

Activists' Legal Project

16b Cherwell Street Oxford OX4 1BG
info@activistslegalproject.org.uk
www.activistslegalproject.org.uk



Legal Briefing 7: How to Set up a Legal Support Group

CONTENTS

1. What are the Aims of Legal Support?
2. Legal Support Group Roles
3. Legal Support Co-ordination
 - Before the action
 - Once the arrests start to happen
 - Building support for those in the cells
 - When people are released
 - If people are held overnight and taken to court
 - Organising a defendants meeting
 - Court support
4. Police Station Support
 - What you will need
 - Supporting the detainees at the police station
 - Liaising with the solicitor(s)
 - Meeting detainees on their release
 - Once they are all released

Appendices

- Bustcard
- Police Station Support Record Sheet
- Release Details Record Sheet

Legal support is in many ways an unrewarding role, but it is absolutely vital. You may be the last home after the action, often spending hours hanging around police stations into the small hours, waiting for the last activists to be released. You won't share the glamour or excitement of the action, and your photo won't make the front pages. But without legal support the action isn't possible. If you weren't there half of those taking part in the 'front-end' of the action would refuse to act!

1. What are the Aims of Legal Support?

- To make sure everyone going on the action is prepared for arrest
- To liaise with police and solicitors to ensure that activists who have been arrested have appropriate support whilst in custody
- To ensure that once released activists have the emotional and practical support they need.

2. Legal Support Group Roles

The number of people involved in the legal support group will depend upon the size of the action and the number of arrests that you expect, whatever size it is, there are a number of essential roles that need to be fulfilled:

- Preparing and distributing 'bustcards' to people going on the action.
- Staffing a phone line (the legal support number), waiting for calls from detainees at police stations. Preferably this should be a landline. But you could install yourself in a cafe close to the action/police station with a well charged up mobile phone.
- **Co-ordination** - preparing and updating a definitive list/chart of who has been arrested and whether they have been released.
- **Police station support** - giving support at the police station(s) to arrestees, liaising with solicitors at the police station(s) and meeting detainees on their release from custody.

- **Logistics** – organising vehicles, drivers, and possibly accommodation to collect and house people released from police custody.

Unlike legal observers, who do risk arrest by joining activists on the ground, the Legal Support Group should at no stage jeopardise their position with regard to arrest. You are no use to anyone on the inside of a police cell!

3. Legal Support Co-ordination

This could be a role for just one person or for several people depending on the size of the action.

Before the action

- Ideally, ensure that everyone going on the action has attended a legal workshop or received a written legal briefing which includes information on arrest procedure, what happens at the police station, likely offences, likely outcomes, bail and first court hearing. Contact us if you would like a workshop or written briefings for your group.
- Make sure you have phone numbers for all local police stations/courts, local taxi companies, B&Bs
- Arrange for a friendly solicitor to be on call to attend police station(s) if needed
- Find people to take on the role of police station support, the number will depend on how many arrests you expect and therefore how many police stations are likely to be used to detain the arrestees.
- Find vehicles and drivers to collect people on their release from police stations
- Prepare and hand out bust cards to participants in the action. These should have the legal support phone number and the number of the solicitor who is on call for the action on them together with brief details of legal rights (see later for an example of a bust card). You might want to suggest that people write the legal support and solicitors phone numbers on their arms/legs with waterproof marker in case they lose their bustcard.
- Ask people to remember to authorise the police and the solicitor to reveal information about their detention and welfare to legal support.
- Get personal details from potential arrestees
 - Names and addresses
 - Who arrestees would you like to contact if they are arrested (friends, family, work, college etc)
 - Any special circumstances that affect the support they need, e.g:
 - Vegan diet

- Need regular medication
- Foreign national
- Planning to give a false name
- Outstanding warrants for arrests, breached bail conditions or bind-overs

This list is absolutely confidential, so please respect it and don't hold loud conversations over the phone in police station waiting rooms. take your mobile outside if necessary. Don't put yourself at any risk of arrest whilst in possession of this list!

Once the arrests start to happen

- Ensure that someone is always available to answer the legal support phone line
- Get as much information about the arrestees as you can from the police/legal observers including:
 - name and address, and where they are being held
 - what they have been arrested for. have they been charged? what with? if not are they going to be charged? how long will they be held? are they going to court?
- Ask the police to pass on messages to those being held.
- Offer to help the police verify addresses or contact solicitors.
- Contact the solicitor and let them know there have been arrests and where people are being held. Ask them to contact the police station support person when they visit the police station.
- If there are a lot of people arrested it may be helpful to draw up a big chart with columns, that can be filled in as information is received about each person-name and address, where arrested, when arrested, what for, which police station held at, time charged, what charged with, bailed or held over, which court, time released (see examples of record sheets later).

Building support for those in the cells

If people are held for a long period, or if you have reports that police are being particularly nasty then think about ways of building support for those in the cells. It may be a good idea to have a conversation before the action with those likely to be arrested about how far they would want you to go with some of these tactics, since they could have consequences for any arrestees. The police have been known to delay releasing people if they are pres-

sured by those on the outside:

- organise a vigil/noisy demonstration outside the police station
- get people to hand in messages, food, books, clothes, cigarettes etc to those in the cells
- get supporters to phone the police
- get the press to call the police
- get a friendly lawyer to visit, even if detainees don't want legal advice this may be the only type of visitor allowed in, they can pass messages, bring food, cigarettes, check person inside is OK.

When people are released

- Make sure you keep in touch with the police so that you know when this is going to happen
- Ensure there is transport available for those who need lifts home when released from the cells
- Make sure one of the police station support folk is there to welcome people as they are released with hugs, food etc.

If people are held overnight and taken to court

- Ask people to go and support them at court
- Arrange lifts home for people released after the court hearing
- Ask a friendly lawyer to phone and talk to them. Even if they intend to represent themselves they may want to talk through the procedure.

Organising a Defendants Meeting

Consider organising a follow-up meeting a few days after the action for all those charged so they can meet each other and talk through their defences/legal issues with a solicitor and/or members of the legal support group. The date and venue of the meeting could be advertised on the 'bust card'.

Court Support

Consider offering to co-ordinate court support for the defendants, this could include:

- arranging for a presence at court, anything from a small group of people to a big, noisy demonstration outside court with lots of banners and costumes etc.
- helping out with preparation of defences for those representing themselves.
- organising benefit gigs to raise money for travel costs/fines.

Police Station Support

Your basic role is:

- To liaise with the legal support group co-ordinator, the solicitor(s) and the staff at the police station to ensure that all arrested activists receive the right support.
- Once activists are released you also need to ensure they get the right level of both emotional and physical support.

What you will need

- A mobile phone & charger
- Change for a landline, just in case
- Numbers for the legal support co-ordinators, the solicitors, all local police stations, a few local taxi companies and B&Bs
- Transport and a driver if you need one
- Pen & paper, spare pens/refills for emergencies
- Legal support record sheets (see later)
- Food & drink for yourself
- Warm clothing – you could be hanging around late at night!
- A good book – you may have time on your hands . . .
- Enough money to pay for taxi fares, food, coffee, beer and, in extreme circumstances, accommodation for released activists
- Food, drinks, cigarettes, newspapers and books for detained activists whilst they are in the police station (NB: all food will need to be in unopened, sealed packets – so no home made sandwiches or biscuits, drinks will need to be tetrapacks or unopened plastic bottles, and obviously no alcohol will be allowed)
- Anything else detained activists might need – e.g: dry clothes, medication

Supporting the detainees at the police station

In many cases you will feel perfectly able to walk into the police station and open a dialogue with the desk staff. If not you'll have to skulk around outside and rely on the solicitor to keep you informed. Remember that the desk staff are human beings, and will respond to you. Be nice and they will most likely be nice back. Be confrontational and you could condemn your friends to several hours more detention (yes, it does happen!) or even face arrest yourself.

You need to find out and make a note of anything you don't already know:

- Who they are holding?
- Are they OK?
- Are they being charged?
- What they are charged with?
- Any indication of a release time?

You can try to get 'treats' (chocolate, cigarettes etc), newspapers, books or dry clothes to detainees, but this is up to the station staff. So be nice and don't show your annoyance if they refuse. You can also use this opportunity to make sure the police know about people's dietary & medical needs. Ask the police to make sure that they release people into your care (and not out of a side exit!).

Liaising with the solicitor(s)

The legal support co-ordinator will have called the solicitor to let them know about the arrests and they may have received calls from the police on behalf of detainees. The co-ordinator will have asked the solicitor to liaise with you at the police station.

Introduce yourself and your role and ask to be kept informed. Suggest they pop out and chat to you once in a while so that fellow activists and legal support know what's happening. It's all too easy for them to swan into the station and be in there for hours with you outside none the wiser (in some cases not even sure they have arrived!).

Meeting detainees on their release

For some people police custody may have been fine, for others it could have been traumatic. You need to deal with whatever situation arises and provide appropriate support. To many people, being arrested is a really big deal. They could be very excited or upset and want to talk about it. Bring your listening skills with you!

As well as all the above it's useful to get an idea:

- If they have been charged
- If they have been bailed to reappear at the station
- What they have been charged with
- Where and when they are due to appear in court
- Whether they can be contacted for defendants meetings or court support

So give them smiles, congratulations, hugs, dry clothes, fags, chocolate and their bus fare home, but also get the

info you need. They will be clutching a release sheet with **Activists' Legal Project - Legal Briefing 7: Legal Support**

4

16b Cherwell Street Oxford OX4 1BG email: info@activistslegalproject.org.uk www.activistslegalproject.org.uk

all the details on. Ask to see it, explain why, and take down the details. In some cases you might like to install them in the corner of a warm café or pub nearby (use spare hours to find such a place)– somewhere you can send other detainees as they are released. You might need to find someone to give people lifts home etc.

Once they are all released

You may need to move on to another police station, but sooner or later all detainees are likely to be out of police custody (except for those who are being held overnight, which could be for a variety of reasons eg they refused to give their name or a verifiable address, they are in breach of a bind-over or bail, or had an outstanding warrant, or refused to accept bail conditions).

Check with the legal support co-ordinator that your figures match – i.e. the number arrested equals the number released and you haven't forgotten anyone!

For more information on setting up legal support for a big mass action see 'Setting up a legal team' on the US based website: www.midnightspecial.net

For workshops on all aspects of nonviolent direct action contact Seeds for Change
oxford@seedsforchange.org.uk
lancaster@seedsforchange.org.uk
www.seedsforchange.org.uk

**For further legal information and workshops contact
Activists Legal Project
info@activistslegalproject.org.uk
www.activistslegalproject.org.uk**