

KEITH TAYLOR  
Green Party  
*for the South East of England*



ACC Terence Woods  
Lancashire Constabulary Headquarters  
Saunders Lane  
Hutton nr Preston  
PR4 5SB

14 December 2017

Dear Terry,

**Re: Review of guidelines 'Policing linked to Onshore Oil and Gas Operations'**

Thank you very much for making time to talk over the review of policing for onshore oil and gas operations. It was very helpful to be able to have an open discussion with you and to learn your plans for the review.

My understanding is that the previous 2015 guidelines provide the framework for the review and that you would like it to be done as swiftly as possible, bearing in mind the need to hear the views of stakeholders. In our call, you mentioned the College of Policing, which on its website says it "consults the public, subject matter experts, law enforcement bodies, partner agencies and police forces" and that by "participating in consultations you can help APP [Authorised Professional Practice] to be better informed". It seems sensible for the NPCC to adopt the same approach, conduct a public consultation exercise that invites submissions from interested parties (including the public and external experts) and provide sufficient time for receipt of responses.

I'm grateful that you have offered to check with the College of Policing if there were any original terms of reference relating to the 2015 guidance document that could be used again and to raise with them my concerns about the review process and the importance to understand better the way in which the final conclusions will be drawn. I would appreciate an update on this.

You stated that you are seeking views from police forces, Netpol, UKOOG and the Greens and invited us to channel the views of community groups. I am happy to help with this and to provide a Green voice and "conscience", as you put it, in the review process.

However, while I appreciate that you are happy to involve me in this process, I would like to reiterate that I am a representative of the South East of England, and would urge you to contact grassroots anti-drilling campaigners across the UK, including Derbyshire and Lancashire. As for the Northern drilling sites, we can offer to liaise with our Green Party colleagues there to gather views on the same basis, if that would be helpful.

You are seeking consistency across police forces as one of your main outcomes. You also highlighted the key area on which you seek clarity which is the line between peaceful protest and potential criminality which might lead to arrest. In the latter regard it would be helpful to gather the data on arrests at onshore oil and gas operations and how many later lead to conviction. Is that something that forms part of your remit? This is key to understanding the scale of the problem and to what extent the courts support the assessment of criminality in policing these protests. One of the main concerns about the guidance to local forces is that it barely even mentions human rights. Whilst the police say they "facilitate" protest, rights to freedom of assembly are a positive duty on state authorities under the ECHR: they also have an obligation to actively *protect* the right to protest.

For my part, I am keen for the review to address the main area of public concern which is about intimidating and frightening police tactics which appear to support the interests of the fracking/drilling companies rather than the right to public protest. This would include intelligence gathering as well as policing at protest sites. Currently this issue appears to be reducing co-operation between the public and police and is eroding public confidence and goodwill in policing. It therefore has much wider implications than just at the protest sites. This is my central concern in engaging with the review.

Although we didn't get on to discussing this, it might also be helpful for the review to clarify its focus so it is specifically about unconventional drilling, which is controversial, as opposed to conventional extraction which has carried on for many years without public discontent. The sites where protests are occurring now are those which potentially involve fracking or acidisation and where people have concerns about air and water pollution as well as climate impacts. The main difference between these protests and others is that they can continue over a considerable period of time, sometimes as long as drilling activity goes on. This gives rise to particular problems – like a zero tolerance approach being adopted - and frustrations which the review should address.

My initial undertaking for the review is to engage the community groups involved with resisting oil and gas drilling proposals in the South East to sound out their views. It would be very helpful to hear from you the questions to which you would like answers. I can ask for their general views but it might be better – if you have specifics – to share them.

I do believe it is important that the NPCC is clear about what it wants interested parties to make submissions on. Broad questions the NPCC might want to seek responses on are:

- In the view of interested parties, what are the specific issues that make anti-fracking protests significantly different from other public order operations and therefore require separate guidance?
- How do these issues impact on core planning principles, including the duty to both facilitate and protect human rights?
- What particular challenges or concerns have interested parties faced in the course of policing operations at shale oil and gas protest sites since the release of the current guidance in 2015?

I am happy to liaise with these groups and organise responses for the review. Please let me know if that is a good way forward and perhaps we can agree a timescale for this. Once we have gathered the information needed we would be happy to meet you to discuss it. I have copied the letter to Netpol who may want to comment on the suggestions I have made.

I do appreciate your transparent approach in discussing the review with me. I look forward to hearing from you the next steps and particularly how I can best assist in channelling the views of the community groups concerned with unconventional drilling. If you have specific questions to which you would like views please let me have them as soon as possible.

Yours sincerely,



Keith Taylor, Green MEP, South East England.