

ARREST PART 1: PREPARATION

While we support each other as best we can, your actions are your own. It isn't possible to predict whether you will be arrested or not, so prepare yourself for all eventualities before attending an action. This is an extract of a document which is an overview, and is to be seen as a gateway to further reading. If you definitely do not want to be arrested consider volunteering or donating instead.

Before you go

Non-violent direct action is a reasonable and proportionate response to the government's failure to acknowledge the climate crisis emergency and its failure to defend life.

Here are some ways to prepare.



Read the Climate Emergency Document (LS2)

It may help you in court to refer to information you read before taking action. <http://tiny.cc/ls2climateemergency>

Choose a Solicitor

You are entitled to free legal advice at the police station. Know the firm of solicitors you want to use and the police station will call them. Do not use the duty solicitor. (HJA, Birds, EFBW, ITN, Kellys, and Birnberg Pierce)



Pack Carefully

Don't take knives or drugs etc. It may seem obvious but activists do get arrested for possession of similar items.



ARREST PART 2: CONSEQUENCES OF ARREST

Read about the common charges that you might face and make yourself aware of the sentences:
<https://informeddissent.info/frequently-used-laws>

How much could you be fined? What is a typical sentence? And how long is it if custodial?

XR do not contribute towards court fines, court costs, or legal costs.



CRIMINAL RECORD

Arrests can show up in the following places: DBS checks (normally employment related), applications to stay in the UK (visa or EU national), and applications to travel in some countries. The record may not necessarily be a problem, but more reading is highly recommended.



MENTAL HEALTH

The process of getting arrested can be stressful and if you are charged, court cases can add further strain. Take care of your mental and emotional health.



PERSONAL DETAILS

You might be required to give your DNA, fingerprints, and photo for any offence apart from non-recordable offences (e.g. Obstruction of the Highway, or Breach of the Peace).



FINANCIAL

If you don't qualify for legal aid, you will either need to self represent or pay for legal representation. How much is the possible fine? Will you have to pay damages? Take into account travel, court costs, and possible loss of earnings.

Minimising the Risk of Arrest.

XR as a movement is open to everyone, and we encourage people who are taking part in actions to engage in informed dissent. We understand that some people may not wish to be arrested or will be disproportionately affected by arrest. Although we can never guarantee you won't be arrested (because it isn't possible to predict police behaviour), here are some suggestions for minimising your risk of arrest.

AGGRAVATED TRESPASS OR OBSTRUCTION.

In most cases, police give several warnings before arresting for obstruction or aggravated trespass. You could therefore move when asked to do so by a police officer. How quickly and how far you move will depend on your assessment of the situation. You may also be at lower risk of arrest on the pavement than in the road.

CRIMINAL DAMAGE.

Don't damage or deface anything, even if the material you use is non-permanent, such as chalk. Also don't carry anything that might be used to damage property, such as marker pens, chalk, sprays paints etc, even if you are carrying them for someone else.

PUBLIC NUISANCE.

Do not seem to be 'organising' an action. Consider ways in which you can minimise the impact on the public and keep a record of these efforts. If swarming, you can always watch from a safe distance until the coast is clear and then re-join. If there are a lot of police in the area, you might want to step out of the action. Although it's not necessarily the case that where there are lots of police there will definitely be lots of arrests, removing yourself can reduce the likelihood of your arrest. In general, move away from any confrontation.

