



8. "Anti-Social Behaviour" - Section 50 of Police Reform Act

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If you are suspected of anti-social behaviour, the police can demand your details under Section 50. Refusing to give your details is a criminal offence, and you can be arrested.

The police's own guidance states that Section 50 powers should not be used on protests.

A police officer demanding someone's details under Section 50 powers needs to have a reasonable belief that a protest is not covered by the protection of the right to freedom of assembly under the Human Rights Act – and should not immediately and wrongly jump to the conclusion that any unlawful acts are "violence". The right to freedom of assembly exists even when a protest is clearly in breach of the law: for example, obstructing traffic as part of a demonstration is conduct that is, by itself, considered peaceful.

Your individual right to freedom of assembly is not altered by actions committed by others. A police officer demanding someone's details needs to have a reasonable belief a protester's **individual** conduct – rather than the conduct of others – is anti-social behaviour.

Overwhelmingly, most protests involving civil disobedience and direct action are protected by the right to freedom of assembly and are not anti-social behaviour.

This is why we continue to argue that **protesters should resist the misuse of Section 50 powers**. You can do this by **refusing to give your name** if asked to under section 50.

However, how a police officer **should** act and what happens in practice is never predictable and Section 50, like most police powers, is open to abuse.