Mini briefing on common policing powers used on a demo

Stop and Search

- **Section 1 of PACE. The police have to give reasonable grounds to suspect YOU of carrying articles for use for burglary/theft, stolen goods, offensive weapons, bladed articles, items that may be used for criminal damage, or category 4 fireworks.**
- **Section 60 Criminal Justice Act. This is a blanket search power. If a section 60 is in place they can search anyone, but only for weapons or blades**

You NEVER have to give any PERSONAL DETAILS when being searched.

The police have to tell you what legal power they're using and what they're looking for. The search should be tailored to reflect this.

Say 'no comment' to any other questions.

Section 60AA is a separate power. If a Section 60AA is in place, the police can require you to remove a mask. They can arrest you if you refuse. They can also confiscate the item.

Conditions on a protest

Section 12 and 14 of the Public Order Act. The police can impose conditions which restrict the place, duration, and the number of people allowed on a static demo, or any reasonable conditions on a procession.

In order to be convicted of an offence under Section 12 or 14, it must be proved that you were aware of the conditions and then chose to break them. A senior officer may make an announcement, or sometimes visual displays or leaflets are used. Don't accept or pass on leaflets, make announcements, or tweet about condition under Section 12 or 14, as it is also an offence to organise or incite people to break the conditions and your actions may be misinterpreted as obstructing the police.

Section 35 of the Anti-Social Behaviour, Crime, and Policing Act. This allows officers to force individuals to leave an area for up to 48 hours.

Section 35 has also been used to try and gather peoples details. We know of several instances where refusal of details under Section 35 resulted in arrest. However in the only instance we know of where people continued withholding information (after over 24 hours on remand) this resulted in a court ruling that those involved were entitled to withhold their information.

Section 50 of the Police Reform Act

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.

This should not be used on protests, according to the police's own guidance, and we encourage people to resist the use of Section 50 on protests by refusing to give their names.

If you are arrested

- **NO COMMENT! We recommend that you don't talk to the police at all if possible. No friendly chats, on the ground or in a police van, and "No comment" to all questions if you are interviewed after arrest. Talking to the police only helps them to gather information about you and others.**
- **Don't use the duty solicitor (the one available at the police station). They often give bad advice to protesters. Use one recommended on the bustcard.**
- **Don't accept a caution. The police may offer you a caution if they arrest you. This is an admission of guilt and goes on your permanent record. It's an easy win for the police.**

If you have a particular concern that you want to discuss please phone the protest support line on 07946 541 511