

## Faslane 365

# Briefing Pack for Faslane 365 Blockading Group Legal Support Teams

This pack gives the Legal Support Team for your Blockading Group the basic information and resources they need to set up a legal support framework for your days at Faslane and the follow up. It is just one model of how to do it although it is based on many years of experience both at Faslane and elsewhere. This is not the only way to do it so please mould it to suit your group's plan.

This has been produced by the Faslane 365 Legal Support Working Group. The actual provision of Legal Support to each Blockading Group is that groups responsibility, and we recommend each group to establish within itself a small Legal Support Team to do this. The Legal Support Working Group will provide help and advice, produce briefings such as this and briefings on the laws likely to be used and will be contactable in an emergency for advice.

Feedback is welcome and these briefings may be updated in the light of comments received and of experience. Check [www.faslane365.org/legal](http://www.faslane365.org/legal) for updates

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# Overall Legal Support Structure

When people are taking action which confronts the state to the point where they risk being arrested it is important that they have good support. An important support role is Legal Support. **You do not need any special legal training to do Legal Support:** just common sense, patience and persistence so that within your Legal Support Team you know everyone's legal situation throughout the action. The F365 Legal Support Working Group will be able to offer advice in advance of your action and we will try to be available on the end of a phone on a daily basis. However, please try to be as self-sufficient as possible by working through this briefing and planning well.

Legal Support breaks down into a number of tasks which basically cover:

- distributing Legal Briefings, and any updates to them, to everyone in the Blockading Group,
- making sure everyone has filled in a Legal Support Registration Form and has a Bust Card (and that the forms get to the 'Trackers'),
- seeing who is being arrested and passing a list on to the 'Trackers',
- finding out where they are being held,
- checking that they are getting released and are picked up from the police station and
- following up any consequences.

This doesn't have to all be done by the same people. Some of this has to be done at the scene of the action, some can be done from somewhere else entirely and most of the follow up is done when the group is home and rested.

Everyone taking part in the action, whether blockading or supporting, needs to read the basic Legal Briefing (check [www.faslane365.org/legal](http://www.faslane365.org/legal) for updates). However there are a number of further briefings, covering specific situations or groups, which the Legal Support Team can absorb. We are also producing a further set of information which we are calling the 'Break Glass' briefing which contains things which most groups won't need most of the time but which you can have available for all sorts of unusual situations e.g. contacting foreign embassies.

The different tasks are set out on the following sheets. You might have different people doing these or indeed a rota of people doing some. Some people might take on a number of tasks. The Legal Support Team needs to sort out who is doing what and where it is going to be done and fit that in with other group planning like transport and accommodation.

## The Basic Model

The basic model is that:

- Everyone coming to the action has a Bust card with phone numbers for Legal Support and for a solicitor<sup>1</sup> and they have all filled in a Legal Support registration form.
- A number of people are present at each gate acting as **Legal Observers**. They record arrests but also other information such as names of witnesses and how the police are behaving.
- They report arrests to the **Trackers** who have the legal registration forms and are able to keep track of people through the police system. People who have been arrested ask the police to inform the Legal Support Team where they are being held and the police might ask the Team to confirm people's addresses.
- The Trackers find out when the police are going to **release** people and co-ordinate lifts to **pick them up**.
- Trackers confirm that people are released and monitor who is still in custody.
- If people are held overnight to appear in court the Trackers check in with the solicitor and arrange **Court Support**.

After the action there are a number of things we would like your group to feed back to the Faslane 365 Legal Support Working Group. You then need to prepare to follow up with support for people who get prosecuted.

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1 See Legal Support Contact List or just tell people to use the Duty Solicitor

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# Legal Observers Briefing

Your role basically involves making sure everyone at the action has a Bust Card, recording details of those arrested (and passing this on to the Trackers) and generally noting any information which might be useful in court.

You will need enough people so that you can have a least two people acting as Legal Observers at each gate you are covering at all times. You can help out with other support roles but if the police move in to make arrests then you have to be there on the spot prioritising legal observing.

We have no idea how the police are going to react to Faslane 365. They may cordon off the blockade and warn anyone not wanting to be arrested to leave the area. Strathclyde Police are familiar with the role of Legal Observers and they *might* allow a number of you to stay inside any cordon and watch — they might not. To try and maintain some recognition of the status of Legal Observers we suggest that you wear some kind of tabard or armband which has “*Legal Observer*” on it.

Legal Observers are **not** Police Liaison. Your job is to record what happens, not represent the group in discussions. If, however, you need to liaise on your own behalf (e.g. about staying near enough to see arrests if there is a police cordon) then talk to the senior officer present.

While it will be possible to swap roles, e.g. to be a Legal Observer one day and a blockader the next day, we ask that you are clear what role you have at any time. If you stop Legal Observing then make sure the person who has taken over is fully briefed. Please don't just throw your tabard at someone and jump into a lock-on! The police will definitely stop Legal Observers being near to arrests if they think they are going to join in the action.

**The most crucial thing is getting the names of people being arrested.** Make the most of opportunities to get to know the names of everyone in your group. If you know people by nicknames check that you know the name that they will be giving to the police.

If arrests start try to position yourself where you can get a good view of what is going on.

If you can, also note down:

- Is a warning given? Who by? At what time?
- Are people being cut out of lock-ons? Who by? How long does it take? Are the police being careful?
- Is there traffic actually present which is being stopped? Is it just base traffic or is there local traffic also held up? Can through traffic get past?

Much of this is not needed but occasionally people want to challenge the police version of events in court or make a complaint about police behaviour and your record might be important. Note the times of anything significant.

From the beginning of the action it is useful to have a general record of the atmosphere, of how the police respond, how many are there, when specialist cutting teams arrive, at what stage police cordons are established etc. If nothing else this would be very useful for groups who come to blockade after you.

If the police cordon off the people who are blockading then try to stand as near as you can without risking arrest yourself. Shout out to the people inside the cordon that you are there and tell them how much you can see. They need to know that they need to keep you informed if you can't see what is going on.

If people are being cut out of lock-ons the MOD police cutting team usually establish a 'sterile area' around where they are working. This might just be a cordon of police officers but they often erect temporary fencing with plastic sheeting attached. This takes a great deal of time and faffing about so makes the blockade last longer. Sometimes Legal Observers can see underneath or around the fencing, or over it if you are tall, but you might need a running commentary from inside.

If the police keep people a long way back from the blockaders then see if you can stand near to the vans where people will be taken. How close you can get depends on the officers in charge but you should at least be able to see who is being taken away.

It is also an opportunity to ask which police station people are being taken to. Men and women are usually put in different vans and taken to different stations (unless there are only a few arrests). The likely ones to listen out for are: Dumbarton, Clydebank, Maryhill, Stewart St, Baird St, Greenock and Govan (now known as Helen St).

It is up to you at what point you phone in the names of those arrested to the Trackers. They don't need them instantly so if your mobile signal is not good it is better to stay and keep an eye on the arrests. When you get a chance tell the Trackers the names of people arrested and who has been put into the same van. Alert them to anyone who has injuries.

Legal Observers need to stay at the gates until everyone leaves. Let the trackers know when your group has stopped blockading. Keep your notes safe as details may become important later.

## Check-list of things to have with you

- ✓ Spare Bust cards.
- ✓ Spare Legal Registration Forms.
- ✓ Mobile phone with fully charged battery and credit (and if possible spare battery).
- ✓ Contact list of other support people.
- ✓ Notebook or clipboard and spare pens and pencils<sup>1</sup>.  
(Tip: greaseproof paper and a permanent marker survives even Scottish rain!)
- ✓ Plastic bag or wallet to keep notes dry.
- ✓ Tabard or armband.
- ✓ Plenty to eat and drink and appropriate clothing of course.....

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<sup>1</sup> While you can use a 'Dictaphone' type device, you should always have a notebook and pencil in case. Also, it's easier to do the list of names in a notebook so you can read them off or give the sheet to whoever is ringing them in to the trackers.

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## Trackers Briefing

Once people are taken into custody, Legal Support keeps track of where they are until they are released.

There are a number of ways to do this but basically you need to

- record the names of people arrested,
- work out where they are being held and
- know when they are released.

You can do this on a computer using a spreadsheet or database or on big sheets of paper.

You will need to have the Registration Forms filled in by all the people at the action and you can move them around in piles to help you see what is going on.

Your media team will also want to know every so often how many arrests and if local dignitaries, etc. have been arrested. You should not have to talk directly to the media though, that's what your media team is for!

### One Way Of Doing It:

(This is how we have done legal support for Big Blockades)

#### Prepare in Advance

- Have sheets of paper ready to record information as it is phoned in. You can scrawl it down quickly because Legal Observers at the action may have to be fast to save mobile batteries.
- Have a big table ready (on a computer or paper) with the following column headings:  
Name, time arrested, charge, police station, time released, court, solicitor, notes.
- Have the registration forms ready in two piles, separated into men and women and in alphabetical order.

#### When You Get Calls From Your Legal Observers

- Write down:
  - Who they have listed as being arrested, and any other info (e.g. injuries).
  - Note which groups of people left in the same police vans.
  - Note who phoned, what time and which gate they were at.
- Once you have the information transfer it from the rough notes into the table and mark the rough notes to indicate this.
- Pull out those people's forms and put them in a separate pile.

You might have some idea of where people are being taken from the Legal Observers but wait until you get confirmation from police stations before filling it in on the table as sometimes they get diverted somewhere else on the way. It can be quite a long while

(possibly some hours) before the police phone because they might hold people in vans for some time and then processing at the station can be very slow.

Check forms to see if anyone has asked that their friends or family are told of their arrest and whether anyone is on medication.

## When The Police Office Calls

When police stations start to phone to inform you that they have someone in custody write down everything they tell you.

- Ask for the name of the officer and, if it's your first call from that station, check the phone number you would ring to contact them (if possible get a direct line or extension number although Strathclyde Police are operating a joint switchboard now and you may need to go through this every time, asking for the police station you need).
- Explain that you will be able to arrange lifts for people when they are released so you need a bit of warning.
- If they phone you about someone whom you know from their form is on medication — particularly for something like epilepsy — check that the police are aware of it.
- Tell the police officer that you can help by confirming people addresses. This will mean that you need to read out the addresses from the forms. They may not accept this and instead check with peoples local police which can take a long time.

At this stage you can sort the forms into separate piles for each police station. Although the police are only supposed to tell you about people who have asked for you to be informed you can develop a rapport with the officer you are dealing with and often find out a bit more. If you haven't heard about someone try asking the police station where the others in the same police van were taken. Offer to help if they are having trouble confirming addresses etc. You will be talking to the 'Custody Officer' or sometimes they are called the 'Bar Officer'. (The Custody area in a Scottish Police station is called the Charge Bar or Bar Office). There will be a shift change every 8 hours so an unhelpful officer could be replaced with someone much more co-operative. The reverse is also true!

If people have asked for solicitors then make contact with the solicitor and confirm this. If it is a Duty Solicitor then you may need to briefly explain your role.

## When People Are Released

When the police tell you they are starting to release people contact the drivers from your group so that they can go and pick people up. Police estimates of release times can be inaccurate.

When you or someone from your group (e.g. driver) has confirmed **with the person themselves** that they have been released fill in the rest of the table. It is a good idea to check with the police stations which have been used that they have no one else left in custody except people being kept for court.

## If People Are Held For Court

Find out which court they will be in. If people are held on warrants for courts further afield then try to contact people who can get there to support them. Try phoning the Faslane 365 Legal Support Working Group if you need help.

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# Release Support Briefing

When you are released from Custody, it's really good to have a friendly face there to meet you. Anyone who hasn't been arrested can do this — although at least some of the people in this role should be drivers with transport to get folk back when released.

Hopefully your Trackers will be able to give you an indication of when people are likely to be released, but if there's only a few police offices involved you could even have people waiting there anyway.

The most important part of this role is providing moral and emotional support: letting people talk about their experience, bringing them up to speed on what's happened while they've been inside and just being friendly. Have a flask of hot drink and some food and chocolate available. Make sure you have a mobile phone (with credit!) so that they can ring friends/family to reassure them that they're out and OK. It's also good if you have a general idea of what happened, how many others are released yet, etc. and (if it's out and there's been any coverage) a copy of the evening paper.

If you go to a police office to pick someone up, then it's a good idea to go into the front office and check that they haven't been released yet when you arrive. The police may give you an idea of how long until they will be although it's not always accurate!

When people are released make sure you **write down** a list of names, even if people want to dash straight off to their friend's house/B&B/etc. If possible, also check what they were charged with and if they signed an Undertaking (and if so to where and when). When it's calmed down ring these names through to the Trackers.

If anyone wishes to make a complaint about their treatment by the police then encourage them to sit down somewhere quiet and make detailed notes of everything they can remember about the incident as soon as possible. Anyone else who witnessed it should do the same. It's probably best to wait until you're rested and have collected your thoughts and notes before actually putting in the complaint — you can put it in in writing later on and ask them to come to you if they want to interview you. If someone does want to put in a complaint immediately they should ask for the Duty Inspector.

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# Court Support Briefing

We have no idea how the Procurator Fiscal (PF — the prosecutors in Scotland) is going to respond to Faslane 365. There may be a stage at which some people are held for court the following day. The Trackers should know who that is and which court(s). For actions at Faslane people are usually taken to Helensburgh District Court or Dumbarton Sheriff's Court. The final decision about which court or whether in fact to just release people is made by the Procurator Fiscal when they start work in the morning. Dumbarton Sheriff Court sits every day Monday to Friday and custodies are usually heard from 12 noon. Helensburgh Court normally only sits one or two days a week (on Monday, Tuesday or Wednesday). On these days custodies can be any time from 10am. If a special court has to be convened (with a PF from Dumbarton, a clerk from Lochgilphead and a Justice from anywhere they can find one) then it can be well into the afternoon before anything happens but it will be the next working day some time. Check with the Helensburgh Police Office or with the Clerks Office.

When you arrive at court confirm with the court officer that peoples' names are on the court list and what time it is due to start. If anyone is using a solicitor then make yourself known to them.

At the Helensburgh District Court you can get there early and stand outside to give your "prisoners" a friendly wave as they arrive. The Reliance van will park round the corner on Sinclair St. Dumbarton Sheriff prisoners usually arrive very early and the van goes into the back of the court.

There are lots of rules about going into court which vary from place to place. You might have to take your hat off, you will be expected to sit in silence, usually you are not searched at these courts. Definitely turn your mobile phone off.

When the custody court starts try and sit near the front so that you can hear as much as possible. Write down as much of the proceedings as you can. Particularly listen out for the Trial Diet and possibly an Intermediate Diet date. (All Scottish court hearings are called diets). If there are any special bail conditions set note them down.

When people are given bail they will be taken back to the cells until their bail forms are completed and their property returned. In Dumbarton people are released around the back of the court building, in Helensburgh it's usually into the court room.