



Home Office

James Brokenshire MP
PARLIAMENTARY UNDER SECRETARY OF STATE FOR CRIME PREVENTION

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Tony Reeves
Chief Executive
City Hall
Bradford
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20 August 2010

Dear Tony,

Bradford Metropolitan District Council wrote to the Home Office on 18 August seeking the Secretary of State's consent to an Order made under section 13 of the Public Order Act 1986 to prohibit the holding of public processions throughout the Bradford Metropolitan District from 00h01 on Saturday 28th August to 23h59 on Monday 30th August. The Order is premised on the application which the Council received from the Chief Constable of West Yorkshire Police on 16 August.

I have carefully considered the Order against the statutory tests set out in the Public Order Act 1986, and having balanced rights to protest against the need to protect local communities and property from serious public disorder, I am content to support the operational judgement of West Yorkshire Police and give my consent to the Order on behalf of the Home Secretary.

I also wanted to put on record that the Government fully understands local concerns that such a demonstration has the potential to spark public disorder and to impact on community cohesion, particularly given the disturbances in Bradford in 2001. The application from the Chief Constable of West Yorkshire

Police is clear that the activities of some who attend English Defence League protests - and indeed counter-protests - has little to do with freedom of expression. So while the Government has set out its commitment to restore rights to non-violent protest, we are equally clear that such rights do not extend to intimidation, harassment and criminality, and that rights to protest need to be balanced against the wider rights of local communities.

Demonstrations should not and cannot be cover for violent, intimidating or criminal acts. The Government condemns those who seek to create distrust and divisions between communities, and remains determined to stamp out racism and extremism.

West Yorkshire Police's application is very clear that while the ban on marches is necessary to manage risks of serious disorder and serious disruption to the local community, a ban in itself is no guarantor of order. That a ban was sought and granted in 2001 but did not stop the disturbances that subsequently took place is evidence of that.

The West Yorkshire Police application is also clear that the ban does not mean that there will not be an EDL presence in Bradford on 28 August; neither the police nor the Government have any powers to ban an assembly (static protest) should any group ask for one. Further, in order for protestors to get to assembly points, the police may need to provide an escort. Any such escort would be to safeguard local communities and should not be misinterpreted as a breach of the ban on marches. I know West Yorkshire Police are keen to communicate these points with the local community in order to manage local expectations and ensure there are no misunderstandings that could serve to exacerbate local tensions on the day.

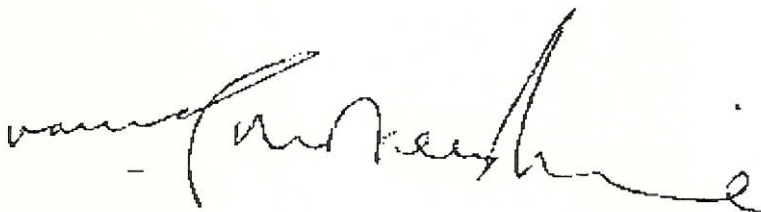
The application from West Yorkshire Police sets out the police's commitment to use their powers to ensure local communities and property are protected in the event of any static protests in the city, and the police's confidence they can manage any such protest with the support of the community. The police can impose conditions on the size, location and duration of a static protest if they believe it will result in serious public disorder, serious disruption to the life

of the community or serious damage to property. And the police have a range of powers to deal with any violence, public order offences, threatening and disorderly behaviour and criminal damage that take place at a demonstration - all of which can be racially or religiously aggravated.

The real key to supporting peaceful protest and minimising the risk of disorder is continued good communication and dialogue with protest groups and the local community. This was one of the key learning points coming out of the numerous reviews into the policing of protest published last year. Again the West Yorkshire Police application sets out how they are working with community groups, urging people not to respond violently to any demonstrations. They are also, despite the ban on marches, continuing to liaise closely with the EDL and other groups seeking to protest. Such communication strategies should not be misinterpreted. The police have a duty to facilitate peaceful protest and must rightly take a 'no sides' approach when policing demonstrations.

Even with a ban on marches in place, I know that Bradford Council will continue to support and work constructively with the police to help to ensure local communities are well-informed and protected in order to minimise the risks of disorder. When confronted with events that could provoke community tensions, it is more important than ever to redouble community reassurance efforts.

I am copying this letter to Chief Constable Sir Norman Bettison, West Yorkshire Police.

A handwritten signature in black ink, appearing to read 'James Brokenshire', written in a cursive style.

JAMES BROKESHIRE