



House of Commons
Home Affairs Committee

Policing of the G20 Protests

Eighth Report of Session 2008–09



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*Report, together with formal minutes, oral and
written evidence*

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The Home Affairs Committee

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Summary

The policing of the G20 Protests was a remarkably successful operation; more than 35,000 protesters demonstrated in the centre of London with a police presence of several thousand, yet there was a minimum of disruption to the City. Aside from a few high-profile incidents, the policing of the G20 Protests passed without drama.

However, these incidents and the tactics that led to them caused considerable adverse comment and have the potential to seriously damage the public's faith in the police. The use of containment (detaining people in a confined area for a sustained period of time), and distraction tactics (the controlled use of force against those who appear hostile) while legitimate according to the police rule-book, shocked the public. Whether they should continue to be used must form the basis of a wide-ranging discussion on the future policing of public protests.

Police communications with the media and the protesters must also improve. This would require the police, media and protesters to engage better with one another both before and during the protest.

There no circumstances in which it is acceptable for officers not to wear identification numbers and urgent action must be taken to ensure that officers have the resources to display identification at all times; those officers found to be consciously removing their identification numbers must face the strongest possible disciplinary measures.

While the vast majority of officers on duty performed very well, we are deeply concerned that untrained and inexperienced officers were placed in such a highly combustible atmosphere. We cannot condone the use of untrained, inexperienced officers on the front-line of a public protest and feel that an element of luck must be attributed to the success of the operation.

1 Introduction

1. In some respects, the policing of the recent “G20 Protests” on 1-2 April was remarkably successful. More than 35,000 protesters demonstrated in the centre of London, requiring police officers to work over 10,000 shifts. Despite this, businesses in the City reported, at most, minor damage and non-protesters were able to go about their lives with little or no major disruption: as Gold Commander of the police operation, Bob Broadhurst told us, “if you put the disorder and violence that was seen [on the day of the G20] into the context of other demonstrations such as Poll Tax, May Day 2001, it is nowhere near on that scale.”¹ Indeed, it can be said with confidence that aside from a few, high-profile isolated incidents the G20 Protests were extremely peaceful and successful both from the perspective of the police and the protesters. It should also be remembered that the policing of public protest is a labour-intensive, expensive task. It is estimated that the policing of the G20 Protests cost around £7.2 million. By comparison, the Tamil Protest in Parliament Square which took place over a much longer period of time cost, as of 19 May, £8 million and encountered many of the same problems as the G20 Protests.²³

2. However, these isolated incidents have caused serious concern over the tactics used in policing large-scale protests and demonstrations. The use of so-called “kettling” tactics and similar “containment” strategies and allegations of the use of force, as in the well-publicised cases of Ian Tomlinson and Nicola Fisher, have raised serious questions over the methods, doctrine and attitude of the police in these situations.

3. There are currently several reviews of separate aspects of the G20 policing operation: the Independent Police Complaints Commission (IPCC) is investigating four individual complaints of violence against protesters, including the death of Ian Tomlinson and the allegations of violence against Nicola Fisher, and Her Majesty’s Inspectorate of Constabulary (HMIC) is reviewing the tactics used by police in public order situations. Our inquiry investigated some of the wider concerns which have been raised over the policing of large-scale public protests and the application of “kettling” tactics, particularly at Bishopsgate. In particular it focused on:

- Police relations with the media, including the use of Section 14 of the Public Order Act 1986 to remove journalists from an area;
- Communications between police and protesters and the level of leadership displayed by both parties during the protests themselves;
- The use of close containment (“kettling”) both as a question of ideology and application; and
- The use of force by the police. We also examined the possible use of Conducted Energy Devices in similar circumstances in future.

1 Q366

2 Q368.

3 The protest in Parliament Square lasted from 7 April 2009 to 18 June 2009. The overall cost may be in excess of £10 million

4. During the course of this inquiry we have taken evidence from Jeremy Dear, General Secretary of the National Union of Journalists (NUJ); David Howarth MP, who was a member of a contingent of Liberal Democrats who acted as “observers” to the protests; Frances Wright, Chris Abbott and Nicola Fisher who told us of their experiences as protesters; Oliver Sprague of Amnesty International; ACC Simon Chesterman and ACC Sue Sim of ACPO; Sir Hugh Orde and ACC Duncan McCausland of the Police Service of Northern Ireland (PSNI); and Sir Paul Stephenson and Commander Bob Broadhurst of the Metropolitan Police Service. We have also received numerous written submissions from interested bodies and visited the Public Order Training Centre in Gravesend, Kent. We thank everybody who has assisted us.

2 Relations with the Media

5. The importance of an unencumbered media, free to report on large-scale events like the G20 Protests, is self-evident, not just as an end in itself but because a good relationship between the media and the police can be mutually beneficial. As ACC Duncan McCausland of the Police Service of Northern Ireland told us:

We have found it far easier, in effect to help the media do their job and the media work with us in terms of what we are trying to achieve on the day, because the media are part of the community and part of potentially providing a win-win situation and a compromise.⁴

6. It is clear from ACC McCausland's comments that good relations with the media before, during and after large-scale events should be viewed by the police as a valuable resource and therefore a high priority. While we were told that the Metropolitan Police values good relations with the media because "it is in our interests that things are reported accurately"⁵ we question whether during the G20 Protests this really was the case. We have received evidence which has suggested that during the G20 Protests (and similar events at Kingsnorth) the police have not been as diligent as could be expected in building good relations with members of the press. We were particularly concerned to hear allegations of:

- A lack of communications between police and journalists prior to, and during the protests;
- Ignorance, or at least non-application, of the ACPO Guidelines on this area; and
- The use of Section 14 of the Public Order Act 1986 against journalists.

However, we saw little evidence that members of the press were specifically "targeted",⁶ as has been implied in the newspapers and as Jeremy Dear told us. We accept that because of the nature of the work of journalists and the situations in which they place themselves, a certain amount of what has been called "collateral damage" is to be expected. We have been told that the number of claims lodged by the NUJ after the G20 Protests is proportionally the same as at similar events,⁷ which suggests to us that there was no specific, systematic effort on behalf of the police to target journalists or prevent them going about their business.

Communications

7. The police said that they value relationships with the media and invest a large amount of effort in facilitating journalist's needs; Sir Hugh Orde told us explicitly that "we brief before, we brief during and we brief after".⁸ In practice this means that at any large public

4 Q277

5 Q396

6 Q57

7 Q55

8 Q278

demonstration in Northern Ireland, “the media have our contact points in terms of our press officer ... and facilitation can be made to facilitate the media where it is operationally feasible to move them around”⁹ and all officers are briefed on the “handling of the media” on the day of the events.¹⁰ According to Sir Hugh Orde, during the policing of public protest in Northern Ireland, the police’s objectives are clear, “everyone knowing what is going to happen as best you can”.¹¹

8. We do not doubt that this was the aim of the Metropolitan Police Service prior to, and during the G20 Protests, in the run-up to the policing of the G20 there appears to have been a ‘capabilities-expectations’ gap between the police’s intentions and what actually occurred. Mr Dear told us that, while a briefing was given to members of the media, it was concentrated on those journalists representing large media organisations such as the BBC. There was not a briefing with the vast majority of, usually freelance, journalists who planned to attend the protests.¹² Equally, it seems that the briefing was not then disseminated among the rank-and-file police officers. Mr Dear complained about a lack of consistency in police actions, with some officers respecting the rights of the press and others not understanding the rights and responsibilities implicit on the police in these situations.¹³ We were told that that lower ranked officers also seemed unaware of the presence of a designated contact point or were unwilling to refer any issues regarding press access to more senior officers.

ACPO Guidelines

9. There are already ACPO Guidelines in this area. As Jeremy Dear told us:

There is a set of guidelines drawn up by ACPO ... that are meant to govern access requirements, what are the rights and responsibilities of journalists and, in particular, photographers and camera crew when they are covering public order incidents. The problem is too few of the officers on the front line say they have heard of them, know how to implement them, [or] recognise the press card.¹⁴

Commander Broadhurst commented that, “when there is a disorderly situation they [journalists] have no more right than the ordinary citizen to come through all our cordons”¹⁵—an apparent contradiction of the ACPO Guidelines which state: “We [the police] should actively help them carry out their responsibilities provided they do not interfere with ours.”¹⁶ Leaving aside the question of how “disorderly” the protests really were and remembering that the ACPO Guidelines are not binding, we are concerned that this attitude from senior officers goes a long way to explaining the somewhat dismissive

9 Q279

10 Q283

11 Q278

12 Q70

13 Q69.

14 Q56.

15 Q396

16 Guidelines for Metropolitan Police Service Staff on dealing with media reporters, press photographers and television crews.

attitudes of front-line officers to the press. Police relations with the media is not an issue of guidelines, but is instead one of training and briefing

10. **We accept that it is not possible for all officers on front-line duty, some of whom may be inexperienced in this line of work, to know, understand and fully implement the ACPO Guidelines, particularly in a high tension environment like the G20 Protests. However, we cannot understand why those officers who were unable to communicate with journalists were not willing or able to pass this problem on to a more experienced officer. We suggest that at the heart of most communication difficulties encountered by journalists is a lack of leadership on the ground and an inadequate briefing before the protests.**

11. **At the very least all officers should be aware of the existence of a designated media contact point, who is trained in basic communication with journalists and able to give correct information on request. It seems to us that some members of the media experienced a broken chain of command and ignorance on the part of the police which impaired their ability to do their jobs.**

12. It was not only the behaviour of individuals which hindered communications with the media, but failings in the systems and structure put in place. Commander Broadhurst assured us that he made every effort to communicate with officers on the frontline and remind them of their responsibilities to the media but he also admitted that “we need a better way of communicating to the officers at the front of the cordons”¹⁷ and that a “message takes a long, long time to get down to the front line”.¹⁸ Aside from reiterating the need for better briefings before protests, so limiting the need for subsequent communication, this highlights the lack of real devolution of responsibility to those on the ground.

13. **We accept the difficulties implicit in briefing freelance journalists, some of whom may not wish to be contacted by the police prior to an event, and to some extent we sympathise with the Metropolitan Police who appear to be keen to improve relations in this area. However, more must be done. While accepting that it is not possible to brief every journalist who wishes to attend large public protests, and that at the G20 Protests budgetary and time constraints prevented every officer from being adequately briefed beforehand on “handling the media”, we propose two relatively simple solutions which could be implemented at little cost.**

14. **Since it is to everyone’s benefit that the relationship between the police and journalists is clear and codified, we suggest that the briefings given to members of the media before public protests be published on the website of the police and the National Union of Journalists prior to the event. While there may be operational reasons why a complete brief cannot be published, we are surprised that a version of this information is not made public already. In this way anyone who is planning to attend a public protest in a media capacity will have the ability to receive a briefing in this area and at**

17 Q393.

18 Ibid.

the very least be assured that a media contact point will be available on the day. We urge the police to consider this action.

15. Equally, we cannot understand why experienced officers on the ground were not granted a degree of discretion in how the police strategies were enacted. While we accept that communications between the control centre and the front-line can always be improved, we are yet to be convinced of the absolute necessity of why a relatively simple message like “please let them out if they are bona fide press” needed to be sent from the Gold Commander, who presumably had many other more pressing matters to concern him.

16. We recommend that in its promised review of police tactics on public order situations HMIC looks at the command structure at big events and considers the benefits of allowing experienced officers on the ground the power to make relatively simple, non-controversial decisions such as these. As far as possible, power should be devolved to officers on the ground authorised to react to changing situations.

The use of Section 14 and non-identification of officers

17. Section 14 of the Public Order Act gives the senior police officer discretion to end or limit protests where this may be “necessary to prevent disorder, damage, disruption or intimidation” and the protest continuing “may result in serious public disorder, serious damage to property or serious disruption to the life of the community”.¹⁹ The use of this power against journalists, coupled with the non-identification of officers, typifies the somewhat contradictory attitude of the police towards the press during the G20 protests. Both actions suggest, rightly or wrongly, that the police felt that they had something to hide. This is a dangerous perception to foster, particularly as, “The reality is, as every officer should be fully aware whether or not the press are there, cameras are now everywhere.”²⁰

18. This was borne out in the footage of force used against, among others Nicola Fisher and tragically, Ian Tomlinson—this footage was almost instantly uploaded onto the internet and transmitted around the world. The police’s actions in each case may or may not be justifiable but they were certainly shocking. Actions which may appear justifiable in the cold light of day can be extremely troubling when relayed instantaneously around the globe. While these images provide only one, possibly misleading viewpoint²¹, they undeniably have power to shake the public’s confidence in the police and negatively affect their perception of the performance of the police at the G20.

19. The police must be aware that, as a matter of course, their actions will be filmed whether or not journalists are present. They must amend their attitude and tactics accordingly. The police should be aware that in the modern world actions which may be justifiable under the rules may nonetheless be completely unacceptable.

20. Both at the G20 Protests and the protest at Kingsnorth Power Station in Kent the police have used Section 14 of the Public Order Act to disperse journalists. We heard from Jeremy

19 The full act can be found at: <http://www.statutelaw.gov.uk/content.aspx?activeTextDocId=2236942>

20 Q280

21 Q249.

Dear that Section 14 was used in an apparently pre-meditated fashion to remove journalists from an area, rather than as a response to “serious public disorder”.²² We will return to general questions on the use of Section 14 later, but if, as Jeremy Dear alleged, it was used in this fashion then it would clearly be a misuse of powers granted to the police. The fact that the police have in both cases apologised does not excuse the fact that forcing members of the press to leave an area without justification sends out completely the wrong signal of the police’s intentions and does not help the police build strong relationships with the media. For this reason alone the misuse of Section 14 must be addressed.

21. This impression was reinforced by the fact that some officers were seen not wearing their identification numbers. According to Nick Hardwick, this is an “absolute obligation”²³ on the part of the police and Sir Paul Stephenson called it a “statement of the blindingly obvious. Uniformed officers should always be identifiable”²⁴. We accept that there are, in some cases, justifiable reasons for police not to wear their identification²⁵, and that the numbers of officers involved may have been exaggerated,²⁶ but the impression given is still clear and worrying:

Certainly, in the public order work, we are aware of the implications of officers not being identified, because it gives the impression that they are trying to cover up their actions, which is clearly wrong.²⁷

22. We echo Sir Paul Stephenson’s comments: in many ways the problem for the police in these situations is not their actual actions, but the perception that they are seeking to avoid accountability for these actions. We are therefore surprised that the problems of identification posed when officers change into protective equipment have not been addressed before and recommend more funding specifically for solutions in this area.

23. Senior officers must take personal responsibility for ensuring that all officers are displaying their identification numbers and the individual officer must be provided with enough numbers so that these can be worn at all times and on all equipment. It would be helpful if the Home Office and Metropolitan Police would let us know the length of time it takes between the ordering of a new identification badge and this badge being delivered to the individual officer. It is unacceptable for officers not to wear identification numbers at such events; this must be a matter of the highest priority. We urge that any officers found to be deliberately removing their identification face the strongest possible disciplinary measures and the police must make every effort to be identifiable at all times.

22 Q66

23 Q48

24 Q336.

25 Q361.

26 Ibid.

27 Q361.

3 Communications between Protesters and Police

24. In addition to the breakdown in communications between police and journalists during the G20 Protests, we were also told there were failures of communication between the police and representatives of the various groups who wished to protest at the G20. This Chapter will analyse this claim, by examining:

- media statements released by the police before the protests;
- the use of Section 14 of the Public Act and whether this was fully and intelligibly communicated to the protesters before its use at the Climate Camp; and
- the structure of the protest groups themselves to see whether this was a hindrance to communication and police planning.

Media Statements

25. In oral evidence to us, David Howarth MP, who acted as an observer at the protests, told us why he had taken on this position:

I was increasingly concerned about the hyping up of the possibility of violence ... What we were doing there was as a result of what was happening in the previous weeks in the media and concern about the police apparently ... raising the spectre of major violence.²⁸

Before the G20 Conference police comments suggested that 1 April would be “very violent”.²⁹ This in itself could be considered provocative but when, as Commander Broadhurst admitted to us: “they [officers trained in public order]... get two days’ training a year, and the vast majority [of officers]... have never faced a situation as violent as that”³⁰ it appears inflammatory. To compound this failing, both sides appeared unwilling or unable to communicate during the day and diffuse any tension without resorting to confrontation. Commander Broadhurst told us that due to lack of time for training, “we do not do enough around the softer issues of speaking to crowds, etc.”³¹ This was borne out in the evidence of Chris Abbott, a protester at the “Climate Camp”, who told us that before a police ‘charge’ at 9 or 9:30pm “there was no warning given. There was no request to move. There was no indication of what was going to happen”.³² In this case the use of force seems needless; Mr Abbott had given no indication of being obstructive and every indication that he, for one, would have moved back if asked.

28 Q93.

29 <http://www.guardian.co.uk/uk/2009/mar/27/g20-protest>; “Fears police tactics will lead to violence”, *The Guardian*, 27 March 2009

30 Q374

31 Q393.

32 Q130

26. We cannot understand why, knowing the pressures that inexperienced officers would face the police would use language which would only serve to create a “them and us” attitude and antagonise the most violent elements within the protesters. We feel that such statements essentially become a self-fulfilling prophecy and they should be avoided in future.

The Use of Section 14 at the “Climate Camp”

27. The inadequacy of the communications between the police and protesters is best evidenced by the use of Section 14 of the Public Order Act at the Climate Camp from around 9pm onwards. We were told that prior to this the Climate Camp had settled down after being “kettled” at 6pm, and there was a “friendly atmosphere” between the protesters and police.³³ Between 9 and 10pm the police applied Section 14 of the Public Order Act to move the protesters and from around 10:45pm to disperse the group completely. It is not clear how or indeed whether this information was communicated to the protesters. We have heard that no intelligible announcements were made.³⁴ To the protesters being dispersed it seemed as if the police, without warning had begun to use force to clear a peaceful protest.³⁵

28. Despite the inadequacy of communications, we have found no proof that the police were systematically unwilling to communicate to protesters throughout the day. The lack of intelligible communications with the crowd stemmed from inadequate equipment. It appears that genuine efforts were made to communicate with the crowd.³⁶ However, in this instance the motives are largely irrelevant. Sir Paul Stephenson was correct when he said to us:

I think it is fair to say that the presentation of that, and the way in which that video evidence looks, does stand the potential of damaging public confidence.³⁷

The issue is not one of motives and willingness, but of perception, openness and accountability.

29. Policing public protest is an activity under much greater scrutiny than twenty to thirty years ago, Sir Paul Stephenson told us that “as technology changes, there are different ways and many more opportunities for people to be caught behaving badly if they choose to behave badly.”³⁸ This undoubtedly increases the pressure under which front-line police officers have to work; because of this they have our sympathy. However, this does not excuse behaviour which appears to contravene the norms of democratic protest. The police must be aware that their behaviour will be monitored, recorded and instantly made public via the internet. They must modify their behaviour and briefings accordingly.

33 Q138

34 Q147

35 Q130

36 Q147.

37 Q363.

38 Q364.

30. **We recommend that the police wherever possible refrain from any activity which can suggest violent intent. Instead, they must firmly prioritise communications and policing by consent, negating the need for violent action wherever possible.**

31. **We also recommend that more funding be made available specifically for training in the softer issues of communication and speaking to crowds. At the very least each unit involved in the policing of large protests should contain one officer trained and able to communicate with crowds of protesters. This would enable communications with protesters to take place on a consistent, codified basis, and increase the opportunities for large groups of protesters to be policed by consent.**

Structure of Protest Groups

32. However, we do not hold the police wholly to blame for the lack of communications during the day of the protests. It seems that the structure of the Climate Camp, the protest which experienced the greatest difficulty communicating with the police on the day hindered communication. Commander Broadhurst told us that prior to the event:

they [the Climate Camp] will not put forward organisers because they say they are a non-hierarchical organisation where nobody makes decisions, which then gives me huge problems in trying to find out, as happened on 1 April, what they intend to do and where they intend to do it.³⁹

Without identifiable organisers it was much harder for the police to gain the information they needed to plan their operation and also to communicate with protesters throughout the day.

33. While we fully respect the rights of peaceful protesters to organise their groups however they wish, it seems to us that it was very unhelpful to choose a structure for a large, disparate group that would add unnecessary complications to police efforts at communication. It is no coincidence that those protests which lacked a clear hierarchical structure and did not fully communicate their intentions to the police beforehand were those which experienced the greatest use of force by police. It is the relationship between the protesters and police which defines the success of the protest from a public safety perspective and we are not convinced that all protesters did everything they could to strengthen this relationship.⁴⁰

34. **It seems paradoxical to us that both sides stress the importance of communications, and complain when these are not forthcoming yet are unwilling to put people in place to make this process easier. Elsewhere in this Report we have recommended that the police designate 'contact points', we also recommend that protest groups put ideological concerns to one side and instead do everything they can to aid communications both before and during the protests.**

39 Q398.

40 We were sent the notes of a meeting between the MPS and representatives of the Climate Camp which took place prior to the G20 Protest on 31 March 2009 where the police reiterated that the problem from their perspective was the lack of an "organiser" which would make communication through the day much more difficult. The police also complained at this meeting that the plans of the "Climate Camp" had yet to be fully communicated.

ACPO Guidelines

35. It is possible that the police actions at Bishopsgate were in violation of ACPO Guidelines in this area, and certainly differ from what ACPO Lead Sue Sim considers to be best practice:

The guidelines are clear that communications should be given to the crowd. My interpretation would be that people understand the communication which has been given.⁴¹

Commander Broadhurst admitted to us that this certainly was not the case at the G20.⁴² The police faced similar problems caused by a large number of people in one area at the Countryside Alliance protest in 2004 and the May Day protest in 2001, yet they are still investigating alternative methods or communication, such as “dot matrix signs or louder PA systems”.⁴³ This hints at a wider problem of the dissemination of best practice.

36. In our evidence session with Hugh Orde and Duncan McCausland we heard that the PSNI have faced similar problems in the past and these were challenged by the Police Ombudsman. As a result the PSNI, rather than relying on a megaphone, “record [on] CCTV or cameras, warnings that we would be giving and that we were preparing to advance”.⁴⁴ This does seem a more effective method for communicating to large groups, rather than relying on a loudhailer which apparently gave signals which were “unintelligible” and could only be heard from ground-level.⁴⁵

37. We question why these new, up-to-date tactics used by the Police Service of Northern Ireland have not been shared and adopted nationally and urge all forces to adopt newer, more efficient methods for communicating to large crowds as quickly as possible.

41 Q253

42 Q393.

43 Q393

44 Q288

45 Q147.

4 Use of Close Containment

38. The use of containment strategies has “been around since the [ACPO] manuals began”,⁴⁶ and it is an established, accepted tactic by the police. After its application at Oxford Circus during the May Day protests of 2001, its use was challenged in the courts. A case brought by Lois Austin against the tactic is currently being considered by the European Court of Human Rights. The House of Lords has already passed a ruling in this case. The *Austin* ruling says that containment as a strategy is lawful only in specific circumstances including: when the cordon is necessary for purely crowd control purposes and to protect people and property from injury, when many of the people contained were bent on violence; and those who were not demonstrators, or were seriously affected by being confined, were allowed to leave.⁴⁷ The continued use of containment strategies from a lawful perspective is therefore a matter for the courts and as a tactical measure is to be addressed in the forthcoming HMIC Report. However, we have been told of several problems with the application of close containment at the G20. This Chapter will address these problems.

39. From a tactical perspective, a containment strategy has much to recommend it both in the context of the G20 Protests:

If [the protesters] intention was to cause as much disruption to the City as possible, containing them is the most sensible option. The only alternative to containment is dispersal ... you push the crowd back and get them to disperse in small groups so they go their own ways.⁴⁸

And more generally, as ACC McCausland told us:

our role in terms of the use of containment has been to potentially diffuse the situation and allow protesters and people to move away from the area that they are potentially wanting to get into.⁴⁹

40. It is undoubtedly to the benefit of the police if protesters can be contained in one area; it allows the police to focus their efforts and resources on one area and theoretically prevents many minor disturbances. If there are potentially violent elements in a crowd of protesters, it is certainly better for these to be contained in one area under heavy police supervision. Containment tactics should be encouraged in these circumstances. However, it is entirely possible, as at the G20 Protests, that innocent bystanders can be caught up in the contained area and be detained for several hours until the police judge it appropriate for them to leave. This detainment of innocent, peaceful bystanders is a violation of their rights and is something which must be minimised as far as possible.

41. The use of containment involves a shift in power and control from the protesters to the police and should be used sparingly and in clearly defined circumstances. These

46 Q248.

47 For the full ruling: <http://www.publications.parliament.uk/pa/ld200809/ldjudgmt/jd090128/austin.pdf>

48 Q373.

49 Q270

circumstances should be codified. The use of containment tactics should also be closely linked to police intelligence. The police must have reasonable grounds to believe that the protesters being contained are liable to cause disturbances elsewhere and innocent bystanders and non-violent protesters (where they can be identified) must be allowed to filter out; containment should continue only for as long as absolutely necessary and the comfort of those contained must be given as much consideration as possible. As we discuss later on, this was not the case in the particular example of the G20 Protests.

The application of containment tactics at Bishopsgate

42. The use of “containment” as a tactic remains controversial and we would appreciate greater clarity from the police over its use. We are also concerned about incidents that occurred within the “kettle” and question elements of its application.

43. One point of contention is the question of how comfortable protesters were made during their containment. After the May Day protests in 2001 it was recommended that the police make a greater effort to ensure the comfort of those ‘contained’. We have heard conflicting information on the provision of water and toilets at the ‘Climate Camp’ in Bishopsgate and at Bank. Commander Broadhurst assured us that the City of London Corporation provided water supplies and toilets for those contained⁵⁰ but we also have been told that this was not the case throughout the day; after one police “charge” the toilets were behind a cordon and water was not made available to those who requested it.⁵¹ It is impossible for us to judge whether water and toilets were made freely available to protesters. However, given the recommendations made after the May Day protests this is a question that should not need to be asked; that there remains doubt on this issue is unacceptable.

44. While the comfort of those contained at the Climate Camp and at Bank is one issue of concern, a more worrying element of the application of the kettle is the attitude of police towards protesters who claimed they had a medical problem. We have heard much anecdotal evidence from those present at the protests that people requiring medicines were unable to leave the containment area despite their medical need. “We were told specifically by the police that they were under specific orders not to let people out even for medication.”⁵² According to Commander Broadhurst, the Bronze Commanders on the ground at the G20 Protests were unwilling to allow protesters to leave the containment area to gain access to medicines in case they were lying about their medical condition.⁵³ This position seemed to be endorsed by the Commander.

45. There is no excuse for the police preventing peaceful protesters or other people innocently caught up in a protest from leaving a “contained” area when the police can be sure that they do not pose a violent threat to society. This is doubly true when people are asking to leave for medical (or related) purposes. We are particularly concerned at the evidence we have received suggesting that an explicit order was given to maintain

50 Q392

51 “Legal Observation at the Climate Camp” *Tom Brake MP*.

52 Q139.

53 Q393.

the “cohesion” of the police lines at the expense of peaceful protesters’ right to egress and to access medicine. While it may be true that some protesters would falsely claim a medical need to leave a contained area for the purposes of causing disorder, we believe that this is a risk that the police must be prepared to run; the dangers of denying protesters their needed medications are too great.

46. The police must reorganise their priorities with regards to the circumstances under which protesters are allowed to leave a “contained” area. It is not acceptable for a blanket ban on movement to be imposed. Again we recommend a devolution of power in this area. During any containment procedure experienced officers must be authorised to use discretion and allow access and egress in cases where a medical need is involved, trusting their own judgement and experience when necessary. Crucially, as with the media contact points, their existence and availability in this role must be commonplace; it must be made clear to front-line officers in briefings before and during the day.

7pm onwards at the Climate Camp

47. The “Climate Camp” at Bishopsgate illustrates many of the problems in the way the containment strategy was applied: a failure on both sides to communicate; the lack of a “filter” system for dispersing protesters (in contravention of ACPO best practice); and the “very intense, very rapid”⁵⁴ dispersal under Section 14 of the Public Order Act all combined to create a situation which typifies the worst aspects of the policing of the G20 Protests.

48. In Chapter 3 we criticised the lack of communication between the police and those who were “contained”. In the interests of fairness it is worth stating that this experience was not uniform. Earlier in the day when the police considered it necessary to make changes to the policing arrangements at Threadneedle Street, “They warned that people needed to move back. Protesters listened and everybody moved back peacefully, with nobody getting hurt”.⁵⁵ Sadly this was not the case in the Climate Camp after 7pm.

49. The most troubling aspect of the “kettling” was the subsequent “dispersal” of the crowd at around 11:30pm. This has been described as a “very intense, very rapid clearance... very scary”.⁵⁶ The use of force to disperse protesters in this situation could have been easily avoided and can be traced back to an incorrect application of the “kettle”. According to ACPO lead, Sue Sim, beat practice requires that:

They have to communicate with people, it is good practice to communicate, and that is what the manual says: it talks about communicating with crowds. It also talks about allowing people to filter out, and that is what would be considered to be good practice.⁵⁷

We feel that the application of the kettle at Bishopsgate fails to meet these two requirements.

54 Q130.

55 “Legal Observation at the Climate Camp”, *Tom Brake MP*

56 Q130.

57 Q242.

50. It is not clear to us why, having contained protesters in one place to prevent “lots of little disturbances,”⁵⁸ the police were unable to “filter” out the protesters in small groups (searching them for offensive weapons first if needs be). We fear that this may be a common approach nationwide and not merely isolated behaviour from one force; in written evidence from Cambridgeshire Police we were told that “any group given the right circumstances is potentially violent”.⁵⁹ While technically this may be correct, it does strike us as an inefficient approach. The police and HMIC should consider whether it would be better, as far as possible, to use intelligence to identify potentially violent protesters and contain them while simultaneously filtering out small groups of peaceful protesters. This would reduce the need for “mass” clearances, limit the use of force (as the contained area would be that much smaller), be a more efficient use of resources and be more in the spirit of the *Austin* ruling.⁶⁰

51. Again we stress the importance of communications between the police and protesters before large-scale events, not least because this will help the police identify violent elements within the protests. Both sides benefit from an orderly protest and it is in the protesters’ interest to signal their peaceful intentions beforehand. This would allow the police to focus their energy on those groups who have identified themselves as potentially violent through their lack of communications: “if they choose to engage: great. If they do not then you know what you are dealing with and you police in a different way.”⁶¹ While we do not deny the essentially peaceful nature of the ‘Climate Camp’ we are concerned that the group provided the police with the bare minimum of information beforehand⁶² and we believe that this was may have been a contributory factor in the subsequent use of force by the police.

52. We fully endorse Sir Hugh Orde’s comment that “talking works”.⁶³ We are firmly of the view that the problems that were reported by those “contained” at Bishopsgate could have been easily prevented through greater communication throughout the day. We recommend that in future the police exhaust all possible avenues of communication before using force and be as open as possible about their intentions at all times. We also recommend that the police follow their own guidelines and allow peaceful protesters to filter out of the cordon and go home. This would minimise and focus force used in a subsequent dispersal.

53. Equally, we recommend that groups of protesters make every effort to prevent the police viewing them as a threat to public order. We are of the opinion that in the case of the ‘Climate Camp’ the degree of reticence on the part of the protesters adversely affected the police’s perceptions of the protest and made the use of force, unfortunate though it was, more likely. Groups with peaceful intentions should make every effort to alert the police to their intentions, removing any suspicions the police may (rightly)

58 Q373.

59 Q2.

61 Q286.

62 Q154.

63 Q269

have and aiding the planning process to mutual benefit. Protesters should remember that “talking works” is a maxim which is true for both sides.

5 The Use of Force

54. The results of the issues above, the poor communications with the press and protesters, the lack of training for some officers and the somewhat indiscriminate use of Section 14 and close containment tactics, can be seen in the aspect of the policing of the G20 Protests which has raised greatest concerns with the public: the use of force against protesters.

A lack of communications and training

55. The use of force *per se* is not an illegitimate act while policing protest; according to ACPO Lead Sue Sim, under Section 3 of the Criminal Law Act, “if those officers [who used force] are able to justify the violence that they used then that would be alright”⁶⁴ and in certain circumstances, the use of “distraction” tactics such as a slap to the face may be approved tactics.⁶⁵ However, it is harder for officers to justify the use of force if no warning has been given before its use and we are concerned that inexperienced officers are being taught that the use of force can be acceptable in all situations, providing it is subsequently justifiable.

56. In oral evidence to us, Ms Nicola Fisher told us of her experiences on 2 April. From this and other accounts we have heard, the vigil which Ms Fisher had attended was peaceful⁶⁶ until the sudden appearance of police who were acting in what seemed to those present an overtly aggressive manner, certainly one which was disproportionate to the supposed “threat”. The issue here is not the deployment of police in that area, which is a decision to be justified by the Silver Commander on the ground; instead it is how the police behaved. From the evidence we have received the use of force against Nicola Fisher was a first, rather than last resort. We do not know whether it was justified, but equally we do not know whether it was needed; Nicola Fisher never got the chance to obey the officers’ orders.⁶⁷

57. While the film and images of the incidents involving Nicola Fisher, Ian Tomlinson and others are shocking, we cannot say with any certainty what actually occurred immediately before and after these incidents. However, it is clear that confrontations of some description did occur, during the course of which Nicola Fisher was hit with a baton and Ian Tomlinson collapsed. We have subsequently learnt that police trained in crowd control are taught that a slap across the face or a baton strike to the leg (as inflicted on Nicola Fisher) are appropriate actions to prevent an escalation of violence, and a textbook example of “distraction” tactics.

58. We do not pass comment on the cases of Nicola Fisher and Ian Tomlinson. However, it remains true that the images of “distraction” tactics in action have the potential to undermine the public’s trust in the police. We hope that these pictures and films are the start of a widespread public debate on the use of force by the police and lead to further discussions on the tactics available to the police in similar situations. We

64 Q227.

65 Q2.

66 Q163.

67 Q170-172.

recommend that the police publicly clarify how and when they should legitimately be used.

59. While the individual actions of some officers on the 1-2 April appear unacceptable, we are still wary of criticising the police service as a whole. We echo Sir Paul Stephenson's comments that "it was a remarkable operation ... the vast majority of officers did a remarkable job".⁶⁸ We consider the performance of the "vast majority" of the police on duty that day to be even more remarkable given the circumstances under which they operating. We are shocked by Commander Broadhurst's admission that some officers had not received adequate training for this duty and most had not policed actions of this nature before.⁶⁹ Given that the Metropolitan Police Service claims to be "used to handling big events"⁷⁰ we find this statement doubly surprising. The use of force in individual cases may or may not be justifiable; however when it is preceded by a lack of training it is troubling regardless of the merits of each individual case. Ultimate responsibility though must rest with senior officers; given Commander Broadhurst's admission that some officers lacked the training necessary for this work, the actions of some individual officers at the G20 Protests become, if not excusable, at least understandable.

60. Never again must untrained officers be placed in the front-line of public protests. At the very least each unit should contain a core of fully trained, experienced officers. While greater funding must be made available, the police must also allocate their resources better to ensure that all officers on the front-line of public protest are trained adequately.

Force, the use of Section 14 and Close Containment

61. Given the admission by Commander Broadhurst that some officers on duty lacked training in policing this sort of event we suggest the use of close containment tactics and the over-reliance on Section 14 of the Public Order Act in the dispersal of journalists and protesters could have been counter-productive. We urge the police to examine their doctrine in these areas given the resource limitations under which they work. Given the inexperience of some of the officers on front-line duty that day, we wonder whether such a "confrontational" approach is suitable. Certainly we are unsure of the merits to untrained and inexperienced officers of labelling protesters a source of "serious disorder", suggesting that "distraction" tactics are a valid technique and then placing them in a tense situation for a sustained period of time. We wonder whether the lack of training which some officers had received was taken into account during the planning of the G20.

62. Throughout this Report we have commented on the inappropriate use of Section 14 of the Public Order Act. We have heard evidence that Section 14 was used against two discrete groups of people, journalists and protesters in an effort to disperse these groups from a given area. In neither case are we certain that the groups in question posed a threat of "serious public disorder, serious damage to property or serious disruption to the life of the community". We are concerned that the police view Section 14 of the Public Order Act

68 Q344.

69 Q374.

70 Q367.

as a handy “catch-all” tool to be used whenever they wish to move people on from a given area. This would be an abuse of the rights of protesters to demonstrate in a peaceful manner and a misuse of the powers granted to the police.

63. We are concerned over the police’s apparent reliance on Section 14 of the Public Order Act. Given the importance with which it is viewed by the police, we find it odd that officers are not given training on the suitable legal application of this power. We recommend that all public protest training, especially that of a more advanced level, incorporates the correct application of Section 14. Equally, if communications and relations between the police and protesters are good and both sides put emphasis on prior communication, as we have already recommended, then it may be possible to negotiate a mutually acceptable ‘finish time’, removing the need for police-driven dispersal.

64. We also heard that the victims of force at the G20 Protests will be waiting an inordinate amount of time for their cases to be resolved. Nicola Fisher told us the IPCC would take between 12 and 18 months to complete their inquiries.⁷¹ We accept that the consideration of these cases by the prosecuting authorities inhibits the IPCC somewhat and contributes to the delay,⁷² but since these cases must be a high priority for the IPCC we cannot imagine why this amount of time is needed; but equally, we understand that the G20 Protests have placed an inordinate amount of strain on the IPCC. The 40 officials who are currently investigating incidents around the G20 Protests are a third of the total number of investigators employed by the IPCC.⁷³ The G20 will therefore obviously affect the performance and capability of the IPCC for a sustained period of time.

65. That it takes over a year to investigate a high-profile case such as the use of force against Nicola Fisher is distressing. We would like to hear from IPCC as why the inquiry will take this long and what efforts they are making to speed the resolution. We are also concerned about such a large proportion of the Independent Police Complaints Commission’s investigators being allocated to the events of the G20. Greater funding must be made available to provide the resources the IPCC needs to complete their investigations in a more timely manner.

71 200.

72 Q53.

73 8.

6 The Use of Tasers

66. In the light of Sir Paul Stephenson's suggestion after the event that a review of the tactics and methods the police use to police demonstrations is needed, including the possible use of "distance weapons" like water cannons⁷⁴ this Chapter will also briefly examine the use of Conducted Energy Devices (CEDs) (commonly known as "Tasers") while policing public protest as a possibly less "confrontational" and therefore safer tactic. We will first discuss the deployment of Tasers to front-line officers and the circumstances in which they should be used.

67. Tasers have been available to all firearms officers since September 2004. In November 2008, the then Home Secretary (Jacqui Smith MP) announced plans to widen the use of Tasers to some front-line officers, following a twelve-month trial in ten forces. These officers are "Specially Trained Units" and must spend a minimum of 8 hours in initial training and attend annual "refresher" courses for 6 hours. Taser are currently authorised for use in operations or incidents where officers are facing violence or threats of violence of such severity that the use of force is needed to protect the public, themselves or the subject. While we are not aware of any plans to extend the use of Taser beyond this, we considered it useful to put our views on the matter on the record.

68. Tasers are indeed a useful tool for the police, and any equipment which may protect the police and the public from harm is to be welcomed. It is pleasing that initial trials suggest that in many cases the mere threat of a Taser, so-called "red-dotting", is sufficient to remove the threat⁷⁵ and in certain situations, such as when dealing with violent drunks for example, the use of Taser is preferable, and less dangerous to the subject, than the use of a police ASP or baton.

69. While we are confident that the Taser is a useful tool from the perspective of the police we remain wary of endorsing its use on a more general basis for two reasons. Firstly, the use of a Conducted Energy Device may pose a health risk to those subjected to it. While there have been no recorded deaths attributed to Taser in the UK, Amnesty International told us that nearly 350 people [have] died after being tasered in the USA and Canadian where Taser is used far more routinely⁷⁶. The risk to people with heart problems or similar health issues is exponentially higher than with the use of an ASP. Amnesty International argue that the use of Tasers should be limited to situations where there is an imminent threat of death or serious injury. In November 2008, the Metropolitan Police Authority expressed concern that wider deployment of CED had the potential to cause "fear" and "damage public confidence".⁷⁷

70. Tasers do have a role in policing. As an "alternative to lethal force" they are undoubtedly preferable to firearms and in certain situations, ASP batons, in dealing with a violent threat to an officer, members of the public or the subject themselves:

74 "Police may use water cannon to control violent demonstrations", *The Times*, 9 May 2009.

75 Ibid.

76 Q2.

77 Jacqui Smith's Taser plan suffers blow after Met Police Authority's rejection" *The Times*, 25 November 2008

It [Taser] is specifically a weapon that is targeted at an individual to bring him under effective control when he is behaving extremely aggressively or violently.⁷⁸

We praise the efforts made to prevent the incorrect use of Conducted Energy Devices and to prevent fatalities and introduce accountability through measures such as the fitting of data ports which record when the taser is fired.⁷⁹ We have no doubt that the police are currently making every effort to prevent fatalities through the incorrect use of a Conducted Energy Device.

71. The decision to extend the deployment of Conducted Energy Devices to some non-firearms officers, and the training they receive, should be kept under review. The use of this weapon on a general scale poses many issues regarding public safety and more widespread use of Tasers would also represent a fundamental shift between the police and the general public. British policing is based on consent and face-to-face engagement, the use of Taser has the potential to erode that relationship and create a rift between the police and the policed. Furthermore, we would not endorse any move to authorise its wider use beyond dealing with a violent threat.

72. British policing is traditionally based on engagement and policing with consent. British policing involves face-to-face communication and negotiation, and this is particularly the case when policing large-scale events. However, this doctrine in British policing does contain one major drawback; not only, as at the G20, can it lead to protesters and police being contained in close proximity to each other for hours in a tense situation but:

We as a service come toe-to-toe far quicker, probably, than any other police jurisdiction in the world... which does then mean that we put our officers and our specials and others in that very invidious situation of being toe-to-toe with sometimes a violent and antagonistic crowd, and then having to work out who are the decent people and who are those that are trying to attack me.⁸⁰

73. This is obviously a difficulty which UK police have to face and increases the stress and tension all officers, but particularly those lacking experience, must face when policing protest. In this context some have suggested that the police should change their own guidelines and equip officers policing public protests with Conducted Energy Devices which would reduce the likelihood of the police being in close proximity with potentially violent protesters and in turn lower the risk posed both to protesters and police by creating a *cordon sanitaire* between the two groups. This section briefly discusses this argument.

74. We have been told that in certain circumstances, particularly those where what is required (as decided by a trained officer) is an “alternative to lethal force”⁸¹ the use of a Conducted Energy Device is an appropriate response. However, while a Taser may be of value in specific circumstances, these circumstances are limited, and are not those found in a large public protest. The dangers of using a Taser weapon against a crowd are that it is

78 Q8

79 Q39.

80 Q366.

81 Q1

likely to be indiscriminate, because you cannot target an individual;⁸² the officer could be overpowered and the Taser taken from him, Taser used in a crowded area could easily cause panic and in a protest situation the cords of the Taser could easily be entangled in the crowd preventing assistance reaching the victim. While Taser is undoubtedly effective in the right circumstances its presence at an already tense large-scale public protest would merely increase the potential for injury and prove counter-productive.

75. We recommend that the police continue their self-imposed ban on the use of Taser in public protest situations. More generally we urge the police to reject the use of “distance weapons” in policing demonstrations. Instead of investment in expensive equipment to give the police “distance” while policing large scale protests, we suggest that the money could be better spent on training for front-line officers and in the planning of operations, removing the need for such “distance weapons”.

7 Conclusion

76. Despite a lack of time for planning⁸³, the policing of the G20 Protests was in many ways a successful operation. Front-line officers who were untrained and inexperienced in this area were placed in a highly combustible atmosphere and performed an admirable job. The vast majority of those wishing to protest were facilitated in a peaceful manner with a minimum of fuss and drama. On the whole, the police should be congratulated for their work. However, this success should not distract from the failings in the operation which were also on show and we feel that an element of luck must be attributed to the success of the operation. It is troubling that the policing operation relied so heavily on untrained, inexperienced officers. Future events may not be so calm and some officers will be found wanting through no fault of their own.

77. This is a risk the police must not run. We cannot condone the use of untrained, inexperienced officers on the front-line of a public protest under any circumstances and this must be avoided at all costs. Equally while “containment” may have been the optimum tactic available in this operation, we urge the police to address the specific details of its application which we have discussed above and make public the situations in which they consider its use appropriate and the internal checks they have on its strategic use and practical deployment. We note the reviews on this matter and urge the police to take decisive action to prevent a re-occurrence of the problems we have identified. It is clear that the concerns about the policing of the G20 Protests have damaged the public’s confidence in the police. There must not be a repetition of this.

78. Above all, the police must constantly remember that those who protest on Britain’s streets are not criminals but citizens motivated by moral principles, exercising their democratic rights. The police’s doctrine must remain focused on allowing this protest to happen peacefully. Any action which may be viewed by the general public as the police criminalising protest on the streets must be avoided at all costs.

⁸³ Q371

Conclusions and recommendations

Relations with the Media

1. We accept that it is not possible for all officers on front-line duty, some of whom may be inexperienced in this line of work, to know, understand and fully implement the ACPO Guidelines, particularly in a high tension environment like the G20 Protests. However, we cannot understand why those officers who were unable to communicate with journalists were not willing or able to pass this problem on to a more experienced officer. We suggest that at the heart of most communication difficulties encountered by journalists is a lack of leadership on the ground and an inadequate briefing before the protests. (Paragraph 10)
2. At the very least all officers should be aware of the existence of a designated media contact point, who is trained in basic communication with journalists and able to give correct information on request. It seems to us that some members of the media experienced a broken chain of command and ignorance on the part of the police which impaired their ability to do their jobs. (Paragraph 11)
3. We accept the difficulties implicit in briefing freelance journalists, some of whom may not wish to be contacted by the police prior to an event, and to some extent we sympathise with the Metropolitan Police who appear to be keen to improve relations in this area. However, more must be done. While accepting that it is not possible to brief every journalist who wishes to attend large public protests, and that at the G20 Protests budgetary and time constraints prevented every officer from being adequately briefed beforehand on “handling the media”, we propose two relatively simple solutions which could be implemented at little cost. (Paragraph 13)
4. Since it is to everyone’s benefit that the relationship between the police and journalists is clear and codified, we suggest that the briefings given to members of the media before public protests be published on the website of the police and the National Union of Journalists prior to the event. While there may be operational reasons why a complete brief cannot be published, we are surprised that a version of this information is not made public already. In this way anyone who is planning to attend a public protest in a media capacity will have the ability to receive a briefing in this area and at the very least be assured that a media contact point will be available on the day. We urge the police to consider this action. (Paragraph 14)
5. Equally, we cannot understand why experienced officers on the ground were not granted a degree of discretion in how the police strategies were enacted. While we accept that communications between the control centre and the front-line can always be improved, we are yet to be convinced of the absolute necessity of why a relatively simple message like “please let them out if they are bona fide press” needed to be sent from the Gold Commander, who presumably had many other more pressing matters to concern him. (Paragraph 15)
6. We recommend that in its promised review of police tactics on public order situations HMIC looks at the command structure at big events and considers the

benefits of allowing experienced officers on the ground the power to make relatively simple, non-controversial decisions such as these. As far as possible, power should be devolved to officers on the ground authorised to react to changing situations. (Paragraph 16)

7. The police must be aware that, as a matter of course, their actions will be filmed whether or not journalists are present. They must amend their attitude and tactics accordingly. The police should be aware that in the modern world actions which may be justifiable under the rules may nonetheless be completely unacceptable. (Paragraph 19)
8. We echo Sir Paul Stephenson's comments: in many ways the problem for the police in these situations is not their actual actions, but the perception that they are seeking to avoid accountability for these actions. We are therefore surprised that the problems of identification posed when officers change into protective equipment have not been addressed before and recommend more funding specifically for solutions in this area. (Paragraph 22)
9. Senior officers must take personal responsibility for ensuring that all officers are displaying their identification numbers and the individual officer must be provided with enough numbers so that these can be worn at all times and on all equipment. It would be helpful if the Home Office and Metropolitan Police would let us know the length of time it takes between the ordering of a new identification badge and this badge being delivered to the individual officer. It is unacceptable for officers not to wear identification numbers at such events; this must be a matter of the highest priority. We urge that any officers found to be deliberately removing their identification face the strongest possible disciplinary measures and the police must make every effort to be identifiable at all times. (Paragraph 23)

Communications between the Protesters and Police

10. We cannot understand why, knowing the pressures that inexperienced officers would face the police would use language which would only serve to create a "them and us" attitude and antagonise the most violent elements within the protesters. We feel that such statements essentially become a self-fulfilling prophecy and they should be avoided in future. (Paragraph 26)
11. Policing public protest is an activity under much greater scrutiny than twenty to thirty years ago, Sir Paul Stephenson told us that "as technology changes, there are different ways and many more opportunities for people to be caught behaving badly if they choose to behave badly." This undoubtedly increases the pressure under which front-line police officers have to work; because of this they have our sympathy. However, this does not excuse behaviour which appears to contravene the norms of democratic protest. The police must be aware that their behaviour will be monitored, recorded and instantly made public via the internet. They must modify their behaviour and briefings accordingly. (Paragraph 29)
12. We recommend that the police wherever possible refrain from any activity which can suggest violent intent. Instead, they must firmly prioritise communications and

policing by consent, negating the need for violent action wherever possible. (Paragraph 30)

13. We also recommend that more funding be made available specifically for training in the softer issues of communication and speaking to crowds. At the very least each unit involved in the policing of large protests should contain one officer trained and able to communicate with crowds of protesters. This would enable communications with protesters to take place on a consistent, codified basis, and increase the opportunities for large groups of protesters to be policed by consent. (Paragraph 31)
14. It seems paradoxical to us that both sides stress the importance of communications, and complain when these are not forthcoming yet are unwilling to put people in place to make this process easier. Elsewhere in this Report we have recommended that the police designate 'contact points', we also recommend that protest groups put ideological concerns to one side and instead do everything they can to aid communications both before and during the protests. (Paragraph 34)
15. We question why these new, up-to-date tactics used by the Police Service of Northern Ireland have not been shared and adopted nationally and urge all forces to adopt newer, more efficient methods for communicating to large crowds as quickly as possible. (Paragraph 37)

Use of Close Containment

16. The use of containment involves a shift in power and control from the protesters to the police and should be used sparingly and in clearly defined circumstances. These circumstances should be codified. The use of containment tactics should also be closely linked to police intelligence. The police must have reasonable grounds to believe that the protesters being contained are liable to cause disturbances elsewhere and innocent bystanders and non-violent protesters (where they can be identified) must be allowed to filter out; containment should continue only for as long as absolutely necessary and the comfort of those contained must be given as much consideration as possible. As we discuss later on, this was not the case in the particular example of the G20 Protests. (Paragraph 41)
17. There is no excuse for the police preventing peaceful protesters or other people innocently caught up in a protest from leaving a "contained" area when the police can be sure that they do not pose a violent threat to society. This is doubly true when people are asking to leave for medical (or related) purposes. We are particularly concerned at the evidence we have received suggesting that an explicit order was given to maintain the "cohesion" of the police lines at the expense of peaceful protesters' right to egress and to access medicine. While it may be true that some protesters would falsely claim a medical need to leave a contained area for the purposes of causing disorder, we believe that this is a risk that the police must be prepared to run; the dangers of denying protesters their needed medications are too great. (Paragraph 45)
18. The police must reorganise their priorities with regards to the circumstances under which protesters are allowed to leave a "contained" area. It is not acceptable for a

blanket ban on movement to be imposed. Again we recommend a devolution of power in this area. During any containment procedure experienced officers must be authorised to use discretion and allow access and egress in cases where a medical need is involved, trusting their own judgement and experience when necessary. Crucially, as with the media contact points, their existence and availability in this role must be commonplace; it must be made clear to front-line officers in briefings before and during the day. (Paragraph 46)

19. We fully endorse Sir Hugh Orde's comment that "talking works". (Paragraph 52)
20. We are firmly of the view that the problems that were reported by those "contained" at Bishopsgate could have been easily prevented through greater communication throughout the day. We recommend that in future the police exhaust all possible avenues of communication before using force and be as open as possible about their intentions at all times. We also recommend that the police follow their own guidelines and allow peaceful protesters to filter out of the cordon and go home. This would minimise and focus force used in a subsequent dispersal. (Paragraph 52)
21. Equally, we recommend that groups of protesters make every effort to prevent the police viewing them as a threat to public order. We are of the opinion that in the case of the 'Climate Camp' the degree of reticence on the part of the protesters adversely affected the police's perceptions of the protest and made the use of force, unfortunate though it was, more likely. Groups with peaceful intentions should make every effort to alert the police to their intentions, removing any suspicions the police may (rightly) have and aiding the planning process to mutual benefit. (Paragraph 53)
22. Protesters should remember that "talking works" is a maxim which is true for both sides. (Paragraph 53)

The Use of Force

23. We do not pass comment on the cases of Nicola Fisher and Ian Tomlinson. However, it remains true that the images of "distraction" tactics in action have the potential to undermine the public's trust in the police. We hope that these pictures and films are the start of a widespread public debate on the use of force by the police and lead to further discussions on the tactics available to the police in similar situations. We recommend that the police publicly clarify how and when they should legitimately be used. (Paragraph 58)
24. Never again must untrained officers be placed in the front-line of public protests. At the very least each unit should contain a core of fully trained, experienced officers. While greater funding must be made available, the police must also allocate their resources better to ensure that all officers on the front-line of public protest are trained adequately. (Paragraph 60)
25. We are concerned over the police's apparent reliance on Section 14 of the Public Order Act. Given the importance with which it is viewed by the police, we find it odd that officers are not given training on the suitable legal application of this power. We recommend that all public protest training, especially that of a more advanced level, incorporates the correct application of Section 14. Equally, if communications and

relations between the police and protesters are good and both sides put emphasis on prior communication, as we have already recommended, then it may be possible to negotiate a mutually acceptable 'finish time', removing the need for police-driven dispersal. (Paragraph 63)

26. That it takes over a year to investigate a high-profile case such as the use of force against Nicola Fisher is distressing. We would like to hear from IPCC as why the inquiry will take this long and what efforts they are making to speed the resolution. We are also concerned about such a large proportion of the Independent Police Complaints Commission's investigators being allocated to the events of the G20. Greater funding must be made available to provide the resources the IPCC needs to complete their investigations in a more timely manner. (Paragraph 65)

The Use of Tasers

27. Tasers do have a role in policing. As an "alternative to lethal force" they are undoubtedly preferable to firearms and in certain situations, ASP batons, in dealing with a violent threat to an officer, members of the public or the subject themselves: (Paragraph 70)
28. The decision to extend the deployment of Conducted Energy Devices to some non-firearms officers, and the training they receive, should be kept under review. The use of this weapon on a general scale poses many issues regarding public safety and more widespread use of Tasers would also represent a fundamental shift between the police and the general public. British policing is based on consent and face-to-face engagement, the use of Taser has the potential to erode that relationship and create a rift between the police and the policed. Furthermore, we would not endorse any move to authorise its wider use beyond dealing with a violent threat. (Paragraph 71)
29. We recommend that the police continue their self-imposed ban on the use of Taser in public protest situations. More generally we urge the police to reject the use of "distance weapons" in policing demonstrations. Instead of investment in expensive equipment to give the police "distance" while policing large scale protests, we suggest that the money could be better spent on training for front-line officers and in the planning of operations, removing the need for such "distance weapons". (Paragraph 75)

Conclusion

30. Despite a lack of time for planning, the policing of the G20 Protests was in many ways a successful operation. Front-line officers who were untrained and inexperienced in this area were placed in a highly combustible atmosphere and performed an admirable job. The vast majority of those wishing to protest were facilitated in a peaceful manner with a minimum of fuss and drama. On the whole, the police should be congratulated for their work. However, this success should not distract from the failings in the operation which were also on show and we feel that an element of luck must be attributed to the success of the operation. It is troubling that the policing operation relied so heavily on untrained, inexperienced officers.

Future events may not be so calm and some officers will be found wanting through no fault of their own. (Paragraph 76)

31. This is a risk the police must not run. We cannot condone the use of untrained, inexperienced officers on the front-line of a public protest under any circumstances and this must be avoided at all costs. Equally while “containment” may have been the optimum tactic available in this operation, we urge the police to address the specific details of its application which we have discussed above and make public the situations in which they consider its use appropriate and the internal checks they have on its strategic use and practical deployment. We note the reviews on this matter and urge the police to take decisive action to prevent a re-occurrence of the problems we have identified. It is clear that the concerns about the policing of the G20 Protests have damaged the public’s confidence in the police. There must not be a repetition of this. (Paragraph 77)
32. Above all, the police must constantly remember that those who protest on Britain’s streets are not criminals but citizens motivated by moral principles, exercising their democratic rights. The police’s doctrine must remain focused on allowing this protest to happen peacefully. Any action which may be viewed by the general public as the police criminalising protest on the streets must be avoided at all costs. (Paragraph 78)

Formal Minutes

Tuesday 23 June 2009

Members present:

Mr Keith Vaz, in the Chair

Ms Karen Buck
Tom Brake
Mr James Clappison
Mrs Ann Cryer
David T. C. Davies
Mrs Janet Dean

Patrick Mercer
Gwyn Prosser
Bob Russell
Martin Salter
Mr Gary Streeter
Mr David Winnick

Draft Report (*Policing of the G20 Protests*), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 78 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Eighth Report of the Committee to the House.

Ordered, That the Chairman make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence was ordered to be reported to the House for placing in the Library and Parliamentary Archives.

[Adjourned till Tuesday 30 June at 10.15am

Witnesses

Tuesday 21 April 2009

Page

Nick Hardwick, Chairman, Independent Police Complaints Commission

Ev 1

Tuesday 5 May 2009

Jeremy Dear, General Secretary, National Union of Journalists

Ev 8

Tuesday 12 May 2009

David Howarth MP, Chris Abbott, G20 Protester, and **Frances Wright**,
Protester and member of Climate Camp Legal Team

Ev 13

Nicola Fisher, G20 Protester

Ev 19

Sue Sim, ACPO Lead on Public Order

Ev 23

Sir Hugh Orde, and **Duncan McCausland**, Police Service of Northern Ireland

Ev 28

Tuesday 19 May 2009

Sir Paul Stephenson, Commissioner Metropolitan Police

Ev 34

Sir Paul Stephenson, Commissioner Metropolitan Police, and **Commander Bob Broadhurst**, "Gold Commander" Operation Glencoe (Policing and Security of G20)

Ev 41

List of written evidence

1	David Howarth MP	Ev 53
2	Cambridgeshire Constabulary	Ev 65
3	Defend Peaceful Protest	Ev 67

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2008–09

First Report	Monitoring of the UK Border Agency	HC 77 (HC 381)
Second Report	The Police and the Media	HC 75
Third Report	The Work of the Committee 2007–08	HC 76
Fourth Report	Policing Process of Home Office Leaks Inquiry	HC 157
Fifth Report	Borders, Immigration and Citizenship Bill [HL]	HC 425
Sixth Report	Human Trafficking	HC 23–I
Seventh Report	Knife Crime	HC 217

Session 2007–08

First Report	The Government's Counter-Terrorism Proposals	HC 43
Second Report	Bulgarian and Romanian Accession to the EU: Twelve months on	HC 59
Third Report	Security Industry Authority	HC 144
Fourth Report	Work of the Committee in 2007	HC 226
Fifth Report	A Surveillance Society?	HC 58 (HC 1124)
Sixth Report	Domestic Violence, Forced Marriage and "Honour"-Based Violence	HC 263 (HC 1165)
Seventh Report	Policing in the 21 st Century	HC 364
Special Report	Unauthorised Disclosure of Draft Report	HC 196

Session 2006–07

First Report	Work of the Committee in 2005–06	HC 296
Second Report	Young Black People and the Criminal Justice System	HC 181 (Cm 7217)
Third Report	Justice and Home Affairs Issues at European Union Level	HC 76 (HC 1021)
Fourth Report	Police Funding	HC 553 (HC 1092)

Session 2005–06

First Report	Draft Corporate Manslaughter Bill (First Joint Report with Work and Pensions Committee)	HC 540 (Cm 6755)
Second Report	Draft Sentencing Guideline: Robbery	HC 947
Third Report	Draft Sentencing Guidelines— <i>Overarching Principles: Domestic Violence and Breach of a Protective Order</i>	HC 1231
Fourth Report	Terrorism Detention Powers	HC 910 (Cm 6906)
Fifth Report	Immigration Control	HC 947 (Cm 6910)
Sixth Report	Draft Sentencing Guideline: Sexual Offences Act 2003	HC 1582