity and appropriate operational response; a high degree of consistency and clarity across policing operations can be achieved in the operational planning process and organisational structures that are in place.
- 2.5. In addition, the oil and gas industry, through the industry body, UK Onshore Oil and Gas (UKOOG), are in the process of developing guidance intended to provide a more consistent and structured approach to its dealings with the Police Service.
- 2.6. Policing of events has historically examined three principal phases of an operation; pre, during and post operation. To examine the broader and more complex issues required in the management of protest within a multi-agency context an alternative model, more commonly used to describe operations linked to civil contingencies, may prove useful – This is the Operational Management Model.

#### Operational Management Model



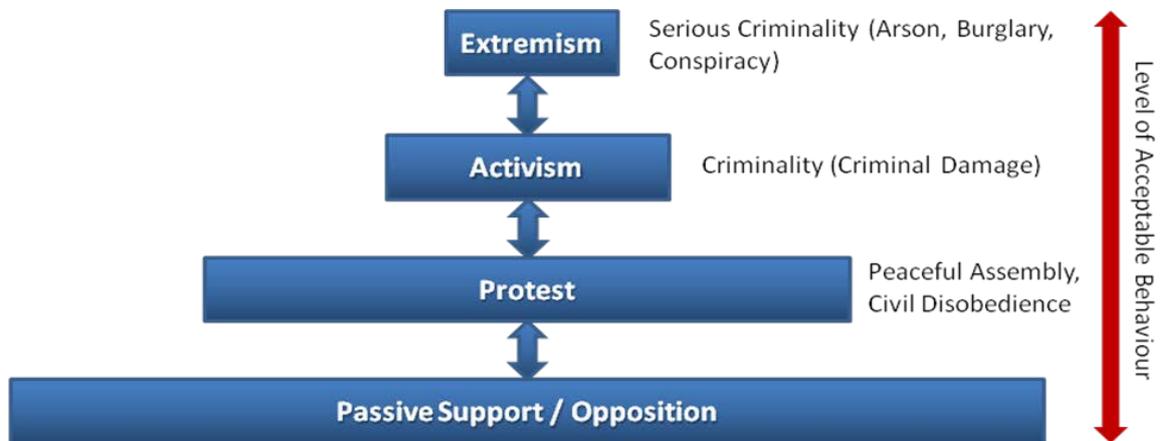
- 2.7. The Operational Management Model develops the concept of standard operational planning with the addition of mitigation and recovery phases.
- 2.8. Each phase of the model should be considered in order to develop a cohesive management response to the issues at hand. The model is not, however, simply cyclical. Although there will be natural transition between phases, all four phases can and should be considered together, interlinking to develop a cohesive and comprehensive plan.

- 2.9. The overall management of the process may best be co-ordinated through existing Tactical Co-ordinating Group (TCG) structures within a Local Resilience Forum (LRF). The key element and consistent theme throughout all phases of the model is a sound communications plan which underpins all aspects of the management of the policing and multi-agency response.
- 2.10. The focus of this guidance document is in the mitigation and preparation phases, as it is within these two phases that the greatest operational impact can be achieved. The response phase represents the well practiced operational deployment phase. Much of the policing activity and tactics required under that phase are covered in detail within the College of Policing Authorised Professional Practice (APP).

**Recommendation 1 – Consideration should be given to adopting a four stage operational management model as part of the multi-agency planning approach to the management of onshore oil and gas operations.**

- 2.11. The following model sets out the types of protest activity that might be encountered together with descriptions of the thresholds of behaviour that those within each category may be willing to undertake or accept in order to further their campaign.
- 2.12. Experience shows that prolonged protest activity rarely, if ever, takes place without a level of local support often with entirely peaceful intentions. Early identification, liaison and negotiation with such local groups can help develop a relationship of trust between police and protestors and create a positive environment within which to work. In doing so an opportunity for positive communication and negotiation is fostered in which the requirements of the protestors are balanced with the role of the Police Service and other interested agencies and organisations.
- 2.13. A positive relationship with protestors may also help to negate the threat of serious criminality or the necessity for the large and prolonged deployment of police resources.
- 2.14. The model below shows the basic positioning of individuals within protest and the level of actions attributable to each category. Whilst not exhaustive, the model provides police officers, partner organisations and the oil and gas industry with a basic understanding of the levels of behaviour that may be seen as acceptable or normal to the individuals within each category.

## The Structure of Protest



- 2.15. It is important to note that the positioning of individuals is not fixed within the structure and that de-escalation as well as escalation can take place as a consequence, and the perceived legitimacy, of police actions. This is an area in which the Police can influence outcomes through positive communication and engagement. It should also be noted that the model is illustrated in a pyramid form to indicate that the number of people involved, as behaviour becomes more acute at each level, is likely to decrease rapidly.
- 2.16. Identifying and tailoring police responses towards these different groups can have a positive effect and influence those at other levels in the model.
- 2.17. In developing a threat and risk assessment for operations all Police Forces that were visited as part of this research categorised the protests as 'public safety' rather than 'public order' events. This is an important distinction as the designation of an event as a public order operation can create a particular 'mindset' both for police officers and protestors.
- 2.18. The use of the term 'public safety event' was seen as useful in developing engagement with protestors and communities and supported a lower police profile.

**Recommendation 2 – Consideration should be given to the use of the term 'public safety event' rather than 'public order event' if supported by a low threat and risk assessment in relation to onshore oil and gas operations.**

### 3. MITIGATION

- 3.1. This phase of the operation should be considered in advance of any intelligence relating to potential protest activity and even before planning applications are submitted or licences obtained.
- 3.2. In essence, all Police Forces should consider activity under this phase whether or not exploration work or protest is anticipated in that Police Force area. Even where drilling or exploratory activity is unlikely due to the landscape of a particular Police Force area, consideration should be given to the potential for secondary protest action taking place.
- 3.3. The mitigation phase of the model describes early preparatory works which could be undertaken during the pre-event stage. Much of this work may already be being delivered through LRF responsibilities and structures under the Civil Contingencies Act 2004 (CCA), but may require a specific focus around the issues surrounding protest associated with onshore oil and gas operations.

#### 3.4. Communication

- 3.4.1. The widespread misuse of the term 'fracking' to describe generic operations within the onshore oil and gas industry has highlighted an issue whereby confusion, scope for misinformation and unnecessary anxiety about actual activity can be created. In discussions with the oil and gas industry it is proposed that to provide a level of consistency in the use of language, the term 'onshore oil and gas operations' should, where possible, be used in all police documentation to describe generic industry activity. The term 'fracking' should only be used where hydraulic fracturing of rock formations is taking place although it is accepted that wider use of this term may occasionally be required within public communications.

**Recommendation 3 – Use of the term 'fracking' should be avoided when describing operations other than those where hydraulic fracturing of rock formations is taking place. The term 'onshore oil and gas operations' should be used, where possible, in all police documentation to describe generic industry activity.**

#### 3.5. Community Intelligence

- 3.5.1. Strategic Intelligence Requirement – The Strategic Intelligence Requirement should be clear and concise so that Operational Command has clarity around what intelligence development is required and in order that the intelligence community understand the threat. In the mitigation phase a large proportion of what will be required is covered within the National Strategic Intelligence Requirement, as the threat becomes specific it will be the responsibility of Police Forces to develop their own local requirement.

- 3.5.2. The current intelligence structure is broken down into the four clearly distinct levels these being International, National, Regional and Local. National and International levels will be covered within the Strategic Intelligence Requirement provided by the National Domestic Extremism and Disorder Intelligence Unit (NDEDIU) and will provide Commanders with the oversight of those issues which could directly affect their local strategic objectives. It is the responsibility of Police Forces to cover Regional and Local levels of intelligence as the greatest added value to intelligence products will be gained at these levels.
- 3.5.3. Most intelligence will, in the early stages, come from the local community and as such any community plan must link to the intelligence function with a shared clarity on the flow of intelligence and information.

**Recommendation 4 – Use should be made of available national intelligence products with the development of a clear regional and local intelligence requirement.**

- 3.5.4. Identification, Assessment and Impact of the Threat – A clear and concise threat assessment should be carried out, defining each threat, detailing the levels of mitigation against those threats and identifying those with responsibility for action against each threat.
- 3.5.5. Local community impact assessments should provide a baseline assessment and include an assessment on future events and the levels of support given by the local community. The community impact assessment should draw on multi-agency resources in order to provide the most comprehensive assessment of threat and risk.
- 3.5.6. All Police Forces work hard to develop and maintain strong and close long term relationships with the communities which they serve. These relationships must be maintained throughout any policing operation. There will be significant legacy issues long after any protest has ended. The Police, together with other partners, are likely to be judged on perceptions within the community about how effectively the policing and wider response is managed.
- 3.5.7. Any community impact assessment needs to reflect that the 'community' will be made up of different constituents, some of which may be rigid and others fluid in terms of their interaction. Some local residents will support the drilling activity, whilst others may strongly oppose it, others may be ambivalent but object to protest activity. Equally the protest community will have different elements each of which may have different relationships with the resident community. Understanding these various elements is essential to shaping policing style and tactics, communication and intelligence gathering.

**Recommendation 5 – A Community Impact Assessment must be undertaken and maintained throughout the operation. The Community Impact Assessment should draw on multi-agency resources in order to provide the most comprehensive assessment of threat and risk.**

### 3.6. Training & Testing

- 3.6.1. The specific training of public order officers was identified as an area needing improvement within a number of the Police Forces visited. Although now being addressed within the national training packages delivered by the College of Policing, each Police Force needs to ensure that the training currently being delivered is in line with the threat identified within their Strategic Threat and Risk Assessment (STRA).

**Recommendation 6 – Police Forces should review public order training delivery to ensure that the needs identified in the strategic threat and risk assessment are adequately addressed.**

- 3.6.2. Current training and exercising for Public Order Commanders tends to focus on public order delivery. Consideration should be given during training to other elements of a public order or public safety operation together with the interaction and interdependencies between police and other agencies. These other elements, for example; crime and criminal justice, intelligence and media are vital in any major public order or public safety operation, as are links with other multi-agency partners.

**Recommendation 7 – Consideration should be given to the development of multi-agency and multi-disciplined exercising based on public order or public safety scenarios.**

### 3.7. Tactical Issues

- 3.7.1. Within the mitigation phase there are some tactical issues that require consideration even at this early stage due to the potential longer term lead times for implementation that may be encountered.
- 3.7.2. Local Resilience Forum – The development of existing Local Resilience Forum (LRF) structures and the involvement of other agencies, in particular those which may have a direct link to the granting of licences for the operation of drilling sites (e.g. Planning, Regeneration and Highways Departments), can provide a framework to support the wider multi-agency approach. Building upon existing arrangements and relationships proved valuable, in many of the policing operations examined, in developing a cohesive and comprehensive strategy.

**Recommendation 8 – Police Forces should engage with existing Local Resilience Forums to develop a comprehensive approach to the policing of onshore oil and gas operations.**

- 3.7.3. Police Liaison Teams – The early deployment of Police Liaison Teams (PLT's) has demonstrated a successful and incremental approach to the policing of public events in recent years. The use of PLT's in preparation for, and during, protest events should now be seen as routine and fundamental to effective communication and engagement.
- 3.7.4. The role and tactics employed by PLT's provide Commanders with an early opportunity to influence a positive tone, style and manner of any protest. This is a critical success factor in any policing response to onshore oil and gas operations.

**Recommendation 9 – Consideration should be given to the training and use of Police Liaison Teams as a primary tactic. Where appropriately trained officers are not immediately available consideration should be given to the use of mutual aid.**

- 3.7.5. Protestor Removal Teams – The use, by some activists, of non-violent direct action (NVDA) in the form of lock-on type devices has been seen at many of the protest sites associated with onshore oil and gas operations.
- 3.7.6. Whilst the provision of protestor removal teams is a necessity for any long term protest, consideration should also be given to how best value and capability is achieved for the provision of police teams to deal with NVDA during short term or spontaneous events. This may be achieved locally, regionally or through national arrangements.

**Recommendation 10 – Contingency arrangements should be in place to allow Police Forces to source appropriately trained protestor removal teams.**

## **4. PREPARATION**

- 4.1. Transition into the preparation phase will occur when first notification of exploratory onshore oil and gas operations is received. This notification will normally be received by a local authority when a planning application is made, although other sources of information may also provide an early indication of activity.
- 4.2. The preparation phase allows the work undertaken in the mitigation phase to be set in context as some, if not all, of the variables considered under mitigation fall into place.
- 4.3. These variables will, for example, include details of the land on which exploration activity is expected to take place, the identity of the exploration company concerned and details of the communities directly affected by the proposed works.

4.4. The timeframe within which preparation can take place may be very limited before rapidly moving into a response phase. The ability to react effectively within this potentially short timeframe will be greatly assisted by the measures implemented during the earlier mitigation phase.

#### 4.5. **Command**

4.5.1. Strategic Intention – Clear strategic intentions should be set at the outset of any identified threat and shared as widely as possible amongst all those involved, including those intending to protest. It is clear, from those Police Forces visited, that wide dissemination of the strategic intentions to all officers within the Police Force provided a sound basis for action taken and provided Commanders with a clear narrative to aid their decision making.

#### **Recommendation 11 – Consideration should be given to the widest possible dissemination of strategic intentions.**

4.5.2. Clear strategic objectives provide the framework for Commanders and police officers and are vital to assist in keeping the operation focussed, especially given that these objectives often address the most challenging policing issues against a backdrop of the potentially conflicting interests and views of local communities, protestors, planners and the oil and gas industry.

4.5.3. Command Structure – A command structure should be formalised at the earliest opportunity in the preparation phase taking into consideration command training, experience, accreditation and availability.

4.5.4. The early identification, and importantly, continuity of any command structure has been shown to provide the most effective form of command within operations of this nature.

4.5.5. Whilst maintaining continuity in command, consideration should also be given to resilience within the structure and how this will be built into the command process maximising the stability and uniformity of decisions, particularly where protest is protracted.

4.5.6. A view that was expressed universally by Commanders from those Police Forces visited was that operations of this type and scale cannot be managed alongside other roles. The view expressed was that although initially such operations could be managed locally on a BCU or Division, the pace and level of involvement very quickly moved to a point where a Force level response was necessary. It was felt that the most effective operations were commenced as a Force level response with an early identification of a command structure, utilising experienced Commanders and with appropriate resilience built in at all levels.

**Recommendation 12 – Consideration should be given to operations being led at a Force rather than BCU level and with the early identification of a resilient command structure utilising experienced and dedicated Commanders.**

- 4.5.7. Modified command structures where police command does not stand alone but forms part of a wider multi-agency Tactical Co-ordination Group (TCG) were considered to be the most effective, particularly where supported by a strong Local Resilience Forum established under the Civil Contingencies Act 2004. Within these structures a clear outline of roles and responsibilities can be created.

**Recommendation 13 – Police Forces should review command resilience when dealing with onshore oil and gas operations and consider incorporating police command within a wider TCG structure.**

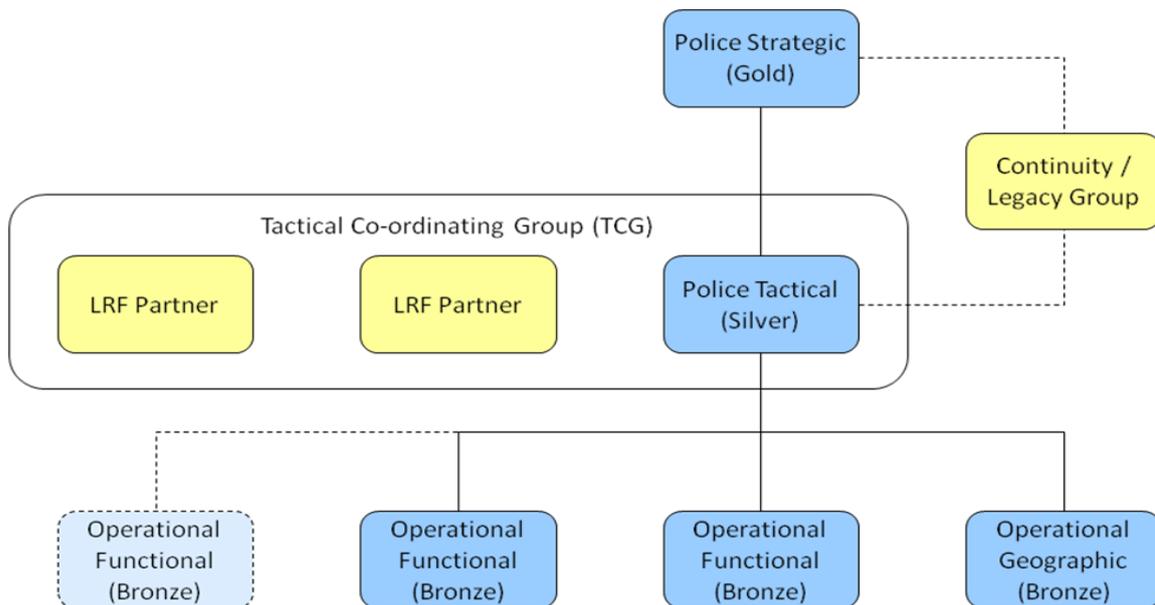
- 4.5.8. Whilst many Police Forces have a single command and control system, best practice has shown that the use of a single information management and decision recording system proved invaluable on long, protracted and complex operations. Having a single system on which information can be placed provides continuity and consistency unavailable through the use of individual records and differing systems. Clio was used as such a platform by many of the Police Forces visited.
- 4.5.9. The benefits of a single, accessible and auditable system of decision making will support consistency particularly during protracted operations and where, for resilience or other reasons, several Commanders are used.

**Recommendation 14 – Consideration should be given to the use of a single IT platform for the Command and Control of operations from the outset.**

- 4.5.10. Within the wider command structure, as well as the more traditionally placed operational (bronze) roles of public order command, the early identification and involvement of commanders with responsibility for intelligence and crime should be used to inform an evolving threat and risk assessment and policing purpose.
- 4.5.11. Operational (Bronze) Intelligence – This role should play an integral part, from assessing the early threat and risk to adapting the National Strategic Intelligence Requirement to become more locally focused. The 'Bronze Intelligence' should be suitably trained and vetted for the role with an understanding of the differing sources from which they may receive intelligence (e.g. industry, other Police Forces and partner agencies) and able to access all systems and resources required to develop a comprehensive intelligence picture.

- 4.5.12. Operational (Bronze) Crime/Investigation – The physical presence of ‘Bronze Crime’ is rarely considered within the preparation phase of an operation, yet can play a pivotal role in the success of an operation and its legitimacy within a community, providing those policing the event with a clear investigative plan from the outset.
- 4.5.13. Continuity/Legacy Group – A common theme identified by those Police Forces visited was that of maintaining continuity of local policing and defining legacy post operational deployment. A Continuity/Legacy Group established at the outset of the operation with the specific responsibility for advising on the continuity of local policing operations within the context of ongoing protest, was seen as beneficial, offering as a balancing influence on Commanders to ensure they do not become too ‘task focussed’.
- 4.5.14. This group, ideally comprising multi-agency partners and representatives, can support communications, provide context and legitimacy to police operations and lead the transition into, and through, the recovery phase.
- 4.5.15. Ideally the group should not have a Police Chair. Consideration could be given to the Chair being from the local authority at Chief Executive or Director level since it is likely that the local authority will pick up the lead agency role during the later recovery phase of operations.
- 4.5.16. The group, supporting both Strategic (Gold) and Tactical (Silver) levels, whilst having no direct command function, can offer support to decision making by providing context, rationale and legitimacy to the operation.
- 4.5.17. The establishment of such a group was seen as distinct from, although complimentary rather than as an alternative to, an Independent Advisory Group (IAG). A Continuity/Legacy Group can provide structure and offer defined objectives during each phase of the operational management model, together with auditable, accountable and transparent processes.
- 4.5.18. The following model illustrates how the Continuity/Legacy Group and Tactical Co-ordinating Group (TCG) might link into the established police command structure to provide a modified organisational structure.

## Modified Organisational Structure



**Recommendation 15 – Consideration should be given to arrangements that ensure continuity of local policing operations within the context of protest. This may be achieved by the establishment of a specific Continuity/Legacy Group.**

### 4.6. Communication

- 4.6.1. A sound communication plan underpins all aspects of event policing and it is vital that all parties involved have ownership and responsibility for delivering a consistent message.
- 4.6.2. The implementation of an operation specific multi-agency communications group, or the development of an existing LRF communications group, will prove useful in the development of an effective and cohesive communications plan.
- 4.6.3. The plan should provide clear and unambiguous messages at all levels and across all agencies. A consistent message must be understood by all of those involved in the operation. This may be a relatively simple task during periods of routine activity but can often be more difficult during complex and parallel operations.
- 4.6.4. Good work carried out to establish appropriate working relationships between stakeholders can be permanently undermined by a single misleading or poorly constructed piece of dialogue or communication. Often communication is delivered with a specific message for a single group in mind. Whilst this is understandable, all messages should be viewed through the eyes of all parties involved and risk assessed from that perspective before being delivered.

4.6.5. The following communications model may prove useful in describing the process and outcomes.

### Legacy Equation



**Recommendation 16 – Consideration should be given to the implementation of an operation specific multi-agency communications group or the development of an existing LRF communications group, to formulate an effective and cohesive communications plan.**

- 4.6.6. Research undertaken identified that no single communications approach has succeeded over another. When communication is restricted through a single point a Police Force can be viewed as being cold and sterile, leading to a perception that the Police are only in place to uphold the law. Conversely, when communication is widespread this can create issues of officers posting their own thoughts and comments which may occasionally conflict with the intended consistent message.
- 4.6.7. A recurrent theme running throughout this review and highlighted by a number of specific incidents was the delay and, on some occasions, reticence around the delivery of police messages.
- 4.6.8. When an incident has occurred consideration should be given to the creation of a single media message covering traditional forms such as print, radio and television and other technologies such as social media. Police Forces have often been reluctant to provide early comment about incidents because of perceived fears around sub judice or the negative connotations this can sometimes have.
- 4.6.9. Events, if not commented on by the Police Service can lead to others filling the 'public space'<sup>3</sup> or information void which is often created. If the Police do not engage at an early point then any subsequent messages can be lost or ignored by those they are intended to reach.
- 4.6.10. Media engagement events with briefings and background detail should be considered and, wherever practicable, undertaken to maximise openness and transparency.
- 4.6.11. Memorandum of Understanding (MOU) & Statements of Intent – The research undertaken revealed that the term MOU has differing connotations across the country; from being a wide ranging legal

<sup>3</sup>Identity, Social Action and Public Space: Defining Civic Space in Belfast. / Bryan, Dominic; Connolly, Sean. Theorizing Identities and Social Action. ed. / M. Wetherell. Palgrave Macmillan, 2009. p. 220-237 (Identity Studies in the Social Sciences).

document drawn up jointly by commercial solicitors and police legal departments, to a brief discussion document covering agreements made during operational planning meetings.

- 4.6.12. Many of the Police Forces visited were reticent to develop MOU's on the basis of such documents providing little operational benefit and the risk of a perception of bias towards an individual stakeholder. One Police Force that had invested time and resources in the development of an MOU with the oil and gas industry saw some benefit in the document, in terms of shared understanding, but the process had not been without difficulties in agreeing the wording amongst respective legal teams. This led to a delay in agreement being reached and timely publication and implementation of the document.
- 4.6.13. An alternative which could be considered is the creation of a single 'Statement of Intent' in respect of policing, written in clear terms, by the relevant Police Force and quality assured by the Continuity/Legacy Group, outlining the responsibilities of the Police, and the expected local conduct of the onshore oil and gas industry and protestors. Such a document could initiate further dialogue and lead to more comprehensive agreements through negotiation and, if appropriate, an MOU.
- 4.6.14. The advantage of this process is that the statement of intent can be published widely and provided to all parties to provide a single consistent message. This process demonstrates further a transparent and tiered policing approach commensurate to the threat faced.

**Recommendation 17 – Consideration should be given to the creation of a single 'Statement of Intent' in respect of policing, clearly outlining the terms of reference and responsibilities of the Police and the Police expectation of all other parties.**

- 4.6.15. Operational Briefing – The importance of good quality operational briefings cannot be overstated both within a command context and within the wider communications plan. Consideration should be given to who delivers operational briefings together with their understanding of the overall operation and its objectives.
- 4.6.16. One of the Police Forces visited considered whether attendance at operational briefings should be limited only to police officers or whether a wider audience (including those who may wish to protest) could be invited in order to promote a greater understanding of police intentions and actions. This approach, if adopted, can provide a high degree of transparency and add legitimacy to future police actions.
- 4.6.17. A definitive record of operational briefings should be made, ideally by way of audio or video recording.

- 4.6.18. The quality of operational briefings, a clear and unambiguous understanding and the translation of the briefing into actions should be quality assured. This is particularly important if a cascade briefing model is used, to ensure no dilution of message or change in emphasis is apparent. This can be achieved by 'dip sampling' police officers understanding of their role and the key objectives during deployment.

**Recommendation 18 – Consideration should be given to the identification of an appropriate briefing officer, style of delivery and audience for all briefings. Effective methods to test and quality assure briefings should be employed throughout the event in order to ensure a thorough understanding of the overall plan by those deployed to deliver it.**

#### 4.7. Tactical Issues

- 4.7.1. Intelligence Development – A clear intelligence/information process and structure should be created from the outset to ensure that intelligence coverage is as widespread as possible and a consistent understanding is created. This can reduce the need for multiple intelligence cells and counters the risk of self corroborating intelligence or missed intelligence opportunities.
- 4.7.2. The process also needs to be tested so that those involved have a clear understanding of how a piece of information gets from 'a' to 'z' and the steps that are taken in between. There also needs to be a clear understanding of the timeframe for intelligence development and, if urgent, what route is taken.

**Recommendation 19 – Consideration should be given to the creation of an intelligence process schematic.**

- 4.7.3. Social media is a vital part of any Community Impact Assessment (CIA) and intelligence picture. Police Forces appear to have differing views on the collection, collation and analysis of social media based intelligence products and, as such, consideration should be given on how to develop best practice in the capture and dissemination of this in order to fulfil the relevant requirements within the National Decision Model (NDM), including the recording and documentation of decisions.
- 4.7.4. The intelligence product from social media research can be overwhelming if not managed effectively. When asking for social media coverage as part of an intelligence collection plan the following two questions are, therefore, vital:

*What is actually required from social media research?*

*What format will this product take to make it useable?*

- 4.7.5. Crime and Investigation Plan – The Operational (Bronze) Crime should play an integral role in operational planning and in defining the policing response and policing purpose. Working through the NDM, if the threat and risk of criminality is low, the policing response should reflect this. It is important where police personnel are deployed that they understand the parameters in which they are to operate and the purpose of their presence.
- 4.7.6. Consideration should be given by the Operational (Bronze) Crime, to the amount of video footage that may need to be processed during any investigation taking place within the context of a large scale protest.
- 4.7.7. The use of police evidence gathering footage forms only part of this. Many police officers now routinely carry and use body worn video systems and when taken together with media footage and footage provided by protestors through video and social media, the task of viewing and reviewing this evidence may soon become overwhelming unless comprehensive plans are put into place at an early stage.
- 4.7.8. Protestors have found that conducting comprehensive research into land ownership and rights of way has been highly effective in identifying hitherto unknown issues which have led to the subsequent collapse of criminal prosecutions surrounding trespass or obstruction. On a significant number of occasions these issues were not identified to, or by, police prior to arrests being made. It is clear from the review of operations that the early identification of potential legal issues and the establishment of land ownership and rights of way should be resolved prior to any police action being taken.
- 4.7.9. To date, the majority of research into rights of way and land ownership has fallen to the Police Service to carry out post arrest and after legal challenges have been made; consideration should, however, be given to the roles that can be played by other agencies and organisations in establishing these facts much earlier in the process.
- 4.7.10. As part of the Criminal Justice, Crime and Investigation Plans, the Operational (Bronze) Crime should consider whether an early review of land ownership and rights of way is necessary and, if so, who is best placed to undertake this review.

**Recommendation 20 – Consideration should be given to a comprehensive review of land ownership and rights of way before any police action is taken. The review may be undertaken by the local authority who will have access to all the appropriate records.**

- 4.7.11. Criminal Justice Plan and Crown Prosecution Service (CPS) – The development of close working relationships between the Operational (Bronze) Crime and the CPS from the outset of operations is

fundamental to delivering an effective Criminal Justice Plan. In support of this, each CPS region has an identified lead case worker with a detailed knowledge of protest matters.

- 4.7.12. The review of policing operations identified that a variety of criminal offences were considered by Police Forces during protest with each judged on its merits in the particular circumstances and that no single approach was more effective than another.
- 4.7.13. By engaging the CPS in the early stages of an operation proper consideration can be given to the types of scenario that might be encountered, specific to the protest location, together with an appropriate and consistent approach to any criminal charging decisions and other forms of disposal.
- 4.7.14. The production of a schematic of the agreed criminal justice process, specifically including a post charge procedure, can aid understanding and consistency.
- 4.7.15. Traffic Management Plan – Onshore oil and gas operations require significant transport plans to support the movement of heavy plant and machinery. The local authority is best placed to lead on the development of these plans together with other LRF partners and the relevant exploration company. The Police have a significant, but not necessarily a lead, role to play in the development of these plans.
- 4.7.16. The planning of routes, traffic management etc should not be viewed in isolation but should consider all aspects of the wider operation. The involvement of Public Order Tactical Advisors and Security Co-ordinators can add significant value and an alternative perspective in the development of these plans.
- 4.7.17. Diversion routes and contingency routes together with consideration of any temporary road traffic regulation orders should also form part of the overall traffic management plan.

**Recommendation 21 – A multi-agency traffic management plan should be developed. The involvement of Public Order Tactical Advisors and Security Co-ordinators can add value in the development of such a plan.**

- 4.7.18. Complaint Reduction Plan – All of the Police Forces visited during this research identified that the development of a comprehensive complaint reduction plan should be considered early in the planning phase of an operation together with the allocation of specific resources to deal with complaints and service recovery issues. A corporate approach with a single identified point of contact within the Professional Standards Department from the outset was seen to avoid many issues from developing, provide a consistent approach in complaint management and allow dynamic feedback of emerging issues or trends to Operational Commanders.

**Recommendation 22 – Consideration should be given to the creation of a single and comprehensive complaint reduction plan at the earliest opportunity.**

4.7.19. Freedom of Information Plan – A clear and consistent Freedom of Information (FoI) plan should be considered from the outset of operational planning. This, together with the complaint reduction plan, should not only be in place prior to any police decision making or deployment, but should also be cognisant of the time limits on the commencement of civil proceedings, normally six years from the relevant incident date.

4.7.20. In order to further demonstrate openness and transparency in the policing approach, all documents, where possible, should be written with a presumption in favour of publication and, where this is possible, should be published on the Police Force Internet website. Such an approach will significantly reduce the requirement to research and respond to FoI requests.

**Recommendation 23 – Consideration should be given to the creation of a single Freedom of Information plan, within which there should be a presumption in favour of the disclosure of documents.**

4.7.21. Welfare Plan – The policing of protest associated with onshore oil and gas operations can not only create a considerable drain on Force operational resilience but can also have longer term psychological effects on individual officers.

4.7.22. Policing such events over many weeks and months will inevitably lead to a familiarity building between protestors and police officers. This can have significant benefits in developing ongoing trust and co-operation. There have, however, been some evidenced risks which have included concerted efforts to identify and target police officers and other parties.

4.7.23. Consideration should be given to the welfare of those officers who are regularly dealing directly with protestors. Evidence has been provided by those Police Forces interviewed of police officers deployed at some protests being subjected to repeated shouts and chants for several hours at a time. Such conditions can, over time, lead to significant detrimental effects on officers psychological wellbeing.

4.7.24. Police Forces should be mindful that officers may also become the subject of targeting by protestors on social media through posting of footage and attempts to identify officers, staff and their families. Police officers should be cognisant of the need to manage their own personal social media profile and ensure they have appropriate security and privacy settings in place. Similar targeting may also extend to other agencies with examples of intimidation of social workers and planning officers via social media.

**Recommendation 24 – Consideration should be given to an officer welfare plan which is recognised and understood by officers and staff associations.**

## **5. RESPONSE**

- 5.1. The response phase, whilst most likely to be police led, should still be considered within a wider multi-agency context. This phase will focus on operational delivery during any protest activity, continued work to maintain community cohesion and monitor community impact, communications and the implementation of the crime investigation and criminal justice plans.
- 5.2. **The guidance throughout this document has been written with due cognisance to the College of Policing, Authorised Professional Practice (APP). Within the ‘Response’ section, however, APP should be used to provide the primary source of guidance for any actions taken.**
- 5.3. **Tactical Issues**
  - 5.3.1. The key to delivering a successful response phase is maintaining effective communication between Commanders, operational police officers, the public (including protestors) and other interested parties. This can be achieved through the continued delivery of an effective communications plan together with a consistent and proportionate operational approach.
  - 5.3.2. Many of the tactical issues that arise during the response phase can be linked directly to communications issues which have already been discussed within previous sections of this guidance but due to the significant contribution made to the delivery a successful operation some points are worthy of further specific consideration in this section.
  - 5.3.3. Dress Code – All of the Police Forces visited had carefully considered officer dress code both in terms of the prevailing threat and risk assessment as part of the overall tactical plan and the message that different dress codes can communicate. A decision on dress code can communicate an increase or decrease in threat, risk and police tactics to both police officers and protestors. This should be borne in mind by Commanders when making such decisions.
  - 5.3.4. The initial deployment of police officers in normal street uniform rather than public order overalls tended to present a more proportionate image and engendered greater public engagement. Any escalation or de-escalation in dress code, where this became necessary through changes in threat and risk, was also more stark, clearly demonstrating to all present a deliberate and considered change in police tactics and response.

- 5.3.5. Police Liaison Teams (PLT) – The use of PLT’s was considered one of the most valuable elements of the policing operations described by all of the Police Forces that were interviewed. The early engagement and building of relationships with protestors, even those prepared to engage in forms of disruptive direct action, led to a good degree of ‘self policing’ within the protest groups and a tangible reduction in the resources and tactical intervention required.
- 5.3.6. The uniform of PLT officers (light blue tabards), which distinguishes them from public order or response officers, was also seen to aid communication between PLT’s, protestors and legal observers present at many protest sites.
- 5.3.7. The deployment of an experienced PLT co-ordinator to ensure consistency in approach and message was seen as vital in supporting these operations. A close yet operationally distinct relationship with Tactical and Operational Commanders supported a genuine ‘No Surprises’ approach, developing trust.

**Recommendation 25 – The use of PLT’s should be considered as fundamental to any protest policing operation. The deployment of PLT’s with an experienced PLT co-ordinator will ensure consistency and support a ‘No Surprises’ approach.**

- 5.3.8. Five Step Appeal – A consistent feature in challenges to prosecutions through the Courts has been a focus on ECHR, proportionality and reasonableness. The ‘five step appeal’ is widely recognised and used in public order training and operations. The systematic application and recording of the ‘five step appeal’ prior to any arrest has proved the most effective approach in addressing these ECHR challenges. Courts have indicated that the ‘five step appeal’ represents a reasonable and proportionate process demonstrating fairness and necessity prior to arrest in circumstances where protest is taking place.

#### **Five Step Appeal**



**Recommendation 26 – The systematic use and recording of the ‘five step appeal’ prior to arrest should be adopted as this can prove effective in demonstrating ECHR compliance and countering challenges to arrests made during protest.**

- 5.3.9. This approach has been shown to lead to police officers being more confident in the use and justification of tactics and a consequent reduction in the need for the use of force, particularly at times of challenge from protestors.

## 6. RECOVERY

- 6.1. The recovery phase is arguably the most problematic phase of the operation where the legacy of the multi-agency operation is realised.
- 6.2. This phase will not only focus on local recovery and a return to a 'new normality' but should include open and candid multi-agency debriefing to inform future operations which are, or will, take place across the UK.
- 6.3. **Review and Legacy**
- 6.4. Once an event of this type has taken place within a local community there will rarely be a return to the previous 'normality' but there will be the creation of a 'new normality', it is with the understanding of this that Commanders must look at the 'recovery' phase.
- 6.5. There will need to be an understanding that after the protest has gone and the drilling rigs have moved off there will still be legacy issues which can often continue for many years following an event due to criminal trials, civil claims and local community divisions and recriminations.
- 6.6. The Continuity/Legacy Group can play a vital role during the recovery phase of the operation in assuring that these issues are acknowledged at an appropriate level and resourced appropriately.
- 6.7. Within the role of the Continuity/Legacy Group consideration should also be given to producing a closing report for the operation from a multi-agency perspective to include a review, de-brief and legacy report. Following the publication of these documents it is for this group to define what the 'new normality' looks like and then how any lessons learned or issues raised can be implemented or acted upon by each of the agencies involved.
- 6.8. To support the openness and transparency around policing operations of this type, reviews and debrief reports should, wherever possible, be published and made widely available.
- 6.9. An operational structured debrief focussing specifically on the policing operation should also be undertaken to capture good practice and operational learning to inform future policing operations.
- 6.10. At a national level, good practice in this specific area of policing, as well as protest generally, will continue to be collated and disseminated through existing structures. Building on lessons learned the further development of relevant operational training can then take place together with a review of national capacity and capability within the Police Service to design out future risk and create a positive legacy.

**Recommendation 27 – Consideration should be given throughout the operation to ensure that any organisational learning is captured and disseminated in any de-brief process.**

## **7. CONCLUSION**

- 7.1. It is clear that protest linked to onshore oil and gas operations within the UK will continue and that some form of policing response will be required from most Police Forces either directly in policing such protest or in the provision of mutual aid in support of those Police Forces directly affected.
- 7.2. Whilst the response to each protest across the country will differ in terms of operational policing delivery appropriate in the particular circumstances, a set of coherent processes and structures can be adopted in order to develop a more consistent approach to operational planning in this sector resulting in a national framework for local interpretation and flexibility.
- 7.3. The theme of good communications has been evident and consistent throughout the research undertaken with an ethos of openness and transparency at its heart.
- 7.4. This open, transparent and consistent approach will clearly demonstrate the commitment of the Police Service to act in a reasonable and proportionate manner in addressing issues linked to protest and the policing of onshore oil and gas operations.

## 8. SUMMARY OF RECOMMENDATIONS

**Recommendation 1** – Consideration should be given to adopting a four stage operational management model as part of the multi-agency planning approach to the management of onshore oil and gas operations.

**Recommendation 2** – Consideration should be given to the use of the term ‘public safety event’ rather than ‘public order event’ if supported by a low threat and risk assessment in relation to onshore oil and gas operations.

**Recommendation 3** – Use of the term ‘fracking’ should be avoided when describing operations other than those where hydraulic fracturing of rock formations is taking place. The term ‘onshore oil and gas operations’ should be used, where possible, in all police documentation to describe generic industry activity.

**Recommendation 4** – Use should be made of available national intelligence products with the development of a clear regional and local intelligence requirement.

**Recommendation 5** – A Community Impact Assessment must be undertaken and maintained throughout the operation. The Community Impact Assessment should draw on multi-agency resources in order to provide the most comprehensive assessment of threat and risk.

**Recommendation 6** – Police Forces should review public order training delivery to ensure that the needs identified in the strategic threat and risk assessment are adequately addressed.

**Recommendation 7** – Consideration should be given to the development of multi-agency and multi-disciplined exercising based on public order or public safety scenarios.

**Recommendation 8** – Police Forces should engage with existing Local Resilience Forums to develop a comprehensive approach to the policing of onshore oil and gas operations.

**Recommendation 9** – Consideration should be given to the training and use of Police Liaison Teams as a primary tactic. Where appropriately trained officers are not immediately available consideration should be given to the use of mutual aid.

**Recommendation 10** – Contingency arrangements should be in place to allow Police Forces to source appropriately trained protestor removal teams.

**Recommendation 11 – Consideration should be given to the widest possible dissemination of strategic intentions.**

**Recommendation 12 – Consideration should be given to operations being led at a Force rather than BCU level and with the early identification of a resilient command structure utilising experienced and dedicated Commanders.**

**Recommendation 13 – Police Forces should review command resilience when dealing with onshore oil and gas operations and consider incorporating police command within a wider TCG structure.**

**Recommendation 14 – Consideration should be given to the use of a single IT platform for the Command and Control of operations from the outset.**

**Recommendation 15 – Consideration should be given to arrangements that ensure continuity of local policing operations within the context of protest. This may be achieved by the establishment of a specific Continuity/Legacy Group.**

**Recommendation 16 – Consideration should be given to the implementation of an operation specific multi-agency communications group or the development of an existing LRF communications group, to formulate an effective and cohesive communications plan.**

**Recommendation 17 – Consideration should be given to the creation of a single ‘Statement of Intent’ in respect of policing, clearly outlining the terms of reference and responsibilities of the Police and the Police expectation of all other parties.**

**Recommendation 18 – Consideration should be given to the identification of an appropriate briefing officer, style of delivery and audience for all briefings. Effective methods to test and quality assure briefings should be employed throughout the event in order to ensure a thorough understanding of the overall plan by those deployed to deliver it.**

**Recommendation 19 – Consideration should be given to the creation of an intelligence process schematic.**

**Recommendation 20 – Consideration should be given to a comprehensive review of land ownership and rights of way before any police action is taken. The review may be undertaken by the local authority who will have access to all the appropriate records.**

**Recommendation 21 – A multi-agency traffic management plan should be developed. The involvement of Public Order Tactical Advisors and Security Co-ordinators can add value in the development of such a plan.**

**Recommendation 22 – Consideration should be given to the creation of a single and comprehensive complaint reduction plan at the earliest opportunity.**

**Recommendation 23 – Consideration should be given to the creation of a single Freedom of Information plan, within which there should be a presumption in favour of the disclosure of documents.**

**Recommendation 24 – Consideration should be given to an officer welfare plan which is recognised and understood by officers and staff associations.**

**Recommendation 25 – The use of PLT's should be considered as fundamental to any protest policing operation. The deployment of PLT's with an experienced PLT co-ordinator will ensure consistency and support a 'No Surprises' approach.**

**Recommendation 26 – The systematic use and recording of the 'five step appeal' prior to arrest should be adopted as this can prove effective in demonstrating ECHR compliance and countering challenges to arrests made during protest.**

**Recommendation 27 – Consideration should be given throughout the operation to ensure that any organisational learning is captured and disseminated in any de-brief process.**

## 9. GLOSSARY OF TERMS

ACPO – Association of Chief Police Officers

ACC – Assistant Chief Constable

APP – Authorised Professional Practice

BCU – Basic Command Unit

CCA – Civil Contingencies Act 2004

CIA – Community Impact Assessment

CoP – College of Policing

CPS – Crown Prosecution Service

DECC – Department of Energy and Climate Change

ECHR – European Convention on Human Rights

FoI – Freedom of Information

IAG – Independent Advisory Group

JESIP – Joint Emergency Services Interoperability Programme

LRF – Local Resilience Forum

MOU – Memorandum of Understanding

NDM – National Decision Model (incorporating the JESIP Joint Decision Model)

NVDA – Non Violent Direct Action

PLT – Police Liaison Team

STRA – Strategic Threat and Risk Assessment

TCG – Tactical Co-ordinating Group

UK – United Kingdom