

# Report on the policing of the English Defence League and Counter Protests in High Wycombe on April 9<sup>th</sup> 2016.



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# Summary

The English Defence League (EDL) stated in March 2016 their intention to hold a march through High Wycombe on the 9<sup>th</sup> April.

Individuals from High Wycombe Community Advocates (HWCA) reacted promptly and announced plans to hold a gathering/counter demonstration on the day to oppose them and Oxford Unite Against Fascism (UAF) also stated their intention to hold a protest against the presence of the EDL. We subsequently organised a planning meeting where a number of groups were invited including local anti-fascists to ensure that there would be a broad front of opposition.

Controversially, Wycombe District Council and Thames Valley Police also implemented plans to limit the involvement of local people from becoming involved in counter demonstrations to the EDL. The police and local authority worked with community partners to establish a near consensus for organised groups to stay away from counter demonstrations. While this approach is understandable in that it was motivated by an immediate need to prevent disorder, there are concerns that the actions of the police and local authority may have constituted a disproportionate interference with freedoms of expression and assembly. It was confirmed that 'stay at home' message was relayed at the Mosques on Friday and we are worried about the police's role in this process over the last month and how this conflicts with the police's legal duty to facilitate peaceful protest.

On the day the police mounted what has been reported as the largest policing operation in the county for a number of years. Mutual aid was granted from a number other police forces. The EDL protest was estimated at being around 75 strong and the counter demonstration organised by the UAF attracted around 200-300 people. Serious violence or property damage did not occur, and the operation was hailed as a success by Wycombe District Council and Thames Valley Police. There were three arrests after the rally and marches had ended but not the high level of disorder that was anticipated. There was significant economic cost to businesses in the area, many of which closed for all or some of the day. The cost of policing the demonstration must also have been high. While figures for this demonstration are not yet available we still need to raise this issue.



Photo by Arsha Ali

# *Designated protest areas and conditions of assembly*



Photo by Arsha Ali

From very early on HWCA engaged with the police and the council regarding our wish to organise a protest against the EDL. We had initially decided to have the meeting point at Frogmoor as the largest open square in the town centre but after consultation with other groups it was decided to use Guildhall area going up to Church Street. It was felt that there would be more opportunities to engage with members of the public and get sufficient numbers.

Neither the police nor local authority have powers to prevent a static rally taking place, although section 14 of the Public Order Act 1986 allows the police to impose conditions on an assembly. Additionally, the Council could have looked at moving the EDL to the outskirts of the town or an industrial estate etc. as has happened before in other areas. In this case the police imposed conditions on the day keeping the EDL and counter demonstrations to separate designated areas.

Police set up cordons and sterile areas in between the two demonstrations at Guildhall and later at Frogmoor. The arrangements for the EDL were that they would be allowed to assemble at the train station and then would be allowed to march down Castle Street past the church and on towards the town centre.

We had difficulties remaining on the area of Church Street on the day despite having agreed this with the police beforehand and we were pushed back to Guildhall. We had good communication with Police Liaison Officers (PLOs) but it was clear that the control was with the Commanders on the scene who did not engage with us at all. As the EDL passed down Church Street towards Frogmoor for their rally we made a decision to march to Frogmoor where we were allocated the far end with again police lines and a sterile area between us.

# ***Disorder and violence***

The size of the EDL protest has been estimated at 75 individuals. The number of the counter demonstration has been put at about 200-300 people with both the rally at Guildhall and at the top end of Frogmoor attracting good numbers.

Large numbers of police were deployed around the EDL and across the town. It was reported to be one of the largest policing operation in the town for many years. Mutual aid was made available from a number of other police forces. Dog units were used, and also horses for containment and to maintain police lines. At the end of the protest there were three arrests of young people for public order offences who decided to follow the EDL back to the train station. We are concerned from video footage that we have seen that despite many EDL supporters being drunk and drinking in public and being abusive that there were no arrests made on the day.

On the day we deployed a number of stewards from the local community as well as from UAF and trade unions. The total cost of policing the demonstrations in High Wycombe is not yet available. We know that the cost of policing a similar operation in Aylesbury in 2010 and 2015 was extremely high.



Photos by Arsha Ali

## *Stop and Search and other preventative powers.*



Photo by Arsha Ali

We saw extensive use of intelligence /evidence gathering teams (EGT) on the on the counter demo side which we had to challenge as we felt this was harassing the crowd that had developed and also was serving as a deterrent to those who wanted to take part. EG teams going through an assembly of people taking part in a peaceful practice is extremely concerning and is an infringement of civil liberties.

Police had use of their powers under s34/35 Anti-Social Behaviour, Crime, and Policing Act to disperse people and we know in previous cases this has been used to gather people's details. The Police also used their powers under s60AA to challenge face coverings. Some protesters complained of harassment by officers on this basis

Concerns were also raised relating to the extent to which the subjects of stop and search were going to be required to provide their names and addresses whilst being filmed by police video photographers. Retention by the police of such personal data of people who have not committed any offence also raises significant civil liberties issues. It is not clear what use has been made of the information gathered by the intelligence /evidence gathering teams, nor whether this information will be retained and entered onto a police database.

We were also made aware of young Asian men being stopped going into town on their way to the demonstration. The large presence of police on the surrounding area around the town centre was also seen as a hugely off putting and for many a deterrent to them taking part in the protest.

# *Limiting Community involvement*

One of the most controversial aspects of the policing of this protest is the action taken by police and local authority in the weeks before the protest took place.

It is clear that Wycombe District Council, and Thames Valley Police entered into a well co-ordinated and deliberate strategy to dissuade people from engaging in protests on the 9<sup>th</sup> April against the presence of EDL in High Wycombe.

A key approach was to work with community partner organisations and groups to obtain a community consensus against involvement with demonstrations against the EDL. Wycombe police made use of the connections they had established through their community policing strategies to raise fear levels, in terms of public disorder, violence and arrests, of a mobilisation of local people against the EDL. This is most evident at the public briefing that they held a few weeks prior to the demo. Their advice appears to have been strongly in favour of local people 'staying at home'. As a result, almost all of the large number of Muslims and community based groups in High Wycombe announced that they would not be attending or supporting the planned counter demonstrations in the city.

There have been no suggestions that the police put improper pressure on groups not to attend, and it appears that each group made their own decision independently. However, the effect of police advice on such groups may well have been extremely influential. These measures could be construed as a significant interference with the rights of the local community to assemble in their own town for the purposes of lawful political protest. A planned, lawful demonstration organised by ourselves and groups such as UAF took place with very little trouble. There is no evidence to support claims that a larger community presence at this, or other counter demonstrations, would necessarily have precipitated a greater level of disorder or violence.



Photo by Arsha Ali

## ***Closure of businesses***

A number of businesses in the centre of the town also closed for some of the day after receiving advice from the police. Many market traders did not open at all as they were fearful of any trouble and this was particularly the case for some of the Asian traders. We spent a great deal of time working visiting local businesses in the town to reassure them and undo a great deal of damage that had been done by the Police and Town Centre Management.

There is perhaps room for some debate whether the level of business closure, and subsequent economic damage, was proportionate to the threat being faced. There is currently no estimate available of the economic impact on business in High Wycombe on the day.



Photo by Arsha Ali

## ***Post EDL Demonstration incidents***

To date there have been three incidents since the EDL demo on April 9<sup>th</sup> which involve graffiti of a shop in Flackwell Heath, an attempted arson attack on a restaurant in Amersham and an attack on Totteridge Mosque. HWCA have also been targeted online by EDL sympathisers and trolling on social media. Throughout this we have seen hate filled comments on articles in the Bucks Free Press which appear to go unchallenged as the paper pursues its laissez faire response to such attitudes

We were concerned prior to the demo that the visit of the EDL would increase tensions in the town and we have been sadly proven right. There was hardly any information given out to the community about reporting race and faith hate crime either prior to or after the event and we need to remind the local authority and the police of their legal obligations in this respect.



## Conclusion

Points for consideration and further investigation are:

- Was it proportionate and necessary to deter and dissuade people from engaging in anti-EDL protest on the 9<sup>th</sup> April?
- Was the police advice issued to businesses sufficiently detailed and balanced? Could the economic impact on High Wycombe have been reduced?
- Are police able to provide confirmation that data gathered on individuals not subject to criminal investigation under stop and search powers was destroyed?
- Was the use of s34/35 powers and s60AA lawful and proportionate?
- Was the use of police officers from other different forces necessary? What was the overall cost of policing, and was it an excessive provision given the actual numbers? If so was this poor intelligence on part of the police

### Other concerns:

- Use of intelligence /evidence gathering teams was extremely obtrusive and bordering on harassment. Then when people covered their faces they were warned about breaching Section 60AA that was in place around not allowing faces to be covered.
- Command structure in play was not entirely conducive to good communication on the day
- Lack of local police/neighbourhood officers on duty so for example local African-Caribbean businesses on Desborough Road were not visited or given assurances on the day.
- On a wider basis many market traders and local businesses complained about a lack of information and visits from town centre management and police.

The role that High Wycombe Community Advocates played was crucial in leading and organising an effective mobilisation against the English Defence League. We provided a focus and conduit for the understandable concerns that people across our communities expressed about their visit. In the absence of leadership on this issue in the town we had to step in and ensure that there was levels of reassurance and organisation in place. In retrospect without our input there could have been serious disorder in High Wycombe so it is unfortunate that our role has not been valued or recognised. We will continue to advocate and challenge the powers that be but there also needs to be a step change in how the authorities operate in the context of the serious issues that confront us all.