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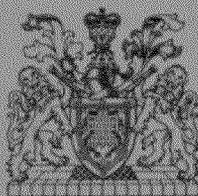
METROPOLITAN POLICE

GENERAL ORDERS

AND

REGULATIONS

made by the Commissioner of Police of the Metropolis with the
approbation of the Secretary of State for the Home Department.



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PREFACE

The primary object of an efficient Police is the prevention of crime: the next that of detection and punishment of offenders if crime is committed.

To these ends all the efforts of Police must be directed. The protection of life and property, the preservation of public tranquillity, and the absence of crime, will alone prove whether those efforts have been successful, and whether the objects for which the Police were appointed have been attained.

(Sir Richard Mayne, 1829.)

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SEC. 49—PUBLIC AND OTHER EVENTS

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ELECTIONS

1. Commanders will arrange for a sufficient number of police to be available to preserve order on nomination and polling days and on the declaration of the poll. Preservation of order.
2. On polling day, sufficient police must be provided to keep the approaches to the polling stations open to the voters and to regulate traffic. The Returning Officers should be communicated with as early as possible before the opening for polling. Polling stations.
3. In addition to the numbers employed at the polling stations, reserves will be kept at police stations where necessary. Reserves.
4. Any special arrangements necessary will be made by A.8, on reports by Commanders, as occasion may arise. Special arrangements.
5. As to time off for such duties, see Sec. 6, para. 58. Time off.
6. The officer in charge of the men at each polling station will be held responsible for the strict performance of police duties. He will keep in communication with the Returning Officer or Presiding Officer in case any alteration in the arrangements becomes necessary. Any matter of importance should be reported at once to the Commander. Duties of officer in charge.
7. The Presiding Officer is in charge. He shall keep order, regulate the number of voters to be admitted at a time and exclude all other persons except (a) the candidates and their election agents, (b) the polling agents appointed to attend at the polling station, (c) the clerks appointed to attend at the polling station, (d) the Constables on duty, and (e) the companions of blind voters. (Representation of the People Act, 1949, Rules 33(1) and 34(1) of Second Schedule.) On application Presiding Officer's instructions to be carried out.

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by a Presiding Officer, a Constable will be placed *within* the polling place, and will be instructed to carry out the directions of the Presiding Officer for regulating the number of voters to be admitted at a time. Police will take directions from the Presiding Officer, and from him only.

B. The law relating to elections is contained in the Representation of the People Acts, 1948 and 1949, and the following are the main provisions of interest to police:—

Ballot papers
& ballot boxes.

(1) A person commits an offence if he:—

- (i) Fraudulently defaces or fraudulently destroys (a) any nomination paper, (b) any ballot paper or the official mark on any ballot paper, or (c) any declaration of identity or official envelope used in connection with voting by post.
- (ii) Without due authority supplies any ballot paper to any person.
- (iii) Fraudulently (a) puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in, or (b) takes out of the polling station any ballot paper.
- (iv) Without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election.
- (v) Fraudulently or without due authority attempts to do any of the foregoing acts.

(Representation of the People Act, 1949, s.52(1).)

Misconduct
in polling
stations;

(2) If a person misconducts himself or fails to obey the lawful orders of the Presiding Officer, he may immediately by order of the Presiding Officer be removed from the polling station by any Constable in or near that station, or by any other person authorised in writing by the Returning Officer to remove him, and the person so removed shall not without the permission of the Presiding Officer again enter the polling station during the day.

charges;

Any person so removed may if charged with the commission of an offence in the polling station be dealt with as a person taken into custody for an offence by a Constable without a warrant. The powers conferred by this Rule shall not be exercised so as to prevent a voter, who is otherwise entitled to vote at a polling station, from having an opportunity of voting at that station. (Representation of the People Act, 1949, Rule 34 of Second Schedule.)

recognizance
to be taken.

A recognizance should be taken from any person taken into custody as in other cases and a surety will be unnecessary if his name and address are known.

Personation.

(3) A person shall be deemed to be guilty of personation if he:—

- (i) Votes in person or by post as some other person whether as an elector or as proxy and whether that other person is living or dead or is a fictitious person.
- (ii) Votes in person or by post as proxy for a person whom he knows or has reasonable grounds for supposing to be dead or to be a fictitious person.
- (iii) Votes in person or by post as proxy when he knows or has reasonable grounds for supposing that his appointment as proxy is no longer in force.

A person who has applied for a ballot paper for the purpose of voting in person or who has marked, whether validly or not, and returned a ballot paper issued for the purpose of voting by post shall be deemed to have voted. (Representation of the People Act, 1949, s.47.)

The Presiding Officer may order any Constable to arrest a person reasonably suspected of personation, and his order is a sufficient authority for the Constable to do so. (Representation of the People Act, 1949, Rule 37 of Second Schedule.)

Other voting
offences.

(4) Other voting offences include:—

- (i) Voting in person, by post or by proxy, by any person who knows he, or the person for whom he is voting, is subject to a legal incapacity to vote.
- (ii) Voting as elector otherwise than by proxy more than once in the same constituency or in more than one constituency.

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- (iii) Voting as elector *in person* (a) when entitled to vote as an absent voter, or (b) when registered as a service voter and knowing his proxy has already voted or is entitled to vote by post.
- (iv) Voting as proxy more than once in the same constituency or in more than one constituency.
- (v) Voting *in person* as proxy (a) when entitled to vote by post, as proxy, or (b) for an elector registered as a service voter knowing the elector has already voted in person or is entitled to vote by post.

"Vote" includes application for ballot paper and marking and returning ballot paper issued for voting by post. (Representation of the People Act, 1949, s. 48.)

9. All cases of alleged offences under the Representation of the People Act, 1949, must be sent to the Director of Public Prosecutions in order that he may consider prosecuting. When offences under the Act come to the notice of police reports and statements in triplicate will be sent to A. B and a copy to Special Branch immediately. If an arrest has been made a remand will be asked for to allow sufficient time for the preparation of the case. In all other cases, the papers will be submitted before any action is taken.

Immediate reports to A. B.

10. No member of the Metropolitan Police Force is allowed in any way to try to persuade any elector to give or not to give his vote at any parliamentary election for a constituency wholly or partly within the M.P.D. (Representation of the People Act, 1949, s. 87.)

Canvassing by police.

11. As to police voting at elections, see Sec. 6, paras. 13-15.

Police voting at elections.

FIRES

FALSE ALARMS OF FIRE

12. The Fire Services Act, 1947, s. 31, provides that any person who knowingly gives or causes to be given a false alarm of fire to any Fire Brigade or member of a Fire Brigade shall be liable on summary conviction to a fine of £25 or three months imprisonment, or both. Proceedings can be taken only by summons, as no power of arrest is given.

Statutory provisions.

13. When the offence occurs within the Greater London Council Area, a telephone message will be sent at once to the Greater London Council, County Hall, S.E.1, in order that a member of the G.L.C. Solicitor's Department may attend Court to prosecute.

Telephone message to G.L.C.

14-23. Cancelled.

OUTBREAKS OF FIRE

Police action

24. Arrangements have been made with the London Fire Brigade for information Room to be notified of all fires occurring within its area. Notification will be sent by the Brigade as soon as it is known that a call is in fact to a fire. This information will be passed by information Room to the local police station and, if necessary, to the appropriate R/T car. Enquiries should not, therefore, be made of the London Fire Brigade Headquarters regarding the whereabouts of fires.

Notification of fires in G.L.C. area.

25. Upon receiving information of a fire the Duty Officer or other superior officer should go immediately to the spot, procuring such police assistance as may be required. If the fire is of such a serious nature or is accompanied by any such unusual circumstance as to warrant the attendance of the Chief Superintendent i/c Sub-Division, the latter should be informed at once by telephone. The Chief Superintendent will be responsible for informing his Commander, if necessary, and the latter will decide whether to attend and take control of police.

Duty of superior officer, etc., receiving info. of fire.

26. On complaint by the chief or other officer of the Fire Brigade that persons are interfering with the operations of the Brigade, the officer in charge of police, if he is satisfied that they do so interfere, will civilly ask them to depart, telling them at whose request he does so. Any person who wilfully obstructs or interferes with

Persons interfering with operations.

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any member of a Brigade maintained in pursuance of the Fire Services Act, 1947, who is engaged in operations for fire-fighting purposes shall be liable on summary conviction to a fine of £25.

Saving of property.

27. Property should be protected, and may be removed to the nearest police station for security if desired, but the firemen should be consulted before removing goods from premises not actually on fire.

Police remaining at scene.

28. Sufficient police must remain at the scene of a fire until it is extinguished, all danger to the public is over, and traffic has resumed its ordinary course.

Teletypewriter messages.

29. Teletypewriter messages should be sent as soon as possible to the Commander and Press Bureau in the case of serious fires or fires accompanied by some unusual circumstance, i.e.—

- (i) where death or serious personal injury is involved;
- (ii) when incendiarism is suspected;
- (iii) when the fire is extensive or a considerable time may elapse before it can be brought under control;
- (iv) if a well-known building is affected;
- (v) where traffic diversions of importance may be necessitated or traffic affected to any appreciable degree (*see also* Sec. 26, para. 5); or
- (vi) if there are unusual circumstances that are likely to give rise to enquiries by the National Press, e.g., well-known personalities are involved or acts of heroism are performed by members of the public or by police.

Police report of fires

Information to be collected.

30. (1) The senior officer present should (a) ascertain who called the Fire Brigade and turncocks, (b) collect all the information he can about the cause of the fire and the circumstances attending it, and (c) note the conduct of police under his orders, the time they are employed, the duties actually performed (in calling or assisting the Fire Brigade or in other special manner) and the time of withdrawal.

Incendiarism.

(2) He should also act in close liaison with the chief or other officer of the Fire Brigade, and before leaving the scene of the fire should ascertain from him, after he has had an opportunity to inspect the remains, whether, in his opinion, there is any suspicion of incendiarism. If so, he will send for a Detective Inspector and remain on the scene until his arrival, afterwards reporting his action without delay to C.2.

Record in O.B.

31. The entry in the O.B. must contain the following particulars:—Situation of premises; date and time at which fire was discovered by or notified to police; by whom discovered; time of arrival and name, etc., of first police officer at the fire; time at which Brigade was called; by whom and by what means; time of arrival of fire appliances.

Meritorious actions by police or private persons.

32. (1) When meritorious action has been performed by police in saving life from fire, a report detailing the whole of the circumstances, including names and addresses of any private persons who may have assisted police, will be submitted at once through the Commander to A.3 (2) for consideration. Each case will be carefully enquired into and examined in detail by the Commander before submission. When such action has been performed by private persons only, the case will be sent to E.2 (*see* Sec. 53, para. 6).

(2) If the Commissioner decides to inform the Society for the Protection of Life from Fire, a form supplied for the purpose by the Society will be forwarded to the Division. No reference to any report should be made on this form.

33. *Cancelled.*

Fires on police property

34. The foregoing instructions also apply where the fire is on police property, but in such cases the fire should also be reported without delay to G. 1(A), Engineering Department (Special Section, E, and M. Branch), and the Chief Architect and Surveyor, a report being subsequently submitted under Sec. 56, paras. 56–60. (*See also* Sec. 58, paras. 51–52.)

Chimneys on fire—process

35. (1) Cases occurring outside the Greater London Council Area are to be reported by Chief Superintendents i/c Sub-Divisions without delay to the Local Authority, by whom the institution of process for such offences (under s. 171 (2), Public Health Act, 1875, and ss. 30 and 31, Town Police Clauses Act, 1847) will be considered. Every facility to prosecute for such offences is to be given to the Local Authority, by furnishing evidence or otherwise.

Information
to Local
Authority.

(2) In all cases (within or without the Greater London Council Area) action will also be taken as in para. 24 *et seq.*

Calling of
Fire Brigades.

Unprotected fires and heating appliances

35A. For offences under s. 11, Children and Young Persons Act, 1933, *see* Sec. 45, para. 24.

Christmas gratuities—London Fire Brigade

36. If persons in the uniform of the London Fire Brigade are seen canvassing for Christmas gratuities, police must obtain their names and addresses, and particulars will be reported to the Brigade by Chief Superintendents i/c Sub-Divisions.

EXPLOSIONS

37. An immediate report is to be made through the Chief Superintendent i/c Sub-Division to E.2 in every case of explosion, however trivial it may appear to be, except explosions caused in houses by escape of gas. *See also* Sec. 46, para. 124, regarding petrol explosions.

Reports to E.2.

Boiler explosions

38. (1) The Boiler Explosions Act, 1882, s. 5, provides that notice of a boiler explosion must be sent by the owner or user to the Board of Trade within 24 hours, giving the particulars mentioned in the Schedule to the Act. Such notices should be addressed to the Marine Survey Office of the Board of Trade, 35, Seething Lane, E.C.3. Domestic boilers and boilers used in H.M. service are excepted by s. 4 of the Act as amended by s. 2, Boiler Explosions Act, 1890.

Owner's
notice to
Board of
Trade;

(2) When information is received of a boiler explosion (other than the above exceptions) an officer will at once call upon the owner and warn him of his obligation under the Act. An entry will be made in the O.B. when this has been done (*see* para. 37 about reporting to E.2).

warning owner
of his duty.

MEETINGS AND PROCESSIONS**Political uniforms, and quasi-military organisations**

39. S.1, Public Order Act, 1936, provides that "any person who in any public place or at any public meeting (*see* para. 55) wears uniform signifying his association with any political organisation or with the promotion of any political object" commits an offence. (Punishment on summary conviction, three months imprisonment or a fine of £50, or both.)

Prohibition
of political
uniforms.

40. (1) The uniform prohibited by the section is uniform which may be described as political uniform. Uniforms worn by commissionaires, hospital nurses and members of organisations such as the Salvation Army, the Boy Scouts, Church Lads' Brigade and other similar bodies, do not associate the wearer with the promotion of any political object and are excluded from the scope of the Act.

Definition
of political
uniform.

(2) The Act does not define "uniform" and it will therefore be for the Courts to decide when a case comes before them what constitutes "uniform" within the meaning of the section. From the standard dictionaries, the expression connotes some dress or at any rate substantial part of some dress, and it appears that the wearing of an emblem, such as an ordinary rosette, would not be regarded as the wearing of uniform and that the dress or part of the dress must be distinctive and peculiar to the class of persons wearing it.

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Commr's
power to
permit.

41. The Commissioner, if satisfied that the wearing of such uniform on a ceremonial, anniversary, or other special occasion will not be likely to involve risk of public disorder, may, with the consent of a Secretary of State, permit it on that occasion either absolutely or conditionally.

Proceedings.

42. Police may arrest without warrant any person reasonably suspected to be committing an offence under s.1, but proceedings will normally be by summons unless a breach of the peace is likely to occur as a result of the wearing of the uniform or the identity of the wearer is not known and cannot be ascertained. Offences will be reported immediately to A.8 by telephone, and the full facts and statements of witnesses are to be forwarded in triplicate as early as possible with a copy for Special Branch. A.8 will apply for the consent of the Attorney-General, without which no proceedings may be taken except such as the Court may think necessary by remand or otherwise to secure the due appearance of the person charged. If an arrest has not been necessary no application for a summons or warrant will be made until the Attorney-General's consent has been obtained.

Action after
arrest.

43. (1) When it has been necessary to arrest any person suspected to be committing an offence under s.1, the Station Officer, after investigating the facts, will deal with the case in precisely the same way as any other charge in which there is power to arrest and take before a Court. After a charge has been accepted, the alleged offender should be taken before the Court forthwith if a Court is sitting, and a remand for eight days asked for. Should no Court be sitting and the circumstances justify bail, he should be bailed to appear at the next sitting of the Court, when a similar application for a remand will be made.

remand in
custody.

(2) A person remanded in custody for an offence against s.1 is entitled to be released in his own recognizance and without sureties on the expiration of eight days from the date on which he was remanded, unless in the meantime the consent of the Attorney-General to proceed further with the case has been obtained.

Description of
uniform, etc.

44. In all cases an accurate description of the uniform should be taken, and police should endeavour to obtain corroborative and, whenever practicable, independent evidence.

Prohibition of
quasi-military
organisations—

45. S.2 provides that if the members or adherents of any association are—
“(a) organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or of the armed forces of the Crown; or
(b) organised and trained or organised and equipped either for the purpose of enabling them to be employed for the use or display of physical force in promoting any political object, or in such manner as to arouse reasonable apprehension that they are organised and either trained or equipped for that purpose”;
then any person who takes part in the control or management of the association, or in so organising or training as aforesaid, shall be guilty of an offence. (Punishment—
(a) on summary conviction, six months imprisonment or a fine of £100, or both;
(b) on conviction on indictment, two years imprisonment or a fine of £500 or both.)

stewards.

46. S.2 does not prohibit the employment of a reasonable number of stewards at public meetings on private premises (for definition, see s.9), or the instruction of people who are going to be so employed, or their being furnished with badges or other distinguishing signs. As to the powers and duties of stewards, see paras. 74–75.

no power of
arrest;
reports to
S.B.;

47. There is no power of arrest without warrant for offences under s.2, and no prosecution may be instituted without the Attorney-General's consent. If any information is obtained tending to indicate that an offence under the section is being committed, the facts are to be reported at once to Special Branch but no further steps are to be taken without the authority of S.B.

proof of
hearsay.

48. Attention is called to the provisions of s.2(4), whereby proof of hearsay is in certain circumstances admissible in evidence, contrary to the general rules of evidence.

PROCESSIONS: POWER TO PRESCRIBE ROUTE, ETC., OR PROHIBIT THEM TEMPORARILY

49. S.3, Public Order Act, 1936, provides that if the Commissioner, having regard to the time, place or circumstances of any public procession or proposed procession, and to its route or proposed route, has reasonable ground for apprehending that it may occasion serious public disorder, he may impose upon the organisers or those taking part such conditions as appear to him necessary for the preservation of public order, including conditions (a) prescribing the route, (b) prohibiting the procession from entering any specified public place, and (c) restricting the display of flags, banners or emblems (but only so far as is reasonably necessary to prevent risk of a breach of the peace).

Commr's. power to impose conditions on organisers, etc., of processions;

50. If the Commissioner is of opinion that, by reason of particular circumstances existing in the M.P.D. or any part thereof, his powers in para. 49 will not be sufficient to enable him to prevent serious public disorder, he may, with the consent of the Secretary of State, prohibit for a specified period not exceeding three months all public processions, or any class of public procession, in the M.P.D. or in the part of the M.P.D. concerned.

temporary prohibition of processions;

51. Any person who knowingly fails to comply with any directions given or conditions imposed under s.3, or organises or assists in organising a public procession in contravention of such an order, or incites any person to take part in such a procession, commits an offence. (Punishment on summary conviction, three months imprisonment or a fine of £50, or both.)

offences;

52. There is no power of arrest without warrant under s.3, and it is no offence merely to take part in a public procession in contravention of an order made under this section. If persons take part in such a procession and refuse to desist after being warned, they may be arrested and charged with wilfully obstructing police in the execution of their duty (see para. 86). Further charges of "organising", "assisting to organise" or "inciting persons to take part", under s.3 may be added if the facts justify such charges. It has been held in the High Court that a person who directs such a procession, e.g., by marching at the head of it, giving signals to stop, move on or change direction, is "organising a procession".

arrest.

53. S.3 does not interfere with any existing powers of police at Common Law to take action on the spot to prevent breaches of the peace, but confers additional powers on the Commissioner to impose conditions on persons organising or taking part in processions, if the circumstances warrant his so doing. Should there be any ground for apprehending that any procession may occasion serious public disorder, a report will be sent at once to A.8 so that the question of imposing conditions may be considered (see para. 60(1)).

Reports to C.D.

DEMONSTRATIONS, ETC., BOOKLET

54. A booklet entitled "Demonstrations, etc.—Powers and Duties of Police" is issued to all officers (including C.I.D.) of and above the rank of Sergeant.

PREPARATORY MEASURES IN CONNECTION WITH MEETINGS AND PROCESSIONS

55. "Meeting" is defined in the Public Order Act, 1936, s.9, as a meeting held for the purpose of the discussion of matters of public interest or for the purpose of the expression of views on such matters. "Public meeting" is defined as including any meeting in a public place and any meeting which the public or any section thereof are permitted to attend, whether on payment or otherwise.

"Meeting" and "public meeting".

56. (1) Police have no authority to give permission to anybody to hold a meeting in a public place, and in no circumstances should they purport to give it. If such permission is sought and there appears to be no reason for police to object, the reply should be that, while police have no authority to give permission, no objection will be raised provided that no other meeting is in progress in that place, and that the meeting does not give rise to obstruction, breach of the peace or other offence.

Applications re proposed meetings;

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subsequent applications;

(2) Subsequent applicants should be informed that police understand that a meeting has already been arranged and that if it takes place another meeting will not be practicable, and they should be asked to consider postponing the proposed meeting or selecting an unoccupied meeting place elsewhere.

more than one meeting at a time—“first come, first served”.

(3) An actual attempt to hold more than one meeting at a time on a particular site is likely to lead to obstruction, if not to a breach of the peace. If police have reason to fear such consequences, they should— notwithstanding any previous intimation from either party—act on the principle “first come, first served”, and parties arriving after the firstcomers should be directed to wait until the first meeting is concluded, or to proceed to another site. In no circumstances should a meeting be stopped merely because other persons wish to hold a meeting on the same site. If two parties arrive at the same time, police should try to persuade the leaders to arrange amicably who is to hold the meeting. If this cannot be amicably arranged, neither party should be allowed to hold a meeting (see also para. 83).

Forthcoming meetings, etc.

57. Commanders are responsible for obtaining information concerning occurrences which take place or are likely to take place in their Divisions in connection with public meetings and processions.

Trade disputes and political activities.

58. When it is considered that any occurrence in connection with trade disputes or political activities justifies a report to the Deputy Assistant Commissioner “A” (Operations), a duplicate report should be sent direct to Special Branch.

Important Communist and Fascist meetings, etc.

59. Early notification of all important meetings of Communists, Fascists, or other similar political organisations, is to be sent, by telephone in urgent cases, to Special Branch and A.B, giving the time and place, and, if possible, the names of the principal speakers.

Violence or disorder apprehended;

60. (1) If definite information is available that persons are organising to promote disorder at a forthcoming meeting or procession, this is to be specially reported to C.O. for consideration whether application should be made to a Magistrate to call on the persons to show cause why they should not be bound over to keep the peace.

in park, etc.;

(2) When such a meeting or procession is to be held in any park, garden or open space controlled by the Ministry of Public Building and Works, the G.L.C. or other public body, Commanders are to arrange for a sufficient number of police to be present to assist the park-keepers in preserving order and preventing breaches of the peace. In every case where it is intended to send police *into* a park, etc., due notice must be given to the head keeper.

(3) See also paras. 95–96.

inside buildings—application for attendance of police;

61. (1) Applications for the attendance of police inside a building by responsible persons who contemplate holding a public meeting at which there is reason to apprehend disorder or a breach of the peace should be complied with. This will apply to meetings of all political parties as well as to meetings on non-political matters. The question whether a charge should be made will be decided in each instance according to the circumstances of the case.

disorderly persons from another district;

(2) If information is received that disorderly persons are to be deliberately brought in for the purpose of interfering with the meeting, steps should be taken to ascertain from whence they are coming, and, if necessary, arrangements should be made for identification by police from that district.

police action.

(3) Police will not, however, act as stewards at such meetings, and their action will be as defined in para. 66.

Requests regarding status of persons wishing to hire halls, etc.

(4) If requests are received from Local Authorities or other persons regarding the status of any organisation or individual wishing to use their halls for meetings, the enquirers are to be informed that police are not in a position to express an opinion as to the merits or political status of any particular body or organisation. Where, however, it is considered, that owing to particular circumstances, there may well be disorder at such a meeting, the advice of A.B and/or Special Branch should be sought in the first instance before replying. In cases of urgency this may be done by telephone by means of the direct police line.

Employment of police in plain clothes.

62. Commanders will arrange to procure information about the proceedings at meetings, and when it is considered necessary that police should attend such meetings as those mentioned in para. 59, may in their discretion employ officers of the Uniform Branch in plain clothes. C.I.D. officers will not be employed on this duty except on special occasions.

Approval of police arrangements

63. Minor demonstrations, processions and meetings which can be policed from divisional manpower resources but at which disorder is not expected need not be reported to 'A' Department. In the event of disorder and/or arrests, see paras. 95–96.

Minor demonstrations, etc.

64. When notification of large scale demonstrations or processions affecting two or more Divisions is received, liaison is to be established between the Commanders concerned and the reports and recommendations forwarded to A.8 where the reports will be collated and aid organised as necessary. Operation Orders will be published in suitable cases. Reports should show:—

Large scale demonstrations.

(a) The number of persons likely to attend, the places of assembly, the route of the procession and the object of the meeting, together with any other information likely to be of use in computing the numbers of police to be employed.

(b) Whether the streets on or near the proposed route or place of meeting are under repair. If heaps of stones, etc., are deposited which might be used as missiles, particulars should be stated in order that their removal may be considered. Particulars should also be given of buildings which are being erected or demolished in the neighbourhood.

roads under repair, etc.

(c) Particulars of premises on or near the proposed route or meeting place which are occupied or used by rival organisations.

rival organisations.

These instructions do not affect the order that Special Branch is to be informed in all cases—Book 129 being used in respect of para. 63 above.

65. Commanders making arrangements for any occurrence where no report is submitted to A.8 will request the various facilities (e.g., canteen, transport, communications) direct from the appropriate branch at C.O., by means of memoranda. In other cases the facilities will be arranged by A.8.

Arranging general facilities.

65A. It is important for the information of Traffic Control that particulars of any event likely to affect traffic circulation should be sent to B.2.

Traffic.

POLICE ACTION AT MEETINGS AND PROCESSIONS**(i) General**

66. It is no part of the duties of police at meetings to act as stewards to secure an uninterrupted hearing for the speakers. Their action—whether the meeting is held in a public place or on private premises—will be limited to:—

Order at meetings; police action generally.

(a) obtaining at the request of the chairman or promoters of the meeting, the names and addresses of persons who are behaving in contravention of the Public Meeting Act, 1908 (see paras. 70–74), and

(b) exercising, when necessary, their other powers and duties set out below.

67. (1) When a public meeting is held on private premises, police on duty at the entrance to the building or near by will regulate traffic and prevent obstruction in the streets, but will not normally enter the building unless called on (a) to obtain the names and addresses of offenders as above, (b) to suppress an actual breach of the peace, or (c) to take into custody any person charged with an offence for which there is power of arrest.

Meetings on private premises.

(2) It must be remembered, however, that police have a Common Law right of entry in certain circumstances, e.g., fear of a breach of the peace or anticipation of seditious speeches.

police right of entry.

(3) It is the duty of police—whether or not they are called upon to do so—to enter the meeting if they have reason to believe that more violence than is necessary and reasonable is being used by the stewards in ejecting interrupters (see para. 74(2)).

violence by stewards.

68. Officers in plain clothes on duty at meetings should obtain copies of all handbills and pamphlets distributed or sold, which will be submitted with their reports. Whenever practicable three copies should be obtained.

Handbills and pamphlets.

(ii) Disorderly conduct—meetings and processions

69. As to the preparatory measures to be taken in connection with meetings and processions at which disorder is expected, see especially paras. 53, 60, 61 and 65; and as to the reports to be submitted after such meetings and processions, see paras. 95–96.

SEC. 49—PUBLIC AND OTHER EVENTS

Public Meeting Act, 1908, etc.

70. By the Public Meeting Act, 1908, s.1(1) and (2), and the Public Order Act, 1936, any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, or incites others to commit such an offence, is liable, on summary conviction, to a fine of £100 or three months imprisonment, or both, or on conviction on indictment, a fine of £500 or twelve months imprisonment, or both.

police power to require name and address;

71. (1) Sub-section (3) of s.1 (added by s.6, Public Order Act, 1936) empowers any Constable, if requested to do so by the chairman of a lawful public meeting, to require a person to declare his name and address, *provided that* the Constable reasonably suspects that person of committing an offence as in para. 70. Police present at a lawful public meeting should not ask for the name and address of any person unless requested to do so by the chairman of the meeting, and then only if there is reasonable suspicion of an offence under the foregoing provisions.

power of arrest;

(2) If the person refuses or fails to declare his name and address, or if the Constable reasonably suspects him of giving a false name and address, he may be arrested without warrant. Any person so arrested should be charged by police with the offence against sub-section (3) of s.1 of the 1908 Act whether or not it is proposed to institute further proceedings against him under sub-section (1) or (2) of that section.

if correct names, etc. given.

(3) If the correct name and address are believed to have been given, all that the Constable normally has to do is to report them to the chairman or some other person responsible for calling the meeting.

Proceedings under s.1(1) & (2) of 1908 Act.

72. Police are under no obligation to take proceedings for offences under s.1(1) and (2) of the 1908 Act except in serious cases. If, on consideration, they are of opinion that the case is not one in which they should take proceedings, it will of course be open to the promoters of the meeting to do so if they wish.

Election meetings.

73. (1) The Representation of the People Act, 1949, s.84, enacts provisions similar to those in paras. 70—71 in respect of any lawful public meeting which is:—

- (a) a political meeting held in any constituency between the date of the issue of a writ for the return of a member of parliament for the constituency and the date at which a return to the writ is made; or
- (b) a meeting held with reference to a local government election in the electoral area for that election on, or within three weeks before, the day of election.

(2) The Representation of the People Act, 1949, repeals the whole of the Public Meeting Act, 1908, as respects meetings to which s.84 of the Representation of the People Act, 1949, applies, but the provisions of the Public Meeting Act, 1908, remain in force for other lawful public meetings.

Police, chairman and stewards—respective responsibilities.

74. (1) It will be no part of the duty of police to attend a public meeting for the purpose of seeing whether or not an offence is committed against the Public Meeting Act, 1908. It will be the duty of the chairman and stewards to maintain general order and to ensure that the business for which the meeting was called together is transacted. At the same time, it will of course be the duty of police who are present to take any necessary steps to prevent breaches of the peace or to deal with an offence under s.5, Public Order Act, 1936 (see para. 75).

Stewards—ejecting interrupters.

(2) At public meetings held in a hired hall or other similar place it is generally accepted that interrupters may be ejected by the stewards appointed by the conveners of the meeting, but only with such force as is necessary and reasonable. Whatever the particular conditions may be, if unnecessary and unreasonable force is used by the stewards in ejecting interrupters, it is the clear duty of police to intervene promptly for the purpose of identifying the assailants and putting a stop to further assaults. If police are not within the premises but have reason to believe that such unnecessary and unreasonable force is being or is about to be used, they should enter at once and not wait until they are called in.

75. Any person who in any public place or at any public meeting (see para. 55)—

- (a) uses threatening, abusive or insulting words or behaviour, or
- (b) distributes or displays any writing, sign or visible representation which is threatening, abusive or insulting,

with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned, commits an offence (s.5, Public Order Act, 1936, as amended

by s.7, Race Relations Act, 1965). (Punishment on summary conviction, 3 months' imprisonment or a fine of £100, or both, or, on conviction on indictment, 12 months' imprisonment or a fine of £500, or both (s.1, Public Order Act, 1963)). Arrest without warrant on reasonable suspicion is authorised by s.7 of the 1936 Act.

76. (1) Any person who, *with intent to stir up hatred against any section of the public in Great Britain distinguished by colour, race or ethnic or national origins—*

Incitement to racial hatred.

(a) publishes or distributes written matter which is threatening, abusive or insulting, or

(b) uses in any public place or at any public meeting words which are threatening, abusive or insulting,

being matter or words likely to stir up hatred against any section of the public by reason of colour, race or ethnic or national origin, commits an offence (s.6, Race Relations Act, 1965). (Punishment on summary conviction, 6 months' imprisonment or a fine of £200, or both, or on conviction on indictment, 2 years' imprisonment or £1,000, or both).

Note: To prove the offence it will be necessary to show—

- (i) that the matter or words in issue were threatening, abusive or insulting;
- (ii) that they were *intended* to stir up hatred against a section of the public in Great Britain distinguished by colour, race, or ethnic or national origins;
- (iii) that they were likely to stir up hatred against that section of the public on grounds of colour, race or ethnic or national origins;
- (iv) that the publishing and distribution were to the public at large or to any section of the public not consisting exclusively of members of an association of which the person publishing or distributing is a member;
- (v) that the written matter consisted of any writing, sign or visible representation; and
- (vi) that the public meeting or public place fell within the definitions in the Public Order Act, 1936 (see para. 55).

It is not necessary to prove intent to provoke a breach of the peace.

(2) S.7, Public Order Act, 1936, and S.6, Race Relations Act, 1965, provide higher penalties than s.54(13), Metropolitan Police Act, 1839, and other relevant Acts. Ss. 5 and 7, Public Order Act, 1936, and s.6, Race Relations Act, 1965, should not be used for the purpose of dealing with ordinary cases of disorderly behaviour in a public place by persons who have been drinking, or isolated acts unconnected with public meetings or demonstrations by one or two persons. Such cases will continue to be dealt with under (i) s.54(13), M.P. Act, 1839, (ii) the appropriate section of the Parks Regulation (Amendment) Act, 1926, if the offence takes place in a park, etc., under the control of the Ministry of Public Building and Works, or (iii) Greater London Council Bye-laws if the offence takes place in a park, garden or open space controlled by the Council. (See Sec. 22, para. 1(2).)

(3) It is to be noted that s.6 Race Relations Act, 1965, is not intended to penalise ordinary discussion or legitimate controversy, however misinformed, but it is to be invoked to deal with *organised campaigns of incitement to racial hatred* rather than with isolated incidents. There is no power of arrest under the section and no prosecution can be instituted without the consent of the Attorney-General. Normally offences or suspected offences will be reported so that the consent of the Attorney-General can be obtained but, if arrest is necessary, e.g., to prevent a breach of the peace, the person should be charged under s.5, Public Order Act, 1936, the charge under s.6, Race Relations Act, 1965, being added later if the Attorney-General consents.

Attorney-General's consent.

(4) It is imperative in cases where proceedings under s.6, Race Relations Act, 1965, are considered possible, that the fullest possible account of the incident is given and this is to be borne in mind when reports and statements are being prepared. Reports and statements, in triplicate, with double-spaced typing, one side of the paper only, are to reach A.7 as soon as possible. Where a charge under

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s.5, Public Order Act, 1936, is preferred and the offender has also been reported under s.6, Race Relations Act, 1965, a remand is to be asked for, the Magistrate being informed of the reason.

Racial disturbances—reporting of.

76A. (1) Brief information of all disturbances or incidents where there is some racial significance is to be sent forthwith by teleprinter to A.7 and confirmed by a report in triplicate, with an additional copy for Special Branch.

(2) Serious racial disturbances should be reported in accordance with the instructions contained in para. 95.

Shorthand writers—employment of.

77. (1) Shorthand writers are to be deputed to attend those meetings where experience shows that language of an insulting or provocative nature may be used by the speakers. The officer i/c Special Branch, will arrange for shorthand writers to attend important demonstrations, such as are held in Trafalgar Square, Hyde Park, etc., and as many other meetings as possible, and will notify the Commander of the Division concerned accordingly.

(2) If a Commander considers that shorthand notes should be taken at a meeting which is not being attended by a Special Branch shorthand writer, arrangements should be made for a Divisional officer to attend for this purpose.

(3) If police shorthand writers are employed, they are to be instructed to take special care to record verbatim any insulting or provocative expressions on which immediate or subsequent action may be taken by police.

Meetings where breaches of peace are likely; notes of speeches.

78. (1) Meetings at which breaches of the peace are likely to take place should be carefully watched and the leaders identified if possible, with a view to obtaining proof of the same persons acting as ringleaders on various occasions.

(2) At all meetings where inflammatory speeches or remarks may be expected, two or more uniform officers are to place themselves as near as possible to the speakers so that, even though there may be considerable heckling and interruption, they may hear what the speakers say. Where practicable, one of these officers should be the senior officer on duty at the meeting. These officers, and any others who hear them, will record in their pocket books any inflammatory remarks, particularly the actual words of the speaker which give cause for police intervention.

Police intervention.

79. Discretion must be exercised by police when speakers ventilate views which are unpopular, but the senior officer present must intervene forthwith if he thinks the remarks are grossly offensive or provocative. He should not wait for disorder to break out, but should bear in mind that when reasonable criticism and political controversy degenerate into insult and abuse, action should be taken even though no particular resentment is shown by the audience. He should be guided not only by the reaction which a speaker's remarks actually cause, but by his judgment of the reactions which they might reasonably be expected to provoke if heard by a member of the section of the community against which they are directed. If, for example, grossly anti-semitic language is used in a predominantly Jewish area, the meeting should be stopped at the earliest practicable moment, but in other areas, if there is no reason to fear disorder, it may suffice to warn the speaker that the meeting may have to be closed if he persists in making such remarks.

Threatening, abusive or insulting language—by speakers.

80. (1) Action should be taken without hesitation under s.5, Public Order Act, 1936, if the language used is threatening, abusive or insulting, with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned (see para. 75). As a general rule, a speaker who makes use of such language should be reported for process and cautioned that if he persists he will be arrested. Where disorder breaks out as a result of his remarks, or where a meeting is closed and it is not considered necessary to arrest the speaker, he should nevertheless be reported for process under s.5. It may sometimes be necessary, in order to prevent an imminent breach of the peace, to arrest a speaker without a preliminary warning. Where arrests are made, care must be taken that sufficient police are at hand to keep order.

(2) At meetings attended by Special Branch shorthand writers it is the primary responsibility of the senior uniform officer present to take action in accordance with the above instructions. The Special Branch officer will produce his notes in Court as evidence when an arrest is made.

by members of audience.

81. It is not the duty of police to secure a hearing for the speakers (apart from action taken by police in pursuance of requests made by the chairman; see para. 71).

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but members of the audience who use threatening, abusive or insulting language likely to cause a breach of the peace, should be dealt with in the same way as speakers (see para. 80).

82. Measures must be taken at an early stage to stop riotous behaviour arising out of public meetings. In some cases the arrest of the persons provoking the disorder may not be sufficient to restore order, and it may be necessary in addition to call on the speaker to close the meeting and for police to disperse the crowd.

Riotous behaviour—
steps to stop.

83. A meeting or procession, peaceable in itself, threatened with interruption by some other assembly, meeting or procession, should not be interfered with merely because it is the cause of the threatened breach of the peace, but measures for the preservation of the peace must first be taken against the aggressive party. As to the application of the "first come, first served" principle, see para. 56(3).

Conflicting meetings and processions.

84. A procession or crowd breaking into a run, or making rushes with hostile intent, or terrorising the inhabitants by hooting or yelling in any thoroughfare, is to be deemed disorderly, and should be dispersed and the principals arrested. If it comes to a standstill or blocks the roadway to the interference of traffic and refuses to act under the instructions of police, it is an obstruction and should be dealt with accordingly.

Disorderly procession or crowd.

85. (1) Any person having any offensive weapon with him at any public meeting or procession, unless acting in his capacity as (i) a servant of the Crown, of either the House of Parliament or of any Local Authority, (ii) a Constable, or (iii) a member of a Fire Brigade, Visiting Force or a recognised corps, shall be liable on summary conviction to a fine of £50 or three months imprisonment, or both (Public Order Act, 1936, s.4). S.9 defines "recognised corps" as a rifle club, miniature rifle club or cadet corps approved by a Secretary of State under the Firearms Act, 1968.

Offensive weapons at public meetings or processions.

(2) Reasonable discretion should be exercised in enforcing s.4, and proceedings should not be taken against persons in possession of articles which might be held to be "offensive weapons" if they merely happen to be present but have no evil intent. Police have power of arrest without warrant on reasonable suspicion (s.7(3)).

(3) As to possession of offensive weapons in a public place (Prevention of Crime Act, 1953), see Sec. 22, para. 6.

86. (1) Persons arrested should be charged, according to the circumstances, with one or more of the following offences:—

Charges.

(i) Assaulting, resisting or wilfully obstructing police in the due execution of duty (s.51, Police Act, 1964 (see Sec.22, paras. 12–13)). A charge of "obstructing police", contrary to s.51(3), Police Act, 1964, should only be resorted to in cases where a breach of the peace was, or was likely to have been occasioned or where the prisoner is also charged with some offence for which a valid power of arrest has been exercised.

(ii) Using threatening, abusive, or insulting words or behaviour with intent to provoke a breach of the peace, or whereby a breach of the peace is likely to be occasioned (Public Order Act, 1936, s.5; see para. 75. See also the M.P. Act, 1839, s.54(13)).

(iii) Wilfully obstructing the free passage along a highway (Highways Act, 1959, s.121(1)).

(iv) Wilfully disregarding the regulations or directions of the Commissioner for preventing obstruction after having been made acquainted with them (M.P. Act, 1839, ss.52 and 54(9)). Persons arrested under this section must be informed at the time of the exact regulation or direction disregarded and this must be clearly evident in the charge. Where more than one direction is disregarded a separate charge will be made out in respect of each but this step should be avoided if possible as the Court might consider it oppressive. S.54(9) should not be used, however, unless there are reasons for not applying the provisions of the Highways Act, 1959, or unless regulations or directions have been made by the Commissioner.

(2) See also:—

Para. 71(2) regarding charges under the Public Meeting Act, 1908.

Para. 85 regarding offensive weapons at public meetings or processions, etc.

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Paras. 97—112 regarding riots, routs and unlawful assemblies.

Paras. 95—96 regarding reporting arrests and disturbances, and applications for legal aid.

(III) Complaints about meetings

Police impartially.

87. Police should be specially instructed to treat all meetings alike, so long as their purpose is lawful.

Police action re complaints.

88. (1) When complaint is made of persons delivering addresses in a thoroughfare and in the opinion of police no offence is being committed, the complainants should be informed that they may themselves apply for a summons against the alleged offender. Police may assist by obtaining names and addresses, but must not intervene otherwise unless actual obstruction of the thoroughfare is caused. Persons causing obstruction should be civilly requested to move away, and, if they refuse, their names and addresses should be taken and a report submitted for process unless immediate arrest is necessary.

obstruction;

noise—loud-speakers.

(2) Police may convey to the speaker any reasonable complaint of noise which they may receive, if they consider this course to be practicable. Where the complaint arises from the use of loudspeaker apparatus, police should ask the person in charge to go away or reduce the volume of noise. If the loudspeaker is used in any thoroughfare or public place for *calling persons together* to any meeting, show or entertainment, and a *bona-fide* complaint is received from a private person, police should first point out the offence committed under s.54(14) of the Metropolitan Police Act, 1839. If the offender does not desist, or repeats the offence in the presence of police, the facts should be reported. Arrest will only be resorted to if a breach of the peace is likely to take place. If police consider action should be taken under any appropriate Bye-law the facts should be reported. All reports as above will be forwarded in triplicate to A.8 for directions. Particulars of any offence under s.2 of the Noise Abatement Act, 1960, notified to police, should be reported to the Local Authority on Form 144, but police will take all necessary action in regard to offences witnessed by them. (As to loudspeaker vans generally and the use of loudspeaker vans in the County of Kent, see Sec. 32, para. 107.)

(IV) Commissioner's Directions

General.

89. (1) By virtue of s.52, M.P. Act, 1839, the Commissioner has power within the M.P.D. to make regulations governing the route to be observed by traffic and pedestrians in streets and thoroughfares during public processions, rejoicings or illuminations and may give directions to Constables for keeping order and preventing obstruction in streets or thoroughfares (see para. 86(1)(iv) and Sec. 26, paras. 42—44).

Sessional Order.

(2) A Sessional Order of the House of Commons—which is published in Police Orders at the time of each Opening of Parliament—directs the Commissioner to take care that the streets leading to the House are kept free and open, and that no obstruction is permitted to hinder the passage of members to and from the House.

Directions made following the Sessional Order.

(3) Under s.52, M.P. Act, 1839, the Commissioner makes regulations as follows to implement the Sessional Order and gives directions to all Constables:—

(i) That they shall disperse all assemblies or processions of persons causing or likely to cause obstruction or disorder on any day on which Parliament is sitting within the area specified below, and that they shall prevent or remove any other cause of obstruction within the said area so that every facility shall be afforded for the free passage of members to and from the Houses of Parliament.

Sessional area.

(ii) The boundary of the area to which the provisions apply is formed by the undermentioned thoroughfares, viz:—South side of the River Thames between Waterloo and Vauxhall Bridges, Vauxhall Bridge Road, Victoria Street (between Vauxhall Bridge Road and Buckingham Palace Road), Grosvenor Gardens, Grosvenor Place, Piccadilly, Coventry Street, New Coventry Street, Leicester Square (north side), Cranbourn Street, Long Acre, Bow Street, Wellington Street, crossing Strand and Victoria Embankment to Waterloo Bridge.

(iii) Processions may pass along the thoroughfares named, except Victoria Embankment west of Waterloo Bridge.

(V) Special Cases (Trafalgar Square, Borough Councils, etc.)

90. (1) Meetings in Trafalgar Square are governed by special Regulations made by the Minister of Public Building and Works under the Trafalgar Square Act, 1844, and the Crown Lands Act, 1851.

Trafalgar Square—

(2) Speeches may be delivered from the east, north, and west sides of the raised base of the Nelson Column, and from any point of the balustrade running along the north side of the Square or of the flights of steps at either end of that balustrade. Care must be taken that no unauthorised persons are allowed on the plinths, and that no persons climb upon the Landseer lions.

places for speeches:

Landseer lions;

(3) Any person acting in contravention of any of the Regulations should be cautioned, and, if the offence is continued, removed from the Square.

cautions, etc.:

(4) Permission to sing or play music at meetings in Trafalgar Square is given by the Ministry of Public Building and Works only on very special occasions.

music prohibited.

91. (1) In connection with meetings and addresses in Hyde Park special attention is drawn to the Hyde Park Regulations. If police have reason to believe that it is intended to hold a meeting otherwise than in an allowed open part of the park free from obstruction, the promoters should be informed quietly but firmly that the law does not permit it.

Hyde Park—meetings and addresses.

(2) All charges arising within the park will be dealt with at Hyde Park Station.

Charges.

92. (1) The law regarding preserving order at meetings held in pursuance of legal duty, e.g., meetings of Borough Councils, is set out in the M.P. Guide. Police action in such cases will primarily be to prevent a breach of the peace.

Meetings in pursuance of statutory duty—

(2) If called upon to eject a member of the meeting, e.g., a councillor, an officer should first enquire whether the necessary formalities in accordance with standing orders (such as the passing of a resolution by the meeting) have been complied with. If the chairman tells him that this has been done, and, in the presence of the officer, calls upon the member to withdraw and he refuses, the officer may eject him. The officer must use no more force than is necessary for the purpose, and bear in mind that he must not take the member into custody (unless some offence for which there is a power of arrest has been committed) but leave him perfectly free as soon as he has passed outside the chamber or other place in which the meeting is being held.

ejection of member of meeting.

(3) An officer called upon to eject a person who is not a member of the meeting should act only at the express request of the chairman, who should, in the presence of the officer, call upon the person to withdraw.

a person not member of meeting:

(4) Where a person has been ejected from a meeting, he should not be permitted to return during the continuance of that particular meeting except at the express direction of the chairman.

return to meeting.

(5) The Public Bodies (Admission to Meetings) Act, 1960, s.1, provides that, subject to the exception in sub-para. (6) below, any meeting of a Local Authority or other body exercising public functions shall be open to the public.

Public Bodies (Admission to Meetings) Act, 1960:

(6) The Local Authority or other body concerned may, by resolution, exclude the public from a meeting during the whole or part of the proceedings whenever publicity would be prejudicial to the public interest (s.1(2)).

exclusion from meeting:

(7) The provisions of s.1 of the above Act are without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting (s.1(8)) (see sub-para. (1)–(4) above).

disorderly conduct, etc.

93. (1) The Ecclesiastical Courts Jurisdiction Act, 1860, renders liable to a penalty any person guilty of riotous, violent or indecent behaviour in a place of worship, or in a churchyard or burial ground, or of molesting or disquieting a preacher or clergyman in the exercise of his duty in such places.

Places of worship—

(2) When it is feared that disturbances may occur at any such place, a sufficient reserve should be kept in the vicinity. Police in plain clothes may, if required be sent inside the church to take note of all riotous or indecent behaviour. If any arrest is made, it should be practicable to be in concert with the churchwardens.

police action;

(3) The power of police to arrest does not, however, depend on the request of the authorities of any place of worship, but on the occurrence of offences against the Act. Where there is no doubt of the intention of the persons concerned, police will act on the authority given by the Act and arrest the offenders.

power of arrest.

SEC. 49—PUBLIC AND OTHER EVENTS

DEMONSTRATIONS, ETC., AT FOREIGN MISSIONS

93A. (1) Under Art. 22 of the Vienna Convention on Diplomatic Relations the receiving State is under special duty to take all appropriate steps to protect a foreign mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

(2) Under Art. 30(1) of the Vienna Convention the residence of the head of a mission or member of the diplomatic staff of a mission enjoys the same inviolability and protection as afforded to a mission under Art. 22.

(3) The Diplomatic Privilege Act, 1964 which gives effect to the above Convention gives no power of enforcement and provides no penalties for infringements. If, however, after being warned, persons persist in behaving in a manner which disturbs the peace of, or impairs the dignity of, a mission or residence of a diplomat, they may, if necessary, be dealt with by police for obstructing them in the execution of their duty.

REPORTS AFTER MEETINGS AND PROCESSIONS

General

94. (1) At the termination of every meeting or procession in thoroughfares or open spaces, or on other special occasions, police who were on duty must report particulars of (a) any speech of which they may be called upon to give evidence, or (b) any occurrence they witnessed which may be the subject of subsequent proceedings.

(2) When details of speeches of special interest or of violent or inflammatory language are obtained, a special report of the particulars should be submitted to A.8 and a copy to Special Branch.

Meetings, etc., resulting in disorder or arrests

95. (1) When a meeting or procession gives rise to disorder of any kind or to arrests, brief information is to be sent at once by teleprinter to A.8 and Special Branch and a report in triplicate submitted to A.8 by 2 p.m. the following day (except in the case of incidents on a Friday or Saturday, when it will be submitted by 2 p.m. the following Monday), giving in summary form the points outlined below:—

- (i) The circumstances in which the demonstration or disturbance arose, its object, the number of demonstrators, and the extent to which they came in conflict with police.
- (ii) The number of police employed and the times engaged.
- (iii) Deployment of reserves (if used).
- (iv) Whether truncheons were drawn or used.
- (v) The number of arrests and charges.
- (vi) The number of injuries to (a) police officers, (b) prisoners and (c) members of the public.
- (vii) The amount of damage to property.

(2) In addition, copies of such reports are to be sent to:—

- (i) Solicitor, one copy.
- (ii) Special Branch, one copy.

(3) Where legal aid is, or may be, required at the first appearance of defendants before the Court, Solicitor's Department should be notified immediately by telephone or, if it is after 6 p.m., the Back Hall Inspector should be notified and asked to get in touch with a member of Solicitor's Department, and arrangements can then be made for an advocate to meet officers with the papers at Court.

In other cases a remand is to be asked for to enable the papers to be prepared, and the case papers and statements should then be forwarded with the least possible delay. It may often be convenient for the officer in the case, or an officer who has full knowledge of the evidence, to deliver them to the Solicitor by hand.
(See also Sec. 25, para. 181).

Urgent
messages and
reports—

copies of
reports.

Legal aid.

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(4) Reports of results of cases are to be distributed on the same basis as in (1) and (2) above.

Reports of results of cases.

(5) See paras. 103–112 about reports of cases under the Riot (Damages) Act, 1886.

96. A copy of the brief information referred to in para. 95 will be supplied to Special Branch, who, if an arrest has been made, will search their records and notify the Division if there are any previous convictions. The Commander of the Division will then decide whether it would be worth while to ask for a remand for the purpose of establishing previous convictions.

Inform. to Special Branch.

ARRESTS IN CONNECTION WITH POLITICAL ACTIVITIES

96A. Whenever persons are arrested for offences connected with political activities, including minor breaches of the peace and cases of slogan-daubing, etc., enquiry is always to be made of Special Branch to ascertain whether anything is known about the accused before the case is dealt with at Court. This enquiry will be in addition to any other searches made. Results of all such cases are to be submitted to Special Branch.

Enquiry of Special Branch re previous convictions.

RIOTS, ROUTS AND UNLAWFUL ASSEMBLIES

GENERAL

97. (1) *An unlawful assembly is an assembly of three or more persons with intent—*

Definitions.

- (a) to commit a crime by open force, or
- (b) to carry out any common purpose, lawful or unlawful, in such a manner as to give firm and courageous persons in the neighbourhood of such assembly reasonable grounds to apprehend a breach of the peace in consequence of it.

Every unlawful assembly is an offence.

(2) A *roust* is an unlawful assembly which has made a motion towards the execution of the common purpose of the persons assembled.

(3) A *riot* is an unlawful assembly which has actually begun to execute the purpose for which it assembled by a breach of the peace and to the terror of the public.

98. There are five necessary elements of a riot:—

Five elements of riot.

- (i) Number of persons: three at least.
- (ii) Common purpose.
- (iii) Execution or inception of the common purpose.
- (iv) An intent to help one another, by force if necessary, against any person who may oppose them in the execution of their common purpose.
- (v) Force or violence displayed in such a manner as to alarm at least one person of reasonable firmness and courage.

99. Police must deal expeditiously with unlawful assemblies, which may very easily develop into riots. Discretion and judgement should be exercised in all cases, but police should bear in mind the necessity of taking every step with firmness, and preventing public disorder or a breach of the peace. The first consideration should be the arrest of offenders and the dispersal of the crowd. (As to affrays, see Sec. 22, para. 1(2).)

Police action.

100. All persons encouraging, promoting or taking part in riots, whether by acts, words, signs or gestures, are to be regarded as principal offenders, and arrested as such.

Principal offenders.

101. (1) A scheme has been prepared by the G.O.C. London District to render assistance in the case of civil riots or disturbances, i.e., duties in aid of the Civil Authority.

Military aid.

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Organisation of London District.

(2) For the purpose of this scheme London District includes the Metropolitan and City Police areas together with that part of the Port of London Authority Police area within the Metropolitan Police District.

Assistance to police.

(3) Assistance to police will cover not only the maintenance of public order, but also the protection of persons and property. When it is considered that military assistance is required, Divisional Commanders will communicate with Deputy Assistant Commissioner 'A' (Operations) who will make all applications for military aid on behalf of and with the authority of the Commissioner.

102. *Cancelled.*

RIOT (DAMAGES) ACT, 1886

Provisions of Act.

103. The Riot (Damages) Act, 1886, provides that persons whose property is injured, stolen or destroyed by persons riotously assembled together, may claim compensation from the Receiver. The Act does not apply to property of all descriptions, but only to a house, shop or building and any premises appurtenant thereto, and to property contained in such house, shop, building or premises. Claims are also permissible in respect of injury or destruction of certain machinery (see s.6 of the Act).

Reports of occurrences which may lead to claims.

104. (1) When any occurrence takes place which may lead to a claim or claims being made, a general report of the circumstances should be sent as early as possible to A.B and a copy to the Receiver. This report would show (i) whether what happened was or was not a riot as defined in para. 98, and (ii) whether the person whose property was damaged, etc. (a) neglected to take proper precautions, (b) was a party or accessory to the riotous or tumultuous assembly, (c) offered provocation, or (d) is considered in any other way to be disqualified for receiving compensation.

(2) If considerable property or the property of several persons is affected, this report should not give detailed particulars of the property damaged, etc., but merely a list of the persons and premises concerned.

Particulars and statements to be obtained at the time.

105. Full particulars of the property injured, stolen or destroyed should be noted at the earliest possible moment by every officer who witnessed the damage, etc., and are to be recorded in the O.B. To enable the Receiver to deal with a subsequent claim for compensation (see paras. 107–112), it is important that evidence from persons other than police officers (e.g., members of the public present on the occasion, residents in the neighbourhood, etc.) should be obtained at the outset whilst the circumstances are still fresh in their minds. Therefore, as soon as practicable after the occurrence police should obtain statements from such persons, particularly regarding the points (i) and (ii) in para. 104.

Information to claimants about making claims.

106. (1) If persons whose property has been damaged, etc., ask police about claiming compensation, they should be informed of the requirements of the Secretary of State's Regulations of 1st October, 1921, governing claims for compensation. These are set out in the M.P. Guide at the end of the Riot (Damages) Act, 1886. Their attention should be particularly directed to the necessity for making application to the Receiver within 14 days of the occurrence, either in the form of a claim or of a request for an extension of the time allowed for making a claim.

(2) The enquirer should also be informed that copies of the Regulations and of the form in which all claims must be made may be obtained through any bookseller or from H.M. Stationery Office or the office of the Director of Administration, New Scotland Yard, price twopence. Nothing should be said which may be regarded as an admission that there was, in fact, a riot.

Reports on Form 728 and Receiver's Form A

Adjudication by Receiver, and reports to him re actual claims—

107. In dealing with claims the Receiver acts in a judicial capacity, and it is necessary for him to ascertain through police the actual facts of the occurrences on which the claim is based, so that he may be in a position to decide whether or not there was a riot within the meaning of the Act. For this purpose the Commander concerned will be asked to report (in duplicate on Form 728) the facts of the case as known to police, and to fill up the Receiver's Form A.

108. As regards the reports on Form 728, when the damage, destruction or theft was witnessed by police or Special Constables, the senior officer who actually witnessed the occurrence should report exactly what he saw. Form 728.

109. (1) Form A will easily be filled up if the directions in paras. 104–105 have been carried out. The Commander should include under heading 12 (General remarks) a statement whether, in his opinion, each of the five elements of a riot mentioned in para. 98 was present or not, e.g.:— Receiver's Form A.

- (i) "Yes" or "No", as the case may be.
- (ii) " " " " " "
- (iii) " " " " " "
- (iv) " " " " " "
- (v) " " " " " "

(2) The answers to questions under headings 2 and 3 on Form A will be filled in at C.O., but otherwise the form should be completed, except that questions under headings 7 and 8 need not be answered.

110. The nationality of the occupier of any premises concerned should be stated in the report on Form 728 or in the Commander's observations under heading 12 on Form A. nationality of occupier.

111. In dealing with these enquiries and reports, police should note that:—

- (i) Claims for compensation under the Act are not to be regarded as claims *against police* or as necessarily involving any imputation of neglect of duty. Strict impartiality must be observed in making enquiries and preparing reports. General instructions re reports on claims—impartiality.
- (ii) Claims have often little or no justification or the occurrences to which they relate are much exaggerated. On the other hand, police must avoid in their reports any tendency to minimise, e.g., it should not be stated that an alleged crowd consisted merely of "a few small boys" or "some children" unless it is quite clear that there were no adults present. Such evidence as police can obtain *for and against* a claim should be collected and stated fully. minimisation to be avoided.
- (iii) Considerations irrelevant to the question (a) whether or not there was a riot, or (b) of the extent of damage, must be excluded, and only the actual occurrence and the particular property to which the claim relates should be dealt with in the enquiries and report. irrelevant considerations.
- (iv) As a claim not admitted by the Receiver may subsequently become the subject of an action against him in the Courts, it is essential that he should be in a position to show that he had been fully informed by police of all facts which could reasonably be ascertained by them and can be adduced as tending to show that there was a riot. full information.
- (v) *If statements by witnesses in support of a claim are produced by the claimant and referred for enquiry, police must not approach such persons as they will be the claimant's witnesses in the case of an action in the Courts, but must endeavour to obtain independent evidence, confirmatory or otherwise, of the statements.* verification of statements of claimant's witnesses.
- (vi) A note of any telephone message sent or received by police in connection with these cases should always be kept for production if required. telephone messages.

112. When completed, the reports on Form 728 and Form A should be forwarded to A.8. Forwarding reports.

TRADE DISPUTES

Intimidation, molestation, peaceful persuasion, etc.

113. The principal provisions of the law relating to intimidation, molestation and peaceful persuasion, etc., are shown in the following paragraphs.

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Conspiracy, & Protection of Property Act, 1875, (intimidation or annoyance by violence or otherwise);

114. (1) "Every person who, with a view to compel any other person to abstain from doing or to do any act which such other person has a legal right to do or abstain from doing, wrongfully and without legal authority,—

- (i) uses violence to or intimidates such other person or his wife or children, or injures his property; or
- (ii) persistently follows such other person about from place to place; or
- (iii) hides any tools, clothes, or other property owned or used by such other person, or deprives him of or hinders him in the use thereof; or
- (iv) watches or besets the house or other place where such other person resides, or works, or carries on business, or happens to be, or the approach to such house or place; or
- (v) follows such other person with two or more other persons in a disorderly manner in or through any street or road";

is liable to a penalty of £20 or three months imprisonment (Conspiracy, and Protection of Property Act, 1875, s.7).

(2) On appearing before the Court, the accused may object to being tried summarily, and the case will then be dealt with as an indictable offence (s.9).

Trade Disputes Act, 1906, (peaceful picketing).

115. "It shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person to work or abstain from working" (Trade Disputes Act, 1906, s.2(1)).

INSTRUCTIONS TO POLICE

No power of arrest.

116. *Police have no power of arrest for offences under the above Acts*, and as a general rule proceedings should be instituted by the aggrieved person. Should any difficulty be experienced in moving away a hostile assembly, or in preventing molestation of persons wishing to enter premises, the more active and prominent among the offenders should be warned that they are offending against the Conspiracy, and Protection of Property Act, 1875, and names and addresses should be obtained with a view to summonses being applied for.

Picketing—when permissible.

117. The Trade Disputes Act, 1906, legalises picketing for the purpose of *peacefully* obtaining or communicating information, or of *peacefully* persuading any person to work or abstain from working. It must, however, be borne in mind that to attend at or near any house or place so as to constitute *watching or besetting "with a view to compel"* any other person to abstain from doing or to do any act which such other person has a legal right to do or to abstain from doing, is a punishable offence under s.7, Conspiracy, and Protection of Property Act, 1875.

Pickets—badged;

118. It is advisable that appointed pickets should be provided with a distinctive badge, and the leaders of the strike should be so informed by police when necessary,

numbers;

119. The number of pickets is not limited by law, but where there is an assembly of pickets or other persons, whether badged or not, in the vicinity of a works, house, etc., police should consider whether the numbers present are obviously more than is reasonable for permissible picketing and peaceful persuasion, or whether their presence and behaviour amount to intimidation within the meaning of s.7, Conspiracy, and Protection of Property Act, 1875. Police should take any steps necessary to preserve order and to prevent offences of intimidation or watching or besetting under the provisions set out above.

trespassing.

120. If pickets enter private premises contrary to the wishes or directions of the owner, they are trespassers and can be expelled by the owner or his agents. Police will act in accordance with the directions in Sec. 53, paras. 124—129, regarding Trespass

General duties of police.

121. The general duties of police in connection with strikes and lock-outs are to preserve order and to prevent obstruction, breaches of the peace, intimidation and

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damage to property. The regulations under the headings of "Meetings and processions" (paras. 39–96A), "Riots, routs and unlawful assemblies" (paras. 97–112) and "Breach of the peace" (Sec. 22, paras. 1–13), must be acted upon as far as applicable.

121A. (1) Teleprinter messages will be sent to A.8 at the commencement and termination of a strike or trade dispute. Daily strike situation reports will only be required when there are variations to report, or where specially requested by A.8.

Teleprinter messages.

(2) Teleprinter messages relating to strikes and trade disputes will be sent to A.8 in the following form:—

1. (a) Date of commencement of strike.
- (b) Name, address and type of premises affected (e.g., factory, warehouse, etc.,) and nature of business.
- (c) Number of persons normally employed at premises.
- (d) Number of persons on strike.
- (e) Number and situation of pickets.
2. (a) Police engaged.
- (b) Police on reserve.
3. (a) Meetings held.
- (b) Meetings to be held.
4. Temper of strikers.
5. Any additional information, including cause of strike, if known.

122. The offences most likely to arise in connection with strikes and lock-outs which can be dealt with under other Statutes are those of disorderly conduct, using threatening, abusive, or insulting words or behaviour with intent to provoke a breach of the peace or whereby a breach of the peace may be occasioned, assault or malicious damage to property. For such offences it may be advisable to arrest the offenders.

Offences under other Statutes.

123. Great discretion, tact and forbearance, and strict impartiality must be exercised by police, and when practicable only officers of experience should be employed.

Discretion, tact, etc.

124. Specific instructions for particular occasions will be issued from time to time as may be necessary.

Special occasions.

SPECIAL LEGISLATION

125. Under the Emergency Powers Act, 1920, Regulations may be made by Order in Council to secure the essentials of life, etc. If Regulations affecting police action are made, special instructions will be issued.

Emergency Powers Act, 1920.

POLICE EMPLOYED AS AID TO OTHER DIVISIONS

126. When police of different Divisions are detailed for duty under one Commander, the Commanders of the Divisions supplying aid will prepare lists showing the ranks, divisional numbers and the names of the party, which will be handed by the officers in charge of the detachments to the Commander under whom they are placed when the men parade for duty, and retained by him for future reference.

Supply of lists of officers.

127. (1) Whenever police aid is supplied to another Division, the Commander or other officer who dismisses the men on the termination of the duty will as soon as possible notify the Commander of the Divisions from which the aid was supplied of the exact time of dismissal.

Dismissal—notification to Commanders.

(2) Inspectors or Sergeants in charge of police supplied as aid will be held responsible for ensuring that the men return to their own Divisions as quickly as possible after dismissal.

and return to Divisions.

128. Should it be necessary in any special case to grant time for the procuring of refreshments after dismissal, care is to be taken that no undue advantage is taken of the privilege, and in particular that time is granted only to men who actually

Refreshment, etc.

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partake of refreshments before being sent home. As a general rule, time for refreshments can be arranged while the function, etc., is in progress, and in dealing with claims for refreshment allowance or overtime, Chief Superintendents should satisfy themselves that the time stated to have been occupied in travelling to and from the duty is reasonable.

Ceremonial
events.

129. The procedure for the supply of manpower as laid down in paras. 63–64 will apply for ceremonial events.

Special
events.

130. Recurring events such as football matches and minor race meetings, for which the basic police arrangements do not vary materially, need not be reported to 'A' Department and aid can be mutually arranged by Commanders. If, however, police manpower is varied *substantially*, a report should be submitted showing the reasons. The reporting of special events of a non-recurring nature should be in accordance with paras. 63–64.