

## Executive Summary

In November 2021, the United Nations Climate Conference (COP26) arrived in Glasgow. Through Operation Urram (Gaelic for 'respect'), Police Scotland promised to put 10,000 police officers on duty every day, and its public relations campaign promised a "human rights-based approach"<sup>i</sup> which would "facilitate... peaceful protest".<sup>ii</sup> Police Scotland have since celebrated the operation as a "success"<sup>iii</sup>, citing low arrests and a lack of violent disorder as evidence of "proportionate"<sup>iv</sup> policing.<sup>v</sup>

Following COP26, Netpol and the Article 11 Trust worked to compile detailed witness statements from over 100 locals and protesters and 16 Legal Observers to examine the policing approach. Our investigations concluded that Police Scotland not only failed to protect human rights during the policing of COP26, but in many cases restricted and even violated the rights to freedom of assembly and expression.<sup>vi</sup> We highlight key areas of concern and our recommendations below, and explore them in depth in the full report.

### Kettling

- On two occasions during COP26, Police Scotland used 'kettles' to detain large groups of people for up to 5 hours without access to food, water, toilets or medication. Police Scotland claimed that people in these 'containments' were not being held "against their will",<sup>vii</sup> but unanimous witness statements describe police refusing people exit for many hours and, in one case, unlawfully demanding personal details as a condition of exit.<sup>viii</sup>
- Police Scotland also asserted that Police Liaison Officers (PLOs) found there to be "no vulnerability" among people trapped in kettles.<sup>ix</sup> However, witnesses described infants, adolescents, elderly people and those with serious health conditions and disabilities being kettled.

### Stop and Search

- Throughout the conference, stop and search powers were used in an arbitrary way and, it appears, as an intelligence gathering tool. Officers failed to inform people of their rights during searches,<sup>x</sup> unlawfully demanded personal details, regularly failed to provide a receipt and routinely used unnecessary physical force or restraint.<sup>xi</sup>
- Nearly four years after an Independent Advisory Group on stop and search highlighted "confusion and ambiguity"<sup>xii</sup> around the use of Section 20<sup>xiii</sup> as a search power and called for clarification, its use skyrocketed at COP26 as a blanket justification for searches, arrests, and kettling. Worryingly, it was used to justify a third of searches reported to us during COP26: a hundred-fold increase on the use of this power in the previous year.<sup>xiv</sup>

### Misuse of police powers

- In a number of incidents, mutual aid officers deployed to Scotland demonstrated a poor understanding of their powers under Scots Law. This included misusing or misquoting police powers, and telling protesters they "don't know"<sup>xv</sup> the justifications or powers for particular operational decisions and were "just following orders".<sup>xvi</sup>
- Legal Observers described operations as "really confused",<sup>xvii</sup> and Police Scotland provided several conflicting and contradictory public statements as justifications during and after police actions. This included a categorical denial that on 8<sup>th</sup> November police raided the

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peaceful 'Baile Hoose' occupation. Subsequently, media received footage of police attempting to force entry to the building.<sup>xviii</sup>

### Discriminatory policing

- A number of incidents of racist policing, including excessive surveillance, were reported by Legal Observers and protesters. On the 6<sup>th</sup> of November, ten "aggressive, intimidating and argumentative" police held back a group of Sudanese protesters in a concerning incident of "racial profiling".<sup>xix</sup> On the 8<sup>th</sup>, a Nigerian COP26 Conference delegate was followed by undercover officers who threatened him with deportation for wearing the Extinction Rebellion logo on his T-Shirt.

### Surveillance and Harassment

- Campaigners and members of the public reported extremely intrusive police surveillance, with people followed, filmed and unlawfully harassed to give personal details to the police. Contributors described how this created a "threatening"<sup>xx</sup> atmosphere and was "excessive, invasive and intimidating".<sup>xxi</sup>
- Throughout the COP26 Conference, Legal Observers documented the relentless filming of demonstrators (or anyone who looked like one) by Evidence Gathering Teams. This is in contrast to the Venice Commission Guidelines which notes the "chilling effect" blanket surveillance can have on the right to freedom of assembly and expression.<sup>xxii</sup>

### Treatment of Legal Observers

- Contrary to international human rights guidelines,<sup>xxiii</sup> Legal Observers (LOs) were frequently obstructed from carrying out their duties by officers. This included blocking LOs access to police incidents, lone female LOs being "cornered" by multiple male officers, and officers acting in an intimidatory manner<sup>xxiv</sup> or threatening LOs with arrest for monitoring police.

### Aggressive policing

- Throughout COP26 members of the public described police as "hostile"<sup>xxv</sup> and "aggressive".<sup>xxvi</sup> This included violent resistance to being filmed, and concealing their badge numbers. We received many reports of officers, including PLOs, punching, grabbing, "groping"<sup>xxvii</sup> and shoving protesters and members of the public.
- Officers displayed disregard for safety of protesters during lock-ons and arrests, using excessive force and preventing others from providing welfare to protestors as young as 17. In one notably dangerous incident, Police were filmed violently dragging people who were chained by the neck across a bridge,<sup>xxviii</sup> later claiming to have "facilitated" this protest.<sup>xxix xxx</sup>

### Recommendations

It is not enough to adopt the language of human-rights without tools to practically implement this approach. Netpol has previously recommended that Police Scotland adopt our Charter for Freedom of Assembly Rights as a benchmarking tool to measure their performance against, and this report again highlights the need for proper human rights standards to be adopted.

**Netpol and The Article 11 Trust call for an urgent independent enquiry into Operation Urram, Police Scotland's false and misleading public statements, and an immediate review of the use of Section 20 in relation to protest policing as a 'blanket' stop and search, arrest, and containment power.**

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- <sup>i</sup> 31/08/21 Glasgow Live [Glasgow COP26: Thousands of police to receive public order training in run-up to summit](#)
- <sup>ii</sup> 24/06/2021 Express and Star [How will the Cop26 climate conference be policed?](#)
- <sup>iii</sup> 24/11/21 Scottish Police Authority Meeting <https://livestream.com/spa/authoritynov2021>
- <sup>iv</sup> 24/11/21 Scottish Police Authority Meeting <https://livestream.com/spa/authoritynov2021>
- <sup>v</sup> 8/12/21 1919 Magazine. [COP26: Reflections from the frontline](#)
- <sup>vi</sup> Article 10 Human Rights Act 1998 <https://www.legislation.gov.uk/ukpga/1998/42/contents>
- <sup>vii</sup> 24/11/21 Scottish Police Authority Meeting <https://livestream.com/spa/authoritynov2021>
- <sup>viii</sup> 03/11/2021 Police Scotland [COP26 - update on the policing of protests in Glasgow](#)
- <sup>ix</sup> 24/11/21 Scottish Police Authority Meeting <https://livestream.com/spa/authoritynov2021>
- <sup>x</sup> <https://www.scotland.police.uk/spa-media/3w5brwvi/stop-and-search-sop-1.pdf> p.7.
- <sup>xi</sup> 22/06/21 Scottish Police Authority [Stop and Search National Guidance](#) p.15
- <sup>xii</sup> IAGSS. 2018. Code of practice for stop and search in Scotland: six-month review. <https://www.gov.scot/publications/six-month-review-code-practice-stop-search-scotland/pages/1/>
- <sup>xiii</sup> Police and Fire Reform Act (Scotland) 2012 <https://www.legislation.gov.uk/asp/2012/8/section/20>
- <sup>xiv</sup> <https://www.scotland.police.uk/about-us/police-scotland/stop-and-search/data-publication/>
- <sup>xv</sup> P.34.
- <sup>xvi</sup> P.18.
- <sup>xvii</sup> Legal Observer C. p.35.
- <sup>xviii</sup> 26/11/21 Morning Star [Cops involved in raid on Baile Hoose Occupation should face disciplinary action, campaigners say](#)
- <sup>xix</sup> Legal Observer B. p.29.
- <sup>xx</sup> Legal Observer B. p.46.
- <sup>xxi</sup> Legal Observer D. p.39.
- <sup>xxii</sup> The Venice Commission, OSCE/ODIHR. 2019. [Guidelines on Freedom of Peaceful Assembly](#). Paragraph 172.
- <sup>xxiii</sup> The Venice Commission, OSCE/ODIHR. 2019. [Guidelines on Freedom of Peaceful Assembly](#). Para 204.
- <sup>xxiv</sup> Legal Observer J.
- <sup>xxv</sup> P.52.
- <sup>xxvi</sup> Legal Observer A. p.27.
- <sup>xxvii</sup> P.52.
- <sup>xxviii</sup> COP26 bridge blockade by Scientist Rebellion 6/11/21 <https://youtu.be/qyV3Ffe8Prw>
- <sup>xxix</sup> P.52-53.
- <sup>xxx</sup> The Herald 8/11/21 [COP26: Scientist Rebellion protest at Glasgow King George V Bridge](#)

**'Respect or Repression?' is a joint report by the Network for Police Monitoring (Netpol) and the Article 11 Trust based on testimony from protesters, legal observers and local residents about the policing of the United Nations COP26 Climate Conference held in Glasgow from 1-12 November 2021. Author: Rachel Currie, Article 11 Trust Research Fellow. Editors: Sian Jones, Kevin Blowe, Kat Hobbs (Netpol).**