3. Will we be Arrested?

You cannot completely prevent arrest, but you can take steps to protect yourselves if it does happen.

Many people contact us wanting to know whether the action they are planning is likely to lead to arrests. This question is difficult to answer: a knowledge of common laws used at protests can be helpful, but is not a definite guide, as the police frequently arrest first and then decide the charges later. Reassuringly, the risk of arrest at most of the actions we support is low – get in touch with us if you want to discuss a possible action. Distributing our key advice may help participants feel more confident.

You will often get some warning before arrests occur: either direct warnings, or a change in the police atmosphere. How your group responds to this will depend on the risks you are prepared to take: it may be helpful to discuss this in advance.

The legislation for many offences lists defenses that one may have, for example wearing a mask for health reasons. Having a defense does not necessarily prevent the police from arresting you, but it can certainly be used if you are charged and taken to court.

It is really helpful to plan in advance how your group could help with police station support if needed. A few people available to meet arrestees at stations makes a huge difference. See our guide on preparing for police station support in advance for more information.

For some actions – e.g. affinity group actions – arrest may be expected. If this is the case, you should be aware of what is likely to happen in custody. Make plans for police station support, including noting preferred solicitors for each participant.