

Protests at the Holiday Inn Express at Manvers

Report produced by:

Independent Advisory Panel for Policing Protests

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1. Introduction

- 1.1 The Independent Advisory Panel for Policing Protests (IAPPP) was invited to observe the policing of protests held on Saturday 18 February outside the Holiday Inn Express at Manvers Way, Rotherham. The operation was designated Operation Shape Charlie.
- 1.2 On the day before the events, the whole panel was briefed by Supt Andy Wright, who was acting as Silver Command for South Yorkshire Police (SYP), supported by Supt Darren Starkey and PC Bradley Zalad, Tactical Adviser and James Ketteringham (SYP Legal Services).
- 1.3 The meeting lasted for two hours, and the panel had ample opportunity to probe the tactical plan and proposed arrangements generally.
- 1.4 On the day of the protests, I was observing in the Silver Command suite while two of my colleagues observed the briefing of officers to be deployed and were then present at the site. Both members were wearing high-visibility vests which identified them as observers for the duration of the protests.
- 1.5 A few days after the events, the whole panel reconvened in a remote meeting, and the views in this letter are the considered conclusions of the whole panel.

2. Background

- 2.1 Although no group was identified as the organiser of the protest, the groups involved included *Patriotic Alternative* and You Tube 'citizen journalist', Amanda Smith aka *Yorkshire Rose*. Other groups may have been involved but had not identified themselves. We were informed by SYP that the *English Constitution Party* were also involved.
- 2.2 This protest triggered a counter protest so that in effect two separate protests were planned at the same location.
- 2.3 The hotel is used by HMG via its contractor, Mears, to house asylum seekers awaiting decisions on their applications for leave to remain in the UK. Initially, we understood, the accommodation was mainly used to house families from Afghanistan, and we were told that no problems were reported.
- 2.4 More recently, however, the accommodation has been used by Mears for single men, and this has been viewed in a negative light by some local residents.
- 2.5 The protest initially called for Saturday 18 February was organised by groups seeking to stir up animosity towards the men in the hotel. Rumours had circulated and the English Constitution Party had distributed leaflets on two adjacent housing estates

- 2.6 The counter-protest was organised by groups seeking to demonstrate their support for those asylum seekers in the hotel.

3. The Policing Operation

- 3.1 Gold Command (in this case ACC Sarah Poolman) had set three objectives for managing the protests:
- Protection of life and property
 - Facilitation and management of lawful protest
 - Prevention of serious disorder and the maintenance of the King's Peace
- 3.2 Both sides had indicated that they wished to demonstrate in front of the hotel, although engagement with those who had called the original protest was difficult and limited throughout.
- 3.3 The police plan was, as required, to facilitate this protest and the counter-protest.
- 3.4 The counter protest was due to start at 1pm while the far-right protest was due to start at 2pm. Both were planned as static protests.
- 3.5 The dominant consideration for police tactics was to keep the opposing groups apart, so in addition to the staggered timing, separate areas for the respective protests were designated at the front of the hotel, with fencing providing a *cordon sanitaire* between the two sides.
- 3.6 On the previous day, the Chief Constable had approved notices under Section 14 of the Public Order Act 1986 (the Act), imposing conditions on the respective assemblies as to the location of the protests, described as Zone A and Zone B.
- 3.7 The position of the hotel – between busy Manvers Way and the car park of a large Aldi supermarket on Colliery Road – allowed little room for manoeuvre.

4. Protest Observations

- 4.1 Up to 300 counter-protestors gathered in their designated area around 1pm and by and large remained there as specified by the section 14 Notice.
- 4.2 The far-right demonstrators did not use their designated area and about 20 were instead gathering on a grass knoll at an adjacent roundabout from before 1pm. Others were present in the Aldi carpark. At their height, they were estimated to be about 50-60 in number at the roundabout.

- 4.3 They were advertising themselves to passing motorists, taking advantage of a more visible location than would have been available had they been in their designated area.
- 4.4 About 1.35pm, a small group of counter-protestors – some wearing face-coverings - tried to break away from their designated area towards the far-right demonstrators, but were prevented from getting very far by the deployment of a Police Unit which had been held in reserve. The breakaway group returned to the designated area.
- 4.5 Silver Command was concerned from before 1pm that the Section 14 Notice was being ignored by the far-right demonstrators. Various discussions took place within the Silver Command Suite as to how the tactical plan should be adapted.
- 4.6 Gold Command arrived during this period and participated in these discussions. The views of the two Bronze Commanders on the ground were also sought. The key question was always whether the removal of the protestors, who were on the roundabout in breach of the Notice, would lead to serious disorder adjacent to, or on, a busy road.
- 4.7 A further copy of the Notice was prepared, ready to be served on those on the roundabout. There was considerable doubt that all of them were aware of the restriction set out in the Notice, there having been a lack of engagement with SYP in advance. Nobody had presented themselves as an organiser.
- 4.8 Police Liaison Teams (PLTs) were deployed to talk to the two sides, and fed back their respective moods, which were taken into account in Silver's decision-making. He expressed concern to the Bronze Commanders that he might be thought to be acting inequitably by not enforcing the Notice against the far-right protestors, while the counter-protestors were largely in compliance. The protestors showed no interest in taking up a position in the area originally designated.
- 4.9 Eventually, the PLTs reported that it seemed likely that after listening to brief speeches, the far-right protestors would disperse, and the decision was taken not to attempt to remove them. Instead, an amended Notice was prepared, designating the grassy knoll as Zone C.
- 4.10 The Act makes provision for the senior officer on the ground to serve such an amended notice where circumstances require such a step, despite the original one having been authorised by the Chief Constable.
- 4.11 Silver made a digital recording of his rationale, emphasising his concern to balance the rights of protestors with those of the general public going about their business nearby.
- 4.12 From our observation on the ground there was no evidence of inconvenience to the general public as a result of the assembly at the roundabout.

- 4.13 Events were being filmed by protestors and images distributed via social media. The speeches were live streamed on You Tube. A striking feature was the number of individuals using cameras or smart phones, some of whom identified as journalists, but the majority did not.
- 4.14 In the event, the far-right protestors did disperse promptly, and the amended Notice was not served on them.
- 4.15 Although two arrests were made, we are not aware of the reasons for those.

5. Observations and Conclusions

- 5.1 We were very much aware of the difficulties of policing these events, particularly taking into account the tightness of the location, the balance which by law has to be struck between the interests of protestors and the interests of the local community, together with the lack of cooperation of one group of protestors.
- 5.2 Taking those difficulties into account, our views are:
- This was a successful operation which met the objectives set out by Gold Command.
 - Both sides had the opportunity to make their protest.
 - Shoppers were still able to visit the adjacent supermarket and use its car park and the movement of nearby residents was barely restricted.
 - There was no obstruction of traffic flow on Manvers Way despite the two sides being separated by it.
 - Events on the day took an unexpected turn in that the far-right protestors gathered in a place which had not been designated but at a distance from the front of the hotel and therefore further away from the counter-protesters than had originally been foreseen.
 - Faced with that development, Silver, with his advisers, made decisions in an agile manner which did not interfere with the respective rights which were engaged.
 - Non-enforcement of a Section 14 Notice carries a degree of risk to the credibility of the policing operation, but we consider that that risk was worth taking in order to prevent disorder and not prolong the demonstrations.

- The planning beforehand, the clarity of briefing of officers and the execution of the operation, combined with the agility of decision-making on the day contributed significantly to the success of Operation Shape Charlie
- Events might have turned out differently had the far right protestors been as near to the counter-protestors as the Section 14 Notice had specified, and we have no doubt that SYP's debriefings will be considering whether any lessons can be learned about the respective locations of future opposing protests.

Andrew Lockley
Chair of the Independent Advisory Panel for Policing Protests