

## **Written evidence submitted by Black Protest Legal Support (SAF0016)**

[Note: This evidence has been redacted by the Committee. “\*\*\*\*” represents redacted text. Text in square brackets has been inserted where text has been redacted.]

### **1. Introduction**

1.1 Black Protest Legal Support are a group of lawyers and non-lawyers who know that protests are a vital part of any democratic citizen’s political engagement. Black Protest Legal Support was founded and is run by Black and Brown lawyers. We provide volunteer legal observers to monitor the police presence at protests on the streets and have a network of over 200 lawyers to provide pro bono legal advice and support for protesters. We provided legal observers at many Black Lives Matter protests throughout the summer and autumn of 2020 and have continued to provide legal observers at other related protests and demonstrations since. These Legal Observers are independent from the protests or their organisers, taking note of police conduct in a public space and providing basic information about legal rights on bustcards.

### **2. Clapham Common bandstand, 13 March 2021**

2.1 Black Protest Legal Support provided at least seven legal observers at the gathering at Clapham Common bandstand on the evening of 13<sup>th</sup> March 2021.

2.2 Our legal observers were at Clapham Common bandstand observing from around 5.45pm. They were all wearing bright orange or green high-visibility vests on top of their clothes, with ‘Legal Observer’ printed clearly on them. They were initially spread out amongst the crowds around the bandstand, monitoring the police and police liaison officers, who were initially spread around the people gathered and patrolling through the crowds in pairs and groups of three. The crowds around the bandstand were socially distanced and almost everyone was wearing masks, with the exception of some police officers and journalists. People were placing flowers around the bandstand and many were standing quietly, paying their respects. Many people were visibly emotional.

2.3 At 6.00pm there was a minute’s silence. Afterwards, people spoke from the bandstand to applause and chants from the crowds around. The atmosphere was emotionally charged, but completely calm. At 6.15pm, our legal observers noted that police officers who were walking through the crowds were asking people to leave. At around 6.25pm several police liaison officers had entered the bandstand and a male police liaison sergeant was telling people in the bandstand that “this is now an unlawful gathering... we understand everyone wants to pay their respects, but this is an unlawful gathering”, that the people speaking had to “leave the stage”, and also telling them to announce to the people gathered outside the bandstand to leave. The people gathered outside the bandstand appeared frustrated that the police were trying to stop the speakers speaking and were booing the police and police liaison officers loudly and chanting “Let them speak”. The speakers continued speaking and the crowd continued chanting in response, with chants about what had happened to Sarah Everard, and about police violence and male violence against women.

- 2.4 At around 6.37pm around 12 police officers pushed their way through the people gathered, pushing people closer together, making their way into the bandstand. The crowds reacted, booing loudly and shouting. It was at this point that the atmosphere changed, as people responded to the increased police presence and aggression, and their attempts to stop the people in the bandstand speaking. At this point, police officers and police liaison officers began telling our legal observers to leave the bandstand, saying we were there illegally. Our legal observers made clear that we were acting in our capacity providing “voluntary or charitable services”, for which there is an exemption from the requirement to stay at home under the Regulations.<sup>1</sup> However, the police completely ignored this and said that such an exemption didn’t exist. This interaction was repeated multiple times between our legal observers and police. The male police liaison officer again spoke to the people speaking in the bandstand in an attempt to stop them and make them leave, with the people gathered around the bandstand again reacting, chanting “Let them speak”.
- 2.5 At around 6.41pm, the police officers in the bandstand started pulling down banners put up by people speaking in the bandstand. Soon after, around 6.44pm, police officers gathered around the entrance to the bandstand began pushing and shoving people in the crowd for no clear reason - apparently unprovoked - which forced people much closer together again. Around 6 police officers grabbed hold of someone in the crowd, and were aggressively manhandling them, as well as violently pushing and shoving people in the crowd next to them.
- 2.6 At around 6.48pm police formed a perimeter around the bandstand, and the police liaison sergeant again spoke to the speakers in the bandstand. The crowd was visibly frustrated at the attempts by the police to shut down the speakers and was loudly chanting “you go home” to the police.
- 2.7 At around 6.52pm, a police inspector \*\*\* began telling remaining legal observers in the bandstand to leave. A number were forced to leave, some as a result of physical force by the police, despite making clear that they were independent from the gathering and had an exemption. The police inspector \*\*\* assaulted one of our legal observers in the bandstand at the time, [Name], aggressively pushing [them] several times. He also threatened our legal observers with arrest.
- 2.8 At around 6.56pm police began to attempt to physically move speakers off the bandstand, using completely unnecessary levels of force. A police liaison officer was physically aggressive with another legal observer in the bandstand, [Name], standing right up against [them] and pushing [them] and trying to make [them] leave the bandstand, again ignoring the repeated mentions of the exemption. [They] showed the police liaison officer the letter from Black Protest Legal Support provided to all our legal observers, which detailed the legal exemption for providing “voluntary and charitable” services, but the police liaison officer refused to read

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<sup>1</sup> Exception 2 under paragraph 2(5)(a) of Schedule 3A of the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 [as amended by the Health Protection (Coronavirus, Restrictions) (All Tiers and Obligations of Undertakings) (England) (Amendment) Regulations 2020 and extended nationally by the Health Protection (Coronavirus, Restrictions) (No. 3) and (All Tiers) (England) (Amendment) Regulations 2021]

- 2.9 At around 7.05pm, police around the edge of the bandstand and at the entrance were again behaving extremely aggressively to the crowd, pushing and shoving them in what again appeared to be completely unprovoked aggression. The gathered crowd was continually chanting, mostly directed at the police in response to their actions.
- 2.10 At around 7.08pm police officers in the bandstand again tried to force our legal observers to leave the bandstand, threatening them with Fixed Penalty Notices for alleged breaches of the Regulations, ignoring the exemption and attempts to explain. Our legal observers again showed the letter detailing exemptions, but again the police officers involved refused to read them. By this point, several of our legal observers had been forced out of the bandstand with threats of arrest or Fixed Penalty Notices, and were monitoring the police from amongst the crowds outside the bandstand. Only two of our legal observers had been able to remain in the bandstand, observing the police, and they were also threatened with arrest and Fixed Penalty Notices. Police around the edge of the bandstand were again aggressively pushing and shoving members of the crowd near them.
- 2.11 At around 7.23pm police officers suddenly started grabbed three of the women in the bandstand, many from behind, and violently threw them to the floor, face down. There were 2 to 3 police officers per person, and they were sitting and kneeling on the legs and lower back of the women, as they handcuffed them face-down. At this point it became apparent that the police had tried to get our legal observers to leave the bandstand so that they wouldn't witness these arrests and violence. However, the threats of arrest and intimidation also prevented our legal observers from feeling like they could properly monitor the police, such as being able to ask the arresting officers for the justification of arrest when they apparently randomly and violently arrested the women in the bandstand.
- 2.12 At around 7.31pm police again tried to get the remaining two legal observers to leave. The police inspector \*\*\* again threatened the two legal observers with arrest and a Fixed Penalty Notice. When challenged that there was an exemption, he said "it doesn't stop you being prosecuted" and that "the judge would decide", and again refused to read the letter detailing the exemption. The arrestees were being held by a large number of police inside the bandstand. Our legal observers were able to give a solicitor's number to two of the arrestees.
- 2.13 At around 7.36pm, the women arrested in the bandstand were led away by a huge contingent of police officers, around 15-20. They violently and aggressively pushed their way through the crowds gathered around the bandstand, pushing and shoving people gratuitously and completely unnecessarily. The police inspector \*\*\* was again heavily involved in random acts of violence against members of the crowd. They led the arrestees away to police vans on the edge of Clapham Common.
- 2.14 At around 19.42 police appeared to attempt an arrest on someone within the crowd, on the north side of the bandstand. There was a stand-off between a large number of police officers and the crowd, with more pushing and shoving from the police.
- 2.15 Following these arrests, the police presence around the bandstand reduced, mainly because the majority of them had been involved in escorting the arrestees away. The majority of the crowd remained by the bandstand, many visibly shocked by what they had seen, and

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appeared upset and frustrated. Some of the crowd dissipated over the next 15 minutes, but many stayed to continue to pay their respects, placing flowers on the floor and lighting candles. Large numbers of police were observed moving about on Clapham Common subsequently, but didn't return to the bandstand in such large numbers again.

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