



# WEST YORKSHIRE POLICE

## Freedom Of Information

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Website: [www.westyorkshire.police.uk](http://www.westyorkshire.police.uk)

## Information Management

Our ref: 5379/20  
Date: 25/11/2020

Dear E. Williams,

Thank you for your request for information, received by West Yorkshire Police on 21/09/20.

You requested the following information:

Ms. Jay Keen posted a live streaming video on YouTube of her being arrested yesterday.

The URL is

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fyoutu.be%2FttvIHcPwzbl&data=02%7C01%7CFOI%40westyorkshire.police.uk%7C57b27ab00a894b37d44008d85dd492ca%7C681f73102191469b8ea0f76b4a7f699f%7C0%7C1%7C637362514874741544&sdata=5UaYLXkSsIWk87qaGq%2FCOSDIWoP7QvxHRSXv3LoQugl%3D&reserved=0>

## FOIA REQUEST

Provide the assessment and the name of the assessor of the assessment referred to above.

Information for this question has already been published on our disclosures log, please see the link below;

[https://www.westyorkshire.police.uk/sites/default/files/foi/2020-11/november\\_2020\\_foi\\_5705-20\\_leeds\\_protest.pdf](https://www.westyorkshire.police.uk/sites/default/files/foi/2020-11/november_2020_foi_5705-20_leeds_protest.pdf)

Provide your definition/guidance etc. of a 'political body' for purposes of the Regulations.

Under the Health Protection (Coronavirus, Restrictions) (No.2) Regulations 2020 a protest may be exempt from the 6 person rule if:-

- (i) it has been organised by a business, a charitable, benevolent or philanthropic institution, a public body, or a political body, and
- (ii) the gathering organiser complies with paragraph (5G),

A political body means -

- (i) a political party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000, or
- (ii) a political campaigning organisation within the meaning of regulation 2 of the Health and Social Care (Financial Assistance) Regulations 2009;

*“political campaigning organisation”* means any person carrying on, or proposing to carry on activities—

- (a) to promote, or oppose, changes in any law applicable in the United Kingdom or elsewhere, or any policy of a governmental or public authority (unless such activities are incidental to other activities carried on by that person), or
- (b) which could reasonably be regarded as intended to affect public support for a political party, or to influence voters in relation to any election or referendum (unless such activities are incidental to other activities carried on by that person);

5(5G) The gathering organiser or manager (as the case may be) complies with this paragraph if, in relation to the relevant gathering, they -

- (a) have carried out a risk assessment which would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999, whether or not the gathering organiser or manager is subject to those Regulations, and
- (b) have taken all reasonable measures to limit the risk of transmission of the coronavirus, taking into account -

- (i) the risk assessment carried out under sub-paragraph (a), and
- (ii) any guidance issued by the government which is relevant to the gathering.

**the gathering organiser** means the person responsible for organising a gathering;

**the manager** means the person responsible for the management of the premises on which a gathering takes place.

The police are authorised persons under the legislation and it is therefore for the police to decide whether the above conditions have been satisfied or whether they reasonably believe an offence has been/ will be committed:-

[Provide the police figure for number of people at the gathering.](#)

The attending officer noted 27 people that could be identified as part of the protest.

[Provide the name and number of the plain clothes officer.](#)

PS 4498 Kirwan attended this event as a plain clothes officer.

[Provide the name and number of the arresting officer \(in uniform\).](#)

PC 1636 Swales and PC 3087 Day made arrests whilst in attendance at this event.

## COMPLAINT RIGHTS

If you are not satisfied with how this request has been handled or with the information provided, please read the advice notice attached to this letter. If you do wish to take up your right of complaint, please remember to quote the reference number above, in any future correspondence.

Yours sincerely,

Emily Dawson  
Disclosure Officer.

## COMPLAINT RIGHTS

### 1. Are you unhappy with how your request has been handled or you think the decision is incorrect?

You have the right to request that West Yorkshire Police review their decision. Prior to lodging a formal complaint, we encouraged that you discuss the decision with the case officer that has dealt with your request.

### 2. Ask to have the decision looked at again

The quickest and easiest way to have the decision looked at again, is to telephone the case officer that is nominated at the end of your decision letter. That person will be able to discuss the decision, explain any issues and assist with any problems.

### 3. Complaint

If you are dissatisfied with the handling procedures or the decision of West Yorkshire Police, made under the Freedom of Information Act 2000 regarding access to information, you can lodge a written complaint to have the decision internally reviewed.

A West Yorkshire Police internal review of your decision, will be carried out by a senior member of staff who is fully trained in interpreting Freedom of Information legislation. The review will be independent conducted, regardless to the original decision made.

Complaints will only be treated as valid, if they are received by West Yorkshire Police within a 60 day timeframe from the date of the decision letter. They must include the original FOI Reference Number and can only be submitted in writing, by using the following contact details:

[foi@westyorkshire.pnn.police.uk](mailto:foi@westyorkshire.pnn.police.uk)

Or

West Yorkshire Police  
FOI Internal Reviews  
PO Box 9  
Laburnum Road  
Wakefield  
WF1 3QP

In all possible circumstances, West Yorkshire Police will aim to complete and respond to your internal review within 20 working days. However this date may be extended in exceptional circumstances, by another 20 working days.

### 4. The Information Commissioner

If you are still dissatisfied with the internal review decision, made by West Yorkshire Police. You can then make an application to the Information Commissioner, for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at [www.ico.gov.uk](http://www.ico.gov.uk)

Alternatively, you can phone their helpline or write to them at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
FOI Help Line: 0303 1231113