Event Policing – NPCC Operational Advice Document

Introduction.

The UK is a world leader in the events sector. The UK's event industry is estimated (in the HM Government <u>Business Visits and Events Strategy 2015</u>) to contribute £39.1 billion to the UK's economy, accounting for 35% of the UK's visitor economy. The industry is estimated to employ over half a million people, primarily in small to medium sized enterprises with the top ten leading event agencies in the UK having a turn-over of more than £2 Billion.

This document has been issued by the NPCC National Events portfolio lead. This document is not definitive guidance, instead it sign-posts the reader to College of Policing <u>Authorised</u> <u>Professional Practice</u> (APP), <u>NPCC Publications</u> and Government Agency or third party directives & guides (such as the <u>SGSA</u> '<u>Green Guide</u>' and events industry guidance such as the Events Industry Forum '<u>Purple Guide</u>' (subscription applies). This document has been produced following comprehensive consultation with Police Forces and provides a route map to the operationally accepted best practice and guidance. It has been endorsed by the NPCC.

This document refers to legislation applicable in England and Wales. In relation to Police Scotland and the Police Service of Northern Ireland, devolved legislation in place in those force areas should be substituted for the legislation shown in this document where applicable.

1. Events to which this advice applies.

This document is applicable to all events which require a police presence or some form of preagreed police response. This document should be considered and used for all events, even where specific advice is provided by other NPCC Leads, for example football; also refer to <u>Football APP.</u>

An 'event' (for the purposes of this operational advice) is a planned public or social occasion. This definition includes the policing of the following types of events (this list is not exhaustive):

- Sporting events including those sporting events which take place on the public highway (i.e. marathons, fun runs, etc.).
- Concerts and festivals.
- Charity events.
- Parades (which do not meet the requirement to notify police under <u>Section 11 Public Order</u> <u>Act 1986</u>, namely, processions or parades commonly or customarily held in the policing area and funeral processions).

2. Aim

The aim of this operational advice is to:

- ensure consistency in relation to the roles undertaken by police, how police engage with event organisers and other partners and charging for police services
- provide advice to forces in relation to problem solving problematic or high risk events
- sign-post guidance, legislation and policies which may assist in the policing of events thereby preventing or reducing crime, disorder and / or terrorism

3. Role and responsibilities of the Police.

Public Order APP (Planning and Deployment Section) states:

The requirement for police attendance and action at an event is based on the need for the police service to discharge its core responsibilities:

- preventing and detecting crime
- preventing or stopping a breach of the peace
- traffic regulation (only under statutory powers relating to events)
- activating contingency plans when there is an immediate threat to life
- Coordinating emergency response activities associated with a major incident taking place at the event.

Public Order APP also states that the following <u>core principles</u> should be applied to the policing of all events in conjunction with <u>command</u> and <u>command considerations</u> (Gold, Silver and Bronze):

- Policing style and tone
- <u>Communication</u>
- Use of the National Decision Model (NDM)
- <u>Command</u>
- Proportionate response
- Capacity and capability

<u>Operations APP also states</u>: When planning a police response, it is imperative that commanders have a clear understanding of the role that police will perform during the operation. Once committed to undertaking a role outside the core or otherwise statutory and common law duties and obligations, individual commanders may be held accountable for any police activity or inactivity regarding that commitment. Chief constables (or their equivalents)

are also likely to be held responsible (e.g., when taken to court). Chief constables, as the employers of police staff, may be accountable in respect of police staff actions. This is very relevant in relation to the policing of events.

It is also widely accepted that the police have no general duty to preserve public safety (crowd control) at any public event, except where there are imminent or likely threats to life. Legal opinion suggests that the responsibility for public safety rests with the organisers of an event, the owners of the land on which it takes place and the local authority if the event takes place on a road. However, other persons or agencies who undertake actions regarding public safety at an event may assume a duty of care and, therefore, also become responsible. In the past the police service has taken the lead and undertaken actions to facilitate public events, acting for what they believed to be the public good. However, a more focused approach, confining police action to those issues which are part of our core responsibilities and where there is legal authority, must be adopted.

Further to the above, in the current financial situation, forces must also carefully consider every deployment of officers and staff and consider whether each deployment (whether paid for or not) represents best value and is the best use of the resource. This is particularly relevant in the field of event policing where, by the very nature of the event, there is an existing event organiser (many of whom will be organising the event for commercial purposes) with a moral and legal obligation to ensure the safety and security of people attending their event. For most events, this will mean organisers take their responsibilities seriously, comply with relevant legislation and put in place adequate control measures to manage crime, disorder and security meaning the presence of police is not required or is limited.

However, there will be occasions where the management of crime, disorder or security-related issues is beyond the capability of the organisers and the presence of police may be required. Examples of such events may include (not an exhaustive list):

- events with a national profile which attract significant public interest/attendance (possibly including live TV broadcast)
- events likely to result in significant crime and/or disorder (See Section 6 below re role of SAG and Section 7 below re problem solving high risk events)
- events where the <u>Joint Terrorism Analysis Centre (JTAC</u>) threat assessment indicates that the appointment of a CT Security Coordinator (SecCo) and development of a police-led protective security plan is required (see Section 10 below)
- events where the audience profile may (through no fault of the event organisers) lead to an increased risk of criminality, disorder, safeguarding issues or terrorism (such an event

may include an event likely to be attractive to large numbers of young people attending on their own). See Section 9 below.

After considering the above, it is recommended that all forces:

- fully consider known and likely events within their force areas/regions and document their approach by way of the Public Order <u>Strategic Threat and Risk Assessment</u> (STRA) process, thereby ensuring a strategic approach to the policing of events
- have in place processes (in line with <u>Intelligence Management APP</u>) to identify events which may require a police involvement and effectively assess the threat, harm and risk presented by such events
- make decisions regarding the policing of events, the management of risk related to events and the deployment of police resources in accordance with the <u>National Decision Model</u> (NDM)

The above STRA, intelligence, risk management and decision making processes could lead to the force deciding to adopt one of the following options in relation to any specific event coming to their attention:

Categorisation	Likely contributing factors to decision making (examples)
Not policed (but ongoing assessment by way of force tasking and coordination processes)	 No current intelligence to indicate any risk of crime & disorder or terrorism (or a low risk which can adequately be managed by the organisers of the event. Low profile event with only limited attendance and only local/regional interest.
Casual attention by Neighbourhood Policing Teams (NPT)	 Low risk of crime & disorder nearby to the event or terrorism, with crime & disorder issues inside the event area being managed by the organisers of the event. Low to medium profile event with reasonable attendance and regional or national interest.
Contingency policing operation with police liaison in Event Liaison Team (ELT) / Multi- Agency Control (MAC)	• Low to medium risk of crime & disorder or terrorism which may require some form of police intervention due to unknown or untested capability of the event management or a police- led protective security plan.

(regardless of whether or not police are deployed within the event footprint)	Unknown (or difficult to assess) participant profile/behaviour.
Full policing operation with full command structure, etc.	 Medium to high risk of crime & disorder, all or part of which is beyond the capability of the event management (i.e. gang attendance, risk of child protection issues, etc.) or increased risk of terrorism. High profile event attracting national interest, live TV coverage, high numbers of young people attending on their own, etc.

4. Intelligence systems and processes.

As stated above, effective <u>Intelligence Systems and Processes</u> (Intelligence Management APP) are essential to ensure risks related to events with force areas are effectively managed. The Intelligence APP gives detailed guidance on ensuring effective intelligence <u>governance</u>, structures, tasking & coordination, dissemination and intelligence <u>products</u>.

Where a decision is made to police an event and implement guidance in the <u>Operations</u> and <u>Public Order APP</u> (including the appointment of a command team), it is essential that a designated Bronze Intelligence is appointed and the intelligence requirement for the policing operation set. Public Order APP gives detailed guidance on what the role of <u>Bronze</u> Intelligence includes.

Force-wide intelligence Sharing

All forces should utilise the services of the National Intelligence and Operations Unit (commonly known as 'Op Gothic'). The unit contributes to the planning of almost all festivals and large scale music events across the country through the provision of problem profiles and by acting as a clearing house for information and intelligence. This has directly led to significant reductions in crime and disorder at many large events and without this function there is a high probability of increases. This goes beyond simple acquisitive crime at events, with greater risk to the general public, particularly more vulnerable members of the community being targeted. In the area of safeguarding, Op Gothic has been able to ensure event organisers and police operations are aware of threats to public safety posed by illegal drugs, psychoactive substances and weapons. Work also includes tackling Child Sexual Exploitation

(CSE) and modern slavery with persons of interest being circulated to other forces. Operation Gothic can be contacted at <u>NEIU@leicestershire.pnn.police.uk</u>

National Police Coordination Centre (NPoCC) reporting:

Use of the National Reporting Form.

The National Police Coordination Centre (NPoCC) have introduced (with the agreement of the respective NPCC leads) the 'National Reporting Form'. The National Reporting Form is intended to provide a central reference point of all events and protests in England and Wales. Submitted reports will act as a signpost for further information to support wider learning and identify good practice across forces. Using this information commanders and planning teams will be able to ascertain who had policed a similar event in order to conduct further research to inform and assist their planning. Completion and submission of the form should form part of the debriefing and review process for any operation. The intention is not to submit a form for every single event that is policed nationally. Instead, a pragmatic view should be taken when considering whether or not to submit a form. In deciding whether or not to submit a form, commanders and planners should remember that the underlying aim is to ensure learning and best practice is shared to assist colleagues planning and commanding other, similar, operations. As a result, a form should be submitted for events which meet the following criteria:

- All protests and demonstrations.
- Large scale public gatherings (where the attendance is predicted to be over 500 persons in attendance and there is a police operation with a formal GSB command structure in place).
- Unlawful occupation of land or premises.
- Organised marches and parades.
- Public Military Events.
- Festivals, carnivals or public celebrations.
- Sporting events (excluding football and any other sporting event which are reported by other means).
- Visits by protected VIP's.
- Any event where the Gold commander consider there is wider learning or knowledge that will benefit other forces.
- Regular music events at fixed venues <u>do not require</u> reporting unless there is a specific high profile or notable event that required police intervention.

Further information is available on the Mercury system. Completed forms should be submitted to <u>NPOCC@NPOCC.PNN.POLICE.UK</u>

5. Multi-Agency Working

Safety Advisory Groups.

Chief Officers should encourage borough and district councils and metropolitan authorities to establish a standing Safety Advisory Group (SAG). The College of Policing <u>Operations APP</u> gives guidance on Safety Advisory Groups.

There is no statutory basis for SAGs and there has been, until recently, there was very little national guidance as to how they should function, their remit and their competency threshold. The 'UK Good Practice Guide to Working in Safety Advisory Groups' (available to purchase) published by the <u>Emergency Planning College</u> is endorsed by key partners and offers advice regarding membership and the considerations as to when an event should be put before a SAG. It remains only as guidance though and acknowledges that in parts of the UK, many areas of good practice already exist that do not adhere precisely to the guidance.

The key purpose of a SAG is to allow for matters of public safety to be considered by all relevant partners so that plans can be developed and, if possible, tested to ensure that reasonably foreseeable risks are then mitigated as effectively as possible. SAGs are not empowered to approve or stop events, or to issue licences. Instead, they are an **advisory** function that is **discretionary** when needed. In some cases, SAGs may issue 'letters of no objection', 'letters of no support' or 'letters of concern' to organisers. It is suggested that a draft of any such letters should be cleared by police legal departments if it is to purport (as it should) to come from all the SAG partner agencies. Any concerns that the police service has in respect of safety should be addressed through the Safety Advisory Group chair to the event organiser.

The decision whether or not to bring an event to a Safety Advisory Group should be based upon a consistent approach, considering such issues as the nature of the event, the levels of risk associated with that event and the numbers of people attending the event at any one time. For example, a village fete that has been taking place for many years without incident may be deemed a low risk, but if one year a local band with a national following is invited, that may increase the risk to the event. Attendance numbers and crowd profile, sale of alcohol, scale of the event, risk activities and complexity of the event are some of the factors partners should use to assess if a SAG may assist regarding public safety (in its' widest sense) at an event.

Key to an effective SAG will be terms of reference of the SAG which accurately reflect the key role of providing a quality assurance process for safety related measures at an event (or venue). The functions of a SAG should be distinct from any multi-agency planning group established for a specific event and should be different from any multi-agency arrangements

in place for the management of an event (i.e. an ELT/Multi-agency control room – see below). Agreeing SAG terms of reference is a matter for members of the local SAG, however, the following may be considered (this list is not exhaustive):

- To promote clarity of roles and responsibilities relevant to the event(s) within the SAGs remit.
- To advise the local authority and/or event organiser in order to ensure high standards of health and safety.
- To promote the principles of sensible risk management in safety and welfare planning.
- To promote a consistent and co-ordinated, multi-agency, approach to event planning and management.
- To advise the local authority and/or event organiser with regard to forming appropriate contingency and emergency arrangements.
- To advise the local authority and/or event organiser in respect of relevant legislation and guidance.
- To encourage arrangements to be made to minimise disruption to local communities.
- To consider the implications of significant incidents and events relevant to their venue(s) and events.
- To consider the implications of significant incidents and events relevant to the surrounding areas and facilities.
- To receive reports relevant to debriefs, visits and/or inspections of the venue or event.

In some cases it will be relevant to consider specific terms of reference in addition to these generic examples. These may include:

- To advise the local authority with regards to its functions in relation to safety certification.
- To advise the local authority with regards to its powers under the licensing legislation.

As stated above, the local authority, building authority, police, fire & rescue service and ambulance service should be considered core members of a SAG. Invited members may include (this list is not exhaustive):

- Other local authority representatives as deemed appropriate (this could include Event Team, Emergency Planning, Highways, Health and Safety).
- Event organisers/promoters.
- Venue owner/operator.
- Health representatives.

- Stewarding/security.
- Traffic/transport providers.
- British Transport Police.
- Maritime and Coastguard Agency.
- Harbour Authorities.
- Medical/first aid providers.
- Resident/community representatives.
- Highways Agency.
- Crowd safety managers.

The key issue for the police service representatives at a SAG should be based on the core roles and responsibilities of the police service at events (see Section 4. above). Any intelligence affecting the event should also be disclosed if appropriate to the group. This should be a two-way process with the event organiser being encouraged to provide details around any known or perceived risks.

It is recommended that the police service does not chair SAG meetings as the role of the police is to provide input at the meeting and therefore cannot be an independent chair. Consideration should be considered that by chairing the SAG, police may incur unnecessary liability for the event and lose the ability to focus on police matters.

Depending on the size, scale and nature of the event, consideration should be given as to who is the most appropriate person to attend the meetings on behalf of the police service. It may be that the levels of competence would sit with an operational planner or it may be deemed more appropriate for a Silver or Gold Commander to attend. It is vital therefore that this decision should be made based on competency, necessity and experience. It should be noted that Safety Advisory Groups have no decision-making powers and, as such, a SAG has no power to prevent an event from taking place, although some agencies represented have powers to do just that if there are serious concerns regarding safety. As a result, police representatives at a SAG should be aware of the powers and responsibilities of other agencies to intervene as well as their own police powers relating to licensing, crime prevention & reduction and the role of police.

It is strongly recommended that discussions around any police costs take place outside of the SAG.

There is also a great deal of other guidance and information available relating to safety Advisory Groups available in addition to the EPC guidance and APP mentioned above. This includes:

- <u>Health and Safety Executive</u> The role of local authority safety advisory groups.
- Events Industry Forum '<u>Purple Guide</u>' (available by subscription).
- <u>Sports Ground Safety Authority guidance</u> (Section 4.3 of the SGSA Certification Guidance)

JESIP

Initially the <u>Joint Emergency Services Interoperability Programme (JESIP)</u> was a two year programme which ran from 2012-2014. It was primarily about improving the way the police, fire & rescue and ambulance services worked together when responding to major incidents. What followed, was much needed practical guidance to help improve any multi-agency response to any type of incident or event. The <u>JESIP Joint Doctrine: interoperability framework</u> sets out a standard approach to any form of multi-agency working. Whilst the initial focus was on improving the response to major incidents, JESIP is scalable and applicable to all forms of event, whether pre-planned, rising tide or spontaneous. The <u>five joint working principles</u> of co-location, communication, coordination, joint understanding of risk and shared situational awareness uses the <u>Joint Decision Model (JDM)</u> (which has its' roots in the <u>NDM</u>) and can be applied to any type of multi-agency incident and any environment, incident or event where organisations need to work together more effectively. As a result, police commanders are encouraged to utilises the JESIP doctrine when managing and planning a multi-agency response to any event and when dealing with partners to an event.

Protocols, Memorandum of Understanding (MoU) and/or Statement of Intent (Sol).

In line with the <u>Operations APP</u>, partner agencies should be involved in the planning and resolution of operations and incidents as appropriate. Protocols and/or Memorandum's of Understanding (MoU) / Statement of Intent (SoI) should be clearly defined and agreed between the <u>Gold commander</u> and counterpart roles within all partner agencies. This ensures that each agency understands its' role and responsibilities in the operation, and supports an effective line of communication between agencies. Such multi-agency protocols / MoU's / SoI's can be developed by way of the Safety Advisory Group (SAG) process (see above). Any multi-agency protocol / MoU / SoI should state:

- Which agency is responsible for what, where and when.
- What jurisdiction does each agency involved have in the planning of the event.
- Responsibilities of each agency.
- Establish command, control and coordination structures within each agency at strategic, tactical and operational levels – including the identity of key post-holders within each agency.

- How the partnership will react to changes, including a joint understanding of risk and how risk will be managed i.e. increase in risk of violence, intelligence re firearms, inclement weather forecast, etc.
- How there will be a hand-over of primacy between agencies, the threshold for such a hand over of primacy and the mechanism for the handover taking place.
- How information/intelligence will be exchanged (if need be, implementing an information exchange protocol between all agencies involved in the event) and how shared situational awareness will be maintained.
- How key decisions will be made.
- The role of the SAG (see above).

To support this process, the <u>gold strategy</u> should specify the role of the police in the operation, and the responsibilities and requirements of other partners and stakeholders.

Communication and co-ordination between agencies.

The type and scale of an event will determine the best model for inter-agency working, including whether you need to co-locate communications / liaison functions with other partner agencies (i.e. stewarding/security, emergency services, local authority and first-aid providers in a single control room or Event Liaison Team (ELT)). Such co-location is considered best practice and enhances inter-agency communication, shared situational awareness, joint decision making and the coordinated response to incidents, regardless of whether there are police deployed on the footprint of the event.

HSE and Events Industry Forum Purple Guide.

The <u>Health and Safety Executive (HSE) web site</u> contains a host of information, resources, guidance and summaries of relevant legislation for event organisers and partner agencies in relation to running safe events. In addition, the Events Industry Forum have produced the '<u>Purple Guide to Health, Safety and Welfare at Music and Other Events</u>'. This publication is designed to replace the original 'Purple Guide' (HSG195) which was originally published by the HSE. The guide aims to help those who organise music or similar events, so that the events can run safely. The guide goes beyond the compliance with the <u>Health and Safety at Work Act 1974</u> and covers not only legislation and good practice for Health and Safety, but other legislation and good practice across the industry. There are sections of the guide which specifically deal with Crime & Disorder; Working in Safety Advisory Groups (which is an abridged version of the EPC guidance mentioned above); Safeguarding Children and Young People; Crowd Management; Contingencies and Emergency Planning. Knowledge of the

content of the guide is essential for police commanders and planners engaging with event organisers and partners.

Testing and exercising plans.

The police <u>Silver Commander</u> should encourage all event organisers of large or complex events to undertake appropriate and proportionate multi-agency testing and exercising of their plans and contingency plans to ensure such plans are effective and fit-for-purpose. Where organisers are reluctant to undertake such testing, this should be raised at the Safety Advisory Group which should scrutinise the organiser's crowd management plan/safety plan.

6. Problem solving high risk events

Pre-Event.

In certain circumstances, action by the police may be appropriate when a pre-planned event is considered to be unsafe or could potentially result in significant crime & disorder or terrorism. Such action could be (but is not limited to):

- a letter to the organisers advising of the potential danger and their liabilities
- use of <u>Section 12 of the Public Order Act 1986</u> or <u>Section 13 of the Public Order Act</u> <u>1986</u> to <u>restrict</u> or <u>prohibit public processions</u> (this does not apply in Northern Ireland)
- application for injunction
- coordination with the Crown Prosecution Service to remind the land owner of their responsibilities under the <u>Occupiers Liability Act 1984</u>
- action under the <u>Licensing Act 2003</u> to make objections about a licence or temporary event notice (see below)
- Co-ordinate with the event organisers public liability insurer
- Co-ordinate with the <u>Health and Safety Executive (HSE)</u> to seek improvement notices
 and/or prohibition notices
- seek a review of the safety certificate or special safety certificate under the <u>Safety at Sports</u> <u>Ground Act 1975</u> (see section 7. below)
- use of dispersal powers under <u>Section 34-42 of the Anti-Social Behaviour</u>, <u>Crime and</u> <u>Policing Act 2014</u>
- Closure Order under Section 76 of the Anti-Social Behaviour, Crime and Policing Act 2014

(It is recommended that legal advice is taken prior to embarking on the options above).

Safety Certificates and Special Safety Certificates.

It should be noted that this section is only applicable to events held inside purpose built stadia.

The <u>Safety of Sports Grounds Act 1975</u> governs the issue of safety certificates and special safety certificates in relation to events which take place in stadia. A great deal of guidance and information can be found on the <u>Sports Ground Safety Authority</u> (SGSA) web site and in the SGSA publication <u>Guide to Safety at Sports Grounds (commonly known as the 'Green</u> Guide').

The Safety of Sports Grounds Act 1975, requires the county council, unitary authority, metropolitan or London borough ('the local authority') to be responsible for issuing and enforcing a safety certificate in respect of sports grounds designated by the Secretary of State. These are sports grounds that, in the opinion of the Secretary of State, have accommodation for more than 10,000 spectators (5,000 in the case of Premier League or Football League grounds in England and Wales). The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, and where accommodation has been provided for spectators, consisting of artificial structures, or of natural structures artificially modified for the purpose. The Act did not foresee that a sports ground might be fitted with a roof that could be closed for certain events. However, provided that some sport is played with the roof open, such a venue should still be regarded as a sports ground. The legislation does not apply to indoor arenas or temporary arenas (i.e. pop festivals in parks or agricultural land). Instead, these are generally covered by the Licensing Act 2003.

<u>Section 2 of the 1975 Act</u> allows local authorities to impose such terms and conditions as the local authority consider necessary or expedient to secure reasonable safety at the sports grounds when it is in use for the specified activity or activities, and the terms and conditions may be such as to involve alterations or additions to the sports ground. Special Safety Certificates are issued when the stadium is being used to hold an event of a type not specified in the general safety certificate (e.g. a pop concert being held inside a football stadium).

In order to utilise this legislation to deal with a challenging event taking place (or to implement control measures to manage the impact of such an event), police would be required to show that "admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the ground or that part of the ground ought to be prohibited or restricted" (Section 10, Safety of Sports Grounds Act 1975). To be able to make an application under this section, police would need to show that the physical condition of the stadium is insufficient to safely manage the event in question (referred to in the 'Green Guide'

as the (P) factor) and/or the quality of safety management in place at the stadium is insufficient to effectively manage the event in question (referred to as the (S) factor).

Whilst action under this section is worth considering for events (or potential events) which present a high risk of crime and/or disorder, police commanders and planners must realise that any application under this section must show "*how the likely behaviour or conduct of those attending and the inadequacies of the stadium infrastructure or management impacts on the safety of those attending*". Any objection under this section can only relate to the stadium itself (including entry and exit) but not to activity (i.e. drunkenness, disorder or drug dealing) by people attending the concert which takes place in nearby residential areas. This cannot be managed by way of an application under this section (see Licensing Act 2003 below).

Licensing Act 2003.

The HM Government publication <u>Revised Guidance issued under Section 182 Licensing Act</u> <u>2003</u> (issued April 2017) is a comprehensive and authoritative summary of applicable licensing legislation which is of great assistance to police commanders and planners in managing licensed events (or potential events) likely to have significant crime and disorder issues associated with the event.

Police must be aware of event organisers objectives under any licence issued under the Licensing Act 2003. The Act sets out four licensing objectives which must be taken into account when a local authority carries out its functions. They are:

- 1. The prevention of crime and disorder.
- 2. Public safety.
- 3. Prevention of public nuisance.
- 4. The protection of children from harm.

The Licensing Act 2003 offers a great deal of guidance and options for police commanders and planners in managing problematic licensed events with potential powers much wider-ranging than those available under the Safety of Sports Grounds Act 1975. Where a proposed event includes licensable activity such as the sale of alcohol or the playing of live music, police representatives involved during the event planning process should, at the earliest juncture, seek the advice of an experienced police licensing officer and ensure that officer is invited to any planning meeting or safety advisory group. Ideally this contact should be as soon as the police become aware of the proposed event due to time constraints imposed by the Licensing Act 2003.

7. Command, Planning and Tactics

Policing principles.

Where a decision is made to police an event, the principles contained in various College of Policing APP must be followed in relation to:

- <u>Command and Control</u> (Operations APP) and <u>Command</u> (Public Order APP)
- Operational Planning (Operations APP)
- Core Principles of Public Order Policing (Public Order APP)
- <u>Planning and Deployment</u> (Public Order APP)
- <u>Tactical Options</u> (Public Order App)
- Briefing and Debriefing (Operations APP)
- <u>Post Incident Procedures</u> (Operations APP)

Crowd science and crowd safety.

As stated in Section 4. above, the police have no general duty to preserve public safety (crowd control) at any public event unless there are imminent or likely threats to life. In addition, the <u>Public Order APP (Planning and Disorder Section)</u> identifies the core responsibilities of police (which does not include crowd safety). However, it is acknowledged that police commanders and planners do require some form of awareness of crowd science and an understanding of crowd safety in order that they can encourage event organisers, SAG's and licensing/certifying authorities to, where necessary, take expert advice when required. To this end, the College of Policing now include crowd science in command and planning training and CPD to enable police commanders and planners to identify potential crowd safety issues and request other agencies to take the necessary certified expert advice and/or guidance to safeguard the pubic.

8. Safeguarding children and young people.

Safeguarding is a term which is broader than 'child protection' and relates to the action taken to promote the welfare of children and protect them from harm. Safeguarding is everyone's responsibility. All organisations that come into contact with children should have specific safeguarding policies and procedures in place. This includes voluntary and community organisations, faith groups, private sector providers, as well as schools, hospitals, event organisers and sports clubs. Safeguarding is defined in the HM Government publication Working together to safeguard children 2015 as:

- Protecting children from maltreatment.
- Preventing impairment of children's health and development.

- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes.

Where an event is likely to attract large numbers of children, police must be proactive in working with event organisers to identify whether the event is being specifically targeted by offenders likely to prey on children at or near the event. Police must ensure that organisers of an event likely to attract large numbers of children, are aware that those attending the event could become a target for exploitation (sexual or otherwise), modern slavery/trafficking, drug supply, other serious & organised crime and CSE. Police commanders should ensure that safeguarding is a priority for event organisers and the Safety Advisory Group. Where safeguarding is not being prioritised, the police service must ensure everything that is legally possible is done to redress the situation.

Children have a right to be protected from harm. It is therefore important that any organisation that works with children or knows children will attend their event(s) have a clear set of guidelines about how they will keep children safe and respond to child protection concerns. The <u>NSPCC web site</u>, offers a great deal of guidance and advice for organisations who may require advice or assistance in writing and implementing a safeguarding policy.

The following issues should be addressed in the organisers safeguarding arrangements (as a minimum requirement – See Section 7. above Licensing Objectives – point 4 of which covers Safeguarding):

- Suitability of the area (or areas) designated for viewing by children (or likely to be occupied by children).
- Policy on spectators bringing infants to the event.
- Procedures for dealing with lost and found children.
- Toilet facilities provision and ratio.
- Revised staffing levels, CRB/DBS checks and levels of training for those areas specifically used to accommodate children or where children are likely to assemble.
- Searching policies and procedures.
- Refusal of entry, ejections and other policies for dealing with children and young people who area drunk, breach ground regulations and /or commit offences.
- Ticketing strategy and entry policy to include checking of ID to ensure age appropriate when over 18 only events.

- Provision of specialist safeguarding, medical and welfare staff training of stewards in relation to sexual offences (understanding of forensic opportunities, scene preservation, etc.).
- Sharing of intelligence (from other festivals/organisers) awareness of opportunities of OCG's to coerce victims at event, etc.
- A bespoke assessment of the potential risks to children at the event i.e. who may pose a risk and what situations may increase the risk.
- Identification of the different ways someone might raise a concern at the event.
- Transparency around the organisation's annual <u>Human Trafficking Statement</u> (provided the organisation is of such a size to be required to produce such a statement).

The <u>Major Investigation and Public Protection APP</u> gives a great deal of guidance on <u>modern</u> <u>slavery</u>, <u>gangs & youth violence</u>, <u>managing sex offenders</u>, <u>child abuse</u> and <u>child sexual</u> <u>exploitation</u>.

Where such a risk exists, this should be a key element of the investigative strategy and <u>intelligence</u> requirement for the event, with, where necessary, specialist officers employed on the event working under the direction of <u>Bronze Crime</u>.

9. Protective security

The current terrorism threat level makes putting in place effective and proportionate counter terrorism protective security measures challenging (given the volume and size of events which take place within force areas). In relation to protective security, police commanders and planners should consider the following actions/factors at an early stage:

- <u>JTAC</u> threat assessment should be obtained via local Special Branch (SB or equivalent) to inform present and future strategic decision making and tactical planning. Account must also be taken of the prevailing national threat assessment, with the event-specific and national threat-levels informing decision making.
- Consider early appointment of a CT Security Coordinator (CT SecCo). Guidance on the appointment of a CT SecCo is available via the secure APP website (pnn email address required). The appointment of a CT SecCo can include the following events or circumstances (not an exhaustive list):
 - Public Military Events.
 - Party political and other high security conferences, summit, etc.
 - High profile ceremonial and civic events.

- Events involving protected persons.
- Crowded place events (including high profile sporting events).
- Other events where the police Gold Commander believes that the appointment of a CT SecCo will support the delivery of a safe and secure event.
- The role of a CT SecCo includes:
 - Developing a security plan with a view to minimising threat, managing vulnerability and therefore mitigating risk.
 - In respect of a policed event or operation supporting Gold's strategy.
 - Coordinating all aspects protective security by looking at an event holistically from a CT perspective.
 - Using an in-depth knowledge and awareness of a range of security assets and their operational deployment to:
 - Target harden.
 - Reduce vulnerability.
 - Lessen risk.
- Implement multi-agency protective security measures with the organisers and other partner agencies via the multi-agency planning process and/or SAG.
- Explore opportunities for organisers to help and support protective security, for example, through promotion of the <u>Action Counters Terrorism campaign.</u>
- Ensuring staff involved in policing the event are briefed on any threat and have relevant information available to them, for example,
 - NPCC/College of Policing "Terrorism Response: Aide Memoir" (restricted access, available for secure APP web site).
 - STA (See, Tell, Act) safe principles for officers should be applied.
 - **S**ee: what is happening and where
 - Tell: communicate, describe incident/type of weapon
 - Act: stay safe, update, observe/contain
- Ensuring police commanders and planners are aware of relevant counter terrorism command and control functions/structures contained within 'NPCC (2015) Command, Control and Coordination of Major CT Operations' (restricted access via secure APP web site)

- Work together with the organiser and other partners to implement <u>National Counter</u> <u>Terrorism Security Office (NacTSO)</u> guidance in relation to <u>Crowded Places</u>. This work should also include consideration regarding the development of protocols relevant to the environment and the role of the event organiser and that of the police.
 - o The implementation of NacTSO "Run, Hide. Tell" guidance is relevant to public places and large open spaces, however, careful consideration must be given regarding the implications of "run, hide, tell" within a stadium environment. Where events are taking place within such an enclosed stadium environment, police must work closely with the safety officer at the stadium to ensure police understand the existing plans for the stadium and how they will be applied to the event in question, should a firearms and/or weapon attack take place.
 - Consultation with regional Protect/Prepare leads/teams and Counter Terrorism Security Advisors (CTSA's) will support the development of these protocols.

Other invaluable guidance can be found through the <u>NacTSO web site</u> (which is primarily aimed at the public, businesses and event organisers), <u>NPCC – National, Counter Terrorism</u> <u>Policing HQ</u> and <u>National CT Policing web site</u> (only available from a PNN enabled account) (which are aimed at the police service) and should be seen as the gateway to a range of tactics, advice and products available to businesses, event organisers and the police.

10. Costs and charging

Where a decision is made to police an event, police commanders must review the provision of which services can lawfully be charged to the organiser of the event under 'Special Police Services' (SPS) pursuant to <u>Section 25(1) of the Police Act 1996</u> (as amended). Section 25(1) states:

"The chief officer of police of a police force may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the force is maintained, subject to the payment to the local policing body of charges on such scales as may be determined by that body".

Special Police Services are police services provided over and above core policing at the **request** of a person or organisation. This is a very important point when considering SPS and must be borne in mind by police commanders contemplating supplying and charging for police resources under SPS.

It is widely accepted that police can charge for policing inside stadia and on land 'owned, leased or controlled' (the 'footprint') by event organisers and the organiser's land immediately outside (i.e. a clubs or event organiser's private land). Police forces have generally accepted that they cannot charge for event day policing outside the footprint, even when the need for that policing has arisen only because of the event (e.g. officers at and along the route from a train station to the event or nearby town centres which are full of patrons making their way to and from the event).

There have been a number of important legal challenges over the last few years which dictate what police can charge for. These legal cases must be considered by Police & Crime Commissioners, Chief Constables and Police Commanders when considering supplying police resources under SPS.

Leeds United v West Yorkshire Police [2013] EWCA Civ 115

Ipswich Town Football Club v Chief Constable of Suffolk [2017] EWCA Civ 1484

The test laid down by the Court of Appeal in Leeds United was that the most important question in determining whether the policing could be charged for as SPS in the context of a football match (or any other event) was whether the policing was on public or private land. Policing on public land would usually be in pursuit of the police's general policing duty and could not therefore be SPS. Policing on private land would generally be SPS, unless it was provided in response to actual or imminent violence (e.g. additional officers being called in to deal with an outbreak of disorder). The Court of Appeal's ultimate conclusion was:

"The policing of the extended footprint on match days is provided in order to maintain law and order and protect life and property in a public place. None of the arguments advanced on behalf of WYP persuades me that the law and order services provided by them in the extended footprint are different in principle from the law and order services that they provide in any other public place. I would dismiss this appeal."

The court added:

"For as long as it remains the law that police operations connected with football matches are in part SPS and in part normal police operations, so that a line has to be drawn somewhere, the drawing of that line along the boundary between the private land of the host club and the public highway outside it seems to me to be the best normal (although not invariable or automatic) means of identifying SPS".

Forces should consider the language used by the Court of Appeal in Leeds United and now Ipswich Town. It is hard to think of a realistic example policing on public land that might permissibly be charged as SPS (a police escort for a wide load travelling on a public highway is the only example that has been offered by the Court of Appeal - in the Leeds United case).

Due to the fact the demarcation between what can be charged for in relation to stadium-based events, it becomes more challenging in interpreting the guidance in relation to other events

and it is recommended that forces take legal advice in cases which are not clear cut. For example, it is clear that police could charge SPS for any police officers deployed inside a temporary concert arena in a park which the event organisers have leased from the local authority and erected large fencing around the event (thereby creating a temporary arena) where access is only granted by way of a purchased ticket. However, police would not be able to charge to police a fair in a local park where the park remains open to the public, even although the company operating the fair has paid the local authority to be able to do so (i.e. the fair remains a public place). Similarly, following the Ipswich Town ruling, police would not be able to charge for the policing in a public road which has been closed and operated by agents of the organisers to facilitate crowds in to and out of the event due to the fact the road remains a public place (even if closed to traffic).

In relation to the charging for SPS the <u>NPCC Guidance on charging for police services</u> provides a great deal of information for forces to ensure consistency and compliance with Section 25(1).

Firearms.

It is the view of the NPCC lead for Armed Policing and the NPCC Lead for the policing of Events, that any decision to deploy firearms at an event is no different from any other decision to authorise the issue and deployment of firearms for any other policing purpose. As a result, any decision regarding the issue and deployment of firearms at an event to which this advice applies should be taken in accordance with the <u>Armed Policing APP</u>. Furthermore, it is also the view of both NPCC leads that firearms officers should not be deployed to an event under SPS. The rationale for this view is that if the threat is so significant that the authorisation for the deployment of firearms officers is required, then it is considered that this is a <u>core responsibility of police</u> and, hence, should be provided without cost recovery under <u>Section</u> 25(1) of the Police Act 1996.