



Policy Title **Public Events Policy**

CCMT Sponsor **ACC Operations**

Department/Area **Operational Support**

Section/Sector **HQ Operations**

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1.0 Rationale

The intention of this document is to ensure that Thames Valley Police provide an effective, measured response to Public Events on and off the Highway.

This policy has been drafted in accordance with the Human Rights Act 1998 and all actions should be proportionate, legal, accountable and necessary.

2.0 Intention

There is a perception that the police are the lead agency for approving all public events including those which take place on the public highway.

In reality, the police have no authority to either approve or ban events on the highway or elsewhere and police powers to regulate traffic for such planned events are extremely limited. Furthermore the police have no general duty to preserve public safety at any public event except where there are imminent or likely threats to life.

3.0 General Principles

The police will as far as reasonably practicable

- Ensure a consistent police approach to all organised events staged in a public place and on any public highway throughout the Thames Valley Police Area.
- Encourage consultation, in order that public events can continue to take place by creating a robust process, between organisers, the Local Authority, Thames Valley Police and other agencies.
- Clarify the role and responsibilities of the police
- Ensure that all parties are aware of their responsibilities.

4.0 Guidance, Procedures & Tactics

Standard Operating Procedures in relation to Thames Valley Police role in public events have been produced and are exempt from disclosure. This policy will be reviewed annually and will take into consideration any representations or complaints made. The review will also take account of any changes in legislation and appropriate case law.

Thames Valley Police will encourage each Borough and District Councils to establish a standing Safety Advisory Group (SAG) with representatives at officer level from the Fire Service, Ambulance Service, Highways Authority and Police: it should be chaired by the Local Authority.

The SAG will act as the first point of reference for all those who are intending to organise a public event, on or off the highway. It will provide advice and

NOT PROTECTIVELY MARKED

guidance regarding the specific areas of responsibility for both the organisers and the other agencies involved and also refer to aspects of best practice for the information of the organisers.

Assessment of the need for Police attendance and action at public events will be principally based on the need to discharge our core responsibilities which legal advice indicates are as follows:-

- (a) Prevention and detection of crime.
- (b) Preventing or stopping breaches of the peace.
- (c) Traffic regulation within the legal powers provided by statute, a Road Closure Order (TPCA 1847) or a Traffic Regulation Order (RTRA 1984). **However, police officers will not be used as part of a traffic management plan introduced in consequence of a closure order or traffic regulation unless this is completely unavoidable (e.g. if the organiser cannot fulfil their legal obligation by any other means)**
- (d) Activation of a contingency plan where there is an immediate threat to life and co-ordination of resultant emergency service activities.

The level of Police resources committed to an event and the action undertaken will be proportionate to the assessment of risks posed by the event. They will also be restricted to these core areas of Police responsibility.

The Area Commander will need to take into account the Thames Valley Police policy on charging for police services.

Police resources will not be routinely deployed to tasks, which the risk assessment suggests are necessary but for which there are no legal responsibilities or legal powers.

Detailed and definitive guidance on safety at events can be found in two publications:

- 1) *Guide to Safety at Sports Grounds*.
- 2) *The Event Safety Guide*: a guide to health, safety and welfare at music and similar events.

Both are published by the Stationary Office, PO Box 29, Norwich, NR3 1GN.
www.the-stationary-office.com

Superintendent HQ Operations will be responsible for the management and annual review of this policy.

5.0 Challenges & Representations

To ensure transparency and accountability any decision made as a result of following this policy should be clearly documented.

Challenges/representations in respect of decisions made in applying this policy should be addressed to the relevant BCU / Local Police Area Commander or their nominated representative.

Challenges/representations in respect of the policy itself should be addressed to:

Superintendent HQ Operations,
Operational Support,
Thames Valley Police,
Oxford Road,
Kidlington, OX5 2NX.

6.0 Communication

6.1 Links to Police National Legal Database Other

This policy is written and reviewed with reference to the current:

- ACPO Public Safety Policy.

6.2 Implementation Strategy

This policy will be made available to members of the public upon request and any enquiries should be addressed to the Head of Operations. This policy will also be made available of the Force Internet web site and the management unit Intranet site.

An implementation strategy will be developed to provide officers and support staff with an awareness of the change of legislation and resultant policy.

All policies will be published on the Policy Management Unit Intranet site.

New and reviewed policies will be promoted in Managers' Briefing.

7.0 Compliance and Certification

7.1 Human Rights Certification

(i) Legal Basis

- Police and Criminal Evidence Act 1984
- Public Order Act 1986
- Criminal Justice and Public Order Act 1994
- Crime and Disorder Act 1998

- Serious Organised Crime and Police Act 2005
- Road Traffic Act 1998
- Human Rights Act 1998

This is by no means an exhaustive list.

(ii) Human Rights Articles Engaged

This policy has been audited for compliance with Human Rights Act. It is acknowledged that this policy has the potential to engage the following Articles of the Human Rights Act:-

Article 2 - Right to Life

The state has a positive duty to protect the life of individuals. The purpose of this policy is to use the Safety Advisory Group procedure to carry out that duty in relation to public events.

Article 10 - Right to Freedom of Expression

Everyone has the right to freedom of expression. This right may be exercised by processions, marches and meetings etc. The application of this policy could lead to such events being prohibited on the grounds of public safety.

Article 11 - Right to Freedom of Assembly and Association

Everyone has the right to freedom of assembly and association with others. The application of this policy could lead to the prohibition of meetings and events in public places on the grounds of public safety thus depriving participants of their rights.

(iii) Prohibition of Discrimination

By engaging any of the aforementioned Articles, there is the potential to engage Article 14 of the European Convention. Article 14 states that the enjoyment of the Rights and Freedoms set forth in the European Convention of Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. Actions taken as a consequence of this policy will be applied fairly and impartially, having due regard for natural justice and human rights.

7.2 Diversity Impact Assessment

This policy has been assessed for its relevance against the six strands of diversity and has been rated as "LOW."

7.3 Diversity (Human Resources)

In the application of this policy, the Force will not discriminate against any persons regardless of their gender, sexual orientation, race or ethnic origin, religion, age or disability.

7.4 Management of Police Information (MoPI) Compliance

Information deemed 'for a policing purpose', or any data about an individual that is circulated or received by e-mail; or published/downloaded via the intranet or internet or circulated in any other format must comply with [MoPI guidelines](#).

7.5 Community Engagement Strategy and Standards

This policy has the potential to engage the Force Community Engagement Standards.

Please use the following links for further information:

- [Community Engagement Strategy](#)
- Standards

7.6 Data Protection

Personal data processed as a result of this policy will be managed in accordance with the provisions of the Data Protection Act 1998. It is acknowledged that 'sensitive personal data' may be processed and this data will be protected in accordance with the requirements of the Act. Additional care should be taken when disclosing or sharing information to ensure the data is safe in transit.

7.7 Freedom of Information Act

This policy will be publicly available except for the Appendices which contain details of police tactics. (Exemption 31.1(a) FOIA 2000). It may be published on the Freedom of Information Internet site.

7.8 Protective Markings

This policy has been assessed against the Government Protective Marking Scheme requirements and is NOT PROTECTIVELY MARKED.

7.9 Health & Safety at Work

Operational deployment of officers will be conducted with due regard to the Health and Safety at Work Act 1974 and any other relevant legislation.

There are no additional Health and Safety implications beyond those generic considerations already in place for General Patrol and Custody. Statutory duties are set out in the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work regulations 1999.

This policy is to be read in conjunction with the Force Health and Safety Policy and Force Health and Safety Manual, which set out the requirement for documented risk assessment by a competent person, when exposure to a particular hazard arising from workplace or pre-planned Policing work activity

can be said to be 'reasonably foreseeable'. Force documented Generic Risk Assessments (GRAs), governing health and safety considerations for General Patrol and Custody already exist.

8.0 Monitoring and Review

This policy and the associated standard operating procedures will be reviewed annually. The review will take account of the following criteria:

- Changes in legislation
- Court rulings – Domestic, European and Human Rights
- Examples of good practice from other Forces or other organisations
- Changes in Home Office Circulars
- Developments with ACPO Policy Unit
- Representations made by individuals and relevant organisations
- Relevant Equality data