

Security and Conflict Management

Guidance from the Police for the Protector Community opposed to the Badger Cull



April 2021



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Introduction

This guide has been prepared by Operation Cobb, the national policing response to the badger cull. This guide has been written to discuss the personal safety, conflict avoidance and police considerations you should be aware of when conducting peaceful opposition to the badger cull.

In our liaison and communications with everyone involved in this very emotive issue we are endeavouring to encourage responsible interaction and the avoidance of escalation.

This guide is also written in order to raise your awareness as to the unintended consequences that opposition to the cull could have on the wider community.

It is hoped that this awareness will allow you to suitably intervene and address any potential opposition activity that disproportionately affects vulnerable members within that local community who are unconnected to the cull.

The very fact that you are reading this document demonstrates your commitment to one of the most important principles - Preparation.

If you are prepared for what you might encounter you will have already thought about your options, your actions and their implications. You will not be flustered or panicked into overreaction and most importantly you will avoid conflict and prevent the escalation of whatever situation is presented to you.

The policing operation

Throughout the operational period of the cull, officers will be assigned patrol areas where potential licensed cull activity and opposition to that activity may occur.

Supporting these officers will be a dedicated police control room.

All involved in the policing operation intend to deliver an impartial, balanced, and proportionate approach to upholding the law whilst facilitating peaceful protest. This is the very cornerstone that the British Police Service is built upon.

Our role is quite simply to **keep everyone safe**, to prevent and detect crime on whatever side of the divide it occurs and to uphold the democratic rights of everyone.

The national policing operation is committed to ensuring the provision of an equitable and analogous level of engagement, direction, and access to everyone involved in the cull

Across the country we have endeavoured to reach out (and continue to reach out) to protector groups who are opposed to the cull, linking dedicated liaison officers to promote engagement in both the pre-cull and cull periods.

Intrinsic to this relationship building has been the countrywide delivery of Table Top events through the use of scenarios based on previous incidents.

In these sessions key learning points, guidance and issues of concern are discussed, whilst also establishing joint expectations and an understanding in what context the police may decide to deploy a particular intervention.

If you have taken part in any of the Table Top inputs you have probably met your local liaison officer.

We have been grateful for the assistance afforded by a number of protector groups in the South West for their production of a 10-minute recorded presentation.

The presentation details, from your perspective, reasons as to why the cull is opposed, historical adverse experiences from those involved in opposing the cull, including those with the police and the stated hope as to how future interactions could be improved.

The presentation has been provided to each and every force who are potentially involved in policing the cull this year. It is expected that, prior to the commencement of their first cull related duty, all officers will have sight of this presentation.

It is our hope that this will go some way in improving a better understanding of your position.

In addition to the identified liaison officer, during the cull there will be further police liaison officers on duty. They will work on specific days and shifts that will be communicated to protector groups and who will be a point of contact for protectors when they carry out their patrols.

If you personally have a particular cull related issue and would like to speak to your liaison officer, please contact your group's co-ordinator who will then put you in touch with them.

If you unfortunately become a victim of crime or have been subject of adverse attention it will be one of the liaison team that will contact you to advise and provide ongoing support.

Please ensure that you report all incidents/crimes as soon as possible, as this information influences where we place our dedicated patrols.

Phone 999 immediately if life is threatened, if people are injured, if there is a fire, if offenders are nearby, if immediate action is required to save lives, stop injury or to catch offenders.

The spectrum of opposition to the cull

Thankfully we all live in a liberal, democratic country where we have the right to lawfully and peacefully protest if we oppose some aspect of our society.

Peaceful protest isn't always lawful - as a society however, we are reasonable and proportionate in relation to protest as long as it is peaceful.

It is in fact vital to the health of our society that we can protest as it provides a necessary check and balance on those who legislate on our behalf.

Indeed, in recent years sections of the farming community have also made use of this right by lawfully and peacefully protesting outside milk processing plants when the price of milk fell.

It is hence the same with the myriad of groups that are opposed to the cull and within these groups there exists a wide 'spectrum' of opposition.

This starts with the Protectors at the 'lawful and peaceful' end of the spectrum, diverse individuals whose main objectives are to monitor the cull, ensuring that badgers are not unlawfully killed, and their setts are not interfered with.

Protectors seek no confrontation and history has shown that there has even been constructive dialogue between these groups and the farming community when they have come into contact with each other.

We are aware of one such interaction in 2020 where some lemon drizzle cake was shared during once such conversation!

The overwhelming majority of individuals opposed to the cull fall within this cohort and it is for the benefit of these individuals that this document is written.

There will be a smaller number of individuals who are prepared to approach contractors and farmers in order to seek an explanation for their activity. Whilst still operating within a 'lawful and peaceful' framework this more proactive engagement is the starting point at which interactions can escalate into conflict situations.

The initial tension being the result of trying to achieve the equal but opposite goals of carrying out a lawful licensed activity on one side and gathering evidence for possible non-compliance or prevention of the activity on the other side.

Continuing along the spectrum there will be individuals who are prepared to break the law by damaging or stealing traps, often referred to as pixies.

Some individuals may go further by targeting farms with graffiti and in extreme cases causing criminal damage to farm machinery. The harassment and distress caused to individual families can be significant and wholly disproportionate.

As you move along the spectrum the numbers reduce significantly as their propensity for criminal acts increase.

It is observed year on year, the majority of those opposed to the cull will only further their cause through entirely peaceful means.

Conversely and equally so, year on year there will be the majority of individuals on the cull side who will show the highest levels of restraint, professionalism and control when presented with opposition to their activity.

Sadly, there is also a 'mirror' minority who will seek out and confront the Protector community, with an even smaller minority who will carry out acts such as criminal damage and harassment, the distress caused similarly being significant and wholly disproportionate.

The minority elements within both the cull and opposition communities actually undermine the philosophy and objectives of their respective positions and it is their activity that will necessitate and cause proportionate police intervention.

Police intervention

Police officers, whether independently and in response to a dynamic incident occurring in their presence or as senior officers overseeing a policing operation, have to demonstrate the same considerations when deciding on any police intervention.

All such interventions have to be considered against four principles:

- 1) Are they proportionate in achieving the desired outcome?
- 2) Are they legal, do they have a basis in law?
- 3) Who is accountable for the decision and responsible for the rationale that supports it?
- 4) Are they necessary to achieve the desired outcome?

All police interventions must have a legal basis and should not breach an individual's human rights and freedoms as defined within the European Convention on Human Rights, namely:

- a. Every person has the right to life (Article 2 ECHR)
- b. Every person has the right to be free from torture, inhumane or degrading treatment (Article 3 ECHR)
- c. Every person has the right to liberty and security (Article 5 ECHR)
- d. Every person has the right to a private family life (Article 8 ECHR)
- e. Every person has the right to freedom of conscience, thought and religion (Article 9 ECHR)

- f. Every person has the right to freedom of expression (Article 10 ECHR)
- g. Every person has the right to freedom of assembly and association (Article 11 ECHR)
- h. Every person has the right to freedom from discrimination (Article 14 ECHR)
- i. Every person is entitled to enjoy their possessions, including their property (Protocol 1 Article 1)
- j. Every person is entitled that their rights and freedoms contained within the convention are neither destroyed nor excessively limited (Article 17 ECHR)

Within the context of the cull, where a time and location limited lawful activity is opposed by a similarly lawful and peaceful protest, it is not difficult to find examples where the rights of one side appear to be in opposition to the rights of the other.

It is the active balancing of these rights that influences the deployment of a police intervention.

Officers are under an expectation that such decisions must be robust enough to stand up to question and scrutiny, for in return the public ultimately as a whole give their consent to be subject of such police intervention.

Trespass on land

House of Commons Briefing Paper Number 05116, 15 May 2019 states:

“Trespass to land is not generally a criminal offence unless some special statutory provision makes it so. Any damage done by a trespasser while trespassing may amount to the offence of criminal damage.

In civil law, trespass to land consists of any unjustifiable intrusion by a person upon the land in possession of another. Civil trespass is actionable in the courts, but a claim must be brought by the owner of the land.”

The police have no powers to act in cases of civil trespass, it is only when the criminal elements of trespass are engaged, or the circumstances cause the belief that a breach of the peace has or is about to occur that we can intervene. The criminal offence of Aggravated Trespass will be discussed later.

The cull community are also made aware of the position around civil trespass when they receive similar inputs from the police.

As a protector it is possible that you may stray from a footpath on to private land.

If the landowner decides to engage with you our advice to them is to show restraint and to make a reasonable request for you to return to the footpath, advising where the footpath is.

We also ask the landowner to make you aware of any risks that may be present in the field for example a bull/cattle or machinery that might be operating.

During the cull there will be occasions when the police are called by members of the farming community due to individuals being on their land.

This may be due to the fact that over a recent period of time they or their families have been subject to criminal damage, harassment or abuse by others who have determined to oppose any perceived culling activity through criminal means.

From the farmer's perspective they will associate the current adverse activity they and their family are experiencing with whoever is on their land at that time. The fact, that as protectors, you have no intent to carry out such activity will not be known to the farmer and it is therefore likely the police would be called.

In such a situation it is our expectation that the officer would be fully aware of the intentions and methods of the protector community having viewed the protector presentation and their ongoing briefings.

Notwithstanding this the attending officer will not know you as individuals hence any protector spoken to by the police must expect some degree of proportionate questioning from the officer.

They will have to satisfy themselves that they are presented with the protector community and not individuals further along the spectrum of protest.

Such context is quickly established if for example protectors are in the habit of wearing fluorescent tabards identifying them as such or they have already been in contact with their police liaison officers that evening to advise of their intentions to carry out a patrol.

We fully understand and appreciate any reticence with regards to any protector not advising their police liaison officers as to where specifically they intend to patrol of an evening.

It is recognised however that such patrols do feel more secure at least knowing that they have advised the police they have formed a patrol that evening and that they are able to contact a police liaison officer should the need arise.

Police identity checks

In the process of determining the context of any situation to which the officer has been called to and in support of their duty to professionally investigate the officer may wish to confirm your identity by requesting your name and date of birth.

There are occasions when such requests must be complied with, for example the driver of a motor vehicle on a public road.

Again, we appreciate there may be an unwillingness to comply in the absence of a legal compulsion to do so.

It may very well be the case that the protector spoken to has, over the course of the cull period, volunteered their details a number of times and feels frustrated that they have been asked to do so yet again.

We recognise this frustration; however practically it is not the case that the same officers are patrolling every night of the cull. They will be drawn force wide and may only actually carry out one operational cull duty. It is therefore almost a certainty that they will not know the person they are talking to.

An additional concern expressed by protectors is that the officer may request their details within the hearing/presence of the person who called the police or a member of the cull community.

The concern is also similarly expressed by the cull community when officers conduct comparable checks on cull contractors within the hearing/presence of members of the community opposed to the cull.

On this aspect we advise everyone that it is entirely appropriate for the individual to request that the officer move with them to a suitable location such that no one else can hear their details or indeed the result of the check when passed by the police control room back to the officer.

If the officer fails to do this you can remind them that they have been specifically briefed on this aspect, that you are willing to assist but your identity needs to be protected.

As previously stated in the absence of a legal requirement to do so which, if it does exist should be explained to you, then you are under no compulsion to provide your details.

Regarding the attending officer they have to establish for themselves that they are engaged with the protector community and whilst doing so they should be fair, impartial, and transparent, communicating clearly why they are there and what they are trying to determine and always in a professional, courteous and respectful manner.

With your knowledge and understanding of what the officer is trying to achieve and the officer's enhanced appreciation of your intentions it is hoped that the majority of these interactions will be resolved quickly and to the satisfaction of all.

Any concerns regarding how you have been treated by an officer can either be:

- 1) Passed to your Police Liaison Officer
- 2) Passed to your group lead who will inform the police control room on your behalf or

- 3) You can make a formal complaint. Most forces have the opportunity to do this on line via their website.

For example, last year concern was expressed that one such interaction could have been conducted better. Further detail was sought, and the circumstances and perceptions of the protector were relayed back to the officers via their supervisor thereby allowing them to reflect on and consider any future changes to their approach.

Subject access requests

As a result of interactions with the police you may have concerns as to how that interaction has been recorded. Subject to certain exemptions, you have a right to be told whether any information is held about you and a right to a copy of that information. This is known as a Subject Access Request.

The Chief Officer of Police will only provide that information if they are satisfied of your identity. Information which relates to ongoing criminal proceedings will not be disclosed.

The Chief Officer of Police may deny access to information where the Act allows. The main exemptions in relation to information held on Police systems are where the information is held for the prevention or detection of crime and/or the apprehension or prosecution of offenders and in giving you the information would be likely to prejudice any of those purposes.

Individual Force websites will have details as to how you can make a subject access request further guidance can also be found on the website of the Information Commissioners Office at ico.org.uk.

Aggravated trespass on land

There are occasions when individuals outside of the protector community make the decision to purposefully trespass with the requisite intent to carry out an act that intimidates, obstructs or disrupts a lawful activity.

Under the correct compliance with an issued licence, the controlled shooting and trapping of badgers is such a lawful activity.

Hence in such circumstances attending officers may use their powers under Section 69 of the Criminal Justice and Public Order Act 1994. Such decisions are not taken lightly and if such an intervention is used it will not be without recourse to and consideration by the senior policing team.

Even though the offence may have been committed officers will generally decide to take a staged approach within the legislation and require trespassers to leave the land. This will however be dependent on the context of the incident and the methods employed by the trespassers.

Ultimately, following due consideration to deploy the intervention, then the most senior police officer present at the scene reasonably believing that trespassers on land are committing, intend to commit or have committed aggravated trespass then that officer can instruct that such trespassers must leave the land and not return within 3 months of the instruction.

Any refusal to leave or any return within 3 months is a further offence and it is at this point that officers will pursue some form of caution or prosecution.

Telephone calls that are abusive, threatening or persistent

Whilst rare, if any protector feels that as a result of their involvement in opposing the cull they have received a call that is abusive, threatening, or malicious then a criminal offence has been committed.

If you receive persistent calls from the same individual and you have asked them not to call you then an offence has been committed.

Action to be taken:

- Try and record the call or preserve recordings of calls made
- Note the time, date, the number that called and the content of the call
- Note anything distinctive about the voice or sounds that you could hear in the background
- Report to your local police force either by phoning 101 or

completing an online crime report through the website of your local force

- Inform your Police Liaison Officer who is engaged with your group
- If you genuinely fear a threat is imminently about to be carried out then phone 999.

Internet and Social Media

Again, and it is rare but if you feel your identity as a protector is known and you wish to avoid minority elements of the cull community viewing your 'internet footprint' you will need to ensure your social media privacy settings and those of your family and friends are set at the highest level.

If you have businesses that use websites or social media where individuals are capable of providing feedback which is publicly viewable then consideration should be given to disabling this function.

Conversely there will be **minority** elements within the protest community who via social media will encourage for some form of action to be taken against individuals involved in the cull.

In some circumstances this encouragement actually becomes an offence of encouraging or assisting an offence under the Serious Crime Act 2007.

Protectors need to be aware of this as an ill-considered injudicious supportive comment on the social media platform hosting such a post could cross the line itself with regards to encouraging or assisting an offence.

Those that host such social media platforms do so in the knowledge that they have taken steps to protect their identity. The protector leaving a comment generally also reveals their identity and can be traced if they are caught out naively encouraging an offence.

Personal considerations

- Always carry out your protector patrol as part of a group.
- Within that group should be an individual who knows the area

and the footpaths you will be walking on. Even on a footpath there could be nearby risks which could be increased at night.

- Plan your route and discuss how each of you will act if you become lost or separated from the group.
 - Ensure that your group has advised your Police Liaison Officer that they are patrolling that night and if possible provide a mobile number for the officer to contact the group.
 - You should be satisfied that a suitable mobile phone signal exists for your network for the area within which you are walking. When stating your position consider the What 3 Words application this can be downloaded free of charge to your phone.
 - Always wear a fluorescent jacket, carry a torch with spare batteries, a charged mobile phone and a whistle if in an emergency you need to make your presence known.
 - Appropriate footwear and clothing for the prevailing weather conditions should also be worn.
 - You should always ensure that within your group you carry a first aid kit that is complete and in date.
 - Part of your discussion should include a safety briefing within which should state
- 1) **If persons with firearms are seen nearby, your presence in the area must be made known through suitable noise and torch light.**
 - 2) **If a shot is heard nearby, again your presence in the area through suitable noise and torch light must be made known immediately.**
 - 3) **At all times your presence should be overt and not covert.**
 - 4) **The group should not move towards a heard shot but withdraw whilst constantly making your presence known.**
 - 5) **If you are patrolling and a shot has been taken close to your public footpath you should ring 999 and ask for the police.**
 - **State you are a protector patrol monitoring the cull**

- **State your position (what 3 words)**
- **The number in your group**
- **What you have heard and seen**
- **Confirm that you have made your presence known through the use of torches and noise**

6) Always follow the advice of the police operator.

The 'CONFLICT' model

The **C-O-N-F-L-I-C-T** model helps us to evaluate a potentially threatening situation and to choose the best response. It should always be the basis of a 5-minute conversation that you have with your protector colleagues every time you go out to conduct a protector patrol.

This is part of your preparation:

- C = Create space** - put distance between yourself and those confronting you. If you move towards them this could be viewed as an escalation prompting a reaction. Endeavour to move away without being seen.
- O = Observe environment for threats** - spend some time before hand assessing any inherent risks at the location, what is the topography are there any water hazards, steep inclines, barbed wire offences - what could impede you from avoiding conflict.
- N = Notify others** - tell people where you are going, who you are going with and what time you expect to return
- F = Formulate a plan** - Have that 'What if' conversation with yourself and your group, you will then have something to refer to should you get confronted.
- L = Locate exits** - If you need to leave an area quickly how will you do it.
- I = Indicate your intentions** - If you are obstructed indicate your intentions clearly, **"I am going to leave this field by that gate please do not get in my way"**, your reasonable actions cannot be misconstrued and if recorded no advantage can be gained

C = Communicate - clearly and always in a non-abusive/ threatening manner even if such behaviour is directed towards you.

T = Take control of the situation - Do not get flustered or react, refer to the initial 5-minute plan you discussed with your group before you commenced your patrol.

High risk conflict

There may be very rare situations where an individual may demonstrate behaviour that may be indicative that they are preparing to assault you, these include:

- Angry non-verbal signals - face reddening, intense eye contact, angry facial features
- Increasingly vulgar, abusive or threatening language
- Your personal space is being invaded
- Square on posture, head and chin thrust forward
- Fist-clenching, knuckles whitening
- Finger-pointing - leading to physical contact

Remain calm, do not react

There is a view that 'behaviour breeds behaviour'. If you react and behave at a level above that of your antagonist they will react and go further, and if not in control you will again follow. This is how incidents escalate and physical confrontation occurs.

By remaining calm you will be able to control yourself to remain at a level that is below that of your antagonist.

Keep your distance and keep your hands down using open hand gestures.

Leave the area and report the incident immediately.

You do not have to have been subject of physical force to be a victim of an assault.

If any action was carried out, for example the raising of a hand that caused you to fear you were going to be assaulted then an assault has occurred and should be recorded as an offence.

Collecting evidence

If you are involved in an incident or crime whether as a victim or witness try to stay calm and endeavour to gather the following:

- Record locations and times
- How many people were involved?
- What was their appearance?
- Was there something distinctive about them? - for example an accent, a scar or a splash of paint on their clothing
- What items were they carrying?
- What was the registration/make/model of any vehicle?
- Again, was there anything distinctive? - damage, badges, non-standard construction
- Record on film if possible and if safe to do so (be aware that this may escalate the situation)
- Dashcams may be useful

When recording information with a mobile phone be aware that this could cause a situation to escalate. The person you film may reach out to stop you, damage the phone, steal the phone, or attempt to stop you by assaulting you.

Reporting incidents

Please try and report incidents in a timely manner, this can be completed through your Police Liaison Officer, local force website or dialling 101.

Any police investigation is assisted by being able to speak to the person who actually experienced the incident. It could very well be that we visit the scene with them to understand the context of the incident.

There may be occasions when someone from the community opposed to the cull experiences an incident or a crime but is reluctant to report directly to the police.

These matters often come to the attention of the protector community who third hand then report these incidents to the police.

Whilst we will endeavour to do the best we can there is always the difficulty that some important detail of what we need is lost in the 'chain' by the time the information comes to us.

If you do report on behalf of someone else please can you ensure that you have actually spoken first hand to the person who has experienced the incident and satisfy yourself that the person has not exaggerated or embellished the circumstances.

Any subsequent police investigation would be undermined if at the outset the initial report was inaccurate and inconsistent.

Remember - Phone 999 immediately if life is threatened, if people are injured, if there is a fire, if offenders are nearby, if immediate action is required to save lives, stop injury or to catch offenders.

Illegal night time poaching activity - Personal safety

We provide this advice to everyone involved in the badger cull issue.

This last year we have become increasingly more aware of intimidatory behaviour directed towards both contractors and groups opposed to the cull by individuals involved in illegal night time poaching activity.

Such illegal night time poaching activity includes incidents of hare coursing. Hare coursing isn't just about dogs chasing hares in fields, there are strong links to organised crime, with farmers and landowners often being threatened and intimidated by the hare coursers, along with illegal betting taking place on the results of each race.

We would anticipate that similar intimidation would also be directed towards any protector/protector groups who came across such activity.

Hence, please follow this advice if you become aware of such activity:

- 1) In the case of Hare Coursing withdraw and endeavour to ensure your presence is not noticed. However if persons with firearms are seen or heard nearby your presence in the area must be made known through suitable noise and torch light.**
- 2) This is a wildlife crime in action, call 999 from a safe location.**

- 3) State you believe night time poaching/hare coursing is taking place, identifying an accurate location, approximate numbers of individuals and vehicles present.
- 4) Do not return to the location.
- 5) Do not remain in the area filming the illegal activity.
- 6) Always follow the advice of the police operator.

Safety near military sites

We provide this advice to everyone involved in the badger cull issue.

At the time of writing, the UK is currently at a threat level of **SUBSTANTIAL**, which means a terrorist attack is likely. Military establishments are at this state of alert and will conduct perimeter patrols.

Both elements of the cull and opposition side may be dressed in balaclavas and camouflage clothing and acting covertly. Both elements may be carrying thermal imaging and maps. In the case of controlled shooters - firearms.

Everyone must be aware therefore of the danger of challenge by military personnel if seen near a military site.

For your own safety please do not carry out protector patrols near to military sites.

Trail cameras

We are aware that elements of the opposition community will make use of Trail Cameras. At one end of the spectrum they are used to assure of compliance with licence and best practice requirements.

For other elements within the opposition community they are used to capture images of contractors carrying out, what is during the licensed period, a lawful activity and then using those images to harass the individual and their families by posting disparaging accounts on social media.

Despite the latter use, the majority of the cull community have agreed to safely recover such trail cameras when they have been

located and hand them over to the local police. Here they will be stored as found property until claimed by the owner.

Drones

In recent years there has been an increase in the use of drones to monitor cull activity in the countryside. They have become very sophisticated with regards to their imaging capability including low light and thermal imaging and increased overall flying time.

The legislation around drone usage is still developing. The current main restrictions covering any drone operator are as follows:

- The drone must always be flown within visual line of site of the pilot
- It cannot be flown further away than 500 metres from the pilot
- It cannot be flown higher than 120m above the ground
- Drones cannot be flown within 150 metres of a 'congested area' (towns, built-up areas, industrial areas etc.)
- Drones cannot be flown within 50 metres of any person/vessel/vehicle/structure that is not under the control of the pilot (30 metres during take-off and landing)
- The drone must be displaying an 'Operator ID number' (if it weighs over 250grams) meaning the owner of the drone has registered as an 'operator' with the Civil Aviation Authority (CAA)
- The pilot is also required to register with the CAA and obtain a 'Flyer ID' (This does not need to be displayed but anyone controlling a drone must have one).
- Drones cannot be flown within a 'Flight Restriction Zone' or a 'Runway Protection Zone' around airports (generally 2.5 nautical miles around but extends at the ends of the runways)
- A pilot must not act in a manner to endanger an aircraft or cause their drone to endanger any person or property

Each year we state to the cull community that Drones cannot be shot down.

The cull community are well aware that the last images recorded by the drone could be that of the individual pointing their gun at the

drone with such images relayed to a remote recording device held by the pilot.

This would be construed as criminal damage and worse still it would be criminal damage with a firearm. Any individual would normally have their firearms certificate, ammunition and all firearms seized whilst an investigation was carried out. Given the advice and the outcome we do not expect it to occur.

Community awareness

Each community is made up of 'communities within communities'. Within your own there will be the protector community and those that support you, there will be the cull community and there will be a part of the community who really could not care one way or the other regarding the issue.

Irrespective of view there is always the opportunity for an individual to be disproportionately affected by the consequences of the cull.

Examples - A local farmer who is involved in the cull may be experiencing attention from a group opposed to the cull. The farmer and their family are pretty robust, whilst inconvenienced they are able at the present time to deal with the attention.

Nearby the farmer has an elderly neighbour, her husband has recently died, and this is the first time in her long life that she has lived on her own. She is not in any way involved in the cull. The increased night-time activity around her home is causing her concern; she is not sleeping, and she has become withdrawn. The neighbour is being disproportionality affected due to her inherent vulnerability.

Or

It could be that a local landowner who has declined for their land to be used in the cull is experiencing pressure from some members of their community. They are feeling isolated, intimidated and worried that well established setts on their land will be illegally targetted.

We would want these matters brought to our attention at the earliest opportunity, either by the cull side or the protector side,

allowing us to provide the necessary support, reassurance, and intervention that the individual needs.

COVID-19 considerations

We all hope that the second half of 2021 will be positively influenced by the national vaccination program and the restrictions that have been placed on all of us will subside.

We must however remain realistic, COVID-19 is a virus that globally we must all learn to live with. The threat of new variants will be ever present and vaccination against such variants may well become an annual event.

It cannot be discounted that amended restrictions under the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 may still be in place during the period of the 2021 badger cull. It is our expectation that the positive way both communities, opposition, and cull, adhered to the 2020 restrictions will be similarly adhered to in 2021.

Whatever the restrictions the police nationally will always engage, explain, encourage, and enforce adherence equally towards everyone involved.

Conclusion

It is hoped that this guide has served to highlight to you the importance of being prepared for what you may encounter, not reacting to provocation, how individuals not involved in the cull may be affected and most importantly staying safe whilst operating in a safe manner.

Please could you forward any questions you have to your local force Police Liaison Officer via your groups co-ordinator. They will assist in providing answers which will be fed back to you.

If your group are not yet engaged with a local force Police Liaison Officer please encourage them to do so for it is through these officers that you will have the opportunity to be invited to Table Top events in your local area.

These Table Top events re-enforce the content within this document with further scenario-based learning drawn from incidents that have historically occurred.

With your colleagues it is an invaluable opportunity for you to question experts in public order policing and the policing of the badger cull. We discuss all aspects of the cull.

Despite the COVID-19 pandemic causing us to deliver online Table Top events in 2020 they were still very positively received by the protector community who took part.

We see it very much as a two-way process with learning opportunities for both the police and the protectors.

It is the case that matters raised by your protector colleagues in these previous sessions have already influenced some changes in the delivery of our policing for 2021.

In fact, the content of the very document you are reading has been written with input from some of the most experienced individuals within the national protector community.

There now follows a number of scenarios that it is hoped will allow you to consider what has been discussed up to this point and specifically within the context of general situations that occur each year.

Scenario 1

You are walking on a public footpath across a field and are approached politely by the landowner.

Consider what you have read so far.

What should you do?

There are no surprises here:

- You should maintain a safe distance at all times.
- If you perceive no abuse or threat and are only politely questioned about your presence then there is nothing stopping you from having a positive engagement. Such positive interactions do occur.
- As stated in the CONFLICT model behaviour tends to breed behaviour if both parties are engaging politely and positively the situation will remain calm.
- You may wish to explain what you are doing and that it is your intention to remain on public footpaths for the entirety of your patrol.

The most important aspect here is not to react in any way that could cause an escalation.

The very fact that you have politely explained your purpose may mean that the landowner, if they have knowledge that the land is licensed for cull activity may subsequently advise their contractors not to operate on the land around the area that night.

This result, whilst not known to you, actually ensures your safety whilst patrolling in the area and it achieves your aim of preventing culling by your lawful and peaceful presence whilst keeping to the public footpaths.

Scenario 2

You have parked your vehicle in a gateway to a field prior to conducting a patrol.

A local farmer has called the police. When they attend the farmer arrives a short time later.

A police officer speaks with you.

What should you do?

This seems quite a simple scenario but there is actually quite a lot in here to consider.

Unless there is additional context around the farmer it is very unlikely that the police would be called to such a matter. The police control room would have asked the farmer the reasons for their concern.

It may be that the farmer has experienced significant adverse attention directed at them and their family over recent days, they may have had incursions onto their farm yard, they may have 'Badger Killer' sprayed on the road leading to their farm or they may have had damage caused to their vehicles and buildings.

In the light of such focused criminal attention it is right that the police should be asked to attend and determine that there is no threat to the farmer, their family, or their property.

After all, removing the context of the badger cull it is what the public would expect the police to do in order to assist any citizen who was subject of such adverse behaviour.

At the time of the call, neither the farmer nor the police know that you or your group are part of the Protector community.

If you are parked in the gateway to a field additional to the context it may be that the farmer needs to use that gateway.

There is no issue with parking in such a location however the vehicle should be moved if access to the field is sought at that time.

Sometimes individuals who are **not** part of the Protector community will refuse and seek to continue the obstruction.

The farmer has under law '**a proprietary right of interest**' with regards to access to their land. This is detailed within Section 5 of the Criminal Damage Act 1971.

If a vehicle is blocking a gateway and is off the public road on the farmer's land then following the continued refusal of any reasonable request the farmer can take their own action to protect their 'proprietary right of interest' - any unavoidable non-excessive damage that is caused to the car is not an offence committed by the farmer as Section 5 gives the farmer protection.

If the vehicle is parked on the public road and is obstructing the farmer's access to his land which he needs to access at that time then the police, usually on an Inspector's authority have the power to have the vehicle removed. The return of the vehicle would incur a charge incorporating removal and storage costs.

So, we have established the possible reasons as to why the police may be called to a simple matter such as this.

Back to the scenario - if you are wearing your fluorescent tabards identifying yourself as a protector and your liaison officer is aware that you called them earlier to state you were on patrol then in all probability the matter would be resolved quickly.

- The officer should be pre-briefed as to the intentions of Protectors.
- The officer may ask for the name from one of the group to confirm awareness and prior engagement with the liaison officer.
- Given the farmer is present the person giving their name should ask to speak to the officer out of the farmer's hearing and request that any police communications are also not heard in the presence of the farmer.
- Once the officer is satisfied that you are a protector group who would not be involved in any adverse activity experienced by the farmer then, if at that time the farmer does need to use the gateway, they will request that your vehicle is parked at another location.
- Avoid engaging with the farmer and communicate with the officer, in this way the officer will be able to control the situation without it escalating.
- The officer will be impartial, but they must be given the opportunity to question so that they can come to the correct decision. The officer does not know you, but they may have been informed of adverse behaviour the farmer is experiencing.

In the case of non-protector groups who refuse to engage with the officer then the officer may decide to carry out a check of the vehicle and the driver of the vehicle on the police national computer.

Scenario 3

During the hours of darkness your group are on patrol, you see a lone male with a firearm in a field adjacent to your footpath.

No shot has been taken or heard.

What could be the reasons for his presence?

How should you react?

From the outset - referring to your safety briefing prior to starting your patrol:

- 1) **If persons with firearms are seen nearby your presence in the area must be made known through suitable noise and torch light.**

The use of firearms within the rural environment is common and varied.

Anyone on land carrying a firearm should have the permission of the landowner else they commit the offence of trespassing with a firearm.

The presence of someone with firearms on land during the cull period does not mean they are involved in the cull.

The individual could be shooting rabbits or controlling foxes, for which they need no licence or second person to be with them.

The only requirement is that they have permission to be on the land from the landowner and that they are licensed to use that firearm.

A single person on land with a shotgun could be involved in the cull as a licensed cage trapper. Shotguns are used to shoot badgers that have been trapped in a cage, the particular cartridge that they use only has a range of about 12 inches.

Individuals lawfully on land with a firearm will not want their continuing permission on the land or their firearms licence to be put in jeopardy by failing to comply with the procedures around the safe handling of firearms.

Such persons in the case of a shotgun will ensure that the shotgun is 'broken', that being the barrel is hinged open from the stock allowing the cartridges to be removed. The barrel will point downwards and not towards you.

In the case of a rifle, the bolt should be removed, this makes the rifle incapable of firing a round, the ammunition secured, and the rifle placed in its slip.

Any individual in possession of a firearm and licensed within the cull must take these measures if they see others in the area. They are also advised to leave the location.

Another possibility is that the person has no permission to be on the land and is therefore poaching.

Such individuals are already committing criminal offences, it could be they are not licensed to carry firearms. They present a greater risk to you as they will not handle their firearms in a safe manner and are more likely to move towards and confront you.

If you believe poaching with firearms is taking place:

- 1) **For your safety your presence in the area must be made known through suitable noise and torch light.**
- 2) **Withdraw immediately.**
- 3) **This is a wildlife crime in action, report from a safe location by calling 999.**
- 4) **State you believe night time poaching involving firearms is taking place, identifying an accurate location (consider What3Words), approximate numbers of individuals and vehicles present.**
- 5) **Do not return to the location.**
- 6) **Do not remain in the area filming the illegal activity.**
- 7) **Always follow the advice of the police operator.**

Scenario 4

You are travelling to or from a protector patrol.

You are being followed in your car.

What should you do?

- Ensure you always keep to the correct speed limit and drive appropriately to the prevailing road conditions.
- Report the incident to the police by dialing 101 stating the index of the following vehicle and follow their advice. Your passengers should do this.
- If possible, request a colleague records the vehicle on their phone from within the car, not leaning out of the window. Dash Cam footage can also provide valuable evidence.
- Do not take the following vehicle to your home address.
- At all times think safety. Do not get into a confrontation.
- Consider driving to a location where witnesses would be present or where CCTV might be available like a garage forecourt.

Ensure your vehicle is taxed, insured and roadworthy - obvious points but any defect or omission will be reported, and the police will have to investigate.

Do not be tempted to alter your registration plates - if the vehicle is driven on a road then this is an offence.

You may be subject of aggressive driving by a following vehicle - driving close to your back bumper, flashing their lights, using their horn repeatedly. This manner of driving is an offence and needs to be reported.

Do not be intimidated into driving at speeds in excess of the speed limit and the prevailing road conditions. You must always ensure the safety of yourself, your passenger and other road users at all times. **Always think about the 'family of four' that could be approaching you should you not be driving safely.**

It may be safer to stop your vehicle, ensuring your doors are locked and await officers to attend your location.

Always try to stop in an area that has streetlights and is more built up, near residences, town CCTV, public houses etc. If you are near to a police station, then drive there but be aware at night some rural stations are resourced from larger nearby stations.

Remember - Phone 999 immediately if life is threatened, if people are injured, if there is a fire, if offenders are nearby, if immediate action is required to save lives, stop injury or to catch offenders.

Appendix - Risks around farm land

Farm safety mnemonic – **SAFE**, Slurry, **A**nimals, **F**alls, **E**quipment



Animals

Working farms may have a number of different types of animals present and each can present their own risk.

Be particularly careful of all types of dogs as they may be there to guard the premises and may be moving about freely.

Larger animals such as horses and cattle can be unpredictable, but bulls (usually kept in a field or pen alone) are incredibly strong and are responsible for number of fatalities worldwide each year.

Cattle with young calves are protective and trampling incidents have occurred when persons enter the field. Entrances to some fields may indicate the risk associated with the animal present and heed of this advice should be taken.

Whilst we appreciate the shutting of gates is a key part of your group's training we have to emphasise - please ensure all gates that you open are closed immediately behind you.

None of us want to be responsible for allowing animals to get out onto the road where they may either injure themselves or cause a serious car accident by coming into contact with that 'innocent family of four'.

Biological hazards

All farms have a variety of biological hazards associated with the activity that occurs on them. Farm diseases associated with animals are called zoonosis (transmissible diseases from animals to humans).

Diseases range from infections caused by rats (Leptospirosis), cattle (bovine TB) and poultry (E. coli).

Other risks are associated with ticks and insects (e.g. Lyme Disease).



To protect against these risks, normal /improved hygiene processes should be followed, including the protection of existing wounds by covering with plasters.

Skin, such as arms, should be covered where there is a risk of insect bites.

If you do have an insect/ tick-bite and it becomes infected you should seek medical advice.

It is a good idea to carry your own small bottle of antibacterial gel.

Hidden hazards around farms

Protectors should have little opportunity to come into close contact with working areas within farms however there are some occasions where public footpaths do cross farmyards or are near active areas of farms.

The risks cannot be listed in full but includes risks of slip, trips and falls, sometimes due to steep or precipitous topography of the land, chemical risks and vehicular movement.

Electric fences can you give you a significant temporary electric shock and rusty barb wire which is even more difficult to see at night can be a trip hazard or tetanus hazard if it causes a cut or abrasion.

Most farms have a slurry pit which should be enclosed and covered.



An incident has occurred when a police officer crossing farmland did not recognise a slurry pit - thinking it to be just a muddy field. The officer was totally submerged in slurry but fortunately on that occasion being pulled to safety by a colleague.

Be mindful that farmyard structures have usually only been designed to protect animals or food from the element of weather. They frequently are not designed to take the weight of a human.

A number of farms have rotting structures that may not be as safe as expected.

Animal waste, debris, mud, slopes, unprotected drains, changes in level and depth will increase the risk of slip trips and falls. Ensure that your footwear is appropriate at all times.



Farms have significant quantities of chemicals on site and whilst they should be safely stored, they may be left out in the open if the farmer is currently using them. Avoid coming into contact with such chemicals.

Tractor and other farm machinery movements occur throughout the day on farms and should be approached with care as the driver may not see or hear you.

Should you have need to speak to the driver make sure you do so at a safe distance and only when the engine is stopped. The wearing of Hi-Viz jackets will also enhance your visibility around farms in daylight.

Ploughed fields and fields that have been spread with muck present their own risks. It is advised that when crossing these fields that the route taken should always be around the edges.

Water safety should be considered at all times when apparent. Avoid crossing areas where there are swampy and marshy conditions. Where there are ponds or similar areas of water keep away from the edges and always stay in pairs.

Some farms have high health schemes in place. This means that as far as is practical they do not want to run the risk of cross contamination from other farms. If moving onto a footpath through such a farm then decontamination of your footwear should occur.

