



Restricting the Rebellion

A Netpol report on the policing of Extinction Rebellion protests in London in October 2019

THE NETWORK FOR POLICE MONITORING



A report by the Network for Police Monitoring (Netpol) based on protesters' testimony about the policing of Extinction Rebellion protests in London in October 2019

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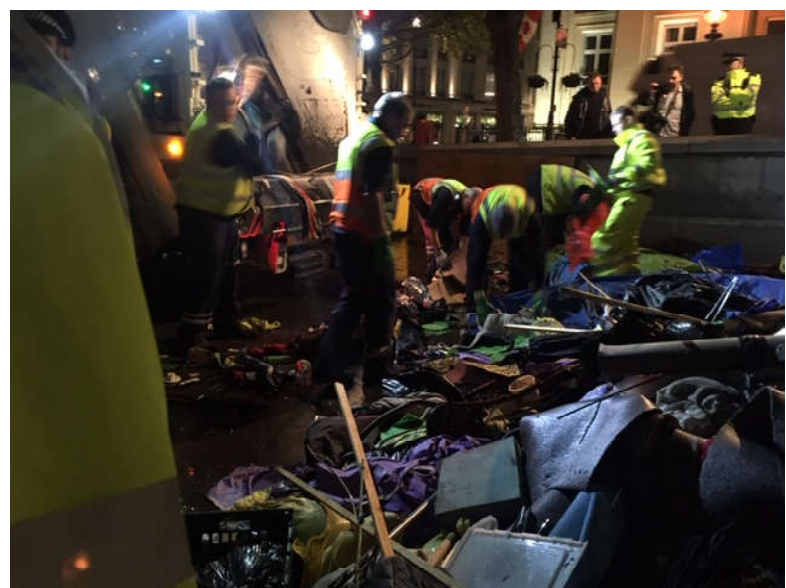
Thanks to:

XR Legal Support, XR Police Liaison, Professor David Mead and everyone who shared their experiences with us.

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ABOVE: council workers crushing confiscated tents and other possessions on the instructions of the police - see page 16

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(this appears in the online version of this report only)

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(this appears in the online version of this report only)

EXECUTIVE SUMMARY

This independent report by the Network for Police Monitoring (Netpol) is based on testimony gathered between 28 October and 3 November 2019 from protesters who took part in Extinction Rebellion protests in October 2019. It also draws on additional information shared primarily by XR Legal Support and by independent legal observers.

In total, Netpol assessed 521 reported incidents concerning potential abuses of police powers and 150 individual statements. A sample of 29 incidents illustrating the range of concerns we received are included in Appendix 1 of this report.

The key findings of the report are as follows:

The use of Section 14 powers was not just unlawful in the way they were imposed, but also disproportionate and unreasonable

The misuse of powers intended to limit protests gave the impression to officers on the ground that all protests were banned, providing the justification for the misuse of other powers to “prevent crime”. It is likely to have had a “chilling effect” on rights to freedom of expression and assembly, by making some individuals fearful of arrest simply for associating with the movement they supported.

The police were far more interested in preventing protest than in facilitating it

There appeared a minimal intention of balancing the right to freedom of assembly with any disruption of the community and the barrage of negative commentary from the most senior levels of the Metropolitan Police is likely to have influenced the alleged misconduct that is documented in this report.

Aggression and violence in making arrests was wholly unjustifiable

All too often, far more than a minimum level of force was used to make arrests of protesters who had made a very public commitment to non-violence and to complying with arrests.

By failing to meet the needs of disabled protesters, the police systematically discriminated against them

The number of complaints from disabled protesters and condemnation of the Metropolitan Police’s own disability advisors demand an urgent review of how the police facilitate disabled people’s right to protest and how disabled people are treated on arrest.

By criminalising all XR protesters, the police delegitimised them as citizens with rights

The zero tolerance of any disruptive protest adopted by the police led to the perception of all XR supporters as “criminals”, who were judged not by their individual actions, but by their association with an “illegal” movement. This delegitimation included the abuse of stop and search powers and confiscation and destruction of protesters’ property

“No surprises policing” seems to have been largely abandoned

Rather than avoiding surprises, the policing operation caused confusion and alarm amongst protesters and despite XR’s commitment to regular liaison with the police, it often found itself trying to engage in dialogue that was largely one-way, with officers who were not acting in good faith.

INTRODUCTION

About the Network for Police Monitoring (Netpol)

Netpol is the only organisation working alongside front-line campaigning groups and movements to protect their freedom to protest. We bring together many of the UK's most experienced activists, lawyers and researchers to push against these attacks on our human rights to freedom of assembly and freedom of expression.

Since 2009, we have provided expert legal rights information and guidance, helping groups to understand changing legislation and police tactics so they are better prepared. We also enable lawyers to identify emerging patterns in public order policing. We have worked closely in particular with anti-fracking campaigners since 2014 to demand greater transparency and accountability from local forces about the way protests are policed.

The International Rebellion

Extinction Rebellion (from here on, XR) was established in May 2018 with the aim of using non-violent civil disobedience to compel government action to prevent catastrophic climate change. The first 'Rebellion Day' action, in November 2018, blockaded five bridges across the Thames in London. In April 2019, XR occupied five sites in central London, including Oxford Circus, Marble Arch, Waterloo Bridge and the area around Parliament Square, for a total of 11 days. By the end of the protests, approximately 1130 people had been arrested during the protests, and over 10,000 police officers deployed.

Extinction Rebellion called for action in October 2019 in cities around the world to demand governments take urgent action to tackle the climate emergency. This report focuses on those of the 'International Rebellion' protests located in London from 7 to 19 October 2019, and looks specifically at the operation conducted by the Metropolitan Police in response to it.

Sources

In late October 2019, Netpol made a call out to protesters asking for testimony about their experiences of policing during the International Rebellion. We received hundreds of responses, and have read and carefully considered them all. Our conclusions are based on the statements provided by people who took part in the protests, logs from XR Legal Support, and anonymised notes from independent legal observers.

We want to thank everyone who contacted us. There were far too many statements to include all of them in this report, but a sample of 29 are in appendix 1.

We are also grateful to Extinction Rebellion's Legal Support and Police Liaison teams for sharing information and talking to us. We also drew from media and social media commentary about the policing of the International Rebellion, as well as seeking an opinion from Professor David Mead on the section 14 order.

The aim of this report

This is an independent report and represents Netpol's assessment of events based on a decade helping groups and lawyers to understand police tactics and emerging patterns in public order policing.

The Metropolitan Police is a public body that constantly emphasises the importance of "policing by consent" and its commitment to facilitating protests fairly and proportionately. Our intention in this report is therefore to consider how participants' concerns about the potential misuse of police powers and about police conduct reflect on this commitment, rather than to look at every aspect of the policing operation.

In part, this is important because of the reluctance of the police to ever admit that they are wrong. This was demonstrated once again in the response by Assistant Commissioner Nick Ephgrave to the High Court judgment on the police's unlawful misuse during the International Rebellion of Section 14 powers¹, in which he said the decision to severely restrict the right to protest was "made with good intent and based upon the circumstances confronting the command team at the time" and added that "it did in fact result in the reduction of the disruption".

It is important too because the approach to policing major protests in central London tends to indicate what campaigners can expect in the future. Tactics such as kettling and the use of stop and search powers to gather intelligence on protesters – used less frequently until recently because of the legal action and claims for damages that they generated – began with larger demonstrations similar to the International Rebellion and then spread across the country. Only weeks before the International Rebellion, protesters' experiences of severe restrictions on protest were mirrored when the Metropolitan Police attempted to impose conditions on school climate strikers¹, limiting them to a small area around Westminster and imposing a time when their protests had to finish.

With legal challenges to oppressive tactics often taking years and the Independent Office of Police Conduct unwilling and unable to scrutinise public order policing, we hope that public scrutiny of the policing of the International Rebellion can help push back on what feels like a desire from the police to limit the ability to effectively protest.

BACKGROUND

The policing of environmental protests

From Twyford Down to Earth First!, the Camps for Climate Action, and local anti-fracking groups, Extinction Rebellion is the latest in a long line of direct action movements who have, by demanding protection of the environment and action on climate change, found themselves facing a policing operation that has seemed determined to stop any disruptive protesting, no matter how non-violent.

The 2008 Climate Camp at the former Kingsnorth Power Station in Kent saw 1500 officers deployed, and everyone entering and leaving the camp was stopped and searched. Allegations of violence by individual officers, and questions about the aggressive tactics used were condemned

in a report by Climate Camp's legal team¹, by members of parliament² and were acknowledged as an issue of public concern by the Independent Police Complaints Commission³. An official review found the use of stop and search powers was "disproportionate and counterproductive"⁴.

The report by Climate Camp in 2009 also documented concerns about sleep deprivation as a form of harassment and independent legal observers who were threatened with arrest. Ten years on, these concerns along with accusations about the misuse of stop and search powers feature in some of the statements we received.

In July 2009, in the aftermath to protests against the G20 summit in London, the HM Inspectorate of Constabulary (HMIC) "Adapting to Protest" review⁵ recommended that future public order operations for protest should "demonstrate explicit consideration of the facilitation of peaceful protest throughout the planning process and the execution of the operation or operations". Later that year, in November 2009, in their "Nurturing the British Model of Policing" report⁶, the HMIC recommended a codification of public order policing and what was called a "no-surprises approach to policing protests, in order that protesters and the public are "made aware of likely police action in order to make informed choices and decisions".

The biggest test of this "British model" has been environmental protests since 2013 against extreme energy extraction of shale oil and gas, most notably in Balcombe (West Sussex), Barton Moss (Salford), Upton (Cheshire), Preston New Road (Lancashire), Horse Hill (Surrey), Kirby Misperton (North Yorkshire), Mission (Nottinghamshire) and West Newton (East Yorkshire).

The policing operations at these protests have repeatedly proven controversial, with allegations of the repeated and unwarranted use of force, wrongful arrests, the misuse of police powers and the targeting of women and disabled protesters. During the protests at Balcombe in 2013, there were 126 arrests but many charges were dropped before they came to court⁷. A few were dismissed during trials and most resulted in acquittals⁸. There were allegations of the use of violent tactics, such as pressure-point restraint that caused distress and confusion to protesters; the targeting of individual high-profile protesters; and the use of police powers, including the use of Section 14 of the Public Order Act 1986 limiting protests to a designated area, which were subsequently ruled unlawful.

Since 2013, Netpol has documented allegations of oppressive policing at these sites. In a report in 2016⁹, we highlighted how protesters were facing a 'zero-tolerance' attitude to minor disruption,

1 Policing of the Kingsnorth Climate Camp: Preventing Disorder or Preventing Protest?

<https://netpol.org/wp-content/uploads/2019/11/Kingsnorth-Policing-Report.pdf>

2 Climate Camp policing condemned <http://news.bbc.co.uk/1/hi/england/kent/7544233.stm>

3 Concern over Climate Camp police <http://news.bbc.co.uk/1/hi/england/kent/7968884.stm>

4 Kingsnorth protests report criticises 'counterproductive' policing tactics

<https://www.theguardian.com/environment/2009/jul/22/kingsnorth-police>

5 Adapting to Protest <https://www.justiceinspectors.gov.uk/hmicfrs/media/adapting-to-protest-20090705.pdf>

6 Nurturing a British Model of Policing <https://www.justiceinspectors.gov.uk/hmicfrs/media/adapting-to-protest-nurturing-the-british-model-of-policing-20091125.pdf>

7 Sit-down protest at anti-fracking demo vindicated by acquittals – campaigner <https://drillordrop.com/2014/04/07/sit-down-protest-at-anti-fracking-demo-vindicated-by-acquittals-campaigner/>

8 Sussex police under fire for 'criminalising' fracking protests <https://www.theguardian.com/environment/2014/may/15/sussex-police-criminalising-fracking-protest-acquittals-balcombe>

9 Netpol: Protecting the Protectors Report, November 2016 <https://netpol.org/wp-content/uploads/2016/11/policing-anti-fracking-protests-report-2014-2016.pdf>

continuing uncertainty about the policing operations they face and an increase in the targeting of campaigners by regional Counter-Terrorism Units.

In 2017, a Netpol report¹⁰ again pointed to increasingly confrontational and violent police tactics against entirely non-violent protesters, especially in Lancashire and North Yorkshire, with the aim of deliberately stifling the effectiveness of their protests. Most protesters were first time campaigners, living in rural communities with little experience of demonstrations, but they faced an uncompromising equation of 'peaceful' protest as meaning absolutely no disruption of the shale gas extraction companies' activities they opposed.

Testimony gathered by Netpol showed how the police arresting protesters for the slightest infringement, such as simply stepping off the pavement and onto the road. Officers violently dragged people across roads, targeted disabled protesters (including repeatedly tipping one wheelchair user from his chair) and used painful pressure point restraint techniques.

Similar complaints feature in the evidence we received for this report.

More testimony from anti-fracking protesters has been gathered by academic researchers. In 2016, the "Keep Moving!" report¹¹ on Greater Manchester Police's operation at Barton Moss, produced by Liverpool John Moores University and the University of York, raised serious questions about police violence and harassment against protesters "including gendered violence experienced by women". They found that the police was more concerned with justifying its operation "and questioning the legitimacy of the protest" than providing the public with clear information about the way they intended to conduct it.

In November 2019, the same research team published a national study of the policing of anti-fracking protests¹², based on interviews with front-line protesters across England. They found further evidence of police regularly using violence and aggression, particularly towards disabled and older protesters, with marked differences in how men and women are treated.

Women testified about how they were "physically moved, carried and manhandled using specific restraint techniques", which involved "a much closer form of bodily contact between women protesters and male police officers" and that included "the use of groping and tactics such as the pulling of clothing to reveal women's breasts."

Similar complaints feature in the evidence we received for this report.

This is the context in which this report examines the policing of the Extinction Rebellion protests in October 2019.

10 Protecting the Planet is Not a Crime' – a Netpol report on the policing of anti-fracking protests during 2017 <https://netpol.org/wp-content/uploads/2017/11/Protecting-The-Planet-Is-Not-a-Crime.pdf>

11 Keep Moving! A Report on the Policing of the Barton Moss Community Protection Camp <https://netpol.org/wp-content/uploads/2016/02/BM-report-final-web-.pdf>

12 Protesters' experiences of policing at anti-fracking protests in England, 2016-2019 – a National Study <https://netpol.org/wp-content/uploads/2019/11/Policing-protest-2019-National-Report.pdf>

The core principles and legal framework of public order policing

The codification of public order policing originally called for in HMIC's "Nurturing the British Model of Policing" review is set out in "authorised professional practice" guidance published by the College of Policing. This sets out six core principles for public order policing operations, including two that are particularly relevant to the issues addressed by this report: the proportionality of the police's response to protests and communication.

On proportionality, senior officers are reminded¹³ of the following:

- [the need to] *demonstrate consideration and application of relevant human rights principles*
- [and that] *police powers should be used appropriately and proportionately.*
- *planning should be based on information and intelligence.*
- *commanders should make professional judgements based on information and experience and not just rely on formally assessed intelligence.*
- *use of force implications [is] considered.*

On communication, senior officers are reminded that "*messages should be planned, unambiguous, clear and coordinated*".

The College of Policing also sets out the legal framework for policing protests, including the duty to protect the right to freedom of assembly set out in Article 11 of the European Convention on Human Rights:

The police must not prevent, hinder or restrict peaceful assembly except to the extent allowed by ECHR Article 11(2). They must not impose unreasonable indirect restrictions on persons exercising their rights to peaceful assembly, eg, imposing a condition on the location of a protest which effectively negates the purpose of the protest. Pre-emptive measures taken by the police which restrict the exercise of the right to peaceful assembly will be subject to particular scrutiny.

Article 11 is a qualified right: part 2 refers to exemptions "such as are prescribed by law" (in other words, that protesters are liable to arrest) or restrictions "necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others".

Furthermore, public order policing operations are required to consider general principles on the use of force¹⁴, which ask:

- *would the use of force have a lawful objective (eg, the prevention of injury to others or damage to property, or the effecting of a lawful arrest) and, if so, how immediate and grave is the threat posed?*
- *are there any means, short of the use of force, capable of attaining the lawful objective identified?*

¹³ <https://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/#core-principles>

¹⁴ College of Policing: general principles on the use of force <https://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/#general-principles>

- *having regard to the nature and gravity of the threat, and the potential for adverse consequences to arise from the use of force (including the risk of escalation and the exposure of others to harm) what is the minimum level of force required to attain the objective identified, and would the use of that level of force be proportionate or excessive?*

There are also ten key principles governing the use of force¹⁵ that were recommended by the HM Inspectorate of Constabulary's review of the English riots in August 2011. These principles include:

Police officers may, consistent with this duty, use force in the exercise of particular statutory powers, for the prevention of crime or in effecting a lawful arrest. They may also do so in self defence or the defence of others, to stop or prevent an imminent breach of the peace, and to protect property;

Police officers shall, as far as possible, apply non-violent methods before resorting to any use of force. They should use force only when other methods have proved ineffective, or when it is honestly and reasonably judged that there is no realistic prospect of achieving the lawful objective identified without force;

When force is used it shall be exercised with restraint. It shall be the minimum honestly and reasonably judged to be necessary to attain the lawful objective;

Finally, at the time of writing the National Police Chiefs Council (NPCC) has consulted on a draft "Protest Operational Advice Document"¹⁶. This sets out the current thinking at the most senior levels of policing on the approach to protests.

Unfortunately as Netpol has pointed out in a submission to the NPCC¹⁷, this draft advice seeks to distinguish between protests that cause incidental or collateral disruption and protests that aim to interfere with other persons use of their own property (which it claims is not protected under rights to freedom of expression or freedom of assembly). In our view this is simply wrong in law: it is well-established and beyond doubt that deliberately disruptive protest remains within the scope of Articles 10 and 11 of the ECHR.

In considering the need for tolerance of disruptive protest (whether intentional or collateral) the words of Laws LJ in *Tabernacle v Secretary of State for Defence* [2009] EWCA Civ 23 are insightful:

"Rights worth having are unruly things. Demonstrations and protests are liable to be a nuisance. They are liable to be inconvenient and tiresome, or at least perceived as such by others who are out of sympathy with them." (at [43]).

This is the operational and legal context in which this report examines the policing of the Extinction Rebellion protests in October 2019. The use of Section 14 of the Public Order Act 1986 during these protests – subsequently found unlawful – is addressed later in this report.

¹⁵ Ten Key Principles Governing the Use of Force by the Police Service <http://library.college.police.uk/docs/APPref/use-of-force-principles.pdf>

¹⁶ National Police Chiefs Council: Protest Operational Advice <https://netpol.org/wp-content/uploads/2019/09/NPCC-Protest-Operational-Advice-Document-August-FINAL.pdf>

¹⁷ Netpol's submission to the National Police Chiefs Council on its Protest Operational Advice <https://netpol.org/wp-content/uploads/2019/09/Netpol-NPCC-PUBLIC-ORDER-ADVICE-submission-final.pdf>

International Rebellion Timeline

XR's 'International Rebellion' in 2019 was announced well in advance, to take place from 7 to 19 October.

On 5 October, prior to the International Rebellion, police raided the former Lambeth County Court building where XR was storing supplies¹⁸, arresting ten people and removing solar panels, toilets and other equipment.

The key events in London during this series of protests were:

6 October	Opening ceremony at Marble Arch
7 October	Locations across Westminster are blockaded, including Lambeth and Westminster Bridges.
8 October	Animal Rebellion, an off-shoot of XR, occupy part of Smithfield Market.
	The Metropolitan Police impose conditions under Section 14 of the Public Order Act 1986 that say "Any assembly linked to the Extinction Rebellion 'Autumn Uprising'...who wish to continue with their assembly MUST go to Trafalgar Square and only assemble in the pedestrianised area around Trafalgar Column."
10 October	Sit-in held at the exit to the London City Airport DLR railway station.
11 October	Blockade of the BBC's Broadcasting House.
12 October	Funeral procession along Oxford Street and Animal Rebellion blockade of Billingsgate fish market
14 October	Blockade of the Bank of England in the City of London.
	The Metropolitan Police impose conditions under Section 14 of the Public Order Act 1986 that say "Any assembly linked to the Extinction Rebellion 'Autumn Uprising'... must now cease their protest(s) within London (Metropolitan Police Service, and City of London areas) by 21:00hrs". Officers start to demand XR protesters remove their tents from Trafalgar Square.
15 October	Police clear XR protesters from Vauxhall Pleasure Gardens in Lambeth. XR applied for urgent judicial review of the blanket Section 14 conditions.
16 October	Blockade of Google's London headquarters. People's Assembly in Trafalgar Square in defiance of the ban on XR protests
17 October	Blockade of London Underground at Shadwell, Stratford and Canning Town stations.
18 October	Blockade of Oxford Circus.

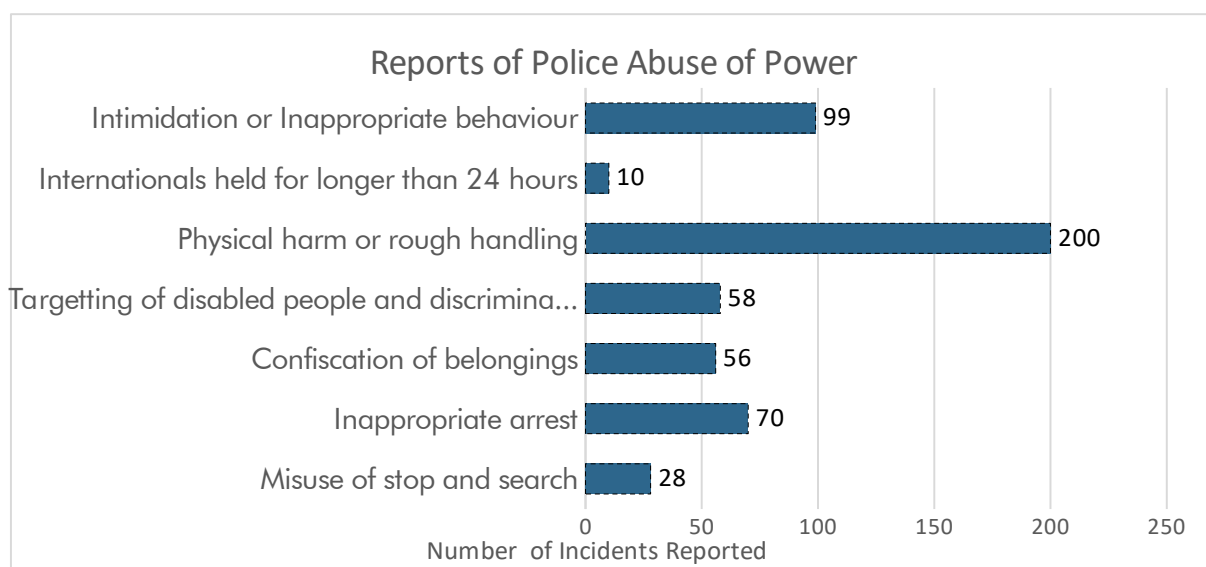
¹⁸ Extinction Rebellion protests: Police arrest 10 environment activists ahead of planned disruption in central London
<https://www.standard.co.uk/news/london/police-arrest-10-xr-activists-ahead-of-planned-disruption-in-london-a4254991.html>

Both before and after the International Rebellion, the Metropolitan Police indicated their intention to seek new legal powers to restrict the kind of protests that XR was organising. In early October¹⁹, senior officers were talking about prohibiting people freed on pre-charge bail from immediately returning to a protest and to limit campaigners from bringing items to protests that the police suspected may be used as barriers to traffic. By 19 October, this had shifted²⁰ to proposals to lower the threshold for applying restrictions under Sections 12 and 14 of the Public Order Act 1986.

ISSUES OF CONCERN

The scale of issues of concern

On 28 October 2019, Netpol put out a call on social media, supported by XR Legal Support, for protesters who had been in London to get in contact with us by 3 November offer statements about violent excessive policing. This was followed up by a separate call for statements by XR on 30 October²¹.



In total, 521 incidents reported by XR protesters were considered abuses of police powers: 321 to XR Legal Support and a further 150 by Netpol based on cross-checking against additional information from independent legal observers and from 185 statements we received from protesters. This breaks down as follows:

- 19 Police seek more powers to stop Extinction Rebellion crippling London with protests <https://www.standard.co.uk/news/london/police-seek-more-powers-to-stop-extinction-rebellion-crippling-london-with-protests-a4252006.html>
- 20 Police seek tougher powers against Extinction Rebellion <https://www.theguardian.com/environment/2019/oct/19/police-seek-tougher-powers-against-extinction-rebellion>
- 21 Netpol October Rebellion Policing Report in Parliament – request for statements <https://rebellion.earth/2019/10/30/netpol-october-rebellion-policing-report-in-parliament-request-for-statements/>

Type of incident	Reported to		Total
	XR	Netpol	
Misuse of stop and search	13	15	28
Inappropriate arrest (e.g. no warning given, arrest for no reason, procedure not followed)	58	12	70
Confiscation of belongings	30	26	56
Targeting of disabled people and discrimination	37	21	58
Physical harm and rough handling (e.g. dragging, injuries)	143	57	200
International protesters held for longer than 24 hours	10	0	10
Intimidation or inappropriate behaviour (e.g. harassment)	80	19	99
TOTAL	371	150	521

The Section 14 Order

The High Court judgement on 6 November ruled that the blanket restrictions on any XR protest was unlawful in the way it was imposed, concluding that the Metropolitan Police was wrong to treat all protests at different locations as a single protest.

Section 14 had not been used in this way in the XR protests in April 2019, where each separate site was the subject of a specific restriction order. This unlawful use of Section 14 by the police fits a wider pattern of police using powers given to them to limit protest in ways that parliament did not intend²².

The Section 14 order cuts across all areas of this report, as it was used as the justification for every area of complaint that appears in this report.

It also caused confusion and alarm for those who wanted to protest against the government, and there is evidence from the testimony we received that it had a “chilling effect” on rights to freedom of expression and assembly, by making individuals fearful of arrest simply for associating with the movement they supported.

David Mead, Professor of UK Human Rights Law at the University of East Anglia, gave us his expert view (see Appendix 2) on the police’s claims that their use of this power was proportionate:

It simply could not be said that all XR assemblies across the whole of London constituted the same level of serious disruption (if any) yet all were subject to the same blanket direction to cease; application of a policy or decision in blanket fashion without consideration of individual facts will render it disproportionate...

...The Met’s decision wrongly assumed that a pair of teenage XR activists protesting outside their school in Tooting would be seen as disruptive as the hundreds at Oxford Circus – and that clearly is not the case.

²² See, for example, R (Mengesha) v Commissioner of Police of the Metropolis https://www.blackstonechambers.com/news/case-r_mengesha/

Excessive use of force

The International Rebellion was organised by a movement that has explicitly advocated for a non-violent strategy and tactics. Around 38% of all the incidents reported, however, concerned excessive use of force against protesters who were not only non-violent but neither evading or resisting arrest nor posing any “immediate and grave threat” to individual officers or others. Many of the statements we received are consistent with allegations from other protest environmental movements. These include police officers:

- using pressure-point restraint in circumstances where such techniques were wholly unnecessary (**see Appendix 1, Account 1**).
- using unnecessarily violence towards vulnerable or otherwise compliant protesters.
- keeping non-violent protesters in handcuffs for long periods (**see Appendix 1, Account 30**)
- appearing to target prominent protesters for aggressive arrests (**see Appendix 1, Account 4**)
- dragging protesters along the ground after arrest or while removing them.

This testimony raises serious concerns about whether officers were using “the minimum level of force required” or had “honestly and reasonably judged that there is no realistic prospect of achieving [their] lawful objective identified without force”.

There are numerous complaints that protesters were

- pulled along the road and in once instance, two who were locked onto each other were dragged by four officers who ignored their screams of pain (**see Appendix 1, Account 5**).
- offered a lack of care for detainees from an account of a protester who received third degree burns from an inept attempt to cut off a lock-on device and a failure to then provide adequate first aid (**see Appendix 1, Account 7**).
- bundled to the ground and subjected to physical restraint to make arrests in circumstances where there was no question of them facing any resistance and in a way described as “gratuitous and completely unnecessary” (**see Appendix 1, Account 2**).
- violently tackled whilst walking through a short-handed cordon, in a manner described by an eye-witness as “a premeditated act” intended to demonstrate to other protesters that “if you dare to pass through an open gap in a police cordon; you will immediately suffer very intense pain and possible injury and a disproportionately violent response from the police” (**see Appendix 1, Account 3**).

Targeting and ill treatment of protesters with disabilities

This rights of all people to freedom of expression and assembly without discrimination is set out in Article 14²³ of the European Convention on Human Rights. However, during XR’s International Rebellion, the Metropolitan Police’s own Disability Independent Advisory Group accused it of “degrading and humiliating” treatment towards protesters with disabilities²⁴.

23 See <https://www.jus.uio.no/im/coe.convention.on.human.rights.1950.and.protocols.to.1966.consolidated/14.html>

24 Met police accused of 'degrading' treatment of disabled XR activists <https://www.theguardian.com/uk-news/2019/oct/29/met-treatment-of-disabled-xr-activists-branded-degrading-and-humiliating>

Although the way disabled people are treated when they participate in protests has been a concern for some time²⁵, it has most recently focused on the repeated targeting and assaulting of deaf and physically disabled people involved in peaceful opposition to fracking²⁶ and on the way a number of forces have shared information about disabled protesters to the Department for Work and Pensions, with the apparent intention of triggering investigations for alleged benefit fraud²⁷.

A number of statements were received from XR protesters with disabilities reveal treatment that was both degrading and humiliating.

One disabled campaigner who was sitting a chair because he was unable to sit on the floor was arrested, handcuffed and left lying on the ground at Whitehall for around half an hour. His walking stick was taken from him as a "potential weapon". Other able bodied people sat on the ground were not handcuffed. When officers moved him, his trousers came down, he could not sit up and he said "they left me there, in my underpants in the street". In his statement, he said the officer clearly knew he was disabled "and no threat to him", but that "this was deliberate brutalisation because I would not speak to him". Although there was no flight risk, handcuffs were not removed until the protesters arrived at the police station (**see Appendix 1, Account 8**).

Another protester, who is blind, had their detention extended and was held for 27 hours before receiving access to an Appropriate Adult to support a vulnerable detainee. During detention, the protester had repeatedly requested a copy of the PACE Code of Practice in either Braille or audio format but this was not available. A police officer was eventually delegated to read the 200 page Codes of Practice document to the detainee - but was given only 10 minutes to do so (**see Appendix 1, Account 9**).

Another protester who is registered disabled, described how after becoming unwell following her arrest, she was taken with a friend to St Thomas's Hospital in a police van along with other detainees. At the hospital entrance she collapsed after she walked between two police officers who offered no support. She was visibly unwell but the officers repeatedly asked her why she was crying, did not allow her to have any space to recompose herself and would not let her use the toilet without leaving the door to the hospital corridor open. When she was eventually given a hospital bed, the officers openly laughed at her and one falsely accused her of lying about her medical condition (**see Appendix 1, Account 11**).

On 11th October, disabled XR campaigners called a static protest outside of New Scotland Yard over the police's confiscation of vital accessibility equipment during the warehouse raid on 5 October. Three wheelchair users who attended were told they faced arrest if they did not move. Two left but one able-bodied campaigner recounted to us how she was threatened with arrest for "forming an assembly" after remaining with the last disabled protester to offer support.

Two legal observers from the Independent Legal Observers Network, part of Green and Black Cross, were also told they had to move away from the protestor or face arrest. When the disabled

25 Concerns grow over police force that shares info on protesters with DWP <https://www.disabilitynewsservice.com/concerns-grow-over-police-force-that-shares-info-on-protesters-with-dwp/>

26 'Kicked, punched, knocked unconscious, tipped out of wheelchairs': Campaigners describe repeated police targeting of disabled anti-fracking protesters <https://www.disabilitynewsservice.com/kicked-punched-knocked-unconscious-tipped-out-of-wheelchairs-campaigners-describe-repeated-police-targeting-of-disabled-anti-fracking-protesters/>

27 Concerns grow over police force that shares info on protesters with DWP <https://www.disabilitynewsservice.com/concerns-grow-over-police-force-that-shares-info-on-protesters-with-dwp/>

protester's carer arrived to help adjust the flow from her oxygen tank and access medication from the back of her wheelchair, he too was surrounded by police and threatened with arrest for forming an unlawful assembly. Eventually both were arrested, but the female protester was subsequently de-arrested – and says she was manipulated into giving them her personal details – when officers found that their van was not accessible for her wheelchair (**see Appendix 1, Account 13**).

A driver who attempted to deliver Mobiloo disabled-access toilets was pulled over by police and advised to leave central London. After confirming via XR's Police Liaison team that an Inspector, Neil MacParland, had given permission for the deliveries, the driver made another attempt and was again stopped. Despite protestations, a sergeant ordered the arrest of two van drivers and their passengers, both Mobiloo employees (**see Appendix 1, Account 16**).

Another of the drivers, who lives with a disabled partner, described how his van was confiscated and impounded for over two weeks. He said he was "absolutely disgusted at police disregard for the disabled and their facilities" (**see Appendix 1, Account 17**).

The misuse of stop and search

Complaints about use of stop and search powers as a tool for disrupting protest have resurfaced incessantly over the last decade (for example, at anti-fascist demonstrations in Brighton in 2014²⁸ and protests against the NATO summit in Newport in 2015²⁹).

At the start of the International Rebellion on 7 October, there were reports officers were stopping and searching protesters at locations across Westminster, including for "carrying a gazebo" in St James Park where protesters had set up camp³⁰.

After the imposition of Section 14 restrictions created an implicit ban on XR protests across London, there was also alarming evidence – for example in a tweet²⁸ from BBC London reporter Ayshea Buksh and confirmed in a widely shared video²⁹ – of the police stopping and searching everyone wanted to cross Lambeth Bridge.

We also received statements about Metropolitan Police officers who were quoting Section 3 of the Criminal Law Act 1967 (allowing reasonable force in the prevention of crime)³¹ as a pretext for stopping people from entering Trafalgar Square if they were carrying bags and then searching them to check for camping equipment. Officers told legal observers that anyone refusing to comply was liable to arrest under the Section 14 restrictions that were in place (**see Appendix 1, Account 18**).

Away from Trafalgar Square and two days after the expansion of the Section 14 conditions to the whole of the capital, two protesters arriving at Westminster underground station were stopped, searched and had banner poles, a tabard and leaflets confiscated on the grounds that they were

28 Misuse of stop & search powers creates 'de facto ID checks' <https://netpol.org/2014/06/09/stop-search-id-checks/>

29 WATCH: invented 'reasonable grounds' for police stop & search at NATO protest <https://netpol.org/2015/03/09/nato-summit-police-stop-search/>

30 See <https://twitter.com/dancunningham/status/1181210430473154560>

31 Section 3 of the Criminal Law Act 1967 <http://www.legislation.gov.uk/ukpga/1967/58/section/3>

“no allowed to be protesting in London”. Both were unlawfully required to give personal details and were made to wait until these were checked **(see Appendix 1, Account 19)**.

Harassment and intimidation of protesters

In statements given to us by protesters, it appears that police engaged in harassing and intimidating XR protestors, of people they thought were XR protestors, without any legal basis, using inappropriate or non-existent provisions.

One described how officers formed a line to stop anyone accessing or crossing Lambeth Bridge and told protesters they would have to cross the Thames via Westminster Bridge. When asked what powers they were using, one officer seemed confused and said 'well common law I suppose.' **(see Appendix 1, Account 20)**.

Another campaigner described how he was prevented from following his friends across Westminster Bridge, a decision the police justified by the initial Section 14 restrictions that limited XR protests to Trafalgar Square. However, he had no bag, equipment or any visible indication on him on that he was a part of any protests and told officers he was on his way home. Another police officer then wrongly and bizarrely told him he had been stopped under Section 3 of the Public Order Act 1986 for the offence of affray **(see Appendix 1, Account 21)**.

Another individual was stopped at Westminster Bridge and told by officers that they were “stopping everyone who was part of Extinction Rebellion”. She had an XR badge sewn on her dress but was simply returning to her hostel. As she became increasingly upset, an officer said she would have to walk to the next bridge and when asked what power the police were relying on, she was told section 3 of the Criminal Law Act 1967 (allowing reasonable force in the prevention of crime). In her statement, she said: “during following days I felt too intimidated to wear the dress with the badge and was in constant fear of being stopped again” **(see Appendix 1, Account 22)**.

In addition, several protestors were intimidated and harassed on the basis of their gender, echoing the kind of misogynistic harassment of women campaigners that has been documented repeatedly by the anti-fracking movement. One XR protester said she was groped by an officer when she was arrested and that another officer “started playing with my hair as he was talking to me” **(see Appendix 1, Account 23)**.

A female protesters also described how just after midnight, officers openly and incessantly taunted and mocked protesters at an XR encampment with the apparent intention of preventing them from sleeping. This continued for five hours and they described it as an “attempt to break down morale” that left them feeling “very shaken and abused” **(see Appendix 1, Account 25)**.

Media commentary on the protests³²

After XR’s April protests, Deputy Assistant Commissioner Laurence Taylor took to the media to say the Metropolitan Police would “not tolerate that level of disruption again.” He showed his bias against XR by exaggerating that their protests were “causing misery and mass disruption to everybody.”

³² See Appendix 3 for sources

At the start of the International Rebellion, Prime Minister Boris Johnson made comments about XR over a number of days, calling them “uncooperative crusties”, “importunate nose-ringed climate change protesters” and saying that “the heaving hemp-smelling bivouacs that now litter Trafalgar Square and Hyde Park” should “stop blocking the traffic”.

A spokesperson for the Prime Minister also said, “the right to peaceful protest does not extend to unlawful activity – the Government expects the police to take a firm stance against protesters who significantly disrupt the lives of others and to use the full force of the law.”

During the International Rebellion, Metropolitan Police Commissioner Cressida Dick took the extraordinary step of writing a comment piece about the International Rebellion. It condemned XR for “drawing police away from battling violent crime” and was strident about the “extremely robust” steps police were taking to clear the protests, saying: “our response has been extremely robust. We have cleared the bridges and roads they have sought to block, we’ve dismantled their illegal camps, seized the infrastructure that they have sought to illegally block London with — we’ve even seized a kitchen sink!”

These comments were echoed by a slew of editorials and comment pieces in the right-wing media about how the police should not tolerate XR.

Confiscation and destruction of personal items

Allegations that police officers confiscating personal items were widespread, with 56 statements complaining that their property had been confiscated, and in several cases, destroyed. It is unclear what powers were used by the police, and why receipts were not issued to individuals able to identify but not recover their property.

One protester told us in a statement that after becoming separated from personal items by a police cordon, they were refused access to retrieve their possessions but promised that everything would be itemised and stored. However, after visiting Charing Cross Police Station, officers told the protester they were unable to say where items had been taken and as the individual had not been arrested, unable to explain why they had not been return immediately or where they had been taken (**see Appendix 1, Account 27**).

At the XR camp at Vauxhall Pleasure Garden, which the police began to clear after the initial Section 14 restrictions limiting XR protests to Trafalgar Square had been imposed on 8 October, protesters were assured that arrangements had been made to transport their belongings to a depot for collection later. However, in the evening as campaigners asked for permission to pack their belongings, Lambeth council workers loaded tents into a refuge vehicle on instructions from the police. When asked what power the police were relying on to take this action, officers first claimed property had been abandoned and later that the council was simply clearing rubbish from the site (**see Appendix 1, Account 26**).

Similarly, a Westminster council refuse vehicle was also used to crush tents, bags and other personal items after they were confiscated. Police had initially promised that protesters could retrieve their property from the council but officers were seen throwing tents into a lorry for

crushing. When one officer was challenged on whether this was unlawful, he simply denied that it had ever taken place (see Appendix 1, Account 28).

The token approach to “no surprises” policing

The HMIC reviews in 2009 had recommended a “no-surprises approach” to policing protests, so that “protesters and the public are made aware of likely police action in order to make informed choices and decisions”. The core principles of public order policing also recommend that “messages should be planned, unambiguous, clear and coordinated”.

Notably more than most recent social or political movements, XR has embraced dialogue with the police as a reflection of its own core principles. Its Police Liaison group met regularly with the Metropolitan Police’s Gateway Liaison Team in September 2019.

After a number of prominent XR campaigners were arrested in September 2019 following the unsuccessful Heathrow Pause drone protests³³, XR Police Liaison told us the police appeared to remain keen, at a meeting in late September, to maintain a “no surprises” principle in dealings with XR.

However, this did not prevent the raid on the building where XR was storing its supplies on 5 October. XR told us that in a meeting the day following the raid, the Met’s Gateway Liaison Team insisted they had been “kept in the dark about the Kennington operation” and that it had been an initiative ordered “at the highest level”.

XR Police Liaison also said that although a hotline number had been set up to maintain contact the Gateway team, “the relationship between the Met police and XR police liaison team during the ensuing October Rebellion could be characterised as ‘managing the non-facilitation of a protest’.”

For example, at the 6 October meeting, XR raised the issue of the police threatening the arrest of around 500 protesters arriving in Hyde Park and the seizure of tents and sleeping bags. XR Police Liaison said:

*The issue of whether the police would or wouldn’t act to prevent rebels camping in Hyde Park on the Sunday night was communicated in **quite an intimidating fashion** [our emphasis] Conversations with Gateway team to try and clarify the position were not helpful. Mere repetition of the mantra - ‘We will use every legislative tool in the book to prevent XR disrupting Londoners’. No mention of what the police were going to do to facilitate the peaceful protest, nor appreciation of XR’s openness and the ample notice given. In the view of XR police liaisons, the Met were not giving sufficient weight to their negative duty, i.e. the police must not prevent, hinder or restrict peaceful assembly to the extent allowed by ECHR Article 11 (2), nor to their positive duty, i.e. to take reasonable steps to protect those who want to exercise their rights peacefully.*

³³ Heathrow climate change drone protest arrests rise to 19 <https://www.bbc.co.uk/news/uk-england-london-49696973>

CONCLUSIONS

The use of Section 14 powers was not just unlawful in the way they were imposed, but also disproportionate and unreasonable

It is impossible to understate the impact on the policing of the International Rebellion created by the unlawful use of Section 14 powers to limit and then end the protests.

It encouraged the apparently widespread impression amongst officers on the ground that all protests were banned and, as a result, provided the justification for the use of other powers to “prevent crime”. This cuts across almost all the complaints were received, including the use of stop and search, restrictions on freedom of movement and the threat of arrest for simply wearing a badge or carrying an XR flag.

By imposing conditions on the location of XR protests that effectively negated the purpose of the protests, the Metropolitan Police’s misuse of Section 14 powers was not beyond the limits of its authority but an unreasonable restriction on citizens exercising their rights to peaceful assembly and ignored the College of Policing’s own core principles for public order policing operations.

The eventual imposition of Section 14 conditions to prevent “any assembly linked to... Extinction Rebellion” was so fundamentally disproportionate and unreasonable, because of the outcomes it created that affect every area of policing in this report, that it could still represent grounds for further legal challenges.

Preventing protest

The Metropolitan Police’s Gateway Liaison Team repeatedly summarised their attitude in meetings with XR’s Police Liaison: “we will use every legislative tool in the book to prevent XR disrupting Londoners”. It indicates that the police had minimal intention of balancing the right to freedom of assembly with the disruption of the community and was focused firmly on preventing protest, rather than facilitating it. Indeed, as the High Court’s Section 14 ruling indicated in paragraph 70, the police’s wide-reaching interpretation of its powers would have enabled them to “prohibit intended future gatherings (provided only that they were sufficiently “linked to” gatherings currently being held to constitute part of the same ‘assembly’)”³⁴.

In theory, the police are expected to avoid approaching their duty to facilitate protest politically. However, with senior officers, the Prime Minister and much of the media speaking in a derogatory way about XR and demanding an immediate clamp down on its protests – with little regard for any balance of rights – one would be naïve to think that this affected none of the officers whose behaviour has led to complaints in this report.

Commissioner Cressida Dick is entirely correct in asserting that the policing response to the International Rebellion was “extremely robust”, but we do not think that the framework for policing protest merited this. Reading through the accounts in appendix 1 with this phrase in mind, it feels like the extreme robustness of many individual officer’s approaches was not proportionate or legally justified.

³⁴ See para 70, page 16 <https://netpol.org/wp-content/uploads/2019/11/Jones-Ors-v-Comm-of-Police-Approved-judgment.pdf>

Senior police officers and government ministers need to take more care not to disparage protest. Officers on the ground need to remember that they have a duty to act with impartiality, no matter what those in government, the media or senior officers say.

Aggression and violence in making arrests was wholly unjustifiable

All too often, far more than a minimum level of force was used to make arrests of protesters who, almost uniquely, had made a public commitment not simply to non-violence but to neither fleeing from or resisting arrest. The level of force in many of the statements we received was disproportionate and excessive.

Dragging protesters in “lock-ons” appears to have been particularly widespread. Without the prospect of an imminent and serious danger occurring, this use of force and threat to the welfare of protesters cannot be justified. As lock-ons are common on protests, police attending these protests should have the training and common sense to leave protesters who are locked together for specialist officers.

Concerns about the mistreatment and harassment of women – particularly when there has been a pattern of such complaints around the country for a number of years – needs further and urgent investigation.

By failing to meet the needs of disabled protesters, the police systematically discriminated against them

The authors of this report were alarmed but not surprised by the number of incidents involving people with disabilities. For a number of years, Netpol and others have drawn attention to police targeting disabled protesters and failure to uphold their rights on arrest. That the same discrimination has reoccurred at the International Rebellion shows that the police have not listened to us.

From the failure to take on board information clearly provided to officers about protesters’ disabilities during arrest, to inadequate transport and the failure to make any even slightly reasonable adjustments for disabled people in police cells, the number of complaints makes it impossible to classify this as systematic discrimination against disabled protesters. Indeed, it has led to the Metropolitan Police’s own disability advisors making their first formal complaint in more than 20 years.

Another indication is how the police tried and largely succeeded in preventing the presence of disabled facilities during the International Rebellion. If there was any recognition that disabled people have a right to protest then facilities to enable this should have been accepted, instead of impounded and couriers arrested.

The disabled protest outside New Scotland Yard was a particularly lamentable failure by the police, and it illustrates two points clearly. Firstly, that police can be sensitive to criticism and often respond aggressively to it. Secondly, if the Metropolitan Police cannot make reasonable adjustments for disabled people peacefully protesting outside its own headquarters, then clearly it cannot appropriately deal with disabled protesters elsewhere.

There should be an urgent review of how the police facilitate disabled people's right to protest and a review of how disabled people are treated on arrest.

By criminalising all XR protesters, the police delegitimised them as citizens with rights

Although most obvious example of this removal of legitimacy is the testimony from protesters with disabilities, it is more broadly the result of instructions from above to treat all XR protesters simply as "criminals", rather than as citizens seeking to assert their rights to freedom of expression and assembly.

Zero tolerance of disruptive protest is also reflected in the often arbitrary use of the police's considerable range of powers, which meant that the normal constraints preventing searches or from stopping people from moving freely around their own city without reasonable suspicion were ignored. Essentially, anyone who looked like a protester or displayed any outward sign that they might support XR's aims was judged not by their actions, but by who they were – members of, in the eyes of the Metropolitan Police, an illegitimate protest movement. Netpol has seen exactly the same removal of legitimacy applied in particular to the anti-fracking movement.

"No surprises policing" seems to have been largely abandoned

Netpol has been sceptical about the claimed benefits of "dialogue policing" over the last decade. We have argued that dialogue is almost exclusively one-way and provides cover for the Metropolitan Police's Gateway Liaison Team (and its equivalents elsewhere) to undertake their primary role – intelligence-gathering.

The policing of the International Rebellion was less "no surprises" and more constant surprises, despite the investment and time XR made in their own liaison structures. The comments from XR Police Liaison that the Gateway Liaison Team were unhelpful, at times intimidating and repetitive in simply regurgitating messages from above do strongly suggest that XR were trying to engage in dialogue with officers who were not acting in good faith.

Final reflections

The concerns shared with us are not simply about the conduct of a few individual officers, but point to an irrational approach to policing the International Rebellion that raises serious questions about proportionality, a willingness to use unjustifiable force on non-violent and compliant protesters and the apparent abandonment of any sense of facilitating protests with "no surprises".

Netpol has seen these questions reappear again and again over the years and indeed heard accounts similar to all of those in this report from other protest movements.

This time, we hope that increased public scrutiny of the International Rebellion protests results in some greater accountability of senior officers who had ultimate responsibility for it and a major rethink of how the Metropolitan Police plans its approach to future demonstrations and assemblies.

Appendix 1 – personal accounts

Names have been removed from the entirety of this section. This is due to concern from many participants that police will seek to bring further charges against those making the statements as retribution and in order to lessen the effect of their criticism. This concern has been echoed by lawyers who seem to believe this is a regular occurrence. By removing names from all accounts we do not draw attention to those accounts which fear these reprisals.

Some of these accounts have been edited for length.

We have tried to limit the number of each type of incident described. To get a better idea of the number of each type of incident we had reported, refer to the overall figures on page 6 and 7 of the report.

Excessive use of force

Account 1

Pressure points being used disproportionately

9th Oct 2019, Westminster Abbey, around mid-afternoon.

I witnessed officers pulling a gentleman from arm tube inside the green gazebo in the centre of our site. One officer was using pressure points and shouting for him to 'release'.

I lay down next to this gentleman - who gave me his name as NAME REMOVED.

I was then also arrested - handcuffed behind my back - and carried roughly from the crowd. I was also applied with pressure points.

I think there were several witnesses to my arrest - including an ex-MET Sargent, who said that excessive force was used in my arrest. He said we would like to complain against the police on my behalf.

I was taken to Lewisham station and release around 1am on 10th Oct

Account 2

Excessive force in arrest

9-Oct - using a section 14 notice the Police formed a line of officers across Marsham St, slightly north of the Home Office and progressively swept the protestors, myself included, in a northerly direction up the street towards Great Peter St. Thereby effecting a clearance of the protest from Marsham St.

One young lad was to my right, next to me. I'm guessing he was in his early twenties or perhaps late teens. This was obviously a vulnerable person or person in a vulnerable state,

which is why I stayed so close. He clearly had anxiety, was under extreme stress and could have had much more serious mental health issues playing out. I do not know, and neither did the arresting officer.

At a certain point the lad stopped moving at all. He became a few inches behind me as a result. The lad was directly looking forwards and uncommunicative to Officer A. Officer A did not make the physical intervention himself, instead he waved in two other officers to make an arrest.

The young lad was stood perfectly still in a stood to attention kind of manner, looking directly forwards with his arms by his sides. He was of no threat whatsoever. Instantly his legs were collapsed and he was felled to the ground by two burly officers who impacted upon him in unison. The lad was face down in the road with two officers upon him, their knees in his back. The two officers together must have been at least three times the weight of the lad and unlike the lad, in protective gear.

I consider this to be an extremely dangerous manoeuvre. There was absolutely a real and serious risk of head injury, concussion, bruising and broken bones/ribs. Not to mention lasting fear and mental damage to what I consider to be a clearly vulnerable person or a person in a clearly vulnerable state.

There was quite obviously no risk assessment, or any possible consideration of the safety or the welfare of the arrested person. I am very clear in my mind that in any normal employment scenario, the actions of the employed officers would undoubtedly be considered gross misconduct; result in instant dismissal and likely involve investigation by the HSE.

For the avoidance of doubt, the sudden and violent actions of the arresting officers were completely gratuitous and completely unnecessary. This lad could have been quietly led away without the drama or sporting endeavours of the arresting officers.

Account 3

Excessive force in arrest

On the 18th of October the red handed action involved a large group of protesters visiting various Government Depts to request details of their preparations for the Climate Emergency. The action involved leaving red chalk spray hand marks on the pavements outside of these departments.

When the protest reached the Dept. for Business, Energy & Industrial Strategy, the Police formed a cordon to stop protesters getting to the pavement or near the building. The Police numbers were insufficient for a shoulder to shoulder cordon, instead some significant gaps appeared at various point between officers.

One such gap appeared in front of a protester who saw the opportunity to slip through and make his red hand mark. He slipped through. The Police cordon remained in place. The

officers in the cordon did chase after him immediately - I guess fearing a collapse of the cordon.

The protester, at the edge of the pavement, still feet on the road bent over and placed his hands on the pavement, in a touch-your-toes kind of stance, head bowed towards the government office door. The protester began to spray his hands; acting quickly. The protester was in front of me as I was some way back in the crowd. From the direction of my right (and the protesters right) two Police officers appeared and launched themselves at the protester landing upon him and obviously flooring him instantly. They then arrested him.

The protester was a young man of light to medium build. Although the protester was already bent over when impacted, he still took, what I'm sure was a very painful fall and took the weight of Police officers through to the pavement. The officers were in protective gear and unlikely to have suffered so much pain, particularly being able to employ the body of the protester for cushioning. The protester, on the other hand will undoubtedly have suffered a great deal of pain, if not injury.

It is my considered opinion that this was a premeditated act. The intention of which was to demonstrate to the protesters that, if you dare to pass through an open gap in a Police cordon; you will immediately suffer very intense pain and possible injury and a disproportionately violent response from the Police. I saw no further attempts by protesters to pass through gaps in the Police cordon.

Account 4

Protester targeted for singing, dragged along ground in arrest, refused toilet until wet themselves, belongings confiscated and not returned with no reason given.

On 10/10/19 at around 15:00, I was arrested for the alleged offense of "public assembly participant fail to comply with conditions" in St James' Park. I believe I was targeted for arrest and snatched from the crowd because I was singing loudly and therefore viewed as a prominent rebel. In addition, as I was being arrested, police dangerously dragged me across the ground before picking me up safely. Some of my belongings (such as my clothes, tent and sleeping bag) were confiscated. PC Baber's colleague told me that they have been identified as mine and that I would be able to pick them up easily from Mandela Way. I was taken to Bromley Police Station and where I was not allowed to use the toilets despite informing police at least 3 times that I need to go. I was eventually made to wet myself. I think this was an abuse of police power and in violation of my human right to sanitation. This embarrassing incident has seriously affected my mental health, and aggravated my anxiety and depression (which I was already taking medication for).

Following my release from custody, I tried multiple times to pick them up. First, I was told I needed PC NAME REMOVED's email so I had to return a second time, when I was told that my property wasn't even at Mandela Way after all and that the police had given me incorrect information in saying that I would be able to pick it up from Mandela Way. I have been in touch with PC NAME REMOVED about sorting this out but there seems to be no progress.

Account 5

Dragging of arrestees whilst in a lock-on

The incident took place on October 14th 2019 at about 15.00hrs in London at London Wall EC2 near to Throgmorton Ave EC2N 2BY.

The incident took about 20 seconds approximately, the police dragged MALE 1 and MALE 2 along the road from London Wall to Throgmorton Ave. MALE 1 and MALE 2 were locked together in a lock-on there was four police officers dragging two people who were locked together to Throgmorton Ave. The incident made me feel angry that the police did not care about the welfare of the people they were handling, even when they were screaming in pain as they were being drag, the police just carried on dragging MALE 1 and MALE 2 until they were dragged to Throgmorton Ave.

Eventually they were taken to Charing Cross police station. MALE 1 mentioned that his wrist still hurts two weeks after the incident.

Account 6

Violent assault by a police officer causing life changing injuries.

7th October 11 am Trafalgar Square – right index finger (proximal phalanx) violently snapped by a police officer whilst I was helping to hold steady scaffold tower that other rebels had rolled into the road. As some people had already climbed onto the tower I was trying to put the break on the tower and stabilise it to ensure they were safe. I had not been part of rolling the tower into the road, but was focused on safety of all of the scene. There is video and photographic footage of the incident.

As I was faint due to The pain, shock and the extreme nature of the Injury, I was looked after by a woman from Xr welfare/wellbeing and Alice, a doctor, and others, until I was able to walk, accompanied by a friend, to St. Thomas' Hospital, where I was treated and it was confirmed that it was a bad break which would require an operation.

Monday 14th Oct attended St Thomas' where I saw a hand specialist (plastics), who confirmed it is a life changing injury, with approx 20 bone fragments and complete, messy fracture of the bone.

Account 7

Removal of lock-on causing severe burns which the police gave no medical attention to whilst in their care

On the first Friday of the rebellion, I was on top of a trailer around the Trafalgar Square site connected to a fellow protester. We were arrested, and as part of the arrest we were taken down from the trailer, and then the police attempted to separate us.

However, when they did so, the saw they chose to use was not able to cut through the metal. They ground through at least one blade, not cutting the binding, but heating it up to unbearable temperatures. When we called out in pain, they would stop for a few seconds and then carry on. The top of my thumb swelled to at least half again its normal size, and I was later diagnosed with a third-degree full thickness burn.

We were told to trust that the police team had gone through the same process in training, and along with being surrounded by dozens of officers in the deck of a cherry picker made me feel that the injury was something to just accept. However, the police eventually changed to using an angle grinder, which was able to remove the binding in less than thirty seconds, as compared to the at least ten minutes they had been working before, and there was no cooling of the burn.

Even in jail, despite a duty nurse giving the injury a look, no action was taken to help. This then did not feel like something I should have had to accept, this is an injury arising directly from the decisions and actions of the police.

As a result, I had to seek urgent care, and was eventually taken to a burns ward, where I was surgically treated, and had to immobilize my thumb for two weeks. Even now, the wound has not healed. I wear a dressing, there is a perpetual risk of area reopening, and I have at most 20 degrees of movement in my thumb.

Targeting and mistreatment of disabled protesters

Account 8

Failing to meet the needs of a disabled protester, unnecessary use of handcuffs, degrading treatment of an arrestee.

10/10/2019, 11:44am.

I was arrested by PC Hutchings - in my view wrongly, but that is a separate matter - at the top end of Whitehall where it becomes Trafalgar Square. This was during a flurry of confusion as the police moved in on a peaceful meeting. I had only been there a couple of minutes and had not quite got my bearings as to what was happening. Because I am disabled, I was given a chair to sit on rather than sit on the floor. I had my walking stick between my legs, as an appropriate place for it to rest.

In a very fast turn of events I was handcuffed and carried off. This was despite the obvious presence of a walking stick indicating that I found it difficult to walk. PC Hutchings not only handcuffed me and carried me off, he took possession of the walking stick. He clearly knew what it was and what it was for as he kept asking me what was wrong with me and which

was my bad leg (both of them, actually). I was tired and confused and had no wish to answer his questions so remained silent. Nonetheless, he kept asking, and was clearly aware of the reality, even though he will claim that my silence meant he did not. He had also retained possession of the walking stick.

Notwithstanding this, he did not take the handcuffs off, but left them on me during the entire journey to the police station. This caused injuries to my hands and wrists which were later documented by the police station nurse.

He justified his behaviour to the custody sergeant ex post facto by saying that he had regarded my stick - obviously for walking with - as a potential weapon. He had, however, it in his own possession for all but a few seconds of our unwanted acquaintance. There was no reason for him to leave the handcuffs on. He clearly knew I was disabled and no threat to him. In my view, this was deliberate brutalisation because I would not speak to him. It was, furthermore, direct disability discrimination as he handcuffed a disabled person precisely because of the presence of a walking aid and he would not have cuffed an able bodied person seated in the same position. In my view his excuse that he had handcuffed me because the stick could have been used as a weapon was arrived at in the police station

Account 9

Failure of police custody to respect rights of disabled protester

I'm unable to read print or write normally. The first question that I was asked when being booked into custody was whether I required support with reading and writing to which I replied "yes". However, no accommodation was made for my inability to access written materials in either station. At Bromley I repeatedly asked for a copy of the Police Code of Practice in a format that I could read - either Braille or audio. But this was not available. After 24 hours my custody was extended by a further 6 hours to allow for further investigations. At this point a Superintendent had to be involved to authorise the extended detention. After some persuasion this Superintendent reluctantly granted me one of his staff to come to my cell to read the Codes of Practice. She was permitted 10 minutes to read a 200 page document. She and I agreed this was inadequate. She did read the first couple of pages to me and together we were then in no doubt that the custody team ought to have provided an Appropriate Adult since I'm blind. This is stated very clearly in the document.

Eventually an Appropriate Adult (AA) was provided - I'd been in custody for approximately 27 hours by this stage. My AA and I spent at least 1.5 hours studying the Codes of Practice and we were then clear that the custody team had failed in their duty on a number of counts. The document states that an AA 'must' be present at certain points during my custody including:

1. Caution
2. Finger Prints etc
3. Extension of my detention

None of these had happened.

Furthermore, it is clear from the document that detained people have the right to use the toilet and wash. I had to ask at least ten times to wash my hands - there was no hand-wash facility in my cell so I felt I was at risk of infection because I couldn't wash my hands after using the toilet - especially over such an extended period of time. Every time I asked I was told they were too busy. It wasn't until late at night on Friday that I eventually persuaded a very helpful officer to allow me to wash - in fact he arranged for me to shower and clean my teeth too.

Account 10

Police S14 arrest, injure, then de-arrest rather than care for disabled protester

I was outside Westminster tube station when two police officers approached and arrested me stating that I was in breach of section 14 order in the area. They took me to a police van. The van started moving and I was asked to stand up to have handcuffs put on. Then I felt a sharp pain in my back. I didn't see what had caused it as I was facing forwards, Then the police van pulled over and I was let out of the van and told that I was de-arrested. I went to St Thomas' hospital A and E for a review. I was given an injection in my back to help with the pain and investigations were performed revealing tissue damage. NAME REMOVED, 34 years old and disabled.

Account 11

Police refuse to listen to warnings woman is unwell and cannot walk, she faints and falls over.

FEMALE 1, who is registered disabled with an uncategorised cardiac condition, was protesting on the Horseferry Rd/ Marsham St junction on the night of Tuesday 8th into the morning of Wednesday 9th October 2019. Following a challenging night of protesting Jessica was feeling particularly unwell.

When she decided to cooperate with arrest at approximately 5:00 am Wednesday morning, and detached from her lock on, FEMALE 2 (another protestor) repeatedly called for medical attention and stated FEMALE 1 was unable to stand independently due to the likelihood of passing out.

The police officers from the previous shift had been alerted to FEMALE 1's disability and asked to hand that information over at the shift change but that was not done, so the arresting officers did not know the situation and wouldn't treat the severity of FEMALE 1's condition appropriately. FEMALE 2 felt she wasn't believed and FEMALE 1 was forced to push her medical capability in an unsafe way, being made to stand and walk unsupported. During this time FEMALE 1 felt too unwell to communicate appropriately and in trying to advocate for her, FEMALE 2 was not listened to.

FEMALE 1 was taken to St Thomas's Hospital in the police van along with other arrestees. On arrival at the hospital FEMALE 2 once again clearly stated that FEMALE 1 was not in a

safe condition to walk unaided but this was ignored. FEMALE 2 watched as FEMALE 1 walked unsupported between two police officers towards the entrance of the hospital. Before even reaching the door of the hospital FEMALE 1 passed out forwards onto her face. As FEMALE 1 regained consciousness, she was being hauled up by the neck of her clothing by the police officers before even being checked by a medical professional.

Once in hospital FEMALE 1 was greatly distressed by the ongoing treatment from these 2 police officers. She was tearful due to feeling particularly unwell, hurt and emotionally drained by previous harassment and negative treatment from police. The police officers incessantly asked her why she was crying, did not allow her to have any space to recompose herself and showed absolute lack of empathy for her situation. When she tried to close her eyes to calm her emotions the officers repeatedly shook her shoulder and FEMALE 1 felt she was not allowed any peace. Consequently FEMALE 1 felt pestered and hassled.

Disabled Protest at New Scotland Yard

Account 13

Disabled protesters arrested for protesting outside of New Scotland Yard, carer arrested, legal observers threatened with arrest, protester forced to give detail to police.

I arrived at New Scotland Yard at 12:09PM on Friday 11th October 2019.

I was told there was a peaceful protest happening outside NSY lead by Disabled rebels in regards to the police confiscating vital accessibility equipment such as mobiloos and wheelchair ramps.

When I arrived there were 3 protesters in wheelchairs being told by the police if they didn't move they would be arrested.

There was no obstruction caused, no disruption to anyone but them simply being a trio (or 1 or more) meant they were threatened with arrest under section 14 forming an assembly.

2 of the wheelchair users then left the scene as police warned and 1 female protester remained in her chair at the entrance to NSY. I tried to approach the wheelchair user to make sure she was ok and asked if she needed an appropriate adult or carer with her.

The police threatened to arrest me for standing with her. They also said she doesn't need a carer or an appropriate adult if she has the capacity to protest. I told them this was in breach of the 2010 equalities act to which they responded it was not and again threatened to arrest me for forming an assembly. They also told the protestor to go to Trafalgar Square to protest but without the ramps they were protesting against being confiscated the protest was in accessible and one officer said they could view if from the edge of the protest thus discriminating further.

When legal observers arrived (not part of XR but representatives of Green and Blacks, a separate organisation) they were told they have to also move away from the protestor or face arrest themselves. They were then told if they stand in a pair they would also face arrest as they formed an assembly!

So the disabled rebel was now totally alone and not allowed a carer legal observer or appropriate adult. When the disabled rebel's carer arrived to help administrate medication he was surrounded by police and threatened with arrest as two of them together were now an assembly!

They then surrounded the rebels and refused anyone giving them water or snacks. Then 12 police officers formed an entire barricade around the two, after forcing them to move away from one another.

The red rebels then came to show their support and the police arrested both the female protestor and a male (the female protestor's carer in this instance) and made the female protestor accompany them far down the road to meet the 'accessible' van that would take her to the police station.

When the van arrived it was not actually accessible for the female protestor's chair so the police decided to de-arrest her and manipulated her into giving personal details claiming it would benefit her health if she did so.

Account 14

Carer arrested for giving essential care to a protestor, police can and cell inadequate to meet they disabled needs.

I was arrested on Friday the 11th October outside New Scotland Yard at around 14.30. The specifics of my arrest raise issues pertaining to the right of disabled people to peacefully protest.

I was asked by a disabled person [and wheelchair user] to provide care support whilst they protested outside New Scotland Yard. This entailed assisting them to adjust the flow from their oxygen tank and access medication from the back of their wheelchair. The police informed me that my presence constituted an illegal assembly and that I was to leave. I informed them, that due to the dynamics of the situation and the potential impact of that on the support needs of the other person, that it would be inappropriate for me to leave. They informed me that I would be arrested for breaching a section 14 order. I stated that this would be discriminatory. I was subsequently arrested and, after a wait of over an hour for accessible transport (I am, myself, disabled and a wheelchair user), taken to Lewisham Police Station. I was held for four hours before being released under investigation [with no bail conditions].

The accessible vehicle used to take me to the station lacked, in my view, the mechanisms to properly secure my chair. I had to brace myself using my arms for the entire journey. Had

the vehicle had to brake hard I would likely have been injured. The police officers loading me into the vehicle seemed unsure as how to best secure me and my wheelchair.

My observations on the facilities at the police station are that they impose on some disabled people a lower standard. The 'finger print' machine is at a fixed height that made it painful for me to have my hands manipulated for the required scans.

The bed in the cell is very low, and this made it difficult to use. The toilet was also very low and I would have had great difficulty using it had I needed to sit on it.

I have no issues with my treatment by individual police officers at the station.

Account 15

Notes from one of a pair of legal observers – disabled protester unable to receive care because a second person would breach section 14, legal observers threatened with arrest

1330-1310 – FEMALE 1 sat in front of NSY (New Scotland Yard) on her own. In a wheelchair and fitted with an oxygen breathing tube. We approached FEMALE 1 and 2 officers advised us that as more than one person now from XR, if we remained we would also be arrested. When we said that we were independent of XR- we were told that the police did not consider LO's to be so. Having briefly spoken to FEMALE 1 and given her a code we retreated. LEGAL OBSERVER 2 remained just in front of NSY - I stood in park close by as we were informed that we (LO's) could not stand together if we did not want to be arrested. Soon after a first aider also arrived- as I learned later he was not allowed to assist FEMALE 1 either.

1335 – MALE 1 arrived who was FEMALE 1's registered carer and joined FEMALE 1. I was not close enough to hear what was said.

1345 - At this stage there were around 12 yellow jacketed police surrounding wheelchair. I saw LEGAL OBSERVER 2 trying to get closed to find out what was happening- but she was not allowed. A lady on the corner appeared to be filming everything. At one time there were around 30 -40 police in the vicinity.

1500 - A white van- SF68 DFE pulls up and in front of NSY - but then drives off and parks in the side road at end of park- Horse Guards Avenue. It looks like they do not want to put FEMALE 1 in van with the crowd about to witness. FEMALE 1 is then escorted down Victoria Embankment to meet the van. I follow and ask where she is being taken (Lewisham) and who the arresting officer was (EA1542). I think that MALE 1 was also arrested and taken off -

but I was at the other end of the park with FEMALE 1 - so did not see this- but LEGAL OBSERVER 2 would have.

1520 - The arresting officer explained that they could not get FEMALE 1's chair into the van and as she also only had 2 hours of oxygen left they were de arresting her. The lady who filmed everything was also there and was going to look after FEMALE 1. FEMALE 1 gave the arresting officer her name. She was visible distressed and tearful.

Deliberate preventing of disabled facilities

Account 16

Police arresting disabled loo delivery despite having given permission

7/10/19. Made two attempts to deliver Mobiloo disabled-access toilet vans to metasite and was pulled over by police after second attempt and advised to leave central London. Went to Wandsworth Town and contacted XR police liaison team who advised they would contact the Met to negotiate delivery of Mobiloo vans. XR PL team later advised that Inspector Neil MacParland had given permission for us to deliver vans to Marsham Street.

Returned to central London and met police blockade near destination. Explained situation to constable on duty who contacted his seniors. Eventually a large number of officers arrived on site and a sergeant ordered the arrest of me (I was driver of the first van), the driver of the second van, and the two passengers (Mobiloo employees). I was taken to Acton police station.

Account 17

Targeting of disabled facilities

On Monday October 7th 2019 at about 11a.m. I was driving a van which had been converted into a mobile toilet facility for disabled people. At a police roadblock I parked the van up and was told by a police officer that they would find out whether I could pass through the roadblock. After about half an hour patiently waiting for an answer I was approached by the police officer and arrested for conspiracy to cause a public nuisance. I was taken to Acton police station and released about 8 hours later investigation pending. The van was confiscated and kept impounded for over 2 weeks.

This is simply how it happened. I feel I was wrongfully arrested, given no warning and am absolutely disgusted at police disregard for the disabled and their facilities.

I live with a disabled partner and feel dreadful about the whole incident.

Misuse of stop and search

Account 18

Using section 3 of the Criminal Law Act & Section 14 to stop and search people

One situation that we found concerning was s.3 Criminal Law Act being used as a sort of quasi-stop and search power once the London-wide s.14 was in place (after the Trafalgar camp had been cleared). Police officers at Trafalgar square would stop people with bags from entering the square. Rather than stop and search them they would cite section 3 CLA and ask people to empty/open their bags so they could check for camping equipment. The police officers said this was entirely voluntary and they would not give people a receipt. However, they said they would now be allowed to enter the area unless they consented to have their bags searched.

One of our observers asked the officer how section 3 allowed them to do this. The response was more or less that:

1. There is a s.14 in place that criminalises assemblies linked to XR October Rebellion
2. Criminal Law Act allows reasonable force in the prevention of crime. In order to use such force the officer must have reasonable grounds to believe that a crime is about to be committed
3. The main crime they were concerned with stopping was preventing rebels from setting up camp as had been causing significant disruption to the life of the community
4. According to the officer, anyone who refusing to show the contents of their bags gave officers reasonable grounds to believe that the bags contained camping equipment, glue or something similar and that they intended to commit an offence contrary to section 14
5. As such, the officers would use reasonable force to prevent their entry to the square unless they consented to having their bag checked

Account 19

Failure to identify officers, give grounds for stop & search and confiscation of property with no avenue given for it to be returned.

Date. Friday 18th October, Time. Approx 11.00 hrs. Statement from legal observer

Scenario: my husband and I. 54yrs/55yrs. We caught the train to Westminster tube station. We walked across the road entering parliament street, 2 police officers enquired. XR man and police officer:

Officer: "Can I ask you where you are going,"

XR man: Pointed towards Trafalgar Square, saying "Up there."

Police: "I think I need to take those poles off you."

XR man: "Why?"

Police: "You're not allowed to be protesting in London. What is in your bag?"

XR man: "I've got some leaflets,"

Police "Can I have a look?"

He proceeded to confiscate the leaflets, a tabard which said ' I'm a rebel, follow me, the sticks.

XR man: "Whats the problem with the flyers?"

Police: "They could incite breaking the law."

Police: "Where are you going?"

XR lady: " I'm following him" pointing to the xr man.

Police: "What's in your Bag?"

XR lady didn't respond.

Police lady: "Stand still I am going to search you."

By this time there were 4 police officers. The police lady searched me (Xr lady), and looked at my face paints.

XR lady. "Don't take my face paints, they are expensive"

Police lady took my paints and asked a superior officer, they decided I could keep them. With a promise not to use them for anything illegal. They're took both our names and D.O.B and we had to wait until our check were clear. We both asked for a receipt, as we wished to collect our property.

Police: "I don't work from this police station, you won't find me again, I've got a really busy week."

We were not informed of their names and were not told on what grounds we were being searched. The police did not follow the correct protocol.

Harassment and intimidation of protesters

Account 20

On the morning of Monday 7th October I reached the south side of Lambeth bridge, as a protester, to find the police had formed a line to stop anyone accessing or crossing the bridge on foot or otherwise. Some non protesters attempted to cross the bridge but were

refused entry by the police and told they would have to go via Westminster bridge, and some protesters tried to push past but were again blocked from entry. When I asked a policeman what powers they were using to stop entry, he looked confused and said 'Well common law I suppose.' When I then asked what the police would do if a group of us forced entry he shrugged, smiled and said 'I dunno.'

Account 21

I was on my way home and wanted to cross Westminster Bridge on Sat 12th around 6pm. My friends went ahead of me and passed through the line of police. I was the last person through and was stopped by the police and told that I could not cross the bridge, under section 14. However, I had no bag or equipment with me, no XR paraphernalia, logos or printed clothes. I had nothing on me which indicated that I was part of the protests and I told the police officer that I was on my way home. There was then confused messaging, including another police officer telling me that I had been stopped under section 3 of the public order act (threatening violence) which was clearly ridiculous.

Account 22

Sunday 13 October 2019, between 6-7pm.

I reached the Westminster side of Westminster Bridge. I wanted to walk across it to reach the hostel I was staying in near Lambeth North tube station. I was shocked to be stopped by about 6 police. They were not stopping anyone else at this busy time. I asked why I was being stopped. They said they were stopping everyone who was part of Extinction Rebellion. I had an XR badge sewn on my dress. I said all I was doing was walking back to my hostel just the other side of the bridge. I wasn't protesting. They said that the previous Tuesday, someone from XR had locked themselves to the bridge. I said I wasn't intending to lock myself to anything.

Presumably if they had thought I was they'd have searched me. I didn't think of this at the time as I felt intimidated. I said that yes, I did agree with XR as I was seriously concerned about my children's future. A oman police person said they weren't allowed to say their personal views on this. I said I knew they were just doing their job and I thanked them for that, but I didn't understand why I couldn't cross the bridge.

By this time there were quite a crowd around and I was really upset and crying. An older unsympathetic male policeman said you'll have to just walk to the next bridge. I asked what law gave them permission to stop me crossing. He said Section 3. I still didn't understand, but walked away. I've since read that this is possible section 3 of criminal law act? I was left feeling really shaken and upset. During following days I felt too intimidated to wear the dress with the badge and was in constant fear of being stopped again. I tended to use the tube rather than walk around as there were police and vans absolutely everywhere, which I found scary.

Discrimination

Account 23

Harassment of female arrestee

I was arrested on the 7th October on Westminster Bridge around 11 or 12 in the morning. I was put into handcuffs and went floppy and so several policemen carried me. One of them grabbed my arse in order to carry me. I had to shout several times until he let go. They also carried me by my belt however, I was slipping forward so that the whole of my knickers was showing. Then when I was put on the ground and waiting for the van to arrive, at this time, I told the policeman who grabbed my arse not to touch me again and asked the legal observer to note his collar number. Then another policeman started playing with my hair as he was talking to me. It was not in my face and although my hands were cuffed, I was fully capable of moving my hair if I wanted to. I told him to stop and he did.

Although these incidents pale in comparison to the horrific shit some people have experienced, I thought I would report them because they are still inappropriate and illustrate how the police think they can treat young women.

Police Intimidation

Account 24

Dangerous & deliberately intimidating policing

I would like to report an incident which happened in Whitehall on Tuesday 8th October at about 8pm. There was a blue tent in the road with lock-ons inside. Police used their vans, with sirens blaring, driving them to push protestors away. Protestors had nowhere to go because the whole area was blocked with people, and the tent was there. Protestors were shouting that there was nowhere they could go. The police vans still nudged forward.

They eventually stopped, and kept the vans in that position for 20 minutes and then reversed the vans back out. It took a gentleman with a baby in a buggy who refused to move also to stop the vans from encroaching any further. Police should not have used vehicles in this way, this felt very frightening and was over the top. Police asking people to move would have been suffice, the use of vans was unnecessary.

Earlier on that day, at about 3.30pm, on the St James Park side at the other side of Downing Street, protestors were sat in the road and had made a gap where cyclists could get through. I saw police drive at that gap far too quickly twice whilst I was there, the police would then turn their vehicles around and then do it again. The whole crowd there were shouting 'that's dangerous, slow down'.

At Trafalgar Square I was pushed by a police officer from behind, he put both his hands on my shoulders and pushed me from behind to clear me from the road. Regretfully I did not think to write down the number of the officer. I am partially deaf and had he have asked me to move then I would have done so. I did not know that was going to happen.

Account 25

Deliberate sleep deprivation, mocking and harassment

From 10:00am on Tuesday 8th October until arrest at approximately 5:00am on Wednesday 9th October FEMALE 1 and FEMALE 2, along with other protestors, were peacefully occupying the junction of Horseferry Rd and Marsham St. These protestors were cordoned off by a ring of approximately 20 police and separated from the rest of the protest by police vans.

After a police shift change at approximately midnight the police approach changed. The officers told us that we would not be arrested till 5:00am but they also said they would actively not let us sleep. They then proceeded on mass to harass, mock, taunt and laugh at us openly and incessantly. They also made a number of false and emotive accusations against us, such as us not allowing ambulances through, accusing us of endangering of lives, which caused further distress. We felt shocked at the cruelty of their behaviour and humiliated for a sustained period of hours.

The police officers mocked our ethics, our care of each other and our literature. This felt like a blatant and deliberate abuse of power, exacerbating the vulnerability we already felt. Approximately 5 hours of an unnecessary, targeted attempt to break down morale left us feeling very shaken and abused by the power dynamic.

Confiscation & Destruction of Property

Account 26

Destruction of property

Just wanted to let you have the following information about how the police disposed of campers' property at Vauxhall Pleasure Garden (VPG) on Tuesday 15th October. I was a legal observer on shift at VPG at the time in question.

Around 18.45, campers informed me that a garbage disposal truck had arrived at VPG and was parked next to a group of about 25 (sorry, I didn't count them!) tents and other camping equipment. Truck registration number VN66 BXA. 2 council workers present.

18.52 Officer U4234 reassured campers that there had been a misunderstanding and that the council was supposed to send a vehicle to transport the belongings to a depot for campers to collect them. Some campers asked if they could collect their belongings there and then an officer U4234 declined their requests on the grounds that they couldn't prove

the things were theirs and the police might thereby be letting them effectively steal other peoples' stuff. He also said that there wasn't enough manpower to monitor campers collecting their belongings.

Campers dispersed after some discussion with new campers appearing intermittently and asking if they could take their belongings and being refused on the same grounds as stated above.

19.45 about 14 officers standing around campers' belongings

19.50 officer numbers increased to around 22

19.55 3 more council workers arrive

19.57 1 council worker and 1 police officer go round the tents, lifting them up and shining torches inside them

20.00 council workers begin to load campers' belongings into the garbage truck and crush them

Campers gathered around and peacefully requested that they be allowed to pack up the belongings and give them to a charity/ store them for their owners. These requests were declined or ignored

20.10 I asked police sergeant NW239 under what power the police were taking this action and, after some hesitation, was told that the property had been abandoned all day and left unclaimed. I then asked bronze commander 216319 under what power this action was taken and, after some hesitation, was told that the council was clearing rubbish from the site - that the tents had no names on them and had been abandoned.

Account 27

Destruction of property and inability to have it returned

At around 16.00 hrs on Monday 07 Oct 2019 I left some belongings on the small roundabout opposite 11 Millbank while I drummed with the Extinction Rebellion. There were people there and I and a few others left our stuff near them as I had been carrying mine around with me all day while I drummed and they were cumbersome. I was going to be camping at a friend's in Bounds Green so had not unpacked anything and was not part of any arrestable activity. When we came back a while later the road was blocked. The police at the roadblock said that the belongings were stacked up behind the police block and that we would be able to get them once it cleared. We waited about an hour and then it became apparent that we could go round the block and gain access to the area. When we got there another lot of police were guarding a whole pile of belongings. I could see mine and asked for them back. Initially they flatly refused and then very reluctantly indeed after much to-ing and fro-ing, allowed me to take my small backpack and clothes. They refused outright to let me take my drum bag with my sleeping bag in it nor my tent which had been in its bag. They allowed my 2 companions to take all their belongings.

When I expressed concern as to what was going to happen to my belongings (£200 worth), the officer categorically emphasised that everything would be itemised and stored and that I should apply to the local police station to get them back. A more senior officer said I should go on Twitter to somehow notify the police, but I don't have Twitter and frankly this did not sound a very professional way to deal with the totally unwarranted detention of my personal belongings. I duly went to Charing Cross Police Station where they were not able to ascertain where my items from Millbank (along with everyone else's) had gone. I provided a photograph of my items packed and ready for my trip to London and full details to the officer there. The officer who took my details was clearly confused as to why police should take and persist in retaining belongings when I had not been arrested and not been doing anything illegal. She advised me to complete an online complaint which I duly did on 10 Oct at 00.15hr (I have had no acknowledgement of that complaint to date.

Despite considerable efforts on my part by telephoning 101, I have been unable to find anyone in the Metropolitan Police who can tell me where my items are or how to ensure that the police have received the information I have supplied (incl photos) to help them to identify my items out of the mountain of belongings they chose to seize. I was today, (31 Oct 2019), told I should 'wait patiently' to be contacted and no-one would give me an address to write to.

Account 28

On 9th Oct, on Victoria Street, Police began confiscating unoccupied tents. They also confiscated unattended bags and other items that had been put in a pile on the pavement by XR protesters for safekeeping. The items were taken by Police to an area next to Barclays Bank. When I first spoke to Police they assured me that the items would not be removed, and that their owners could reclaim them from the pile. At this point some people were able to reclaim their items if they could prove that they belonged to them (e.g. by stating what was in the bags).

However, it then became clear that police were not allowing people to reclaim their property, as promised, and that instead it would be taken by Westminster Council and we'd be able to retrieve it from their offices if we could demonstrate that it was ours. By this time one of my bags had been confiscated and they wouldn't allow me to retrieve it, and I was told instead that I must phone the council.

A council refuse lorry appeared and Police began throwing tents into it. I saw them throwing at least 3 tents in, but lots of other items had clearly already been thrown in before I saw what was happening. The tents were crushed as they went in.

Several of us spoke to the police and explained that what they were doing was unlawful. When I spoke to one officer (identity unknown) he told me that no tents had been crushed - this was simply untrue, and it's impossible to imagine that he didn't know that to be the case - he could see as well as I could.

Handcuffs

Account 29

Handcuffs, excessive force, deliberate deceit about legal right to representation.

At around 4pm I was taking part in the protest organised by XR. Walking past protesters at Millbank, I was confronted by two ranks of police officers who were marching, in step towards the protest. I was unable to continue my journey along the street.

In protest, I sat down on the road. I was warned by police officers that unless I stood up and moved back, I would be arrested. I told them that I would not move. I was arrested for wilful obstruction of the highway. I was handcuffed behind my back, one hand above the other and dragged, face down approx. 50m and sat on a pavement. This was witnessed by Clive Lewis MP.

Along with a number of others, some handcuffed to the rear others not, we remained on the pavement for some time. Eventually we were dragged/marched to police vehicles on Lambeth Bridge. All three of us remained handcuffed to the rear despite now being locked in. It was clear that none of us posed a threat of violence.

After approx. 1hr the vehicle set off for Croydon. Our handcuffs, becoming increasingly painful were left on. On arrival at Croydon police station we were taken to a holding room. I requested that the handcuffs be removed. This was refused. One officer relied that: "It was not meant to be pleasant." I responded that surely the purpose was to protect officers and not to torture. A little while later, the handcuffs were moved to the front and then, a little later, without explanation, removed. We had been handcuffed for around 4hrs.

We were told that we were to be held at the station. As I declined to give my name, the desk officer told me that he would not inform my family of my whereabouts as I was "Mr Anonymous." Despite giving him my brother's telephone number and telling him that as an only sibling, he would know who was meant, the officer continued to mock with "anonymous" jibes. Further, he stated that the solicitor recommended by XR was probably, "Not on the list," and wouldn't attend for an anonymous arrestee. He then told me I would be fingerprinted and DNA sampled. When I responded that this was not the procedure for the offence for which I had been arrested, he replied that, "We can do whatever we like." I told him that this was certainly not the case.

A solicitor, Mr Cobham of Birnberg Peirce, arrived during the night and sat in on my statement. I shared the above with him and he stated that the matter should be investigated.

Appendix 2 – human rights implications

The Human Rights Issues Arising From The Policing Of XR Protests In London

The decision by the Met, on 14 October, to impose a blanket condition on the many and varied XR protests across London was successfully challenged in the High Court as unlawful. As a matter of statutory interpretation, each action at each site was a separate “public assembly” requiring its own assessment by a senior officer of likely serious disruption and thus its own separate condition. What was not decided in the case, as it was either never argued or was not necessary for the decision, was whether in imposing the condition the Met also breached the XR protesters’ human rights under the ECHR. It almost certainly did so.

There are some key human rights principles at play whenever a protest is being policed, whether the result of that is “simply” controlling/regulating it or restricting/ending it. The first question is whether the action being taken falls within – “engages” – the protection of the right of free speech (Article 10) or the right to assemble peacefully (Article 11), which two together constitute a right to protest peacefully. European human rights case law here is clear: the right extends past the traditional forms – marches, demos or rallies – and can certainly comprise disruptive forms of action: as sit-ins, occupations, lock-ons etc. The key question here is whether the action was peaceful – were they peaceful i.e. did they have (physically) violent intentions? It’s clear that there was nothing in the XR actions that would have taken the protesters outside the scope of protection; (and here it is critical that we assess the actions of individual protesters, not the amorphous protest)

“...an individual does not cease to enjoy the right to peaceful assembly as a result of sporadic violence or other punishable acts committed by others in the course of the demonstration, if the individual in question remains peaceful in his or her own intentions or behaviour.” Ezelin v France (1991)

The primary focus of the court on any challenge is on two matters: first, the certainty or clarity of the condition that is imposed, and secondly, was the imposition of the condition a proportionate response? This is standard human rights analysis when looking at the right to protest peacefully. The Met is exposed on both. Restrictions on rights are only lawful if we are able to foresee with sufficient certainty what exactly we can and cannot then do: given the nature of XR, how easy would it be to know whether or not any protester is “linked” to it? Equally, while “assembly” is a term clearly defined in law, protest is not – how then is someone to know what sort of activity is captured by the condition to “cease protests”?

There is also the separate point here that under s.14 conditions can only be imposed on people, not on assemblies. Even if a court determined that the condition was certain, it would very likely fail as being disproportionate. The essence here is tailoring the restriction to the perceived harm, serious disruption – sometimes referred to as minimal impairment. The Met must impose the least onerous restriction.

It simply could not be said that all XR assemblies across the whole of London constituted the same level of serious disruption (if any) yet all were subject to the same blanket direction to cease; application of a policy or decision in blanket fashion without consideration of individual facts will render it disproportionate (seen recently on an admittedly dissimilar issue, that of a university policy, *Ngole v University of Sheffield*). The Met's decision wrongly assumed that a pair of teenage XR activists protesting outside their school in Tooting would be seen as disruptive as the hundreds at Oxford Circus – and that clearly is not the case.

If the High Court had not found the Met's decision to be unlawful on the ground that they had misinterpreted the extent of their statutory power, it would most certainly have done so on the ground that the decision breached XR's rights to protest.

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Appendix 3 – media log

Date	Who? Individual/outlet/body	Headline	URL	Notes
18/04/19	The Sun/Rod Liddle	ROD LIDDLE Extinction Rebellion protesters are just privileged clowns whose fuelish stunt only served to make lives difficult for ordinary Londoners	https://www.thesun.co.uk/news/88877	
18/04/19	Sajid Javid (Home Secretary at the time)		https://twitter.com/sajidjavid/status/11	
19/04/19	The Telegraph	Extinction Rebellion protest: Police finally get organised as pink boat sails for eco warriors	https://www.telegraph.co.uk/news/201	
29/04/19	The Mirror/Sadiq Khan	Sadiq Khan: I'll meet Extinction Rebellion despite burden of protests on police	https://www.mirror.co.uk/news/politics	
14/05/19	ITV	Cressida Dick urges ministers to consider law change after £7.5 million climate change protest bill	https://www.itv.com/news/london/201	
14/05/19	The Independent	Police chief says Extinction Rebellion protesters will be arrested 'very, very fast' and suggests officers were not assertive enough last time	https://www.independent.co.uk/news/	
14/05/19	The Evening Standard	Met chief Cressida Dick: 'Extinction Rebellion protesters caught us out'	https://www.standard.co.uk/news/crim	
14/05/19	The Mail Online	Met Police chief Cressida Dick admits her force wasn't ready for Extinction Rebellion protests as bill for policing demos rises to £7.5million	https://www.dailymail.co.uk/news/arti	
16/06/19	Policy Exchange/Richard Walton/Tom Wilson	Extremism Rebellion: A Review of Ideology and Tactics	https://policyexchange.org.uk/wp-cont	XR statement - https://rebellion.earth/2019/07/17/first-they-ignore-you-statement-on-policy-exchange-accusations/ VICE piece on Policy Exchange funding - https://www.vice.com/en_uk/article/ywagdx/policy-exchange-extinction-rebellion-funding
16/06/19	The Telegraph	Treat Extinction Rebellion as an extremist anarchist group, former anti-terror chief tells police	https://www.telegraph.co.uk/politics/2	Note Telegraph links with Policy Exchange - see Vice article in cell above
16/06/19	The Telegraph/Richard Walton	Extinction Rebellion has convinced followers its tactics are honourable when they are anything but	https://www.telegraph.co.uk/politics/2	
17/06/19	BBC Radio 4 Today/Richard Walton	[Interview with Richard Walton and with Rupert Read for XR]	Interview with Richard Walton (full interview no longer available on iplayer, clip here: https://twitter.com/bbc4today/status/1151404915333521408?lang=en) and subsequent interview with Rupert Read (our recording here: https://www.youtube.com/watch?v=TIBxjdMECqg&t=4s)	
20/09/19	The Telegraph/Madeline Grant	Our children deserve better than Extinction Rebellion's dangerous fantasies. Sadly their teachers are encouraging them	https://www.telegraph.co.uk/news/201	
21/06/19	The Times/Dominic Lawson	Politicians and the police must stop indulging Extinction Rebellion	https://www.thetimes.co.uk/article/we	Dominic Lawson son of climate denier/skeptic Nigel Lawson. Note that the piece speaks complains about lenient approach to XR from Police and speaks favourable about individuals taking matters into their own hands. Also makes reference to the Policy Exchange report.

18/07/19	Reuters	UK police say they will prevent repeat of climate-change protest chaos	https://uk.reuters.com/article/us-britain	Covergae of Met press conference, comments from Laurence Taylor
18/07/19	The Guardian	Police call for tougher sentences to deter Extinction Rebellion	https://www.theguardian.com/enviro	Covergae of Met press conference, comments from Laurence Taylor
09/09/19	The Daily Express	National embarrassment! Former Met chief calls for crackdown on Westminster protests	https://www.express.co.uk/news/uk/11	Quotes Richard Walton
02/10/19	The Independent	Extinction Rebellion: Police call for new legal powers over protests as fresh action to start in London	https://www.independent.co.uk/news/	XR statement - https://rebellion.earth/2019/10/02/we-come-in-peace-extinction-rebellion-message-to-government-and-response-to-met-police-statement/
07/10/19	BBC Radio 4 Today/Richard Walton	[Interview with Richard Walton]	https://www.bbc.co.uk/programmes/m	Talks directly about how October rebellion should be policed and advocates for bringing in new laws (begins 01:38, only available until 05/11/19 - Nuala has recording)
07/10/19	The Sun	Boris Johnson tells police to 'use full force of law' against Extinction Rebellion	https://www.mirror.co.uk/news/politics	
08/10/19	Metro	Boris Johnson calls Extinction Rebellion protesters 'uncooperative crusties'	https://metro.co.uk/2019/10/08/boris-j	
09/10/19	The Sun	REBEL DEVILS Boris Johnson 'deplores' Extinction Rebellion tactics but says eco-warriors 'right to rebel' as London braced for third day of chaos	https://www.thesun.co.uk/news/10079	
11/10/19	The Evening Standard/Cressida Dick	Cressida Dick: Extinction Rebellion protests are drawing police away from battling violent crime	https://www.standard.co.uk/comment	
15/10/19	The Telegraph/The Telegraph View	When it comes to Extinction Rebellion, Sadiq Khan should support the police, and ordinary Londoners	https://www.telegraph.co.uk/opinion/2	
17/10/19	Sadiq Khan		https://twitter.com/sadiqkhan/status/1	
17/10/19	Katie Hopkins		https://twitter.com/kthopkins/status/1	Praising violence against protesters and criticising Met response
17/10/19	Tobias Ellwood MP		https://twitter.com/tobias_ellwood/sta	Praising violence against protesters and criticising Met response
17/10/19	The Evening Standard	Evening Standard comment: Will Boris's gamble get him out of the Brexit trap?; Stupidity not protest; It's the freakiest show	https://www.standard.co.uk/comment	
17/10/19	The Telegraph/Charlotte Gill	Extinction Rebellion have turned climate change into a class war	https://www.telegraph.co.uk/news/201	
17/10/19	The Telegraph	Commuters who attacked Extinction Rebellion Tube protesters could face police investigation	https://www.telegraph.co.uk/news/201	
18/10/19	The Sun/Mick Hume	MICK HUME Day the eco-zealots targeted working people was the day the climate change protests went down the tubes	https://www.thesun.co.uk/news/10160	Praising violence against protestors, criticising Met for being "extraordinarily tolerant"
19/10/19	The Sun	PRIT STICK Priti Patel slams Extinction Rebellion protesters for their illegal and dangerous behaviour	https://www.thesun.co.uk/news/10168	Based on a Talk Radio interview with Dan Wootton (Executive Editor of The Sun) and Priti Patel

Appendix 4: XR Police Liaison Report

Report provided to Netpol on in November 2019

On 31st October 2018, members of Extinction Rebellion in Parliament Square declared themselves

“in rebellion against our Government and the corrupted, inept institutions that threaten our future.”

stipulating that

“We act in peace, with ferocious love of these lands in our hearts. We act on behalf of life.”

(Declaration of Rebellion, October 2018)

Without any forewarning, the ‘rebels’ present proceeded to carry out an act of nonviolent civil disobedience by sitting in the road outside the Houses of Parliament. Some protesters lay in the road and locked on to each other. Extinction Rebellion had provided for stewarding of the protest, for de-escalation and for the wellbeing of the protesters. The police pressured the protesters to move off the road and attempted to confine the main group with a moving police line, but this was frustrated by the rebels’ seated position. Arrests were made, and despite some initial disturbing incidents involving misconduct by one or two PCs, the protest concluded ‘consensually and with negotiation’ some hours later.

According to its “Principles and Values”, Extinction Rebellion is a nonviolent network,

“using nonviolent strategy and tactics as the most effective way to bring about change.”

(XR Principle 9)

XR’s nonviolent attitude involves showing respect to everyone:

While “we live in a toxic system ... no one individual is to blame.”

(XR Principle 8)

At a meeting between Extinction Rebellion representatives and the Met’s MO6 Police Liaison Gateway Team one week later, the nonviolent principles of openness in action and concern for the opponent were elaborated into a set of informal protocols agreed in principle between XR and the police. The agreement was an integral part of XR’s planning of its first major disruptive action – the occupation of five main bridges – Lambeth, Westminster, Waterloo, Blackfriars and London Bridge, across the Thames on 17th November 2018.

According to the informal protocols, XR rebels committing acts of low-level civil disobedience, such as obstruction of the highway, would demonstrate respect for police officers and agree that officers had a job to do. If cautioned, rebels would listen without comment, would not attempt to evade or resist arrest, and would maintain nonviolent discipline and respectfulness throughout the arrest procedure. For their part, the police undertook in such circumstances to use the Met’s best practice (and slowest) arrest procedure – the five-appeal procedure – where the arrestee is fully informed of the officer’s duties and given ample opportunity to comply with the officer’s requests before the decision to make an arrest is made. The slowness of the arrest procedure ensured its peacefulness, but also the effectiveness of XR’s tactics of disruption to ‘business as usual’.

As part of the negotiation, one of XR’s liaison representatives, Roger Hallam, informed the Met of XR’s intention to achieve hundreds of peaceful arrests during the bridge blockades. In what was to

become his characteristic 'radically transparent' style of action planning and pre-action liaising, Roger gave the police plenty of warning, announcing all of the sites and rough timings of the civil disobedience, simultaneously ensuring maximum publicity for any potential rebels willing to take part. Roger stressed the proportionate nature of any disruption to 'normal life' involved, when compared to the catastrophic impacts of climate change and species extinctions the action was seeking to avert.

85 people were arrested on a day of relatively peaceful large-scale disruption to the city, ensuring headline coverage in the media. Although the police managed to close down the protests on Lambeth Bridge relatively quickly, policing was otherwise low-key and broadly in line with the guidelines cited at the top of this summary.

Openness and 'Dilemma Actions'

One of the nonviolent civil resistance tactics emulated by XR has been the design and use of 'dilemma actions', i.e. actions designed to force the state to choose between either repressing acts of civil disobedience performed by civilians it does not necessarily want to harm, or conceding political space to those civilians.

Good communications between law-enforcers and rebels will increase the chance that such actions attain full effectiveness. If the police are aware of precisely what the limits are to the rebels' intended action, there will be less motivation to make arrests in order to avoid escalation. Such actions force the police (and the state) to gauge whether low-level acts of criminal disobedience, when performed *en masse*, should be allowed to go ahead, or be prevented at a high cost in police and court time and resources.

In the case of the 'Blood of Our Children' protest outside Downing Street in early 2018, police surprised the action's planners by opting to make no arrests, despite the deliberate, ceremonial pouring of hundreds of litres of fake blood in the middle of Whitehall before the eyes of the officers present, and warnings given during pre-action liaison that arrests for criminal damage would be made.

XR Police Liaison Team

As the movement grew in size and the scale of planning upsized towards the 'International Rebellion' of April 2019, a police liaison team came together, taking as its remit the communication and oversight of the informal protocols established with the Met.

Without harbouring any illusions about the police's structural role within the current establishment of protecting the power of privileged elites, XR's Police Liaison team eventually its mandate of maintaining as far as possible an open relationship between XR and the police. Objectives were to:

- accentuate the dilemma that XR's actions present to the state,
- promote radical transparency in action planning and execution,
- encourage reflection and allegiance shifts in the country's police and security forces,
- help ensure autonomy of rebel actions,
- help ensure public safety during protests, and
- help de-escalate situations on the ground as they tend to drift away from XR's essential nonviolent discipline.

Success of the April Rebellion: Political and Media Backlash

The April 2018 Rebellion was XR's most successful campaign to date. Having thousands of people sitting and lying down in the road, many of them ready to face arrest, enabled the movement to occupy a series of sites in central London for over a week.

On the fourth day of the Rebellion, having already imposed Section 14 conditions on all but one of the sites, Home Secretary and aspiring leader of the Conservative Party, Sajid Javid, tweeted that police would use "the full force of the law" and would "take a firm stance" in dealing with the rebels. The Home Secretary's tweets did indeed mark a turning point in XR's relationship with the police. On the following day, 19th April, real-time communications between XR police liaison personnel on the ground and the Gateway Team were required to prevent a potential large-scale use of force by the hundreds of officers involved in a massive operation to remove the boat *Bertha Cáceres* from the Oxford Circus protest site.

'No Surprises' and the 'Pre-emptive Use' of Public Order Act Legislation

Although the use of public order legislation mid April marked a new phase in the relationship, the Met were keen that XR should continue its policy of openness about the actions it was planning, and announced that the police would also maintain a policy of 'no surprises' when dealing with XR protests. Any new tactical move by the police was to be pre-announced, albeit at times with short warning periods.

One departure from this policy, in the eyes of the XR liaison team at least, was the imposition of pre-emptive Section 14 conditions on the eve of the September 20th Climate Strike, and the arrest of XR protesters in The Strand on the Friday morning for breach of conditions.

XR lodged a legal challenge against the blanket use of the power, and at a meeting with the Met on September 20th, (the meeting was one of three held ahead of the October Rebellion), invited the police to withdraw the conditions.

At that meeting, XR made the following statement:

The UN has given us less than 12 months to act, and the police are misjudging public opinion and feeling. They may wish to reconsider placing limitations on the public who have a right to protest and express emotion around the ever-growing climate crisis.

The Met responded that they understood the case, and argued that 99% of the police present would agree. However, they need to look at the matter from a professional policing perspective. The Met said that one of its learnings from April was that, while they were successful in upholding XR's rights to peaceful protest and assembly under the European Convention, they had fallen foul of their duty to uphold the rights of other people, e.g. their rights to go about their daily life (Article 17)

XR replied that there is in fact no right to not being disrupted.

The Met maintained their line, saying the pre-emptive imposition of Section 14 conditions was part of 'measured response' being brought in following lessons learnt in April.

Police Tactics

From the outset of our relationship, the Met have been well aware that, given its high level of nonviolent discipline, its ongoing induction trainings in NVDA, de-escalation, regenerative culture and its use of the ['Rebel Agreement'](#), XR presents no threat, or at most an extremely slight threat of public disorder. Indeed, during one of its meetings with the Met ahead of the October Rebellion, XR stressed the potential de-escalatory influence that rebel camps around the Westminster area could

have on what the police expected to be potentially violent scenarios developing around the Brexit decision dates.

Even where radical transparency has not been used in pre-action liaising, the kinds of civil disobedience planned have remained almost entirely at the level of non-indictable offences, centred on obstruction of highways and minor levels of damage to property that do not exceed the statutory level. Any escalation of police tactics beyond arrests for low-level offences (e.g. the use of Public Order Act legislation) has depended on the Met's own appraisal of the situation and its own definition of what comprises 'serious' disruption to community life and, therefore, when it may be considered proportionate to impose restrictive conditions on protests under Section 14 POA. The Met's ability to make this call independently of pressure from government and the media has to be questioned.

Heathrow Pause and 'Public Nuisance' charges

During a meeting with officers from the MO6 Gateway Team on 16th May 2019, and a follow-up meeting on 22nd May 2019, at which Roger Hallam and Paolo Enock were present, Roger Hallam announced a 'Picnic and Drone Session' to be held outside Heathrow Airport, but within the perimeter of the Flight Restriction Zone for the flying of drones around that airport. The intention was to cause the grounding of flights from Heathrow Airport for one day.

This action was considered to come within a "right of necessary action" involving an amount of disruption that is "proportionate to the prevention of greater harm". It would take place with a high degree of pre-warning and transparency and would involve no actual threat to the safety of aircraft or of air passengers, and "no forced entry into the Heathrow runway area", nor any "blaming and shaming" of individuals connected to the running of the airport.

At these meetings, it was made clear, with reference to the 'Heathrow Pause' action, that "***This is not an XR activity***" and that the action "will not be using any property of XR, absolutely not". It had, rather, been organised by a group with a "legal and political separation" from XR.

It was acknowledged that the Heathrow action represented a departure from XR's previous activities in that the people involved were "aware that this could have major legal implications for them", and that therefore a separation would be made between the continuing protest actions of Extinction Rebellion, and those of this new Heathrow Pause group.

In order to maintain this distinction between XR's own protest activities and those of 'Heathrow Pause', it was proposed that the police liaison relationship henceforth be separated, with Paolo Enock continuing to facilitate the liaison team for Extinction Rebellion, and Roger Hallam to conduct a separate liaison relationship on behalf of and with members of the Heathrow Pause group.

During the following weeks, individuals were arrested in connection with police investigations into activities around the Heathrow Pause activities, on 'suspicion of conspiracy to commit a public nuisance'. Searches of private addresses were conducted in connection with these arrests and property, including laptops and mobile phones, was seized. Some of these 'pre-emptive' arrests, particularly those which involved no charges but the seizure of laptops and phones, appeared to be targeting people without a direct connection to the Heathrow Pause activities, and at its meeting with the Met on 20th September 2019, XR sought assurances on this point.

Here is an extract from the minutes of that meeting:

XR asked: *It has been stated many times that XR and Heathrow Pause (HP) are different entities. We also set up separate entities to liaise with the police. Can the police confirm that*

they recognise this and that the tactics used for HP do not reflect tactics that will be used for XR?

The Met were informed that there had been arrests and seizures of laptops and phones of persons who were clearly unconnected with HP. XR asked whether the pre-emptive arrests for HP signalled a change of approach to XR.

The Met responded it did not:

[...] In any event police understand that HP and XR are distinct.

The police are keen to maintain the "no surprises" principle in dealings with XR.

[...]

XR asked: *People are being called into interviews for conspiracy. Can we have clear criteria for people deemed to be involved / organisers?*

Met responded: *That would depend on the intelligence and investigation in those specific cases. There are no current intentions for pre-emptive arrests for XR members. "If this changes, we will warn you." They also stated that they would provide details of the criteria for pre-emptive arrest.*

Despite these assurances, the blurring of lines continued between the tactics used by police in connection with XR's low-level protest activities and those of Heathrow Pause, and the use of 'Public Nuisance' and related conspiracy charges has entered the Met's tactical armoury in dealing with XR protests that clearly have no connection with Heathrow Pause activities.

This new tactic was apparent in the raids that took place on XR's warehouse at the Old Lambeth County Court in Kennington on the Sunday before the October Rebellion was due to start, where police arrested people on 'suspicion of conspiracy to commit a public nuisance' in order to gain powers to enter the property, search it and seize its (largely innocuous) contents.

Police Officers clearly expressed their objective to seize equipment that would make it as uncomfortable as possible to participate in the protest, (rather than securing evidence to support a prosecution).

As XR PLs reported: Officers have attended the XR's warehouse at the Old Kennington Courthouse in Lambeth, have been seen in vehicles outside the address - police have stated that no surveillance authority was in place. Police have witnessed the loading of a van, arrested the van driver and seized his load as evidence of conspiracy to cause public nuisance. They have then used S32 PACE 1984 to search the warehouse for further evidence of this offence and seized the contents. S32 empowers police to search a premises the person arrested had last emerged from. This suggests that a period of unauthorised surveillance had taken place.

Communications with the liaison team at Mo6, on the following Sunday, revealed that they had been kept in the dark about the Kennington operation, and that the raid had been an initiative ordered "at the highest level".

This clear abandonment of the 'no surprises' policy, and the sudden use of public nuisance legislation, against the assurances given at the meeting cited above, were indications of the style of policing and increasing strains in the liaison relationship between Extinction Rebellion and the MO6 gateway team, that was to come.

When XR pointed out that the raid had breached our 'no surprises' policy, the police countered that the spraying of litres of red 'blood' onto the Treasury building from a fire engine, two days previously, had come as a surprise to them.

At a meeting on 2nd October, the Met made it clear that XR's proposed plans for its October Rebellion were "totally unacceptable" and that the police intended to use "all available legislation" to reduce the amount of disruption they contained.

The presence of the XR Families camp at the base of Duke of York steps was found to be unobjectionable by the police – as this is a public place and people have the right to assemble.

XR police liaisons argued that the wholesale closing down of protest sites would simply make policing (and regulating) the protests more difficult and pressed (on behalf of some of the now autonomously planned rebel sites) for a safe space for children and people with disabilities.

Although a hotline number was set up to be used by XR police liaisons to contact the Gateway team, the relationship between the Met police and XR police liaison team during the ensuing October rebellion could be characterised as 'managing the non-facilitation of a protest'.

Alleged Obstruction to Houses of Parliament and State Opening of Parliament

During its pre-action liaison with the Metropolitan Police's Gateway team, Extinction Rebellion was clear that it did not intend in any way to disrupt or to block the functioning of Parliament, nor to hinder or influence a state opening of parliament, should one occur.

The Met expressed concern that our presence in certain locations would create a problem for security arrangements ahead of a Queen's procession, and XR consistently expressed willingness to find a solution. The intention of our blockade of Westminster was always to apply pressure on the government to act in accordance with Parliament's declaration of a climate emergency in April, a declaration that has since proven to be a piece of empty rhetoric without any effect.

XR kept its word in the event and the state opening of parliament was unaffected by XR presence.

When XR's roadblocks were set up on Monday 7th October, the Met alerted us that our actions had blocked all vehicular routes to the Houses of Parliament. At around midday, the Met requested that a lane be freed at the north end of Lambeth Bridge, to allow MPs to access Parliament. XR police liaisons immediately formed a team with members of XR's political group to negotiate with rebels on Lambeth Bridge and on Westminster Bridge in order to ensure that access to parliament be maintained, particularly for MPs unable to walk through the protest areas. XR appreciated that not all MPs would be able to do so, and that especially some women MPs were under security protection for their personal safety. However, it became clear that the Met's statement of its concerns was not entirely accurate: it was pointed out that a vehicular route to the Houses of Parliament was in fact open at that time along the Victoria Embankment.

A few of the incidents recorded by XR Police Liaisons (PLs) during October Rebellion

5th October Saturday

- Raid on Lambeth warehouse
- Use of 'Conspiracy to Cause a Public Nuisance'
- Armed police stop and search vehicle carrying milk from warehouse

PL Report:

Armed stop on vehicle, Drivers were allowed by police to take milk from the warehouse along with first aid kits and t-shirts. They stopped at two addresses to offload then whilst driving through Peckham they were stopped by two ARVs. They were told that police had information that they had a rifle in the back of their van. Van searched and nothing found. They asked where the information had come from and were told it was an anonymous call from a phone now switched off.

Sent report to XR legal

- Formal complaint about this later drawn up and sent by Tim Crosland

It would appear that the police could not obtain a warrant to search the premises and applied pressure on the landlord to evict XR. Powers are present under the Police and Criminal Justice Act to search property used by arrested suspect for equipment suspected of being used for criminal damage.

6th October Sunday 9pm

Becoming more and more apparent that positive and negative duties have been eclipsed by the police's view of the October design as 'totally unacceptable'.

Approximately 500 rebels arriving in Hyde Park. MPS Evidence Gatherers -Magnet Unit threatened to arrest under park bylaws, seize tents and sleeping bags if anyone pitched a tent. Stated that hundreds of officers were standing by to support arrest operation.

Magnet Unit moved off. Parks Police arrived, stated that they were happy with XR staying there: they knew from April that we clean up and they would leave a gate open in case of emergencies. Wished us a peaceful night.

The issue of whether the police would or wouldn't act to prevent rebels camping in Hyde Park on the Sunday night was communicated in quite an intimidatory fashion. Conversations with Gateway team to try and clarify the position were not helpful. Mere repetition of the mantra - 'We will use every legislative tool in the book to prevent XR disrupting Londoners'. No mention of what the police were going to do to facilitate the peaceful protest, nor appreciation of XR's openness and the ample notice given. In the view of XR police liaisons, the Met were not giving sufficient weight to their negative duty, i.e. the police must not prevent, hinder or restrict peaceful assembly to the extent allowed by ECHR Article 11 (2), nor to their positive duty, i.e. to take reasonable steps to protect those who want to exercise their rights peacefully.

7th October Monday

Sites set up, no Section 14 in place.

Both bridges – Westminster and Lambeth - largely cleared by police, forcefully, during day. -

10am – Conversation with Gateway team: Complaint about the use of violent force against police on Westminster Bridge, which was said to be "totally unacceptable". XR rebels reported to have pushed aside police who were attempting to prevent the unloading of a van.

It later appeared that a plain clothes police officer was present on Westminster Bridge at the time and was acting as an agent provocateur.

Summary of reports by the two XR police liaisons present on Westminster Bridge at the time:

The use of a plain clothed police officer, clearly acting as an agent provocateur, and aggressive policing, led to protestors and police interacting at very close quarters. Rebels chanted "We're nonviolent, what about you?" (albeit in an aggressive way). There was shouting and pushing from both sides, however

the situation de-escalated quickly from the protestors' side. Policing remained hostile throughout the morning.

Altercations between police and rebels began when a plain clothed police officer falsely accused a rebel of assault. Led to a morning of high tensions between rebels and the police, with numerous incidents of the police being extremely physical. PLs on site were mainly de-escalating. The breakdown of this relationship was particularly affected by a female Sergeant Bassey (?), whose temper escalated very quickly and would not communicate with PLs on the bridge. (Will not detail here but there is video and photographic evidence of numerous incidents that morning).

Around 11am, Gabriel D A (PL at Westminster bridge) and Paolo both received calls from the Met gateway team regarding the unacceptability of the violence on the bridge. In Gabriel's conversation, she was personally blamed for this and the possibility of another perspective was not listened to.

Around 4pm, the police moved to confiscate infrastructure that had been brought into the site (but not erected). Gabriel D and Gabriel N (the two PLs) tried to liaise keeping tarpaulins to keep dry (due to poor weather conditions) if rebels facilitated removal of poles etc. At this point, communicate broke down with Sergeant Bassey, who told us that everything would be taken and refused to discuss it further. When discussed with the bronze, he agreed to facilitate this. The suggestion was put to rebels and they agreed that this was a good idea. However when items were removed, police were unable / willing to tell anyone where they were being taken.

- Millbank cleared, heard that City officers were using s3 to move people without arrest. Denied by MPS when confronted.

In the evening, when the police started to make arrests in order to clear the roads around the roundabout on the north side of Lambeth Bridge, 2 officers were dragging arrestees along the road instead of carrying the passive prisoners with 4 officers as we had come to expect from the April Rebellion. PL discussed this with the relevant PSU commander: noted that the practice of dragging rebels did stop.

Rebels were very upset that they complied with police instructions to remove from the road and pile up property, including personal possessions and camping gear, on the pavement outside Thames House, only for a cordon to be placed in front of it and rebels denied access to their possessions. This significantly and unnecessarily raised tensions when it was perceived that rebels had been duped and then dispossessed of their belongings.

8th October Tuesday

05.50 Conditions placed by McMillan

- Section 14 in place for Westminster citing Trafalgar Square as protest site

Complaints from Rebels during the night – that fire engines were used to smuggle police tow trucks into rebel camps – abuse of the blue-light policy. Complaint made to police and no further reports of such abuse over the following days.

Repeated reports of police vehicles with blue lights racing at high speed towards rebel roadblocks to intimidate people on ground.

The Mall - during arrests (6am). Inspector Miles in charge and confirmed to PL that people arrested were taken to Charing cross police station. In the meantime, PCs informing people blocking the road that they will be taken to Dover police station if they were arrested. PL found a piece of paper that fell from one of the PC's pockets, confirming that they were told to make up the address of the station where arrestees were to be taken.

On Trafalgar Square. While "permission" was still present to protest on the central pedestrianized part, an individual (outside that permitted zone, but on the pavement) distributing flyers, was threatened with arrest. PL confronted the bronze in charge pointing out that one individual did not amount to an assembly.

The Mall - incident where a cyclist fell off his bike. Initially the police claimed that it was because XR rebels were fully blocking the road, and the cyclist was obliged to go on the pavement, covered with gravel, and fell. An XR steward who witnessed the fall told a different story. PL went back to the inspector (inspector Miles) and testimony was recorded on his body cam. He acknowledged that part of the road was open and it was the cyclist who had chosen to go on the pavement.

A rebel drove to Smithfield Mkt with van NG55WKR to help move Animal Rebellion, as agreed with City Police and Smithfield Mkt management. He had to manoeuvre up to a loading bay and reversed over a low pavement to do so. This was supervised by his friend and officers watched closely with no intervention. As they started to load, police approached and pointed out the offence. They then called a vehicle examiner and subjected the van to a detailed mechanical inspection. It passed and driver's papers were in order. PL assumes police placed driver's VRM on ANPR database. Driver then took half the load to one location and picked up the other half load to take to Grt Peter St.

Great Peter St. **2000Hrs** police stop driver and friend moving away from catering van NG55WKR. Driver gave no comment to all questions and was threatened with arrest for theft of vehicle (vehicle not reported stolen)/ searched for items to cause criminal damage (due to being suspected XR)/ threatened with arrest for suspected driving with no insurance (police stated that the vehicle had been seen on Lambeth Bridge but when pressed could not ID driver) / threatened to seize the vehicle as an abandoned vehicle (challenged as it was not abandoned, the person with the vehicle - Police just made no comment). Insp King guaranteed no arrest if driver provided name to police and all checked out however van would be seized if driver did not give his name. He gave his name and police assured him that they would not seize the van. Police left the scene. Whole incident filmed.

Driver returned to Grt Peter Street at **2300Hrs**, was stopped in control of vehicle and despite telling the officers about the assurance given by police, he was arrested for conspiracy to cause public nuisance at midnight and van seized. He was taken to Charing Cross Police Station, not interviewed and released RUI with instructions how to pick up his van.

Police required the paper V5 Document for the van so the owner returned to Nottingham to get it. They attended the car pound on **Saturday 12th** but the OIC had not authorised release. They then spent four days chasing up the officer until they received a call from the car pound **Wednesday 16th** requesting they pick up the van. Patrick attended on the next day, **Thursday 17th**, but the person on reception demanded driver's ID that was in the van. He refused to look in the van and also stated that due to a flat battery they would need a disclaimer from the owner to jump start the vehicle. Driver returned the next day, **Friday 18th**, and a different person found his ID in the van and brought the van out without it needing a jump start.

In 35 years of supplying food to lawful protests including the recent Arms Fare at DSEI, the driver has been stopped many times by police and this is the first time he has ever heard of the supply of sustenance to peaceful protesters considered as a criminal offence.

– Section 14 conditions revised to include pedestrian area of Trafalgar Square only

PL complained to police that the refusal of food or water to the people on top of a van in Trafalgar Square was a breach of their human rights. Sargent on ground had stated "I'm not withholding anything – they will get fed if they come down." Complaint made to Liaison Gateway and Sargent later agreed to allow water and sandwiches through "as a goodwill gesture".

9th October Wednesday

- Milk march: 200 Mums with babies, stopped at Parliament Square entrance with Whitehall on basis s14 made it illegal. Pointed out this was not an assembly but a procession and s12 was not in place. Allowed through by Supt Puddyfoot.

- TSG marched into tented area on road TS and ripped away tents dragging them into Whitehall. One rebel reacted aggressively and was floored and arrested.

- S14 protest site had been amended to TS pedestrian area.

Marsham Street - Wednesday 9th October

After the People's Assembly at about lunchtime, the police started to physically move rebels along Marsham Street towards Great Peter Street where rebels had to turn left because police had cordoned off the roads in the other directions at the junction. Because there was a protest going on outside the staff entrance to Defra/Home Office on Great Peter Street, the road was also blocked in that direction too. This had the effect of pushing rebels into a space that was not big enough for all the people. PL was seriously concerned about rebels getting trampled. PL intervened quite assertively with the PSU commander to advise him of the situation that was developing (which he couldn't see from his location).

Complaint from police that XR activists had been interfering with police vehicles in Lambeth.

No corroboration.

10th October Thursday

- City Airport, s3 used to move man in 60s sitting on pedestrian crossing (no obstructed traffic)

Ch. Insp Williams grabbed man by shoulders picked him off the floor and threw him on the pavement. PL challenged this disproportionate use of force without arrest. The rebel clarified he was not under arrest, returned to the road and was this time properly arrested. Photographic evidence available.

See official complaint COM-8358-19-0100-000 about discriminatory and degrading treatment of a disabled person in Whitehall.

11th October Friday 11am

XR driver pulled over in his van with food stuff on board checked by police, and released. Later loaded gazebos from T Square, stopped by police and arrested.

14th October Monday

Sit-down protest at Bank junction

Policed with due sensitivity for rights under ECHR by City of London police.

S14 conditions extended to cover entire Metropolitan area

7.30pm Clearance of all tents present on Trafalgar Square are (location of permitted protest) started with approx. 30 minutes' notice given to XR.

Inconsistent approach by the two bronzed present: On the west side of the square, many tents and personal property seized, piled up and cordoned, later to be trashed and taken away by Westminster Council dust cart. On the east side of the square, more time given to rebels to pack up and remove personal belongings.

PLs agree for controlled use of XR hire vans to come and pick up property – Condition imposed that they take property outside the M25. Many drivers escorted out of the Met area by police escort.

Upon moving to Vauxhall Pleasure Gdns, with the blessing of Lambeth Council, Premier Inn allowed rebels to use toilet facilities until visited by police. Then they were not allowed on the premises.

Wednesday 16th October

Again, on this day officers started dragging arrested rebels down the road to the waiting transport. PL requested of the PSU commander in charge that 4 officers should carry a passive prisoner, but he stated that he didn't have enough officers for that, and that the prisoners were perfectly capable of walking, so they should. After that intervention, no further observations of prisoners being dragged away.



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